

**Town of Milton
Historic Preservation Meeting
Milton Library, 121 Union Street
Tuesday, September 9, 2014
7:00 p.m.**

Transcribed by: Helene Rodgville

[Minutes are not verbatim]

PLEASE NOTE, THAT EACH TIME SOMEBODY SPEAKS ON TOP OF SOMEBODY ELSE, I AM NOT ABLE TO CLEARLY TYPE WHAT YOU ARE SAYING. ADDITIONALLY, IF YOU DO NOT STATE YOUR NAME, OR HAVE THE OTHER PARTICIPANTS STATE THEIR NAMES, ESPECIALLY PEOPLE WHO ARE COMING BEFORE YOU WHOSE VOICES I DON'T KNOW, THEN THE MINUTES WILL NOT BE CORRECT. WE ARE SUPPOSED TO BE A TEAM. THANK YOU. HELENE

1. Call meeting to order

2. Roll call of members

Mike Ostinato	Present
Amy Kratz	Present
Dennis Hughes	Present
Kevin Kelly	Present
P. D. Camenisch	Present
Barbara Wagner	Present
Mike Filicko	Absent

3. Corrections/approval of the agenda.

Dennis Hughes: Does everybody have a copy in front of them? They have two things on the agenda?

Amy Kratz: First of all, one of the things was the meeting didn't start at 6:00, it starts at 7:00 p.m.

Dennis Hughes: Yes, 7:00 p.m.

Amy Kratz: I do have the corrected one.

Dennis Hughes: It is 7:00 p.m. I can entertain a motion on the agenda.

Kevin Kelly: Move to adopt the agenda, as printed, for September 9, 2014 of the Town of Milton Historic Preservation Commission.

P. D. Camenisch: Second

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

4. Approval of minutes – May 13, 2014

Dennis Hughes: Does everybody have a copy?

Barbara Wagner: Mr. Chairman, I wasn't on the Commission at that time, so I'm not voting. I'm going to recuse myself.

Dennis Hughes: Okay, but you will read them?

Barbara Wagner: Yes.

Dennis Hughes: Does anybody have any corrections to the minutes? If not, we'll entertain a motion.

P. D. Camenisch: I make a motion that we accept the minutes, as presented.

Amy Kratz: Second.

Dennis Hughes: We have a motion made and seconded. Are there any questions on that motion? All those in favor say aye. Opposed. Motion is carried.

5. Business – Discussion and possible vote on the following:

- a) The application from Rich and Debbie Sulkovsky for the request to replace brick above second floor windows, remove central chimney when installing new roof, replace two front light globes, install new HVAC compressor, replace aluminum frame door with wood and glass double door, install trellis/arbor and light fixtures above sidewalk between 106 Union Street and the Milton Theatre, request special use approval, request use of signage areas and install lights, and request installation of roof top deck and second floor on the property located at 106 Union Street further identified by Sussex County Tax Map and Parcel # 2-35-20.07-75.00.

Dennis Hughes: Everybody has a copy of the application and on Item 7, before we start, and we're going to take these items and discuss each one separately and vote on them separately.

Amy Kratz: I would say I would agree with that.

Dennis Hughes: Number 7, we did not have anything to do with that. It comes to the Planning and Zoning Commission, so we will not be acting on that. Again, there are eight things on the description of work. Number 1 is the back of the building, request to move and install brick above second floor windows and match mortar, as close as possible. Would it be better to discuss and vote on each one, or just discuss them all and vote on all of them at the end separately?

Kevin Kelly: Mr. Chairman, I would like to propose that we look at each item and make a decision item by item, as opposed to trying to do this collectively.

Amy Kratz: I would like to second that motion.

Kevin Kelly: I'll put that in the form of a motion, if it's required.

Dennis Hughes: We have a motion made and seconded to discuss and vote on each one of the things, one at a time. Any questions on that motion?

Amy Kratz: Maybe we should explain to the Sulkovsky's what that means, what we're doing.

Dennis Hughes: Okay, what we're going to do is because in the package there might be something in there that we don't want to approve; so if we do it all as one that means that the one thing we disallow, might hold up the whole thing. So we're going to take each one and vote on it that way so it could go through. We don't want to hold you up. That's not saying if we deny it that someday you couldn't come back and reapply.

Kevin Kelly: Mr. Chairman, it's also so that comments and questions for us can be more focused and your responses can concentrate on each piece of this, so we can go through this in some sort of sensible way.

Amy Kratz: The other thing is, you might want to pick up that microphone, so if we do have questions, you can answer them.

Dennis Hughes: Before you start, Sir, we do have a motion and a second on the table, so we'll vote on that. Does anybody have any questions on this motion? All those in favor say aye. Opposed. Motion is carried. We'll start with item number one.

Rich Sulkovsky: This would be the back of the building, the area above the second floor windows, the brick is loose and what we want to do is we have an estimate to take it down to the top of the windows and then rebuild it back up. So we're trying to match the mortar, as close as possible, but there's never going to be any perfect match. We're going to be using the same brick, so we're reclaiming the brick and putting that back up.

Dennis Hughes: So that's on page three, the first picture at the bottom on the left.

Kevin Kelly: Mr. Sulkovsky, the brick course that you're taking down is only that which is above the second story windows, not the ground floor windows?

Rich Sulkovsky: Correct. We have a proposal for maybe in the future to go ahead and to re-point those, but since we're not going to be discussing item number seven, I can save a lot of time by explaining why it's not important to talk about it now.

Kevin Kelly: I heard you just say, but I want to confirm that the intent is to re-purpose the brick that is removed, as much of that as you can that is not damaged in the removal?

Rich Sulkovsky: Yes. Correct.

P. D. Camenisch: So basically this is a repair?

Rich Sulkovsky: Yes it is. The option is to leave it deteriorated, so I think it's.

Dennis Hughes: You're going to put back bricks, though.

Rich Sulkovsky: Correct. Exactly.

Amy Kratz: So why would you have to take them out, to re-mortar every one? Do you have to do that? I mean, I don't know. I don't know how that's done.

Rich Sulkovsky: That's the recommendation of the brick mason contractor that we had, so we have to take it all the way down...

Amy Kratz: To the window itself?

Rich Sulkovsky: To the top of the window and then build it right back up. It's a little bit too far gone to just re-point.

Amy Kratz: Okay, well there's an interesting... the way it's laid out, the way that I can see that it's laid out, it's interesting, it's kind of like a design on the top of the window, where it juts out a little bit. Is this brick going to be done the same exact way? Or it looks like it juts out. Maybe I'm wrong. It looks like the brick is laid in a manner in which it creates a design, some kind of indentation or a design. Are you going to keep that design?

Dennis Hughes: I think that's where the window is indented.

P. D. Camenisch: I think it's indented too.

Dennis Hughes: The rest of the bricks beside it, look like they're pretty even.

Rich Sulkovsky: It may actually be the separation of the brick; that's the reason why we're getting it repaired; I think, from the picture I'm looking at right now.

Dennis Hughes: Especially on the right hand side of the last window on the right, it looks like a piece of that is sticking out.

Amy Kratz: Actually, it looks like a design feature that's carried all the way down to the bottom; that's what I'm trying to figure out. Is it a design feature that some of them stick out a little bit? It looks like it carries across the other windows and it carries all the way down the sides. I was having a hard time looking at these pictures, because I can't tell.

P. D. Camenisch: Mr. Chairman, this is just another instance where we shouldn't even be

looking at this. This is at the back of the house.

Barbara Wagner: No, this is a repair.

P. D. Camenisch: We shouldn't even be discussing it. It should be a repair. It should not even have been on the agenda, at all and it's come before us and it's wasting our time and wasting the applicant's time.

Dennis Hughes: You can't see it from the street.

Rich Sulkovsky: The suggestion was, I think from the coordinator at that particular time, they suggested that we put it in.

P. D. Camenisch: That was their fault. It's not your fault.

Kevin Kelly: Agreed.

P. D. Camenisch: Make a motion to pass.

Dennis Hughes: Okay. We have a motion to accept item one. Do I hear a second?

Kevin Kelly: Second.

Dennis Hughes: Okay, we have a motion to pass number one and the motion has been seconded. Are there any questions? If not, all in favor say aye. Opposed. Motion carried. No, we're going to do this on a roll call vote. I'm sorry.

Mike Ostinato	Approve
Amy Kratz	Approve
Dennis Hughes	Approve
Kevin Kelly	Approve
P. D. Camenisch	Approve
Barbara Wagner	Approve

Dennis Hughes: Number two, request to move center chimney when the new roof is installed. Another thing, too, that chimney, you cannot see from the front, can you? So if we can't see it.

P. D. Camenisch: I can't see it from the back.

Kevin Kelly: I can't see a chimney anywhere.

Rich Sulkovsky: It took me three weeks to even find it. It is two-thirds of the way back in the center of the building.

Kevin Kelly: Mr. Chairman, I walked all around the building today at 11:00, from the intersection of Front, Union and Federal Street as you're walking down the northbound side of the street; going in front of Irish Eyes, you can see the chimney. You can see the chimney, as well, from the edge of Wagamon's Pond on Mulberry, so I think it does fall within the requirement to look at it, from the perspective of public view and I'm happy to have someone check and confirm in fact, what I'm saying is correct. I certainly would not be sensitive about that.

Dennis Hughes: Does anybody else have anything on this.

Barbara Wagner: In the 1982 National Register Application, it doesn't address the chimney in any way; doesn't describe it and the pictures from the municipal building, one cannot see it. I would say this is not a distinguishing feature of this building, at all.

Kevin Kelly: I would like to call the Commission's attention to two sections of the Code associated with this. The Chimney, Section 220-21 on page 56 (220-56), part H, statement one, or section one, Historic and Architectural Value and Significance of the Structure

and/or it's relationship to the value of the surrounding area and I.5, which is on the next page, page 57, Chimney Styles and Materials – Chimneys in public use should be of brick or stucco. Metal chimneys are acceptable for use in non-public view. I raised those two because they seem to have, while they are descriptive of the chimney, and/or it's function, they seem not to address the issue which Mrs. Wagner just did raise, that this may not have any particular distinctive qualifications or characterization associated with the building. But, again, rather than dismiss it out of hand, I think we should at least take a look at that and make a determination that in fact, in the Milton Code it seems that the question, in this instance of the chimney and it's location or it's preservation, seems not to be addressed by Code. I offer that to the Commission for consideration.

Dennis Hughes: Okay, anybody else?

Barbara Wagner: If it is not addressed in the Milton Code, I think that we could go back to the Secretary of the Interior's Standards and say Standard Number Five says that distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved. I would say that this is not that and Standard Number Three says each property will be recognized as a physical record of it's time, place and use, changes that create a false sense of historical development will not be undertaken. I don't believe that this would in any way be giving a false picture of this building, to remove the chimney. So I think that we should go to the Standards and cite those, if we can't use the Milton Code.

Kevin Kelly: Mr. Chairman, I think that we have addressed issues like this in the past, citing from the Milton Code. As a Commission we have not yet moved to the position where we will be citing additional documentation. I would suggest to the Commission that that is premature, at this point. I think the ground is agreeable in each instance, so I would move that Item Number Two; I guess I don't want to put it into a motion, but it seems to me that Item Number Two is in some respects, not much different than the first item, except that the chimney is in public view. So I guess my motion would be to approve removal of the central chimney, when the new roof is installed.

Dennis Hughes: Is that a motion?

Kevin Kelly: Yes, Sir.

Dennis Hughes: I have a motion on number two; do I hear a second?

Barbara Wagner: Could I ask a question?

Dennis Hughes: Yes, well if I get a second.

P. D. Camenisch: I'll second.

Dennis Hughes: I have a motion made and seconded. Are there any questions on that motion?

Barbara Wagner: My question is, on the installation of the new roof, is this an application to install a new roof; because it doesn't say what type of roof is going to be installed?

Amy Kratz: You don't have any material...

Rich Sulkovsky: Again, it's going to be a flat roof, again.

Dennis Hughes: It's a flat roof, so it's not seen, right?

Rich Sulkovsky: And it's not seen, so we were told by the Coordinator at that particular time that it did not have to come in front of the Commission.

P. D. Camenisch: Correct.

Barbara Wagner: So it's a repair?

Rich Sulkovsky: It will be a replacement, complete replacement, because it is leaking throughout, but again, it's going to be a flat roof.

P. D. Camenisch: But it's a repair to the structure?

Rich Sulkovsky: Correct. Yes.

Amy Kratz: It is a repair to the structure.

Dennis Hughes: And it looks like the roof is lower on three sides, than the brick?

Rich Sulkovsky: I'm sorry.

Dennis Hughes: The roof is lower on three sides than the brick and only in the back is it...

Rich Sulkovsky: Exactly.

Barbara Wagner: That was a motion to approve? I'm sorry.

Dennis Hughes: Yes.

Barbara Wagner: Okay, thank you.

Kevin Kelly: It's not been voted on.

Dennis Hughes: Yes, no we're taking questions now. Are there any more questions? If not, we'll have a roll call vote:

Mike Ostinato	Approve
Amy Kratz	Approve
Dennis Hughes	Approve
Kevin Kelly	Approve
P. D. Camenisch	Approve
Barbara Wagner	Approve

Dennis Hughes: Okay, item two is approved. We'll move into Item Three, request to replace two front light globes, with fixtures similar on page ten of the handout. The ones now are just round globes?

Rich Sulkovsky: They are small light globes and then the fixture below it, which I believe is original, so we're asking the Commission to give us a choice between the picture that you have there, something similar to that, or to enlarge the globe, as we had a number of people walk by and I asked their opinion and they thought it was not proportional to what was there before, so we'd like the Commission to give us the choice of going either way.

Kevin Kelly: Mr. Sulkovsky, as I look at the photograph that you provided us, which is on page six, front doors; this was in support of your application later in this request of improvement later in this application, where you're talking about the doors; there is a photograph of what appear to be, admittedly this is not a clear photograph, but I think you have a copy of your own application; those seem to be... I guess my point is, if they are, in fact globe lights, which I can't confirm that they are, but they are certainly lights of a piece; on the one hand, the picture here is being used to support the request for doors, that would be consistent with doors which once were installed on this building. That seems then, to me, to also indicate that the lights are similarly of some value, in terms of the appearance of the face of that building, on the public square and clearly the lights are in public view and for that matter, provide public view.

Rich Sulkovsky: Sure.

P. D. Camenisch: The appearance of the picture, the old picture of yesteryear, if you look closely, proportional, it looks like the globes might have been a little big bigger. It's hard to

tell, but it looks like, according to the new picture that you've taken and the old picture, it looks like they were not considerably bigger, but a little bit bigger, so it would be my opinion that rather than go with the new lights, I would like for you to use the old... maybe a different globe, a larger globe and keep with the architecture of the building.

Amy Kratz: So do we have a motion, I guess?

P. D. Camenisch: That's just my opinion.

Amy Kratz: I agree with that. I would tend to agree with that.

P. D. Camenisch: I think the new thing, this picture here, just doesn't go and this globe could be bigger; you could make it bigger and the globe goes great up front, in both of them. The ones that are on there now are not proportional to the fixture underneath.

Barbara Wagner: Right, the picture is very large.

Kevin Kelly: Mr. and Mrs. Sulkovsky, would you agree to amend the statement three, to read simply, request to replace two front light globes, with similar fixtures?

Debbie Sulkovsky: With similar fixtures? Sure.

Kevin Kelly: If you delete on page ten of handout, that will...

Rich Sulkovsky: With similar globes?

Kevin Kelly: Yes, with similar globes.

Amy Kratz: If you made them bigger, that would be okay.

Kevin Kelly: Similar would allow you to adjust size.

Debbie Sulkovsky: I do have a picture, I'd like to... if I can pass out? It's kind of been... similarity to old doors, but it shows those lights, so it looks like a... it gets away from the globes and more like the new... It's just to give you an idea. It might be... just to give you an idea of what those new ones would look like.

Amy Kratz: It looks too new to me. I don't like them.

Debbie Sulkovsky: A little more interesting, hopefully in line with _____ more extensive history.

Barbara Wagner: I believe that the fixtures that are on the building are very substantial and they're wrought iron and they characterize and have the same character as this very substantial rectangular building. I understand your desire to make it a little more interesting, but I think that it's better for the building to stay with what it's had for all these years.

Debbie Sulkovsky: Okay, so with number three then, we'll request to replace two front light globes with similar globes.

Everyone was speaking at once and I couldn't tell who said what.

Barbara Wagner: Similar means that it could be a little larger.

Rich Sulkovsky: We have to go with what the market provides.

P. D. Camenisch: Can you actually rewire those and have those rewired.

Rich Sulkovsky: Hopefully, the globe itself wouldn't require any rewiring.

P. D. Camenisch: No, just the fixture itself. Are they operable?

Rich Sulkovsky: Yes, as far as I know. I haven't tried them yet, to be honest with you.

Debbie Sulkovsky: We've seen them operating. We've seen them on.

P. D. Camenisch: Most good electricians in the area can really rewire that.

Mike Ostinato: They can redo that.

Rich Sulkovsky: Right. I don't think that would be a problem.

Kevin Kelly: Mr. Chairman, I move that we approve the description of work item number three, as amended to read request to replace two front light globes, with similar globes.

Dennis Hughes: Okay. Just a point of information that we could approve it, as page ten, using the current globe and then we wouldn't amend the original application.

Kevin Kelly: That's true, Mr. Chairman, but if we do that, that doesn't allow for them to have a little flexibility in terms of similarity, as opposed to identical.

Amy Kratz: Yeah, that would make sense.

Debbie Sulkovsky: I guess that we'd be limited to the size.

Amy Kratz: Yeah, we don't want to limit them to the one size.

Dennis Hughes: Well actually, we really don't know what size the globe will be. As long as it is a globe...

Kevin Kelly: In white.

Dennis Hughes: Yes, a white globe.

P. D. Camenisch: Proportional. That's good, proportional.

Dennis Hughes: So that's the best thing to do.

Debbie Sulkovsky: I think it's fine to proceed either way. If you amend it and you're not stuck within the confines of this picture; although this picture doesn't have any dimensions to it; it's just a simple globe light, but it's referencing the current globe light, so I don't know if they'd be bound to buy something that's exactly the same size or not. It's up to the Commission as to how you'd like to proceed.

Kevin Kelly: The intent of the motion that I made was to give the Sulkovsky's some flexibility in finding a globe that will suit the purpose, provide the light that they are interested in having and retain the existing exterior appearance of the building.

Amy Kratz: Mr. Kelly, I will second your motion to change the application request, to just alter it a little bit to say, request to replace two front lights with similar fixtures. Is that what you're saying.

Kevin Kelly: No. It is to request to replace two front light globes with similar globes.

Amy Kratz: There you go. That's what I want to say.

P. D. Camenisch: The globes is the whole thing.

Barbara Wagner: Using the existing fixtures.

Amy Kratz: Yes, using the existing fixtures. Pardon me.

Dennis Hughes: On page ten. So we just put a couple of words in there and it's okay.

Kevin Kelly: I'll accept the addition to the motion.

Dennis Hughes: Okay, so we have a motion made and seconded. Are there any questions on this motion?

Debbie Sulkovsky: Is there anything we need to do to number three? Is it all taken care of by...? Do we need to submit something?

P. D. Camenisch: No.

Dennis Hughes: No. As long as it's within... You've actually submitted the globe there, so as long as it's round and white, and if it's a little bit bigger, that's fine. Are there any questions? If not, we'll have a roll call vote:

Mike Ostinato	Approve
Amy Kratz	Approve
Dennis Hughes	Approve
Kevin Kelly	Approve
P. D. Camenisch	Approve

Dennis Hughes: Okay, number three is approved, as amended. Number four, request to install new HVAC compressor in middle of roof, or same location.

Amy Kratz: Is that near where the chimney is? Is that HVAC compressor near where the chimney is?

Rich Sulkovsky: Currently it's in the rear of the building on the south side. There's a small fence that's around there and it's ground level at this particular point. Since we're replacing the HVAC system, it's going to be a new compressor; we're looking at the option of either putting it on the roof so it's out of sight, or putting it in its current place.

Barbara Wagner: You can see it on page three at the bottom right.

Amy Kratz: Oh, I see it. As soon as you said it's in the back.

Dennis Hughes: So, if you put it on the roof, it won't be seen from the street?

Amy Kratz: Well, that's my concern, that it might be seen from the street; if it's this big, I think you might be able to see it from the street.

Rich Sulkovsky: It would be put way back. We would like to have the option of putting it in either place, because there may be a cost factor and I haven't gone into that issue that I talked about a little bit earlier; I may need to do it a little bit later on with the deck and stuff, but it may be cost prohibitive for us to put it on the roof, so, but we would like to have that option if we can just clear that area out in the back.

Kevin Kelly: Mr. Sulkovsky, do you have the dimensions of the compressor that you are considering, or is there one in particular that you're considering?

Rich Sulkovsky: I have an estimate. It's a single compressor with three ventless units coming inside, but I don't have the exact dimensions. Let me see what I've got. It just says it's a Mitsubishi 2-1/2 ton heat pump.

Amy Kratz: And will that actually... I guess my other concern is the weight on the roof, which is also a concern of mine when it comes to installing a deck, but we'll get to that later. Can the roof actually sustain that kind of weight?

Rich Sulkovsky: It's an issue that when we get to the deck, I think we'll be talking about that.

Amy Kratz: But now we're talking about this, as well; two tons on top of the roof; will the roof...

Rich Sulkovsky: I'm not an HVAC person, but I don't think it's referring to the weight of the compressor.

Dennis Hughes: I don't think it weighs 2-1/2 tons...

Everyone was speaking at once and I couldn't tell who said what.

Kevin Kelly: It's the amount of air that goes through the compressor.

Amy Kratz: So it's very light.

Rich Sulkovsky: It's copper wiring fan, so it's not that heavy; I don't think that would be a consideration, but it could be.

Amy Kratz: Okay, fair enough. Thank you so much.

Kevin Kelly: Mr. and Mrs. Sulkovsky, the concern to the question does need to be... we do need to talk about the height of the HVAC system, the compressor, relative to line of sight from public view and obviously there's an angle there that's going to advantage your request to place the structure in the center of the roof, unless it is exceptionally tall; it's recessed

from all public view sight lines. I'm just saying, from public view sight lines, you're from the ground, so even at a 6' height, you're still looking at a pretty steep angle and so you are looking at a fairly tall structure, if placed in the center of that roof, before that would be visible. The chimney, as I said, is only visible, at least to someone my height, from near the intersections, as I mentioned earlier.

Rich Sulkovsky: I think the chimney is probably about 4' tall, or something like that and I think the compressor probably would be just a little over 2', but again, I haven't seen the exact unit. Initially they were talking that we might have to have two compressor's out there and then they would stack them on top of each other, but this estimate is not suggesting that.

P. D. Camenisch: Question. Are you going to eliminate the unsightly window units? Are you going to keep them?

Rich Sulkovsky: They're gone. They're already gone.

P. D. Camenisch: Good.

Rich Sulkovsky: I take that back. I think we have one in there, just to keep it temperate at this particular point, but that's not going to be part of the permanent... it's just temporary, for repairs.

P. D. Camenisch: For point of knowledge, the air compressor outdoor units, the highest they would ever be would be 3' and that would be for a 3, 4, or 5 ton unit; so they're not going to be as tall as your chimney now.

Rich Sulkovsky: Right.

Dennis Hughes: Any other questions? If not, we'll entertain a motion.

P. D. Camenisch: I make a motion we accept.

Mike Ostinato: Second.

Dennis Hughes: We have a motion made and seconded to accept item number four.

Kevin Kelly: Mr. Chairman, is it acceptable to ask to amend the motion, to accept an amended motion at this point?

Amy Kratz: Okay, yeah...

Kevin Kelly: I'm asking if it's okay, alright to do under Robert's Rules of Order.

Amy Kratz: Well, I have a question about the motion, for the simple fact that this says in the middle or...

Barbara Wagner: That's what your motion is, right? That it can be either.

Amy Kratz: Or the same location.

Rich Sulkovsky: That it's existing now.

Amy Kratz: So you're saying that you would put it in the middle of the roof, or the same location that it is now, which is on the ground?

Rich Sulkovsky: Correct. Visually, I would prefer it being up on the roof, but it may even be a cost factor there. They may be charging us to put a crane in there to put this thing up and I don't want to pay for the crane, so I want to have the option, if I can afford to get the crane to do that, but if I can't afford it, then I would have to put it back in the same position that it is right now.

Amy Kratz: So it is heavy?

Rich Sulkovsky: Pardon me?

Amy Kratz: I'm just joking with you.

P. D. Camenisch: I make a motion to accept it, as written.

Amy Kratz: Okay.

Mike Ostinato: Second, again.

Dennis Hughes: Okay, we have a motion made and seconded. Any questions? If not, we'll do a roll call vote:

Mike Ostinato	Approve
Amy Kratz	Approve
Dennis Hughes	Approve
Kevin Kelly	Approve
P. D. Camenisch	Approve
Barbara Wagner	Approve

Dennis Hughes: Okay, we'll move onto number five, request to remove and replace aluminum plain door with wood and glass, double-door, see page three.

Rich Sulkovsky: The examples that we have provided you are examples of things that we've looked at, on the market these examples may have already been sold and stuff like that, so we're kind of getting a general idea. What we want to do is to remove the aluminum framed things that you would see from the 1970's and go back with double-doors now. The pictures that we've been able to find, only show that... I can't even tell if it's a screen door or if it's a glass door.

Debbie Sulkovsky: That's on page six.

Rich Sulkovsky: We just can't tell. We haven't found any other pictures that we could go by. If you see the picture... actually, we do have another picture here, when there was a flood in 1962 that showed the doors, but it doesn't give you any better definition than what you see right here, but we want to go back again. This is something we voluntarily want to do to bring it more into the character that it was, back when it was built; than it is now. I can't say it would be any one of these particular doors. These are ones that we called antique shops to find out what they had available; they had them available, but they may be gone by this particular time. Then my wife did provide you with a picture of something that would be new, that could be installed, other than the curved part at the top; these would be custom-made.

Kevin Kelly: When the light fixtures.

Debbie Sulkovsky: In the likeness of something similar here.

Barbara Wagner: My comment would be that these are really residential doors, rather than commercial building doors.

Amy Kratz: Well you know we had somebody who came in here a little bit ago, the King's came in here and they did something very interesting, they had two panel doors and they had a tinier panel and a wider panel and I know in these days and times you have to accommodate for people with wheelchairs and things of that nature, but they came to us with a really wonderful door that was just one solid door that took up the whole space and it was approved and I can't remember what the whole application stated, but that might be an option, as well, that you have...

Rich Sulkovsky: This is the ice cream store?

Amy Kratz: Yeah.

P. D. Camenisch: But he has two doors on there now, right? And you're asking to replace the two metal, crappy, doors with two wooden doors?

Amy Kratz: Right, but they're saying they might not be able to get these exact doors, so I was just giving them an alternative to having these two doors, because the King's did it and they did a really wonderful job.

Kevin Kelly: Mr. Chairman...

Rich Sulkovsky: These would be restored, so these are just examples of the way we would restore them.

Kevin Kelly: Mr. Chairman, I would remind the Commission that the issue addressed just recently regarding another application, had to do with Americans with Disabilities Access to the building and that's not the issue here. This is a two-door replacement and you're going to replace with a double-door. Is that correct?

Mike Ostinato: Correct.

Rich Sulkovsky: Well, what we have is a single door, with a side panel.

Dennis Hughes: It's aluminum and glass beside it, yes.

Barbara Wagner: It is a single door.

Rich Sulkovsky: Yes, it's a single door with a side panel.

Kevin Kelly: I was referring, Mr. Sulkovsky, to the image that you provided us with, it shows a double-door.

Rich Sulkovsky: That's the original, yes; so we would try to go back to that style.

Kevin Kelly: I would ask that you also provide us with the photograph that was designed initially to show us the kind of light that you might use, but this door is different in a substantial way from the door in the photograph. The door in the photograph has a light above the door; not part of the door, the four-part window that sits above the bathroom window.

Rich Sulkovsky: The picture here, it would be going straight across. We're not replacing the half-moon on top of it...

Dennis Hughes: No, you're just going from there, down.

Kevin Kelly: That was my question.

Rich Sulkovsky: We're not removing the top there. We love the detail of that. That's the original detail.

P. D. Camenisch: That's where you're going to put a sign anyway; you're going to replace the Antique.

Kevin Kelly: That's where they're trying to put the sign.

Rich Sulkovsky: Correct, but the 96" high by 60" wide, is what the aluminum frame is taking and that's what we would like to take out and replace with double-doors.

Kevin Kelly: I might suggest, just in the community, it might be possible just to look in the community at structures of similar age for, I think the point that my colleague was making, that the doors that you have provided to us as exemplars of the kinds of doors you are looking for; those are residential and perhaps, maybe looking at some where it gives you a sense of what a business front would have, in terms of what its doors might look like, as distinct from residential doors of the period, either here in this community or adjacent communities.

Barbara Wagner: There is a company in Maryland, in Smithtown, Maryland; I think it's Smithtown or Smithburg, that will make doors to order by your specifications, so that if you could get a drawing of an appropriate door and then put all of the details on the size, you could have a door custom-made to replicate what an old door would look like.

P. D. Camenisch: They're very reasonable too.

Barbara Wagner: They are very reasonable.

Kevin Kelly: Any other comments.

Rich Sulkovsky: The goal is to find a three-quarter glass, double-door, really is what we're trying to accomplish.

Barbara Wagner: And it may be that you really need to get it drawn out and have it made.

Rich Sulkovsky: Okay.

Barbara Wagner: It's really possible.

Amy Kratz: I think we should probably make a motion, one way or the other, on their request and all of us giving them good advice is also a good thing, but I think we should probably make a motion on their request; if you're asking for two doors and that's what they used to have, so okay I will make a motion that on their request to remove and replace the aluminum framed door, with wood and glass double-doors. I'm making a motion to approve that.

Dennis Hughes: Do I hear a second on that motion? If I don't hear a second on that motion? If I don't hear a second, then the motion is, for lack of a second.

Kevin Kelly: Mr. Chairman, I think that's where we are. I would like to see the wood and glass double-door, which is eventually selected to replace the aluminum framed door, I support and I'm pleased that you want to replace that aluminum door, but I think in fairness, the Commission needs to see the door that you're planning to install.

P. D. Camenisch: Mr. Chairman, I would like to make a request that they remove that item from the list and resubmit it at a future date when they have more specific and detailed drawings, or a door.

Dennis Hughes: Do I hear a second on that motion?

Amy Kratz: I'll second.

Kevin Kelly: Mr. Chairman I don't believe that was a motion. I think Mr. Camenisch was simply asking the Sulkovsky's if they would be willing to remove that item and resubmit at a later date. Do you understand that?

P. D. Camenisch: When you find that door or pictures of a door, or dimensions of a door, then bring it back.

Amy Kratz: The door that you're actually going to get, because you're saying to us these doors may not be available.

Rich Sulkovsky: But the problem is, is if we pick out the exact doors, like we could say that we want to go with these particular doors here, by the time we get the approval of it, those doors may be gone. I don't want to be purchasing doors that I cannot get permission to install later on.

Amy Kratz: Well that's why Barbara suggested, I think, that you go do some research and then...

Dennis Hughes: If we don't know what type doors there are and again, too, growing up here I know a lot of doors were not _____, they had been changed over years and years and years, so I mean, I would have a hard time trying to pick something out that I don't know... If I had a picture that showed me this clearer and I think, I don't know, might have one, but I think it's going to be hard for them to get something to bring to... That's just my opinion.

Debbie Sulkovsky: I have a question. Is the concern that the doors that have been presented, as the replacement doors, are not in character with the surrounding community, with the

Historic District and not similar enough to the doors that are there currently?

Barbara Wagner: My concern is that they're saying that they don't even know if those doors are still available; plus they are residential doors and a more substantial commercial door, would be a better fit for this lovely, substantial, brick building.

Debbie Sulkovsky: More in character. That's what you're saying.

Kevin Kelly: Yes.

Debbie Sulkovsky: With all due respect, would there be a route to take for a faster approval, if we could get Mr. Chairman a picture of it, to somehow make it a matter of days, instead of submitting and go to the next meeting...

Dennis Hughes: Yes, because you're going to have to wait at least a month or so.

Amy Kratz: Yeah, yeah, you have to wait a month. Why don't you just get some examples and bring them in, of things that you find and then bring them in and show us the examples that you think might be a good idea.

P. D. Camenisch: Excuse me, Amy, but that's basically what they've done and they haven't shown us a door they want to use.

Amy Kratz: Well, I'm not talking about going out and looking at the actual, possible, wooden doors they might buy; but there are all kinds of doors. I mean, you're a builder, P.D., there are all kinds of doors that they could possibly buy that they could pull off the Internet and show us.

P. D. Camenisch: That's not the point.

Amy Kratz: Well what is your point then? I'm not sure I understand.

P. D. Camenisch: The point is that they don't have these doors that they've submitted, for approval from us, to be used on that particular spot.

Amy Kratz: Yeah, I understand that. I totally understand that.

P. D. Camenisch: That's it. I'm not saying that they're not... If they can't find doors, these would probably be acceptable. They seem to be residential, but I don't know what was on that building to begin with, so if we find something similar that might be residential, maybe it will work; but until they do find us some doors that they're going to use and ask for the approval, then how can we approve something that's out in the air?

Amy Kratz: That's true. We can not. So that makes sense. I understand your point. But how can we approve something that's not...

P. D. Camenisch: We're not going to approve it. We're going to ask them to remove it.

Mike Ostinato: We're going to ask them to bring it back.

Amy Kratz: Bring it back.

Debbie and Rich Sulkovsky: Okay, that's fine.

Amy Kratz: We can only advise you so much.

Debbie Sulkovsky: So when we bring it back, we give it to Mr. Chairman?

Dennis Hughes: You'll have to go through the same process, through the Project Coordinator and whatever.

Debbie Sulkovsky: The same process, right?

P. D. Camenisch: Sorry that you have to do that, but that's basically the way we operate. We try to do it as expeditiously as we can, to not have you in a bind, but that's the way... Our hands are held because of FOIA.

Rich Sulkovsky: But to find a period door, so we're in a Catch-22. I can go the route that Barbara's talking about, but that's going to be a new door and I don't know if that's really

what we're trying to do.

P. D. Camenisch: Sure, you can have a new door.

Barbara Wagner: You can have a brand new door that's built to mimic what was there.

Rich Sulkovsky: Okay.

Amy Kratz: That's actually what I was suggesting with what King's had done.

Barbara Wagner: But if they find something that they think would be very appropriate, then a new door can be drawn from that and...

P. D. Camenisch: And then you can bring that and say this is the door we're going to get.

Amy Kratz: That's exactly what I said about Tom King's door; they brought a door in, they said this is the door and it didn't have all to do with Americans with Disabilities Act Regulations; it had to do with the fact that it was cold and there was a big gap in the door and they wanted to replace the door, so that's how they did it.

Debbie and Rich Sulkovsky: Okay. Fair enough.

Dennis Hughes: So you're requesting that we remove item number five?

Rich Sulkovsky: Yes, that's fair.

P. D. Camenisch: Thank you.

Kevin Kelly: Thank you.

Dennis Hughes: We'll move onto number six. Request to install trellis/arbor above the sidewalk between 106 Union and Milton Theatre, with goose neck light fixtures.

Rich Sulkovsky: This is something that we've just had brief conversations with the Theatre, to add some atmosphere between the two buildings that we have. Again, we've given an example of something that we would like to present. This is something that we'd have to get a building permit to install and at that time, I guess they could have some oversight on what the design is.

Kevin Kelly: Mr. Chairman, I've call the Commission's attention to Milton Code 22-21, that Section, page 57; Standard I and it's item eight and it is Architectural Details and I'll read it. "This term applies to such building features as window and door trim styles, cornices, ornamental brackets, porch and entrance balustrades, porch pillars, corner pilasters, gable peak ornamentation, lattice work, traditional panel and louvered shutters and similar details." The part that I thought was appropriate here was the applicant shall extend the design motif of the existing structure to any addition. Again, this is not an addition; but "in the case of alterations to an existing structure, then the architectural details on the exterior, shall be preserved". We have a building that has had a very particular function and has a very particular style. The question I'm asking the Commission, does something like a trellis, does that conform and you've given us an illustration on page eleven, I believe, of something that would be like what you would be considering installing?

Rich Sulkovsky: Correct. Correct.

Kevin Kelly: Does something like that, is that going to be consistent with, as I said, as I read, the maintenance, the continuation of the existing architectural details on the exterior? And does that apply to something like a trellis?

Amy Kratz: I would imagine that it would, because his trellis going to be bolted on. It's something that's going to be permanent on the side of the structure.

Rich Sulkovsky: Correct.

Amy Kratz: So you're changing kind of the rhythm of the streetscape.

Rich Sulkovsky: To some degree, yes; all for positive, but yes.

Amy Kratz: We try not to change the rhythm of the streetscape. We try to keep it similar, same as it is and that's most of our Code for the Historic District tries to not alter to the point where we change it so drastically that it looks like somebody else's... it looks like a building from a different era.

Rich Sulkovsky: Right.

Kevin Kelly: Mr. and Mrs. Sulkovsky, in your... I walked over into the space in between. It's not a very long space. It's not a very wide space.

Rich Sulkovsky: Correct.

Kevin Kelly: What is the anticipated length of the trellis and what would be the height of the trellis? Have you thought this out?

Rich Sulkovsky: Probably be shorter than the length of our building, which is 36', so I probably would think it would probably be in the area of 24'.

Kevin Kelly: Would the trellis extend the entirety of the walkway to the theater wall and has that been discussed with the...

Rich Sulkovsky: Briefly. Again, I would get written permission with the owner of the building and the theater, before we get a permit for that.

Amy Kratz: Well, who owns that alley, anyway?

Rich Sulkovsky: We both do.

Amy Kratz: Okay, so you both own that alley.

Dennis Hughes: Would it be attached to the theater?

Rich Sulkovsky: Yes.

Dennis Hughes: Okay.

Kevin Kelly: Would then the theater need to come before Historic Preservation for the attachment of a trellis from their side? If it's attached to the building, don't they have to?

Dennis Hughes: Yes.

Barbara Wagner: I think so.

Amy Kratz: Yeah, because it then becomes a part of their building.

Barbara Wagner: It's amending the exterior of their building.

Kevin Kelly: It's amending the exterior of their building.

Dennis Hughes: So, that's something we might want to pull now; you talk to them and find out if they are willing to go through with this and do it?

Rich Sulkovsky: Would you be able to give us permission to put the trellis in that does not attach?

Amy Kratz: No. Not right now. We have to find out how far it extends, how long it is, you have to give us an example of the trellis that you're using and I believe that, just like with the door, we'd like to see the trellis. How it's going to be put on there.

Debbie Sulkovsky: Would a drawing work? It's very difficult to find a picture, when it's not built. Would a drawing do?

Mike Ostinato: Sure.

Barbara Wagner: With dimensions? Yes and how it's going to be attached.

Kevin Kelly: And materials.

Debbie Sulkovsky: Likewise, could we do the same with the door?

Barbara Wagner: You could do a drawing of the door, with the materials that you plan to use, the hardware that you want to use...

Kevin Kelly: The height of the windows.

Barbara Wagner: The height of the windows, the size of the door, how it's going to fit in the entryway and bring that and get that approved, right?

Amy Kratz: Right. Absolutely.

P. D. Camenisch: You're held responsible for what you say you're doing, to do that.

Amy Kratz: You have to do those things, right.

Rich Sulkovsky: If it pleases the Commission, we'll withdraw this number, if you wish.

Amy Kratz: I was going to actually make a motion that we ask them to withdraw this and bring it back.

Rich Sulkovsky: It's not the most important thing that we're here for.

Dennis Hughes: Okay, item number six will be withdrawn. Item seven doesn't concern us. Number eight. Signage. Request the use of signage areas that will be provided by previous owner, Jailhouse Antiques. The cost _____ wattage lighting per long sign above door. This will be provided by recessed lighting in overhang above sign. Request two, _____ wattage fixtures attached to a smaller perpendicular sign in front. We have a copy of the signs and their sizes, right?

Kevin Kelly: We do.

Amy Kratz: The amount of signage on this one building, I think exceeds the square footage of the building, as it is now. What is the signage?

P. D. Camenisch: It has nothing to do with the square footage of the building.

Amy Kratz: I don't know if it would be grandfathered in, or...

P. D. Camenisch: It's already on there. It's existing. It has nothing to do with the building size.

Dennis Hughes: So what you're saying is, you're going to put a sign where it says Quality Antiques Christmas Flags; you're going to replace that with your sign. Same size?

Rich Sulkovsky: Yes.

Dennis Hughes: Okay, up in the cubicle, are you going to leave that sign there?

Rich Sulkovsky: Sorry, up in the...

Mike Ostinato: The archway.

Dennis Hughes: Over the doorway. Archway. You're going to replace that sign.

Rich Sulkovsky: With the wine, great food, specialty _____.

Dennis Hughes: And the top sign, you're going to replace that?

Rich Sulkovsky: Right. Correct.

Debbie Sulkovsky: With Bacchus Wine and Borrowed Milk.

Rich Sulkovsky: Yes.

Dennis Hughes: So you're not going to put anymore of the signage, than what's up there now?

Rich Sulkovsky: The one's that are existing, correct.

Dennis Hughes: It's just going to be changed.

Rich Sulkovsky: Correct.

Dennis Hughes: Yes. Does anybody have any questions?

Kevin Kelly: I do have a question. In addition to signage, you are also requesting installation of lights.

Rich Sulkovsky: Correct.

Kevin Kelly: For the long sign above the door? I assume that's the Bacchus Wine Bar _____?

Rich Sulkovsky: Yes, that currently says Jailhouse Antique's, so it will just be recessed lights and some soft lighting, to highlight that.

Kevin Kelly: You're also requesting recessed lighting in the overhang above the... Oh, that is the overhang above the line?

Rich Sulkovsky: Yes.

Kevin Kelly: The perpendicular sign in front, as well?

Rich Sulkovsky: There would be some small, low voltage, like little goose necks, or something there.

Kevin Kelly: Is that the one that is perpendicular to the surface of the building that faces the building?

P. D. Camenisch: This one right here, you're talking about?

Rich Sulkovsky: Correct.

P. D. Camenisch: Where would you put the lighting for that?

Rich Sulkovsky: Above on the metal framing.

Debbie Sulkovsky: Some low wattage goose necks type of light.

Amy Kratz: You mean, you would put it here?

Rich Sulkovsky: That's the recessed lighting that would come down on where it says Jailhouse Antiques. The perpendicular sign, we would just have some low voltage lights on those.

Kevin Kelly: Mr. Sulkovsky, you're talking about on the suspended sign, the one that hangs?

Rich Sulkovsky: Correct, that would be the one that would have the small low voltage goose necks.

Kevin Kelly: And it would have low voltage light on that?

Rich Sulkovsky: Then where it says Jailhouse Antiques in the picture...

Kevin Kelly: The large one.

Rich Sulkovsky: That's where you'd have the recessed lighting above it.

Amy Kratz: So you're going to have to alter the building.

Dennis Hughes: So they would be flush?

Rich Sulkovsky: You would have the... yes, but as compared to any other light, which I think would alter it more.

Amy Kratz: Yeah, it would stand out. I understand what you mean.

Kevin Kelly: And what is the total of the square footage of the signage that you are requesting?

Rich Sulkovsky: I guess it's similar to what it is now. I don't know what the square footage is, to be honest.

Kevin Kelly: I don't know. The question... there are dimensions and there are square footage maximums for signage in the Historic District in Milton. I confess to you that I do not know whether there is a grandfather issue there that will allow for that signage to be replaced, in space that was signage.

Debbie Sulkovsky: If you refer to Section 220-63(e)(14), provides no non-conforming sign may be replaced without conforming to the provisions of this article; so that we would have to make sure that it is in compliance with the existing regulations.

Kevin Kelly: With current regulations? That's what I thought. This seems to be happening with some frequency here and I'm sorry about this, but we would need to know what the sum of the square footage; not necessarily the square footage [garbled], because we're

interested only in the total amount of square footage of signage that is on any building.

Amy Kratz: Compared to the side of the building.

Kevin Kelly: I think there are also dimensions that no one sign can be larger than a particular side, as well, so there are two variables.

Debbie Sulkovsky: Where can we find what we are trying to be in compliance with, as far as square footage goes?

Amy Kratz: You're using the same kind of signage, right?

Debbie Sulkovsky: Right.

Amy Kratz: So you would measure all that.

Debbie Sulkovsky: Right and then we'll know we're complying... that that's in compliance, how?

Barbara Wagner: The Code is online.

Everyone was speaking at once and I couldn't tell who said what.

Kevin Kelly: Where do they find that?

Barbara Wagner: Okay, she just... What did she say?

Amy Kratz: Actually, we normally do kind of do signage. I've always wondered why we do signage, because it's like a zoning thing.

Debbie Sulkovsky: I think the Planning and Zoning Commission would probably review it, when they review the application, for the special use approval.

Dennis Hughes: This would be a wall sign, the top, right?

Debbie Sulkovsky: Yes. A wall sign?

Dennis Hughes: Yes.

Debbie Sulkovsky: Any sign attached to a building.

Dennis Hughes: I would say 50% of the roof line _____ right behind the sign; the location of the sign extent above the same roof line more than 5'. And then 12" from the face of the building, into any street, alley, sidewalk, projected signs; which would be this one here; total area should not exceed 30 square feet. And you're going to only have one projecting sign, right?

Rich Sulkovsky: The projecting sign is the perpendicular sign?

Dennis Hughes: Yes.

Rich Sulkovsky: Yes.

Dennis Hughes: To not exceed 30 square feet.

Kevin Kelly: Yeah.

Dennis Hughes: The other one, I guess, this one here, page 220-106?

Kevin Kelly: Right.

Kevin Kelly: Milton Code, page 220-106; there are a whole series of things on signs.

Dennis Hughes: Yeah, wall signs and projected signs

Everyone was speaking at once and I couldn't tell who said what.

Dennis Hughes: You can only have one projecting sign, to be permitted up front, so you're only having one, so you're okay there.

Rich Sulkovsky: Right.

Dennis Hughes: And that goes in the ground signs, but you're not going to have any of those, right?

Amy Kratz: It talks about like if you were then to want to have a window sign, that says Open; then that's a whole different thing altogether; then you have to come back and ask for

something like that.

Rich Sulkovsky: Okay. Right.

Amy Kratz: Because it can't be flashing in the Historic District. You can't have a flashing sign, or you know, that kind of thing.

Rich Sulkovsky: Okay.

Debbie Sulkovsky: It can only be illuminated at night.

Dennis Hughes: So these signs here would have to be within the Code, so if we approve the signs, they would have to meet the Code...

Everyone was speaking at once and I couldn't tell who said what.

Debbie Sulkovsky: ...that code section.

Dennis Hughes: Yeah and if they were too big, then you would have to make them meet the Code.

Rich Sulkovsky: So this would be in the permit application with the town, so we would say this is what we want to install and it's approved at that particular point? Do you pull a permit to install them, or...?

Dennis Hughes: Well, if we approve the signs as long as they meet the Milton Code, now when they go get the permit, then the signs do not... if say if that one sign, you have to make it five foot shorter on each end, or something like that; but if we have no trouble where the signs are, we can approve them, as long as they meet the Code of the signs.

Rich Sulkovsky: That's great. That's fine.

Debbie Sulkovsky: You're approving the style.

Kevin Kelly: Right.

Amy Kratz: We're approving the style, basically, of what it looks like.

Kevin Kelly: You would need to conform with Code in terms of the sizes.

Rich Sulkovsky: Absolutely.

Dennis Hughes: And probably if you went to the town, which is the Code Enforcer, he could probably meet you down there and you could figure out if they are within code. I guess, now the lighting...

Amy Kratz: The would go with... I think that's a different thing, altogether.

Kevin Kelly: It's a separate matter.

Amy Kratz: And that would be illumination on the signs, that would go under the illumination, which was 220-101; signs may be illuminated at night by back lighting, or direct lighting only, provided that the latter is so screened as to not cast any direct light upon any residence or street right-of-way. No sign or lighting device shall be of the flashing, intermittent or reciprocating type. Illuminated signs must bear the National Underwriter's Seal of Approval or must be inspected and approved by the Code Enforcement Officer.

Rich Sulkovsky: That's why we didn't want to put it on the side, because there is a residence there and we respect that.

Amy Kratz: Right. And it says glass in any... Now all of a sudden, I skipped over, oh no. It says glass in any wall sign, must be safety glass, or comparable materials, attaching to trees, poles or structures it shall be unlawful for any person to paint, post, place or fix any business or commercial advertisement, paper, handbills, or circulars, or cause the same to be done upon the utility poles, structures or trees within the town limits. Basically the illumination.

Everyone was speaking at once and I couldn't tell who said what.

Amy Kratz: No, he's asking for illumination on the signs.

Dennis Hughes: The signage, we could vote on that and as long as it meets Town Code and if you have to make it smaller, you would have to do that and the lighting, that's another thing that would have to meet Town Code, right?

Barbara Wagner: And we also have to see the lighting.

Kevin Kelly: A page from the catalogue that you're going to be ordering the light, so that we know what it looks like, what you are installing; we don't need to have the light here, but the page that this is order number such and such and that's what we're ordering, three of those and two of these.

Rich Sulkovsky: Sure.

Dennis Hughes: So, we could split these, make one 8(a) and one 8(b), okay? And we can vote on 8(a), which would be the signage and then (b) would be the lighting. Is everybody in agreement with that?

Kevin Kelly: Is that agreeable to the applicants?

Rich Sulkovsky: Yes, absolutely.

Dennis Hughes: Okay. Does anybody have any other questions? If not, we'll entertain a motion.

Kevin Kelly: Is the motion to divide the two?

Dennis Hughes: Yes, to (a) and (b).

Kevin Kelly: So moved that item 8, as submitted, signage request, use of signage areas will be that used by previous owner, Jailhouse Antiques, be reidentified as 8(a). Request low wattage lights for long sign above door, provided by recessed lighting and overhang above sign request, two low wattage fixtures attached to smaller perpendicular sign in front be reassigned as 8(b).

Amy Kratz: I would like to second that motion that Mr. Kelly made.

Dennis Hughes: Any questions. If not, roll call vote:

Mike Ostinato	Approve
Amy Kratz	Approve
Dennis Hughes	Approve
Kevin Kelly	Approve
P. D. Camenisch	Approve
Barbara Wagner	Approve

Dennis Hughes: Okay, so now we'll take 8(a) first, the signage.

Amy Kratz: I would like to make a motion that we approve the signage request, use of signage areas will be that used by the previous owner, Jailhouse Antiques.

Dennis Hughes: And meet Town Code.

Amy Kratz: And meet Town Code.

P. D. Camenisch: Second.

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

Mike Ostinato	Approve
Amy Kratz	Approve

Dennis Hughes	Approve
Kevin Kelly	Approve
P. D. Camenisch	Approve
Barbara Wagner	Approve

Dennis Hughes: Okay, 8(a) is approved. We'll move onto 8(b), the lighting. Are there any more questions on that? If not, I'll entertain a motion.

Kevin Kelly: Mr. Chairman, I thought that...

Amy Kratz: It was already seconded, I thought. I'm sorry, go ahead, Kevin.

Kevin Kelly: Yes, 8(b) was seconded, that it could stand alone, but it has not been moved. So my question is...

Dennis Hughes: If we did that so it would be part of number eight and if we want to request...

Kevin Kelly: Mr. Chairman, I think we need to see the examples of the lights that the Sulkovsky's are considering installing.

Amy Kratz: Right. Right.

Dennis Hughes: So at this time, it's okay to remove 8(b) and keep 8(a) approved.

Rich Sulkovsky: If I could _____ the two lights, the recessed lighting, would just be recessed lighting. I guess the goose necks would be a question on what you're looking at, but the recessed lighting...

Kevin Kelly: The recessed lights could be of many dimensions; it could be all sorts of different size, in terms of that; it could be telescoped; it could be something that you can move to show in a particular area; there are many kinds of recessed lighting. We would need to know what is it you are requesting to install; both for the recessed light and for the goose necks.

Rich Sulkovsky: Okay.

Dennis Hughes: Is that okay?

Rich Sulkovsky: That's okay.

Dennis Hughes: Okay, so we're removing 8(b), at this time. Next is number 9, request a roof top deck and second floor deck, as shown on pages 15 and 17 of the handout.

Rich Sulkovsky: To us, this is the kind of the big enchilada, other than the special use thing that we're here for. We think that this would meet the purpose and the intent of the Historic Preservation overlay district. We're keeping it in the back, so it's not really affecting the streetscape. There would be some visual presence, so I mean it's certainly within your jurisdiction to look at it, but we're trying to keep it in the back so it is not really that noticeable from the streetscape. We certainly think it increases property values and stuff like that; certainly we think it will be a valuable thing to put there, in the building. Again, we think it strengthens the local economy by providing more services; we can serve more people and stuff like that. In the promotion of the pleasure and welfare of the citizens and visitors. We're trying to provide a deck up there, so you could have sunset views of the Broadkill River; we think that would just be a wonderful thing to be able to add to the city.

Barbara Wagner: I would like to know the dimensions of the deck and where it's going to be.

Rich Sulkovsky: It's on the site plan.

Dennis Hughes: Page 17.

Amy Kratz: I had trouble reading the site plan, or getting any sense of it.

Rich Sulkovsky: Okay.

Dennis Hughes: This right here, is that the air conditioning? On page 17, in the middle, right here...

Rich Sulkovsky: That is a window?

Kevin Kelly: No, it says current and future a/c compressor.

Rich Sulkovsky: Oh yes, on the bottom, that's where it will be located in the current location. Correct.

Dennis Hughes: Okay. And then these are steps going up to the deck.

Rich Sulkovsky: They would be the steps that you could see from the south elevation, on the second story that would be the gray hardy plank siding and on the upper floor, there would be the 1X6 privacy fencing. This is something that we want to avoid noise and light pollution to our neighbor's, in respect to them.

Amy Kratz: South elevation.

Debbie Sulkovsky: Page 17.

Amy Kratz: Yeah and that is the back?

Rich Sulkovsky: That would be the side, that is looking from the hairstylist, toward our building.

Amy Kratz: And you would be placing hardy board there?

Rich Sulkovsky: Hardy plank. It's the cement board.

Amy Kratz: Yes, I know what you mean.

Rich Sulkovsky: Yes.

Amy Kratz: But you would be placing it where, on the side of the building?

Rich Sulkovsky: Just place it on the addition that we'd be putting out, behind the existing building.

Amy Kratz: The addition?

Rich Sulkovsky: The addition which is the second floor area, so that you could get up to the roof top deck.

Amy Kratz: So you're going to enclose this?

Rich Sulkovsky: That one side, in respect to our neighbor's, so there's not a lot of noise and light pollution and stuff like that; because we respect that we're in a business district, we want to respect the resident's too.

Amy Kratz: I have real issues with the drawing. I can't understand fully what you're trying to speak to us. We don't know what kind of materials you're going to use; hardy board, yes to that; but for the deck, I don't know where, like Barbara said, we don't know where it's going to be located on top of the roof. I feel like there should be some kind of like broad picture, where you actually show us what it's going to look like. How high it will be up off the roof?

Rich Sulkovsky: This is to scale.

Amy Kratz: Yeah, but I can't get a grasp...

Dennis Hughes: Maybe, if we start on 15 and you kind of go over where we are.

Barbara Wagner: That's a good idea.

Rich Sulkovsky: This is the view from the Broadkill River, looking back. This would be the west view, looking at the west. Basically you'd have a set of stairs going up, this would all be trimmed in white.

Amy Kratz: What kind of materials?

Rich Sulkovsky: Somebody mentioned the word “builder” here. I'm trying to remember what...

P. D. Camenisch: Are you going to use a composite, PVC boards?

Rich Sulkovsky: Yes.

P. D. Camenisch: Painted? Whatever color you want?

Rich Sulkovsky: Pre-painted. Yes. Everything back here would be white.

P. D. Camenisch: So the distance of the staircase itself, will be the actual width of the building?

Rich Sulkovsky: Correct.

Dennis Hughes: It's 24'.

Rich Sulkovsky: Correct. Exactly.

P. D. Camenisch: 24', so you're going to take all of the area of the back and still leave the windows where they are, on the building itself?

Rich Sulkovsky: All the windows would stay there. We would use, as you go in the building, and you go up the stairs; I don't know how many of you have actually been in the building; there are stairs to the right, in the back third of the building. At the top of that landing, there is a window there and you can see that it's the far... If you're looking at the building, it would be the far left window. We would use that opening for a door to go onto the deck of the second floor.

P. D. Camenisch: How far actually does your roof that you have existing now, how far does the facade of the building, all the way around, how far is it from the level deck, to the top of your brick now?

Rich Sulkovsky: I'm sorry. Say that again.

P. D. Camenisch: You're going to put a new roof on there?

Rich Sulkovsky: Correct.

P. D. Camenisch: So the surface of the roof will be the deck?

Rich Sulkovsky: It would be a floating deck, on top of the new roof.

P. D. Camenisch: And how far would it be above the roof?

Rich Sulkovsky: The deck, itself, would still be below the brick; though the privacy fencing on the deck and any railing surround; would extend above the brick.

P. D. Camenisch: That's what I'm saying. How far?

Kevin Kelly: How high above the brick?

Rich Sulkovsky: Well, I think the brick extends a foot above the roof material itself, so it would be your standard... the privacy fencing would be I think it's the standard 6' fence, _____ would be standing 5' above and then the other railings around would be your typical 30", if you subtract a foot; that leaves you with 18".

P. D. Camenisch: And you're going to support that how, with wind and...?

Rich Sulkovsky: It would be supported to the deck.

Amy Kratz: So you're going to have a privacy fence up there?

P. D. Camenisch: Excuse me, Amy.

Rich Sulkovsky: The privacy fence would be on the south side, because of the resident's we wanted to...

Amy Kratz: Right.

Dennis Hughes: You just wanted... so you would have 5' of the privacy fence above the roof

level?

Rich Sulkovsky: Correct. Correct.

Dennis Hughes: Okay and the front, there would be just a floor railing?

Rich Sulkovsky: Yes.

Dennis Hughes: And the other side would be small, but the only 5' above, would be on that one side?

Rich Sulkovsky: Yes, as a courtesy to our neighbor's.

Amy Kratz: I don't know what the town says about safety or... I know that I'm thinking right now that it would change the whole look of the streetscape again. I'm thinking if we were just asking you about putting the HVAC thing up there and now you're talking about adding five feet of privacy fencing, alongside the roof.

Rich Sulkovsky: Right. Well there is a precedent, I guess, in the town with the Bed and Breakfast that is across the street from King's Ice Cream; that there's a rooftop deck up there, too, and I would assume that the same issues were involved there.

Amy Kratz: I don't think it's even the same kind of building. It's like a widow's watch.

Dennis Hughes: Yeah, a widow's watch.

Barbara Wagner: No.

Amy Kratz: If it's a widow's watch, it has a very small deck. It doesn't have a huge deck with a... It fits with the landscape of the house, with the architectural design of the house. This building is not a big, grand, painted lady, Victorian home. It's different. It's a different kind of building, so it doesn't really necessarily fit with the downtown area.

Rich Sulkovsky: One of the things, other than it's the financial viability, as a business person I'm obviously asking for it too, but...

Kevin Kelly: Mr. Chairman, if I may, page 220-57, Standard I, Part 1 addresses the issue of roofs, pitched, dormers and types. All member's can read the paragraph there. I would call member's attention to the last sentence, modern variations of roofing styles which clearly bear no resemblance to traditional or historic styles cannot be permitted within the Historic District or in a designated historic site. So I think it's very important, the questions that were asked in the last several minutes about the height of the structure that will be built on the roof, it's appearance, relative to the building, relative to the type building that it is, and it's time and relative to the Historic District. I think those are very important questions that do need to be addressed. As an individual I have less concern about the structure by which people could gain access to that, it's on the back of the building. It isn't in public view. That seems to be less an issue.

Debbie Sulkovsky: Is this in light of, for example, on page 13?

Amy Kratz: Are you talking about the deck on the back of a... Yeah. Well that's a deck on top of a non-contributing part of a structure. You're talking about a deck on top of a contributing historical structure.

Rich Sulkovsky: I do have a question about that, because we did go to the Historical Society and we were not listed as a property on the register. We were surprised by that and again, we really believe, if you have information different, then I'd be happy to see it; we went through it with Allison and I'd be surprised that it wasn't on there.

Barbara Wagner: This is the National Register application. You're number 31, 106 Union Street.

Amy Kratz: You're on the National Registry.

Barbara Wagner: You're part of the National Register of Historic Districts, not on the National Registry.

Amy Kratz: And...

Barbara Wagner: This is the National Register Nomination Form and then it has been approved in 1982. He's looking for what Allison gave him. I said to him that I was really glad that he is working with his historic windows and not asking to change them.

Rich Sulkovsky: What I'm referring to is I don't have the listing, because it wasn't listed there; but in the second called Interpretations and Conclusions, from the Historical Research and Architectural Field Survey the following conclusions... so this is the document. I don't have the complete document, but it had a listing of all the different properties and 106 was not listed.

Barbara Wagner: I believe that you may have been looking at a report that was done by University of Delaware reassessing the first third of our Historic District and the report was finished last spring and I have the report and it simply didn't go as far as your property. You're in the second section of the review.

Amy Kratz: Right, which is already in the Historic District.

Rich Sulkovsky: Which is fine.

Barbara Wagner: You've been in the Historic District since 1982.

Rich Sulkovsky: Okay, fair enough. Okay. We embrace that. We do like the idea of being in an historic building and stuff like that. This is the one area we're trying to look for a little bit of leniency. Some of the things that we could have done is ask for painting the building and stuff like that; that's been done many times in the Historic District. We don't want to do that. We would like that fresh look, but we really think that would change the streetscape.

Kevin Kelly: But in fact, all the things that can be done, painting is one...

Amy Kratz: Painting is one of the least things things that change the architectural...

Rich Sulkovsky: I think it changes the character, so we wouldn't voluntarily want to do that and the windows, too. I mean, as a business person, the windows are going to leak a lot, but voluntarily we want to keep those windows, because it really adds to the character and Barbara and I have talked about that a little bit before and she gave me a nice write up on that. So this is one of those things I'm trying to see if we can give and take a little bit.

Amy Kratz: When it comes to the Code, I'm not sure how much we can take about changing the streetscape and the Architectural Design of that building.

Rich Sulkovsky: Debbie was just suggesting it is in the back third of the building and if the privacy fence is one of the things that is disturbing the Commission, we could take that off.

Amy Kratz: Why don't you come back with drawings of a new version of what you're trying to present too?

Dennis Hughes: Also, I don't know, with this structure, you're probably going to have to go through the Fire Marshall's office and stuff, so they could change all this for what he wants, so it might not be a bad idea to contact them and see, because I don't think it's probably something we're going to be able to make a ruling on tonight.

Amy Kratz: I agree.

Rich Sulkovsky: Okay. The Catch-22 I'd be put in then, is that if I need to do any structural enhancement of the roof rafters and I've had an architect out there and he says I've got to do the numbers, to make sure it works. He couldn't visually say, I don't think it's going to make it or not; there are true 2X12' roof rafters there, so he would have to do the calculations. I

need to do the installation of any reinforcements before I put the new roof on and before I put the coffered ceilings in.

Amy Kratz: How about getting an architectural design and make sure an engineer makes sure it's safe enough to even put any kind of deck up there.

Rich Sulkovsky: I would do that if I have the theoretical approval by the Commission.

Amy Kratz: We can't. I'm sorry. I don't believe that we can approve a deck that we can't even see. You haven't given us a drawing of the deck; where it's going to be.

Rich Sulkovsky: Well it is on the site plan, the general dimensions of it.

Debbie Sulkovsky: Were you with us... we started on page 15 and we didn't go through 16 and 17. Was that beneficial...

Amy Kratz: I don't believe it's beneficial to me, but I'm a very visual person. I need a site plan. It may be more beneficial to the rest of the group. I'm not sure, but I really... we still don't know what kind of materials you're using for the deck. You don't have an engineer saying that the ceiling will hold a deck. How many people are you going to be able to have on the deck?

P. D. Camenisch: It's irrelevant.

Amy Kratz: I mean, that's not really my purview, but I mean I'm talking about... Here's what happened once before. We had a house come into play and they wanted to add an addition onto the top, the back of the house, which was pretty much the back of the house...

Dennis Hughes: Yeah, but, excuse me Amy, but it's irrelevant to this, because...

P. D. Camenisch: It's irrelevant. He doesn't need to hear this.

Dennis Hughes: It's irrelevant to this, because we have to view this differently and as far as I know, we have never had something like this since I've been on the Commission.

Amy Kratz: No, we've never really had a deck on top of a...

Dennis Hughes: I think there are a lot of questions again too, with the deck; whether that has to come out, what it needs to be.

Debbie Sulkovsky: We would like specific next steps, because this is a critical item for us. This whole concept of a roof deck and a back deck, means everything to the business, so we really need to know...

Amy Kratz: A roof deck and a back deck?

Debbie Sulkovsky: A roof deck and a back deck and that's what's in the plan.

Rich Sulkovsky: That would be the second floor, to get up to the...

Debbie Sulkovsky: Page 15 was the second level and...

Amy Kratz: That's not very clear. I don't think that back deck is very clear. I didn't even grasp that whole back deck, as a concept.

Rich Sulkovsky: Okay.

P. D. Camenisch: One comment. If you took the second floor deck area and extended it out, instead of going on top of the roof, you might... I don't know for sure about the rest of us, but you might be able to classify that as a deck in the back of your establishment and I don't see any reason why that wouldn't pass; but to go up on top and to change the whole structure of the building and the look of the building itself, by actually making something up there that was never there before; never intended to be there, we might have a problem with it; but to build a deck in the back of a business, I'm sure that the conforming of the structure would not be... the integrity, in other words, would not be altered by the addition of something in the back where you very rarely see it; you might see part of it on the side

facing your neighbor, but not towards the theater.

Rich Sulkovsky: I'm not sure if we have of a side back clearance.

P. D. Camenisch: I don't know what your property is. If you have...

Rich Sulkovsky: I think I've got about 19' from the back.

P. D. Camenisch: I think setbacks are what, 5'?

Dennis Hughes: Yeah, commercial's different, isn't it?

Amy Kratz: Yeah, it all depends on commercial.

Dennis Hughes: I think commercial is different, the setbacks.

Debbie Sulkovsky: And that deck on the roof we were talking about is the back, third, of the rooftops.

P. D. Camenisch: Yes, I understand that. You're actually making the roof a deck, but you're adding 9', which you have, beyond the existing structure to allow for the steps and the deck.

Rich Sulkovsky: Right, but the deck would only be on the bottom third of the building. It's not extending all the way to the front.

Debbie Sulkovsky: You can't...

P. D. Camenisch: Right. I understand that. I see that in the print. Your drawing is adequate. Your materials are adequate. It doesn't need to be going any further than that. What you have here is ample, but it just doesn't conform to our standard, we think.

Rich Sulkovsky: Okay.

P. D. Camenisch: You also have the ability, the Chairman could explain it to you, that if you don't like what we say, you can go to another source, higher up than we are, the Council, the Superior Court...

Barbara Wagner: The Board of Adjustment.

Dennis Hughes: The Board of Adjustment.

P. D. Camenisch: You can go anywhere you want and they can make the decision that we interpret; maybe we would interpret it wrong and you foresee... and the Council says you know we want business in town and we want to do whatever we can. So we don't care what the Historic Preservation Commission says, so that's an option.

Kevin Kelly: Mr. Sulkovsky, obviously there are a number of items which you brought before us tonight, which you have agreed to revise, resubmit, so a conversation that has just been had between a Member and both of you about the extension of a deck that is in the back of the structure, that may be something that you want to think about and might want to include when you come back with the other items that are identified. I think that might be a pathway that would allow you to think about your own design, your own business model and at the same time be aware, and reckon with the design issues that we need to deal with as an Historic Preservation Commission.

Dennis Hughes: And you can go ahead with your roof then, because you wouldn't have to have the extra up there, for the deck, because I'm sure you're going to have to...

Rich Sulkovsky: [garbled].

Dennis Hughes: Yes.

P. D. Camenisch: Our Commission relies on what you tell us you're going to do. If you're vague as to what you're bringing in, we don't know, we can't read your mind and so the more information you bring in, the more articles, the more samples, or anything that you have, that you know you're going to do, that way we can vote on it and it goes a lot smoother.

Rich Sulkovsky: But it does put us, again, in a Catch-22; because we need to... I guess it backs up to one of the original issues that I didn't talk about earlier. We bought the building for \$110,000. If we spend anything more than \$55,000 in renovating this property, we have to bring everything up to Code. Now we're happy to do that with the electric and plumbing and things like that, obviously; the thing I have a concern about is FEMA requirements; if I have to comply with FEMA requirements. There's no way that I can bring this building up. I've already got about \$35,000 worth of estimates by licensed contractors, electricians and things like that, which leaves me about \$20,000 with me doing the labor, most of the labor; of fixing up the inside and make it wonderful inside, which I think this building has so much potential on the inside. But if I've got to spend a lot of money on engineers and architects, to get approval of a hypothetical, I may run into that \$55,000 figure and then the whole thing falls apart. It does put me in a Catch-22 situation; so any other advice that you can give me, I appreciate the suggestion there. That's something we will look at. Any other suggestions. Can a roof be put on that second floor that you're suggesting? Is that in conformity?

P. D. Camenisch: Well you didn't ask for the roof on top of your existing, that you were going to put up there. Why would you want to put a roof over a deck?

Rich Sulkovsky: The second floor deck that you were suggesting.

P. D. Camenisch: But you had no design of a roof to begin with, for any of those floors. Why would you want to put a roof over the other deck?

Amy Kratz: Yeah, so what would make you think that?

Rich Sulkovsky: Well, I'm just looking for the other options that we might have.

Barbara Wagner: But you also want to have something that's safe and so there may need to be some engineering opinions on what you plan to do, to ensure the safety of the design.

Rich Sulkovsky: Absolutely.

Debbie Sulkovsky: Absolutely.

Amy Kratz: It's an old building. They were built with different kinds of timber and I don't know how much weight you're putting up there.

Dennis Hughes: If they had something that we didn't approve and they brought it back for the same thing...

Rich Sulkovsky: That's where I'd have to have the experts come in to do that. But you can see where the dilemma I've got... I start paying into that \$55,000...

P. D. Camenisch: So you're only allowed to spend so much money before you have to do what?

Rich Sulkovsky: If we spend more than the \$55,000... My background is also many decades ago as a large loss property adjuster and things like that, so anytime we ran into significant losses, we had to look at bringing things up to current code, not necessarily what it was before.

Barbara Wagner: FEMA Code.

Rich Sulkovsky: So FEMA, according to Mike Trotta...

Kristy Rogers: It's because of the flood plain.

Rich Sulkovsky: And we are in a flood plain, yes. So FEMA would require us to bring our first floor up to above flood plain. It can't be done.

P. D. Camenisch: Yes, under your flood plain.

Amy Kratz: You won't be able to do that.

Rich Sulkovsky: It can't be done. It can't be done and I think you all would have an objection to anything.

P. D. Camenisch: You can do anything, if you have enough money.

Rich Sulkovsky: But I don't have enough money to _____ FEMA, that's the problem. I'm trying to keep the plumbing, the electric is all going to be done to code and done by licensed contractors; but I have to stay within that \$55,000. So I'm kind of in a Catch-22, so any suggestions that you have to meet historic guidelines would be helpful to us, that we can go back and try to come back again.

P. D. Camenisch: To build a deck on the back, you're not going to need an engineer or an architect; that's pretty much up to what your blood, sweat and tears are capable of doing.

Rich Sulkovsky: Well I'm not going to do it. I won't do any of the deck. But that would be a Phase 2; that would not be with the first \$55,000.

P. D. Camenisch: All that would have to be approved through the County Code and the Milton Code.

Rich Sulkovsky: Sure.

P. D. Camenisch: So you would have a double-whammy there. You would have to go through the County and the County would have to inspect it all and they're probably going to have to inspect, because you're going to be a commercial business, they're going to have to inspect what you do electrically and with the plumbing, anyway.

Rich Sulkovsky: Oh, sure, absolutely. We have no problem with that.

Dennis Hughes: I think the County now, don't they on commercial... you have to do...

P. D. Camenisch: Well First State would do the inspections...

Dennis Hughes: No, don't you have to have architect drawing, with commercial now?

P. D. Camenisch: I don't know. I don't know.

Rich Sulkovsky: And we would. If this is approved then we would certainly have an architect design it and I would not touch the building of that. I do interior work. I'm not going to do any exterior work.

Kevin Kelly: As to any suggestions that we might have, it's an obvious one, but there are other merchant's of other commercial structures and buildings in the flood plain. They have all dealt with that issue, as you are having to deal with that issue; you might want to talk with them to see... and you may already have done so; but there have been several businesses that have opened in that area within the past five years and so they are all dependent upon that same regulation(s) and so they probably could give you some advice as to what they did and how they conformed and how they saved money doing it; which I'm sure they all tried to do.

Debbie Sulkovsky: Would it be possible to, as we did in a couple of other items, break this down into two sections, a top deck and a back deck and potentially have the back deck voted on tonight? No. I believe you said it was adequate.

P. D. Camenisch: Well, you have to give me some dimensions. You have to have a drawing. You just can't say you're going to do it and...

Kevin Kelly: We need material, what it would be built from. Again, it doesn't need to be the actual materials, but it does need to be, or it would be helpful if it was, a catalogue that shows hardy plank or whatever you're choosing to use for that purpose; those kinds of things are the kinds of things we need, because, again, if we don't do that you could simply go to a hardware store and get untreated lumber and build it out of that and we really can't

be in a position where we've approved something like that.

Debbie Sulkovsky: Okay.

Dennis Hughes: What P. D. was talking about the appeal, it does say in here, any _____ may appeal the Historic Preservation Commission decision to the Board of Adjustments. Any such appeal must be logged with the Board of Adjustments within thirty days of the date of the Historic Preservation Commission's decision.

Rich Sulkovsky: I don't anticipate doing any appeal, or stuff like that. We want to work with you and we want to make you all happy.

Kevin Kelly: We wouldn't take it personally. That's your right.

Rich Sulkovsky: I know. I understand. We want to work with you and we believe in the idea of Milton, protecting the historic significance of it.

Kevin Kelly: I suspect I speak for a whole bunch of people in the town. We are certainly interested in that happening. That's been a structure that has needed a tenant and an owner for a long time.

Amy Kratz: So we want to work with you.

P. D. Camenisch: Just as friendly, but we've got to abide by what the townspeople have already voted on and that's pretty much the way it cuts.

Barbara Wagner: It might be better to bring the second floor deck back, as you bring all the other things back that have the dimensions of the deck and the materials and then you can...

Kevin Kelly: If you could go ahead with that and assuming approval, and then figure out if you could go ahead with the other deck.

Rich Sulkovsky: Okay.

Debbie Sulkovsky: What is the date of the submission of the agenda and the next meeting?

Kristy Rogers: I would need materials two weeks from today. The meeting would be October the 14th.

P. D. Camenisch: You could actually have the deck not attached to the building.

Barbara Wagner: They want to do second floor.

P. D. Camenisch: Second floor, I mean you could do that; put the steps next to the house and then go up to the deck on the outside. There are a number of ways you can skin a cat.

Rich Sulkovsky: Do you know what the setback requirements were in commercial?

Dennis Hughes: No, I didn't find it, but when you...

P. D. Camenisch: If you go to Town Hall, they can tell you.

Rich Sulkovsky: Okay.

Kevin Kelly: So Mr. Chairman, item nine is still on the agenda and we have not done anything in particular with it.

Dennis Hughes: Okay.

Rich Sulkovsky: Mr. Chairman, as some of the other items, we'll withdraw that request.

Dennis Hughes: Okay, we will withdraw number nine. So what we've done is we have withdrawn items 5, 6. No. 7 does not pertain to us. And we've withdrawn 8.b. and number 9.

Rich Sulkovsky: One item that was not specifically addressed on here, but we did submit a picture. We would like to have a numerical sign. What page is that on?

Debbie Sulkovsky: It's on page 10.

Dennis Hughes: All the numbers. That's a postal issue.

P. D. Camenisch: It's not required in the _____.

Rich Sulkovsky: The last thing that we did no put on here, on the south side of the building

there's a former burglar alarm, that's rusting out and stuff like that. We would like to take that off and if we can restore it and use it as a wine cabinet, inside of the building. Again, it's to recognize the historic significance of the building.

P. D. Camenisch: It would be the same thing as taking out an air conditioner. It's okay.

Rich Sulkovsky: Good, well thank you.

Dennis Hughes: I believe that covers your application.

Debbie Sulkovsky: Is that it for us, then?

Dennis Hughes: Yes.

Debbie Sulkovsky: I do have one thing, just one minute. Rich and I have bought a couple of pieces of art for inside for wherever Bacchus was going to be and I put one together. This is different than the other three, because there is, I guess, an item that is irreplaceable, so I wanted to pass this down and there's a neat item in it that I know none of you have probably seen, so I'll pass this down. This is the little piece of art.

Rich Sulkovsky: This is a picture of the flood of 1962 that our building was involved in and as we took the interior walls out, not the walls, but the _____ that was up there, it was on the plaster is a calendar that was from 1962 that was just built over.

Debbie Sulkovsky: March, 1962...

Rich Sulkovsky: It's a nice historic thing and we're going to hang this in the building.

Dennis Hughes: Look at this picture, that iron right there... I was in that picture.

Rich Sulkovsky: Were you really?

Dennis Hughes: Yes. Yes.

Rich Sulkovsky: You'll have to show us.

Debbie Sulkovsky: Awww, come on. He's joking.

Amy Kratz: Were you in the boat?

Dennis Hughes: No, I wasn't in the boat. That was Walt Wagamon and somebody else.

Kevin Kelly: Is that you standing there with the jacket.

Amy Kratz: Yeah, I can believe that.

Dennis Hughes: Yes.

Kevin Kelly: He was already a grandfather then.

Dennis Hughes: I'll tell you what, too, my father had the newspaper and all that... I'll see if I can see some pictures from then, or if I can get something that maybe it's clearer, by the police cars not there, or something that would show your doors better. So if I can, I'll get up with you guys.

Debbie Sulkovsky: Okay.

Rich Sulkovsky: We'd appreciate that.

Kevin Kelly: His father had the newspaper.

P. D. Camenisch: The Town Council met for... we called it the Milton Circus, met upstairs in the back, for I don't know how many years when John Starr was the Mayor. That's where we had the first Council meetings and we had a chuckle.

Kevin Kelly: That's very cool.

Dennis Hughes: The had a big table, and the Council sat on one side and it was enough for one chair on the other side and from the front part was all open, so you didn't dare walk out there, you'd go right through the floor. We didn't have too many people attend at that point. Okay.

Rich Sulkovsky: Well thank you, we're excited to get started and we apologize that we've

never done this presentation before, really, so we tried to give you as much detail, as possible. I know some of these are complicated issues, so we appreciate your...

Debbie Sulkovsky: Yes, thank you for your time and efforts on our behalf and we really appreciate it.

Amy Kratz: We appreciate your wanting to restore the building.

- b) Review of Section 220-21 of the Zoning Ordinance which pertains to the Historic Preservation Overlay District and submission of possible changes/updates

Dennis Hughes: Moving on. Due to the late hour, we might want to do that next time.

Amy Kratz: Yes, because I haven't eaten dinner yet.

Kevin Kelly: I haven't eaten dinner yet either.

Dennis Hughes: There's one other thing, that Kristy and I had met with Rebecca Shepherd from the University of Delaware and I'm just going to say a couple of things. She was talking about their doing the 65 houses this year and next year and the last year they're going to do 64. I also asked her about the certification of the town and she said at this time she didn't believe anything that we're doing is detrimental to the certification. She also said that in January she would like to meet with us.

Kristy Rogers: She said she would offer to help to review the Code; offer any suggestions on how we can improve. We also discussed the training options, as it's been discussed; you should have annual training, so come up with ideas on how to conduct it. She said we can join in with other towns, that may be suitable for the requirement.

Barbara Wagner: Lewes has been having some trouble, so they want to join in with us.

Kevin Kelly: Yes, they have been having a little bit, haven't they.

P. D. Camenisch: Mr. Chairman, this also brings another one of my pet peeves up, that another person has come before us that was not informed of what they actually need to bring from the Town Hall, not saying it's Kristy, but the person down there that gives them the information to come before us, should be either here at the meetings, or have knowledge of what is needed to bring to the Historic Preservation Review Committee, to not waste everyone's precious time and this is about the fourth or fifth time it has happened and it needs to be addressed, by either the Mayor or whoever.

Shannon Burton: They're going to have a problem when they go before Planning and Zoning, as well.

Dennis Hughes: Yes.

Shannon Burton: Because they have not submitted a proper site plan. I received a packet today and I looked at it and I said this isn't a site plan. There are specific requirements as to what a site plan must include. The Planning and Zoning Commission has the ability to waive some of the requirements, but they haven't met any of them and that's really a shame that there was nobody there. I mean, you should have an attorney when you're going through the land use process. Obviously, as an attorney, I always recommend that, because you get one bite at the apple and you want to make sure that you do it right and I don't know how Planning and Zoning is going to handle that. It's before them next week and I know Seth Thompson, he's one of my law partners and he's the Town Solicitor, he'll be there and he was made aware of it today; so I'm not sure how that will be handled at that level, but it's really a shame, in my opinion, that they were so unprepared. They had no idea, although the burden is on them, to make sure that they know what they're doing.

P. D. Camenisch: But it makes us look like we're the heavies.

Kevin Kelly: Let's also keep in mind that this Commission, no Commission, no group, no agency, whatever it is, whether in the Town Hall or the Commission, wants to be fingers pointed at it by other Commissions or other agencies. We're in this together. We need the recommendation from us to Town Hall would simply be to put in place a fail safe, where it's very clear to an applicant what you need to bring before Historic Preservation; what you need to bring before Planning and Zoning; exactly what you need. It might even be good to have examples of applications that were well done with names redacted, but with examples, like that little clipboard, the little display boards of the different kind of wood they're going to use, those kinds of things. We can vote on that, we can't vote on it's going to be wood.

Shannon Burton: And the Code is very specific as to what they should present.

Kevin Kelly: Yes, we should just be more helpful. We should try to figure out a way collectively where we all sit down and we can be helpful to Town Hall, in terms of what we are looking for and it makes our job easier and vice versa. Those kinds of things I think will help.

Amy Kratz: This Lewes book is very helpful, if you give it to everybody who is in the Historic District; if we created something like this. They would know exactly what to do.

P. D. Camenisch: Can you request it from the Mayor that we have the Code Enforcer here, whoever gives them the information?

Amy Kratz: We don't have a Code Enforcer.

Kristy Rogers: They came and saw me.

P. D. Camenisch: Do we have a Code Enforcer?

Kristy Rogers: They came to Town Hall and turned the application into me. I didn't have the knowledge to know what to ask for to solve the process.

P. D. Camenisch: I know you don't. You can't do ten people's jobs.

Amy Kratz: We're not blaming you. You just jumped in and you're the Town Manager.

Kristy Rogers: They referenced that they spoke to Mike before, they had spoke to Robin. I just didn't know what questions to ask.

Shannon Burton: And again, the burden is on them to prepare and present a proper application and I don't know if it's because there's no Project Coordinator right now, or what's going on.

P. D. Camenisch: But for someone that has never done this before, how can you say that they're not prepared. They don't know what to bring and someone should tell them, either us, or there should be a go between, between us and them coming before the Commission and us shooting them down. There should be someone else that says you can't do this, or you can't do that and this is what you need to bring, this is what you need to do, you need to have all your ducks in a row.

Kevin Kelly: I think simply, we need to talk to each other and we need to do a lot less talking about each other.

P. D. Camenisch: I'm not talking about anybody. I'm not.

Kevin Kelly: I'm not saying that. I'm saying that all of the organizations that deal with citizens in Milton, need to understand that we are all in the same position. We are there to try to help people do what it is, that will benefit our town. We have two people who want to open a business.

P. D. Camenisch: How can we do it, sitting here and...

Kevin Kelly: We can't. I'm saying, we need to talk about it. We need to meet with people. We need to instruct people. We need to provide other people, with what we look for, they need to tell us what they need from us. All those things are just communication. We just need to improve that. We don't have it. We work in isolation. Planning and Zoning as far as I know, they work in isolation. I mean, there's no cross pollination here.

Barbara Wagner: These folks are really naïve. He has a budget of \$55,000.

Kevin Kelly: He's a guy who wants to open a business in a building that's been empty since the day we moved here. So I want them to open that business.

Barbara Wagner: He's in over his head.

Shannon Burton: It's a great business.

Barbara Wagner: He's so naïve.

Shannon Burton: It's nice to meet the requirement.

Barbara Wagner: With a budget of \$55,000.

Amy Kratz: I don't know what he's thinking.

Barbara Wagner: What is he thinking?

Amy Kratz: I think he thought that he could come here and we would just...

Kevin Kelly: Let's not do this. We're not adjourned, so...

Barbara Wagner: _____ and I'm sorry for him.

Amy Kratz: Well I feel bad for him, too, because he wants to open a viable business. So can we adjourn this meeting?

6. Adjournment

Amy Kratz: I'll make a motion that we adjourn this meeting.

Kevin Kelly: Second.

Dennis Hughes: We have a motion made and seconded. Any questions on that motion? All in favor say aye. Opposed. Motion carried. Meeting adjourned at 8:56 p.m.