

New Castle City Planning Commission Meeting
Minutes
1 Municipal Boulevard, New Castle, DE
February 26, 2024 – 7:00 p.m.

Members Present: Margo Reign, Chair
Tamara Stoner
Brie Rivera
David Majewski
Very Worthy
Cynthia Batty
Kristin Zumar

Absent: Keaira Faña-Ruiz
Timothy Gibbs

Also Present: Christopher Rogers, City Planner

Ms. Reign called the Planning Commission meeting to order at 7:11 p.m. The assembly stood for the Pledge of Allegiance. Roll call followed and a quorum to conduct business was declared.

Minutes

A motion to approve the minutes of the December 18, 2023 Public Hearing as amended was made by Ms. Rivera, seconded by Ms. Stoner, and unanimously carried. Mses. Batty and Zumar abstained from voting.

A motion to approve the minutes of the December 18, 2023 regular meeting as amended was made by Ms. Rivera, seconded by Ms. Toner and unanimously carried. Mses. Batty and Zumar abstained from voting.

Agenda Items

Ms. Reign noted that The Site Plan for Crozier Fine Arts Storage Facility Addition and the Site Plan for 427 West 7th Street were withdrawn, and it is anticipated that both will be resubmitted for review at the March meeting.

Downtown Development district (DDD) Program Overview

Mr. Rogers gave a brief overview of the DDD program in the State of Delaware and as it pertains to the City of New Castle.

- The program was introduced by the State in 2014 as an economic development incentive program to spur capital investments, stimulate job growth, improve the commercial vitality of and help build a stable community of long-term residents in areas designated as DDD within municipalities who are accepted into the program.
- The program offers a 20% rebate of the capital improvements made to properties within the DDD. In return for being approved for the program, the municipalities agreed to offer certain incentives as well.

- New Castle applied to have 85 acres designated as DDD in 2017, but was denied due to the configuration of the area selected.
- New Castle reapplied in 2019 with a new boundary configuration of 85 acres and was accepted into the program.
- In 2022 new Castle applied to expand the DDD boundary to approximately 93 acres. The application was approved by the State in February 2024 and confirmed by City Council at the February 13, 2024 meeting.
- The DDD program would allow the city to expand again to as much as 105 acres...

Mr. Rogers explained that the program does not impact the Planning Commission's role or its decision-making; and the Planning Commission was not involved in the application process. After the presentation, Mr. Rogers responded to questions from the Commissioners.

Ms. Reign noted that a Grants Fair for for-profit businesses will be held on March 31st. A discussion of the role of the Planning Commission in disseminating information regarding the DDD program and other offerings that the public can take advantage of ensued.

Comments From Commission Members

Ms. Batty

Ms. Batty gave an update of her presentation to the Historic Area Commission (HAC) on the installation of gas riser assemblies in the Historic District, including:

- The purpose of the assemblies is to improve the way gas enters homes, to control it better, to reduce the amount of gas going into the home, to vent off gas in the event of an overload and so that if there is a disaster inside the house the assembly can be immediately turned off.
- A review of the various screening used by homeowners.
- Various types of screening that some homeowners have installed were discussed and it was noted that many of them are inappropriate and could cause a safety hazard. Ms. Batty explained that if the screening is not vented properly the assembly could explode. Additionally, many of these screens are not properly identified. The screening solution offered by Delmarva is inappropriate for the Historic District.

Ms. Batty noted that Delmarva argued with homeowners regarding the location of the assemblies and there was no apparent coordination between Delmarva and the city or the HAC. Ms. Batty added that she submitted a list of questions to Tom Jenkins at Delmarva but has received no response to date.

Ms. Reign

- Calendar Invitations – Ms. Reign noted that Commissioners will receive calendar invitations for upcoming Planning Commission meetings.
- Upcoming Classes
 - *What does The Housing Crisis Mean in Delaware* – offered by the University of Delaware Biden School of Business via Zoom on Wednesday, March 6th from 10 am until 12 noon. The cost is \$20. bidenschool@udel.edu/ipa/events/upcoming

- *FOIA* – offered by the University of Delaware Biden School of Business on Wednesday, March 20th in Dover. The cost is \$50.
bidenschool@udel.edu/ipa/events/upcoming
- *Unconstitutional Requirements that Commission put on Projects* – presented by Max Walton, Esquire. This will be presented to the Planning Commission at an upcoming meeting.
- Ms. Reign, Rivera and Stoner attended the Land Use Administrators Seminar. Ms. Reign will work with Mr. Rogers to draft a checklist to ensure that the Commissioners understand what is and what is not relevant to them when making decisions.
- University of Delaware Management Information Systems Capstone Course – Senior students in this class are working with Ms. Reign, City Council President Souder, Councilperson Zubaca and Mr. Rogers on updates to the city website. The primary focus this semester will be to create an accessible database of pending and approved building projects and associated documentation. This is expected to be completed in May.

Ms. Batty

- In response to a question from Ms. Batty, Mr. Rogers noted that having the State Housing Authority give a presentation to the Planning Commission has been delayed. During discussion it was noted that course being offered by the University of Delaware (*What does The Housing Crisis Mean in Delaware*) may be a viable option to a Housing Authority presentation.
- Ms. Batty raised concerns to Mr. Walton regarding Ordinance 544 but has not received a response yet.

Public Comment

Schuyler Borton – 42 East 4th Street

Ms. Reign read a statement from Mr. Borton in opposition to the multi-family apartment development at 427 West 7th Street.

Phil Gross – 1301 13th Street

- Mr. Gross commented on some of the individual applications that were approved under the DDD program.
- In response to a question from Mr. Gross, Ms. Reign stated that the FOIA class is open to the public.
- Mr. Gross noted his recollection that gas assembly covers had previously been discussed during a HAC meeting and expressed his surprise that the matter seems to be starting over.
- In response to a question from Mr. Gross, Mr. Rogers noted that the DDD presentation he used is on the State website.
- In response to a question from Mr. Gross, it was noted that he would need to research with the State if there is a specific length of time a resident receiving funds from the DDD program must remain in that home.
- In response to a question from Mr. Gross, it was confirmed that the 427 West 7th Street project is where BuyRite Liquors is.

Larry Ciskanik – 36 West 7th Street

In response to a question from Mr. Ciskanik, Mr. Rogers stated that he did not know the exact total available under the DDD program statewide.

Brian Mattaway – 620 Delaware Street

- Mr. Mattaway stated that as a Councilperson, he will take concerns that were expressed during the meeting back to City Council.
- Relative to the DDD and education for local residents, Mr. Mattaway opined that it would be prudent to invite an expert to make a presentation to City Council.
- Mr. Mattaway stated that he is aware of a pamphlet in the City office about the DDD.
- Mr. Mattaway stated that he will take feedback from the Commission of city staff being unaware of the specifics of the DDD to City Council.
- Mr. Mattaway stated that he will take the issue of unsafe gas assembly coverings back to City Council.

There being no further business to discuss, Ms. Reign called for a motion to adjourn.

A motion to adjourn was made by Ms. Zumar, seconded by Ms. Rivera and unanimously carried, and the meeting adjourned at 8:15 p.m.

Respectfully submitted,

Kathleen R. Weirich
City Stenographer