

Wilmington Design Review and Preservation Commission
April 20, 2022, Regular Meeting

DRPC Commissioners Present - Michael Freda, Jay Macklin, Torin Williams, David Ross, Peter vonGlahn

Staff Present – Rosemarie Tassone diNardo, Law; Pat Maley, John Kurth and Tim Lucas, Planning

Administrative Business-

Reading of the rules of procedure was done by Chairperson Peter vonGlahn.

Minutes were deferred until the next meeting.

New Business

Permit Referral SR-1717: 2205 Baynard Boulevard. Request to replace front and rear standing seam roofs with shingle, replace existing deteriorated windows with new vinyl windows, replace rear door with new and put new roof and garage door on garage at rear property line (not in sight of Baynard Boulevard). Baynard Boulevard City Historic District. Resolution 07-22.

Summary Presentation was made by new owner Eric Goodlett. He wishes to remove metal roofs from front porch and rear entry porch to roll roofing. He seeks to place all new vinyl windows throughout the house. He further seeks to put new roof on garage to replace wall collapsing and roof which has collapsed and new doors – replacing what is there generally keeping with the style.

Planning's PowerPoint included Google Earth locator slides and a walking tour down the access driveway from 22nd street to the rear of the house where garage is located to show how limited the views of the property rear are. American Foursquare architecture noted. Slides also confirmed what is being retained, and a slide of the revised resolution with the 10 notations of what is acceptable and the two that do not meet standards.

Commission Discussion

Peter von Glahn started with a discussion of vinyl windows saying that there has never been acceptance of vinyl windows in a historic district with only a few exceptions where they were requested for a hidden façade. He also noted that the Commission had an issue with the proposal to remove the standing seam roof.

Mike Freda asked how many windows were proposed for replacement? Owner answered – All.

Toren Williams said, "I thought that the vinyl windows were a non-starter?" which led to a discussion of Andersen 400 series, including note that the Andersen Series 400 the owner had looked at was a replacement window that can be specifically manufactured to 1/8th of an inch. This was contrasted with the Andersen 200 series which is an "off the shelf" window that does not have the flexibility of size.

The owner challenged the commission regarding why they would accept a vinyl clad wood window and not a plain vinyl window, saying "It's just a matter of your taste..." to the Commission.

Peter vonGlahn tried to explain that the non-suitability of vinyl windows is a function of the vinyl being an inherently weaker material, and that to have sufficient structural strength to survive the making and insertion of the window, the vinyl window must have a larger structural area that is not glass - this in turn changes the geometry of the window and the overall look of the house.

Toren William, the Commission architect, noted that his firm has used the 400 series Woodwright before in various projects.

The owner responded, "These windows are a HUGE amount of money, over double the price (of the proposed vinyl). I can't afford that." The owner went on to say that if he spent the lower amount of money on vinyl windows now, even if they didn't hold up, in 10 years he could replace the windows.

Pat Maley reminded the Commission members that former Commission members and Directors of the Delaware College of Art and Design Jim Lecky and Stuart Baron used to point out that the P in DRPC stands for PRESERVATION, and that it is the charge given to the Commission as stewards of the City's Historical Districts to observe and uphold the Federal and local Preservation standards. It was further noted that the 4 architects who were on the DRPC in the 1990s did not allow vinyl anywhere ever.

Eric Goodlett stated that there are multiple houses within a 2-block radius of the subject property that have vinyl, but it was "not his responsibility to tell you where the vinyl is" when asked for the addresses of those properties he was referencing as setting precedent. He then stated that people were forced to use storm windows when they could not get vinyl and was told that storm windows were historically accurate for the period.

Peter vonGlahn moved the discussion along by stating that he was proposing that we allow you to do the other 10 things that are on the application but NOT the windows and the removal of the standing seam roof over the front porch.

Toren Williams asked about City providing financing for windows. John Kurth noted the Delaware Preservation fund might have funds, but they were for reimbursement only for expenses already incurred by homeowners doing rehabilitations. He also noted that DDD Delaware Preservation Fund has increased the individual amounts of money they have to give out. He also notes the state and Federal Preservation tax credit programs

as possible avenues of available funding. Pat Maley noted that she had received notification from Kara Briggs (SHPO staff) that day that Eric Goodlett was interested in the tax credit program. Pat also explained the City's tax Abatement program for certified rehabs.

Peter vonGlahn asked whether vinyl windows will jeopardize the tax credits and was told Yes.

Toren William told Eric Goodlett, "I feel your pain – but we have to draw a line somewhere - Vinyl is a no go, a no starter."

Peter vonGlahn then used PowerPoint slides to teach about ACrymax to provide coating over metal roof to establish stability, saying it goes on as a very thick paint, works very well and is approved by National Park Service for restorations. NO prep work is required and durability on patios for commercial restaurants excellent. IT is available from a local company in Media PA. Peter noted that he had used it on his own home in an historic district.

Pat Maley asks about cost. Peter estimated that a bucket was a few hundred dollars, and it might only take several buckets to do the front porch roof and the labor is easy. He told Eric that the product should work very well in his situation - cheaper, stays within the ethic of the Park Service, and lasts (as on Peter's roof) for 25 years.

Eric says he has looked at a product such as what Peter described – but his porch's drip edges were deteriorated all the way around – downspout is totally rotten, and he was not sure how this product would tie in. He noted leaks have been there, but he was "not sure how long." He further noted water leaking in the deck and in back – and in front in the eaves. Peter von Glahn told him to talk to the Acrymax representative and discuss penetrations for the downspout. It is flexible. Peter further warned that he could not speak to the impact of removing a standing seam roof on your tax credits, but it was unlikely that such action would be approved for a program using the Secretary of the Interior's Standards as their benchmark.

Eric's response was at this point he was not concerned about the tax credits.

He went into a statement about other standing seam roofs that have been pulled off or covered over and after further elaboration said, "He is not asking for things that others don't have."

Pat Maley stated that the Commission is not allowed to approved things that don't have legal precedent.

Toren told Mr. Goodlett that it "sounded like it will behoove him to get an architect if you believe you have damage and will need things to be replaced – you will need drawings."

Toren closed by saying that, "We can't cross the line on materials that are not allowed."

Eric Goodlett stated "it is very unfortunate that the houses on Baynard are going into disrepair – and on block from the Boulevard the houses are all kept up. I don't see this as helping the city."

While he began a statement saying "I will work with you guys on these roofs" it led to a heated exchange which included him saying that he had been in construction for 30 years and that "this was not his first rodeo" but he will figure it out.

Peter von Glahn summarized that the consensus was that we will approve the 10 things EXCEPT for windows and roof replacement.

David Ross – seconded the resolution when it was read, and it was approved unanimously.

Discussion TIME – 47:15 minutes.

Permit Referral DR-1718: 1813 Shallcross Avenue. Request for major visible change to yard which can be seen from the street, complete covering of back half of property with concrete and asphalt to provide new access to sheds at rear of property. Forth Acres Neighborhood Conservation District. Resolution 08-22.

Presentation was made by property owner Mr. Li. His summary included:

- He wants to put asphalt and concrete in back yard
- Everything more than 60' from the street ("my back yard back yard") not touching anything on the concrete strips in the driveway.
- Proposed work starts after concrete strips – will connect existing strips to the garages.
- Need more space to make turns – very competitive parking on street – 2 new spaces will help neighborhood – and put 2 concrete bumpers for cars
- New concrete patio – next to neighbors back addition (which he says is larger than his proposed patio) says there would still be 15' x 13' of grass left in back yard.

Planning's PowerPoint slides included:

- Zillow site showing rental listing as of February 2022 and pulled in March 2022.
- Google Earth image – showing building
- Slides of e-mails exchanges between Mr. Li and Planning
- Slides series that is an examination of 40 Acres from Google Earth bird eye view showing no paving within the property interiors. All residential backyards are green space

- Interior of back yard from street -multiple views showing the back yard is at least 75% visible from street
- Shed verbiage from Zillow which calls out that these are NOT garages just sheds
- Next door neighbor – they have used decorative pavers/ Arch landscaping tiles – flexible – not a matter of compaction.
- Views from within the subject property - notes that Public Works engineer went out and examined the storm water drainage – they will need Lines and Grades drawing prepared and sent to L & I , PW, and Planning.
- Slide of coverings
- Slide of contract from vendor bidding on the job \$13 K Ground disturbance in ground water recharge – not DRPC but will change ambiance
- Kara Briggs – e-mail calling out the unacceptability of the proposed work within the NPC

Pat Maley noted the genesis statement in the NPC code to maintain the streetscape and ambiance.

Mr. Li noted that he did hire a property manager to manage the property. He disputed comments from the PowerPoint about storm water run off (recommendations from Public Works' engineer's recommendation that a Lines and Grades drawing needed to be submitted to L & I and Public Works before a permit could be issued if he was pursuing the proposed work. He disputed the Zillow assessment about garages versus sheds. He disputed most of what was shown on the slides.

Mike Freda asked Planning if there was any objection to the patio?

Pat Maley answered that her understanding was that lines and grades must come in before anything. Further discussion ensued about the individual making the comment about the necessary lines and grades. It was noted that all the folks who submitted comments were professionals, NOT neighbors.

Mr. Li – what if I just make a patio – do I need to do anything?

Pat Maley – I defer to the engineers in Public Works

Li – if I just want an 8' x 15" patio – do I have to do anything? It makes no sense.

Mr. Li then challenged whether Michelle Devillers is on DRPC (challenge to her authority to comment) saying "Is she denying my proposal for a patio?"

He was given the answer that, "You did not make a proposal for just a concrete patio - that must be resubmitted, redrawn so she (Ms. Devillers) knows exactly what she is looking at.

Documentation must be individualized for exactly what you are proposing, it is not meant to be punitive, it is meant to explain so that everybody has a shared

understanding of exactly what (material) is going in exactly how much, how deep, what placement.

Rose Tassone from Law stepped in to clarify, saying that if all he is requesting is a concrete patio it probably goes to L & I - if whatever you are proposing requires Public Works approval they will let you know. If you are proposing just a patio – that is NOT what is in front of the commission.

She further noted that impervious surface will trigger a drainage issue.

Mr. Li – questions further, but was stopped by Peter von Glahn who stated, “You cannot change what is before us because this is what we are evaluating.”

Toren Williams stepped in that the person to contact is Raymond Harwood in L & I – he will guide you to what you need. John Kurth volunteered Raymond Harwood’s phone number to Mr. Li. 302- 576-3056.

Peter vonGlahn asked if there were any other comments on what was submitted? And the began to suggest that only 2 parking spaces could be allowed next to the patio.

Pat Maley interjected that was why she did the Google images of the entire 40 Acres District – it is not a “park in the back yard” neighborhood.

Toren Williams asked about the DRPC mission in the Neighborhood Conservation District – did it include controlling what can be done in back yards?

Pat Maley read from the prepared analysis and NPC code.

Rose Tassone explained to Toren Williams the definition of a streetscape, and he asked “Where does the line stop e.g.. number of plants? What? “

Rose read from – §48-42 and said that the Code DOES define street scape (b) all components visible from a public right of way.

Mr. Li – so everybody has rights over my back yard?

Rose Tassone – basically yes.

Rose also gave clarification about identifying who the e-mail came from in the analysis so that it could be included in the public record (Kara Briggs from the civic association).

Rose told Mr. Li he could get a copy of the e-mail if he wishes.

Attendee comment –

Jonathon Kirk - live at 1815 Shallcross Avenue – been there 20+/- years – live next to Bill Steve’s’ property.

He and his wife are opposed to blacktopping the entire backyard for reasons of run off, and visual (effect) – it is NOT a commercial neighborhood and tis will destroy the ambiance that currently exists.

Peter vonGlahn mentions that green pavers could be used that would create a drivable lawn. Pat Maley mentions that they were used at the Delaware Art Museum for Emergency access in the early 2001-03.

Sense of Commission – this application cannot be approved as submitted. Therefore, this will not be approved.

Resolution is read, 2nd by Toren Williams and denied unanimously.

Permit Referral DR-1708: 6th and Pine Street. Request from the Christina School District to demolish the Drew Educational Support Center to make way for construction of a new, multi-block K-8 campus. St. Mary's City Historic District. Previous case # DR-1685, Resolution 41-21. RETURNING FOR FINAL REVIEW OF DESIGN REFINEMENTS. Current Resolution 09-22.

Presentation made by Carl Krienen, AIA. (Member of Whiting Turner also on call)

He noted the comments made by Planning and a few commissioners on new design (not what was approved in Fall 2021). His PowerPoint showed the images from the fall – and the updated images.

Toren Williams asked why the changes, especially in the front entry area? (Such as the move away from the large gray transom window to a silvery parapet wall effect). Carl said the arch was not working with the orthogonal nature of the rest of the building.

Toren further asked about the color of the brick – the Drew school has reddish brick; the Bancroft school has tan /buff bricks. The neighborhood has a lot of red brick.

Further changes – remove the glass from the stairs that has been visible from the street – more to making it look more as an interior stair, not an exterior stair.

Toren – what about community outreach = how do they feel about the progressing of this design? Carl – meetings have continued but attendance has dropped dramatically.

General discussion of positive comments about the design occurred.

Peter vonGlahn stated that he sensed that we approved as submitted and read the prepared resolution. It was seconded by Mike Freda and approved unanimously.

Move to adjourn was made by Toren Williams, seconded by Mike Freda, and approved unanimously.