

OPEN SPACE COUNCIL
April 6, 2018
9:00 a.m.
Legislative Hall
Senate Hearing Room, Second Floor
Dover, Delaware

ATTENDANCE

Council Members:

John R. Schroeder, Chairperson
Rep. Gerald Brady
Paul Boswell, Esq
Lorraine M. Fleming
Wayne Holden
David Humes
Dorothy Leventory

Ex-Officios:

Raymond E. Bivens, State Liaison Officer, LWCF, DNREC
Michael Scuse, Director, DDA

Staff:

Tim Slavin, Director, HCA
Matthew Chesser, Administrator, Parks & Recreation, DNREC
Robert Ehemann, Manager, Parks & Recreation, DNREC
Elena Stewart, Parks & Recreation, DNREC
Craig Rhoads, Fish & Wildlife, DNREC
Michael Valenti, State Forestry Administrator, DDA
Kyle Hoyd, Manager, DDA
Bill Miller, Parks & Recreation, DNREC
Eric Reid, Intern, Parks & Recreation, DNREC
Karen Bennett, Manager, Fish & Wildlife, DNREC

Visitors:

Dan Griffith, Archeological Society of Delaware
Ron Vickers, Citizen
Dennis Reardon, City of Lewes
Doug Spelman, City of Lewes
Bonnie Osler, Lewes City Council
Gina Jennings, Sussex County
Nick Roth, Cape Gazette
Jessica Hammond, TNC

Open Space Council Meeting
April 6, 2018

I. Call to Order/Introductions/Announcements

John Schroeder, Chairperson, called the April 6, 2018 Open Space Council (OSC) meeting to order. He welcomed Council members, staff and visitors.

II. Minutes of December Meeting

Lorraine Fleming noted that on page 3 of the minutes, it was stated that she attended the Ecological Extinction Task Force meeting, which she did not. Elena Stewart made note of this change. There was a motion to otherwise approve the December minutes, which was unanimously approved.

III. Financial Report

Elena presented the financial report:

Open Space Program Fund Outlook			
4/6/18			
Current Funds			
Realty Transfer Tax		3/28/2018	\$4,159,372.18
Groome Church	12/6/2017	\$1,000,000.00	exp 4/6/18
Felician Sisters	12/6/2016	\$250,000.00	exp 1/17/18
Garrett Snuff Mills Property	12/6/2017	\$7,000.00	
Whitehead	12/6/2017	\$10,000.00	
ABC Woodlands (DFS)	12/6/2017	\$2,000,000.00	
JGR, LLC (NVF)	12/6/2017	\$300,000.00	
Selby	12/6/2017	\$425,000.00	
McClements	12/6/2017	\$1,000.00	
Total		\$3,993,000.00	
Balance Available Through 12/15/18		\$166,372.18	

IV. Old Business

A. Completed projects

1. Mispillion Harbor Properties, Mispillion Preserve, F&W – Craig Rhoads shared that the Hoch Property had been finalized; however, they were still working on the 2 properties on the southeast corner of the project which would be discussed in Executive Session.
2. Manwearing Property, Blackbird Creek Preserve, F&W – Craig shared they had settled on the property and were in the process of removing the buildings on site.
3. Sinclair Property, Tappahanna Wildlife Area, F&W – Craig reported that they had settled on the property.

V. New Business

A. Council Open Discussion

None

B. Public Comments

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Doug Spellman, New Road Preservation Alliance, shared they had 1200 signatures on petitions to preserve the Groome Church property, which would be distributed to Groome Church, Government Agencies and to the Governor. He spoke to how important it is to preserve the artifacts and history on site, which dates back to the 1600s. He also spoke to how environmentally sensitive the area is and how crucial it is to mitigate flooding. He asked the OSC to consider maintaining the funds which had been set aside for the Groome Church property.

Gina Jennings, Sussex County Finance Director, shared that the County was still willing to contribute money to the preservation of the Groome Church property.

Dennis Reardon, City of Lewes, said that the City was still very interested in preserving the Groome Church property and was still prepared to put \$500,000 towards keeping it open space. He also asked the OSC keep the \$1M earmarked for the project.

Ron Vickers, citizen of the City of Lewes, shared a handout and did a presentation with Dan Griffith on the history of the Groome Church property and surrounding lands. The handouts are included as an addendum to these minutes.

Tim Slavin spoke about the involvement of HCA with the community and offered up additional technical assistance if needed. He also said that HCA was still willing to hold a property interest in the Groome Church property if OSC was going to be involved.

Jessica Hammond, TNC, spoke up regarding TNC's support of protecting the Groome Church property and surrounding areas.

Elena reminded all in attendance that the Groome Church project, as approved by the OSC, was using State funds to protect a small piece of the Groome Church property, not the entirety of the undeveloped lands that make up the Great Marsh area.

Bob Ehemann posed the question of whether the appraisals done on the property took into account the portions of the property that could not be developed if significant archeological remains were found. Ron clarified that when he was in his role as manager of the Land Preservation Office, that the appraisals he got on the property took into several other considerations; however, not archaeological ones.

Wayne Holden posed the question of whether there were any foundations that could assist in preserving the Groome Church property. He commented that the archeological history was extremely valuable and could stand on its own merits and thought that may be the key to protecting the property. Wayne brought up the Dorris Duke Charitable Foundation's grant program as a potential option.

Dan Griffith responded that the Archaeological Conservancy had been contacted but they were working on a property in Kent County currently although they were interested in the Groome Church property as well. He stated that there may be other Delaware foundations that could help.

Lorraine asked if archaeological foundations allow public access if they purchased the property, to which Dan responded they would not.

VI. Executive Session

A. Discussion of Site Acquisitions

VII. Open Session

A. Council Project Recommendations

1. Wolfe Neck Waste Water Treatment Plant (WWTP), Cape Henlopen State Park, Parks and Recreation - Lorraine made a motion to approve up to \$5,000 for a survey for a wooded parcel that Sussex County would like to donate to Parks adjacent to the WWTP. David Humes and Dorothy Leventry seconded the motion and it was unanimously approved.
2. Mispillion Harbor Properties, Mispillion Preserve, F&W –Lorraine expressed concern about using OSC funds for property that could receive grant funding. Craig assured the OSC that F&W would do everything they could to secure grant funding prior to using the OSC funds. Wayne made a motion to approve up to \$1.665M for the acquisition of the remaining parcels, which was seconded by Dorothy and unanimously approved.
3. Groome Church Property, HCA – Wayne made a motion to hold over the \$1M set aside for the portion of the Groome Church property that HCA has committed to funding until the July 20, 2018 meeting at which there needs to be a contract for the entirety of the property that is acceptable to all and acknowledging this encumbrance is contingent upon funding. Dorothy seconded the motion and it was unanimously approved.

Next Meeting Date/Adjournment

The next meeting of the Open Space Council is scheduled for July 20, 2018 in Legislative Hall, Second Floor, Senate Hearing Room, Dover, DE 19901, starting at 9:00 a.m. Bill Miller shared that Parks was working on a master plan for White Clay Creek State Park and Open Houses will begin being organized late summer and encouraged all to attend.

John thanked everyone and asked for a motion to adjourn.

GREAT MARSH LAND CONSERVATION PROPOSAL

- **Current proposal would protect 1,094 acres of marsh, forest, farm (~416 wetland; ~565 farmland; ~115 forestland) over four contiguous properties**
- **Eliminates potential for over 1,496 building lots**
- **Builds on past protection efforts – over 2,000 acres already protected**
- **Great Marsh area is southern anchor for the Delaware Bayshore Initiative; recognized as a landscape of national significance**
- **Delaware Bay Estuary (which includes the Great Marsh) is a Ramsar Convention Wetland of International Importance**
- **Greater Lewes Scenic Byway**
- **Great Marsh area is a long-standing research site for the University of Delaware's College of Earth, Ocean and Environment**
- **Coastal complex of saltwater marsh, freshwater streams, pine and deciduous forests, and agricultural land**
- **Significant cultural resources including Native American village and 1600s Dutch site; other early European sites**
- **Undeveloped land adjacent to wetlands allows for sea level rise and marsh subsidence to occur without impacts on structures or relocation costs**
- **Marshland and open land buffer storm surge and protect infrastructure**
- **If Great Marsh area conserved as open space, then roadway upgrades aren't necessary in the short - midterm; aids in storm evacuation by less traffic congestion with less development**
- **Landscape conservation through a combination of fee simple acquisition and purchase of development rights by means of a conservation easement**
- **Potential public access/use with separated bicycle/pedestrian pathway along New Road**

An American Indian Town

Lewes, Sussex County,
Delaware

in the

17th Century

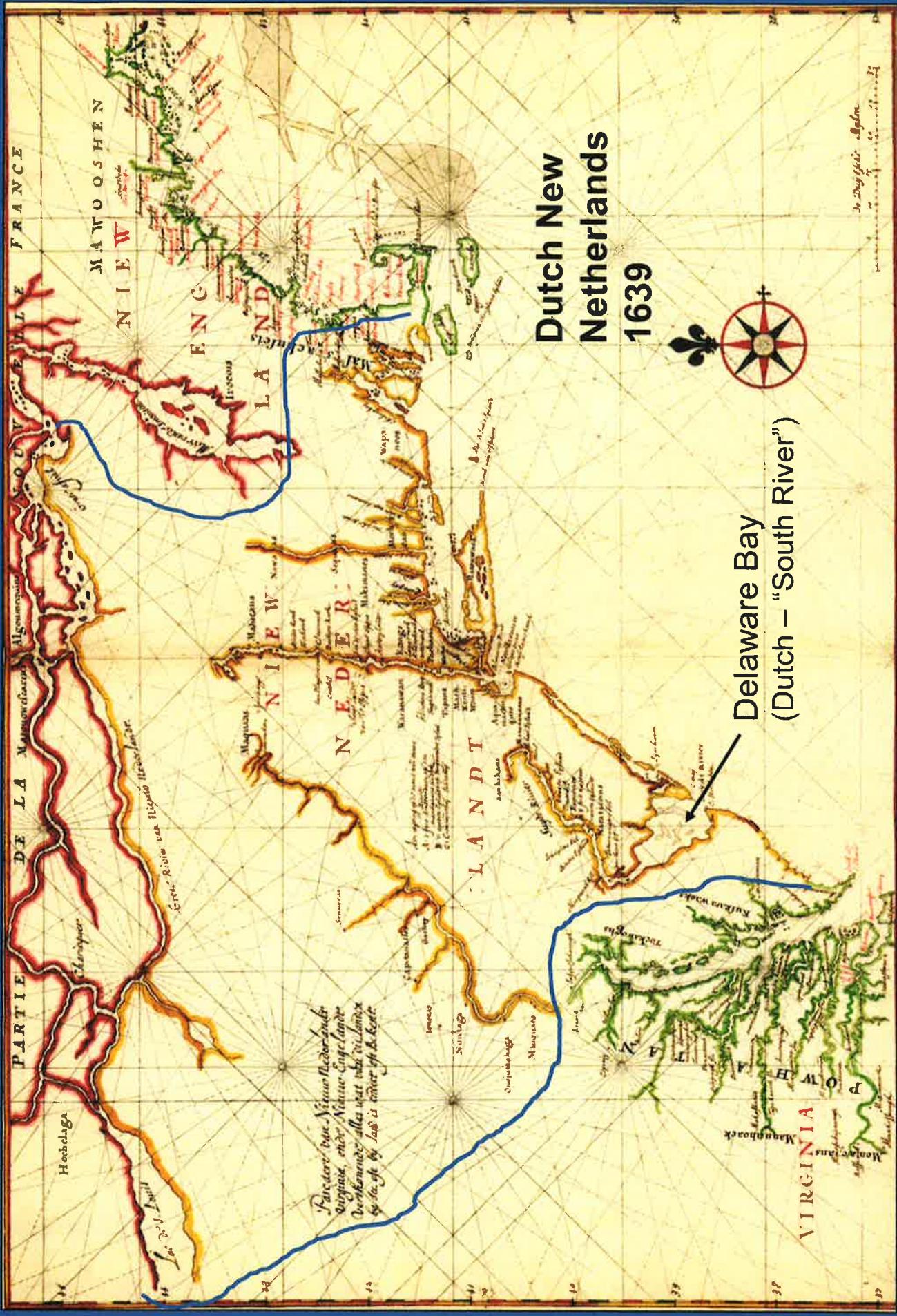
Daniel R. Griffith
Griffith Archaeology Consulting
March 2018

Dutch New Netherlands

1639



Delaware Bay
(Dutch – "South River")

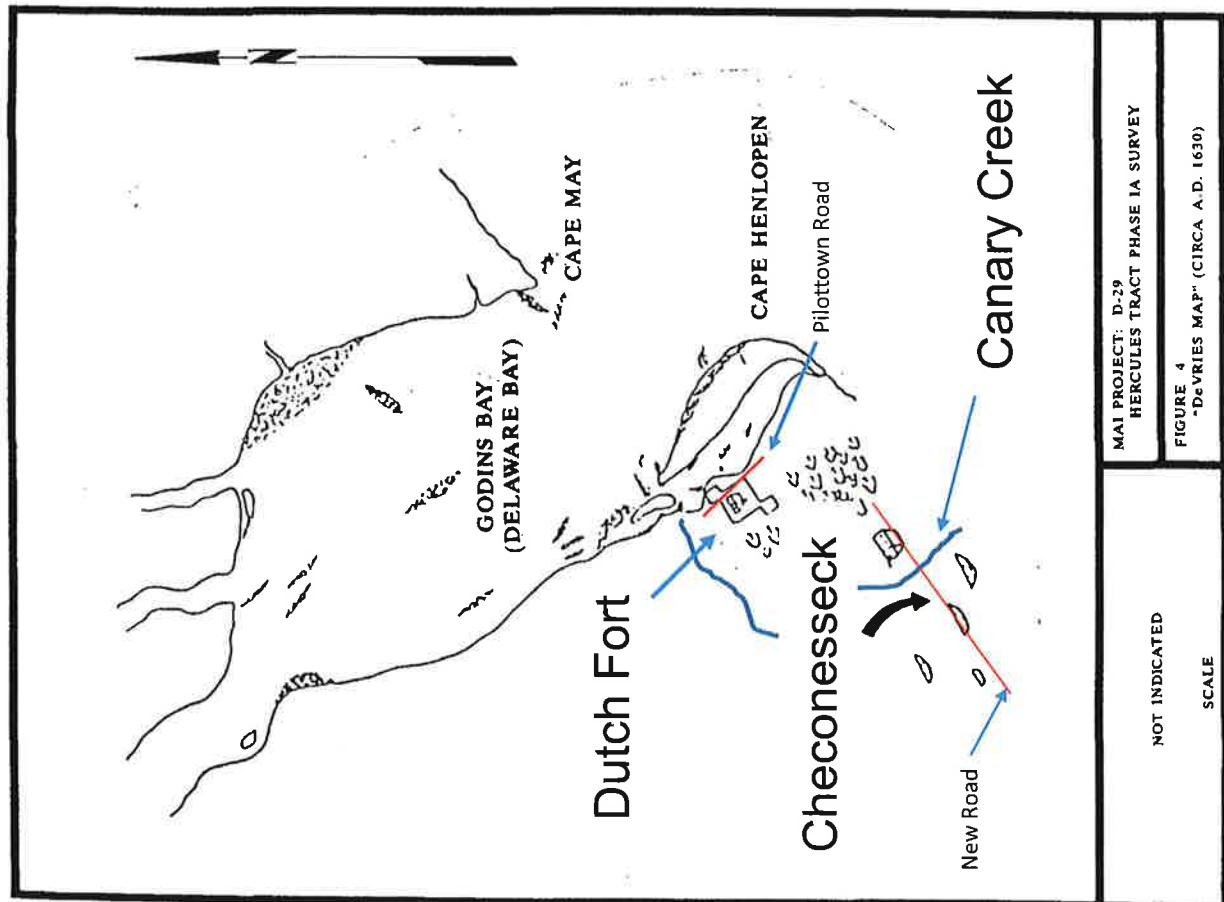


Dutch 1659 agreement to purchase areas around Lewes

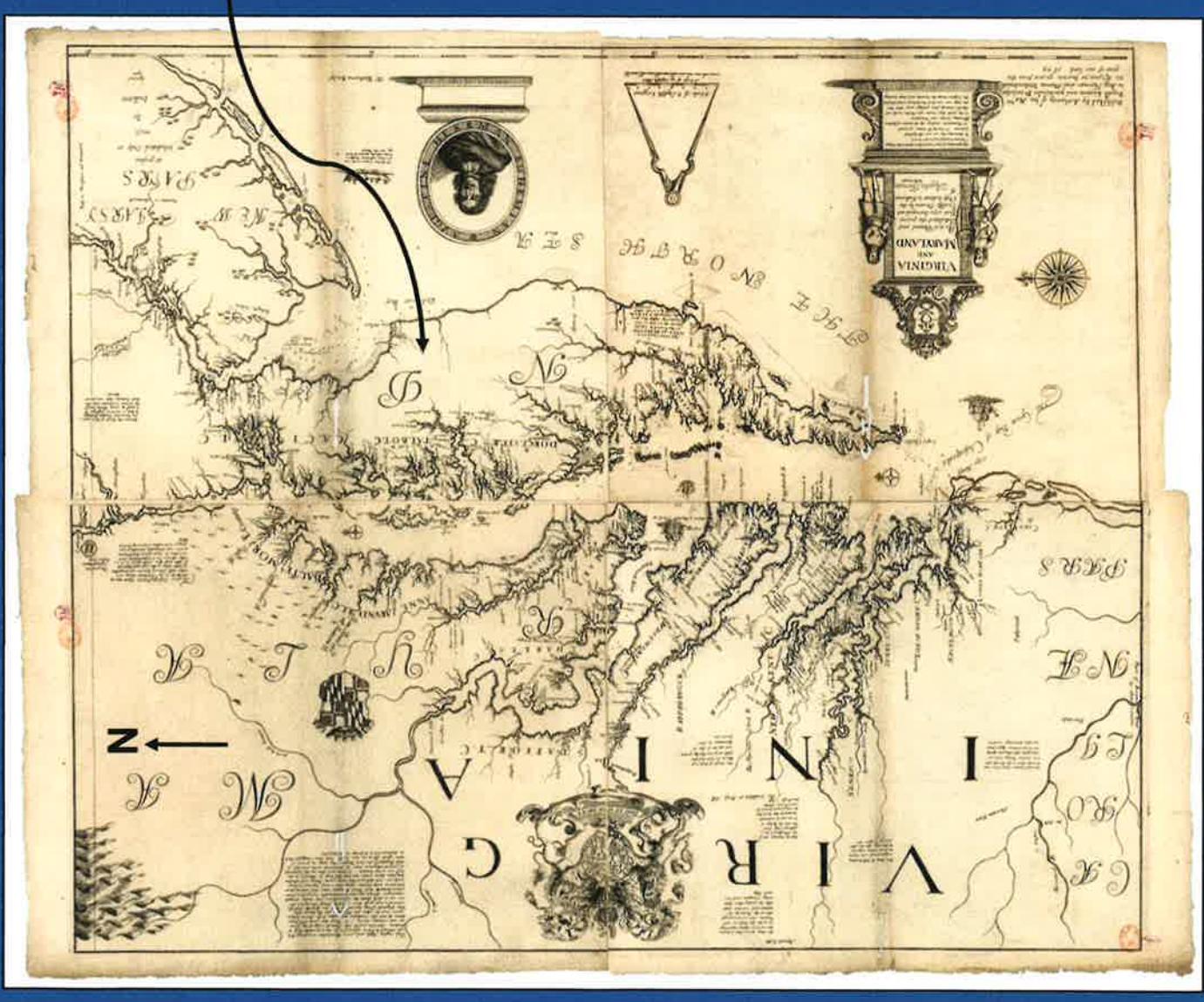
“Wee Unther-Written Owners of the Landes Lyinge between Boemple
[Bombay] Hook and Cape Hinlopen doe acknolidge this... Kocketoteka
Lyckewys Great Upperhed [chief] and Owner of the Hoerekil (called in the
Indian Lingo Siconece) & the Land thar abound... -- We doe declare
herby In the Psence of a Great Quantite of Indians and the following
witnesses that we have Sold and Transported and Made Over unto the
... New India Company off Amsterdam.. all the Above Mensioned Land... “

Dutch
De Vries Map
Circa AD 1630

Showing Relationship
of
Checonesseck
to
Dutch Fort
and
Modern Roads
in Lewes



Maryland Claim on Southern Delaware 1670

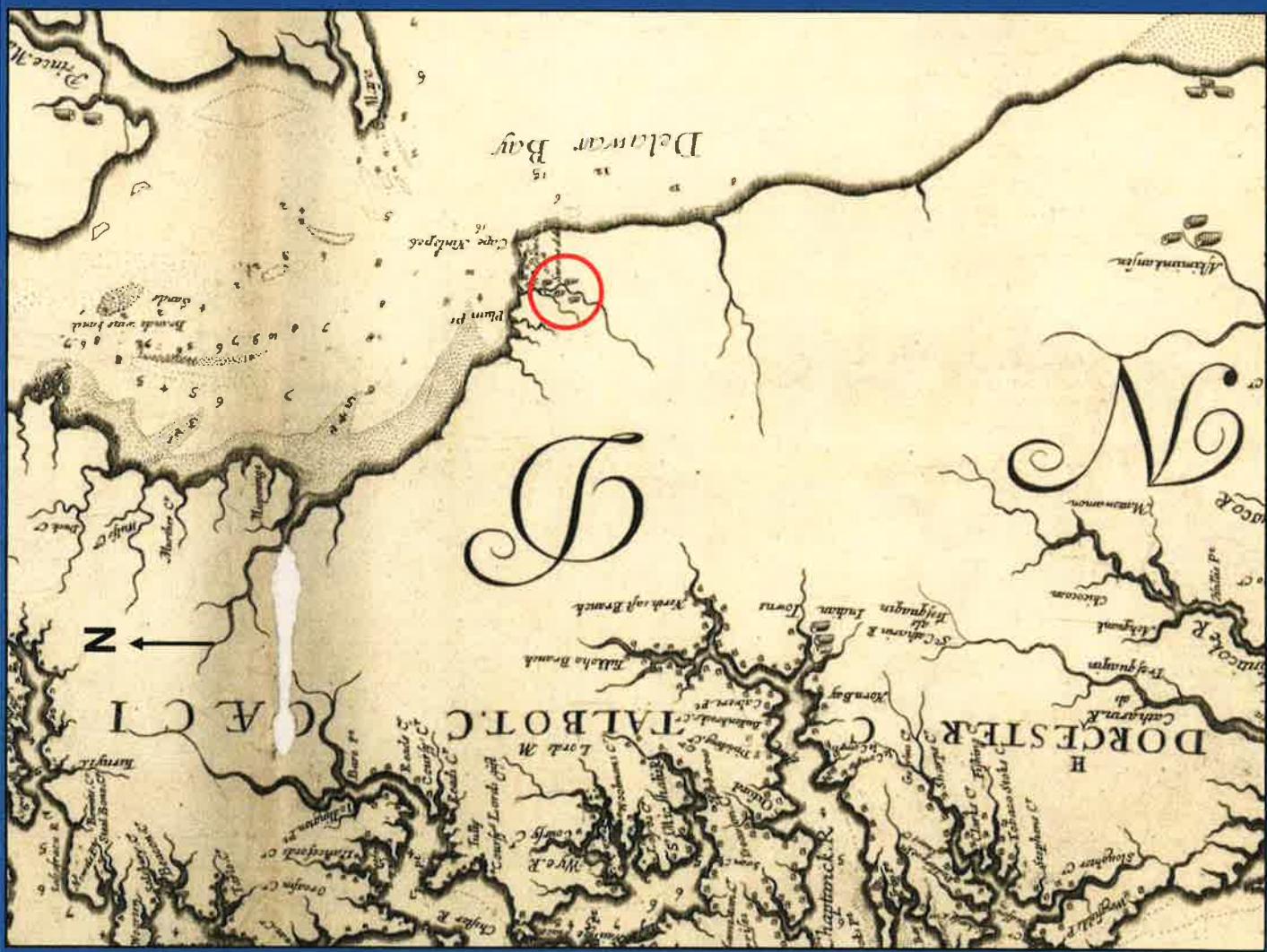


Proceedings of the Council of Maryland, March 23, 1677

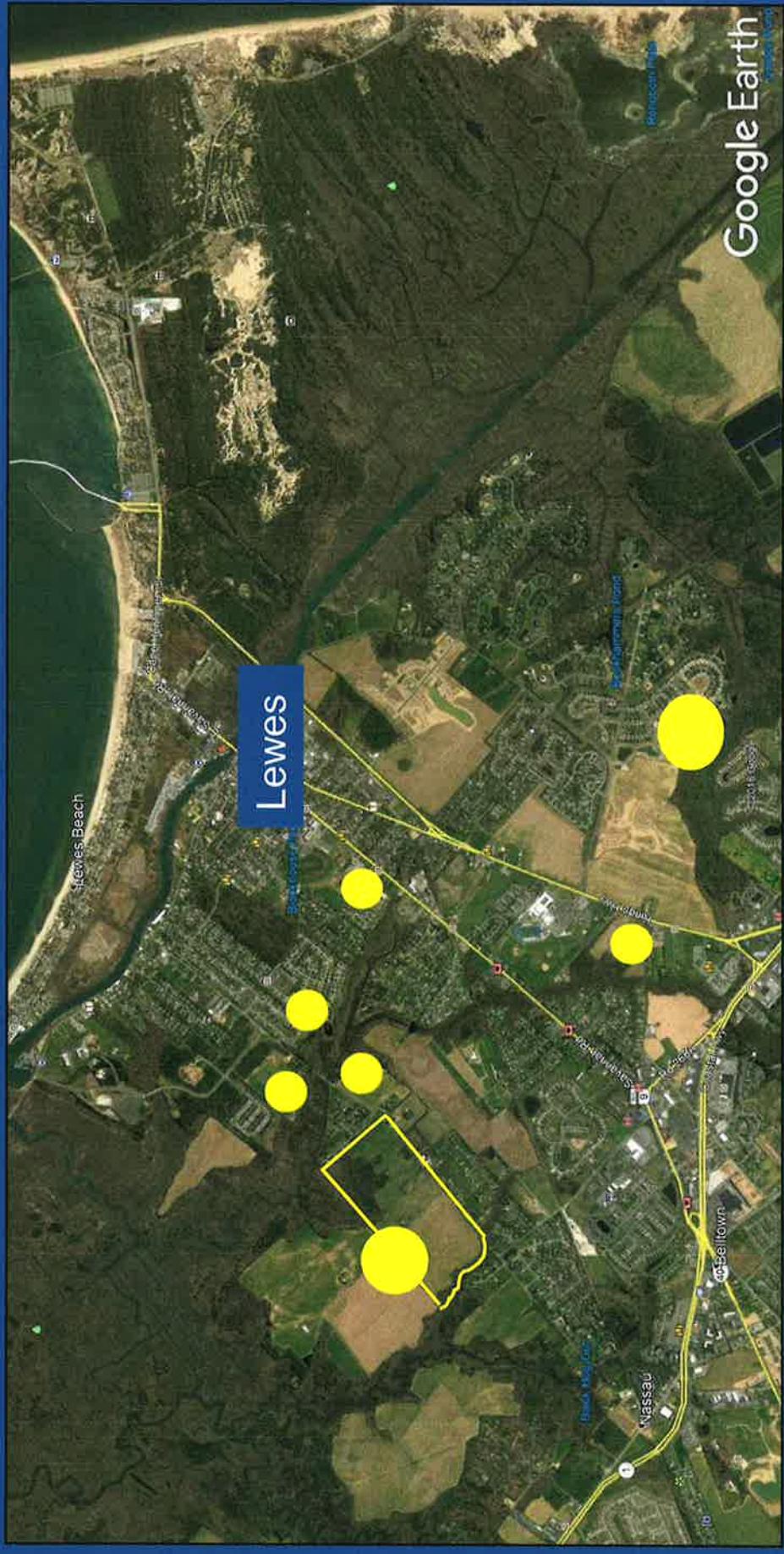
"Several Great men Indians of Nanticoke in Com a wth Coll. Henry Coursey came over to speak wth the Governor touch the late murdr committed on David Williams. being asked wthir they knew One Krawacom they answered they did, that he was an Indian belonging to the King of Checonesseck, a Towne upon the Horekills, that last summer he came among them to trade, and brought some Mannoses wch he sold for Peake and soe the last fal went away since wch they have not scene him nor hath he been since among them, they were then asked wther Krawacom did not belong to the Wiccomeeze, to wch they answered noe and desired the Governor to send to the said place of Checonesseck, and then he would be satisfied that Krawacom did belong properly to the said Towne of Checonesseck, and not to the Nanticoke or Wiccomeeze."

Indian Town Near
Lewes on Maryland
Map of 1670

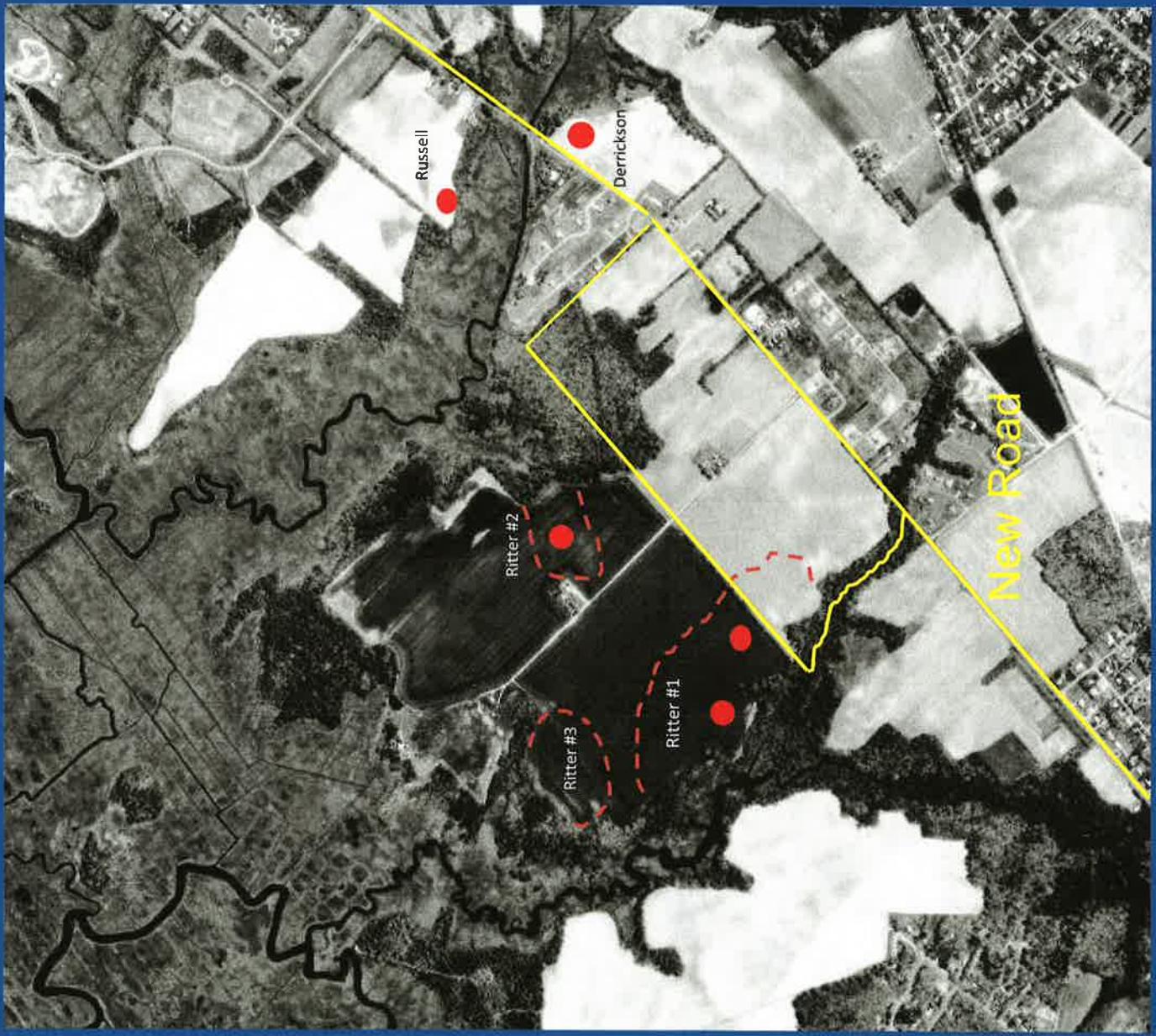
Likely The Indian Town
of Checonesseck



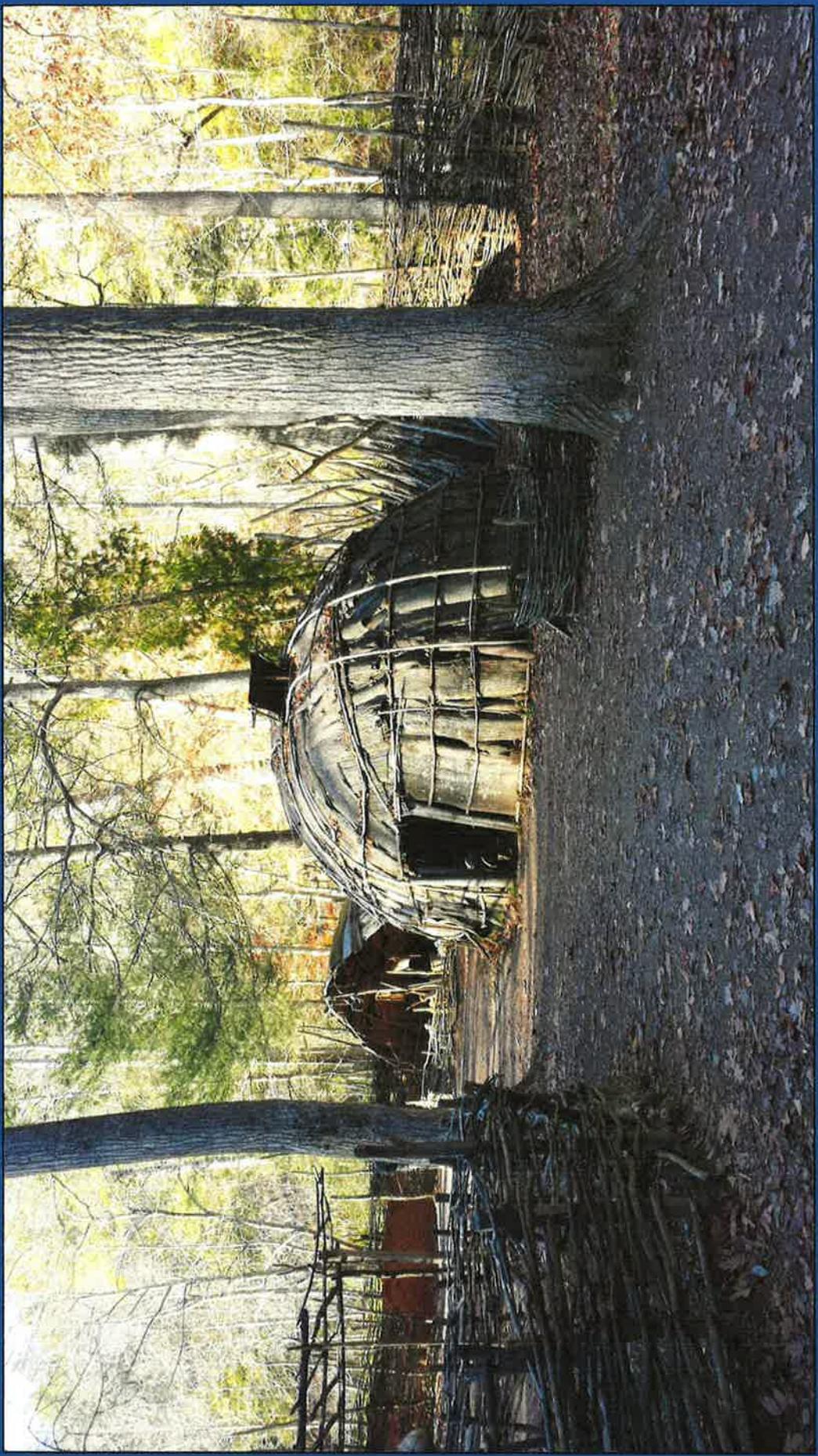
Archaeological Sites Likely Representing Checonesseck



American Indian
Burials
Excavated in the
early
1950's near
Lewes
(Checonesseck)



“ ... Natives live not in great numbers together, but dispersed...” Smith 1624





November 15, 2017

Reverend Dr. S. Willard Crossan III
Groome United Methodist Church
Savannah Road and Dewey Avenue
P.O. Box 299
Lewes, DE 19958

Dear Reverend Crossan,

I am writing to inform you, as a representative of the Archaeological Society of Delaware, Inc., that potentially significant archaeological sites may exist on the Groome UMC property on New Road, Lewes, Delaware. We encourage you to undertake a comprehensive, professional archaeological survey of the property that meets the survey standards and guidelines of the Delaware Division of Historical and Cultural Affairs to determine the nature and extent of any such sites.

During the fall of 1951 and early 1952, avocational archaeologists from the Sussex Archaeological Association excavated two American Indian sites immediately north of the Groome UMC property. Their reports, published in 1954 in the Association's bulletin and the bulletin of the Archaeological Society of Delaware, summarize the findings and describe evidence of American Indian habitations and the recovery of three American Indian burials. The files on the project also include a site map showing American Indian artifact concentrations on the west side of the Groome UMC property. However, a comprehensive survey of the Groome UMC property was not undertaken at the time as the property owner did not grant permission for further work.

Elsewhere in the immediate area, the Association investigated several sites along Canary Creek. These investigations revealed additional evidence of American Indian occupation and additional American Indian burials. The combined archaeological investigations show that the Groome UMC property is nearly surrounded by significant American Indian sites. Fieldwork by the Society also revealed that at least some of the sites were occupied in the early 17th century. There are indications that the American Indians in this area had contact with the Dutch colony nearby based on Dutch artifacts found in association with American Indian occupations.

Historical maps of the early 17th century also indicate the presence of an American Indian town in the approximate location of the Groome UMC property and surrounding areas (Attachment A). An

American Indian town was referenced in the Proceedings of the Council of Maryland (March 23, 1677) as the town of Checonesseck, a “Towne upon the “Horekills” – Horekill is the Dutch name for Lewes Creek and its tributaries, including Canary Creek. Lewes Creek is now incorporated into the Lewes/Rehoboth Canal (Attachment B).

It is clear from both prior archaeological surveys and historic research that the Groome UMC property is likely within the “Towne of Checonesseck” and may contain evidence of this significant American Indian occupation. The Archaeological Society of Delaware, Inc. encourages the church to undertake a comprehensive and professional archaeological survey of the Groome UMC property on New Road. Results of this survey should be shared with all appropriate government review agencies as well as current and future owners of the property. This information will be useful in planning for future uses of the property.

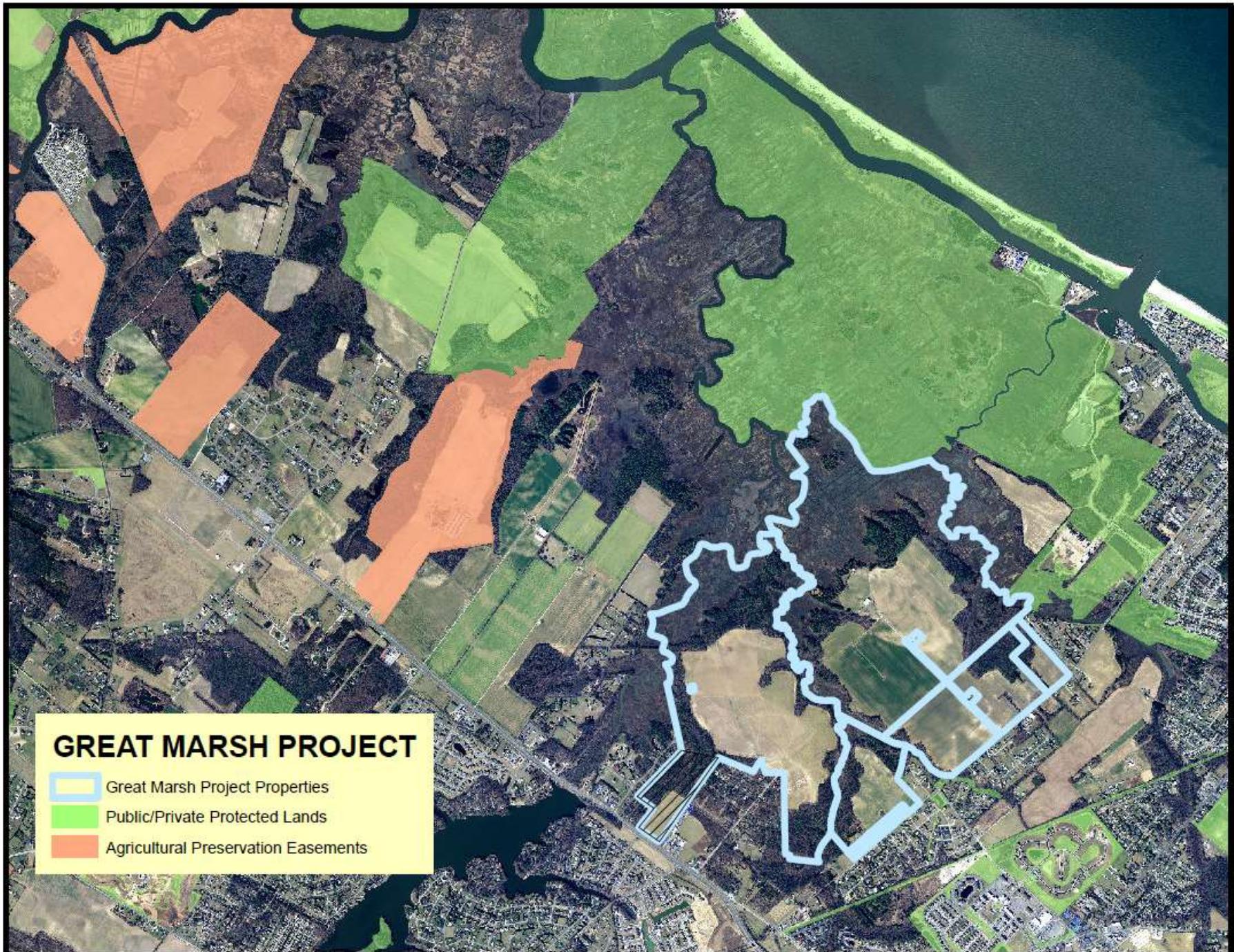
The Archaeological Society of Delaware, Inc., founded in 1933, is a non-profit 501c3 organization dedicated to the study of the archaeological heritage of Delaware and committed to public outreach and education. We are prepared to advise you further as you proceed with the investigation. If you have any questions or would like additional information, please do not hesitate to contact me.

Sincerely yours,

Daniel R. Griffith
Board Member

Attachments

cc. Timothy A. Slavin; Director, Delaware Division of Historical and Cultural Affairs
Chief Natosha Norwood Carmine; Nanticoke Indian Tribe of Delaware
Dan Parsons; Sussex County Historic Preservation Planner



GREAT MARSH PROJECT

- Great Marsh Project Properties
- Public/Private Protected Lands
- Agricultural Preservation Easements

