



Deposition of:
Historic Review Board 7.20.2021

July 23, 2021

In the Matter of:
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HISTORIC REVIEW BOARD MEETING
JULY 20, 2021

Transcribed by: Rebecca Murray

1 P R O C E E D I N G S

2 MR. DAVIS: We'll call to order the New
3 Castle County Historic Review Board public hearing of
4 July 20, 2021. It is 5:02. We'll start with roll
5 call. Betsy, if you will?

6 MS. HATCH: Mr. Johns.

7 MR. JOHNS: I'm here.

8 MS. HATCH: Ms. Anderson is absent.

9 Ms. Silber.

10 MS. SILBER: Here.

11 MS. HATCH: Mr. Zahralddin.

12 MR. ZAHRALDDIN: Present.

13 MS. HATCH: Mr. Davis.

14 MR. DAVIS: Present.

15 MS. HATCH: And Mr. Patel should be
16 rejoining us as a panelist here. Okay. Mr. Patel,
17 we're just taking roll call, so if you could make sure
18 that your video and your mic work, that would be
19 great.

20 MR. PATEL: Can you hear me now?

21 MR. DAVIS: Yes.

22 MS. HATCH: Yes.

23 MR. PATEL: Thank you.

24 MS. HATCH: All right.

1 MR. DAVIS: Great. On to rules of
2 order.

3 MS. HATCH: All right. This is a
4 public hearing conducted by the New Castle County
5 Historic Review Board. The purpose of these hearings
6 is to compile a record of relevant information
7 regarding each application and how the proposed
8 projects affect the county's historic resources. To
9 make the most efficient use of time at this hearing,
10 the following rules of order are established.

11 Following the reading of each agenda
12 item, the applicant and their representatives will
13 make a presentation not to exceed a total of 15
14 minutes. Board members may ask questions of the
15 applicant at the conclusion of the presentation. The
16 public will then be invited to speak in the following
17 order: one, those who wish to speak in favor, two,
18 those who wish to speak in opposition, and three,
19 those who wish to offer general comments.

20 Speakers are encouraged to be brief and
21 to focus their remarks on historic issues. So that
22 everyone has had an opportunity to be heard, all
23 speakers are limited to five minutes. Any speaker may
24 ask the board to hold the record open for submittal of

1 written testimony if the time limit is not sufficient
2 for their needs.

3 Speakers are not permitted to debate
4 the applicant but may ask questions that the applicant
5 may choose to answer during his or her rebuttal period
6 at the close of the public comment period.

7 All testimony is recorded and
8 transcribed, therefore, all speakers must come forward
9 to the table one at a time and state their name,
10 address, and organization affiliation, if any, before
11 offering comments. Random comments from the audience
12 will not be recognized and the public is asked to
13 respect the applicant's right to an orderly hearing.

14 No recommendations or decisions will be
15 made by the Historic Review Board at these hearings
16 today. The board will evaluate the information,
17 testimony, and comments received here at a public
18 business meeting to be held the first Tuesday of next
19 month.

20 MR. DAVIS: Great. Thank you. On to
21 old business. We have one item.

22 MS. HATCH: We do, uh-huh. So under
23 old business, Shane, if you can go to the next slide,
24 is application 2021-0109-H 201 Reybold Road (MR.

1 PATRICK: 11-014.40-144.). This is the north side of
2 Reybold Road 2,500 feet east of the intersection with
3 Sunset Lake Road. This is in Pencader Hundred. This
4 is demolition permit to demolish historic outbuildings
5 that were a part of the Reybold Agricultural Complex
6 with associated minor subdivision and the proposed
7 deed restrictions. The associated minor subdivision
8 plan is application 2020-0051-S. It is ST zoning,
9 council district 11.

10 And Shane, if you could just go to the
11 next slide for me? And just to give the board just
12 background, the board had recommended conditional
13 approval of the subdivision plan at a previous meeting
14 and before the board tonight are the proposed deed
15 restrictions for the lot 211 for consideration. So
16 with that, I will promote the applicant. So Chris
17 Duke from Becker Morgan should be on the line. Chris,
18 are you there?

19 MR. DUKE: I am here. Can you guys
20 hear me okay?

21 MS. HATCH: Yes.

22 MR. DAVIS: We can hear you, yep.

23 MR. DUKE: All right. Very good.

24 MR. DAVIS: Welcome.

1 MR. DUKE: Thank you. Betsy, is it
2 okay if I share my screen just to go over a quick
3 exhibit for discussion? All right.

4 MS. HATCH: Sure. Shane, if you can
5 stop sharing your screen and -- for the moment.

6 MR. DUKE: All right. Very good.
7 Thank you. Can you guys see my screen now?

8 MR. DAVIS: Not yet.

9 MS. HATCH: Not yet. Sometimes it
10 takes a minute.

11 MR. DUKE: Got you. All right. How's
12 that?

13 MR. DAVIS: Yep.

14 MR. DUKE: Very good. All right.
15 Thank you.

16 MS. HATCH: I'd just like to add for
17 the record that Ms. Anderson has joined us.

18 MR. DAVIS: Okay. Great. Thank you.

19 MR. DUKE: All right. So thanks. So
20 as Ms. Hatch summarized before, 201 Reybold Road is
21 part of our minor subdivision plan we had proposed
22 demolition of a few outbuildings that the board
23 conditionally approved back in March, I believe, and
24 as part of that we were asked to come back and present

1 means of preserving the existing dwellings on what
2 we're calling lot 211. That is the parcel on your
3 screen as outlined in green.

4 These buildings are proposed to remain,
5 and we are acceptable to proposing deed restrictions
6 for this lot to one, limit the uses to strictly
7 residential uses and purposes, and two, that neither
8 of the dwellings presently located on the lot as shown
9 on the plan would be voluntarily demolished other than
10 as may be required by governmental authority or as may
11 become necessary to remove unsafe improvements
12 following casualty, damage, or destruction.

13 So we submit that to the board as our
14 means for preserving the structures and happy to
15 answer any questions that they may have.

16 MR. DAVIS: Great. Thank you.
17 Questions from the board? And I'm not sure if I can
18 see everybody, Betsy, so I don't know if --

19 MS. HATCH: Ms. Anderson has her hand
20 raised.

21 MR. DAVIS: Okay. All right. Ms.
22 Anderson.

23 MS. ANDERSON: Yes. So let me just get
24 to my note. Just confirming that the information

1 we're reviewing is the restriction that they are
2 presenting; is that correct? Okay.

3 MS. HATCH: Yes, yes.

4 MR. DAVIS: Yes.

5 MS. HATCH: That is correct.

6 MR. DAVIS: Yeah, I believe that the
7 deed --

8 MS. ANDERSON: Okay, so --

9 MR. DAVIS: -- restriction that we
10 received is for the lot in green there.

11 MS. ANDERSON: Right. So I went
12 through, and I read it. So items one and two and I
13 guess my question is, I had two items that I wanted to
14 know if they would be willing to include on that
15 restriction. So subject also to the perpetual
16 restriction that they have item one, they have item
17 two, and then -- and I'm not saying that this is the
18 exact language, but I would propose that they add any
19 new structures on the property shall preserve historic
20 materials, features, and special relationships that
21 characterize the building and property. And I would
22 propose that they add an item three, the building and
23 property must be maintained in sound structural
24 condition and good state of repair. And I propose

1 that they add an item four, changes that are
2 inconsistent with this historic character are
3 prohibited. The entire building and property's
4 historic character will protected and preserved as
5 close to the original appearance and composition as is
6 reasonably possible.

7 MR. DUKE: Yes. So thank you, Ms.
8 Anderson, I was trying to write as fast as I could to
9 keep up with the suggested notes. I don't think we'll
10 have any problem with incorporating that. Ms. Hatch,
11 if you want to send me the specific language, we can
12 update it and send it back if that's the appropriate
13 way to do it, but you know, pending our review of just
14 the specific language of it, from what I was able to
15 jot down quickly and understand on the fly there, I
16 don't think we have any issue with incorporating those
17 extra items.

18 MS. ANDERSON: Okay. And I mean, I'm
19 not sure how the final verbiage actually ends up.
20 That would be something that, you know, you guys would
21 hash out with your legal team and the developer and
22 everything, owners. But if those one, two, three --
23 three items could be considered and incorporated.
24 Other than that, I thought that the restriction, the

1 deed restriction was fine. Thank you.

2 MR. DAVIS: Betsy.

3 MS. HATCH: I just wanted to confirm.
4 So basically it sounds like Ms. Anderson is asking if
5 the applicant is amenable to having some language that
6 addressed, you know, the character of any new
7 structures or changes to the structures as well as
8 maintenance. So I just wanted to firm up, I can talk
9 with the applicant about those different aspects.

10 MS. ANDERSON: Yes, yes, those were the
11 three items, new structures, maintenance, and
12 consistence -- that inconsistent changes with historic
13 character would not be something that would be
14 pursued, something like that. And I can -- I'll send
15 this over and then you can take it and use it however
16 is best, Betsy.

17 MR. DUKE: Yeah, that sounds good.
18 Like I said, we can wordsmith as needed, but on
19 general principle, I think we are accepting of each of
20 those three items.

21 MS. HATCH: Okay. I'm not seeing any
22 other board members hands raised.

23 MR. DAVIS: No further questions for
24 the applicant?

1 MS. HATCH: All right.

2 MR. DAVIS: Great. Okay. Well, thank
3 you.

4 MS. HATCH: Thanks.

5 MR. DUKE: All right. I will stop
6 sharing so someone else can.

7 MS. HATCH: Thanks. All right. Shane,
8 if you could reshare the screen and we'll pull up the
9 public testimony instruction side. There we go. All
10 right.

11 MR. DAVIS: We'll give everyone a
12 minute to read the directions on the screen there.

13 MS. HATCH: All right. We do have one,
14 Councilman Durham is on the line, and she has
15 comments. So Councilwoman Durham, I just made it
16 possible for you to address the board.

17 COUNCILWOMAN DURHAM: Thank you so
18 much. I hope you can hear me.

19 MR. DAVIS: Yes. Welcome.

20 COUNCILWOMAN DURHAM: Okay. Thanks.
21 Good afternoon, everyone. How are you? I just, I
22 guess I have a comment. I -- this proposal doesn't
23 look familiar to me, so I must have missed whenever
24 they were first before you I guess you said back in

1 March.

2 But I guess I'm just wondering, for the
3 deed restriction language that's being discussed,
4 would it not -- and maybe you've already discussed
5 this, I don't know, but wouldn't a historic overlay
6 zone accomplish pretty much all of that with the added
7 benefit that it would be -- we know for sure that it
8 would get, you know, at least a windshield survey
9 every year to make sure it's being followed as opposed
10 to deed restrictions.

11 You know, nothing against deed
12 restrictions, but you know, sometimes they sort of get
13 forgotten about and don't -- they don't have regular
14 inspections. So I guess I'm just wondering, you know,
15 if maybe if the applicant would consider a historic
16 overlay zone and it would basically accomplish, it
17 seems to me, a lot of or all of the deed restrictions
18 being contemplated. So that's my only thought and
19 thank you.

20 MR. DAVIS: Yes. Thank you. Betsy.

21 MS. HATCH: I just -- and I just wanted
22 to clarify that we did actually as part of the last
23 meetings in March, the department's recommendation was
24 either that deed restrictions be pursued or historic

1 overlays remain. So we have been in session with the
2 applicant, and they voiced their preference to deed
3 restrictions.

4 MR. DAVIS: Okay. Thank you.

5 MS. HATCH: Shane, if you can go back
6 one more. All right. I don't -- let's see here.
7 Councilwoman Durham, are you -- your hand is still
8 raised. Were you --

9 COUNCILWOMAN DURHAM: Sorry. I --

10 MS. HATCH: No worries.

11 COUNCILWOMAN DURHAM: -- don't know how
12 to un -- there we go. That do it?

13 MS. HATCH: Yep, yep. No worries.

14 COUNCILWOMAN DURHAM: Sorry about that.

15 MS. HATCH: No worries. Thanks. All
16 right. I don't see any other hands raised. All
17 right.

18 MR. DAVIS: All right. Then on to new
19 business.

20 MS. HATCH: All right. All right. So
21 our first application under new business, Shane, if
22 you can go to the next slide. Oh, goodness. Okay.
23 I'm sorry, that was -- this is an updated slide. This
24 has the wrong picture on it and that's my apologies.

1 I will read. We do have updated pictures on upcoming
2 slides.

3 But under application it's 2021-0375-H.
4 This is 563 Walther Road (TP 09-041.00-005.) This is
5 the east side of Walther Road, 1,200 feet north of
6 Pierce Run. White Clay Creek Hundred. Minor land
7 development plan including the subdivision of the
8 Stewart House which was constructed circa 1780 and
9 listed on the National Register of Historic Places.
10 The associated minor subdivision plan is 2021-0220-S.
11 This is S Zoning in Council District 11.

12 And again, just please disregard this
13 photo because that's not the correct photo. And I
14 will promote Mike Hoffman who is the attorney for the
15 project. Shane, you can go to the next slide, or
16 Mike, I did include your PowerPoint presentation so
17 you can share your screen or if you'd like us to
18 advance the slides, just let us know.

19 MR. HOFFMAN: Excellent. Good
20 afternoon, Betsy, Mr. Chairman, members of the board.
21 Michael Hoffman of Tarabicos, Grosso, and Hoffman here
22 this evening on behalf of the applicant. I would
23 actually, if I can share my screen, that will be
24 easiest so I can point things out as well.

1 Before I do that, I do want to make a
2 few introductions. We are here today on behalf of the
3 owner and applicant of the property at 563 Walther
4 Road. The owner is the Charles A. Walther Junior
5 Trust. Mr. Walther's children Chuck and Lisa, Chuck
6 Walther and Lisa Andrews are with us here this
7 evening.

8 We also virtually have Scott Parker of
9 Duffield Engineers -- Duffield Associates and they are
10 the civil engineers for this proposed minor
11 subdivision. Cam Wilson is my associate, and he is
12 with us here this evening as well.

13 Let me share my screen. I do have a
14 brief presentation. I think I can do it this way.
15 Can you all see the PowerPoint? Excellent. I'm
16 seeing head nods. Excellent. We're here tonight
17 seeking a positive recommendation from the Historic
18 Review Board supporting the proposed subdivision of an
19 approximately 45 acre lot into three separate lots.

20 I want to emphasize that there is no
21 development being proposed in connection with this
22 pending plan. The buildings that you see on the site
23 today are what are proposed to remain through this
24 minor subdivision plan. A little bit of housekeeping,

1 I should note the Board should have received a letter
2 dated July 6th of this year from me containing
3 supplemental information. That should be in the
4 record.

5 But briefly here, the subject
6 application, the subject property is a longstanding
7 nonconforming commercial industrial use and as such it
8 is permitted to continue as it has for the past
9 several decades. The purpose of the pending plan is
10 to update the existing record plan for the property to
11 document site features and structures that were
12 constructed after 1992.

13 This is mostly to put it simply, an
14 exercise in documenting existing conditions. But part
15 of documenting those existing conditions is an effort
16 to separate the long existing commercial industrial
17 uses from existing residential structures by creating
18 these separate legal lots.

19 One of those residential structures is
20 the James Stewart Junior House which was placed on the
21 National Register of Historic Places in 1983 and it is
22 that James Stewart Junior house that is the reason we
23 are in front of this board tonight for an otherwise
24 simple minor subdivision plan.

1 As I mentioned, the property itself is
2 approximately 45 acres. It's known as 563 Walther
3 Road. The property is located on the east side of
4 Walther Road. It is to the south of Old Baltimore
5 Pike north of Route 40 -- both Old Baltimore Pike and
6 Route 40 Pulaski Highway are not on the screen here.

7 The property itself is zoned as
8 suburban and no rezoning is proposed as part of this
9 plan. As I mentioned, the property is a longstanding
10 commercial and industrial use, so it's allowed to
11 continue as a commercial and industrial use as a
12 nonconforming use.

13 The businesses that operate on the site
14 include an underground pipe restoration company and a
15 basement restoration waterproofing company. The
16 property itself as you see on the screen here is
17 surrounded by a variety of different uses. There are
18 residential community, single family homes, townhomes,
19 and apartments, an elementary school, and a concrete
20 supplier that's bare materials, bare concrete directly
21 adjacent to the south.

22 The plan that is pending proposes to
23 update the existing record plan by documenting all
24 site features and structures, again as I mentioned,

1 that were constructed after 1992 and again notably
2 there is no new GFA proposed as part of this plan.
3 The buildings you see on the plan are the buildings
4 that exist here today. They will remain.

5 The plan, however, does propose to
6 reduce some impervious coverage and introduce
7 landscaping and other improvements to bring the
8 property closer to, not further from compliance with
9 the UDC. The pending plan also proposes to subdivide
10 the property into three lots. One lot will be
11 dedicated to the commercial uses and then you will
12 have two lots for the two residential structures
13 including the James Stewart House which is what I am
14 circling on the screen here.

15 We do require several variances to
16 support the new lots. Notably these variances, I
17 believe all but variance eight are related to the
18 introduction of parcel lines. So by introducing those
19 parcel lines, creating the need for variances, this is
20 one residential lot, this is the other residential
21 lot, and you see the balance.

22 Variance number eight here is
23 converting gravel pavement to asphalt to help create
24 some designated parking. Aside from variance eight,

1 these are all related to the introduction of lot
2 lines. But important, by introducing these lot lines,
3 separating the residential uses, we are able to place
4 the James Stewart House on its own designated
5 residential lot which we believe is important.

6 A little bit of background for the
7 James Stewart House. It's a 2.5 story brick dwelling
8 estimated to have been built, as Betsy said, in or
9 around 1780 by James Stewart. It's composed of two
10 well defined sections that were constructed as one
11 unit. The structure itself consists of a gable roof
12 attic with linked stucco interior chimney at the west
13 end. Sorry about that. This is the chimney. The
14 façade elevation is laid in Flemish bond and there is
15 a full raised basement with rubble stone foundation.

16 Our understanding is that James Stewart
17 lived in the house with his family along with a few
18 other people, likely household staff or tenants when
19 the structure was first constructed. Over time, as
20 these pictures show, you can see the home has remained
21 generally well preserved and upon information and
22 belief, there have been no major modifications. There
23 have been some minor modifications. But it should go
24 without saying that we are not proposing demolition or

1 alteration of this structure. The structure is
2 remaining on the lot that is being proposed.

3 We will be incorporating new
4 landscaping to create some landscaping buffers between
5 the historic lot and the commercial industrial lot
6 including screening added to the rear of the home
7 where a large, grassed area can accommodate a new
8 canopy tree, some understory tree and shrubs in this
9 area that I'm circling on the screen.

10 There will also be another understory
11 tree incorporated on the side of the house as well as
12 landscaping. You can see the landscaping buffer that
13 is being proposed to separate the commercial
14 industrial use from the James Stewart House which
15 would be this lot. This is the other residential lot
16 and then you see the commercial industrial lot.

17 So as the Board can appreciate, we
18 submit that the intent of the code is certainly not
19 undermined by this plan. The applicant is preserving
20 the James Stewart Junior House. No physical changes
21 or development is proposed on the site except for the
22 minor improvements that will actually increase the
23 aesthetic and compliance with the UDC, so we submit
24 that it is as proposed consistent with the UDC, merits

1 a positive recommendation. But I am happy to answer
2 any questions that the board may have.

3 MR. DAVIS: Thank you. Questions from
4 the board?

5 MS. HATCH: Ms. Anderson has her hand
6 raised.

7 MR. DAVIS: Ms. Anderson.

8 MS. ANDERSON: Yes. My question was
9 why the .45 acres instead of the .75 which is
10 recommended by the National Historic Nomination? I
11 believe that it was stated that .75 acres, the overall
12 property were considered affiliated with the historic
13 dwelling due to the surrounding intrusive elements.
14 So why is that being reduced to .45?

15 MR. HOFFMAN: Certainly. And if I can
16 share my screen, I can point out exactly where those
17 boundaries are. So sorry, Betsy. Actually, yeah,
18 Betsy, if you want to go to the last slide, that can
19 help where it shows the -- this will work. Actually,
20 if I can share my screen it's probably easier so I can
21 -- if I can point it out, Ms. Anderson's question.
22 Okay.

23 So here we have the color rendering.
24 You can see this is proposed lot one, this is proposed

1 lot two. The historic register, it wasn't so much,
2 Ms. Anderson, that the full .75 acre was contributing,
3 but it was limited to .75 acre because of what the
4 register called the intrusive elements. The intrusive
5 elements, of course, being the commercial industrial
6 use that had been long existing on the site.

7 So if you actually mapped out, and I
8 think in the register they have a cross hatching that
9 shows this. It is actually this whole, this piece
10 right here that they had included in the register
11 which includes this structure right here. So what we
12 are -- the reason why we are separating it so that
13 this structure has its own separate residential lot,
14 but this is what the register identifies .75 acres,
15 the reason we put the line here is to have those two
16 separate lots.

17 MS. ANDERSON: Thank you.

18 MR. HOFFMAN: Sure.

19 MS. HATCH: I'm not seeing any more
20 hands raised.

21 MR. DAVIS: Okay. Mr. Johns?

22 MS. HATCH: Sorry, Betsy, I thought I
23 saw Steve had his hand raised.

24 MS. HATCH: No worries. You're quicker

1 than I am. Yeah, no, no worries.

2 MR. JOHNS: I'd just like to confirm
3 that the second house is not contributing to the
4 historic nature of the James Stewart House?

5 MR. HOFFMAN: That's correct, Mr.
6 Johns.

7 MR. JOHNS: Okay.

8 MS. HATCH: All right. All right. So
9 we can move -- I don't see any more hands raised from
10 the board members.

11 MR. DAVIS: Okay. So we'll move to
12 public comment. I guess we'll make a call for those
13 in favor.

14 MS. HATCH: I'm not seeing any hands
15 raised.

16 MR. DAVIS: Okay. We'll call for
17 public comment in opposition.

18 MS. HATCH: I am not seeing any hands
19 raised.

20 MR. DAVIS: Okay. Any general comments
21 from the public?

22 MS. HATCH: I am not seeing any hands
23 raised.

24 MR. DAVIS: Okay. Thank you.

1 MS. HATCH: Okay. So our last
2 application under new business this evening is 2021-
3 0376-H, 23 East Main Street. This is TP 09-
4 030.00.048. This is the west corner of the
5 intersection between East Main Street and Old Kings
6 Highway. White Clay Creek Hundred. This is a
7 demolition permit of a dwelling and a garage that are
8 contributing buildings within the Christiana Historic
9 District, which is on the National Register of
10 Historic Places, NC5 Council District One. I will
11 promote Ed and Gary. Let's see here. Applicants, and
12 just -- let's see here. Yeah, okay, all right. Ed
13 and Gary, you both should be on the line.

14 MR. IDE: Good evening, everyone, can
15 you hear me? This is Ed Ide.

16 MR. DAVIS: We can hear you. Welcome.

17 MR. IDE: Gary, are you on the line,
18 Gary? Hi, Gary, are you on?

19 GARY: All right. There we go. How we
20 doing, guys?

21 MR. IDE: There you are. Okay. My
22 name is Ed Ide, I'm the president of i3a. I'm a civil
23 engineer. I'm also the project manager for the
24 Christiana Fire Department. We're in the process of

1 finishing up the large building on East Baltimore, or
2 excuse me, Old Baltimore Pike and East Main Street.

3 The fire company recently purchased 23
4 East Main Street with the intention to demolish the
5 building due to a couple of different reasons and then
6 ultimately to construct a green space to beautify the
7 corner there. Gary, if you could bring up, and Betsy,
8 if it's okay for Gary to put the small presentation
9 that we have on?

10 MS. HATCH: Sure. You should be able
11 to share your screen.

12 MR. IDE: All right. Thank you. So
13 the first slide kind of shows the existing building
14 which is 17 East Main Street. That is the new
15 substation so to speak that we built for the fire
16 company with the two trailers adjacent to that and
17 then just to the east of that project is 23 East Main.
18 It has the two story house with the existing garage in
19 the back. That is situated at the corner of East Main
20 and Kings Highway as Ms. Hatch had just suggested.
21 Gary, if you can go to the next one, please.

22 So this is looking west as you come up
23 East Main Street. It's kind of the first thing you
24 see as you round the corner. This photo actually was

1 a photograph taken from Google Maps I think some time
2 ago because it has the old station in the picture. It
3 used to have white aluminum siding and then of course
4 the tree overgrown that you can see in the front. If
5 you go to the next one, Gary.

6 This is another view of that house.
7 Next one. This is a shot taken from Kings Highway
8 looking south. Next one. And then so when the owners
9 made an agreement with the fire company to purchase
10 the property back in August, August of last year, they
11 commenced with removing the aluminum siding on the
12 building. So what was left below that was a -- an
13 asphalt shingle that was placed on the structure
14 previously and that's a metal, a tin metal roof that's
15 been rusted. On to the next one, Gary.

16 These are some current pictures of the
17 existing house. As the report had read that the house
18 has been in disrepair for quite some time, the fire
19 company purchased it again for reasons that I'll get
20 into just in a minute, but as you can see here on the
21 north side of the building, the wall is kind of
22 bulging out.

23 We went through and boarded up the
24 lower levels, the lower windows, that is, and recently

1 perform an asbestos abatement within the facility. No
2 real significant architectural details, moldings,
3 trims, or anything like that on the exterior façade.
4 I don't know if they were removed in the past or what,
5 but they're basically aluminum soffits, aluminum
6 facias on the structure now. Go ahead and go through
7 it, Gary.

8 Another view, again, another picture.
9 Go back one. There you go. So this is after the
10 electric company removed the meter. You can see the
11 deterioration of the asphalt siding. Go ahead, Gary.

12 This is another shot of the north side
13 showing the bulging window or the bulging wall.
14 Existing windows have been removed due to the asbestos
15 caulk. On the right hand side you can see a hole
16 which is down in the foundation. A portion of the
17 structure has a crawlspace, another small portion of
18 it has a block foundation. Go ahead, Gary.

19 A lot of deterioration and rot with the
20 existing wood. This is the condition of the house
21 when the previous homeowner left on May 1st. Go
22 ahead, Gary. Go ahead. Again, just pictures of --
23 we'll get to the inside shots. Or, actually right in
24 the center if you go back to that one. When get into

1 -- go back one shot, Gary. Show them the holly tree.
2 Gary, can you go back one shot?

3 GARY: I'm on the --

4 MR. IDE: Just the center tree there,
5 that is something the fire company wants to preserve.
6 It's a nice holly tree, a very mature tree. They want
7 to basically trim that up and place grass and then in
8 the future develop a pocket park as a memorial to the
9 Village of Christiana. Go ahead, Gary, if you would
10 just advance. Again, more deterioration. Go ahead.

11 So this is a picture taken, again, this
12 was actually the morning that the -- or the afternoon
13 that the tenants or homeowners had left. This is a
14 picture of the kitchen. No ceilings, there is no
15 running water in the house. No trims of significant
16 value. Go ahead, Gary, to the next one. Picture of a
17 bedroom, this a picture of the bathroom. The only
18 significant pieces that we found in there is the claw
19 tub and back in the kitchen there was a sink.

20 For the most part, plywood floors that
21 are bare, drywalled walls that are kind of half
22 finished. Go through to the next one, Gary. There
23 are some more pictures of what the existing condition
24 was when we went in. this is the condition of the

1 space now as it currently sits. Go ahead, Gary. Go
2 ahead. Go ahead. Go ahead, Gary. Go ahead. Go
3 ahead. Again, go ahead. Sorry to bore you with these
4 pictures, I'm just trying to demonstrate the condition
5 that the owners left it from the fire company. Go
6 ahead, Gary. And that was the last picture.

7 So when -- and just to kind of give
8 again some history here, the owners had talked to the
9 fire company. Well, actually, the fire company
10 approached them in August of last year, made an
11 agreement to sell the property to the fire company
12 which the fire company did pay for. The tenant asked
13 and, you know, to have until this past April to move
14 their items. They requested another extension until
15 May which the fire company graciously gave and then on
16 May 1st the fire company took ownership of that.

17 These are some items that were left
18 outside that the owner had asked for on May 1st and
19 these are still the items that are still sitting
20 there. The owner or the fire company had given them
21 opportunity to remove that. The -- again, the
22 structure as it sits right now, we kind of feel that
23 it's unsafe. We boarded the windows on the front.
24 We've done an asbestos abatement project; the project

1 has been cleared. We've also submitted documentation
2 to New Castle County for a demolition permit and we're
3 here at this juncture now seeking, you know, positive
4 endorsement to be able to remove the buildings from
5 the site. That's all I have.

6 MR. DAVIS: Thank you.

7 MR. IDE: You're welcome.

8 MR. DAVIS: Questions from the board?
9 Ms. Silber.

10 MS. SILBER: Hi. Yes, thank you so
11 much for your presentation and I know that the fire
12 company has been before the board many times, so you
13 know, every time we've learned a little more about the
14 history of Christiana, so thank you for this.

15 MR. IDE: You're welcome.

16 MS. SILBER: It's very obvious that
17 this house is in complete disrepair, but I have a
18 couple of questions.

19 MR. IDE: Yes?

20 MS. SILBER: Not in regard to the
21 demolition because the house is, you know, in very
22 poor shape. But this corner of Christiana Village is
23 quite unusual because there's always been a little
24 discrepancy. You know, I've noticed in some of the

1 documentation the date of this house is I think kind
2 of been proposed as around early 20th Century,
3 somewhere around, you know, 1925 or perhaps earlier.

4 Yet, as you review, you know, and I
5 know, you know, Christiana is a very -- it's a
6 history, but if you, you know, peruse back through
7 various historic maps, we see that there is structures
8 at this particular location at this junction that, you
9 know, at Old Kings Highway Junction that date as to
10 the earlier part of Village of Christiana's history,
11 you know, the late 18th Century and perhaps earlier.

12 So one of the questions I have asked is
13 that in regard to you have mentioned that this
14 property is not necessarily going to be used for new
15 construction but rather left as a greenspace, perhaps
16 as a memorial or a greenspace that will, you know, for
17 community usage, is this -- so perhaps, for example,
18 outdoor events and so forth in this kind of small I
19 guess community park type situation or will it be more
20 of a memorial situation where it's a quiet space that
21 is, you know, not designed for active use? Does that
22 question make sense?

23 MR. IDE: It did make sense. And so if
24 I may answer the question, we had submitted to you,

1 the fire company, when they had suggested purchasing
2 the property and demolishing it, their intent for it
3 was to basically create a greenspace and extension of
4 the landscaping of 17 East Main because when those
5 trailers go away once the building is done, there is
6 going to be landscaping and basically the fire company
7 wanted to kind of migrate that landscaping in to the
8 corner there.

9 We had -- and probably a bit
10 presumptuous, we had sent to them a pocket park plan
11 if you will. Our office designed and constructed a
12 pocket park for the Town of Clayton which included a
13 clock, you know, maybe a small walk path along with a
14 flag and what the town uses that venue for is a
15 lighting of a Christmas tree every year. So folks
16 from the Town of Clayton kind of congregate around the
17 tree and Hank Smith who is the building chairman,
18 which he regrets not being able to be here, he's at a
19 fireman's funeral this evening, had talked about that.

20 And so we were thinking that the holly
21 tree that is out front, it's a great size, it's a
22 great shape and looks wonderful that maybe something
23 like that could be done. So also the fire company and
24 the -- one of the reasons we didn't present a plan,

1 you know, for discussion is because they want to
2 involve the village with some of these discussions
3 like they did with the fire company on station 12.

4 So, you know, I've talked to Robin
5 Brown. I know she was -- she had written a letter to
6 New Castle County. I spoke to her today as did the
7 fire company about her involvement. You know, in her
8 mind she thinks some benches, some landscaping and
9 maybe a dedication plaque that talks about historic
10 Christiana and then ultimately lead into, you know,
11 some of the past of the fire company and how they
12 involve.

13 So I believe that the space would
14 invite public to go and sit and, you know, read the
15 plaque and that sort of thing and just sit there as a
16 quiet area but also act in a way for the fire company
17 where there can be some past history identified in a
18 plaque if you will.

19 MS. SILBER: Okay.

20 MR. IDE: There are no intentions of
21 the fire company to create a parking space, a parking
22 lot or a structure so to speak there. If there is any
23 discussions, you know, maybe a small gazebo for people
24 to sit or some park benches and that sort of thing.

1 Hopefully I've answered your question.

2 MS. SILBER: Yes. Actually, you know,
3 I think that this type of usage for something within a
4 historic landscape is quite nice because it gives you
5 many opportunities for, you know, interpretive
6 displays and, you know, the sense of community and so
7 forth.

8 There is one question in regard to the
9 landscaping that could potentially occur, you know,
10 after the demolition is that because this lot is a
11 bit, you know, unknown of whether or not the house
12 that currently exists is something that was built
13 later, you know, to replace something in kind, maybe
14 an earlier structure.

15 During the landscaping or perhaps
16 something, there may be an opportunity and probably
17 warranted a level of archeological assessment to
18 ascertain, you know, what was the functional use of
19 this property and the occupational use of this
20 property prior to the house that is, you know, being
21 proposed for demolition because I think if this is a
22 part considering the historic mapping and the history
23 of Christiana Village as well as its, you know, the
24 orientation of its core area, this may be something

1 that would add additional meaning to the use of this
2 space, you know, down the road as a community
3 greenspace.

4 MR. IDE: Sure. Understood.

5 MS. SILBER: It might be a nice way to
6 say, okay, we've done this, we've added and
7 contributed to the history in conjunction to creating
8 this community space where we can have small community
9 gatherings such as, you know, this village, this sense
10 of village.

11 MR. IDE: Okay.

12 MS. SILBER: Thank you.

13 MR. DAVIS: Thanks. Any more questions
14 for the applicant?

15 MS. HATCH: I'm not seeing any -- sorry
16 about that. One moment. All right. I'm not seeing
17 any further hands raised from the board members.

18 MR. DAVIS: Okay. Thank you.

19 MS. HATCH: Okay. So we, Mr. Davis, if
20 you would like to do a call for public comment?

21 MR. DAVIS: We're on to public comment,
22 right?

23 MS. HATCH: Uh-huh.

24 MR. DAVIS: Okay. Yeah, I was waiting

1 of the slid to come up there. So we'll make a call
2 for public comment in favor of this application.

3 MS. HATCH: I'm sorry, we actually do
4 have a member of the public here in the government
5 center, Ms. Robin Brown is here and I'm actually going
6 to turn the computer around and let her use my camera.
7 Let's see here, and just for the board, a letter was
8 submitted to the board that she had submitted, and it
9 was added to the record.

10 MR. DAVIS: Thank you.

11 MS. BROWN: Did everybody get a copy of
12 the letter? Did everybody on the board see the --
13 have an opportunity to read the letter?

14 MR. DAVIS: Everyone should have gotten
15 a copy of it, yes.

16 MS. HATCH: You can actually turn your
17 volume up if you want to on your phone.

18 MS. BROWN: Okay.

19 MS. HATCH: Bear with me one moment.
20 Let me see if I can figure out some technical -- I
21 appreciate your patience. One moment.

22 MR. DAVIS: Okay.

23 MS. HATCH: (Inaudible) you should be
24 able to use -- let me see here. Can everyone from the

1 board hear us?

2 MR. DAVIS: Yeah, I can hear you.

3 MS. HATCH: Okay. All right. So they
4 can hear you.

5 MS. BROWN: Oh, now I can see the
6 panelists. So first a big hello to my old friends Dee
7 Durham and George O'Haggerty. It was suggested that I
8 read in part of the letter, the letter that we
9 received that the neighbors within the distance
10 received said that this is a contributing structure to
11 the historic district but if you look at the actual
12 nomination from HCA, this structure is not listed as
13 one of the contributing buildings.

14 It is within the area that's mapped out
15 on the nomination that was accepted by the register
16 that was approved in 1974, but it is not a
17 contributing structure. There were previous clapboard
18 structures close to where it was and where the new
19 substation is, but this one was built in 1925.

20 And I wanted to stress that we're in
21 full support, the neighbors that I signed the letter
22 with, they're the owners of 28 and 30 East Main and
23 I'm the owner of 2 and 8 Old Kings Highway which are
24 the two closest properties. We're in full support of

1 the fire company and register no objection to the
2 demolition, largely due to the condition of the
3 building and the improbability that even a massive
4 infusion of money and repair could save it.

5 The county property records currently
6 list this building as being in good condition which
7 isn't so, and so we wanted to mention that. We also
8 had a couple of requests of the fire company regards
9 that the sad situation of Janet Harmen (ph.) and had
10 talked with Mr. Ide about the possibility of letting
11 the Harmen's in to remove other belongings but they --
12 and showed me the pictures of the things that the
13 family had requested that had been sitting outside
14 since May 1st and I appreciate their effort toward
15 that, even though the family didn't take them up on
16 it.

17 I also wanted to let the board know
18 that I spoke with Denise Pettingale (ph.) who owns the
19 property adjoining Station 12. She asked me to say hi
20 to everybody and that she does not do Zoom but that
21 it's the building is a terrible sight to see when she
22 comes out of her house every day and she believes a
23 park would be an improvement.

24 The proposed demolition also was the

1 subject of discussion at a meeting of -- a recent
2 meeting of the Christiana Community Center which is
3 the group attempting to preserve public school 111C on
4 North Old Baltimore Pike just north of the village
5 toward the mall. There were no objections and the
6 neighbors, the members who were there also said that
7 they believe the pocket park would be an improvement
8 over the existing structure.

9 So I tried to attend via Zoom and
10 couldn't see exhibits, so I drove over to the
11 government Center and I'm here and I just thought that
12 the letter would be read into the record, but I am
13 just here to answer any questions about the letter to
14 repeat that we fully support the fire company. We
15 appreciate their willingness for community input which
16 really helped refine the plans both for the substation
17 and the new station 12 that we hope to see completed
18 in September and we have no objections to the
19 demolition permit being granted.

20 MR. DAVIS: Great. Thank you.

21 MS. HATCH: I'm sorry, my audio is a
22 little soft, so I'm going to plug my headphones in and
23 then I'll let you know if they have any questions for
24 you.

1 MS. BROWN: Thank you.

2 MS. HATCH: All right. Sure. All
3 right. Do any of the board members have any questions
4 for Ms. Brown?

5 MR. ZAHRALDDIN: Betsy, I would like to
6 add, I was former owner of the pig farm, the hotel
7 there at the corner, and I'm really, really proud of
8 what the Historic Christiana stands on including the
9 Shane Hotel and all the other things. I'm no longer
10 the owner, but I remember the pig farm, I remember the
11 Christiana Fire Station there and all the things that
12 everybody is trying to bring it up and I think this is
13 going to be a definitely an add on.

14 I drove through the other day by the
15 condos in the back and all that area needs to be just
16 to be so much well maintained and it could be done
17 with a group of people like Ed and Gary and everybody
18 who is working at the fire station. So kudos to you
19 all and all you are trying to do.

20 MR. DAVIS: Thank you.

21 MR. IDE: Thank you.

22 MS. HATCH: Okay. I'm not seeing any
23 more hands from the public raised.

24 MR. DAVIS: All right. Well, let's

1 make a final call for, you know, any public comment in
2 opposition.

3 MS. HATCH: All right. I'm not seeing
4 any hands raised for opposition.

5 MR. DAVIS: Okay. And then any general
6 comment.

7 MS. HATCH: I'm not seeing any hands
8 raised for general comment.

9 MR. DAVIS: Okay. Thanks, Betsy.

10 MS. HATCH: All right. Bear with me as
11 I switch gears here really quick. All right. Shane,
12 if you could go to the next slide. All right. So
13 just under a report of preservation planner, the board
14 will be making decisions on these applications on
15 August 3rd at the business meeting that will be held
16 virtually and as you know, I had mentioned, we are
17 moving to having some in person meetings just like we
18 had tonight. So there is space available for anyone
19 who wishes to attend and listen to the business
20 meeting. But that's all that I had.

21 MR. DAVIS: Okay. Great.

22 MS. HATCH: All right. Mr. Haggerty
23 from the Department of Land Use does have his hand
24 raised.

1 MR. DAVIS: Okay. Great.

2 MS. HATCH: Let's see here. I want to
3 make it so you can also see. All right. George, you
4 should be able to speak.

5 MR. HAGGERTY: Good evening, board
6 members. I just wanted to reach out to say that I was
7 contacted this past few days regarding I guess the
8 meeting that was canceled because of quorum and just
9 encourage you in the next business meeting if at all
10 possible if you could make that, that would be pretty
11 important. There are some issues, matters that are in
12 front of you that probably need your review. So just
13 giving you a general encouragement to -- I know you're
14 down in numbers and we're working on trying to get you
15 some companions and comrades on the board, but
16 presence is appreciated and thank you for what you do.

17 MR. DAVIS: Great. Thank you. Thanks
18 for the reminder.

19 MR. ZAHRALDDIN: Thank you, George.

20 MS. HATCH: All right. Next is just
21 general public comment.

22 MR. DAVIS: Yeah, we're on to public
23 comment, right?

24 MS. HATCH: I am not seeing any hands

1 raised. Do you have any general public comment?

2 MS. BROWN: I had trouble finding the
3 Zoom link on the page, if you could make it easier to
4 find that would be helpful.

5 MS. HATCH: Okay. Sure. And I'm happy
6 to help, too. All right.

7 UNKNOWN FEMALE: John, I have just one
8 thing for the board if I could address you before we
9 recess. We in the law department have been discussing
10 meeting about the changes to FOYA now that, you know,
11 going forward from the pandemic. Some of those
12 changes have been implemented already as Betsy has
13 said.

14 We have a space, a dedicated space at
15 the government center. We are going to be ready to
16 sort of advise the boards very shortly. We've been in
17 communication with the Department of Justice, with the
18 attorney that handles the Freedom of Information
19 guidance for guidance. So just bear with me. I'll be
20 sending an email as soon as possible.

21 I didn't want to send it yet because
22 there is one piece of information we're still waiting
23 to get. So looks like I'll probably be physically
24 present going forward, but there is a possibility that

1 there will need to be at least one board member
2 present. I don't know that yet, so you know, nobody
3 panic yet. But I'll get back to you as soon as we
4 know. So I'll send it in an email.

5 And then secondly, (Inaudible) board
6 members. I know there are three vacancies, so sort of
7 adding on to what George had to say, you know, we just
8 appreciate that you know, everybody has scheduling
9 conflicts, but if we can just get this next
10 application addressed when it comes back up so it's
11 not delayed, it would be greatly appreciated.

12 Unfortunately, in addition to having
13 missing or vacancies, we have some conflicts of
14 interest, so me included. So we just really
15 appreciate everything you guys can do to get it
16 through and voted on and on its way. So thank you.
17 That's all I have.

18 UNKNOWN MALE: I actually have my voice
19 back because I got slammed with an upper respiratory
20 and loss my voice. You can still hear it a little
21 bit, but I lost my voice, my wife did, too, so we
22 couldn't yell at our kids anymore. We don't yell at
23 our kids. But it was really hard to even talk. So I
24 apologize for not being able -- but next time it

1 happens, even if I'm on death's bed, if we have people
2 with conflicts, someone should reach out and tell me
3 because I really didn't have an idea we didn't have --
4 we had that many conflicts. I would have written
5 stuff on a piece of paper and just signed it.

6 MS. HATCH: We would have taken it.
7 Thank you.

8 MR. DAVIS: We're glad you're back.
9 Rafael.

10 MR. ZAHRALDDIN: Thank you for that.

11 MR. DAVIS: Okay. Great.

12 MS. HATCH: Okay.

13 MR. DAVIS: Yeah, thank you. Are we
14 ready for a motion to adjourn?

15 MR. ZAHRALDDIN: I make a motion to
16 adjourn.

17 MR. DAVIS: Do we have a second?

18 UNKNOWN MALE: Second.

19 UNKNOWN FEMALE: Second.

20 MR. DAVIS: All in favor?

21 ALL: Aye.

22 MR. DAVIS: I think that's everyone.

23

24 (Whereupon, this hearing concluded.)

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C E R T I F I C A T I O N

I, Rebecca Murray, certify that the foregoing is
a true and accurate transcript from the official
electronic sound recording.



Rebecca Murray
Approved Transcriber

Dated: August 4, 2021

0	28 37:22	act 33:16	amenable 10:5
030.00.048. 24:4	3	active 31:21	anderson 2:8 6:17
0376 24:3	30 37:22	actual 37:11	7:19,22,23 8:8,11
09 24:3	3rd 41:15	add 6:16 8:18,22	9:8,18 10:4,10
09-041.00-005.	4	9:1 35:1 40:6,13	21:5,7,8 22:2,17
14:4	4 46:11	added 12:6 20:6	anderson's 21:21
1	40 17:5,6	35:6 36:9	andrews 15:6
1,200 14:5	45 15:19 17:2 21:9	adding 44:7	answer 4:5 7:15
11 5:9 14:11	21:14	addition 44:12	21:1 31:24 39:13
11-014.40-144. 5:1	5	additional 35:1	answered 34:1
111c 39:3	563 14:4 15:3 17:2	address 4:10	anymore 44:22
12 33:3 38:19	5:02 2:4	11:16 43:8	apartments 17:19
39:17	6	addressed 10:6	apologies 13:24
15 3:13	6th 16:2	44:10	apologize 44:24
17 25:14 32:4	7	adjacent 17:21	appearance 9:5
1780 14:8 19:9	75 21:9,11 22:2,3	25:16	applicant 3:12,15
18266 46:6	22:14	adjoining 38:19	4:4,4 5:16 10:5,9
18th 31:11	8	adjourn 45:14,16	10:24 12:15 13:2
1925 31:3 37:19	8 37:23	advance 14:18	14:22 15:3 20:19
1974 37:16	a	28:10	35:14
1983 16:21	abatement 27:1	advise 43:16	applicants 24:11
1992 16:12 18:1	29:24	aesthetic 20:23	applicant's 4:13
1st 27:21 29:16,18	able 9:14 19:3	affect 3:8	application 3:7
38:14	25:10 30:4 32:18	affiliated 21:12	4:24 5:8 13:21
2	36:24 42:4 44:24	affiliation 4:10	14:3 16:6 24:2
2 37:23	absent 2:8	afternoon 11:21	36:2 44:10
2,500 5:2	acceptable 7:5	14:20 28:12	applications 41:14
2.5 19:7	accepted 37:15	agenda 3:11	appreciate 20:17
20 1:8 2:4	accepting 10:19	ago 26:2	36:21 38:14 39:15
201 4:24 6:20	accommodate	agreement 26:9	44:8,15
2020-0051 5:8	20:7	29:11	appreciated 42:16
2021 1:8 2:4 24:2	accomplish 12:6	agricultural 5:5	44:11
46:11	12:16	ahead 27:6,11,18	approached 29:10
2021-0109 4:24	accurate 46:3	27:22,22 28:9,10	appropriate 9:12
2021-0220 14:10	acre 15:19 22:2,3	28:16 29:1,2,2,2,2	approval 5:13
2021-0375 14:3	acres 17:2 21:9,11	29:3,3,6	approved 6:23
20th 31:2	22:14	allowed 17:10	37:16 46:9
211 5:15 7:2		alteration 20:1	approximately
23 24:3 25:3,17		aluminum 26:3,11	15:19 17:2
		27:5,5	april 29:13

archeological 34:17 architectural 27:2 area 20:7,9 33:16 34:24 37:14 40:15 asbestos 27:1,14 29:24 ascertain 34:18 aside 18:24 asked 4:12 6:24 29:12,18 31:12 38:19 asking 10:4 aspects 10:9 asphalt 18:23 26:13 27:11 assessment 34:17 associate 15:11 associated 5:6,7 14:10 associates 15:9 attempting 39:3 attend 39:9 41:19 attic 19:12 attorney 14:14 43:18 audience 4:11 audio 39:21 august 26:10,10 29:10 41:15 46:11 authority 7:10 available 41:18 aye 45:21	background 5:12 19:6 balance 18:21 baltimore 17:4,5 25:1,2 39:4 bare 17:20,20 28:21 basement 17:15 19:15 basically 10:4 12:16 27:5 28:7 32:3,6 bathroom 28:17 bear 36:19 41:10 43:19 beautify 25:6 becker 5:17 bed 45:1 bedroom 28:17 behalf 14:22 15:2 belief 19:22 believe 6:23 8:6 18:17 19:5 21:11 33:13 39:7 believes 38:22 belongings 38:11 benches 33:8,24 benefit 12:7 best 10:16 betsy 2:5 6:1 7:18 10:2,16 12:20 14:20 19:8 21:17 21:18 22:22 25:7 40:5 41:9 43:12 big 37:6 bit 15:24 19:6 32:9 34:11 44:21 block 27:18 board 1:7 2:3 3:5 3:14,24 4:15,16 5:11,12,14 6:22	7:13,17 10:22 11:16 14:20 15:18 16:1,23 20:17 21:2,4 23:10 30:8 30:12 35:17 36:7 36:8,12 37:1 38:17 40:3 41:13 42:5,15 43:8 44:1 44:5 boarded 26:23 29:23 boards 43:16 bond 19:14 bore 29:3 boundaries 21:17 brick 19:7 brief 3:20 15:14 briefly 16:5 bring 18:7 25:7 40:12 brown 33:5 36:5 36:11,18 37:5 40:1,4 43:2 buffer 20:12 buffers 20:4 building 8:21,22 9:3 25:1,5,13 26:12,21 32:5,17 38:3,6,21 buildings 7:4 15:22 18:3,3 24:8 30:4 37:13 built 19:8 25:15 34:12 37:19 bulging 26:22 27:13,13 business 4:18,21 4:23 13:19,21 24:2 41:15,19 42:9	businesses 17:13 c c 2:1 46:1,1 call 2:2,5,17 23:12 23:16 35:20 36:1 41:1 called 22:4 calling 7:2 cam 15:11 camera 36:6 canceled 42:8 canopy 20:8 castle 2:3 3:4 30:2 33:6 casualty 7:12 caulk 27:15 ceilings 28:14 center 27:24 28:4 36:5 39:2,11 43:15 century 31:2,11 certainly 20:18 21:15 certify 46:2 chairman 14:20 32:17 changes 9:1 10:7 10:12 20:20 43:10 43:12 character 9:2,4 10:6,13 characterize 8:21 charles 15:4 children 15:5 chimney 19:12,13 choose 4:5 chris 5:16,17 christiana 24:8,24 28:9 30:14,22 31:5 33:10 34:23 39:2 40:8,11
b			
back 6:23,24 9:12 11:24 13:5 25:19 26:10 27:9,24 28:1,2,19 31:6 40:15 44:3,10,19 45:8			

christiana's 31:10 christmas 32:15 chuck 15:5,5 circa 14:8 circling 18:14 20:9 civil 15:10 24:22 clapboard 37:17 clarify 12:22 claw 28:18 clay 14:6 24:6 clayton 32:12,16 cleared 30:1 clock 32:13 close 4:6 9:5 37:18 closer 18:8 closest 37:24 code 20:18 color 21:23 come 4:8 6:24 25:22 36:1 comes 38:22 44:10 commenced 26:11 comment 4:6 11:22 23:12,17 35:20,21 36:2 41:1,6,8 42:21,23 43:1 comments 3:19 4:11,11,17 11:15 23:20 commercial 16:7 16:16 17:10,11 18:11 20:5,13,16 22:5 communication 43:17 community 17:18 31:17,19 34:6 35:2,8,8 39:2,15 companions 42:15	company 17:14,15 25:3,16 26:9,19 27:10 28:5 29:5,9 29:9,11,12,15,16 29:20 30:12 32:1 32:6,23 33:3,7,11 33:16,21 38:1,8 39:14 compile 3:6 complete 30:17 completed 39:17 complex 5:5 compliance 18:8 20:23 composed 19:9 composition 9:5 computer 36:6 comrades 42:15 concluded 45:24 conclusion 3:15 concrete 17:19,20 condition 8:24 27:20 28:23,24 29:4 38:2,6 conditional 5:12 conditionally 6:23 conditions 16:14 16:15 condos 40:15 conducted 3:4 confirm 10:3 23:2 confirming 7:24 conflicts 44:9,13 45:2,4 congregate 32:16 conjunction 35:7 connection 15:21 consider 12:15 consideration 5:15 considered 9:23 21:12	considering 34:22 consistence 10:12 consistent 20:24 consists 19:11 construct 25:6 constructed 14:8 16:12 18:1 19:10 19:19 32:11 construction 31:15 contacted 42:7 containing 16:2 contemplated 12:18 continue 16:8 17:11 contributed 35:7 contributing 22:2 23:3 24:8 37:10 37:13,17 converting 18:23 copy 36:11,15 core 34:24 corner 24:4 25:7 25:19,24 30:22 32:8 40:7 correct 8:2,5 14:13 23:5 couldn't 39:10 44:22 council 5:9 14:11 24:10 councilman 11:14 councilwoman 11:15,17,20 13:7,9 13:11,14 county 2:3 3:4 30:2 33:6 38:5 county's 3:8 couple 25:5 30:18 38:8	course 22:5 26:3 coverage 18:6 crawlspace 27:17 create 18:23 20:4 32:3 33:21 creating 16:17 18:19 35:7 creek 14:6 24:6 cross 22:8 current 26:16 currently 29:1 34:12 38:5
d			
d 2:1 damage 7:12 date 31:1,9 dated 16:2 46:11 davis 2:2,13,14,21 3:1 4:20 5:22,24 6:8,13,18 7:16,21 8:4,6,9 10:2,23 11:2,11,19 12:20 13:4,18 21:3,7 22:21 23:11,16,20 23:24 24:16 30:6 30:8 35:13,18,19 35:21,24 36:10,14 36:22 37:2 39:20 40:20,24 41:5,9,21 42:1,17,22 45:8,11 45:13,17,20,22 day 38:22 40:14 days 42:7 death's 45:1 debate 4:3 decades 16:9 decisions 4:14 41:14 dedicated 18:11 43:14			

<p>dedication 33:9 dee 37:6 deed 5:7,14 7:5 8:7 10:1 12:3,10 12:11,17,24 13:2 defined 19:10 definitely 40:13 delayed 44:11 demolish 5:4 25:4 demolished 7:9 demolishing 32:2 demolition 5:4 6:22 19:24 24:7 30:2,21 34:10,21 38:2,24 39:19 demonstrate 29:4 denise 38:18 department 24:24 41:23 43:9,17 department's 12:23 designated 18:24 19:4 designed 31:21 32:11 destruction 7:12 details 27:2 deterioration 27:11,19 28:10 develop 28:8 developer 9:21 development 14:7 15:21 20:21 didn't 32:24 38:15 43:21 45:3,3 different 10:9 17:17 25:5 directions 11:12 directly 17:20 discrepancy 30:24</p>	<p>discussed 12:3,4 discussing 43:9 discussion 6:3 33:1 39:1 discussions 33:2 33:23 displays 34:6 disregard 14:12 disrepair 26:18 30:17 distance 37:9 district 5:9 14:11 24:9,10 37:11 document 16:11 documentation 30:1 31:1 documenting 16:14,15 17:23 doesn't 11:22 doing 24:20 don't 7:18 9:9,16 12:5,13,13 13:6,11 13:16 23:9 27:4 44:2,22 drove 39:10 40:14 drywalled 28:21 due 21:13 25:5 27:14 38:2 duffield 15:9,9 duke 5:17,19,23 6:1,6,11,14,19 9:7 10:17 11:5 durham 11:14,15 11:17,20 13:7,9,11 13:14 37:7 dwelling 19:7 21:13 24:7 dwellings 7:1,8</p>	<p style="text-align: center;">e</p> <p>e 2:1,1 46:1 earlier 31:3,10,11 34:14 early 31:2 easier 21:20 43:3 easiest 14:24 east 5:2 14:5 17:3 24:3,5 25:1,2,4,14 25:17,17,19,23 32:4 37:22 ed 24:11,12,15,22 40:17 efficient 3:9 effort 16:15 38:14 eight 18:17,22,24 either 12:24 electric 27:10 electronic 46:4 elementary 17:19 elements 21:13 22:4,5 elevation 19:14 email 43:20 44:4 emphasize 15:20 encourage 42:9 encouraged 3:20 encouragement 42:13 endorsement 30:4 ends 9:19 engineer 24:23 engineers 15:9,10 entire 9:3 established 3:10 estimated 19:8 evaluate 4:16 evening 14:22 15:7,12 24:2,14 32:19 42:5</p>	<p>events 31:18 everybody 7:18 36:11,12 38:20 40:12,17 44:8 exact 8:18 exactly 21:16 example 31:17 exceed 3:13 excellent 14:19 15:15,16 excuse 25:2 exercise 16:14 exhibit 6:3 exhibits 39:10 exist 18:4 existing 7:1 16:10 16:14,15,16,17 17:23 22:6 25:13 25:18 26:17 27:14 27:20 28:23 39:8 exists 34:12 extension 29:14 32:3 exterior 27:3 extra 9:17</p> <hr/> <p style="text-align: center;">f</p> <p>f 46:1 facias 27:6 facility 27:1 familiar 11:23 family 17:18 19:17 38:13,15 farm 40:6,10 fast 9:8 favor 3:17 23:13 36:2 45:20 façade 19:14 27:3 features 8:20 16:11 17:24 feel 29:22</p>
---	--	---	--

<p>feet 5:2 14:5 female 43:7 45:19 figure 36:20 final 9:19 41:1 find 43:4 finding 43:2 fine 10:1 finished 28:22 finishing 25:1 fire 24:24 25:3,15 26:9,18 28:5 29:5 29:9,9,11,12,15,16 29:20 30:11 32:1 32:6,23 33:3,7,11 33:16,21 38:1,8 39:14 40:11,18 fireman's 32:19 firm 10:8 first 4:18 11:24 13:21 19:19 25:13 25:23 37:6 five 3:23 flag 32:14 flemish 19:14 floors 28:20 fly 9:15 focus 3:21 folks 32:15 followed 12:9 following 3:10,11 3:16 7:12 foregoing 46:2 forgotten 12:13 former 40:6 forth 31:18 34:7 forward 4:8 43:11 43:24 found 28:18 foundation 19:15 27:16,18</p>	<p>four 9:1 foya 43:10 freedom 43:18 friends 37:6 front 16:23 26:4 29:23 32:21 42:12 full 19:15 22:2 37:21,24 fully 39:14 functional 34:18 funeral 32:19 further 10:23 18:8 35:17 future 28:8</p> <hr/> <p style="text-align: center;">g</p> <hr/> <p>g 2:1 gable 19:11 garage 24:7 25:18 gary 24:11,13,17 24:18,18,19 25:7,8 25:21 26:5,15 27:7,11,18,22 28:1 28:2,3,9,16,22 29:1,2,6 40:17 gatherings 35:9 gazebo 33:23 gears 41:11 general 3:19 10:19 23:20 41:5,8 42:13,21 43:1 generally 19:21 george 37:7 42:3 42:19 44:7 gfa 18:2 give 5:11 11:11 29:7 given 29:20 gives 34:4 giving 42:13 glad 45:8</p>	<p>go 4:23 5:10 6:2 11:9 13:5,12,22 14:15 19:23 21:18 24:19 25:21 26:5 27:6,6,9,9,11,18 27:21,22,24 28:1,2 28:9,10,16,22 29:1 29:1,2,2,2,2,3,5 32:5 33:14 41:12 going 31:14 32:6 36:5 39:22 40:13 43:11,15,24 good 5:23 6:6,14 8:24 10:17 11:21 14:19 24:14 38:6 42:5 goodness 13:22 google 26:1 gotten 36:14 government 36:4 39:11 43:15 governmental 7:10 graciously 29:15 granted 39:19 grass 28:7 grassed 20:7 gravel 18:23 great 2:19 3:1 4:20 6:18 7:16 11:2 32:21,22 39:20 41:21 42:1,17 45:11 greatly 44:11 green 7:3 8:10 25:6 greenspace 31:15 31:16 32:3 35:3 grosso 14:21 group 39:3 40:17</p>	<p>guess 8:13 11:22 11:24 12:2,14 23:12 31:19 42:7 guidance 43:19,19 guys 5:19 6:7 9:20 24:20 44:15</p> <hr/> <p style="text-align: center;">h</p> <hr/> <p>h 4:24 14:3 24:3 haggerty 41:22 42:5 half 28:21 hand 7:19 13:7 21:5 22:23 27:15 41:23 handles 43:18 hands 10:22 13:16 22:20 23:9,14,18 23:22 35:17 40:23 41:4,7 42:24 hank 32:17 happens 45:1 happy 7:14 21:1 43:5 hard 44:23 harmen 38:9 harmen's 38:11 hash 9:21 hatch 2:6,8,11,13 2:15,22,24 3:3 4:22 5:21 6:4,9,16 6:20 7:19 8:3,5 9:10 10:3,21 11:1 11:4,7,13 12:21 13:5,10,13,15,20 21:5 22:19,22,24 23:8,14,18,22 24:1 25:10,20 35:15,19 35:23 36:3,16,19 36:23 37:3 39:21 40:2,22 41:3,7,10 41:22 42:2,20,24</p>
--	--	--	--

<p>43:5 45:6,12 hatching 22:8 hca 37:12 head 15:16 headphones 39:22 hear 2:20 5:20,22 11:18 24:15,16 37:1,2,4 44:20 heard 3:22 hearing 2:3 3:4,9 4:13 45:24 hearings 3:5 4:15 held 4:18 41:15 hello 37:6 help 18:23 21:19 43:6 helped 39:16 helpful 43:4 he's 32:18 hi 24:18 30:10 38:19 highway 17:6 24:6 25:20 26:7 31:9 37:23 historic 1:7 2:3 3:5 3:8,21 4:15 5:4 8:19 9:2,4 10:12 12:5,15,24 14:9 15:17 16:21 20:5 21:10,12 22:1 23:4 24:8,10 31:7 33:9 34:4,22 37:11 40:8 history 29:8 30:14 31:6,10 33:17 34:22 35:7 hoffman 14:14,19 14:21,21 21:15 22:18 23:5 hold 3:24</p>	<p>hole 27:15 holly 28:1,6 32:20 home 19:20 20:6 homeowner 27:21 homeowners 28:13 homes 17:18 hope 11:18 39:17 hopefully 34:1 hotel 40:6,9 house 14:8 16:20 16:22 18:13 19:4 19:7,17 20:11,14 20:20 23:3,4 25:18 26:6,17,17 27:20 28:15 30:17 30:21 31:1 34:11 34:20 38:22 household 19:18 housekeeping 15:24 how's 6:11 huh 4:22 35:23 hundred 5:3 14:6 24:6</p> <hr/> <p style="text-align: center;">i</p> <hr/> <p>i3a 24:22 ide 24:14,15,17,21 24:22 25:12 28:4 30:7,15,19 31:23 33:20 35:4,11 38:10 40:21 idea 45:3 identified 33:17 identifies 22:14 impervious 18:6 implemented 43:12 important 19:2,5 42:11</p>	<p>improbability 38:3 improvement 38:23 39:7 improvements 7:11 18:7 20:22 inaudible 36:23 44:5 include 8:14 14:16 17:14 included 22:10 32:12 44:14 includes 22:11 including 14:7 18:13 20:6 40:8 inconsistent 9:2 10:12 incorporated 9:23 20:11 incorporating 9:10,16 20:3 increase 20:22 industrial 16:7,16 17:10,11 20:5,14 20:16 22:5 information 3:6 4:16 7:24 16:3 19:21 43:18,22 infusion 38:4 input 39:15 inside 27:23 inspections 12:14 instruction 11:9 intent 20:18 32:2 intention 25:4 intentions 33:20 interest 44:14 interior 19:12 interpretive 34:5 intersection 5:2 24:5</p>	<p>introduce 18:6 introducing 18:18 19:2 introduction 18:18 19:1 introductions 15:2 intrusive 21:13 22:4,4 invite 33:14 invited 3:16 involve 33:2,12 involvement 33:7 isn't 38:7 issue 9:16 issues 3:21 42:11 item 3:12 4:21 8:16,16,22 9:1 items 8:12,13 9:17 9:23 10:11,20 29:14,17,19 it's 12:9 14:3 17:2 17:10 19:7,9 21:20 25:8,23 28:6 29:23 30:16 31:5,20 32:21,21 38:21 44:10 i'd 6:16 23:2 i'll 10:14 26:19 39:23 43:19,23 44:3,4 i'm 2:7 7:17 8:17 9:18 10:21 12:2 12:14 13:23 15:15 20:9 22:19 23:14 24:22,22,23 28:3 29:4 35:15,16 36:3,5 37:23 39:11,21,22 40:7,9 40:22 41:3,7 43:5 45:1</p>
---	--	--	--

<p>i've 30:24 33:4 34:1</p>	<p>39:23 41:1,16 42:13 43:10 44:2</p>	<p>link 43:3 linked 19:12</p>	<p>making 41:14 male 44:18 45:18</p>
<p>j</p>	<p>44:2,4,6,7,8</p>	<p>lisa 15:5,6</p>	<p>mall 39:5</p>
<p>james 16:20,22 18:13 19:4,7,9,16 20:14,20 23:4</p>	<p>known 17:2 kudos 40:18</p>	<p>list 38:6 listed 14:9 37:12</p>	<p>manager 24:23 mapped 22:7 37:14</p>
<p>janet 38:9 john 43:7 johns 2:6,7 22:21 23:2,6,7 joined 6:17 jot 9:15 july 1:8 2:4 16:2 junction 31:8,9 junction 30:3 junior 15:4 16:20 16:22 20:20 justice 43:17</p>	<p>l</p>	<p>listen 41:19</p>	<p>mapping 34:22</p>
<p>k</p>	<p>laid 19:14 lake 5:3 land 14:6 41:23 landscape 34:4 landscaping 18:7 20:4,4,12,12 32:4 32:6,7 33:8 34:9 34:15 language 8:18 9:11,14 10:5 12:3 large 20:7 25:1 largely 38:2 late 31:11 law 43:9 lead 33:10 learned 30:13 left 26:12 27:21 28:13 29:5,17 31:15 legal 9:21 16:18 letter 16:1 33:5 36:7,12,13 37:8,8 37:21 39:12,13 letting 38:10 let's 13:6 24:11,12 36:7 40:24 42:2 level 34:17 levels 26:24 lighting 32:15 limit 4:1 7:6 limited 3:23 22:3 line 5:17 11:14 22:15 24:13,17 lines 18:18,19 19:2 19:2</p>	<p>little 15:24 19:6 30:13,23 39:22 44:20 lived 19:17 located 7:8 17:3 location 31:8 long 16:16 22:6 longer 40:9 longstanding 16:6 17:9 look 11:23 37:11 looking 25:22 26:8 looks 32:22 43:23 loss 44:20 lost 44:21 lot 5:15 7:2,6,8 8:10 12:17 15:19 18:10,20,21 19:1,2 19:5 20:2,5,5,15 20:15,16 21:24 22:1,13 27:19 33:22 34:10 lots 15:19 16:18 18:10,12,16 22:16 lower 26:24,24</p>	<p>maps 26:1 31:7 march 6:23 12:1 12:23 massive 38:3 materials 8:20 17:20 matters 42:11 mature 28:6 mean 9:18 meaning 35:1 means 7:1,14 meeting 1:7 4:18 5:13 39:1,2 41:15 41:20 42:8,9 43:10 meetings 12:23 41:17 member 36:4 44:1 members 3:14 10:22 14:20 23:10 35:17 39:6 40:3 42:6 44:6 memorial 28:8 31:16,20 mention 38:7 mentioned 17:1,9 17:24 31:13 41:16 merits 20:24 metal 26:14,14 meter 27:10 mic 2:18 michael 14:21 migrate 32:7</p>
<p>k 7:18 keep 9:9 kids 44:22,23 kind 25:13,23 26:21 28:21 29:7 29:22 31:1,18 32:7,16 34:13 kings 24:5 25:20 26:7 31:9 37:23 kitchen 28:14,19 know 8:14 9:13,20 10:6 12:5,7,8,11 12:12,14 13:11 14:18 27:4 29:13 30:3,11,13,21,24 31:3,4,5,5,6,9,11 31:16,21 32:13 33:1,4,5,7,10,14 33:23 34:2,5,6,9 34:11,13,18,20,23 35:2,9 38:17</p>	<p>lot 5:15 7:2,6,8 8:10 12:17 15:19 18:10,20,21 19:1,2 19:5 20:2,5,5,15 20:15,16 21:24 22:1,13 27:19 33:22 34:10 lots 15:19 16:18 18:10,12,16 22:16 lower 26:24,24</p>	<p>m</p> <p>main 24:3,5 25:2,4 25:14,17,19,23 32:4 37:22 maintained 8:23 40:16 maintenance 10:8 10:11 major 19:22</p>	<p>meeting 1:7 4:18 5:13 39:1,2 41:15 41:20 42:8,9 43:10 meetings 12:23 41:17 member 36:4 44:1 members 3:14 10:22 14:20 23:10 35:17 39:6 40:3 42:6 44:6 memorial 28:8 31:16,20 mention 38:7 mentioned 17:1,9 17:24 31:13 41:16 merits 20:24 metal 26:14,14 meter 27:10 mic 2:18 michael 14:21 migrate 32:7</p>

<p>mike 14:14,16 mind 33:8 minor 5:6,7 6:21 14:6,10 15:10,24 16:24 19:23 20:22 minute 6:10 11:12 26:20 minutes 3:14,23 missed 11:23 missing 44:13 modifications 19:22,23 moldings 27:2 moment 6:5 35:16 36:19,21 money 38:4 month 4:19 morgan 5:17 morning 28:12 motion 45:14,15 move 23:9,11 29:13 moving 41:17 murray 1:18 46:2 46:8</p>	<p>neither 7:7 new 2:2 3:4 8:19 10:6,11 13:18,21 18:2,16 20:3,7 24:2 25:14 30:2 31:14 33:6 37:18 39:17 nice 28:6 34:4 35:5 nods 15:16 nomination 21:10 37:12,15 nonconforming 16:7 17:12 north 5:1 14:5 17:5 26:21 27:12 39:4,4 notably 18:1,16 note 7:24 16:1 notes 9:9 noticed 30:24 number 18:22 numbers 42:14</p>	<p>24:1,12,21 25:8 33:19 35:6,11,18 35:19,24 36:18,22 37:3 40:22 41:5,9 41:21 42:1 43:5 45:11,12 old 4:21,23 17:4,5 24:5 25:2 26:2 31:9 37:6,23 39:4 once 32:5 open 3:24 operate 17:13 opportunities 34:5 opportunity 3:22 29:21 34:16 36:13 opposed 12:9 opposition 3:18 23:17 41:2,4 order 2:2 3:2,10 3:17 orderly 4:13 organization 4:10 orientation 34:24 original 9:5 outbuildings 5:4 6:22 outdoor 31:18 outlined 7:3 outside 29:18 38:13 overall 21:11 overgrown 26:4 overlay 12:5,16 overlays 13:1 owner 15:3,4 29:18,20 37:23 40:6,10 owners 9:22 26:8 29:5,8 37:22 ownership 29:16</p>	<p>owns 38:18 o'haggerty 37:7</p>
			p
			<p>p 2:1 page 43:3 pandemic 43:11 panelist 2:16 panelists 37:6 panic 44:3 paper 45:5 parcel 7:2 18:18 18:19 park 28:8 31:19 32:10,12 33:24 38:23 39:7 parker 15:8 parking 18:24 33:21,21 part 5:5 6:21,24 12:22 16:14 17:8 18:2 28:20 31:10 34:22 37:8 particular 31:8 patel 2:15,16,20 2:23 path 32:13 patience 36:21 patrick 5:1 pavement 18:23 pay 29:12 pencader 5:3 pending 9:13 15:22 16:9 17:22 18:9 people 19:18 33:23 40:17 45:1 perform 27:1 period 4:5,6 permit 5:4 24:7 30:2 39:19</p>
n			
<p>n 2:1 46:1 name 4:9 24:22 national 14:9 16:21 21:10 24:9 nature 23:4 nc5 24:10 necessarily 31:14 necessary 7:11 need 18:19 42:12 44:1 needed 10:18 needs 4:2 40:15 neighbors 37:9,21 39:6</p>	<p style="text-align: center;">o</p> <p>o 2:1 46:1 objection 38:1 objections 39:5,18 obvious 30:16 occupational 34:19 occur 34:9 offer 3:19 offering 4:11 office 32:11 official 46:3 oh 13:22 37:5 okay 2:16 5:20 6:2 6:18 7:21 8:2,8 9:18 10:21 11:2 11:20 13:4,22 21:22 22:21 23:7 23:11,16,20,24</p>		

<p>permitted 4:3 16:8 perpetual 8:15 person 41:17 peruse 31:6 pettingale 38:18 ph 38:9,18 phone 36:17 photo 14:13,13 25:24 photograph 26:1 physical 20:20 physically 43:23 picture 13:24 26:2 27:8 28:11,14,16 28:17 29:6 pictures 14:1 19:20 26:16 27:22 28:23 29:4 38:12 piece 22:9 43:22 45:5 pieces 28:18 pierce 14:6 pig 40:6,10 pike 17:5,5 25:2 39:4 pipe 17:14 place 19:3 28:7 placed 16:20 26:13 places 14:9 16:21 24:10 plan 5:8,13 6:21 7:9 14:7,10 15:22 15:24 16:9,10,24 17:9,22,23 18:2,3 18:5,9 20:19 32:10,24 planner 41:13 plans 39:16 plaque 33:9,15,18</p>	<p>please 14:12 25:21 plug 39:22 plywood 28:20 pocket 28:8 32:10 32:12 39:7 point 14:24 21:16 21:21 poor 30:22 portion 27:16,17 positive 15:17 21:1 30:3 possibility 38:10 43:24 possible 9:6 11:16 42:10 43:20 potentially 34:9 powerpoint 14:16 15:15 preference 13:2 presence 42:16 present 2:12,14 6:24 32:24 43:24 44:2 presentation 3:13 3:15 14:16 15:14 25:8 30:11 presenting 8:2 presently 7:8 preservation 41:13 preserve 8:19 28:5 39:3 preserved 9:4 19:21 preserving 7:1,14 20:19 president 24:22 presumptuous 32:10 pretty 12:6 42:10</p>	<p>previous 5:13 27:21 37:17 previously 26:14 principle 10:19 prior 34:20 probably 21:20 32:9 34:16 42:12 43:23 problem 9:10 process 24:24 prohibited 9:3 project 14:15 24:23 25:17 29:24 29:24 projects 3:8 promote 5:16 14:14 24:11 properties 37:24 property 8:19,21 8:23 15:3 16:6,10 17:1,3,7,9,16 18:8 18:10 21:12 26:10 29:11 31:14 32:2 34:19,20 38:5,19 property's 9:3 proposal 11:22 propose 8:18,22 8:24 18:5 proposed 3:7 5:6 5:14 6:21 7:4 15:10,18,21,23 17:8 18:2 20:2,13 20:21,24 21:24,24 31:2 34:21 38:24 proposes 17:22 18:9 proposing 7:5 19:24 protected 9:4 proud 40:7</p>	<p>public 2:3 3:4,16 4:6,12,17 11:9 23:12,17,21 33:14 35:20,21 36:2,4 39:3 40:23 41:1 42:21,22 43:1 pulaski 17:6 pull 11:8 purchase 26:9 purchased 25:3 26:19 purchasing 32:1 purpose 3:5 16:9 purposes 7:7 pursued 10:14 12:24 put 16:13 22:15 25:8</p> <p style="text-align: center;">q</p> <p>question 8:13 21:8 21:21 31:22,24 34:1,8 questions 3:14 4:4 7:15,17 10:23 21:2,3 30:8,18 31:12 35:13 39:13 39:23 40:3 quick 6:2 41:11 quicker 22:24 quickly 9:15 quiet 31:20 33:16 quite 26:18 30:23 34:4 quorum 42:8</p> <p style="text-align: center;">r</p> <p>r 2:1 46:1 rafael 45:9 raised 7:20 10:22 13:8,16 19:15 21:6 22:20,23</p>
--	---	--	---

<p>23:9,15,19,23 35:17 40:23 41:4 41:8,24 43:1 random 4:11 reach 42:6 45:2 read 8:12 11:12 14:1 26:17 33:14 36:13 37:8 39:12 reading 3:11 ready 43:15 45:14 real 27:2 really 39:16 40:7,7 41:11 44:14,23 45:3 rear 20:6 reason 16:22 22:12,15 reasonably 9:6 reasons 25:5 26:19 32:24 rebecca 1:18 46:2 46:8 rebuttal 4:5 received 4:17 8:10 16:1 37:9,10 recess 43:9 recognized 4:12 recommendation 12:23 15:17 21:1 recommendations 4:14 recommended 5:12 21:10 record 3:6,24 6:17 16:4,10 17:23 36:9 39:12 recorded 4:7 recording 46:4 records 38:5 reduce 18:6</p>	<p>reduced 21:14 refine 39:16 regard 30:20 31:13 34:8 regarding 3:7 42:7 regards 38:8 register 14:9 16:21 22:1,4,8,10 22:14 24:9 37:15 38:1 regrets 32:18 regular 12:13 rejoining 2:16 related 18:17 19:1 relationships 8:20 relevant 3:6 remain 7:4 13:1 15:23 18:4 remained 19:20 remaining 20:2 remarks 3:21 remember 40:10 40:10 reminder 42:18 remove 7:11 29:21 30:4 38:11 removed 27:4,10 27:14 removing 26:11 rendering 21:23 repair 8:24 38:4 repeat 39:14 replace 34:13 report 26:17 41:13 representatives 3:12 requested 29:14 38:13 requests 38:8 require 18:15</p>	<p>required 7:10 reshare 11:8 residential 7:7 16:17,19 17:18 18:12,20,20 19:3,5 20:15 22:13 resources 3:8 respect 4:13 respiratory 44:19 restoration 17:14 17:15 restriction 8:1,9 8:15,16 9:24 10:1 12:3 restrictions 5:7,15 7:5 12:10,12,17,24 13:3 review 1:7 2:3 3:5 4:15 9:13 15:18 31:4 42:12 reviewing 8:1 reybold 4:24 5:2,5 6:20 rezoning 17:8 right 2:24 3:3 4:13 5:23 6:3,6,11,14 6:19 7:21 8:11 11:1,5,7,10,13 13:6,16,17,18,20 13:20 22:10,11 23:8,8 24:12,19 25:12 27:15,23 29:22 35:16,22 37:3 40:2,3,24 41:3,10,11,12,22 42:3,20,23 43:6 road 4:24 5:2,3 6:20 14:4,5 15:4 17:3,4 35:2 robin 33:4 36:5</p>	<p>roll 2:4,17 roof 19:11 26:14 rot 27:19 round 25:24 route 17:5,6 rubble 19:15 rules 3:1,10 run 14:6 running 28:15 rusted 26:15</p> <p style="text-align: center;">s</p> <p>s 2:1 5:8 14:10,11 sad 38:9 save 38:4 saw 22:23 saying 8:17 19:24 scheduling 44:8 school 17:19 39:3 scott 15:8 screen 6:2,5,7 7:3 11:8,12 14:17,23 15:13 17:6,16 18:14 20:9 21:16 21:20 25:11 screening 20:6 second 23:3 45:17 45:18,19 secondly 44:5 sections 19:10 see 6:7 7:18 13:6 13:16 15:15,22 17:16 18:3,21 19:20 20:12,16 21:24 23:9 24:11 24:12 25:24 26:4 26:20 27:10,15 31:7 36:7,12,20,24 37:5 38:21 39:10 39:17 42:2,3 seeing 10:21 15:16 22:19 23:14,18,22</p>
--	---	---	--

<p>35:15,16 40:22 41:3,7 42:24</p> <p>seeking 15:17 30:3</p> <p>sell 29:11</p> <p>send 9:11,12 10:14 43:21 44:4</p> <p>sending 43:20</p> <p>sense 31:22,23 34:6 35:9</p> <p>sent 32:10</p> <p>separate 15:19 16:16,18 20:13 22:13,16</p> <p>separating 19:3 22:12</p> <p>september 39:18</p> <p>session 13:1</p> <p>shane 4:23 5:10 6:4 11:7 13:5,21 14:15 40:9 41:11</p> <p>shape 30:22 32:22</p> <p>share 6:2 14:17,23 15:13 21:16,20 25:11</p> <p>sharing 6:5 11:6</p> <p>shingle 26:13</p> <p>shortly 43:16</p> <p>shot 26:7 27:12 28:1,2</p> <p>shots 27:23</p> <p>show 19:20 28:1</p> <p>showed 38:12</p> <p>showing 27:13</p> <p>shown 7:8</p> <p>shows 21:19 22:9 25:13</p> <p>shrubs 20:8</p> <p>side 5:1 11:9 14:5 17:3 20:11 26:21 27:12,15</p>	<p>siding 26:3,11 27:11</p> <p>sight 38:21</p> <p>signature 46:6</p> <p>signed 37:21 45:5</p> <p>significant 27:2 28:15,18</p> <p>silber 2:9,10 30:9 30:10,16,20 33:19 34:2 35:5,12</p> <p>simple 16:24</p> <p>simply 16:13</p> <p>single 17:18</p> <p>sink 28:19</p> <p>sit 33:14,15,24</p> <p>site 15:22 16:11 17:13,24 20:21 22:6 30:5</p> <p>sits 29:1,22</p> <p>sitting 29:19 38:13</p> <p>situated 25:19</p> <p>situation 31:19,20 38:9</p> <p>size 32:21</p> <p>slammed 44:19</p> <p>slid 36:1</p> <p>slide 4:23 5:11 13:22,23 14:15 21:18 25:13 41:12</p> <p>slides 14:2,18</p> <p>small 25:8 27:17 31:18 32:13 33:23 35:8</p> <p>smith 32:17</p> <p>soffits 27:5</p> <p>soft 39:22</p> <p>soon 43:20 44:3</p> <p>sorry 13:9,14,23 19:13 21:17 22:22 29:3 35:15 36:3 39:21</p>	<p>sort 12:12 33:15 33:24 43:16 44:6</p> <p>sound 8:23 46:4</p> <p>sounds 10:4,17</p> <p>south 17:4,21 26:8</p> <p>space 25:6 29:1 31:20 33:13,21 35:2,8 41:18 43:14,14</p> <p>speak 3:16,17,18 25:15 33:22 42:4</p> <p>speaker 3:23</p> <p>speakers 3:20,23 4:3,8</p> <p>special 8:20</p> <p>specific 9:11,14</p> <p>spoke 33:6 38:18</p> <p>st 5:8</p> <p>staff 19:18</p> <p>stands 40:8</p> <p>start 2:4</p> <p>state 4:9 8:24</p> <p>stated 21:11</p> <p>station 26:2 33:3 38:19 39:17 40:11 40:18</p> <p>steve 22:23</p> <p>stewart 14:8 16:20 16:22 18:13 19:4 19:7,9,16 20:14,20 23:4</p> <p>stone 19:15</p> <p>stop 6:5 11:5</p> <p>story 19:7 25:18</p> <p>street 24:3,5 25:2 25:4,14,23</p> <p>stress 37:20</p> <p>strictly 7:6</p> <p>structural 8:23</p> <p>structure 19:11,19 20:1,1 22:11,13</p>	<p>26:13 27:6,17 29:22 33:22 34:14 37:10,12,17 39:8</p> <p>structures 7:14 8:19 10:7,7,11 16:11,17,19 17:24 18:12 31:7 37:18</p> <p>stucco 19:12</p> <p>stuff 45:5</p> <p>subdivide 18:9</p> <p>subdivision 5:6,7 5:13 6:21 14:7,10 15:11,18,24 16:24</p> <p>subject 8:15 16:5 16:6 39:1</p> <p>submit 7:13 20:18 20:23</p> <p>submittal 3:24</p> <p>submitted 30:1 31:24 36:8,8</p> <p>substation 25:15 37:19 39:16</p> <p>suburban 17:8</p> <p>sufficient 4:1</p> <p>suggested 9:9 25:20 32:1 37:7</p> <p>summarized 6:20</p> <p>sunset 5:3</p> <p>supplemental 16:3</p> <p>supplier 17:20</p> <p>support 18:16 37:21,24 39:14</p> <p>supporting 15:18</p> <p>sure 2:17 6:4 7:17 9:19 12:7,9 22:18 25:10 35:4 40:2 43:5</p> <p>surrounded 17:17</p> <p>surrounding 21:13</p>
---	---	--	--

survey 12:8 switch 41:11	there's 30:23 they're 27:5 37:22 thing 25:23 33:15 33:24 43:8 things 14:24 38:12 40:9,11 think 9:9,16 10:19 15:14 22:8 26:1 31:1 34:3,21 40:12 45:22 thinking 32:20 thinks 33:8 thought 9:24 12:18 22:22 39:11 three 3:18 8:22 9:22,23 10:11,20 15:19 18:10 44:6 time 3:9 4:1,9 19:19 26:1,18 30:13 44:24 times 30:12 tin 26:14 today 4:16 15:2,23 18:4 33:6 tonight 5:14 15:16 16:23 41:18 total 3:13 town 32:12,14,16 townhomes 17:18 tp 14:4 24:3 trailers 25:16 32:5 transcribed 1:18 4:8 transcriber 46:9 transcript 46:3 tree 20:8,8,11 26:4 28:1,4,6,6 32:15 32:17,21 tried 39:9 trim 28:7	trims 27:3 28:15 trouble 43:2 true 46:3 trust 15:5 trying 9:8 29:4 40:12,19 42:14 tub 28:19 tuesday 4:18 turn 36:6,16 two 3:17 7:7 8:12 8:13,17 9:22 18:12,12 19:9 22:1,15 25:16,18 37:24 type 31:19 34:3	updated 13:23 14:1 upper 44:19 usage 31:17 34:3 use 3:9 10:15 16:7 17:10,11,12 20:14 22:6 31:21 34:18 34:19 35:1 36:6 36:24 41:23 uses 7:6,7 16:17 17:17 18:11 19:3 32:14
t 46:1,1 table 4:9 take 10:15 38:15 taken 26:1,7 28:11 45:6 takes 6:10 talk 10:8 44:23 talked 29:8 32:19 33:4 38:10 talks 33:9 tarabicos 14:21 team 9:21 technical 36:20 tell 45:2 tenant 29:12 tenants 19:18 28:13 terrible 38:21 testimony 4:1,7,17 11:9 thank 2:23 4:20 6:1,7,15,18 7:16 9:7 10:1 11:2,17 12:19,20 13:4 21:3 22:17 23:24 25:12 30:6,10,14 35:12,18 36:10 39:20 40:1,20,21 42:16,17,19 44:16 45:7,10,13 thanks 6:19 11:4,7 11:20 13:15 35:13 41:9 42:17 that's 9:12 12:3,18 13:24 14:13 17:20 23:5 26:14,14 30:5 37:14 41:20 44:17 45:22	thinking 32:20 thinks 33:8 thought 9:24 12:18 22:22 39:11 three 3:18 8:22 9:22,23 10:11,20 15:19 18:10 44:6 time 3:9 4:1,9 19:19 26:1,18 30:13 44:24 times 30:12 tin 26:14 today 4:16 15:2,23 18:4 33:6 tonight 5:14 15:16 16:23 41:18 total 3:13 town 32:12,14,16 townhomes 17:18 tp 14:4 24:3 trailers 25:16 32:5 transcribed 1:18 4:8 transcriber 46:9 transcript 46:3 tree 20:8,8,11 26:4 28:1,4,6,6 32:15 32:17,21 tried 39:9 trim 28:7	trims 27:3 28:15 trouble 43:2 true 46:3 trust 15:5 trying 9:8 29:4 40:12,19 42:14 tub 28:19 tuesday 4:18 turn 36:6,16 two 3:17 7:7 8:12 8:13,17 9:22 18:12,12 19:9 22:1,15 25:16,18 37:24 type 31:19 34:3	updated 13:23 14:1 upper 44:19 usage 31:17 34:3 use 3:9 10:15 16:7 17:10,11,12 20:14 22:6 31:21 34:18 34:19 35:1 36:6 36:24 41:23 uses 7:6,7 16:17 17:17 18:11 19:3 32:14
		u	v
		udc 18:9 20:23,24 uh 4:22 35:23 ultimately 25:6 33:10 un 13:12 underground 17:14 undermined 20:19 understand 9:15 understanding 19:16 understood 35:4 understory 20:8 20:10 unfortunately 44:12 unit 19:11 unknown 34:11 43:7 44:18 45:18 45:19 unsafe 7:11 29:23 unusual 30:23 upcoming 14:1 update 9:12 16:10 17:23	vacancies 44:6,13 value 28:16 variance 18:17,22 18:24 variances 18:15 18:16,19 variety 17:17 various 31:7 venue 32:14 verbiage 9:19 video 2:18 view 26:6 27:8 village 28:9 30:22 31:10 33:2 34:23 35:9,10 39:4 virtually 15:8 41:16 voice 44:18,20,21 voiced 13:2 volume 36:17 voluntarily 7:9 voted 44:16
			w
			waiting 35:24 43:22 walk 32:13

<p>wall 26:21 27:13 walls 28:21 walther 14:4,5 15:3,4,6 17:2,4 walther's 15:5 want 9:11 15:1,20 21:18 28:6 33:1 36:17 42:2 43:21 wanted 8:13 10:3 10:8 12:21 32:7 37:20 38:7,17 42:6 wants 28:5 warranted 34:17 wasn't 22:1 water 28:15 waterproofing 17:15 way 9:13 15:14 33:16 35:5 44:16 welcome 5:24 11:19 24:16 30:7 30:15 went 8:11 26:23 28:24 west 19:12 24:4 25:22 we'll 2:2,4 9:9 11:8,11 23:11,12 23:16 27:23 36:1 we're 2:17 7:2 8:1 15:16 24:24 30:2 35:21 37:20,24 42:14,22 43:22 45:8 we've 29:24 30:1 30:13 35:6,6 43:16 white 14:6 24:6 26:3</p>	<p>wife 44:21 willing 8:14 willingness 39:15 wilson 15:11 window 27:13 windows 26:24 27:14 29:23 windshield 12:8 wish 3:17,18,19 wishes 41:19 wonderful 32:22 wondering 12:2 12:14 wood 27:20 wordsmith 10:18 work 2:18 21:19 working 40:18 42:14 worries 13:10,13 13:15 22:24 23:1 wouldn't 12:5 write 9:8 written 4:1 33:5 45:4 wrong 13:24</p>	<p style="text-align: center;">z</p> <p>zahralddin 2:11 2:12 40:5 42:19 45:10,15 zone 12:6,16 zoned 17:7 zoning 5:8 14:11 zoom 38:20 39:9 43:3</p>
	<p style="text-align: center;">y</p> <p>yeah 8:6 10:17 21:17 23:1 24:12 35:24 37:2 42:22 45:13 year 12:9 16:2 26:10 29:10 32:15 yell 44:22,22 yep 5:22 6:13 13:13,13 you'd 14:17 you're 22:24 30:7 30:15 42:13 45:8 you've 12:4</p>	