

Wilmington Design Review and Preservation Commission
Wednesday, January 18, 2023
6:30 pm Regular meeting

Commissioners present: Peter von Glahn, Jay Macklin, David Ross, Mike Freda, Toren Williams

Staff: Pat Maley, Land Use; Rose Tassone di Nardo, Law, Dorien Snyder, Planning

Administrative Business: massive problem getting all the folks connected to the meeting. Finally achieved at 6:50 pm. Minutes deferred because of problem linking into the meeting.

Old Business:

Permit Referral DR-1730: 1110 North Broom Street. Extensive landscaping renovations (fence removal, multiple tree removal, topography changes, paving) to rear yard which is openly visible from Kennett Place. Revised application. Cool Spring/Tilton Park City Historic District. Resolution 21-22.

Discussion of DR-1730 1110 N Broom – update from Toren who stated that he had called the owners regarding setting up a site visit and they had not responded to his call.

Pat added that she spoke with Jim Dipinto who said he had not received any information from the couple/applicants and asked for contact information for the applicants so he could talk with them again.

Summary – case is already tabled so it will remain in that status until such time as the owners seek to begin work on the plans they had discussed regarding a rear wall and a garage or carport,

Permit Referral DR-1723: 2400 Baynard Boulevard. Request to remove all existing slate shingles on turret of Baynard House condos and use synthetic materials to resurface the turret roof on the building. Baynard Boulevard City Historic District. Resolution 14-22.

Todd Holtsberry of Baynard Condos summarized the field changes that occurred on the roofing for 2400 Baynard Boulevard (DR-1723)

The Condo Association had received the approval for the roofing work at their first appearance before DRPC and contractor Rock Roofing ordered the synthetic slate from

DaVinci; however, the contractor/vendor delivered the wrong supplies (something that was labeled Sonora Red but appeared gray from street level).

With a heavy rain event predicted and the old roof already torn off, they allowed the roofer to install what was delivered. The contractor gave them some credit and offered that if DRPC didn't approve the color they would reroof for a charge.

Pat Maley narrated the few slides taken the day before the meeting. Peter vonGlahn says that it is some of the nicest looking slate he has ever seen with the color variations. His feeling is that it is acceptable due to the quality of the installation work.

Toren Williams agreed nothing that he was a little disappointed on there being no red. Photo pops grey. Red would have been nicer, but he is ok with it.

Todd notes that it works with the stone on the building.

Mike Freda commented that what was placed doesn't even look close to red but took solace in the fact that at least it is not a flat roof... so, he had no large problem with it staying.

Jay Macklin said that if the quality is good the color is ok with her.

There were no other comments.

Peter vonGlahn noted that this after the fact approval would create the precedent for this product that was used so staff can approve under 48-418(b)(10).

Peter vonGlahn then read the resolution as prepared..

Jay seconded the resolution. There were NO Nays, so it was passed unanimously.

New Business

Permit Referral DR-1731: 802 North Van Buren Street. Request for changes to front porch elements. Cool Spring /Tilton Park City Historic District. Resolution 01-23.

Barbara Prince presented the case.

She noted that the inspiration for the requests came from examples on the same block which she assumed had been approved by the DRPC (they didn't) @ 816 Van Buren. She notes the images in her application packet were photo shopped to show what they wanted.

IN regards the ceramic flower pot on sidewalk she was told that no permission was required as long as the container did not obstruct the public right-of-way.

She called out that she was planning to paint using the burgundy color that already exists on the porch.

Pat Maley presented and narrates the slides. Which gave examples of all the other properties that Ms. Prince had cited as precedent none of which had obtained permission for the work.

Peter von Glahn said.

1. the planter is not in commission purview.
2. the Swing gate is not appropriate for these houses and speculated that it probably only put in to keep a toddler in the porch. (Further noting that it would only be ok'd for a toddler if there was no commercial gate.
3. Mid step railing might be approved – there are two rails already in place – if the rail can be sturdy enough to be a safety element – the bottom post must be sturdily anchored –
4. The diagonal lattice is a permanent change to the look and is inappropriate.

HE further noted that the roll up rattan discussed early in the planning remarks would be preferable.

Toren opined that it might be acceptable if she adds the rail in the middle of the approach stairs since there is a middle column IF it is made of wood and matched the existing materials in design. HE further noted that he was not a fan of lattice, saying that it changes the aesthetic of the situation. HE closed his remarks saying that if the material and the profile matched the existing he had no problem with that.

Mike Freda also think the rattan or like would be appropriate and a lot less costly. This led to a discussion of rattan on 8th street – easier to maintain.

Jay Macklin commented that older people may benefit from mid-rail on steps.

This led to a brief discussion to identify which rail is original and acceptable, and that it should match turnings on the post and that they could match either side of existing hand rail. Further discussion of comparison of rails on various porches ensued.

Applicant will still have to go up to the building code required 36" height on railing.

Rose Tassone di Nardo discussed the note in the case analysis setting "visual precedent" saying that "Precedent" is not the term that is proper. She elaborated that

materials or changes to structures that the commission has approved that is in keeping with the mandate of the code is a mandate. If it has not been approved by DRPC, no mandate for precedent is created. When someone does rogue work it is a violation and could be cited as such.

Changes are required come before the commission and “at the end of day the commission has a mandate to act per the code.” she further stated that “If you act outside that you are operating outside the code, and you have exceeded your authority.”

Rose noted the numerous times that a neighbor has pointed to an existing change that might have been done without permission – which is a violation.

Peter returned to the applicant in conversation to summarize –

1. Ok is railing in middle of steps.
2. Swinging gate and lattice in middle of porch is not acceptable.

Barbara Prince – verbalized “the gate was decorative so I’m not missing that too much.”

3. Clarification that the approval is only for the steps, not on the porch surface and the height must meet code. NO structural separation is allowed on the
4. Discussion of the planter – it is not in the DRPC purview because it is not a fixed element of the building.

Peter read the prepared resolution and made the necessary changes.

Caveat – we recommend approval of the

1. Lattice between porches is NOT acceptable; hanging rattan blind is acceptable because it is not permanent.
2. Mid step rail is acceptable but must match existing step rail and meet building codes
- 3 Gate on stairs is not acceptable.
4. Planter is not under DRPC jurisdiction

The revised resolution was seconded by Toren Williams . There were no Nays, so it was deemed unanimous,

Motion to Adjourn was made by Mike Freda, second by Toren and approved unanimously.