

A New Castle City Board of Building Appeals took place on March 4, 2010 at 7 p.m. in the City of New Castle's Town Hall.

Members Present: Lynn Sheridan, Acting Chairperson  
Angela Marconi  
David Connell

Members Absent: Patrick Kirkley, Chairperson  
Tim Johnson

City Staff: Cathie Thomas, City Administrator

Acting Chairperson Lynn Sheridan called the meeting to order at 7:05 p.m. Roll call was taken. The City Ordinance pertaining to these matters requires this Board to meet.

Ms. Thomas informed that a couple years ago the City Council enacted a vacant building ordinance that requires anyone who owns a building that fits the legal criteria that is in our ordinance needs to register that building. If the building has been vacant for a period of time there are fees associated with registration and the longer a building is vacant the higher the registration fees are. The ordinance is meant to serve as an incentive to get buildings fixed up and be a viable part of the community. The City Ordinance allows for a one-time waiver of the registration fee.

1203 Wilmington Road – Ms. Claudette Sherwood (lives at 1120 Wilmington Road) presented as a representative for the property owner, Agnes E. Engler.

Ms. Sherwood provided a brief history of how she became involved with the property. She has maintained the lawn and has worked closely with Mr. (John) Lloyd.

Mr. Lloyd advised that the property should be boarded up which she did do. She now has a contractor who will fix the home. She is also waiting for funds from Ms. Engler to pay the contractor. The contractor is licensed to do renovations, but she is unsure if he is licensed to do business in the City. The contractor informed Ms. Sherwood that the work to be done on the home does not require permits. The roof has already been replaced. Once the building is in a livable condition the intention is to rent it out or the owner may return from Colorado to live in the residence.

Ms. Thomas said there appears to be enough activity on this property for the Board to consider granting a waiver. She suggested that Ms. Sherwood have the contractor come to the Building Inspections Office and speak with Mr. (Jeff) Bergstrom to check on what permits might be required and they can verify if he has a business license in the City as well.

Mr. Connell questioned what the due date would be if a waiver is granted.

*(Discussion about the date the one-year waiver begins/ends took place.)*

Ms. Thomas said the notices being considered tonight are for 2009. In 2010 when the vacant registration is valid the City will look at whether the building is still considered a vacant building or if enough activity is taking place to remove it from that list and the property owner would not receive a notice.

Mr. Connell noted that at the end of the one-year waiver, if granted, if nothing is done to this house the City will look at enforcing the registration fee due on the property.

**Ms. Sheridan made a motion to grant a one-time waiver on 1203 Wilmington Road. Ms. Marconi seconded the motion. The motion was approved by unanimous vote.**

739 Center Street – Mr. David DiMeglio appeared representing this property. He informed he is currently renovating the property with a building permit and plans registered with the City. He received a letter recently (about a month and a half ago) from Mr. Bergstrom approving the footer allowing him to move on to the next stage. The reason for the slow movement was delays with the Board of Adjustment. The repairs being done were more extensive than anticipated causing him to go through the Board of Adjustment to request moving the house back one (1) foot. The request was denied then he resumed work on the house. It is a family house that is owner-occupied along with the house next door (741). Both properties were aged and in disrepair. He made an agreement to purchase 739 from a family member, fix it up and utilize the money from the purchase of 739 to fix up 741. 741 Center Street is now finished and is nice. 739 Center Street was tied up in Board of Adjustment. He has a timeline and work is actively taking place on 739 Center Street. Mr. DiMeglio was asked to describe the work being done on this property. (*Description offered.*) After discussion with Mr. Bergstrom it was decided to rebuild the core of the house but the addition on the back part was not salvageable. It was the first house on that row to have an addition on it and other homes added additions and the weight could not be supported.

Mr. Connell cautioned that with the one-year waiver there is a time limit that the City will adhere to. Mr. DiMeglio does have a timeline in place but weather is holding him up at this time.

**Ms. Marconi made a motion to grant a one-year waiver to 739 Center Street. Mr. Connell seconded the motion. The motion was approved by unanimous vote.**

901 Gray Street – Mr. Robert Salerno presented as owner of the property. His property has been vandalized a number of times. He has obtained building permits each year and has kept his taxes up to date. He needs to get the work done in six months when the insurance expires. Business was bad in 2009 causing him not to be able to do much with the property. He anticipates being finished with renovations by July 2010. Weather has prevented him from doing work so far this year but he plans on starting work in early April. His future plans for the property are to either rent it out or sell the property. He asked what happens if he renovates the property and puts it on the market for sale and nothing happens. Ms. Thomas stated there is a provision in the ordinance addressing this; if the property is kept up it is not considered to be part of the vacant property ordinance. Mr. Connell again cautioned about the time limit involved with the one-year waiver.

**Ms. Marconi made a motion to grant a one-year waiver to 901 Gray Street. Ms. Sheridan seconded the motion. The motion was approved by unanimous vote.**

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Ms. Thomas thanked the Board for their service. She informed that notices for 2010 were mailed recently. She will check with Mr. Bergstrom to determine which ones may file for appeal and provide her findings to Board members.

There being no further business before this Board the meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Debbie Turner  
Stenographer