

BEFORE THE NEW CASTLE COUNTY DEPARTMENT
OF LAND USE AND PLANNING BOARD
STATE OF DELAWARE

In the matter of

Application 03-0491-Z

West side Grubb Road, south of Naamans Road.
Ord. 03-041 will rezone 25.8 acres from S
(Suburban) to S and H (Historic) zoning overlay.
The property is known as the Jester Farm
(TPN: 06-021.00-033) and has been proposed for
the Historic Overlay Zoning by the New Castle
County Historic Review Board. CD 2.

City/County Building
800 French Street
Wilmington, Delaware

August 5, 2003
8:40 p.m.

PRESENT

DEPARTMENT OF PLANNING

VALERIE CESNA
(Co-Chair of Public Hearing)
JOE ABELE
CHARLES BAKER
KEN BIERI
STEPHANIE BRUNING
DAVE CULVER
CHRISTINE QUINN
ANTHONY SEKOWSKI
BRAD SHOCKLEY

PLANNING BOARD

VICTOR SINGER
(Co-Chair of Public Hearing)
SANDRA D. ANDERSON
JOSEPH MALONEY
JUNE MACARTOR
ROBERT MCDOWELL
DAVE TACKETT
MARK WEINBERG
ARTHUR WILSON

BRIAN MERRITT, ATTORNEY



New Castle County
DEPARTMENT OF LAND USE and PLANNING BOARD
Public Hearing Register

8/5/03
(date)

Jester Form

IMPORTANT: PLEASE PRINT

Application No. 03-0491-Z

1. Shirley Neff
Name
123 Sunset Drive
Street Address
Wilmington DE 19805
City State Zip

8. Neil Roosevelt
Name
2528 Justin Ln
Street Address
Wilm DE 19810
City State Zip

2. TOO BASEDEN
Name
2723 Grubb Rd
Street Address
Wilmington DE 19810
City State Zip

9. Lou LIARAKOS
Name
7 COUNTRY GATES DRIVE
Street Address
WILMINGTON, DE 19810
City State Zip

3. Bill Day + Bill Day III
Name
Foster Day
Street Address
City State Zip

10. WILLIAM BARBE
Name
2532 GRUBB RD
Street Address
WILM DE 19810
City State Zip

4. O'Toole
Name
Street Address
City State Zip

11. James R Hanby
Name
808 Wilson Rd
Street Address
Wilmington DE 19803
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5. Robin Rubin
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2227 Coliborn
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Wilm DE 19810
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12. Tracy Surlas, NCC
Name
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6. Rebecca Sheppard
Name
Center for Historic Architecture & Design
Street Address
307 Alison Hall University of Delaware
City State Zip
Newark DE 19716-7360

13. Daniel J. Hammond
Name
12 Stonecrop Rd
Street Address
Wilmington DE 19810
City State Zip

7. Beverly A Barnett
Name
2117 Meadow Lane
Street Address
Arden DE 19810-4124
City State Zip

14. _____
Name
Street Address
City State Zip

MS. CESNA: I understand the members of that Board will be making comments.

MS. NEFF: Good evening Mr. Chairman and members of the Board. My name is Sheila Neff. I am a member of the Historic Review Board.

MR. MCDOWELL: Excuse me we can't hear you.

MS. NEFF: Sorry. My name is Sheila Neff. I'm a member of the Historic Review Board. And I'm here this evening to discuss our recommendation for the Jester Farm for historic zoning.

I believe you received the report and various exhibits that we had on the record. I will just briefly go over the recommendation that we have. The proposed boundaries for this piece of property are the boundaries of Tax Parcel 06-021.00-33 that's located at 2818 Grubb Road which is just below the intersection of Grubb Road and Naamans Road.

The Historic Review Board had a hearing on November 13, 2002 and at that time we found that the property there has historic significance and therefore is eligible for designation as a historic zoning district. The property under Section 40.15.110 we found that the property meets the criteria and specifically it is over 50 years old. In fact we believe sometime in the mid 19th century. In addition to that it meets the historic significance according to criteria B, D, E, F, J, K, and L. That's six of the 14 criteria. It's only required to meet one of them.

It meets criteria B in that the piece ah the property has significant character, interests, or values as an example of development at the heritage or cultural characteristics of the county. And that it is a rare intact farm stead in the Brandywine

Hundred. And it remains an example of the early development of Brandywine Hundred before this suburbanization that occurred in the 20th century.

It meets criteria D in that it exemplifies the cultural social issues of the historic heritage of the community. And that it's an example of the once of a less recognized part of the Brandywine history of a moderately sized farmhouse. It also embodies the distinguishing characteristics of an architectural style or engineering specimen specifically in the construction of the house which has one has three sides assembled as stone and the end walls is assembled of frame. I'm not an expert on this but that's a very unusual type of construction. We have not had that before the Board during my tenure.

Most importantly I believe is criteria J. You know, this is a landmark. An established and visual feature which assists in defining the character of the neighborhood, community, or county due to its unique location or singular physical characteristic.

During the hearings we had a number of people from the community come in and express their attachment to this piece of property and specifically the site is still used as a farm for Hi Point Dairy which allows the neighbors and citizens of New Castle County the opportunity to benefit and to glimpse into the history of the surrounding area. And it's a peaceful just a small peaceful area among a rather busy populated area.

It also meets criteria K in that the discover of prehistoric and historic architectural evidence is highly probable. Criteria L which is associated with the lives of persons important to the

county's past specifically the Wilson ah the Jester and Day families.

The classification is identified as an enclosed context site. And the Board has voted to recommend this property be historically zoned due to the strong community support and the findings that we have made. I believe that it is also consistent with Section 40.31.410 in the standards for zoning map amendment. It's certainly consistent with Chapter 40 which shall "the preservation, protection of buildings, structures, sites, objects, districts, and landscaping, features of history, architectural, cultural, educational, aesthetically merit are critical to the character of the county". Preservation of an area such as this specifically the smaller farm areas is really critical to the county and particularly to the Brandywine Hundred area.

It's also consistent with the character of the neighborhood, the suitability of the property for its use which is continued use as is and the affect on the nearby properties. And that we are just asking you to we are asking for the historic zoning to allow the property to remain as it is. Lets not do any damage to it or not to do anything to the property. It's just a matter of status quo.

We ask that you recommend this rezoning, historic rezoning.

MR. SINGER: Questions from the Board? Ms. Anderson.

MS. ANDERSON: Is there any provision anywhere to preserve the intention to keep it as it is rather than down the lane having it developed in some fashion?

MS. NEFF: Well, the reason it came to the Board originally was because that there was a demolition permit application put in by

the county. They've asked to demolish it. I believe they were talking about putting a park there. So the historic zoning will actually preserve it in that they will not be able to demolish it or to make any changes to the property until they become before the Board. And the Board will do everything they can to maintain the property.

MS. ANDERSON: The Historic Review Board?

MS. NEFF: Yes. That's what the historic zoning does. It forces the applicant to return before the Board.

MS. ANDERSON: O.k. Thank you.

MS. NEFF: Sure.

MR. SINGER: Further questions from the Board? Ms. Neff did the Historic Review Board solicit the views of the owner of the parcel?

MS. NEFF: Actually the owner came before us on a with a request for demolition. We had hearings I think we had about six or seven hearings. Occasionally the applicant showed up. Occasionally the applicant didn't. I believe the applicant still would like to tear down the property. We worked with them, tried to find arrangements to rehabilitate the property in an economical fashion. However, I think they stopped coming to the last couple of meetings.

MR. SINGER: You see what prompted my question is that the summary of the recommendations from the Board said that the County Historic Review Board initiated the application.

MS. NEFF: Yes.

MR. SINGER: Historic zone overlay.

MS. NEFF: Yes sir, we have to because the owner is not doing

it. That the Board decided that we would do it because we found it to be a historically significant property.

MR. SINGER: O.k. Thank you.

MS. NEFF: Sure.

MR. SINGER: Further questions from the Board? Ms. MacArtor.

MS. MACARTOR: Who is the owner of this property?

MS. NEFF: The County is the owner of the property.

MS. MACARTOR: But didn't you just say that the owner wanted to tear it down?

MS. NEFF: Yes ma'am.

MS. MACARTOR: That's the County?

MS. NEFF: Yes ma'am.

MS. MACARTOR: New Castle County?

MS. NEFF: Yes.

MR. SINGER: Mr. Baker.

MR. BAKER: What ah this is a county park. This is and as you know the Land Use Department doesn't hold the land but we often get our chance to regulate it and here we are. What you talked about future development. This is a county park land. It's going to be open space. Was there some other issue or concern or cause all this is a little bit confusing?

MS. NEFF: Is it devoted to open space? We were not given any details as to that.

MR. BAKER: It never got to the Historic Review Board that this is a county park?

MS. NEFF: I don't recall that it was to be designated as an open space park. No. That it would remain untouched? No.

MR. BAKER: O.k.

MS. MACARTOR: Mr. Chairman before our business meeting could we ask that the Department clear up this . . .

MR. BAKER: Oh I believe the Department of General Services is here tonight to talk to it.

MS. MACARTOR: O.k. Oh all right. Thank you.

MR. WEINBERG: I might point out that there are no signs that indicate that is county park. There's no entrances. No anything welcoming to the community. It's just an empty field. Empty pasture. It's very valuable to the community but there certainly is no indication that it's owned by the County.

MR. SINGER: Apparently we're going to have another witness that that would . . .

MS. MACARTOR: All right.

MR. SINGER: . . . be appropriately directed to. Further questions from the Board? Thank you ma'am.

MS. NEFF: Thank you.

MR. SINGER: Is there anyone who would like to speak in favor of this application? You can . . . Certainly please come forward. Anybody can ask any questions they want but they have to come to the mike and identify themselves.

MR. BASEDEN: Mr. Chairman, members of the Board, my name is Tod Baseden. I am a resident of Grubb Road and I live about 200, 300 yards down the road from the Jester property. And I am here quite obviously supporting the Historic Review Board's recommendations for a historic overlay rezoning on this property.

I'd like to give you just a little bit of background on this.

Last year Mr. Liarakos who is here I believe the president of Country Gates Civic Association contacted me and wanted to me know if I knew what was happening to this property? He explained ah he understood that it had been designated as an active recreation park and that it was due to be ah the house was due to be demolished by the um ah the special ah not Special Services Department the um . . . I can't remember the name, yeah, General Services Department I think it is for the County.

I went and had a look at the property. I looked at the house and became concerned because clearly the house was quite old. I have been very interested in the history of Grubb Road. And I personally had dated this house back to the beginning of the 1800 maybe a year or two before 1800. Probably predating the lay down of Naamans Road which is in 1799.

About this time I became aware that the Concord Soccer Association was interested in this land also. And it seemed to me that Concord Soccer Association with the possibility of developing an active soccer complex could be a problem to a quiet residential neighborhood. And so I went to the Kirkwood Soccer Association's site south of New Castle and met with Joe Mills who is the general manager of that association and asked him what the consequences would be of having a soccer field complex in the middle of our various neighborhoods. And he painted a bleak picture. He said that . . . (tape ran out and new tape was put in) . . .

MR. BASEDEN: . . . two acres per field. They believe they could put in eight soccer fields there and have additional seven acres devoted to parking. I asked Joe Mills just how many cars

would have to be parked on a weekend when there was active soccer programs going on? And he said well they, Kirkwood have 13 fields and they take in ah they park 600 cars. He estimated that the Concord Soccer Association with eight fields would have to be able to park 400 cars. And the parking designation that has been selected by the Concord Soccer Association is a stripe of seven acres next to Hanby Middle School between Handy and the Jester farm- house on the Jester land.

Joe Mills went on to say the main problem is not the noise. It's the fact that soccer parents invariably have to rush to meet the schedule. They have to dash in to bring their kid to the soccer field in time to get to the game and this is a hazard when you have to drive through a development. And they do they would have to drive through a development. They would have to drive through Chalfont to get to the Hanby Middle School.

At this point I contacted some of the civic association presidents in the area and asked them if they would be concerned about the future of the Jester property? I was aware that our Councilman Weiner was not supportive of this soccer plan. But nevertheless it catalyzed us into trying to define what we did want from this property. Up till then proposals had been made and had been turned down by civic associations. It was the only other fair thing to do is to try to define what we should like to see happen. This land is in the middle of many developments. It is surrounded for example not only by Chalfont, by Brandywood, Kimberly Chase, Country Gates, Branden. Some of us live on Grubb Road. Fairwoods and down the road is Arden. All these people have an interests in

what happens to this land. Close interest.

So we called a meeting of people who thought would be interested. We met in the new county library on Foulk Road. And it was agreed that we would draft a petition and we thought of this long and hard and came up with the following words for the petition. I'd like to read them to you because I think they are simple and to the point and will tell you what it is we want.

"We the residents of XXX development oppose the development of any active recreation facilities on the Jester property. We support preserving the entire property as it is. We support retaining the Jester farmhouse with a resident curator program."

Now that resident curatorship program is a technicality. It's not self-evident obvious what that means. And so it was necessary to explain to people what this meant. This petition was carried around in a matter of few days to the various developments. We didn't even have time to contact the good folks in Brandywood and very rapidly, very rapidly we collected 425 signatures. This was ah this petition was handed over to the Special Services Department. To be fair we have subsequently found out that Special Services Department themselves are not in favor, are not supportive of the soccer program. At least the soccer complex.

Before all of us I need to stop back here and say that before this we were attending the Historic Review Board hearings because we knew that the Jester house was threatened. And so we spoke up at these Review Board hearings and tried to persuade and was successful in persuading the Historic Review Board that there was a great deal of interest, local interests in preserving this old

house.

It was a race against time because the application for demolition had been filed I think of January of last year 2002. And Historic Review Board has the authority to delay the demolition for a year but not longer. We managed to get the Historic Review Board to approve a recommendation for historic overlay on this property late last year. At almost the 11th hour. As a result of that normally after 12 months the permit to demolish would simply go into force. But County Executive Tom Gordon has asked the Special Services Department to delay the demolition of that house and that delay is in effect. However, the permit is valid and legal and if Executive Gordon was to raise his objections ah stop his objections the bull dozers could go the next day.

Our key to rezoning the Jester house which is on public land, it's on the county park land is a resident curatorship program. And so it was important that the people are carrying around these petitions to be able to inform people who were asked to sign what this meant. It's a highly successful program that was developed in Maryland by which a building that was happened to be on public park land that normally would get in the way of developing that land for public land. It can be maintained, can be preserved and maintained free of taxpayer input by signing a contract where the resident curator who agrees to put in a sum of money like a \$150,000.00 to renovate this house and maintain it and make it available for periodic inspections by the community. This house preserved this way it's a historic house becomes available for public inspection and is a benefit to the public and it's a benefit to the resident

curator who takes great pride in the workmanship of restoring. It is a win-win proposition. And furthermore it is a responsibility that is removed from the county's shoulders. This program works not only on county property. It works on state park lands and even on national park lands.

If you go to the web site for the resident curatorship program in Maryland you will find that some 40 properties have been successfully renovated and saved from destruction this way and are a joy to look at.

So just trying to save the Jester property has become a catalyst for developing our own resident curatorship program. There's a great deal of work going on right now to do this to make sure that if this zoning is approved that the land does not end up as public ah . . . a burden on the taxpayer. Such a program once developed will benefit other houses, other old houses in our neighborhood. Too many of these old houses have been destroyed to make way for bicycle paths or whatever it is to broaden roads. We seem to be demolishing these old buildings willy nilly without real concern. The term demolition Delaware has been claimed to describe this process. And we believe that the resident curatorship program catalyzed by this Jester property will save many houses including for example the Bechtel house on Naamans Road from being destroyed. Thank you Mr. Chairman. Thank you members of the Board for listening to me.

MR. SINGER: Questions from the Board? Mr. Maloney.

MR. MALONEY: Mr. Chairman we just granted this individual speaker by my watch about 14 minutes.

MR. SINGER: Yes.

MR. MALONEY: Are we going to grant the rest of the individual speakers this evening the same amount of time?

MR. SINGER: The speaker said that he was speaking for several organizations.

MR. MALONEY: I understood him as introduced himself as a resident of the area. That was it.

MR. SINGER: And he said he was speaking for several organizations. Several areas ah within which he circulated a petition.

MR. BASEDEN: Thank you. That's true. I've been specifically asked to speak on behalf of some of these civic organizations. That's correct Mr. Chairman.

MR. SINGER: Further questions from the Board? Thank you sir.

MS. ANDERSON: I have a question.

MR. SINGER: Oh I'm sorry.

MS. ANDERSON: Do you actually know of anybody who'd be willing to be a resident curator?

MR. BASEDEN: Thank you so much. I wish I'd covered that earlier. I appreciate that question. Yes. Some I believe some seven people have already signified their interest in becoming resident curators of this property. And we have asked ah we have collected these names by various processes and we've asked them to turn their names into Ms. Surlles of the General Services Department. She has a list of them. I don't know how many there were but there were several of them.

MS. ANDERSON: O.k. Thank you.

MR. SINGER: Mr. Baker.

MR. BAKER: Is it your understanding that the historic overlay will prevent the development of any active recreation facilities here?

MR. BASEDEN: Um by itself any changes as you know Mr. Baker require will require approval by the Historic Review Board but doesn't say how much change will be able to accept. But the residents of the area have spoken very loudly and very clearly they do not want an active recreation facility there. And I am sure that they will represent that at any hearing of the Historic Review Board. Doesn't mean that no change can occur. But I do believe that there will be opposition to an active recreational facility.

MR. SINGER: Mr. Maloney.

MR. MALONEY: Mr. Baseden would this resident curator . . . If I have this correct that the term was a resident curator . . .

MR. BASEDEN: Resident curatorship program.

MR. MALONEY: Would this resident curatorship program tend to serve the same function as the Friends of Rockwood?

MR. BASEDEN: I'm not very familiar. I think the Friends of Rockwood is a volunteer organization is it not sir? It comes in and does things.

MR. MALONEY: I believe.

MR. BASEDEN: No the resident curatorship program um ah is a contract between an individual and the county whereby the individual agrees to meet federal guidelines for the restoration of any properties and agrees furthermore to put in sums of money that will amount generated to \$150,000.00 or thereabouts. A \$150,000.00

is what Maryland requires. That can include sweat equity. In other words you can pay for a part of that by your labor. Make one other point on that that is there's been a lot of support from the state Representative Wayne Smith and others on this and they the state has offered us \$50,000.00 to get this resident curatorship program up and running on a basis that each curator will have a \$5,000.00 starting fund from the state to help them get going.

MR. MALONEY: Thank you.

MR. BASEDEN: Yes.

MR. SINGER: Mr. McDowell.

MR. MCDOWELL: I have one question.

MR. BASEDEN: Yes sir.

MR. MCDOWELL: You've explained that they want to demolish the building. You explained the curatorship. You've estimated a \$150,000.00 investment. My question is what shape is the building if the roof is gone some buildings are not restorable. What shape is the building today that can be restored?

MR. BASEDEN: Ah Mr. Chairman I have some photographs here. I have two sets of photographs and not adequate really for I should have had a set of photographs for everybody. My computer didn't turn them out fast enough. Since you've asked this question Mr. McDowell may I pass one set to you and have you pass them around.

This is the front of the building seen from Grubb Road and it has a 19th . . . When you go around to the side you'll see this here which is early 18th ah early 1800.

MS. ANDERSON: Excuse me this isn't being caught by the mike.

MR. SINGER: Let the record show that Mr. Baseden is

distributing one set of pictures to Mr. McDowell currently to circulate to the Board.

MR. BASEDEN: Pardon me Mr. Chairman.

MR. SINGER: Is this ours for the record?

MR. BASEDEN: It is. Yes.

MR. SINGER: For the record.

MR. BASEDEN: Thank you.

MR. SINGER: Further questions from the Board? Mr. Wilson.

MR. WILSON: Mr. Chairman I have a question for Mr. Baseden.

MR. BASEDEN: Yes sir.

MR. WILSON: Under this curator program that you've described would this curator be responsible for the 25.8 acres that's under the proposition to be overlaid with historic or just the building there on?

MR. BASEDEN: Up to now it has been the building only. And to some extent this is a new novel situation having substantial land attached to it. Up to now ah there's generally been a fair amount of yard available to a house that has been taken over by a resident curator program. I think that what we have here is a means of possibly of maintaining either a farm or at least a passive park land if the Historic Review Board were to approve that change. That the those is not well defined quite frankly so how we we handle the park. I think that ah it how the residents in the neighborhood all of them have said they would like to see the farm stay there. Just continue as a farm and have the farmhouse restored and protected by the resident curatorship program. And incidentally that house is got carpets and everything. The roof is tight. There are no leaks

in it. You can live in it now.

MR. WILSON: Then I suppose then that your suggesting this this curator would be just responsible for the house and not for the 28 excuse me 25.8 acres?

MR. BASEDEN: As far as that part there's the farm's concerns where we are in new territory on that. And we have an opportunity for example of having that farm land with an operating farm available for school instruction. Schools could have it would be a community asset in that schools could go and visit and see how a farm is carried on.

MR. WILSON: And who would operate that farm sir?

MR. BASEDEN: We, we haven't got that far yet. Yes, we are struggling with the house but that is certainly a possibility down the road.

MR. WILSON: Thank you Mr. Baseden. Thank you Mr. Chairman.

MR. SINGER: Mr. Baker.

MR. BAKER: I guess just a question for the Chairman. We've seemed to have strayed off the zoning issue and get into a programmatic issue which there are a number of elected officials for the County that control the budget including the County Executive and County Council I'm sure will be taking that issue later and including the Special Services Department. But we are kind of getting way off the track of the zoning.

MR. SINGER: Well.

MR. BAKER: That's an opinion.

MR. SINGER: It's quite clear on the record that there is no program of that sort in existence now. Is there anyone else who

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would like to speak in favor of this application? Please come forward.

You want to speak in favor?

MR. DAY: Hi. My name is Bill Day and I live at 2810 Grubb Road and I actually back up to the property in question here. And I just want to let you know that even though there are four of us I'll try and keep this within one five minute time block.

As I said my property borders with the property in question here. We actually have the meadow to the farm in our backyard and I think that's one of the most beneficial things to my personal home is while these guys were growing up they could feeds cows over their backyards and I think there are only five properties in north Wilmington that can do that. Quite frankly that's not my primary reason for standing up here in front of you. I want to start off saying I take personal exception to this being referred to as the Jester property since my father Gill Day was born in that farmhouse 68 years ago. Call the Jester/Day farm.

The reason that I really come up here is I look around New Castle County and I see a lot of beautiful properties stately mansions and everything that have been restored to show a piece of Delaware's history and heritage. I also see a big part of our heritage missing. These are the farms were working farms back in the 1800's and early 1900's. And quite frankly as I look around the county I can't see too many of them left over. And for everyone we tear down we can never replace it. This one is a perfect example of one granted the building might not be in great shape right now. I'm not saying we have to make this habitable for people but I also

look at some of the other museums around that have been restored to the tune of millions of dollars. The estimates that I've heard have been south of \$200,000.00 for this one. And to me personally that would be money well spent. I think also to have a place where our children can see how people use to live back then it would be a very beneficial thing to us.

We just need something that reflects the life of the average citizen a 150 years ago as opposed to the people who own Powder Mills and things like that. So that's my personal opinion. My guys here have got a couple of things they'd like to add.

MR. DAY: My name is William Day, III, and I live at 2810 Grubb Road. My house is five houses down from the Jester property and my grandfather, William Day, Senior was born and raised on that farm in the year 1935. As you can imagine it's very special to him.

This farmhouse is one of the last remaining farmhouses of the early 1900's in north Wilmington. I believe that this house is one of Wilmington's greatest historic sites. I like to think of historic sites as senior citizens who have a lot to tell about the culture of our ancestors. I think that destroying this farm would be like taking away one of our senior citizens who could tell stories of our past.

And also Grubb Road is very trafficky and congested as it is. Adding another reason to go down Grubb Road would also make it very dangerous because as it is right at this moment there's construction going on and people still fly down the closed road. So adding another reason to go down would be very dangerous.

MR. O'TOOLE: I'm John O'Toole. The Days are my best friends.

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They live at 2210 Grubb Road.

Some of the problems of the soccer fields in their backyard would be night torments would keep people awake. Traffic is already bad enough. Parking on the road it would just make it more congested and harder to get through. Animals driven nights and driven up the wall because of the cars honking and the people. And the soccer torment just people whooping it up and cheering.

Some of the things that might affect people's properties that back up to the property in question is when people are not playing soccer or it is in the off season people will dump trash and neglect the area and trash might be thrown into people's yards and they would just have more work to do in their yards.

This property has very big historical meaning from the early 21st century backing up to the late 20th century. Their grandfather, William Day, First was born there and I think that it means a lot to people like the Days that this property be kept the way it is. Thank you.

MR. DAY: Hi I'm Foster Day and I live on Grubb Road. One of the houses that would be torn down is where my grandfather was born. My dog also barks at anything that moves near our house even at night and she will keep us all awake. It is also a historical piece of land I don't want changed.

MR. SINGER: Questions from the Board?

MR. ROBERTSON: Hi. Rich Robertson. I live at 2727 Grubb Road. You'll notice the Concord Soccer uniform is on and you'll think why he is speaking in favor of this? I'd like to explain because there seems to be confusion as to what it is trying to be accomplished

here.

If it's the house is trying to be maintained as an historic overlay . . . the property. And I think that's the crux of the matter. That's the key issue right there. The house can be maintained as an historical overlay and meet the needs of the people that want to do that but also can be an active park which the property was originally designated to do.

I think there's a compromise here. Unfortunately some people don't want a compromise. Concord Soccer has been looking for a home in north Wilmington for five years or longer. Dan Hammond is here with Concord Soccer board. I'm not a member of the board and he can speak to that when it becomes his time to do so.

We need to look at our children and what how everybody can benefit from the property including passive use. There's been some facts that's been totally distorted here. Not seven acres of parking. We don't want seven acres of parking. Absolutely not. I don't want seven acres of parking. There is a school that abuts up to the property that has adequate parking already there. In addition there was a mention made to going through and destroying the property um and destroying the traffic you can access through through Grubb Road. No night tournaments. We don't want night tournaments.

Again I support the overlay for the historical property. I actually own an historic farmhouse which is possibly older than this farmhouse is at 2727 Grubb Road. I have a rock wall where a barn foundation is and I've spent considerable expense maintaining to keep the historical nature of that property. It's on one and

three quarter acres. It's one of the largest properties in north Wilmington. And it's been expensive to try and keep that house as close to historic as possible inside. Outside I couldn't do it for maintenance reasons.

Again I urge the Board to really zero in on the issue here. Is it the house or is it the property? That's the key. Everybody can have what they want if that's how it you choose to look at it. That's all I have to say.

MR. SINGER: Questions from the Board? Thank you sir.

MR. ROBERTSON: Thank you.

MR. SINGER: Please come forward.

MS. SHEPPARD: Good evening Mr. Chairman, members of the Board. My name is Rebecca Sheppard. I am associate director of the Center for Historic Architecture and Design at the University of Delaware. I'm also a member of Preservation Delaware and I'm wearing both hats tonight. I am speaking with authority from the Board of Preservation Delaware in terms of my words tonight. I'm also a long time resident of New Castle County. I've lived in northern New Castle since I was about five. I won't tell you exactly how long that's been but trust me it's been a while. And I currently live in Arden which is just up the road from the Jester/Day farmhouse. So I have a personal interests because I too like to drive down Grubb Road and see the house and watch the cows.

Obviously I am here to speak in favor of an historic zoning overlay for the Jester/Day Farmhouse. Over the past few decades northern New Castle County has lost much if not most of its historic landscape to development pressure. Recent changes in the

UDC have begun to slow or control this growth but the loss of historic buildings and landscapes continue unabated. While this attitude can be pretty much expected from developers it's particularly disturbing when a government entity such as the County is the agency seeking to demolish a historic resource as significant as the Jester/Day Farmhouse without considering other creative alternatives first.

The Jester/Day Farmhouse is one of the last remaining farm complexes in Brandywine Hundred that's still surrounded by agricultural open space including the cows. One of the remarkable things about it is that the County has actually managed to keep in place a long term lease with the Hi Point Dairy which is what keeps the cows in the pasture and lets the kids come by and feed the cows and see the cows. And that's actually part of what contributes to the setting for this farm complex.

The house itself is a significant example of early 19th century every day architecture of the Brandywine Valley. One of the speakers a few minutes ago Mr. Day talked about the fact that this was important because it's an example of every day architecture. We tend to make a big deal out of preserving the really important mansions. The significant things like Winterthur or the Rockwood Mansion. And yes, those are important, but it's also very critical that we preserve the every day parts of our landscape and the Jester/Day Farmhouse is just one of those pieces of our every day landscape. And we have very very little left of that in northern New Castle. Southern New Castle is going pretty quickly too. Well, we still have the chance to save some of that. But northern New

Castle is pretty well gone. This is one of those last little pockets that we still have the chance to hang on to if you are all willing to put you foot down and step up to the mark here.

The house itself is significant and remarkable actually for its combination of stone and frame construction. It's built with three stone walls and one frame wall and we are still debating why exactly that was done. There's some speculation that the early owner intended to expand in one direction and that's why he put the frame wall in so that he could build out in that direction and just never got around to it. But since it's the only one we've really come across we haven't been able to come up with a firm conclusion on that one.

It's built on a classic pilot case plan with a very narrow central stair and it's got a rear service L which is probably where the kitchen was. The building retained many of its architectural features including windows and door moldings and it's got those nice curved windows and stone walls. And it's got all . . . plastic walls still surviving.

One of you was interested in what the condition of the building was. I can tell you that despite some problems with water damage the building is basically structurally sound and it would make an excellent pilot case for a county resident curatorship program. There was some discussion about that earlier. Let me just say that this is an excellent candidate for that program. I'm very familiar with the Maryland program. This building is in much better condition than many of the Maryland buildings were when they first began their tenure in the program. So it we've been told that it

would be imminently workable for this program.

Lets see. The historic zoning overlay for the Jester/Day Farmhouse would add a critical layer of protection for the building against potential demolition. This building has survived for nearly two centuries on Grubb Road and remains one of the last places in Brandywine Hundred where our children can still have some sense of what this landscape once looked like. I ask that you encourage the County to act as a good steward for this historic resource and grant the historic overlay to give it the protection it deserves.

And if at this point I could ask for a show of hands from the audience of all those who are in favor of the historic overlay for

the committee would care to turn

the Board? Mr. McDowell.

benefit to the creator ah the benefits or what?

gets basically a life lease in the for restoring the building under by the agreement with the County.

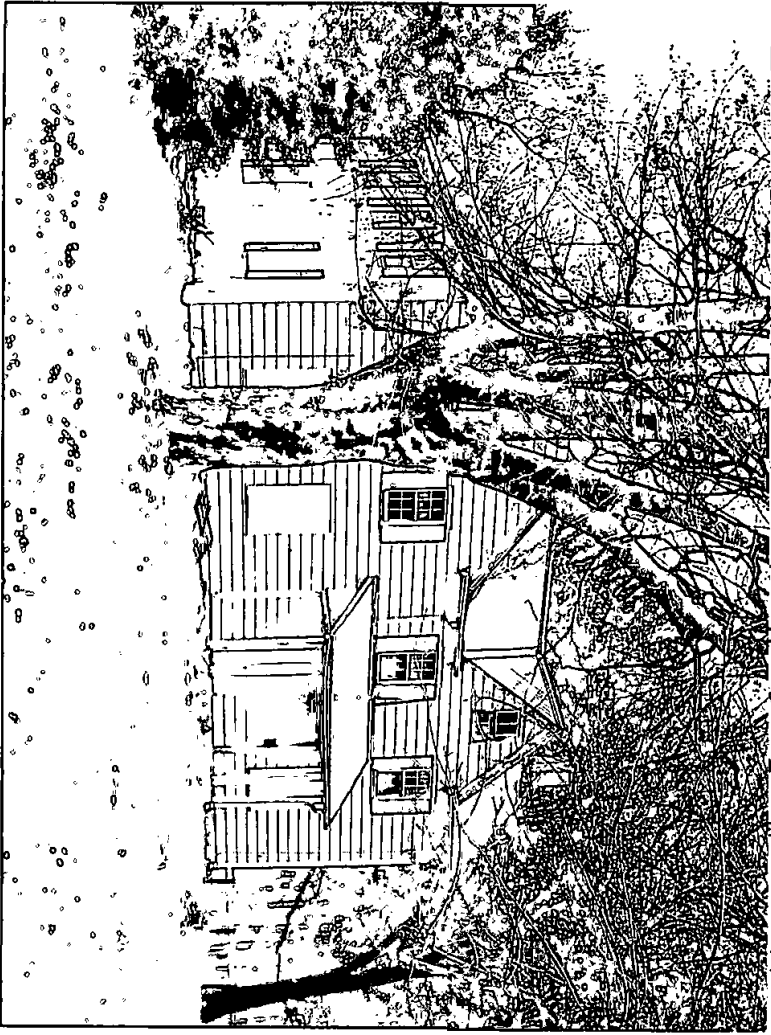
they get a life time lease to live return. This is basically a labor

because they love these buildings ve. So they most of ah many of them

of the work that needs to be done ey often um they've a very close

One whose good at electrical work.

penry. And they'll trade those



THE JESTER HOUSE FACING EAST TOWARDS GRUBB RD

services off in order to keep the actual money costs down to a minimum.

MR. SINGER: Further questions from the Board? Ms. Sheppard in virtually all that you said you were careful to focus on the house rather than the parcel, the 25 acre parcel.

MS. SHEPPARD: Yes.

MR. SINGER: That was intentional?

MS. SHEPPARD: That's my area of expertise is the house. However, what I can tell you is that when it comes to resident curatorship program which I assume where your going with this um control over the acreage would pretty much be a matter of negotiation with the County. My guess is that the person who was the curator would want some area of yard so to speak around the house but that would really be a matter for them to negotiate in their agreement with the County. And certainly it would probably really depend on who the tenant was. If you had somebody come in like Hi Point Dairy who really wanted to maintain their arrangement with the County they might want to have someone come in and be the curator. In that case then it might be appropriate for the entire parcel to be considered the resident curatorship parcel.

But you might have another person who was really only interested in the house itself. In that case you might have, you know, just enough for an actual yard around the house. It varies tremendously. There are resident curatorship that are done in the middle of a huge park land so I mean obviously they are not responsible for the entire park. They are just responsible for maybe an acre or even half an acre right around the house.

MR. SINGER: O.k. I was not hitting anywhere other than to make crystal clear what your focal point was.

MS. SHEPPARD: My focus is on the house.

MR. SINGER: Very good. Thank you.

MS. SHEPPARD: O.k. Any other questions? Thank you.

MS. BARNETT: Good evening. My name is Beverly Barnett. I'm here to speak in favor of the preservation of the house and the historic overlay.

I'd like to make three points. First I happen to have counted the number of parking spaces in the school. There are 147. Secondly I would like as a resident of Arden to tell you that at a town meeting 55 people signed a petition supporting the preservation of the house through a historic overlay. And I believe as utopians in Arden we also have the hope that a resident curator program will start here similar to that as it been described.

And my last point is one that I wish to make as a member of the State Historic Review Board. And it relates also to the Delaware demolition phenomena and the loss of the every day landmarks in our lives. In criteria E and criteria J that I believe you have before you this site that this is a modest farmhouse with its original landscape setting still intact in that it is one of the very few farm steads remaining in northern New Castle County. I'd like to bring that to your attention as an important aspect of this historic overlay zone. Thank you.

MR. SINGER: Questions from the Board? Thank you ma'am.

MR. ROOSEVELT: This will be real quick. My name is Neil Roosevelt. I live at 2528 Justin Lane.

