

New Castle City Planning Commission Meeting took place on October 24, 2011 at 6:30 p.m. in the City of New Castle's Town Hall.

Members Present: David Bird, Chair
William Simpson, Co-Chair
Joe DiAngelo
Dorsey Fiske
Susan Marinelli
Dr. Jack Norsworthy*
Florence Smith
Vera Worthy

Member Absent: Jonathan Justice

Also Present: Marian Hull, URS, City Planner
Daniel Losco, City Solicitor
Mayor Donald Reese
Councilman Ted Megginson

The meeting was called to order by Mr. Bird at 6:30 p.m. Roll call was taken.

*Dr. Norsworthy joined the meeting at 6:40 p.m.

Approval of Minutes – A minor correction to page 1 was noted. Clarification was requested about Council's adoption of an ordinance to amend the zoning ordinance (p.1). The sentence will now read, "Rather than discontinue non-conforming properties within three (3) years they need to either be discontinued or screened to a certain level within three (3) years."

A motion was made, seconded, and approved to accept the minutes of the September meeting as corrected.

Update on Planning Studies – Ms. Hull reported that City Council has had a third meeting and adopted the re-development ordinance. The City Administrator is working with DelDOT on scheduling a follow-up meeting to discuss improvements to Route 9. The meeting is scheduled for the week of 11/7/11 with either the Mayor and/or a member of Council, the City Administrator, City Planner and City Engineer. It is not a public meeting. The purpose of the meeting is to review the plan with DelDOT and if they can design a different set of improvements that meet the City's goals with funding that is available.

Mr. Bird reported he had appointed Mr. Simpson to head up a sub-committee of three (3) Planning Commission members (including Mr. Simpson) to assist WILMAPCO with the parking study. The sub-committee will also include members of the community.

Another planning study is to initiate some neighborhood studies. Mr. Bird will appoint three (3) members of the Planning Commission to assist Ms. Hull to provide more input to this body.

Riverfront Concept Plan – John Fellowes, Project Manager with Duffield Associates provided an update. They have been working on an engineering feasibility study for several months. The results of the study revealed the best location for a docking facility would be at the end of Delaware Street. There is sufficient water for larger ships (such as the Kalmar Nyckel) and the current is more favorable at this location. At the September Planning Commission meeting Duffield Associates was asked to remove the proposed parking area in Battery Park, and discussed additional amenities like shoreline restoration and public amenities associated with the docking facility. Their research found that the shoreline along the City's waterfront

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has remained constant over the past 50 years. They identified two (2) areas that could be improved through a living shoreline project (on either side of Delaware Street/wharf area). Marsh grass could be planted to create habitat and create a more appealing look to the mud flat areas. They propose that rest room facilities and an Information office, both in the lower level of the Banks Building. Kayaking and canoeing is being considered further south where the existing boat ramp is located (New Castle Sailing Club).

The proposed docking facility is a fixed pier extending out 200 feet, which accommodates the Kalmar Nyckel. The Delaware River and Bay Authority have been contacted about their vessel, The Delaport, using the facility and including New Castle in their Three Fort Ferry tour. These talks have been favorable. They propose floating finger piers from the fixed pier to accommodate day boaters and recreational boaters, and a permanent slip would be assigned to the Good Will Fire Co. rescue boat. They still plan on talking with the U.S. Coast Guard about requirements for their auxiliary boat that patrols the Delaware River.

Mr. Fellowes said they had a joint permit planning meeting that included the state (sub-aqueous permit) and Army Corps of Engineers. They were supportive of this project. The 10/17/11 public design charrette was attended by over 100 people, mostly from the city. Engineering findings and the proposed concept plan was reviewed. Ms. Thomas reviewed the history of New Castle. Mr. Simpson reviewed the Comprehensive Plan process and how it identifies that the riverfront development is supported by the plan. Exhibits were available and a question and answer session followed. A questionnaire was distributed to attendees. Responses were mostly positive with some concerns noted.

Ms. Ratchford of the Historic New Castle Alliance reviewed the responses (*copies provided to Commissioners, Mayor Reese and Councilman Megginson*) received to date. Results will be posted on the City's website. They ran out of questionnaires, but it is available in the City office for anyone to pick up. Ms. Ratchford said responses were mostly positive. The 8-question survey covered subjects like the types of boats being proposed (Kalmar Nyckel, Delaport, day boaters, rescue boat, kayaks/canoes), shoreline restoration, and community benefit. Comments included location of rest rooms, security, maintenance, quality of life, residents vs. non-residents, boat ramps, traffic and parking, and the Banks Building.

Dr. Norsworthy asked what the projected cost of the plan is with the parking removed from Battery Park (\$200,000) and other items added. Mr. Fellowes informed there is an approximate savings of \$150,000. Improvements to the Banks Building (rest rooms, Information) might be incorporated. (*Mr. Simpson explained the arrangement the fire company has with the Trustees, who own the boat ramp, for use of the boat ramp on Third Street and reminded it is not a public facility.*)

A discussion followed about where to launch kayaks as well as the possibility of making the Third Street boat ramp a public facility. There are numerous issues involved with opening this facility to the public, from expenses to parking. Mr. Simpson does not believe this location is appropriate for a public boat ramp.

The next step is to obtain a concept plan so Duffield can go before City Council in November to request endorsement. Following the concept plan is the engineering design plan. After

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approvals are in place they would then begin to get funding through grants and other funding sources. More complete design of the dock and possibly permitting needs to be in place to better entice potential funding sources. Further engineering studies would have to be done to provide more detail to the concept plan and funding for this could come from the state or other sources. This would be a decision made by the City Administrator and City Council. Costs are included for lighting on the docks, and potable water and electric service to the end of the dock for the Kalmar Nyckel. *(Brief discussion concerning funding followed.)*

There is sewer service to the Banks Building, which is owned by the City. There is talk about rest room facilities being located outside the building. Other topics discussed included debris/silting around the pilings (not an issue according to Mr. Fellowes), whether the Banks Building will be renovated, and water taxi service.

(Mr. Bird opened the floor for discussion.)

Mayor Reese believes the project is very well thought out and if there is funding available it would be nice to have. However, the City is working on a balanced budget and there are no monies for anything else.

Mr. Bird informed of a 1985 survey taken in the City about construction of a public boat ramp on the river. There were 530 votes in favor of a boat ramp versus 340 votes against. There are two (2) boat ramps in the City; Good Will Fire Dept. uses one and the other is located at Bull Hill.

Mr. Michael Heyman, Bull Hill, does not believe the results of the survey taken at the public charrette are representative of the population of the City. He was critical of the whole process and voiced his support for a non-binding referendum. Mr. Bird explained the purpose of the planning charrette and clarified that the Planning Commission makes a recommendation to City Council and it is Council who will decide what direction to take.

Mr. Bob Poskitt, 17 The Strand, is supportive of the Kalmar Nyckel returning to the City. Part of the facility supports that and he would like to see more people interested in the City and its history. He is not supportive of the day boaters and the problems they can bring (noise, quality of life). Mr. Bird said that the City can regulate any use on the dock.

Ms. Sandy Beale, The Strand, is also supportive of the Kalmar Nyckel. The Delaware River is a heavily used waterway and she is concerned about the negatives this project can bring to the City (visitors vs. residents).

Rick Pennell, The Strand, believes the cost benefit study will be worthwhile. He has sailed over 20 years and every dock he has used is supervised. His concern is that the proposed dock should be gated to keep the general public out. Mr. Simpson suggested that access to the finger piers can be managed to provide security for boats as well as bringing in a fee to help offset maintenance fees. Delaware City can be used as a model. Mr. Pennell inquired if there are any plans for the existing dock. According to Mr. Fellowes, because of the flow of the current it would be better to have a new docking facility for the Kalmar Nyckel. The existing dock will continue to be a walkway.

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Gail Seitz, The Strand, likes seeing the Kalmar Nyckel and would like it to return. She also would like ferries available to transport from town to town. She likes the idea of bringing more visitors to the City without increasing traffic and thinks there are a number of benefits of this project to the City and residents.

Gene Dempsey, president of the Visitor's Bureau, supports using a positive attitude to work through the project by talking and educating residents. He encouraged healthy dialogue to determine what residents want and do not want with this project.

When City Council addresses this matter there will be another opportunity for residents to express their support/concerns. Dr. Norsworthy asked to see comments in addition to the survey results reported earlier. He does not feel that kayaking/canoeing is a good idea on the Delaware River citing safety concerns.

Dr. Norsworthy made a motion to move forward with the proposal to recommend continuing to the engineering process of this riverfront proposal. Ms. Fiske seconded the motion.

Mr. Simpson is concerned with funding for an engineering phase. He suggested approving the concept and then move on to the funding phase.

Dr. Norsworthy amended the main motion to recommend to City Council to approve this concept pending the potential funding of this plan. Ms. Fiske seconded the amended motion.

Ms. Marinelli is impressed with the plan but if we forward to Council she wants to be sure there will be further discussion about what we can and cannot afford. Mr. Bird said this body is recommending to Council the concept plan and Council would then need to determine what path forward will be taken. This is a further refinement of the Comprehensive Plan. *(Discussion about phases of the plan and funding followed.)* Ms. Hull said that the purpose of this phase of the project is to determine whether there is a project to take forward to the next step. If we move forward with this project we then assemble funding.

Funding for the next phase (permitting and other studies) needs to be identified. That funding can come from a portion of the Planning Commission's budget for next year, grant monies, or non-profit/private donations.

Roll call vote followed.

Mr. DiAngelo – He attended the public charrette and it was well attended. Most of the attendees were in favor and pros and cons expressed. Funding is a concern. He is in favor of recommending forwarding the Planning Commission's thoughts to City Council but if this will cost the City money then it is a bad idea. If funding is available we should do what we can to secure it. We should also pursue shoreline improvements and the Banks Building regardless of the pier.

Ms. Smith -- In favor of recommending to City Council because it will enhance the community.

Ms. Fiske – In favor of recommending to City Council. It is an elegant, simple design and we should seek grants and not spend City funds.

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Mr. Simpson – In favor of recommending the project to City Council. It will help to revitalize the waterfront which has been deteriorating consistently for several years. The condition of the catwalk when the Kalmar Nyckel and other vessels docked there, it is no longer a facility where this can be done. The general waterfront is deteriorating. They can start to get things back in shape.

Ms. Marinelli – She remembers the Kalmar Nyckel and misses it. In favor of recommending to City Council and ask them to include it in the Comprehensive Plan.

Ms. Worthy – In favor of recommending to City Council citing all the foregoing rationale. The residents seem to be in favor of this, especially those living on The Strand. It will enhance the City.

Dr. Norsworthy – In favor of recommending to City Council. When he first came to New Castle he was unaware of Old New Castle. He came to the City ‘by chance’ and has lived in the City for 8 years. He loves the City and does not think it will generate more traffic; rather commerce will increase and he is looking forward to this project.

Mr. Bird – In favor of recommending to City Council for all the stated reasons.

The motion was passed.

Next Meeting – The next scheduled meeting is 11/28/11 at 6:30 p.m.

The remainder of business on the agenda will be deferred to the next meeting. The meeting adjourned to enter a FOIA training session with the City Solicitor.

Respectfully submitted,

Debbie Turner
Stenographer