

Town of Milton
Historic Preservation Committee Meeting
Milton Library, 121 Union Street
Tuesday, January 25, 2011
7:00 p.m.

1. Dennis Hughes: Called the meeting to order at 7:00 p.m. The agenda was for January 11, 2011 and we will change that to January 25, 2011.

2. Roll call of members:

Michael Ostinato	Present
Amy Kratz	Present
Dennis Hughes	Present
Gwen Foehner	Present
Kevin Kelly	Present

Dennis Hughes: We have five members present.

3. Correction and Approval of the Agenda

Dennis Hughes: We have three items on here. Is there anything that anybody wants to change? Robin has corrected the date and I'll entertain a motion to approve the agenda.

Amy Kratz: I would like to make a motion that we approve the agenda, as it stands.

Kevin Kelly: Second.

Dennis Hughes: We have a motion made and seconded to approve the agenda. Are there any questions on that motion? If not, all in favor, aye. Opposed. Motion carried.

4. Approval of the Minutes

Dennis Hughes: Has everybody seen the draft of the minutes? Does anybody have any questions or corrections to the minutes? If not, we'll entertain a motion to accept the minutes of December 14th.

Gwen Foehner: I make a motion that we approve the minutes for December 14th, as presented.

Kevin Kelly: Second.

Dennis Hughes: Motion has been made and seconded to approve the minutes of December 14, 2010. Any questions on the motion? If not, all in favor say aye. Opposed. Motion carried.

5. Business

- a. Discussion and possible vote on the application from Sonny Warrington for the demolition of the existing shed and placement of a new shed on the property located at 428 Chestnut Street, further identified by Sussex County Tax Map and Parcel Number: 2-35-20.11-46.00

Dennis Hughes: Would you like to start out?

Sonny Warrington: Basically the shed is pretty much rotten and dilapidated; it is basically an eye sore and it's not worth trying to save it. I would like to get rid of it and actually, my insurance company doesn't want to cover the house because of the shed being on there in the shape that it's in. I would like to have it replaced. I have a new tenant getting ready to move in and they would like some storage space. It would make the lot look a lot better overall.

Dennis Hughes: Do you have a copy of the shed. Is that the type of shed you are going to put there?

Sonny Warrington: That's the exact same shed.

Dennis Hughes: With the roof style?

Sonny Warrington: Yes.

Michael Ostinato: Is this going to go on the same footprint as the existing shed?

Sonny Warrington: The existing shed is only sitting a foot on one corner; and 4' off the property line on the other quarter. I was going to move it to seven feet on both corners, away from the property line.

Dennis Hughes: So it would meet the Code.

Robin Davis: He's required to have it at least 6' off the side property lines; so he is going to be 7'; so he's actually moving it away to make it in compliance.

Michael Ostinato: But it is going to be in the same spot as it was before.

Sonny Warrington: Yes, as far as setback.

Kevin Kelly: Mr. Warrington, will the proposed replacement shed occupy the same square footage as the shed that is being taken down?

Sonny Warrington: It is actually four feet shorter; I think the shed that is there is 10X20'; and this is a 10X16'.

Gwen Foehner: It says it is 10X14', I think it says here on the drawing.

Sonny Warrington: I may be wrong. I'm sorry. I think it is 10X14'. It will be six feet shorter.

Gwen Foehner: Yes and the old one says 10-1/2X20.7', right.

Kevin Kelly: I have a question about the issue of demolition. As I read the documents, does this require the kind of study that is done when we're talking about the demolition of structures on property in the Historic District? I'm really interested in the sense of the commissioners on that question. The shed is defined as a structure in the documents and other things are, as well; garages, those kinds of things; dependencies, in general; and the question is would this be the same? Do we follow the same procedure that we would follow if it was the house that was being

demolished, for example? Do we have flexibility there? I'm just uncertain.

Robin Davis: In the past, we had actually had one several years ago; a porch for Sommer Chorman on Chestnut. There was no structural engineering report done on that either, because it was, as you stated; fences are even classified as a structure. So I think the Commission, in the past, with a little bit of leeway and I think our past attorneys have said that's okay; we have no problem with that, because you're not dealing with a home. They think the intent was more or less, looking forward to make sure that homes just don't get demolished, without having some structural engineering report. But I will say, several years ago, I don't know the exact date, the Code Enforcement Officer did go out and identified this shed as being something that needed to be taken care of; whether it needed to be removed, torn down, or whatever. I did do a follow-up report on it and it is in bad shape. I'm not saying it's...

Kevin Kelly: That's useful information. Thank you.

Amy Kratz: Thank you very much, Robin.

Sonny Warrington: And it is only sitting on four cinder blocks on each corner.

Dennis Hughes: That building, or the property, is it listed on the National Registry of Historic Places?

Amy Kratz: All properties in this district are, to my knowledge.

Gwen Foehner: No, not on the National Registry.

Amy Kratz: They're not.

Gwen Foehner: No, you have to apply to them. My house is listed on the National Registry, but you have to apply and go through a process.

Robin Davis: I think there are only a few.

Gwen Foehner: Yes.

Dennis Hughes: I think it has to be deemed a public hazard by the Code Enforcer.

Robin Davis: Only if you use federal money; I think it's only if you use federal money. You can demolish any of the structures that are on there, as long as you're not taking money from the government, as far as grants, to refurbish it or have it fixed up. I think that's how it actually reads.

Amy Kratz: I was under the impression when the Historic District was first established, Don Post and his brother, when they first got it done; they put all the properties on the Historic Register; whether you have a plaque in front of your house, or not. I was under the impression that all of them were registered as Historic Properties; in our Historic District; and they were all on the National Register. They went that direction. You don't necessarily need to go that direction; but all of them were on the Historic Registry.

Gwen Foehner: The local Historic Register, but I think you'll find that they are no on the National Registry.

Dennis Hughes: I think they are, but there were four houses that were individually put on there. One is the Post House; one is Draper House;

Shortt's Funeral Home; and, there's one more; that are individually. The other 190 some, were done one time as a District.

Amy Kratz: Okay, that makes sense.

Dennis Hughes: As I said, technically if you had money, you would have to go before their Board, as well as ours; and also I think there was a stipulation that it had to be opened to the public, at least one time a year, if you got federal money.

Robin Davis: I think that's correct. I didn't read it in depth, but I know if you're taking federal money to refurbish it, you have to go before them to make any changes.

Sonny Warrington: When I purchased the property, there was nothing in the deed or anything, through rental or anything that even mentioned it even being in the Historical District.

Kevin Kelly: Mr. Chairman, actually if members would look at Page 7, in the revised part of the document, Item e, under Section 4, Application Approval Procedures for Demolition, it sounds Robin as if what you were saying this may cover that, at least it's something to look at. I'll read, "If the Historic Preservation Commission finds that the structure has no historic or architectural significance, or is in such a state of disrepair, as to be a hazard or beyond reasonable efforts at rehabilitation or repair; the Historic Preservation Commission may approve the application for demolition." It suggests there that that does not require it.

Robin Davis: That's correct; and right below that too, it says that if it is in imminent danger, that the Code Enforcement Officer has the right to deem it a hazard.

Dennis Hughes: Yes. I do notice a shed beside it; I guess that's a neighbors shed? Is that right?

Sonny Warrington: Yes.

Dennis Hughes: So basically it is going to be like that shed?

Sonny Warrington: Yes and it will look a little bit better than that.

Kevin Kelly: There's a picture right here.

Dennis Hughes: I'm talking about the adjoining property.

Kevin Kelly: This is what it is going to look like.

Dennis Hughes: Yes.

Michael Ostinato: Has anybody not seen this shed?

Kevin Kelly: Yes, I've seen it.

Michael Ostinato: It's a wreck. I wouldn't go in.

Sonny Warrington: When I purchased the place, I said something to Mr. Wheatley. He was the one that was fixing the house up; I bought the house before it was finished; and said something to him that I thought it would be worth fixing it up and he didn't want to have anything to do with it.

Dennis Hughes: Does anybody else have any questions? Does anybody from the public have any questions?

Gwen Foehner: I would like to make a motion that we approve Mr. Warrington's application to remove the old shed and replace it with a new one.

Dennis Hughes: Is there a second?

Michael Ostinato: Second.

Dennis Hughes: We have a motion made and seconded. Are there any questions on that motion? If not, we'll do a roll call vote:

Michael Ostinato	Approve
Amy Kratz	Approve
Dennis Hughes	Approve
Gwen Foehner	Approve
Kevin Kelly	Approve

Dennis Hughes: Unanimously approved to the application for demolition and placing a new shed on Mr. Warrington's property.

- b. Discussion and possible vote on the application from Myrl & Josephine Powell for the installation of a shed on the property located at 304 Chestnut Street, further identified by Sussex County Tax Map and Parcel Number: 2-35-20.07-107.00

Dennis Hughes: We have your package, Mr. Powell. This is actually a shed; but it is more of a garage shed.

Myrl Powell: It happens to be a garage shed, but that isn't the way we're going to use it.

Michael Ostinato: Mr. Powell, it says in one place here, it says place shed on the back of the property. The shed is 12X20X11' at its peak; and you are going to go 6X6' from the west property line. And back here it says we plan to do the models of a small, 8X10' shed; which is attached to the larger shed at the back of the lot. Is the larger shed not going anywhere?

Myrl Powell: No, the larger shed stays and we have not even decided for sure about demolishing the smaller one; because when I wrote that we had planned to put the new shed in a different location, which would require demolishing the small one. That was before we were told by Mr. Davis, that given the set of the requirements in terms of setback and that sort of thing; which we had not initially been told about.

Robin Davis: The building permit came in first from Mr. Powell; and that's when we talked about that. Afterwards, is when he submitted the Application, because I told him that he had to go before the Commission here, even to place the new shed. So that's when we actually just need to be working off the Application because Mr. Powell, as of this time, is not going to do anything with the older shed; if I'm correct.

Myrl Powell: Not the larger one, but we haven't decided for sure about the smaller one. We probably won't demolish it, but we might remove it.

Our son, Michael Powell here, would like to have it; will take it, if we decide to remove it; but I think we're probably going to leave it as is.

Michael Ostinato: And then this 20X12' is going to go where cars usually park?

Myrl Powell: Yes in part of that space.

Michael Ostinato: And it's going to run 20' up the alley; instead of up your property?

Myrl Powell: Yes, that's right.

Michael Ostinato: Have you talked to your neighbors?

Myrl Powell: No. I haven't had a chance yet. Beside I thought we would probably wait until after this meeting tonight, to discuss it with them.

Gwen Foehner: So there is presently nothing where you are placing that new shed? The old shed that you're talking about possibly removing is up here next to this one?

Michael Ostinato: It's the small one in the front, is that right?

Myrl Powell: Yes.

Gwen Foehner: But there is nothing where you are going to place the new shed?

Myrl Powell: Yes.

Robin Davis: If I'm not mistaken, the new shed is going in the blank spots in the pictures that you see.

Myrl Powell: I indicated that it's...

Robin Davis: This is looking from the alley.

Dennis Hughes: It's going right here.

Robin Davis: And it's going right here; the other shed is over to this side. This is Mr...

Gwen Foehner: There's nothing here now.

Robin Davis: Correct, there's nothing there except a blank parking spot.

Michael Ostinato: Asphalt?

Myrl Powell: That's right.

Robin Davis: Yes, correct.

Amy Kratz: So you're going to do garage-like shed?

Myrl Powell: It's a garage-like shed, but we don't intend to use it as a garage. It's going to be used as a pottery studio for my wife.

Dennis Hughes: That doesn't change this.

Kevin Kelly: Mr. Powell, and again for Commission Members, on Page 9 of the Revised Documents, under Criteria 4.9.8, there is a statement, number six, which Mr. Powell is one of the things that we ought to consider; there are a list of nine items, but this one is one of them; and I'll read so you can hear it as well, "When application is made for new construction in the Historic District, or for relocating an existing structure from outside of the Historic District, into that district, the general compatibility and style, scale, composition, usage and construction of the other structures in the neighborhood". In other words, the item or the structure that you are intending to include within your property, within the

District, should conform; be compatible, I don't want to use a different word, be compatible; in style, scale, composition, usage and construction.

Myrl Powell: In style what?

Kevin Kelly: In style, scale, composition, usage and construction. I think if I'm hearing Mr. Ostinato correctly, that the question is about the size of the structure, relative to the absence there and in some respects the seventh item, the effect of the structure on health, safety and general welfare of the Town; that's very broad, that term is very hard to define; and your interpretation wouldn't be as valid as my interpretation about those words mean; if you look at the photograph, and that's all that we have to go on, that you provided to us; the two photographs. If that structure runs across this space; am I correctly interpreting what it is that you're planning to do where you are planning to locate the structure.

Myrl Powell: It will be along it.

Kevin Kelly: This way?

Myrl Powell: No, that way. Up the alley.

Kevin Kelly: I'm sorry.

Amy Kratz: The alley is at the bottom of the page.

Kevin Kelly: Up the alley. So your plan is to put it here, is that correct?

Myrl Powell: Yes, that's right.

Kevin Kelly: I guess what I'm asking you is how does that impact or affect the community in terms of those characteristics that I read to you?

Myrl Powell: Well there are certainly other structures along that alley similar to this; in fact, I think practically all of the properties, except maybe yours, have a structure of that...

Kevin Kelly: They were all put in before.

Myrl Powell: Right, right.

Kevin Kelly: But Mr. Powell I just wanted to... I'm correct; this is similar to the item the shed that you're proposing.

Myrl Powell: That is the one.

Kevin Kelly: Is it your contention that this is compatible with sheds that presently exist in the neighborhood?

Myrl Powell: Well, I don't know about compatible, but it's similar to the others; the large one that is already on our property, as well as the ones that are on other properties along that alley.

Gwen Foehner: The large one that is already on your property; does that show on either of these pictures? I can't figure it out.

Myrl Powell: No, there is no picture of the ones that are already on.

Dennis Hughes: I think we brought it up on the last; with Mr. Warrington's that the shed beside that is compatible really to the one that's there.

Amy Kratz: That's why in this situation that it might be...

Dennis Hughes: But, again, that other one; this one is new; there's not been anything there on that piece of property, where this shed is going.

Michael Ostinato: Did you ever think about putting that shed on the footprint of the two sheds that I thought was going to be torn down, anyway?

Myrl Powell: We initially were considering putting it on the footprint of the smaller of the existing sheds. But then when Mr. Davis gave us the rules and regulations, it could not go there.

Kevin Kelly: Because of the setback?

Myrl Powell: Because of the setback, yes; and the proximity to another structure. That's where we initially intended for it.

Amy Kratz: Have you thought about looking into other structures that are similar to the ones that are actually on the alley; instead of the one that you picked?

Myrl Powell: These are similar. It is similar.

Amy Kratz: Similar in size and structure and usage?

Myrl Powell: I would say so. I haven't measured the others, and of course, they are all older and have existed there for quite a while.

Amy Kratz: I don't know what the others look like. I only have a vague memory of going down that alley and the others are...

Josephine Powell: Are you sure there's some like that right on the alley?

Amy Kratz: They're like peaked. Aren't they peaked, the others? Instead of like a barn shape.

Myrl Powell: Well the larger of the sheds that are on our property is not peaked.

Amy Kratz: It's not peaked?

Myrl Powell: No, it has the same roof as this. The one next to us on the south is peaked and there's one at the entrance to the alley, at the entrance from Coulter Street, but I can't remember whether it has a peaked roof or not. I think it probably does, the one behind you, it does. Yes, it does. So there is at least one already in existence, that has this type of roof and that's already on our property.

Gwen Foehner: When was that one placed there?

Myrl Powell: I have no idea. Long before we bought the property, I'm sure.

P. D. Camenisch: About '78 or '80; but it was added on the structure that was already there, so there was already two sheds on the lot.

Amy Kratz: So one of them was a littler shed. It could have been like an outhouse type of structure and then the bigger one was added on maybe?

Josephine Powell: Just a little shed.

Michael Ostinato: It's little and it's teeny and then it's hooked on to the bigger shed.

Kevin Kelly: Same section. You would see it on the plat.

Myrl Powell: They show on the...

Amy Kratz: I wish I could see it.

Kevin Kelly: I've been up and down that alley a million times and there's no other place that you think that structure can go, except for right there? This is right on the alley, I guess.

Myrl Powell: Well, it's along the alley, yes. But it's going to be 9' from the edge of the property; in from the edge of the property; from the boundary. So it certainly wouldn't have any affect on the use of the alley.

Kevin Kelly: Mr. Chairman, I would like to place into the record, as well, two other considerations that I would suggest the Commission Members look at. On Page 9, again, of the Revised Documents, "Section 4.9.8, Criteria Number 3; General Compatibility of Exterior Design, Arrangement, Texture and Materials; proposed to be used with other structures contributing to the established character of the neighborhood in which the property is located should be considered". And then, as well, on Page 10, Item 3, "In dealing with siding materials, it talks about all materials being consistent with and appropriate in design, texture and other visual qualities to the style and period of the structure and in keeping with the general appearance of other structures in the neighborhood". It goes on to talk about types of siding, so you're addressing siding in particular, there. I thought it was worth Commission Members, at least, looking at those two statements as we're discussing all the characteristics of the proposal.

Gwen Foehner: I guess it would have been helpful to have had the picture of the other structure that is there, as well as perhaps some pictures of other things that are in existence near you.

Amy Kratz: Gwen, did you just ask them to bring in more pictures, so we could make a better determination?

Gwen Foehner: No, I said it would have been helpful.

Amy Kratz: Would that be helpful? Is it possible that you folks could come back and bring more pictures of the other buildings on the alley so we could make a determination of what structures it may look like in the alley; or if it confirms with the structures in the neighborhood? Can you take a picture of that structure in your yard, as well? Is that possible?

Myrl Powell: A picture of what?

Amy Kratz: That structure, that shed in your yard that you said this resembles.

Myrl Powell: Yes, that would be possible.

Amy Kratz: Is that possible to do that?

Myrl Powell: Yes, that's possible.

Amy Kratz: Would it be a hardship for you to do that?

Myrl Powell: Only in terms of time, in the sense that we were hoping to get approval this evening, that's all.

Amy Kratz: Okay.

Dennis Hughes: It's whatever the Commission wants to do. We could defer this for a month if you wanted more information and then maybe someone could check it. It's up to the Commission, whatever...

Kevin Kelly: Mr. Chairman, given that this was a postponed meeting from an earlier meeting, what are you anticipating our meeting in February to be?

Robin Davis: It would be back to the second Tuesday of the month, which would be the 8th.

Kevin Kelly: So you're talking about a two-week window, as opposed to a month.

Amy Kratz: Could you get those pictures together in about two weeks?

Myrl Powell: Sure. I might point out that we have somebody here tonight who can speak to this, I think. He certainly knows a lot more about that alley and the neighborhood, then we do.

Kevin Kelly: You can just put a period at the end of that part of the sentence there.

Amy Kratz: P.D. do you want to speak to this?

P. D. Camenisch: I live at 302 Chestnut Street, Milton. I just have a couple of questions to ask the Board in consideration for this structure that Mr. Powell wants to put there. I was not informed of what was going to happen through Mr. Powell; I just happened to be talking to some of you guys and he said he was going to put a shed up there and I think the first inclination that I had was that he was going to tear down existing buildings and put a shed back, a larger one, where the old one was; which would be no problem; because several buildings in town of historic value, sheds and garages have been put back and they've been put back in the same footprint. In fact, it happened to Mr. Dolan right across the street. He put a shed in his backyard and the Code Enforcer came up and said; this was before Robin's time; that one brick had to be left in the foundation and they left a brick there and they built the garage on a new footer and put it back where it was supposed to be. The historic shed that is right behind my house was moved from the old Methodist Parsonage, which was behind my house and there was a shed there that was built in the 1800's and we moved it and put it back in the back of the property. It's cedar and it is in compliance with the Historic neighborhood. The only shed that is there, that looks similar to what Mr. Powell has, was put in years and years ago and it looks like a little garden shed, with a Dutch type and it's in Ellen Passman's yard. Most of the other structures on that little alley are garages and they are all peaked. I think Mr. Powell's shed is peaked; the first one is peaked; and the second one that is attached to it, is a mansard roof or a Dutch style. That street is actually a street that is owned by the town; it's called Bee Street. Not many people know that and it is maintained by the town and the plows come up there and they are supposed to fill the holes, once in a while; and so that street is a street that is not used by many people; so it would be visible from all areas, not only Chestnut Street; but the little alley in the back and if you looked behind it, going down Federal Street you would see the shed. It's really not my responsibility to say yea or nay; I mean it's up to you guys, but I just wanted to ask you questions about sheds; adding new pieces of property in town. If you go anywhere in the United States, in any trailer park, you will see these sheds. It doesn't comply with the Historic District and I don't think the Historic Preservation Committee was designed to let things

come into town; new things that were not in compliance or in recognition of the neighborhood being in the Historic District. I was on the Historic Preservation Committee and we had these problems before; a lot of these things were brought into town years ago and they were left there. The object of the Historic Preservation Committee was trying to do was anything new that came into town; we were trying to take it back a couple of steps and make it to be in compliance, that would not degrade the property around it or the value of the property around it. I don't know, it is just a weird place to put a shed and adding 2 or 3 more sheds on one piece of property; I don't even know if the setbacks would be a percentage of the property.

Robin Davis: You have to get into percentage; you are allowed to have 70%; you can cover 70% of your property with any type of structure; that's total. We do not have a limit on the number of out buildings or structures. It's the total percentage of 70%.

P. D. Camenisch: When I built my garage years ago, I had to get a variance. I had to go before the Board; not the Historical Board, because we didn't have a Historical Board then; and the footprint of my garage had to be put back partially on the footprint of the garage that was already there; it was built in the 1930's to handle Model T's and Mr. Powell had a similar garage in his yard, that Mr. Farrell tore down, when he first put up that shed; and there was a garage there at one time and that was before the Historic District was put into perspective. I just don't see...

Gwen Foehner: The garage was where the existing shed is now?

P. D. Camenisch: Yes and the other question I would like to ask the board, or even Mr. Davis, are there specified areas for parking? I mean, if Mr. Powell puts a shed in his parking area, and he has two cars, are you going to be able to park your cars there anywhere?

Robin Davis: He is required to have two parking spots; it doesn't say anywhere on there that he can have two parking spots; as long as you have two spaces; that's all that matters, by Code.

Myrl Powell: There are actually three spaces.

P. D. Camenisch: Where they are now. If you put the shed there...

Myrl Powell: No, if that shed is put in, there would still be three spaces left; two in the larger parking area; and one between the existing large shed and the alley. We park there occasionally there too.

P. D. Camenisch: That's basically all the questions I have. Mr. Kelly pretty much hit most of the points that are already in the laws of the Historic District by being compatible with things in the neighborhood and this being a shed; it's not even permanent. It's just sitting on 4X4's. It's up off the ground; rodents could get in there underneath. He's going to have to run wires out to it and he's going to have it inspected. Is that right, Robin?

Robin Davis: If he has electric, then yes.

P. D. Camenisch: Those are just the questions I have for the Board.

Myrl Powell: I have one comment about a question that Mr. Camenisch brought up; or an issue that Mr. Davis and Mr. Camenisch brought up; and that's the 70% of the property can have structures on it. I calculated; I knew that; and I calculated and this would make 50% on that, so that's not an issue, I don't believe.

Amy Kratz: Thank you, Mr. Powell, for telling us that. I would just like to make a motion, I believe, to ask you folks if it wouldn't be any hardship to bring in some other pictures of sheds on that alley and the shed that you already have in your backyard; so we can make a better visual determination, based on the Historic District Code that things should look similar to the other things in the neighborhood. Does that make sense? Is that okay?

Myrl Powell: Except that it will not look similar really, because there are so many different kinds of sheds on that alley already.

Amy Kratz: I guess what I'm asking; I'm just asking you to bring those in and maybe another suggestion that I would have is it possible to search for another shed that may look similar to the ones on that alley that would be appropriate for the use that you would like to use it for? That's the other question that I have. I don't know if that would be a hardship, because I don't know if you have already bought the shed or not.

Myrl Powell: No, we haven't. But it's still for sale and depending on the outcome of this meeting tonight, we would buy it.

Michael Ostinato: The shed that you have pictured here, to me, and I agree with you that it should look ____; and maybe this isn't my place to say, but I cannot picture that shed on the back of that property going down that alley. I don't think it looks like anything in that whole square block area. I don't think that shed looks similar to anything there.

Gwen Foehner: What about the style of the shed that is pictured right behind the one that you're talking about.

Amy Kratz: It has a peaked roof.

Gwen Foehner: Peaked roof and I don't believe that's a garage door; that looks like a regular door, not a garage door.

Amy Kratz: That's a huge building.

Gwen Foehner: It's hard to tell.

Amy Kratz: I can't tell. So I guess that my suggestion; I've already made a motion was to ask you folks to have some pictures of the alley and the next meeting will be in two weeks away. Robin, will they be able to come to the next meeting?

Robin Davis: The 8th, it's the 8th of February.

Dennis Hughes: We could continue this application.

Robin Davis: It would need to be put in the motion if that's the preference of the Commission to table the application at this time, until further pictures of garages or sheds in the area can be taken and presented to the Board.

Gwen Foehner: As well as the existing shed on their lot.

Robin Davis: Correct.

Amy Kratz: Okay, so I make that motion to table this until the next meeting when we see some pictures; and if it's possible, my suggestion would be to maybe look at other structures that are similar to the use that you might want to use it for; that look like structures in your neighborhood. It's just a thought; you don't have to do that.

Michael Ostinato: Second.

Dennis Hughes: Okay, we have a motion made and seconded. Are there any questions on that motion? If not, we will have a roll call vote:

Michael Ostinato	I'm approving the tabling.
Amy Kratz	I approve the tabling of this issue until February 8 th .
Dennis Hughes	Approve
Gwen Foehner	Approve
Kevin Kelly	Disapprove

Dennis Hughes: We have 4 to 1 so the motion is approved and Mr. and Mrs. Powell will be put on the Agenda for our next meeting in two weeks. Does anybody else have any questions on that? Thank you, Mr. and Mrs. Powell.

Kevin Kelly: Thank you Mr. and Mrs. Powell.

Amy Kratz: Thank you and we'll see you in two weeks.

- c. Discussion and possible vote on the application from Matthew Ward for the replacement of six (6) windows on the house located at 120 Federal Street, further identified by Sussex County Tax Map and Parcel Number: 2-35-20.07-64.00

Dennis Hughes: I presume Mr. Ward is not here.

Robin Davis: Mr. Chairman, I spoke with the contractor, Window World of Delmarva submitted the application. They actually submitted a building permit, originally, to replace six (6) windows on this house at 120 Federal Street. I spoke with Melissa at Window World and told her that since they were changing the wooden windows to a vinyl clad window that it would have to come before the Commission. That was no problem and they filled out the application. Unfortunately, their salesman is sick today and can't make it; along with a lot of other people that are sick. I explained to them that I would try to do my best. I will not speak on their behalf. I will just try to explain the application that was presented as what you have in your packet; if there were any questions from the Commission that couldn't be hashed out tonight; that we would table it. But by looking at the application, what they did is they have submitted a picture of the double-hung windows that they would like to put in. Also one of the pictures that were taken showed the existing windows. They will be the five (5) windows in the front; three top; two bottoms in the front; and then

if you are actually looking on the west side of the home, around near the back; one of those windows will be replaced. They are wood windows.

Dennis Hughes: To the left of the back door?

Robin Davis: Yes, correct. They are six over six windows; that's what they will be replacing them with, but they will be vinyl clad. As one of the other pictures that I took, there was a new addition put on that house several years ago by Mr. Ashby; the two windows that are pictured are vinyl clad windows.

Dennis Hughes: In the back here?

Robin Davis: Yes, correct. They are vinyl clad, so I'm not 100% sure if they are the same brand, but that's basically what they will look like. But they will look, from what I have been told, the windows that they are taking out; they are replacing them with the same size window.

Amy Kratz: They seem much smaller than the other ones.

Robin Davis: Yes, but I was giving it for the affect of vinyl clad already on the house; that's all I was doing.

Kevin Kelly: But the ones that are being proposed are six over six?

Robin Davis: Yes, correct; they will be doing the same; the only difference will be the vinyl clad.

Amy Kratz: So the same diameter of the window and space are kept?

Robin Davis: Correct, that's what they explained to me.

Amy Kratz: This had me confused, because it has a double window shown.

Robin Davis: It was just there picture-wise, I'm sorry. I think that's the only picture they had that was going to give you some sort of description of what the windows would be like.

Kevin Kelly: I put six or seven in ours that are wood. It looks like the vinyl is the back side of the house, and they are absolutely beautiful. I don't even think anybody can tell.

Amy Kratz: I can tell.

Kevin Kelly: If you go from wood to vinyl it's a lot less expensive.

Robin Davis: I've got 39 of them in my house. So I hope that was explained well enough to kind of give you an idea.

Dennis Hughes: Does anybody else have any other questions or discussion on this? It looks like it's pretty well straightforward. If not, we'll entertain a motion.

Kevin Kelly: Mr. Chairman, I move that we approve the application by Mr. Ward for the replacement of six (6) existing windows with vinyl replacement windows.

Dennis Hughes: Do I hear a second?

Gwen Foehner: Second.

Dennis Hughes: Are there any questions on that motion? We'll do a roll call vote on that too:

Michael Ostinato	Approve
Amy Kratz	Approve

Dennis Hughes	Approve
Gwen Foehner	Approve
Kevin Kelly	Approve

Dennis Hughes: Motion carried unanimously.

6. Adjournment

Dennis Hughes: At this time we need a motion to adjourn

Kevin Kelly: So moved.

Amy Kratz: Second.

Dennis Hughes: We have a motion and a second to adjourn. All in favor say aye.
Opposed. Motion carried. We're adjourning at 7:49 p.m.