CITY OF DOVER
HISTORIC DISTRICT COMMISSION
JULY 18, 2013

The Regular Meeting of the City of Dover Historic District Commission was held on Thursday, July 18, 2013 at 3:00 PM with Chairman Scrafford presiding. Members present were Chairman Scrafford, Mr. Jackson, Mr. McDaniel, and Mr. Salkin. Mr. Fisher was absent.

Staff members present were Mrs. Melson-Williams, Ms. Cornwell, and Mrs. Purnell.

APPROVAL OF AGENDA

Mr. Salkin moved for approval of the agenda as submitted, seconded by Mr. McDaniel and the motion was unanimously carried 4-0. Mr. Fisher was absent.

ADOPTION OF MINUTES OF THE REGULAR HISTORIC DISTRICT COMMISSION MEETING OF MARCH 21, 2013

Mr. McDaniel moved to adopt the minutes of the regular Historic District Commission meeting of March 21, 2013, seconded by Mr. Salkin and the motion was unanimously carried 4-0. Mr. Fisher was absent.

ADOPTION OF MINUTES OF THE MEETING OF JUNE 20, 2013

Mr. Jackson moved to adopt the minutes of the meeting on June 20, 2013, seconded by Mr. McDaniel and the motion was unanimously carried 4-0. Mr. Fisher was absent.

COMMUNICATIONS & REPORTS

Summary of 2013/2012 Activity

Mrs. Melson-Williams stated that included in the packet was a summary of applications 2013 and 2012. There were a total of seven (7) applications in 2012 and most of them have been completed.

Mrs. Melson-Williams asked if there were any questions regarding the applications and their status. There was none.

Mrs. Melson-Williams stated that the Architectural Review Certifications for 2013 consisted of any permit applications within the Historic District that required Architectural Review Certification. There are a total of 45 permits through June that had activity in the Historic District. Only three (3) of them involved action by the Historic District Commission. Most of them qualified for Staff Review. Half of the permits were signs and temporary signs. There were some minor renovations Building Permits that also included the interior.

Mrs. Melson-Williams asked if there were any questions regarding the permits?

Responding to Mr. McDaniel's question as to which building was the 34 South State Street where the brick shed was demolished, Mrs. Melson-Williams stated that it was the Wesley College President House, the brick shed that was close to the alley that was hit by a vehicle. It was unable to be

reconstructed. Photos were submitted with the permit application. It can be approved by Staff since it was something that was in the rear and not visible from the public way.

Responding to Chairman Scrafford's question if it qualified for a demolition, Mrs. Melson-Williams stated that it was an accessory building and would have been a safety hazard if it was not taken care of very quickly.

Update on Discussion-Role and Scope of the Historic District Commission and Historic District
Mrs. Melson-Williams stated that there was nothing to report. Mrs. Townshend has been working on a survey of questions that were discussed at the public workshop meeting that was held in February. Other items have taken precedence at this point for Staff time and it has been put on the back burner.

Responding to Mr. Salkin's question if it was on the back burner in general or is there still discussion; Mrs. Melson-Williams stated that she was not aware if there has been any other discussion. There were some questions raised at the most recent City Council meeting when considering the reappointments for the two terms that had expired. There were some questions regarding whether some of the information from the public workshops was taken into consideration when looking for membership of the Commission.

OLD BUSINESS

Certified Local Government (CLG) Program

Mrs. Melson-Williams stated that the Certified Local Government Program has been discussed for a number of years. It is one of the suggested goals in the City's Comprehensive Plan in the Historic Preservation Chapter. The Certified Local Government Program is a federal program through the National Park Service that has an application process that begins locally with submission to the State Historic Preservation Office. One benefit of being a Certified Local Government is that a certain portion of the federal monies that come to the State of Delaware for Historic Preservation must be granted to counties and cities that are a Certified Local Government. In Delaware, the program works as a 60/40 matching program. Staff is anticipating that this will be pushed to the forefront as it is on the Legislative Finance and Administration Committee meeting agenda for Monday, July 22, 2013. They will be discussing the program and its benefits. If the City chooses to pursue they will need to gather information such as the ordinances and resumes of all members of the Commission. Resumes are to be given to Staff after they are updated.

Mrs. Melson-Williams stated that included in the member packet was a handout of frequently asked questions that was on the National Park Service website. Most of it focuses on the grant. There are guidelines on how the program functions in Delaware. You are required to have in place a Commission that has some control over the designation and review of projects affecting locally designated landmarks in the Historic District.

Responding to Chairman Scrafford's question if it will take Council actions, Mrs. Melson-Williams stated that in the application process one would need to request to participate in the Certified Local Government Program. The request is a letter signed by the government's chief

elected official. In this case, it is the Mayor. Because it involves use of Staff and City priorities it will probably go through a Council action also. If this is pushed forward Staff suggests having a briefing and a workshop from the State Historic Preservation Office who has a coordinator of the program for questions and a better understanding.

Responding to Mr. Salkin's question if it would be appropriate or helpful to endorse the program; Chairman Scrafford stated that he was of the opinion that it needs to rest with Council to determine whether or not they want to do it which may be a difficult decision. Once they have elected to do it then the Historic District Commission members could have a meeting to discuss the implications. Also responding, Mrs. Melson-Williams stated that it was not placed on the Legislative and Finance Committee Agenda by City Staff; it was a request by a City Council member.

Mr. McDaniel stated that by endorsing it or encouraging it they would realize it is not self-serving. If they do have the Certified Local Government Program, the Historic District Commission would need to remain.

Responding to Chairman Scrafford's question if it should be approached by a letter to City Council recommending that they endorse the Certified Local Government Program, Mr. McDaniel stated a vote that they are in favor of the program.

Mr. McDaniel moved to recommend to City Council the approval of the Certified Local Government Program and the City's actions in exploring the program, seconded by Mr. Salkin and the motion was unanimously carried 4-0. Mr. Fisher was absent.

Responding to Mr. McDaniel's question if the recommendation came from Councilman Slavin, Mrs. Melson-Williams stated that he was one of the City Council members that placed it on the agenda. It takes two (2) members to put something on the agenda.

NEW BUSINESS

HI-13-05 North Street Pocket Park at 301 South Governors Avenue – Public Hearing and Review for Recommendation on Architectural Review Certification to allow for the construction of a park consisting of paving and landscape areas to be located at 301 South Governors Avenue. The property is zoned C-2 (Central Commercial Zone) and is subject to H (Historic District Zone). The property is located on the southeast corner of West North Street and South Governors Avenue. The owner of record is City of Dover. Address: 301 South Governors Avenue. Tax Parcel: ED-05-077.09-04-36.00-000. Council District 4. *This is associated with Site Plan Application S-13-10.*

Mr. McDaniel was recused from the application because he is a member of the Downtown Dover Partnership.

Responding to Chairman Scrafford's question regarding who the applicant was, Mrs. Melson-Williams stated that the application was prepared through the Downtown Dover Partnership and the property is owned by the City of Dover.

Mrs. Melson Williams gave an overview of the report. She stated that this is not the first time the

Historic District Commission has dealt with this property. There used to be a three (3) story brick building that was declared Demolition by Neglect by the Historic District Commission and City Council declared it a Dangerous Building and it was demolished. The City acquired the property late last year after a Sheriff Sale due to tax delinquency. Between the Parks & Recreation Committee and the City Council they have endorsed this parcel of land as becoming a park and basic concepts for its design. The property is located within the local Historic District and part of the Dover Green Historic District that is listed on the National Register.

Representative: Mr. Jonathan Street of Becker Morgan Group.

Presentation:

Mr. Street referring to the graphical format presentation board, he stated that it was the existing corner itself and the improvement as it was systematically designed near the following properties: North Street, Governors Avenue, the North Street improvements, and the Becker Morgan office. The sidewalk heads east on North Street was systematically designed in keeping with the rest of the North Street project. Most of the brick paver path sidewalk already exists and they would be improving it and continuing around the corner. The brick pathway will be continued further down to their entrance. The site improvements are full of landscaping and their plan is to work with the City's Arborist and Grounds Department to discuss what they would like to see in conjunction with their landscape architect. Then they could merge the two designs together to see what would be easier for the City to maintain since it is a City Park. They are looking at a low maintenance design for the City that would consist of hardscaping and three (3) raised planters. Benches will be added to Loockerman Way which is east of the park. It has been requested that benches be added to the park itself. They are working with the City Manager on whether or not to install benches in this park. The raised planters were constructed to be elevated to act as benches. If benches are added to the park it will slightly alter the design and the raised planters would not be as appropriate as benches because you would already have benches. It is almost like one or the other in the rear. They are asking that it not be a recommendation. They are preparing for it and getting prices. A final decision has not been made. Referring to Staff comments regarding the raised planter on the corner as being proper clearance for ADA, some of the issues are clearances because there are traffic poles and traffic boxes. Some of them may shift a little.

Responding to Chairman Scrafford's comment that there is an elevation criteria for corners, Mr. Street replied yes, they are 18 to 20 inches (referring to proposed height of raised planter).

Mr. Street stated that they plan to bring the brick up to the property line so that there is a clear distinction between what is City right-of-way and City property.

Responding to Chairman Scrafford's question if the things that are planted in the planters conflict with the height criteria on the corner, Mr. Street stated that they are envisioning more tulip beds and something low and nothing of height, especially in the corner.

Responding to Chairman Scrafford's statement that you have turn sightlines and you do not want to plant something that someone has to take out, Mr. Street stated correct. It has been slightly

updated since the Parks & Recreation Committee meeting. Referring to the presentation board there was a sidewalk behind one planter and Parks & Recreation recommended something that was not of a hardscape sidewalk next to the residence. Half of the site is hardscape and the other half is planting.

Addressing the Staff comment regarding the fencing and property lines, Mr. Street stated that the property line adjacent to the building is a foot off the building. They are proposing not to fence and bring the wooden fence that is currently there back to the corner of the building and tie it in and leave the other side open because there is only a foot of space between the buildings.

Responding to Chairman Scrafford's question that it is not built on the property line as the other buildings are on Loockerman Street, Mr. Street stated correct. It is about a foot and 1 inch on one side and a foot and 4 inches on the other side. Therefore; in keeping with the opening of the park they are recommending not having a fence on one side so that it is open, and possibly having a 3 foot iron fence on the other side to match the surrounding area or just leave it open.

Responding to Chairman Scrafford's question if they needed to decide on how to terminate this property in relation to the adjacent property line and this recommendation for termination, Mr. Street stated that his recommendation for termination was the 3 foot black iron fence. On the other side there is no determination because it is very close. The building acts as the property boundary.

Responding to Chairman Scrafford's question as to what was Staff's Recommendations, Mrs. Melson-Williams stated that Staff recommended coordination with the adjacent property owners regarding any remaining fencing or landscaping along the adjoining property lines and the addition of a black metal decorative fence of three to four feet in height along the southern property line to connect the wooden gate and the existing wooden fence which are Items # 6 and 7 of the Architectural Review Staff Report. Currently, there is a gate piece that is parallel to Governor's Avenue and the gap, then the wooden fence starts. If the property owner wanted a fence in that location then the appropriate style fence would be the black metal and not the continuation of the wooden fence.

Responding to Chairman Scrafford's question if he would work with the property owner to resolve the issue; Mr. Street stated yes. The wooden gate is almost entirely on the City's property. It is their intention to remove the wooden gate. Coordination with the property owner will need to take place because we will essentially be removing and replacing all of the brick in front of their house. They will be keeping the same type of property lines within the right-of-way and transitioning the brick. They will continue with the herringbone (pattern) all the way down and around the corner. The design will be switched on what is on their property at 1 to 2 foot to the front porch so that there will be distinction where the property line is located.

Responding to Chairman Scrafford's question if it was a bed and breakfast, Mr. McDaniel stated no.

Mr. Street stated that this may not be the final landscaping, but will be maintenance friendly for the City and it will follow the *Zoning Ordinance.* They will abide by the 1.5 foot candle lighting, but

they do not want tall lighting because it will be less appropriate for the park area. It will be more of a low light level.

Responding to Chairman Scrafford's comment that there will be residential buildings on two sides, Mr. Street stated that it can be shielded.

Mr. Street stated that the brick column on the property is envisioned to be more of a place for signage and they want to keep the look consistent along North Street. There is also a 7 or 8 foot brick column in the back of 22-24 West Loockerman Street.

Responding to Mr. Salkin's question if the brick column was a chimney, Mr. Street stated no.

Responding to Chairman Scrafford's question if he knew what it was, Mr. Street stated no, it is not there (it is new construction).

Mr. Street stated that because of the park's envision that it will be more of a pass through park, they would like the recommendation of the bike rack to be taken out because there are roughly fifteen (15) bike rack parking spaces in the North Street project about 150 feet from the park. There are ten (10) parking spaces for bikes in Loockerman Way and people are still locking their bikes to the poles.

Mr. Colon stated that coming east onto North Street there would be a pillar on the gateway as you enter the neighborhood and further down the street on the left you would have the rear of 22-24 West Loockerman Street with the matching pillars.

Mr. Street stated that they did not have any problems with the remainder of Staff Comments. The wedge will be a different color brick so that it will be in keeping with the architectural design.

Responding to Mr. Salkin's question if the gray area represented pavers, Mr. Street stated that it would be concrete. The pattern shown consists of the scoring and construction and not a stamp that would be ran through the concrete.

Responding to Mr. McDaniel's question if it was the same pattern that runs behind 22-24 W. Loockerman Street, Mr. Street stated no, this will be more of a radial scoring pattern.

Responding to Mr. Street's question if he was referring to the picture framing and if he liked it, Mr. McDaniel stated that it was okay.

Mr. Colon stated that behind the plaza there is one circle, but on Loockerman Way there are circles halfway and a circle in the center.

Responding to Mr. McDaniel's question if the pillars were visible as mentioned on the presentation, Mr. Street stated yes.

Mr. Colon presented the members a photo of the pillars at the rear of 22-24 W. Loockerman Street next to Loockerman Square Apartments. Mrs. Melson-Williams asked Mr. Colon to forward the photo to the Planning Office.

Mr. Salkin questioned if they were looking for some type of icon or landscape feature or space for art rather than having a brick column that may mimic something, but doesn't really speak to the neighborhood or revitalization. It looks as if this would be a wonderful opportunity for a sculpture, not that this project would include it, but the design would allow for it.

Chairman Scrafford stated that he agreed with Mr. Salkin that this was an opportunity to continue a presentation of arts.

Mr. Street stated that they had not considered it in reference to the brick column. The brick column was a stand-alone issue. He hadn't heard of discussion of anything in the back to utilize the space for such as well.

Responding to Mr. Salkin's question if they were planning to include benches and they were not sure where or if they did not want to include benches, Mr. Street stated that it was not clear to him. He was told that the Board of the Downtown Dover Partnership was working with Scott Koenig, City Manager. The raised planters are meant to be used as benches. They are envisioning the brick planters to be roughly 20 inches in height which is typically higher than a chair, and wide enough for a person to sit on.

Responding to Mr. Salkin's question that there will be a place to sit, Mr. Street stated yes.

Responding to Chairman Scrafford's question if at the present time the raised planters would be the solution to the benches, Mr. Street stated yes, instead of having a physical bench you would have the planters. There will be either benches or planters.

Responding to Mr. Jackson statement that benches end up being beds, Mr. Street stated that this was the reason why they wanted to do something that was not a physical bench.

Mr. Jackson stated that it was a good idea.

Responding to Mr. Salkin's question if there were plans to improve the sidewalks on the north side of North Street, Mr. Street stated that it has been completed all the way to the corner.

Responding to Mr. Salkin's question regarding the landscaping on the North Street lot where a row of trees that were approved were never installed, he had concerns with the recommendations of landscaping not being completed as he would like to be reassured that the landscaping will happen even if it is not regarding historic fabric. Mr. Street that the biggest problem with the trees on North Street was the existing underground utilities; therefore, the trees were placed wherever they could find a place to put them. There was a 10 foot buffer between City of Dover Electric and it was in the sidewalk; therefore, there was 10 foot beyond the sidewalk where trees could not be planted. Mr. Salkin stated that he would like to be confident that if this application is endorsed that the

Historic District Commission could expect it would look like the plans or if it can't be done that they would like to be notified.

Mr. Scrafford stated that it was a Staff issue and they should be alerted by Staff if something they have approved cannot be accomplished.

Mrs. Melson-Williams stated that the North Street project has not been closed out. Final Inspections have not been completed on the project to compare it to what was approved as a Final Site Plan. If there are issues they are yet to be discovered because the Final Inspection is not complete.

Chairman Scrafford asked if there were any questions.

Mr. Scrafford declared the public hearing open.

Mr. McDaniel a member of the Downtown Dover Partnership stated that they had briefly discussed the Parks sculptures. Charles Parks turned over a great deal of his work to the State of Delaware. He thought that a sculpture could be placed in the park.

Chairman Scrafford stated that it was ideal. He thought that parks should have some monuments and possibly someone from the City to establish or approve. He used Savannah South Carolina as an example. Making a monument to the City is not a bad thing as long as there is an idea on how to represent colonial or the Capital so that the parks do not get away from you too soon.

Mr. Colon stated that there was a discussion on the park roughly a monthly after his arrival. A representative at the Parks and Recreation Committee meeting discussed signage and recognizing a community group by installing a plague on a pillar.

Mr. Street stated that the goal is to give the City a slate to do what is being discussed so that they can create the slate.

Chairman Scrafford stated that his concern was that these things have a tendency to slip away unless they are gathered in by an agency that can be responsible to ensure that it will occur.

Mr. Colon stated that getting a decision on whether there will be a brick planter wall as a built in bench verses an actual physical installed bench would be a step in the right direction because the City will be maintaining the park.

Chairman Scrafford stated that whether there is a theme or not for the benches or planters is based on it going somewhere in the City with a stamp approval on a decision stating that this is what they will do and this is how it will be done in the future. Otherwise it will just go away.

Mr. Colon stated that he liked the theme idea, but what it does to the process may extend it.

Mr. Street stated that Parks and Recreation Department should spearhead the idea.

Chairman Scrafford stated that Parks and Recreation Department should be notified of the idea and then they can pick it up.

Mr. Colon stated that there is another section of improvement slated in the next eighteen (18) months. If this project is approved now and they continue to work with Parks and Recreation Department to put the finish touches on the gateway, it will set the tone for the next two (2) blocks that are left. The suggestion is well taken.

There being no one else wishing to speak, Chairman Scrafford declared the public hearing closed.

Chairman Scrafford questioned if there was any additional discussion.

Discussion of Staff Recommendations:

Chairman Scrafford and Mr. Salkin discussed the issues with seating and bicycle racks that are Staff recommendations that were asked to be included in the approval.

Mr. Salkin stated that they needed to defer to Staff on the issues that were raised by the Historic District Commission because there is uncertainty regarding the plant material, benches, and the wall.

Mr. Scrafford questioned if there were any additional questions, comments, or motion.

Mr. Salkin moved to recommend approval of HI-13-05 North Street Pocket Park located at 301 South Governors Avenue for approval subject to Staff working with the applicant to resolve the issues discussed and specified in Staff recommendations item and 3 subject to further discussions on benches, landscaping, and bicycle racks and to include the conditional approval of the Architectural Review Certificate. seconded by Mr. Jackson and the motion was unanimously carried 3-0. Mr. Fisher was absent and Mr. McDaniel was recused.

Responding to Mr. Salkin's question if Staff would have enough time to work with the applicant to address the three (3) issues and have the recommendations that goes before the Planning Commission meeting to be more specific or will it remain open, Mrs. Melson-Williams stated that they will have some additional clarification since the applicant has identified that they are working with the City Manager. The Public Works Department in which the Grounds Department is a part of will participate in the review of this application before it goes to the Planning Commission. Therefore, we have time for the other groups to weigh in on what will be maintenance and long term issues for the park.

Mr. Salkin moved to recommend approval to the Parks and Recreation and/or other City government to evaluate opportunities for infusion of public art into public spaces as they are created throughout the City and to establish a comprehensive approach for public art and protocol for implementation, seconded by Mr. Jackson and the motion was unanimously carried 4-0. Mr. Fisher was absent.

NEW BUSINESS

Report on *Historic Preservation Commission Training Session on Design Review* held April 27, 2013 at Lewes City Hall:

Mrs. Melson-Williams stated that she attended the *Historic Preservation Commission Training Session* that was co-hosted by Lewes Historic Preservation Commission. They focused on Design Review, a training manual, and example items of a project that the Historic District Commission would look at and be in charge of dealing with. The training was funded through money Lewes received as a Certified Local Government.

Responding to Chairman Scrafford's question that the program is not that old, Mrs. Melson-Williams stated no, their district commission (Lewes) was established within the last five (5) years.

2013-2017 Delaware's Historic Preservation Plan: *Preserving Our Past for a Better Future*: http://history.delaware.gov/preservation/planning.shtml

Mrs. Melson-Williams stated that a copy was distributed in the June packet. It gives a series of goals and strategies for Delaware related to Historic Preservation. It is not just the State doing things under the strategies and actions, but other agencies and organization that have preservation ties. There are goals that deal with education and how to expand access to information for historic properties.

Mr. Scrafford questioned if there were any additional questions or comments.

Mr. Salkin moved to adjourn the meeting; seconded by Mr. Jackson and unanimously carried (Mr. Fisher was absent).

Meeting adjourned at 4:07 PM

Sincerely,

Maretta Savage-Purnell
Secretary