

# Working group seeks to bolster historic preservation in New Castle County

By [LARRY NAGENGAST](#) • JUN 14, 2019



*The Jester Farmhouse sits in county parkland on Grubb Road*

LARRY NAGENGAST / DELAWARE PUBLIC MEDIA

Delaware Public Media has previously reported on historic preservation in the First State - specifically what appears to be a shaky track record on the issue in New Castle County where a number of buildings have fallen victim to neglect and become beyond repair.

But some New Castle County Council members are trying to improve the situation, creating a new working group to address it.

Contributor Larry Nagengast takes a look at that group and what it hopes to accomplish.

*Delaware Public Media's Tom Byrne and contributor Larry Nagengast discuss efforts to improve historic preservation in New Castle County.*

In his 14 years of serving on New Castle County Council, John Cartier says, “it seems there’s a lot of demolition going on, but not a lot of preservation.”

Cartier, a Democrat who represents eastern Brandywine Hundred and lives in a historic home overlooking the Delaware River, now senses an opportunity for the county to strengthen its efforts to preserve historic properties – whether they’re in private hands or owned by the county itself.

Cartier recently teamed with Dee Durham, the Democrat elected to the council in November to represent western Brandywine Hundred and the Greenville area, to create a Historic Preservation Working Group, a loose coalition of council members, county employees, preservation advocates and interested residents that is trying to gain a better understanding of the status of preservation in the county and hopes to recommend new legislation to enhance preservation practices.

**"It seems there's a lot of demolition going on, but not a lot of preservation." - New Castle County Councilman John Cartier.**

“We lose historic and natural resources because our ordinances are not strong enough, and there are not enough incentives” for owners to preserve historic properties, Durham says.

The working group intends to look at carrots and sticks that can help the preservation cause – carrots like tax breaks and grants to promote restoration, and sticks like stronger laws to discourage owners from letting their properties fall into disrepair. One of the biggest concerns, some of the group’s members acknowledge, is that the county itself doesn’t always set a good example as custodian of its own historic sites.

Durham, who once worked for [Preservation Delaware](#), a nonprofit dedicated to saving historic sites throughout the state, was particularly distressed last winter by the demolition of Walker’s Bank, a row of 19th-century millworkers’ homes on the banks of the Brandywine in her district.

It was, preservation advocates say, a classic example of “demolition by neglect,” the practice of property owners allowing structures to deteriorate to the point that they become impossible to repair, or at least not in an economically feasible way, and then requesting a demolition permit from the county government.

The county has some clout over properties in areas labeled “historic overlay districts,” but Walker’s Bank and many other structures fall outside these zones. In such instances, the county’s strongest weapon is for its Historic Review Board to delay issuance of a demolition permit for nine months, in the hope that a solution can be found. In the case of Walker’s Bank, the delay ended in early December, and the old homes tumbled soon after.



*The 220-year-old Forwood School on Silverside Road in Brandywine Hundred is beyond saving, but a replica is planned for development coming to its site*

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Walker's Bank and the Houston House, an 18th-century farmhouse north of Middletown [whose fate could soon be determined by the Historic Review Board](#), are hardly the only recent demolition by neglect issues facing New Castle County. There is also the 220-year-old [Forwood School](#), a landmark on Silverside Road in central Brandywine Hundred. With crumbling walls and holes in its roof, the building is beyond salvation. Developer Joseph Setting has been planning to tear down the structure and build a smaller replica as part of a mixed-use development on the site.

Preservationist James Hanby, a descendant of the Forwood family who had tried to save the school, supports Setting's plan, which needs final approvals from the county before work can begin.

"It's not preservation best practices, but it's better than nothing," says Michael Emmons, an architectural historian at the University of Delaware. If nothing else, he adds, it's an example of environmentally conscious sustainability, reusing original materials so they don't end up in landfills.

Still other examples of imperiled properties are actually owned by New Castle County.

Carter and Emmons pointed to [Achmester](#), an 1829 home off Marl Pit Road north of Middletown, the site of a former peach farm. Emmons calls the farm house “an evocative historic building” and Carter says that, since taking office in November, he’s had more than two dozen constituents ask him what the county is going to do to stop the building’s deterioration.



*The Bechtel House, also known as Ivyside Farm sits in Bechtel Park on Naamans Road.*

CREDIT LARRY NAGENGAST

Then there’s the Bechtel House, also known as Ivyside Farm, fronting Naamans Road in Bechtel Park, in Cartier’s district, and the early 1800s Jester Farmhouse, on Grubb Road in county parkland in Durham’s district. The county has offered both sites as potential “resident curatorships,” an arrangement in which people agree to care for the historic properties while living in them. While the county has had some success with other sites under this program, requirements that residents spend at least \$150,000 on improvements over five years and do not obtain an ownership interest have proven a limiting factor.

“The county charges ridiculous amounts of money. In the end they don’t get anything out of it,” says Kim Burdick, who lives with her husband as the rent-paying resident curators of the state-owned [Hale-Byrnes House](#) near Stanton. The state’s program has succeeded at Hale-Byrnes and several other sites, Burdick says, because there’s a nonprofit organization involved – the Delaware Society for the

Preservation of Antiquities, in Hale-Byrnes' case – that presents programs on site and can secure grants from philanthropic and corporate donors.

The Bechtel House, whose first section was built in the late 1700s, has been vacant since John Bechtel, one of Hanby's cousins, moved out around 1980, Hanby says. Hanby, a former member of the Historic Review Board, said the county has not made any significant repairs to the property in more than a decade. He also says the county tore out and discarded century-old wood from the farm's deteriorating stone barn.

Meanwhile, the county has been negotiating with a group called [Jester Artspace](#) to convert the Jester Farmhouse into an arts center, but it will not under the resident curatorship program, says Alan Baseden, the nonprofit group's president. Under the lease arrangement, the county will make exterior improvements to the building and the nonprofit will upgrade the interior. The group has raised about \$100,000, which should be enough to cover essential interior improvements but is still less than the \$150,000 entry point for the resident curatorship program, Baseden says.



*The county is working with a group to convert the Jester Farmhouse in county parkland on Grubb Road into an arts center*

CREDIT LARRY NAGENGAST

The county has begun planning the exterior improvements and, if all goes well, Jester Artspace can begin work on the interior in early 2020 and begin offering programs there later next year.

In virtually every historic preservation debate, “the sticking point is the conflict between public interest and private property rights. This always forms the battleground, and the question always comes down to money,” says Michael McGrath, a former New Castle County planner who now heads Preservation Delaware.

“Private property rights in the United States is almost like a religion,” Emmons adds. “It’s very difficult to pass an ordinance telling people what they can and cannot do with their property.”

“If a historic property is privately owned, the owner will say, ‘if you’re so interested in saving it, how much will you give me to help out?’” McGrath says.

And, if it’s publicly owned, he adds, “it becomes a budget question.”

Durham and Cartier recognize the difficulties posed in balancing public interest and property rights, and in managing costs.

“We’ve got to get the [entire] council thinking about it,” Durham says, acknowledging that passing better laws could become “a never-ending process.” Cartier talks about “favoring an incremental approach,” while Durham speaks of “tackling the low-hanging fruit first.”

Here are some of the ideas already being kicked around:

**Expand the use of historic overlay zoning districts.** Within the 40 districts already designated, the county prioritizes the preservation and protection of buildings, structures, sites, objects, districts and landscape features of historic, architectural, cultural, archeological, educational and aesthetic merit. However, the designation is seldom applied to individual properties, and these properties – especially farmhouses – are seldom clustered together. Preservationists suggest applying historic overlay zoning to all sites that are listed on, or are eligible for listing on, the National Register of Historic Places – a little more than 900 properties overall.

Carter, the Middletown-area councilman, uses the Houston House in the Bayberry development to offer another example. When developers file plans for communities that include properties, as occurred with Bayberry more than 15 years ago, he says the community should automatically be given the historic overlay designation and developers should be required to incorporate the historic structures into the broader community, so they are not left to deteriorate. “Then, if they don’t maintain it, the county shouldn’t issue certificates of occupancy for the rest of the development,” he says.

**Provide tax incentives for maintaining and preserving historic properties.** The state has a historic tax credit program, but it has been used primarily by large developers to reduce the cost of major redevelopment projects, especially in urban areas. Individual property owners seldom qualify for such credits. Durham believes the county should explore offering abatements on property taxes but says “it wouldn’t be a huge amount.” If the county undertakes a property reassessment – the subject of a

pending school finance lawsuit – Carter thinks the process should include making allowances for historic properties.

**"It's hard to tell developers and property owners to do something if the county can't take care of its own." - Preservationist James Hanby**

**Lead by example.** “We aren’t doing a good job of maintaining our own properties,” Durham says. As examples, Carter cites Achmester and both Hanby and Cartier point to Ivyside Farms. “It’s hard to tell developers and property owners to do something if the county can’t take care of its own,” Hanby says.

**Make the resident curator program more attractive.** The current guidelines – requiring a \$150,000 investment and not offering any equity in the property – have limited its appeal. Preservationists say the state’s program is better, and other good models are available in Maryland and in Chester County, Pennsylvania.

**Give the Historic Review Board more authority.** Expanding the use of historic zoning overlays would broaden its reach, but its ability to put a nine-month hold on demolitions is hardly a deterrent. “A developer can just submit an application, wait nine months and pick up the demolition permit,” Hanby says. Hanby, Carter and others believe the county (through the board or the Land Use Department) should have other weapons to prevent “demolition by neglect.”

**Build public awareness.** Burdick, who moved in 1979 from upstate New York, “in the boondocks, where all the buildings are old,” said her first impression of her new home was its “similarity to Pacman. Delaware eats itself.” She has learned, however, that “the thing that saves buildings is that local people care.” McGrath, of Preservation Delaware, advocates taking an inventory of threatened historic buildings, not only in New Castle County but throughout the state. Carter says he’s going to take an inventory in his district. “We have to educate the public,” Durham says. “Let them know what resources are available and show them how to preserve properties.”

**Work closely with advocacy groups.** Preservation Delaware has had its ups and downs over the year, but preservation advocates like Durham and Burdick have confidence in McGrath’s experience and leadership. “They have a lot of energy and expertise, and some money for seed grants that can jump-start projects,” Durham says.

“Organizations like Preservation Delaware can marshal private funds. We have members who are willing to donate their own money for projects they think are worthwhile,” McGrath says. “We want to be part of the solution.

The challenge now for the working group is to determine which of these ideas – or others – have the most merit, and the best chance of gaining the support of a majority of the 13-member county council.

“I hope we can convince the others on council to make some changes so we do things better,” Carter says.

*The next meeting of the Historic Preservation Working Group is tentatively scheduled for Monday, June 24. The time and location have not been determined. For updates, contact Dee Durham at [dee.durham@newcastlede.gov](mailto:dee.durham@newcastlede.gov)*