

**Milton Historic Preservation  
Commission Workshop  
Milton Library, 121 Union Street  
March 18, 2015, 7:00 p.m.**

**Transcriptionist: Helene Rodgville  
[Minutes are not Verbatim]**

**The participant's in this meeting for the most part, did not speak into a microphone, therefore there are a lot of places where I couldn't hear them.**

1. Call meeting to order
2. Roll call of members

Mike Filicko	Present
Diane Hake	Present
Dennis Hughes	Present
P. D. Camenisch	Present
Barbara Wagner	Present
Richard Miller	Present
Amy Kratz	Present

3. Guest Speaker

A presentation by Mr. Jesse Zanavich, Architectural Historian, Delaware Division of Historical and Cultural Affairs in regards to present Town of Milton Code governing the Historic District and the values of developing Design and Rehabilitation Guidelines for Historic Districts.

John Collier: I'll take it from here. I'd like to allow the Commission a moment to come around and sit down, so you may face the screen, please. Good evening members of the Historic Preservation Commission, friends, guests, visitors. Welcome to what may be the first of many meetings as Milton's Historic Preservation Commission embarks on this journey to continue the preservation of Milton and it's Historic District, by redefining and strengthening the Town Code and to develop comprehensive design and rehabilitation guidelines and standards. Tonight we are here for a presentation just about those concepts. Our guess speaker this evening is Mr. Jesse Zanavich, an Architectural Historian with the State of Delaware's Division of Historical and Cultural Affairs. In his role with the Division of Historical and Cultural Affairs, Mr. Zanavich is responsible for the review of Federal Rehabilitation Tax Credit Projects, coordinates preservation covenants and easements, reviews Federal project, for it's effects on historic properties in compliance with Section 106 of the National Historic Preservation Act and provides technical assistance to the public. Mr. Zanavich holds a B.A. in History and a Masters Degree in Historical Preservation from the University of Vermont. I'd like to welcome and it's your floor Mr. Zanavich.

Jesse Zanavich: Hi everyone. Thanks so much for coming. I really appreciate it. It's a bigger turnout than I expected. I'm a little nervous. Tonight we'll be going through the Ordinance, section by section, discussing some of the topics I see, as well as discussing design guidelines. So the first section I always look at when I review Ordinances is the Statement of Purpose. Why are we doing this? What is the intent of the Ordinance? And here is Milton's. Within the District, does not acknowledge that the heritage and economic well being of the town is

strengthened by preserving its architectural resources, conserving property values, fostering Milton's architectural and character, strengthening the local economy and promoting the use of the District for the education, pleasure and welfare of its citizens. I think this is a great Statement of Purpose. It summarizes the multifaceted benefits of preservation. I want to draw your attention to the bottom here. It says, reviews are based on the Secretary of the Interior Standards for Rehabilitation and the Guidelines for Rehabbing Historic Buildings. We'll come back to that later when we talk about Design Criteria and Standards. I didn't include the section actually defining the Historic Commission, but it consists of five to nine members appointed by the Mayor and Town Council, but here are the procedures. How does it function? Meetings are conducted in accordance with the Freedom of Information Act of public notice. One or more matters can be addressed in a single meeting and you have a section for Appeals to the Board of Adjustment and it establishes the Project Coordinator's role. So one of the things I was seeing here, I was wondering if there was additional by-laws and rules of procedure. Those could be helpful. Addressing issues like a quorum. What is the actual minimal number of Commissioner's necessary to hold and make determinations? Is there an actual process for electing a Chair? Is there a Conflict of Interest Policy, like obviously if a Commissioner has a personal and financial interest in the review, how that would be handled? Sometimes Ordinances publish separate by-laws to have it easily disseminated. It may be in other sections of the Ordinance, but I didn't see it in the actual Commission procedures section. So the criteria and process for locally designating historic properties. If you were to take on new properties, a property owner wants to come before you, what criteria are you looking at to see, this is significant. This is worth protecting. Then how would that designation process actually function. How would it go through the process of actually getting approved as a historic property? So that's the next section that I looked at. The criteria. Why is it significant? What are the basis for determining whether we should locally designate this? Here's what I saw. It's from the definition of historic sites. You have structures and sites and landscapes designated by the Mayor and Town Council as having historic importance in the Town of Milton, but outside of the district. So this is tailored to individual property owners coming before you, outside of the district, to see if it's designated as an individual landmark. One of the things that may be helpful is expanding those criteria, because as presently stated, having historic importance in the Town of Milton is always subjective; but it can mean a lot of things, to a lot of different people. It's pretty broadly defined as is. Those Ordinances that do have more specific, local designation criteria, they're often at least partially influenced by the National Register of Historic Places. Again the National Register is an honorary distinction. It's separate from local designation, which actually places restrictions on property, but most of the time, the criteria they piggyback on a lot of the language of the National Register; then they usually include more local specific criteria, actually tailored to the local community. So this is the National Register Criteria: sites, buildings, structures, objects that possess integrity of location, design, setting, materials, workmanship, \_\_\_\_\_ association. There are four criteria. Criteria A is association with events. This could be like the early settlement of a town or it could be more of a pattern of events, or it could be a singular event. Criteria B is significance of single people of the past. Criteria C embody distinctive characteristics of a type, period, or method of construction; represent the work of a Master; higher artistic values or that represent a significant and distinguishable entity whose components may lack individual distinction and Criteria D is likely to yield important information. This typically applies to archaeological sites. It doesn't typically

apply to buildings. So just to give you an example of other ordinance criteria, this is Delaware City's. Their first one is associated with one or more events, persons, events, activities or institutions that are significant. So they've kind of taken the National Register Criteria A and B and merged it together, the events and the people. Number two, Building and Structures who's exterior design features exemplify the distinctive characteristics of the type, period and method of construction. So they've basically taken Criteria C almost word for word. Then Number Three is basically what the National Register's is for Historic Sites, the last one, yielding important information. Then they've taken... These are more local specific ones. So they'll look at is it a unique example of a farmhouse, a gas station, other commercial structures? And the last one, I'm not sure how that applies, but any property based on it's unique location or relationship to other properties. So they've taken the National Register Criteria and tweaked it a bit for their own process and then added a few local specific ones. Newcastle County has fourteen. I won't read them all, but they've taken a different approach where they actually say, flat out rather than take most of the language, when we look at a new property, is it listed or has it been determined eligible for listing for the National Register. So they flat out called out the National Register. They have things like significant character interest or value. They have an example of a development, heritage or cultural characteristics cited in historic events, cultural, political, economic, social or historical heritage of a community, distinguishing characteristics and architectural style or engineering specimen, work with a designer, landscape architect, significant work. That's basically Criteria C. There are a few more, I see through the citation there. But I just want to give you an example of how they've taken a different approach in Delaware City, where they flat out mentioned the National Register; if it's listed; if it's been determined eligible and it would be approved under their criteria. So a property could have historic significance, but it may not have historic integrity and a lot of ordinances fail to mention historic integrity as a consideration, even though that may be something they're thinking of when they're reviewing a property, if it was at one time this great example of a colonial revival or a Greek revival and that person wanted to come forward, but it's really been altered, then the question of historic integrity comes into play and even though they may be thinking of it, a lot of Ordinances fail to mention that as a component, as a preface to the criteria. Those that actually do mention the integrity, again piggyback on the National Register. The National Register has seven aspects of integrity. I won't include the definitions because most Ordinances don't include the definitions, but their location is an original location; design; setting; materials; workmanship; feeling and association. There's a National Register Bulletin which explains these all, but again the Ordinances don't include those definitions in there. They'll usually just simply reference them to break down what historic integrity entails. An example of historic integrity may be defined in the Ordinance. The quality of wholeness of historic location, design, setting, materials, workmanship, feeling, association. As a preface to the designation criteria, then they mention issue just possessed sufficient historic integrity. Something along those lines. I just included this example because it's kind of a typical language that's included. Again, most people are thinking of historic integrity when they assess new properties, but it's probably important to include that in the Ordinance, as well. We've been talking about the National Register and Local Designation. It's important to keep in mind that the National Register is separate than Local Designation, because again Local Designation carries with it some inherent restrictions. The National Register is honorary. A property could be both, because a lot of time what happens is you have this National Register District listed in the

1970's or 1980's and Milton's was 1982 and then an Ordinance came later, where they just took the National Register boundary, so a property can be both; obviously like in Milton Locally Designated and listed on the National Register, but the important thing to keep in mind is there should be separate processes. For a property to be Locally Designated, it should go through the local process. An Ordinance shouldn't be set up where it says something like for example every National Register listed property from now and in the future is automatically designated. That's a legal gray area, because there should be a local designation process. So here's the actual process. A property owner comes forward and presents whatever historic information they put together and presents it to the Mayor and Town Council as an agenda item. They're also encouraged to pursue placement on the National Register, that's great and it's in perpetuity essentially. This is the way the process is set up now. One thing I'm seeing here is the Commission doesn't have an actual role in the Locally Designation Process. Many Ordinances do structure it this way. It's not necessary, but the Commission's the one who is essentially reviewing the work on there and they have this historic expertise; this is what they do on the Commission; review work, have an understanding of the historic importance to the community; so many Ordinances are structured where the Commission may provide a recommendation to the Mayor and Town Council, so this may be something to consider, because a property could be designated and it would be good to have the Commission as part of that designation process, because they are going to be the ones actually reviewing work on the property. One of the things I'm saying is when most Ordinances were set up, because it was a Historic District, and Historic District's categorize property as contributing and non-contributing resources; so a non-contributing could be if it was modern, it was built in 1990, it's not an historic building; as it applies; it either lacks historic integrity or significance and then there's contributing resources, which obviously are historic. This isn't the way it's set up. There's no definitions of contributing or non-contributing in Milton's Ordinance and I know why this was. The National Register, in 1982, didn't do that. A lot of older nominations that don't meet today's standards, quite often and so they didn't go through the lead and list all the contributing and what's not contributing, so when Milton did their Ordinance, they didn't either. But it is helpful to do this, because then you could target specific design guidelines through new properties, like this material may be okay for new construction or a non-contributing building, but this may not be appropriate for an actual contributing resource. It kind of takes you out of this question of having to constantly reassess the historic significance of buildings each time an application comes before the Commission. Again, the Ordinance encourages people working with Locally Designated to also pursue also pursue National Register listing, that's great. Another thing, this is a separate topic, but Milton is what is called a Certified Local Government and what this essentially is, it's a Federal, State, Local Partnership where the Federal Government and the States set up these minimum preservation requirements, like you have a Commission, you have an Ordinance, do you have the meetings opened to the public? Do you participate in National Register nominations and Milton is a Certified Local Government and what that allows them to do is apply for Grant funding to pursue preservation planning projects. Essentially everything as in brick and mortar. Like you're preparing Design Guidelines, doing a survey. Milton is in the process of reevaluating their National Register District as part of a three-phase process. So that's their Certified Local Government Grant Project and they'll be taking on another phase next year. One of the things that a Certified Local Government requires, is that the town participate in the review of National Register nominations and not just ones in the Historic District, the entire

municipal boundary. That's how our guidelines are written; that's not a special restriction we put in, it's part of the Federal regulations that the Town participates in the review of National Register Nominations; that's part of the responsibility of a Certified Local Government. So what we do, when we get a nomination in our office that someone wants to go forward with, we send it to the Certified Local Governments and then we ask for a nomination report, which is basically just recommendations of the Commission and the chief elected official, the Mayor, before we even send it to the State Review Board for Historic Preservation. They're the State level of review and then it goes to the National Park Service eventually, but we ask for a nomination report. Again a Certified Local Government means you're participating in the multifaceted areas of preservation, not just doing design review, you're taking a role in the actual review of National Register nominations. All our guidelines say is there should be a reasonable opportunity for public comment. We don't specify anything about how it should be handled, or anything. So this is just something to keep in mind. I won't go tell the National Park Service or anything that's not in there now, but if there were to be revisions to the Ordinance, it would be helpful to maybe include that as a duty of the Commission, to participate in the review and nominations and that that be a meeting opened to the public, so you could satisfy that and then the Mayor and Town Council would certainly give recommendations, as well. That's one of the requirements of the Certified Local Government program. The next section I looked at is Demolition Review and Penalties. The demolition review process, I didn't include a screen shot or anything, but it looks to be pretty straightforward, where a person has to submit structural engineering assessment and then a decision is made within 90 days, or longer; to be mutually agreed upon. The process seems pretty straightforward and I think it makes sense. You're asking for a structural engineering assessment, that's good. The next section is what are the penalties if someone was to just go ahead and demolish a building? I don't know if this is a problem in Milton, but it's happened in similar towns where a developer could look; if they want to develop a site, especially for commercial properties and they go through the Ordinance and see I'm only going to get fined \$3,000 or something and then they just go ahead and do it and deal with the penalties of a building that's in fine shape. It's happened before, I don't say it happens a lot. I don't know every time it happens, but there was an issue in Dover, a long time ago, so I don't know what Dover's penalties were at the time. I don't know if anyone else does, but...

Councilman Kanakos: \$30,000 they charged.

Jesse Zanavich: At the time? Yes, that's a pretty stiff penalty but it obviously wasn't enough, so that's something to keep in mind. The penalty should be enough to deter that. So here's the process. I saw it used to be a fine of a minimum of \$100,000. I see it's been revised. I'm not sure what it was revised to, I couldn't find that section. I saw a section in the Building Code Violation Section, where it actually talks about a fine assessed on a weekly basis up to \$1,000, or something like that, but I wasn't sure how that would apply to demolitions, because it's not something that could be corrected, really. Building permits withheld for one year. So that's what I wasn't sure about, what the demolition penalty was, just something to keep in mind; so it could be a potential scenario, I don't know if it would be a problem in Milton, but it happens from time to time. The other issue is Demolition, Due to Neglect or Demolition by Neglect. Here's another penalty for demolitions, but this is an instance where someone let their building fall into disrepair and then they have to give a cause why it's structure should not be demolished, with all costs and penalties up to \$25,000 assessed against the owner. \$25,000 is a pretty hefty fine, but this only seems to apply to people who have let their building fall into structural disrepair;

maybe through no fault of their own. So in the Statement of Hervis, I kind of highlighted that bottom section there, where it talks about the reviews are based on the Secretary of the Interior Standards for Rehabilitation and the Guidelines for Rehabbing Historic Buildings. So that's mentioned as the basis for reviews. I didn't include a screen shot of anything, of all the criteria and standards you have, but one of the things I'm seeing here, it wasn't subsequently referenced in this criteria section; the Standards and the Guidelines weren't referenced in those local criteria or standards section of your actual ordinance. I don't think your Standards are inconsistent with the Standards for Rehabilitation, but it just seems a little inconsistent that it's mentioned in the Statement of Purpose, but it's not subsequently referenced as even one of the many criteria used for reviews. I just gave you a link to the Standards there. They are very easy to find, if you just Google Interior Standards for Rehabilitation and the Guidelines. The National Park Service website isn't that great. You could download those guidelines as a PDF, they have a separate PDF's; they also have web pages set up where you can go topic by topic and not have to download the whole thing, but they're online and available. So what are the Interior Standards? They're basically just broad principles for the treatment of historic properties and there are four separate approaches and then they each have their own standards. So there would be a Secretary of the Interior Standards for Preservation and then one for Restoration, Reconstruction. Preservation is basically the limited maintenance and upgrade of a building. It doesn't cover things like additions and all that, it's basically just kind of minimal upgrades. Restoration is restoring it back to the time period. Reconstruction is you're reconstructing a building that's no longer there, or portions of it. Rehab is what you say and that's what most districts say, because it includes things like repair, alterations and additions while preserving the important character defined features, so that's what you've referenced and that's what will show. Number one is basically is it a compatible use that won't require drastic changes. Some uses are just inherently incompatible. Number two is historic character of a property should be retained and preserved. Removal of historic materials and alterations of features and spaces should be avoided. Avoid creating a false sense of historical development, such as adding conjectural features that there's no basis for. Properties change over the course of their history, so those changes may have acquired their own significance, the building may have been altered in a colonial revival style in 1920 and that may be within your district's period of significance, even though it was originally built in 1800 or something; so those colonial revival features acquired their own significance. Instinctive features, finishes and construction techniques are examples of craftsmanship, and shall be preserved. Number six, deteriorative features shall be repaired, rather than replaced. Only when it's seriously deteriorated beyond repair, then you look at the new replacement and then, does it match the design, color, texture, other visual qualities and where possible, materials. Just to have some type of basis that those features were there, is fine. Avoid harsh treatments like sand blasting, which could ruin brick. Protect archaeological resources. Make sure new additions, no damage to historic property. Basically things like new additions they look for, is it compatible, but still discernible as new; that's a balancing act, that's typically struck for new additions. You don't want it to appear like it actually was a part of the original building, but you don't want it to be so out of character with it either, that you're just drawing attention to it, as well. So it should be secondary. Any new additions should be built in a way that if they're actually removed in the future, the essential body of the building and all the features can remain intact, so that's why we typically put them in the back of the building. This will give you an example of what the guidelines are. I included

this quick section on wood. They're all online. There's all different features like wood, masonry, it has tons of sections. Just to give you an example, just one section they have for wood, so they will give you like a recommended activity like instead of here we have siding that's being replaced. Instead of ripping them all off, they're only replacing what sections are deteriorated beyond repair and then matching the dimensions of the existing clapboards. These are what the guidelines do. They take those Standards, which are really just these broad, broad statements and then they give you illustrated examples and delve deeper into how to actually apply those specific materials and important features, too. This is another example. It's showing what not to do. This guy's really going to town on this mortar; when that's done, it's not going to look anything like similar mortar joints that are next to them. So, this is to give you an example. This is from the Masonry section, this is giving you a not recommended procedure. He'll talk about not using mortar with high Portland Cement content, but older bricks, especially the hand struck bricks, not the pressed one, they're much softer than modern bricks and what happens is when someone just grabs like masonry cement off the shelf, it's made for bricks that are much harder and what happens is when the mortar expands, it compresses the brick, because it's stronger than the brick, instead of the brick being strong. Then what happens is, you end up getting swelling of the bricks and cracking of the bricks. This is showing us an example where the color of the mortar, the way it's being repointed, is just completely incompatible with the building. As I explained, the guidelines take these very broad standards and just apply it and then they're able to apply them to specific features, going way more in depth into it. So these Standards for Rehabilitation and Guidelines, they're used by federal agencies when they're working on their own buildings, by our office when we're working on our own buildings and we also use Standards for Preservation and for doing limited upgrades, so it's not just rehabilitation, but they are used by federal and state agencies across the country and then many Historic Preservation Commissions use them, as well. They have a basis and they're nationally applied. I'll just give you another example. There's also Preservation Briefs. These give you the technical guidance on how to do something, like the guidelines that I showed you for masonry, they'll just show what not to do. I'll give you an illustration. They say don't use high Portland Cement, but there's actually Preservation Briefs that actually give you technical assistance on how to actually preserve and repair something; so they'll have, for example, they'll have a Preservation Brief on masonry and they'll actually recommend specific mortar mixes for types of bricks, so they'll actually go through and specify there shouldn't be a Portland Cement higher than this part of the amount. Lime should be this amount, so it can't apply to every building. They give you general guidelines, but this goes into more of the technical ways to actually do something. They have one for the repair of historic wooden windows. So the guidelines may tell you to just repair it, but the Briefs will actually tell you how to physically do that and they'll actually show someone doing epoxy repairs and all that. Then there's also and these are online, there's 30, I should know because I check all the time, but there are 30 or 40 I believe; but I use them all the time if I'm reviewing a project and someone's repointing the mortar, I'll actually make sure that the mortar is consistent and I'll check what they're specifying and I'll even conditionally approve a project, sometimes they change and they don't tell me what they're going to do, so I'll specify this should meet Preservation Brief 6, Repointing Masonry Buildings, so actually use it as part of the conditional approval for a project. So those are the briefs. There's also Interpreting the Standards Bulletins. These will give you case specific examples of a project, like the National Park Service has reviewed, so unlike the technical, how to do it, this will give you an example

of a project that got rejected because of something they did to, for example, a porch and then one that got approved because of what they did to the porch, is good; so they take a specific feature and then take actual cases and show you, we denied this project, we approved this project. They accomplish a different task than the Preservation Briefs, but these are important to review, as well. You can't conditionally approve a project based on these, they're just giving you examples, but it's good to brush up on. They'll be interpreting Standards for New Additions. So they'll show you one that got denied because this one's not sensitive, at all. And it will show one that did get approved, so it's good to review and look at those from time to time to give you an example, if you're making decisions that maybe the National Park Service would make in their reviews, too. I didn't print out all the Standards, but I figure siding is something you look at constantly, so I included how the Siding Standard is worded now. All materials should be consistent with and appropriate in design, texture and other visual qualities to the style and period of the structure and in keeping with the general appearance of other structures in the District. Siding, including brick, stucco, wood, cement and vinyl shall be considered, but if you should have a traditional appearance in profile, that fits the style and structure of the neighborhood. I think it's fine. It says everything to be considered. I think the way that Standard is set up, I think it reads very well, but it says it can all be considered, so that comes into how is the Commission actually applying the Standard in their reviews? This isn't Milton, but I just wanted to give you an example of (it took me a long time to find this, because you don't find a lot of \_\_\_\_\_ in half. I think it's in New Jersey. It's the Old House Guy blog. I'm not recommending that website, but it is where I found the photo. As you can see the vinyl siding itself, doesn't look that bad. It covers over the scalloped shingles and all that, so that's an issue. I mean it's covering over these decorative, significant features, but the actual siding itself, it sort of matches the beveled siding, the wood siding, but it's really everything else that the vinyl siding entails. You could see the wood window that has a crown to it, along the trim on the top there and to accommodate the vinyl siding basically what it's done is it's been squared off and removed, essentially and there's also these corner channel pieces that come into play underneath the soffit, that has this heavy vinyl, now and the rake boards up at the top there, you can see it has a decorative raptor tail at the end there on the very top, in the wood section and that's been just completely covered over, removed and then wrapped. This is the issue with vinyl siding. If you hold up a piece of siding and you hold up a piece of wood and it's not always going to match obviously, but sometimes they may not be that bad, but it's really everything else that the vinyl siding entails that can really change the character of a house, like we've seen here. In looking at things like siding, going back to the Interior Standards, three of them come to mind. Number two, the historic character of... Removal of features to be avoided. Number five, \_\_\_\_\_ features, finishes and construction techniques, for example, the craftsmanship that characterize the property shall be preserved. Number six, interior historic features shall be repaired, rather than replaced and then try to match as close as possible for replacement. So one of the things I'm looking at when I review projects and they're asking to put on vinyl siding, I just ask them what's the reason? Is the wood siding deteriorated beyond repair? Note that the Standards in a state that think the features should be preserved whenever possible. I consider things like routine repainting, to be routine maintenance. It's been for hundreds of years, so that's one of the things I look at and if they're proposing vinyl siding, and the siding is in good shape, it just needs to be repainted, the element doesn't meet the standards. Some of the things that make... they don't want to repaint... But there are ways to improve the lifespan of the paint



and many contractor's, even architects I talk to, don't know this, but the forestry service; this isn't a preservation group, the forestry service; they've shown that actually applying a paintable water repellent preservative prior to actually priming and painting, can dramatically increase the lifespan of paint; even on cedar. So if you have cedar, it will hold paint really well, it's really rot resistant and this can increase it, and add many years to it. So here's one case from the forestry service. The one on the right was dipped, the siding was dipped in the water repellent preservative, paint that should be paintable, obviously and the one on the left wasn't. This was after five years. It's a huge difference. I just wanted to give you an example of that. I gave you the link to the study. It helps a lot. It helps even things like window sills, things like that, if something needs to be scraped or repainted, you apply a water repellent preservative to that; it really, dramatically, increases the lifespan of the wood and the paint. So when you're looking at vinyl siding or other types of replacement materials, fiber cement board, aluminum, whatever it may be; obviously I'm sure everyone on the Commission is certainly doing is alright. What's the existing siding? Is it just plain? Is it some type of jointed style, like novelty dropped siding. It's got that distinctive beaded edge. I don't know how common that is in Milton. What are the dimensions? Is there a section of scalloped shingles that are going to be covered over as a result of the vinyl siding, if they're proposing to replace those in vinyl; how well are they matching them? The issue I showed you with the photo, is that aside from how the siding itself is going to match, it's always usually installed over the wood, so what's going to be wrapped and removed as a result; typically things like trim, corner boards, cornice. That's something to keep in mind. It affects the depth of everything and how they have to wrap everything. One of the things to look at for the vinyl siding is a lot of times they propose like a faux wood grain. Some of them aren't awful, but they typically have more of an exaggerated appearance, so I try to push away from those and kind of go towards a smoother appearance and the other thing is, can a balance be struck? Where the wood is preserved on the front and maybe vinyl sided over on the side or rear elevations. I don't see this a lot, where they've kind of done it in different sections, different ways. I don't know how they detail the corner, but this is something to keep in mind. The public visibility plays a role; the front, the sides, are definitely more important than the rear, so can a balance be struck where the front's preserved and maybe the sides and the back are let go, with the vinyl. There's a Preservation Brief on aluminum and vinyl siding. I don't want to go through the whole thing, but it basically summarizes that vinyl siding and aluminum siding may be an acceptable alternative for wood siding, only if. So it doesn't automatically exclude. It just says may or only. Existing historical wood siding has deteriorated beyond repair; a substitute can be installed without damaging or obscuring the building's architectural features and trim and the substitute closely matches the existing feature. So it doesn't say it can't be installed. It says it has to meet these. The problem is most of the time it doesn't meet these and that's why the National Park Service certainly denies it. I usually [unintelligible]. So here's an example of going to windows; stepping away from siding; windows. Imagine this is like the next biggest thing that you review. So here's an example, this isn't Milton, again. I'm not sure where this is. I think it was in Arkansas, but it's a publication from Columbus, Ohio. The vinyl siding has been damaged by [unintelligible], I think. So here's what happens a lot of times with vinyl windows and vinyl siding; again, the trim's been completely changed and you have this very flush looking window that looks lifeless and then the muntins and the grill dividers are between the glass dividers that don't have any of that depth of a traditional divided window or the muntins you should certainly make sure they divide the panes of glass. So here it's very unflattering.

Some of the things I see all the time, when I'm getting through doing projects, is they have concerns about energy efficiency and everyone does and they should. But, I actually reviewed a lot when the Recovery Act money came through, because that's federally funded and it trigger's this review process. The State Preservation Offices become involved in the reviews, as well. I actually reviewed a ton of weatherization projects and I went through the Delaware Energy Office. They got the funding and then it went to private homeowner's for rebates. They required that a property owner get an energy audit, a certified energy auditor, before they get rebates for any of the recommended \_\_\_\_\_ phase, the auditor recommends and surprisingly, I wasn't surprised, but most homeowner's are surprised, that windows typically come dead last. It's usually the other things that need to be done. For improving energy efficiency, storm windows are always the recommended approach to this purpose. Usually when I'm talking to people, they actually think storm windows are worse, so this is a common misconception, but again, the storm windows are preserving the window, especially in the case of the exterior storms, that exterior storm historic window can last... you're really protecting the historic window, you're cutting back on how much time the lifespan you need to re-putty it, it's preserving the windows essentially. There are ways to make the storm windows look better; they're usually aluminum of some type and they should feature a baked-on finish, the meeting rails should align with the meeting rail of the window, the upper and lower sash and the baked on finish should be a comparable color to have it blend in. Just to reemphasize that point, a storm on a historic window can provide comparable R value; often very similar R value at a much lower cost. The other benefit of this approach is replacing windows for their R values, insulated or heat transfer values, they rely on the narrow distance between the panes of glass, to be filled with this Argon or Krypton Gas, whatever they use and the problem with this it just naturally dissipates over time, so whatever R value the replacement window's claiming, that's under the factory conditions when it's still in their shop or whatever testing laboratory it goes through. What you actually see in the field is usually much different. Not to pick on Marvin, because they all essentially read like this, but you read the fine print. This is a screen shot from their warranty page. It says, "Marvin does not warrant the amount of percentage of Argon or other inert gas present in insulating glass at any time after manufacture. Inert gas dissipates over time and may be ineffective in products manufactured with capillary tubes." So Marvin says flat out, once it leaves this door, we don't know what it is. They cover all the other things, but that's gone. Essentially all you're left with is two panes of glass. That's all a storm window, an historic wood window, that's all it is. The benefit of that is, instead of relying on the narrow space between the insulated glass, the two panes of glass, you get this depth of space between the storm window and the historic wood window and you're using all that air space as insulation value. You don't need to fill it with anything. It's a low tech. There's really nothing to fail. Again, an exterior storm protects the window too. So there are tons of these efficiency studies and they're not all done by preservation groups. To give you an example of one, it's called a comparative study of the cumulative energy use of historical vs. contemporary wood windows. You see in the photo, they did this testing within the same house. They installed replacement windows on the left hand side and the historical wood window with a storm on the right hand side and they just measure the heat transfer in those rooms and they basically came to the conclusion that a replacement window is not often a cost savings over the warrant replacing historic window in an operable condition. Obviously if a window is deteriorated, it needs to be re-puttied, it's very drafty, then a wood window is going to have a low R value, but if it's in good condition, it's

been maintained, a replacement window does not offer a cost saving. Windows are high tech items. Instead, adding a much less expensive storm window to the historical window is more cost efficient and that's the conclusions they came to. I included the link down there, but there's a ton of these studies, really and this is in Boston. It's colder than here, or in Connecticut too. It's colder than here, usually. Just to give you examples, there's other studies. The National Trust for Historic Preservation, there's a Nationwide Preservation, a pseudo non-profit. They have a whole page called saving windows, saving money. That's the link there. And then the California Office of Historic Preservation, they have a web page called Window Repair and Retrofit. They've included studies from all across the country, not just California. They've done a great job compiling every window study they could find. This is actually surprising, too. This is from the Department of Energy, a preservation group. This is the air leakage in a typical American home. I couldn't find out how they defined typical American home, but there is kind of a disclaimer there, but here's where air is leaking through your house. Windows are in red, they're 10%; less than doors; less than plumbing penetrations; less than fireplaces and the big chunk there is the floors, walls and ceilings. So it's often the low cost items that have the greatest return on investment, like caulking and weather-stripping and insulation is a little more expensive, but that typically has a much better return on investment, especially in the attic. You could blow cellulose in the attic, or rigid foam board against the rafter's or something like that and I don't have it offhand, but I think the R value of cellulose is maybe an R value of 3 per inch, or something like that. So you could blow in many inches of insulation and achieve a much higher R value rating, than the difference of a replacement window. The replacement window may be an R value of 2 and that's what you're going to get with a storm window and an historic wood window, is an R value of 2 and even if you get a fancy new window and it's an R value of 2.5 or 3, that's an increase of 1 over windows are like 15% of your wall space, so it's things like insulation provide a much, much greater than that. There's even little things. I didn't include a screen shot. I think I found this on "This Old House", or something. I'm trying to remember where I saw it. Even little things you can do, like the sash weights; that's a double-hung window that's behind the casing. This is a little invasive, but you can even pop off the casing and instead of installing sash weights, you could remove those and there are things called spring balances. They're weighted to the weight of the sash and they look almost like tape measures; think of them like that, so they don't need that pocket where the sash weight sits and rides up and down, so these are pretty cheap. You could even replace the sash weights with those if you want to and then insulate that weight pocket to even get you greater insulation; but if you're going to do that, if you use rigid foam board, make sure you have a vapor barrier, otherwise you can collect some condensation. So the good thing about wood windows is they're inherently repairable. They're made of components, rather than one big replacement that needs to be most sectioned for your \_\_\_\_\_ if something fails. So do things like re-puttying. It's pretty simple. Most homeowner's can do it themselves and the sill could be rotted out a bit. You could repair that with epoxy and often if the windows are difficult to open and close, they often just need some paint removal, adjustments to stops and sash repair, or something. They're usually not big issues. There is a Preservation Brief on the Repair of Historical Windows, Preservation Brief Number 9 and I included the link there. There comes a time when it could be cost prohibitive. If you get into an issue where splicing in rails of the windows, and all that, it can be very costly, so there comes a point where the wood window, especially if it hasn't been maintained, becomes difficult and cost prohibitive to repair. That certainly happens. Windows

need to be replaced eventually. When we get to that step, I look have they submitted documentation to justify the window replacement; some kind of condition assessment, or maybe a quote to see if repair is feasible. So that's one of the things I look for; documentation. Before you even talk about replacements, what are they now? What's their condition? Again, just like siding, it's important to consider primary and secondary elevations, especially if repairing a wood window can be costly, if there are significant issues there. More often, a bit more than popping in a cheap vinyl window from Home Depot or something, so it's important to consider the primary vs. the secondary elevations. Again, can the wood windows be preserved on the front, let the replacement go forward on the side and the back. It's always important to consider publicly visible in each case. I'm sure you're all aware of this, but there's different types of replacement windows, especially if you're reviewing a project and these terms like this, a full frame window replacement, they're usually taking that to the rough opening. They're removing all the trim. They do that if the frame is in bad shape, so one of the questions is what type of trend is going back to the \_\_\_\_\_ replicated. That's a full frame. It's basically everything's removed even the interior casing. Insert windows, this is the most common, basically remove the sash and stops holding them in and you insert a window kind of it's own jamb inside the existing frame. There's also sashing; in the kits, somebody made it if your sash is in bad shape, they make these sash only kits, that are just... You get a double-hung window and you get a sash only kit, you hold one sash in your hand and hold the other in your hand it comes with tracks for each. It's not held together by a jamb, like insert windows come in pieces. That's kind of the minimally invasive approach, if just the sash is deteriorated. The problem with insert windows, it's not a huge problem, but there's a slight reduction in glass area, because you're essentially putting a frame inside of a frame. Just like I discussed with vinyl siding, is the window replacement is going to wrap anything; is there any trim or molding that's going to be replaced? They usually include some kind of panning, where they pan over the historic brick molding when you're putting a window replacement in, so that's something to consider, with all these types of trim options that windows could come with; so it's not just the window itself, it's the trim options that come with it. And certainly does it fit in the existing opening? Are they locking it down, because they couldn't get a size to fit in? So the reason why it's going to fit in the historic existing window opening. You want that insert window to actually be inserted against the jamb and nothing blocking the down even more. One of the things I look for with replacements, if it wasn't just a one over one window, but actually had ones that were divided like... I like to see, are they proposing simulated divided lights, with the spacer bar. Unlike the kind of grills between the glass where the snap in ones; simulated divided lights with the space bar, I think provides the most traditional appearance, similar to a traditional divided light; so yeah, the muntins are basically permanent adhered to the window; they can't [unintelligible]. They put the space bar between the glass to enhance that feel. I think those do a much better job. Like the window I showed you when we first started talking about windows, that one had what looked like grills between the glass and that's why it had no depth to those muntins. I'm sure you're already familiar with this, but this is the simulated divided light. I'm not promoting Marvin, or bashing on they warranty, but that gives you an illustration. This is an example actually of a simulated divided light; you can see that spacer bar in between there. This will give you an example. These are the grills between the glass, I'm sure you've all seen them before and then the removal grids, as well. So, I'm looking at aluminum clad and vinyl clad, so it's important to keep in mind the historic windows material plays an important role in it's

appearance. Vinyl clad, aluminum clad you have a choice in the cladding to make them look a bit different from the natural wood. This is important to keep in mind, anytime there's a change in material, things like profiles, dimensions, and details are all going to be affected. Often the clad options, not always, certainly not always, typically provide a closer match to wood windows than vinyl windows do. One of the issues with vinyl is, it's just weaker than wood, so you have generally wider components that look quite different. This is certainly not all ordinances, definitely not all; but many ordinances discourage the use of vinyl in primary elevations; vinyl clad is typically discouraged as well. I don't review a lot of vinyl clad windows. I'd have to look up close to see the difference in the appearance between vinyl clad and aluminum clad, but many ordinances discourage the use of the whole vinyl windows, but certainly not all. The obvious additional factors to consider are the dimensions of the sash, \_\_\_\_\_ and rails, the type and shape of the window, how it's sitting in the wall, visual qualities of the glass and the pane configuration too. The National Park Service's guidance for replacement windows that meet the Standards, I included that link there, as well. The benefit I have when I'm reviewing Tax Credit Applications, they're usually big projects, so they have drawings as well, so I have the luxury of reviewing the Window Section drawings, so I'm able to get a better sense of how that window's going to compare to the existing window; something you would have on smaller projects. So Design Guidelines. Away from the Ordinance now. Design Guidelines: what are Design Guidelines? Design Guidelines provide advisory, interpretative recommendations, based on the Ordinances' Standards. They're not replacement for the Standards, they're based on the Standards, just like Guidelines are based on the Secretary of the Interior Guidelines are based on their Standards, that delve deeper into those topics; that's what Design Guidelines essentially are. They delve deeper into your Standards. They're not a replacement for Standards. If they're going to be treated as such, they should be called Design Standards. They definitely serve a key support role for the Commission during the decision making. Design Guidelines for the Community, unlike the Secretary of the Interior's Guidelines, this is the opportunity to tailor the Design Guidelines to your local historic resources. Your type of materials that you want to see. Your type of features you want to see protected. So Design Guidelines really address your local historic resources, unlike the Secretary of the Interior Standards; which by their nature, they're applied nationally. They can't be tailored to your own community. So the format of these Design Guidelines should be a type of a publication downloadable online, distributed in maybe a book or some type of format. That's a good thing about them. They can be widely disseminated to include written information, as well as illustrations. If you want to actually illustrate an example of non-compatible addition or a roof type that isn't, you could actually include that in there; the more flexibility than if you were just writing it in your Code. An important thing too, the Ordinance should be revised to reflect the role and the scope of the Design Guidelines. So the Ordinance should recognize that those have been adopted obviously. As I already discussed, these Design Guidelines are really an opportunity to make it local specific. Some Ordinances, some Commissions, they just adopt the Secretary of the Interior Standards, list them; just adopt the Guidelines and list them and that may work well. It's a fine approach, but they're not local specific and that's where the Design Guidelines could be really helpful. Really tailor it to your community. What do you want to see preserved? What type of materials do you want to see? Also, because it's in this widely disseminated format, they give existing and people interested in buying a property, but understanding of the Ordinance and the application process. It gives them up front. Not a lot of

people go delving through the Town Code to actually look for what's going to happen if they buy this property? It gives them a format, where it's a publication handed to them and say you just bought this property and here's what this process entails and because it's more specific, has illustrations and all of that, it really guides the process before it even gets before the Commission. So it really encourages historically sensitive projects, early in the planning stage. The Guidelines just have to be, this is encouraged, this is encouraged, it's an opportunity to delve into the town's history, talk about the historic features, really promote appreciation of the community, historic resources, what the Commission does, even guide people through the application process. This is how you should prepare for a meeting, this is what type of information is required, so it's not just the Design Guidelines, it's all encompassing. It's almost explaining the Ordinance basically. The steps in writing Design Guidelines. Review examples of other Design Guidelines. Your contact will soon be different and it should be different, but it's always important to review others, to get a sense of what do they want, what do they do, what would you like that they did, what didn't you like that they did? Always review others. You may even want to contact me or other Preservation Commissions or governments to see what do they think is working in their Design Guidelines? What do they think isn't working? It may not be something you can change, it may be a review issue, but contact them. They might have a sense and say I wish we had done this differently or this is worthwhile. It's not just the building, the Design Guidelines should address the streetscape and setting; things like signage, fences, all these play a role in the historic character of the town, so it's important to address these less thought of issues, as well. The Design Guidelines are local specific, so it's important to really analyze your Historic District, but what are these significant features that you want preserved? This is really the first step in preparing to write Design Guidelines, which is certainly something you are aware of. Design Guidelines really affect everyone in the town, so it's really important to include the public, the Commission, Town Officials, at various stages in the process and make sure they've provided and feel they've had a full opportunity to comment on the process and that their input should be taken into account. If you're choosing a consultant to write the Design Guidelines, do your due diligence and check other Design Guidelines they've authored. If they don't work in the area, that's important too. So there are some additional resources. The National Park Service has this great aid, working on the past and local Historic Districts that are tailored to Commissions and local Historic Districts. They discuss Design Guidelines, they discuss other things, as well. This is really a great resource and also the National Alliance of Preservation Commissions. They have links to Design Guidelines from across the country. I don't know how up-to-date their links are, because things change, but they'll give you an example of which towns have Design Guidelines and then you could go on their town website and find those, so you could check other examples. I'll give you some examples too of other towns. Lewes did a really great User Guide. I think it works really well. They did a really great job doing it. I have to check their Ordinance. I think it was more explaining the Ordinance and the Design Standards, than adding additional Guidelines to it, it was more of a User Guide. That's my impression of the format. Delaware City has Design Guidelines. Newcastle County has 100 something pages of Design Guidelines that are really good and they're actually in the process of revising the Design Guidelines. That may change in the future. West Chester, Pennsylvania has one that is really comprehensive and similar to Newcastle County. I wanted to give you an example of those.

John Collier: Ladies and Gentlemen, I'd like to give the members of the Commission the

opportunity to ask him questions that they may have regarding his presentation and then once they've exhausted their questions, if there is anybody else who wishes to stay and has additional questions, please feel free. Thank you. Commission, it's your floor. Ask away.

Mike Filicko: Your instruction on a lot that has historic significance; the property owner, I would assume come before the Commission with the type of home that they want to build and then that home would have to fit the character of and please correct me if I'm wrong, the character of the community.

Jesse Zanavich: Yes and that's part of the decision the Town would have to make when they're writing Design Guidelines for new construction, is what type of things, like setbacks, that's part of what you should consider for new construction. You have all these historic houses and then you have the new houses set way back; you always want to keep a similar setback, things like massing of the porches; even the types of windows; the roof shape. New construction, you're not trying to make it look like it's historic; just that you certainly want to have freedom of design, too. You don't want to create a bland, dictate this must be done, but it should be generally compatible and fit in here...

Barbara Wagner: Any lot that's in the Historic District that's going to be a site for new construction, newer construction should come before the Commission, is that correct? It's not an historic lot, it's just any lot in the Historic District.

Jesse Zanavich: That depends on how the Ordinance is written. I would imagine so.

John Collier: The Ordinance is written as such that if it's within the boundaries of the District, they are subject to review by the Historic Preservation Commission.

Richard Miller: Jesse, early in the presentation there was a mention of seven aspects of integrity used for the National Register and it lists location, design, setting, materials, workmanship, association and feeling and six of the seven you could measure and define. How do you measure and design feeling?

Jesse Zanavich: I had my own issue with this and I do this every day. It's very subjective. The National Park Service delve deeper into these topics, but things like feeling, it's...

Richard Miller: Are there goose bumps that...

Jesse Zanavich: Exactly. That's what you feel like you're doing sometimes. But they delve deeper into these topics. Ordinances don't define workmanship, materials; they don't actually put that in their definitions and their Ordinance, but they just use it again to piggy back on the National Register language and I included the Bulletin there. I have my own issues with the National Park Service aspects of integrity. The definitions bleed into each other. Workmanship, materials. Setting is pretty straightforward, is this a farmhouse, being listed in association with an early farming community? Is it now carved out on a lot surrounded by sub-developments? Then the setting's been really changed. Location. Is it an original location? Workmanship.

Features can be replaced, but they may have been replicated in kind, or similar, with a replacement material; so then that workmanship can still be intact, even though the actual feature, like a decorative bracket, or something, has been replaced. If it's been replaced in a completely different style or something, then the workmanship has essentially been lost. So something may not have much material integrity, but the workmanship can still be intact. Things like that and then you get into the feeling, where it starts to get highly subjective.

Richard Miller: The other question I wanted to ask was the physical labor that goes into a project; do those individuals have to have a certification?

Jesse Zanavich: For doing things like window repair and stuff like that?

Richard Miller: Yes, and pointing and all that other stuff.

Jesse Zanavich: I don't think any talent specify you have to use someone certified to do this. You just do your due diligence where you make sure they've repointed things on historic masonry, because some masons may not recognize this. These are the questions to ask. What type of mortar are you using? Have you worked on historic buildings? If you have a little brick house and they're using a really high cement, high strength mortar, and they don't even acknowledge that it's a historic resource, that may be a problem; but we don't have any special... Our office has a list of preservation tradespeople, but it's just a list of people that have done work for us. It's not a recommendation, because we can't really get into that. But we have a list of preservation contractor's if anyone wants to talk to me afterwards. I would email you the list.

Richard Miller: Thanks.

Mike Filicko: Grant funding and owner neglect. Hypothetically, there's a property that's maybe falling down and the owner is a mature person, on a fixed income and they would like to restore their property but they just can't. Is that grant funding, could that be tailored to the specific individual?

Jesse Zanavich: Yes, our office has a State Historic Preservation Tax Credit Program. This isn't a grant up front and do the work, you have to find a way to pay for the work, but it's Tax Credits where you can get reimbursed. For private homeowner's the way it's set up, it's 30% of your qualified expenses and that's cash at \$40,000 in Tax Credits.

Mike Filicko: That's great for someone like myself, but there are so many corners [unintelligible]...

Jesse Zanavich: I know. Our office, I think in the 1970's and 1980's we got foreign grant money to do brick and mortar work and we don't have any brick and mortar grants from our office. There's a National Trust Fine Funding, the National Trust for Historic Preservation has a Fine Funding page, but it's hard. They got rid of the Save America's Treasures Program and things like that and they've gotten rid of Federal programs like that.

Mike Filicko: I don't know of the homeowner, so it's just a hypothetical question. Hopefully it won't be me, some day.

Jesse Zanavich: It's always hard when people call up our office and we have the State Tax Credit Program and I can find Technical Assistance, but just unfortunately there's not a lot of funding for Preservation.

Mike Filicko: I have one more question. I don't mean to be taking up all your time and everyone else's. Historic Integrity, say there's a house that's been totally remodeled and it's in the Historic District, or maybe even out of the Historic District, and the owner wants to bring it back to it's original historic integrity. How do they go about doing that?

Jesse Zanavich: They have Standards for Restoration. That would be a little different than rehabilitation. So they're trying to restore it back to a specific time period. The Standards would go into things like unlike rehabilitation, you're looking for that physical or photographic evidence of this is what it used to look like, so you're avoiding those kind of conjectural features, so the Secretary of the Interior Standards for Restoration and the Guidelines for Restoration will provide that guidance. That's a separate thing then if you're just rehabbing a house and trying to keep what you have. So that would be good guidance for them to go to. So again, it's not always rehabilitation. There's other things. That's just one aspect. That's the most commonly applied because it delves into things like additions and not just limited maintenance, but there are other Standards and other approaches; it can't all be rehabbed.



Mike Filicko: Like the brick work that someone wanted to bring back.

Jesse Zanavich: Yes, exactly.

Mike Filicko: The poor neighbor. Thank you very much.

Amy Kratz: There are two major things that we struggle with. When someone wants to take something down, taking something off of a structure and we don't always know if it's original to the structure or if it's not original to the structure, but it's attached somehow. That actually could have been really the original structure and everything was built out from that. You wouldn't know because we wouldn't know the history of the house. I think we sometimes struggle with that and it's that feel good question, sometimes, that you said something interesting, you said if you're going to have somebody rebuild something, or take something down and rebuild it, you don't want it to look exactly like the house, because at that point, it's not historic, but you want it to look similar to the house.

Jesse Zanavich: Yes, things like additions. If you're putting an addition on your house, the general trend is to always be compatible, yet discernible as new. Unless you're reconstructing a house that's missing, that's an entirely separate process then, that not many people are doing.

Amy Kratz: One of the issues that we have, or one of the things that I should just say I struggle with it, I don't know if the rest of the Commission does, but I think that we sometimes do. It has to do with taking something off of a house and what kind of proof should you need that if somebody says to you it's rotted; well besides just pictures of the outside if the outside stuff is rotting, what kind of proof should we ask for to find out that the structure is not sound? Should we get an engineer's report?

Jesse Zanavich: You're talking actually like the studs in the wall.

Amy Kratz: Should we ask for more information? What kinds of things should we actually ask them to show us, because we get a lot of that. Somebody wants to take what looks like a summer kitchen that was attached to the house, that summer kitchen could be older than the house. Or that house could have just been attached to that summer kitchen, so they want to take it down because it's structurally unsound, or they say that it is, so they take a bunch of pictures from the outside of the house. It doesn't mean it's structurally unsound just because from the outside of the house it's rotted; what should we be asking them? What kind of questions do you think we should ask them?

Jesse Zanavich: If they want to demolish it, like Milton requests a structural engineering assessment. I think that would be good to have, especially if someone's... A minor crack in a foundation or minor things, some things that might have settled 30 years after it was built and that crack may have been there for a really long time. It doesn't mean it's... There are things you can do, like underpinning the foundation. It could be cost prohibitive, but, if they're claiming that it's structurally unsound, the bones are structurally unsound underneath, just because they're seeing some rotted wood siding on the outside, or a minor crack; it's probably good to get a structural engineering assessment, proposing that you should actually demolish it.

Amy Kratz: Okay. The other thing I think that we struggle with is outdoor buildings, like taking down a shed or something that was there, or putting a new one up. I know I struggle with those kinds of things. People ask for them all the time and they sometimes get it totally right and they sometimes get it where we have to say it has to look similar. We have to follow our guidelines, so it has to look similar to other structures in the area. Well sometimes, making an outside building a garage, making a garage where there never was a garage there; makes the whole property look totally different.

Jesse Zanavich: You probably don't want a... You want it to be discernible as new.

Amy Kratz: Yes, it's very, very different. It's very difficult. I think I struggle with the outdoor buildings. It's very hard. How do you decide? Some of those things are that it looks like other structures, well that's one of those feel good things; well it looks like... People bring in pictures, which is good, like their neighbor has this and that's a good thing, but those things are some expressions that Mr. Miller is saying, we have to actually make a determination... It's not measurable. It's not set in stone. We have Guidelines that aren't always set in stone. They make us have to think about it, they make us have to ask questions; how do we know when we're getting it right, I guess is part of what I worry about, all the time?

Jesse Zanavich: New construction is harder. That's where you have the local \_\_\_\_\_ from the play; what type of scale do you want to see for garages, type of roof plan, setback from the street, type of materials, are you going to require a certain type of door, discourage a certain type of door, a roll up door? I don't know. That's always a little harder, because you're dealing with something that wasn't there and it's secondary to the main building, really. That's something where the town's really going to have to decide in their local Design Guidelines is, how do we want to handle this? I won't say there's a right or wrong answer. I would try to avoid the question, but things like garages are hard.

Amy Kratz: That was helpful, because you said maybe we should think about Design Guidelines like how tall a structure should be, or what kind of doors they should use. Those things are helpful to us. They do help us.

Jesse Zanavich: It's always helpful to break it down into components, because when you're reviewing something, Preservation could be very subjective, if you're doing something in new construction. That's why it's helpful to have Design Guidelines, where you break them down like topics and you're saying does this satisfy these and is the setback appropriate, is it an appropriate roof pitch, is it not the appropriate height? Kind of quantify it a bit. That really helps because it can be subjective. I think the last thing you want to do in making decisions is having it appear in...

Amy Kratz: Thank you so much.

Diane Hake: This penalty for demolition, where they did not get affirmative, do you think that it's more effective to deny a building permit for a longer length of time than one year; rather than a monetary penalty? Or is it more prospective having both?

Jesse Zanavich: That's hard. You'd have to ask your developer, I think.

Diane Hake: \$100,000 seems oppressive.

Jesse Zanavich: That's probably why it was removed.

Diane Hake: I also think that it would encourage... Something that stiff and we don't want to \_\_\_\_\_.

Jesse Zanavich: It's really not my role to specify what a penalty should be and that wasn't my intent in the presentation, but penalties are always hard; except if it's too low, someone then may come in and \_\_\_\_\_; and if it's too high it's oppressive and yes, it could be encouraging arson or things like that. I don't have a right answer for you, because I don't know, really. I just don't know.

Diane Hake: Okay, thanks.

P. D. Camenisch: You deal with a lot of towns in northern Delaware and even other states. How do other towns, after it leaves the Commission, how do you police the recommendations that are made by the Commission's in other towns?

Jesse Zanavich: I don't know if I can answer that either. I assume there should be a good open line of communication between the Commission and the other party that's actually responsible for overseeing the project.

P. D. Camenisch: Once it leaves our Commission, sometimes we don't ever hear about what happens. It's changed some with the new administration in Town; they're trying to do a better job, but in the past, we made decisions and then it goes to the individual person and it never gets done the way we say it should be done.

Diane Hake: You've done on site visits.

P. D. Camenisch: No we haven't.

Diane Hake: You did to my house.

P. D. Camenisch: That was by the Code Enforcer, not by the Commission.

John Collier: Well, I'll answer that a little bit. We are diligently working to do better with that, that's why you now see monthly updates on everything. There's a report each month until it reaches completion and I keep detailed notes of what you have approved and we have them check on their checklist and notes and... I'm trying to avoid some of the things that we've recently had to deal with, although we're going to have more, I'm sure, at different areas, but that's a different topic. Does anybody else have anything on the Commission have anything they'd like to ask? If not, I'll throw it out to you folks in the audience. Since our transcriptionist recognizes everybody's voice on the Commission, I'd ask that you please identify yourself for the record, please.

Kevin Moore, Lewes Historic Preservation Commission: Hi Jesse. I'm also here with Barbara Warnell and Larry Adams. I'd love to spend an hour with you, based on your presentation, but let me just make a couple of comments that will lead to more of a broader question. From the purely preservation side of things, in Lewes, we're not generally dealing with new houses; we're dealing with individual property owners who want to take a house that is historically significant from their objective standpoint and are trying to make it livable in the 21<sup>st</sup> century. From the property rights side, we're still dealing with attorney's who represent applicant's, who suggest that what we're doing is unconstitutional, that we're very arbitrary and capricious and bad decision making; we're dealing with applicant's who, even though may be well-meaning, aren't as informed as we might like them to be. We're dealing with architects, designers and builders who are more adept at building 20% beach house, then they are an 18<sup>th</sup> century clapboard; and 20% in-fills...

Jesse Zanavich: I have these problems...

Kevin Moore: And we've had a Historic Preservation Commission for over ten years in Lewes and we're still dealing with some of the same issues over and over again. We're having some trouble communicating with all the stakeholder's. I guess my question is, how do we strike the balance and by balance I don't mean compromise. I don't think anybody needs to compromise, but how do we strike that balance, so that when the community at large knows what we're trying to do; they come before us because it's part of the process; we're not adversarial. We're there to help them. How do we get to that point, I guess?

Jesse Zanavich: How to build good will. I don't know. One thing that may be helpful, I don't know if there's a preliminary meetings that maybe an applicant may have, or maybe that would be encouraged.

Kevin Moore: For discussing their application?

Jesse Zanavich: Yes. That may be a topic for you to consider. It's hard, because you want to

catch it early in the planning phase, so may be encouraging, I don't know how you would get the word out there, to potential applicant's. You have your User Guide and it looks great. Maybe encouraging getting the word out there, some way, that for larger projects you can certainly encourage people to come in early. Sometime preliminary feedback to catch that early in the phase, to make sure it's going in the right step. The other part of that, I don't know, every Ordinance has a type of economic hardship; what constitutes... I'm not a lawyer, but that's usually defined in a reasonable... Is the person denied reasonable economic use of the property? Typically most times preservation, reducing the size of a new construction, or an addition, by so and so amount, usually doesn't rise to that level of denying all economic use of the property.

Kevin Moore: Have there been any high court decisions that are handed down regarding the constitutionality of the general principle of a Historic District; of what that entails to the property owner?

Jesse Zavanich: I can think of Penn State. In Delaware, I've been here five years, I don't know if any court cases have gone in my time. So I can't answer that locally. I'm not sure. It's always important to have independent process in the ordinance and economic hardship, of course.

Kevin Moore: I came from having real time and... People think about these more broad issues. It just seems when you get past some of that stuff, it would be much easier to implement the things that we're really concerned about.

Jesse Zavanich: Yes, I think catching it and encouraging early feedback from the Commission would be very helpful. We do that when I do the Tax Credit projects, especially if it's a big project or a big issue; I'll even get some preliminary feedback from the National Park Service and there are times I'm on my own here. I think it's good to catch it early in the process. I don't know how you would encourage that...

Kevin Moore: You'd have to require it at this point.

Barbara Warnell: We've talked about how we can make it a requirement. It only says encourage. It's available.

Kevin Moore: The thing is if a client has paid for a whole set of construction drawings and doesn't find that they're not going to be able to do it and build their review...

Jesse Zavanich: Oh I have that problem all the time. We've put together these plans and they're 99% done. We need your approval tomorrow and I change a window replacement and the next thing we're changing the entire floor plan of the whole building. I don't know if there's a way, unless you can specifically state that that should maybe be the preliminary plan first, but I don't... That's a difficult balance. I could see requiring it for things like new additions and things like that.

Barbara Warnell: I think you've already touched on this, but I think going back and forth between an addition, identified as an addition [Unintelligible] existing building, it's very, very difficult and as these additions try and capitalize usable land, they sometimes tuck around the existing building and it would be less desirable to have them [Unintelligible]... To me, that's just \_\_\_\_\_ sometimes you tend to find materials they used when there is an addition... It still has to look like it belongs to the building. It is. [Unintelligible]

Jesse Zavanich: Yes, the Park Service has the interpreting standards and they have one on new construction...

Barbara Warnell: Especially if the infrastructure was easier than additions to existing structures.

Jesse Zavanich: The main thing with additions, before you get to design this placement, is it reversible? Are you damaging any historic features and is it going to entail wiping out a whole

wall or one window? So before you even get into design, it's the footprint to look at first and then... if there's brackets on the main block of the house, tiny brackets... subtleties, if there's six over six windows on the front, you can do something like putting one over one windows on the back, little things that were... the casual observer with kind of a trained eye can recognize it as a modern addition, but not enough to the point where someone who just scanning goes wow, that's completely incompatible with the building. It's this balance to be struck.

Barbara Warnell: How about the view? Public view or all four sides?

Jesse Zanavich: We would typically discourage it on the front. It depends on the plan of the house, but always on the back if you had a five bay by a one bay house, putting it on the back is really... The public visibility, I wouldn't disapprove or restrict a project... covering the primary elevation of the building itself; even though it may be on the back and go along a side street, an addition is going to be highly visible. I wouldn't spurn that project just because... if it's still on the back, it's on the less visible section, or the less prominent elevation of the house and then is it only requiring one window on the upper and lower floors being removed? In the future, could you remove that and still have the essential plan of the house intact? To me that's a lot more important than public visibility, because most times the public visibility is going to be something on the back.

Barbara Warnell: It seems like most of the projects, if you have a core house, when they put the addition on the back and they wipe off the back wall and then they \_\_\_\_\_.

Jesse Zanavich: Sometimes we [Unintelligible] connector to that back addition, where there's this rhythm where it's like you have the original block of the house and then you have this little narrow connector and then [Unintelligible] so then people were reading and they say okay, I see it. It's not swallowing the building whole. There's a section, we can redo that by \_\_\_\_\_ the connector.

Barbara Warnell: Which makes sense. [Unintelligible].

Larry Adams: Usually it's a very small lot. It doesn't really work. You try and go as \_\_\_\_\_ as you can on the existing house and what we're dealing with now as far as public view, is that if the two sides of that addition are in public view and the back is not, and we have certain guidelines for the two sides that are in view, you can enforce those same guidelines for the back, even though it's not in the public view.

Barbara Warnell: Some of the additions that go out the back, they...

Jesse Zanavich: Are they rising above the roof line, where you can see them? That's a primary thing.

Barbara Warnell: And that we're very strong about that. [Unintelligible] It looks like a five foot wave addition. [Unintelligible]

Jesse Zanavich: Not in public view, then public visibility, does it rise above the existing roof line and again, is it reversible? When you're dealing with things like covering the whole back section of the roof. They're essentially ripping the back section of the roof off, so that typically wouldn't meet Standards but it's not essentially reversible. So even though it's not looking visible, it's...

Barbara Warnell: That's a pretty strong Standard.

John Collier: Does anyone else have any questions for Mr. Zanavich? If not, I'm going to ask the Commission to return to their seats and if you have any questions for our Commission, please feel free. It's getting late and I'm sure everybody would like to get home, including Mr. Zanavich because he has to travel to Dover. The one thing I will tell you folks from Lewes is

that Mr. Zanavich is very available to Milton and has told me that he's available to anybody that needs him. All you have to do is make the contact and he'll come see you.

Jesse Zanavich: I'm always available for a... Part of my job responsibilities so if anyone wants to email me or give me a call anytime, I would make myself available.

John Collier: The Chair has called for questions from the floor, otherwise they're going to move to adjourn folks. Fair warning.

Kevin Moore: Thank you for the invitation.

Dennis Hughes: Thank you for coming.

P. D. Camenisch: In the future, if you'd like to see anything changed, just call your Councilman and the Mayor. We only go by the guidelines.

Mike Filicko: John, thank you for setting this up.

John Collier: My pleasure. It's a long trip and there's a lot of work of all the members of the Commission and the cooperation of the Mayor and Town Council to make this happen, but I think this gives us a place to begin from.

5. Adjournment

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

Barbara Wagner: Second.

Dennis Hughes: I have a motion made and seconded. Are there any questions on that motion? All in favor say aye. Opposed. Motion carried. Meeting adjourned at 8:43 p.m.