

HISTORIC AREA COMMISSION
New Castle Town Hall
2nd and Delaware Streets
November 14, 2019

Present: Laura Fontana, Chairperson
Bill Walters
Marty Wright
Mark Chaump
Cynthia Batty

Absent: Marty Wright

Also Present: Leila Hamroun, Architectural Consultant
Jeff Bergstrom, City Building Inspector

Ms. Fontana convened the meeting at 6:30 p.m. Roll call followed and a quorum to conduct business was declared.

Ms. Fontana advised that there are two new Commissioners sitting on the HAC and introduced Mr. Bill Walters, Planning Commission Representative, and Ms. Cynthia Batty, who was appointed by City Council to fill the open position left with Ms. Jean Norvell's resignation.

Approval of the Minutes

A Motion to approve the Minutes of the September 12, 2019, meeting as presented was made and seconded. Ms. Batty was not present at the September 12, 2019, meeting, and abstained from voting. On vote, the Motion was approved with three in favor and one Commissioner abstaining.

NEW APPLICATIONS

158 East 3rd Street - Timeless Finds, LLC/Michael J. Finkle

Mr. Finkle came forward and introduced himself to the Commission as the Owner of 158 East 3rd Street. Mr. Finkle advised that the original Application was being revised to eliminate the installation of a French Door and the roof-top deck, and the only remodeling that was proposed is to have the roof of the master bedroom, which currently slopes down to 6'7" at its lowest point, raised to 8'. Mr. Finkle explained that he is in the business of assisting investors flip houses; however, after visiting New Castle and inspecting the property, he was charmed by the City and the property and made the decision to move into the house himself.

Ms. Fontana confirmed that the original Application had more dynamics and Mr. Finkle added that the current Application includes more detailed plans. The master bedroom is at the back of the house. Ms. Hamroun added that the HAC findings will be based on Documents A-1, A-2 and A-3 of the Application.

Mr. Walters asked for clarification of the street address, noting that on his inspection of the property it appeared the correct address was 4th Street and the address on the documentation he received for the meeting indicated the street address was East 4th Street. During discussion it was explained that the property runs through from 3rd Street to 4th Street, and there is a house number on the rear fence; however the correct street address is 158 East 3rd Street and the documentation sent out via email was misprinted.

Mr. Finkle explained that the current roof is rolled rubber, and he was looking at either an in-kind replacement or installing a metal roof. Mr. Finkle added that the shingles on the rest of the house are in need of replacement and asked if he needed to submit a separate Application. Ms. Fontana explained that a new Application would have to be submitted; however if in-kind shingles were used, that decision could be Tier 1. Ms. Hamroun advised that in addition to professional drawings, photographs and material cut-sheets should also be attached to the Application.

Ms. Hamroun advised that in raising the roof, eliminating the French Door and roof-top deck, and providing wood siding, the Application would conform to HAC Guidelines. She added that with regard to the roofing, either roofing option would be acceptable. Ms. Hamroun recommended HAC approve either roofing option and the revised scope of work included in the Application as documented in Drawings A-1, A-2 and A-3.

A Motion to approve the revised scope of the Application to raise the roof of the master bedroom to 8' based on Drawings A-1, A-2 and A-3, with wood siding and either rolled rubber or classic ribbed metal roof panels, was made, seconded and unanimously approved.

Mr. Finkle reiterated his eagerness to complete renovations and become a part of the City of New Castle.

138 East 3rd Street – Mr. Martin Metzler

Mr. Metzler came forward and introduced himself to the Commissioners. He explained that his Application is to replace an existing deteriorated wood deck with a 14' x 16' concrete patio and screened-in porch to the back of the property. Ms. Fontana asked Mr. Bergstrom if there were any issues with setbacks, and Mr. Bergstrom explained that as long as the structure is between 3' and 5' off the lot line, there are no Fire Code issues. He added that side and rear yard setbacks are the purview of the Historic Area Commission. Mr. Metzler referenced the survey attached to the Application and noted that there will be at least 4' to the property line. He added that the proposed screened in porch would be wood framed to match the rest of the house, and is not visible from the street. Ms. Fontana confirmed that he is proposing installing only screens and no windows. Ms. Hamroun confirmed that the proposed porch roughly matches the footprint of the existing deck and noted that weather wood fiberglass shingles would be approved.

Ms. Hamroun stated that from her perspective, the structure is not visible from the public right of way, it is appropriate materials, the screening will make it discrete, and the proposed roofing corresponds to roofing that has been acceptable throughout the Historic District, and recommended that HAC approve the Application.

Ms. Fontana reiterated that the Application is to add a 14' x 16' screened porch with wood framed screens and weather blend fiberglass shingles, that it meets all setbacks and is not visible from the public view.

A Motion to approve the Application to replace a wood deck with a 14' x 16' wood framed screened-in structure over a concrete base and weather wood fiberglass shingles was made, seconded and unanimously approved.

COMMISSIONERS' COMMENTS

Paint Color of Houses in the Historic Area

Ms. Batty asked if the Commission could discuss the paint color used on the exterior of houses in the Historic Area. Ms. Fontana advised that paint color is not within the purview of the Historic Area Commission. Ms. Hamroun explained that when the Design Guidelines were prepared the decision was made that judgement on paint color and individual tastes should not be within the purview of the HAC. She added that paint is actually a protective surface that can be changed.

157 East 2nd Street

Ms. Fontana asked for an explanation of why the Application for 157 East 2nd Street became Tier 1. Ms. Hamroun explained that there is a primary right-of-way that is visible from the public view, which is within the purview of HAC, and a secondary right-of-way that is not visible from the public right-of-way. She explained there is more leeway with regard to materials for areas within the secondary right-of-way, and she and Mr. Bergstrom can give their approval without the Application coming before HAC.

The primary right-of-way on the subject property is 2nd Street, and there is a very long side elevation visible from the primary right-of-way that would require wood material; however, the rear elevation on the back, which is an elevation to an addition that had multiple openings and a very rectangular scale that was not something that was significant in the building, was considered to be secondary. As it was not considered a primary public right-of-way she and Mr. Bergstrom concluded that alternate materials would be appropriate. She added that she and Mr. Bergstrom felt the impact of one select small area of the rear elevation could warrant some leeway because the lower elevation has multiple openings and would have minimal impact on an addition that was modern.

Ms. Fontana asked what the difference was between this property and another property that was recently before HAC, noting that the house was visible from all sides but in actuality if the back road is not considered part of the public right-of-way, should that Application have come before HAC, or should the visual inspection been done only from 2nd

Street and should it, too, have been a Tier 1. Ms. Hamroun explained a visual inspection was done from 2nd Street and also from Battery Park, and in that situation, she and Mr. Bergstrom did redo that decision and made the interpretation that there was some leeway and the property owner could use alternate materials on the secondary rear elevations. She added that when there are similar situations the preference is to have the Application come before HAC in order to have a conversation.

Ms. Hamroun added that these questions were presented in the form of email communications, and if she had responded regarding the decision in an email to the group it would have become an informal electronic public meeting. Therefore, she made the decision not to respond via email but to have the discussion during the HAC meeting to explain the rationale.

Mr. Chaump clarified that alternative materials are acceptable on the secondary right-of-way, and Ms. Hamroun explained that if an addition at the rear is visible from the primary right-of-way, then the HAC Design Guidelines should be followed. She added that if a portion of the addition is visible only from the secondary right-of-way, alternate materials are acceptable on that portion. She added that the Commissioners should have a conversation to clarify situations where, for example, the rear of a property overlooks the river or Battery Park and is visible to the public, should it be considered to be a secondary right-of-way or a primary right-of-way because it is in a public area and visible where people can walk; and if it is considered a primary right-of-way does this add constraints to the property that would set more limitations as to height, bulk, etc.

She added if the Commission prefers, future Applications dealing with secondary right-of-way can be brought to HAC and not treated as Tier 1. Ms. Fontana noted that Ms. Hamroun's explanation was beneficial so that the Commissioners understand and everyone is in concert. Ms. Hamroun added that there are mitigating factors to consider: for example more leeway can be granted to a modern addition than to a property that is an original 1800's fairly intact structure with original material and integrity.

HAC Guidelines

Mr. Walters asked if the Commission has a Mission Statement and Guidelines, and Ms. Fontana explained that the Historic Area Commission Guidelines are posted on the City website under Historic Area Commission that includes the Commission's intent, maps, the Mission Statement and Design Guidelines. Ms. Hamroun added that the Guidelines were updated in 2016 and briefly noted items that are within the purview of the Commission. Mr. Chaump asked how often the Guidelines are reviewed, and Ms. Hamroun advised that the last review was 1990. The HAC Guidelines apply to residential and commercial buildings in the Local Historic District and in the National Historic Landmark District, or potentially any building in New Castle that is eligible or listed on the National Register, which captures buildings that are neither in the Local nor the National Districts. Ms. Fontana explained how to use the Guidelines to determine if a property is in the Historic Area or not.

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Mr. Chaump suggested that the Commission should discuss conducting more regular reviews to refresh the Guidelines and establishing a process to update the Guidelines. Ms. Hamroun added that it would be wise to wait for 10 years in order to give the Commission a “look-back” period to better determine changes to the Guidelines that may be necessary and relevant. Ms. Hamroun added that feedback for a revised draft Application should be ready to present to the Commission in January 2020 for content approval.

Ms. Batty asked what the Mission Statement of the Historic Area Commission is, and Ms. Hamroun read from page 72 of the Guidelines:

The Historic Area Commission is the successor to the Board of Architectural Review, established originally in 1951.

The intent of the Historic Area Commission is to safeguard the heritage of the City by protecting and preserving buildings and sites within an area which represents elements of New Castle’s cultural, social, political and architectural history and to promote the educational, cultural and economic value to the public by maintaining said area as a landmark of the city’s history and architecture.

There being no further business to discuss, Ms. Fontana called for a Motion to Adjourn.

A Motion to adjourn the meeting at 7:15 p.m. was made, seconded and unanimously approved.

Kathy Weirich
Stenographer