

CITY OF DOVER
HISTORIC DISTRICT COMMISSION
JANUARY 19, 2023

The Meeting of the City of Dover Historic District Commission was held on Thursday, January 19, 2023, at 3:30 PM as an In-Person meeting in the City Hall Conference Room (anchor location) and virtually using the videoconferencing system WebEx. With Chairman Czerwinski presiding, the other members present were Mrs. Mason, Mr. Street and Ms. Horsey (virtual). (Note: The fifth Historic District Commission member has not been appointed following the completion of the term of Mr. McDaniel in 2020).

Planning Office Staff members present were Mrs. Melson-Williams, Mrs. Maretta Savage-Purnell, Mr. Julian Swierczek, and Ms. Katherine Oehmke.

Chairman Czerwinski welcomed everyone back from the holiday break.

Mrs. Melson-Williams introduced the new Planner Ms. Katherine Oehmke. She joined our office in early January.

APPROVAL OF AGENDA

Mr. Street moved for approval of the agenda as presented, seconded by Ms. Mason, and the motion was unanimously carried 4-0.

ADOPTION OF MINUTES OF THE REGULAR HISTORIC DISTRICT COMMISSION MEETING OF NOVEMBER 19, 2022

The meeting minutes of November 19, 2022 is still being prepared. The adoption of the minutes will be at the next meeting in February.

COMMUNICATIONS & REPORTS

Summary of Applications for 2021 and 2022

Mrs. Melson-Williams mentioned that included in your packet first is the Summary of Applications for 2021 and 2022. For the last calendar year, we had a total of 7 Applications. A number of them are either underway or are progressing through the process. If you have any questions, I will be happy to talk about those. She noted that one of them that I will note is the Application regarding the property on Loockerman Street which was HI-22-07 that was your item of discussion at your October and November meetings. That property if you have not been by there, you can see looks a little different. They are progressing through the demolition of that building at 235-239 W. Loockerman Street. The building is totally down. They have some survey that needs to be completed of the basement area related to some of the footings that they need to leave in place before they start the process of backfilling the hole. Contractors have been on site, and she believes that the asbestos is cleared off the Site at this point. We are still looking at a couple more weeks here to bring that location to grade and then see the property. Our Code Enforcement Staff has been very involved in that and the Planning Director.

Ms. Mason mentioned that she noticed that there was just a big hole down there and asked if they were just going to fill it up with dirt? Mrs. Melson-Williams replied yes. They will backfill it with dirt; they have to compact it as they go. There will be soil testing for that so it will be brought to grade. There are some minor sidewalk repairs that also have to be made, but the Lot will be graded and seeded for grass. Ms. Mason asked if they were going to build something, and they knew about it then they wouldn't have to fill it all in because it looks solid down there. Mrs. Melson-Williams mentioned that at this point there is no future plan for the property. It with any Demolition, any basement area is backfilled in brought to grade.

Summary of Architectural Review Certifications for 2022

Mrs. Melson-Williams stated that this is the listing of Building Permit activity within the boundary of the Historic District. There has been a total of thirty-nine (39) applications through the end of December. The majority of them were related to building exterior type items, but a lot of those also include items that may not have been visible from the public way. Staff was involved in the sign off of 34 of those and the Historic District Commission was involved with 5 of them. Since our last meeting Permits were issued in December. One of those is the Demolition Permit for that 235-239 West Loockerman Street location.

Department of Planning & Inspections Updates

Historic Preservation Grant Opportunities

Mrs. Melson-Williams mentioned that associated with Preservation Delaware, they have a Delaware Preservation Fund that several times has made available small grants available.

We received notice of that funding opportunity as part of their outreach about that program. Included in your packet is their basic guidelines. Typically grants range from \$2000-\$5000. However, they can consider more. There are some specific eligibility requests that the resource has to meet and the types of proposals that are also accepted. There is much more detailed information there. In the past, they have done at least one round of Grants and may have the opportunity to do more than one round of Grants in the calendar year based on funding. One of the things that is new this year is that they are accepting applications for non-capital projects that would allow for some planning and architectural studies or preparation of National Register nominations as well. That is a change to their program. If you have any knowledge of a project or something that might benefit from seeking this grant funding, certainly pass this information along.

We previously introduced Katherine at the beginning of the meeting; so, now we have full staff in the Planning and Inspections Department as of this moment. That's exciting for us.

HI-23-01 Lands of Shank Shack, LLC Parking Lot Improvements at 34 The Green – Public Hearing and Review for Action on the Architectural Review Certification associated with parking lot reconfiguration and parking improvements at 34 The Green. The property is zoned RGO (General Residence and Office Zone) and is subject to the H (Historic District Overlay Zone). The project is also associated with the future redevelopment of the western portion of the existing parking lot area (now located on adjoining parcel) that will be part of the Kent County Family Courthouse project; the adjoining area was previously part of the subject parcel and is zoned IO (Institutional and Office Zone) and subject to the H (Historic District Zone). The property is located in the southwest corner of The Green and is south of Bank Lane. The owner of record is Shank Shack, LLC. Address: 34 The Green. Tax Parcel: ED-05-077.09-03-35.00-000. The related parcel located on South Governors Avenue owned by the State of Delaware is

Tax Parcel ED-05-077.09-03-36.00-000. Council District 4. *Minor Lot Line Adjustment Plan MI-21-09 is associated with this property.*

Mrs. Melson-Williams gave a summary and presented information on Application HI-23-01. This is an Application for Architectural Review Certification associated with parking lot reconfiguration and parking improvements at 34 The Green.

Mrs. Melson-Williams mentioned that for the record Commission member Ms. Mary Mason will not be eligible to participate with this consideration of this application as she is the adjacent property owner and per your Bylaws that is a conflict of interest. We provided some information about the history of it. Historically, it was the Captain Wild 's House and there's some Sanborn Fire Insurance Map data that we provided. It's within the City 's Historic District and it also is within the boundaries of the National Register of Historic Places in the Dover Green Historic District. They have requested a waiver of the upright curbing; that is something that the Planning Staff has approved. The *Zoning Ordinance* gives us the ability to approve that. The project also has a focus on some tree planting and landscaping as part of the project. Planning Staff has put forward some recommendations regarding the application. We do recommend conditional approval of it. We have a couple of notations of questions that we have on one aspect about the island itself. This project will also have to give through an Administrative Site Plan review with some of our technical agencies as part of the process here.

Representative: Mr. K. James Taylor, Jr. PE; Senior Project Manager at Verdantas, Mr. Bill Lenihan AIA Architect of Tevebaugh Associates.

Mr. Taylor stated that if you guys recall we were here a couple of times at this point with presentations as far back as a year ago. We came forward for the King of Clubs Parking Lot which was just to the north of this one. Today, we are here for the Shank Shack parcel. As Mrs. Melson-Williams mentioned this property was recently subdivided and kind of cut through. To refresh your memory on what took place within Kings of Club Lot. At this point in time, we're looking for approval for a similar layout on the Shank Shack parcel, which is just to the South. You will see the approved plan just above as well as some of the future site amenities that are taking place on the adjacent property. Today, the existing condition is not straight. There are no parking lines there; parking is kind of just on its own. We are looking to create some defined parking spaces as well as some needed parking space. We are adding a row of 10 parking spaces and one ADA van accessible parking space. As mentioned, we are also providing landscaping. We requested a waiver from the upright curbing because there is no curbing there today. That curbing with such a tight Lot would cause issues as well. We do have a full direction or full traffic flow now. Unfortunately, the Lot is not wide enough to be able to provide parking on both sides of the 20-foot drive aisles with the parking. He asked if anyone had any questions or if Mr. Bill Lenihan wanted to add anything.

Mr. Lenihan stated that as mentioned this is part of the larger Family Court Project on the plan here is the full Family Courthouse site with the Courthouse and the Parking Garage. Here are the Shank Shack at 34 The Green property we are discussing. As mentioned, they used to extend all the way up to Governors Avenue. Part of the real estate transaction was to acquire this western

part for the State for this larger project. The State would reconfigure the balance of the parking that was left here. Mr. Taylor and his team balanced the impervious surface that keep it to a minimum to be able to get parking spots on the paved section.

Mrs. Melson-Williams mentioned that she believes Amanda is just listening in; Amanda is with Verdantas.

Chairman Czerwinski asked if anyone had any questions. Does anyone have any questions regarding the mulch?

Mr. Street mentioned that it calls for 3 inches shredded hardwood bark mulch which is kind of a standard spec for a hardwood mulch. He asked if Staff had any concerns.

Chairman Czerwinski mentioned that he was just saying clarifying that the west side island is where they would do the mulching. That would be clear by the Landscape Plan.

Mr. Taylor stated that in this rendering, yes you could be correct. Mulching was not necessarily shown in that western island, but you don't normally have shrubs that are planted without mulch. There are shrubs proposed. You can kind of see them underneath the tree. There are some shrubs proposed in that location and that will be mulched.

Mr. Lenihan stated that lower scale planting is along the new alley here and then along the southern border. It is very tough to see but you can kind of see that there is a little bit of ground right underneath that.

Ms. Horsey stated that she was familiar with the property. The plan does not indicate which two (2) trees are going to be taken down. Are those along the fence line or the property line? Will they be replaced?

Mr. Taylor replied that the trees that are going to be removed is on the parcel between this property and the King of Clubs property. We are trying to preserve those trees as part of the King of Clubs and the more we got into this the closer we got to some of those trees. We are preserving a tree on that side, but there's some other ones that with their root bed and what needs to be constructed to get the parking in there are a couple trees that would be removed on that side.

There are not currently any trees proposed to be removed between this property and the property to the south.

Ms. Horsey mentioned I thought it said on the Application that we are on the south side of the property, that's why I'm asking. You're now saying it's on the King of Clubs side which is the north side. Mr. Taylor replied that's correct. Mrs. Melson-Williams replied that I think there is probably a Landscape Plan for it. Ms. Horsey stated that it doesn't say though. I mean it's pretty much the Landscape Plan showing you the trees that are coming down on it, but this one doesn't. So, that's why I'm asking the question. I see where the new trees are going. Mr. Taylor replied that the Existing Conditions Plan has the trees that are to be removed and that's the second sheet of the plan set. The trees that I'm able to remove are between the King of Clubs and the Shank

Shack parcel. The south is where the new trees are being proposed. Currently, the asphalt does go up a little bit closer and so we are removing asphalt by the property line to the south of us at 36 The Green to provide more landscaping in that location than what's there today.

Chairman Czerwinski asked if there were any further questions.

Chairman Czerwinski opened the public hearing and after seeing no one wishing to speak, closed the public hearing.

Ms. Horsey recommended approval of Application HI-23-01 Architectural Review Certificate for the Parking Lot Improvements project at 34 The Green that is associated with an Administrative Site Plan. The motion was seconded by Mr. Street and unanimously carried 3-0. Ms. Mason abstained due to a conflict of interest.

Update on the Family Court Project

Mr. Lenihan stated that they were starting with the former Box Outlet site as that was needed to get things underway for the swing space for parking. One of the things that's been in the works is a much larger stormwater or sewer work project that the City is working on that goes all the way down to the river. We are working with the City to incorporate a below grade Stormtech water system here in this parking lot that the City will own on the state property. That is going to be sharpened with this parking lot. It's a great time for the State and the City really working together. The chambers stove the storm surge and then slowly release the water out and stop the surcharge from going all the way down to the river. We will improve all the stormwater conditions here at the city section that has been a problem for some time. The project is currently out to bid for all the work on this site. This will probably be due in February and within 2 months we hope to start the physical construction on this part of the project. For the balance of the project, they are still arguing approvals with DNREC, EPA and the City. All is going very well, and we are working on design. We hope to have construction started on this part of the site towards the end of the summer. He mentioned the rendering of the Courthouse and the parking garage from the Governors Avenue and Water Street intersection. He mentioned that it's very exciting to see this getting closer to physically getting started.

Chairman Czerwinski mentioned that it was interesting on the storm drainage in the parking lot. It's interesting we have issues from the old stream that used to go through that area down to the St. Jones that was there during the colonial period. More impervious surface they added over the years and now we're going to be increasing that amount to be much closer to the intersection in order to catch up.

Review of Permits Referred to Commission

Mrs. Melson-Williams we do not have any permits to bring to you today.

OLD BUSINESS

Certified Local Government (CLG) Program

Mrs. Melson-Williams stated that we continue to be a participant in that program. We are still assessing the ability to make use of some of the grant funding that we have. Now that we've got

staff on board, hopefully, we can be making a decision about moving forward with that. Look for more details on that to come.

Implementation of 2019 Comprehensive Plan

Mrs. Melson-Williams mentioned that this is the time of year where folks can make any Comprehensive Plan Amendment requests. We do have a set of them for this year that have started their consideration process. However, they do not impact property in the Historic District.

Discussion of the Loockerman Street Area

Mr. Street asked all the members to seriously consider this as he has been thinking about this for a long time. He mentioned a couple of things that refer to the Historic District as well as the demolition of the building on Loockerman Street. In previous years, there was a discussion of taking Loockerman Street out of the Historic District or a portion (2 blocks). He agrees with it. You can find little pieces and parts of buildings that are historic and that kind of stuff. What we are looking at is that building being torn down and we've got a vacant site across the street kind of catacorner that's been green for a while. I think there was a fire there years ago. It is now the Family Dollar. Looking at the architecture that's there now, it's from the 80's kind of architecture and the highlighting of stuff. He thinks that someone has spent a lot of money to really bring back a lot of those buildings, at least on the ground level or with the first 2 stories back to any kind of historic piece. It's one of those things where I'm like why we keep looking at those two blocks on Loockerman Street. To me there's only pieces of it and of course, I work for an architectural firm and have chatted with one of our architects in Salisbury, Maryland. He asked, so what do you think, and do you think this is reasonable; and the architect from Maryland stated that they did the same thing. They took a piece of one of those old streets in Salisbury and pulled it out because of the same reason. It wasn't anything historic there left, not like The Green or State Street between Loockerman Street and The Green where you know those are great historic buildings and places. It might help Loockerman itself revitalize if it's not so hard to get things done on Loockerman itself. I'm not saying we are really an impediment to that, but it's definitely a case in point when they were trying to redevelop Loockerman Way. He and Chairman mentioned the purchase and presentation of two (2) buildings that were purchased in that area. There was a brief discussion amongst the members. Ms. Mason mentioned that there was nothing great there to look at anymore. Chairman Czerwinski mentioned that a lot of buildings have been lost on the west and east side. The hardware store has disappeared. We had discussions with the city about the responsibility of building owners. It did not have anything to do with architecture.

Ms. Mason mentioned that in the old days you had little cafés and the Bryan's Drugstore was there. It was always who was putting things in there. I don't know about the Island Hot Dogs. It is really a big disappointment. I just don't know what it is, the service is terrible, the hot dogs were cold, they steamed the hot dogs, and I had a cold hot dog. I just want to see business on Loockerman Street. I plan to go back and the next time I will ask them to steam the hotdog a little bit more. They have a great concept there. They also have another place just to buy snacks; not sure how they are going to make any money.

Chairman Czerwinski mentioned an area of Loockerman about doing away with.

Ms. Mason mentioned that she has tried to patronize every store downtown. She said she did ask the owner as we did not want to be critical why did she name the business the Black Swamp? It

was because it's near this place, the Black Swamp. She did not think that the Black Swamp is appealing to a lot of people. It is a beautiful store that is located on the corner under the Bayard Plaza.

Chairman Czerwinski asked Mrs. Melson-Williams what the guidelines would be if they were pulled out of the Historic District. Mrs. Melson-Williams replied that there is an entire process. If you would like to put this on a future meeting for discussion, Planning Staff can advise you as to what that process would be and things that you would need to think about.

Mr. Street mentioned that he thinks that would be great.

Ms. Mason mentioned just give them different guidelines. You don't pull them out but maybe don't make it too complicated. I'm seeing now that we're getting some new business down there. There is another restaurant that's coming to where the old Newsstand used to be, and they are working. There is some activity which is really encouraging.

Mr. Street mentioned as they continue to discuss and conversate about the Downtown that I would be grateful if Staff could give us a briefing on what that would entail. Maybe we can further the discussion on whether it's portioned pieces or whatever, and whether it is beneficial to taking a piece of Loockerman Street out of the Historic District.

Mr. Street moved to adjourn the meeting, seconded by Mrs. Mason, and unanimously carried 4-0.

Meeting adjourned at 4:26 PM

Sincerely,

Maretta Savage-Purnell
Secretary