

HISTORIC DISTRICT COMMISSION
5 October 2010
3rd floor Conference Room, City Hall

**Members present: R. Burke, R. Chandler, R. D. Porper, N. Goodick, R. Pino,
P. Shea**

Chairman Porper called the meeting to order at 7:06 o'clock P.M.

Mr. Chandler arrived at 7:40 P.M. o'clock.

This a continued hearing regarding the application of 80 Middle Street Partners LLC, Map 14, Lot 67, for modifications to a previously approved Certificate of Appropriateness for the same property. Appearing for the applicant were Messers Russo and Gataneri.

The Commission had one of the two approved original documents which were signed, as stipulated in the prior Certificate of Appropriateness, by each member of the Commission, and which were filed, in accordance with a request by the Building Inspector, with the Community Development Department and the Building Inspector. Those documents were at a scale of 1/4" equals 1'0". The documents presented to the Commission for perusal, by the applicant were not of the same scale as the original approved documents and contained a number of differences from the original approved documents.

As a result of the differences in the documents, both with respect to scale and physical discrepancies, it was stated by vice chairman Shea at the prior meeting that the applicants return at a later date with elevations, plans and sections of the building that would allow the Commission to more objectively compare what had been approved and what the proposed modifications were. The applicant returned with drawings done at the same scale as their prior presentation on 21 September, i.e. 1/8" equals 1'0". There were no floor plans or sections as previously requested.

The applicant, at the prior meeting, expressed a desire to change the facing applied to the foundation of the building. At the request of the Commission Ms. Goodick and Mr. Burke, on 30 September, met with the applicants and their architect Daniel DiLullo, at Spaulding Brick in Wilmington to consider samples and choose an alternative which would be presented to the Commission for review. The sample chosen was Silverado Q Stone in a random pattern. The applicant also changed the manufacturer of the composite concrete clap boards which necessitated a change in the initially approved color. A sample of the new color was to be filed by the applicant with the Community Development Department.

The applicant then submitted the latest elevations for consideration indicating that there were two alternate proposals also being submitted for the Middle Street entrance to the

building. In so doing, the applicant stated that the architect “did not have the grades” for the initial proposal as originally approved by the Commission. The original floor of the building’s lowest level was at least two feet below the street level of the School Street entrance, i.e. the side entrance to the building, and to avoid ramping for handicap purposes the grade was changed thus pushing the entire foundation up at least an additional two feet. Mr. Pino asked how that was possible without changing the height of the building and the originally approved exterior appearance of the building. The applicant explained that the original ceiling heights were approximately ten feet and were being lowered to about eight feet. Mr. Pino expressed some concern stating that the presentation “defied logic” and was assured by the applicant that the proportions outside were not going to change. Mr. Pino noted that the building as originally approved and the latest drawings submitted differed in height by an additional two (2) feet.

Attention was then given to the Middle Street façade and the original main entrance from Middle Street. That entrance, which extended approximately five (5) feet from the front of the building, was originally a covered porch with five steps leading up to it with a second floor over the porch “bumpout”. The applicant, on many occasions, indicated that the only reason that the bumpout entrance was even proposed was “because you guys (the Commission) wanted it”. Mr. Burke, given the fact that the foundation was poured before any modifications were requested, questioned how the “bumpout” could possibly have stairs to the street since the foundation as it now exists is approximately seven (7) feet nine (9) inches from the side walk and the bumpout which was now being described as a deck extended an additional six (6) feet from that foundation leaving insufficient room for any stair case to be built as originally proposed.

The next item to be discussed was the door and the window combination on the left hand side of the building as it faced Middle Street. The window now seemed in appropriate and it was suggested that it be eliminated and that the entrance area be redesigned so that its proportions were about three (3) feet wider than currently shown, thus giving some semblance of a Middle Street entrance.

The final item to be discussed was the School Street side of the building and a door opening that was not in the originally approved submission, but which has already been constructed when the foundation was poured. It was noted that the door, which is for trash removal purposes, did not relate to the rest of the building elevation as approved. The applicant indicated that the door was placed where it was because “there was no way for the people coming down the elevator to access that door (the egress door originally approved for School Street) inside the building.” Mr. Burke asked why this happened, and the applicant stated “the he (the architect) never drew the inside (of the building) and that he did (the drawings) basically to see if you’d approve it and then make it work.” Given the fact that the door was a fait accompli, Mr. Porper suggested that the door be a very plain one painted to match the trim, and not one that would compete with the

School Street entrance as originally approved. Ms. Goodick raised some questions regarding the original building at which point Mr. Burke introduced an aerial view of the building taken a few years prior to it demise.

There being some further discussion by the applicant as to how to what he wanted to do, Mr. Pino suggested that he propose a motion and go from there. Pursuant to that suggestion the Chair allowed Mr. Pino to make the following motion:

That we amend the prior approval to the extent as follows:

That exhibit 1 of 10/5/10 (as labeled by Mr. Pino) be approved with respect to modifying and eliminating the stairway to the Middle Street door,

That the rubbish removal door and relocation of the window as previously approved on the School Street Elevation be approved as shown and that the door be plain and painted to match the trim of the building

That the School Street second floor entrance area as shown on exhibit 2 eliminate the originally approved window and that the entrance be redesigned by making it three (3) feet wider and correspondingly adjust the proportion of the roof to reflect that change.

There being no further discussion, the Chairman asked for a vote:

Those in Favor: Messrs. Porper, Pino, Shea, Chandler, Ms. Goodick

Those opposed: none

Abstaining: Mr. Burke

The motion carried. It was requested that the two exhibits mentioned above, be signed by all members present.

The next item on the Agenda was a request by Temple Ahavat Achim to change some of the originally approved Hardy plank siding to cedar boards since the Hardy Plank manufacturer would not guarantee its product if it were installed as proposed on the west wall of the Temple. Since it was deemed an insignificant change no motion was necessary, and that the Community Development Department be notified as to such change.

HDC 5 October 2010

Page 4/4

The Commission approved the issuance of a letter to the Building Inspector regarding the noncompliance with the Certificate Of Appropriateness issued for the property at 19 Dale Avenue, Map 14 Lot 26.

The minutes of the meetings of 27 April 2010, 25 May 2010, and 14 September 2010 were approved with additions, corrections and/or omissions and accepted.

It was noted that the Community Development Department has suggested that the Commission review its procedural processes and its requirements regarding documentation submitted to it, and how to best insure that what it votes to do is properly implemented.

A cassette tape of this meeting is being filed with the Community Development Department.

There being no further business, the meeting was adjourned at 7:55 P.M. o'clock.

Respectfully submitted

Robert H. Burke
Secretary