

MINUTES

**HARRISBURG ARCHITECTURAL REVIEW BOARD
REGULAR MEETING**

July 11, 2022

**THE MARTIN LUTHER KING, JR. CITY GOVERNMENT CENTER
CITY COUNCIL CHAMBERS**

MEMBERS PRESENT: Trina Gribble, Chair
Bruce Henry, Assistant Codes Administrator
Camille Bennett
Kali Tennis
April Rucker

MEMBERS ABSENT:

STAFF PRESENT: Geoffrey Knight, Planning Director
Stephen Ekema-Agbaw, Senior Deputy City Solicitor

OTHERS PRESENT: See Sign-In Sheet

CALL TO ORDER: 6:00 PM

APPROVAL OF MINUTES:

Mrs. Tennis moved, and Mr. Henry seconded the motion, to Approve the minutes from the June 6, 2022 meeting without corrections. The motion was adopted by unanimous vote (5-0).

OTHER BUSINESS:

Mr. Ekema-Agbaw asked whether an executive session had been held before the meeting, as indicated in the meeting agenda; Mr. Knight stated that the Board had not held an executive session and stated that the Board may want to consider doing so ahead of hearing any of the cases on the current agenda. Mr. Ekema-Agbaw stated that an executive session would be a closed-door meeting and noted that the Board might want to consider voting to Table that action until after the regular meeting. Mr. Henry stated that he would be in favor of moving a vote on the Board Vice Chair to the end of the meeting.

Mrs. Gribble asked whether the Board members wanted to vote on the proposal. Ms. Rucker asked for clarification on what the Board members would be voting for; Mrs. Gribble stated that the current vote was only to move the issue under the “Other Business” discussion at the end of the agenda. Mr. Ekema-Agbaw reiterated that an executive session was a closed-door meeting and thus would have to occur after the adjournment of the regular meeting.

Mrs. Gribble asked whether there was a motion to postpone the executive session until the next month, and Mr. Knight clarified that the Board could vote to Table the discussion until the end of the current meeting. Mrs. Gribble stated that Ms. Rucker seemed concerned about timing given

**MINUTES – HARB Regular Meeting
July 11, 2022**

the length of the current agenda. Mrs. Tennis stated that the Board could Table the discussion until the next month's agenda if it were going to be shorter.

Mrs. Tennis moved, and Ms. Rucker seconded the motion, to Table the discussion until the end of the meeting. The motion was adopted by unanimous vote (5-0).

OLD BUSINESS: N/A

NEW BUSINESS:

- 1. 1433 North 2nd Street, filed by Wendy Kern w/ Bartush Signs, to install a four-square-foot, aluminum cabinet wall sign with a Lexan face on the western façade of the building, as well as other incidental signage at locations around the property.**

The case was represented by Wendy Kern with Bartush Signs (the contractor, acting as representative for the Applicant), 302 North Washington Street, Orwigsburg, PA 17961 (aka "the Applicant").

Mr. Knight gave a synopsis of the case report recommending the request be Approved with the following condition(s):

1. The proposed signage will not be internally-illuminated, as such signage is not permitted in the Residential Medium-Density (RM) zoning district per Section 7-325.6 of the Zoning Code. If the Applicant is not agreeable to this condition, they will need to file a Variance application and receive approval from the Zoning Hearing Board before the proposed wall signage can be installed.
2. Per the Secretary of the Interior's Standards and Historic Design Guidelines, sign brackets must be anchored into mortar joints to minimize the potential to damage the façade.
3. The Applicant will remove the unauthorized pennant banner signs installed in the landscaped area along North 2nd Street.

Mrs. Gribble asked the Applicant whether they wanted to provide additional information on the proposal or ask any questions regarding the Planning Bureau's case report. The Applicant asked for clarification on the condition regarding the location of the proposed sign; Mr. Knight noted that the reference was not included in the conditions, but under the reasons for recommending approval.

The Applicant stated that her client was hoping to be able to install an internally-illuminated sign, but that if the historic district and zoning regulations prohibited it, they were okay with it not being illuminated. She stated that although the submitted application did indicate a Lexan face, the proposed signage face was actually a more flexible plastic material that allowed light to pass through. She also stated that they were open to using a painted aluminum panel. Mrs. Tennis asked whether the Applicant had a sample of the proposed signage material; the Applicant confirmed that she had brought samples of the proposed signage material.

Mrs. Gribble asked whether there were any questions or comments from the other Board members. Mrs. Tennis asked the Applicant to confirm that there was an option for painted signage. She confirmed that there was an alternative for a painted signage cabinet design that was approximately

**MINUTES – HARB Regular Meeting
July 11, 2022**

one inch deep and anchored through the mortar joints with brackets. Mrs. Tennis stated that a painted surface would be preferable. The Applicant confirmed that if the signage would not be internally-illuminated, then the flexible plastic material would not be utilized. Mrs. Tennis inquired as to the depth of the proposed signage, and the Applicant confirmed that it would be one inch deep and that the signage would be approximately four square feet regardless of what design was selected.

Mrs. Tennis asked whether the Applicant had considered installing the proposed sign in the same place as the previously-installed wall sign on the southern elevation; the Applicant stated that an ADA parking space sign was installed at the location to reserve the space for those with disabilities.

Ms. Bennett made a motion to approve the project. Mrs. Tennis asked whether she was making a motion to approve the painted sign, and Ms. Bennett clarified that she was recommending approval of the internally-illuminated sign. Ms. Gribble noted that the motion did not receive a second, and stated that there was likely some concern over the proposed internal illumination based on the recommendation in the Planning Bureau's case report.

Mrs. Gribble noted that there was other incidental signage around the property being proposed as part of the project, including a window sign adjacent to the front entrance and some parking signs throughout the site. The Applicant confirmed that the parking signs were meant to inform the public that parking was for UPMC employees and patients only, and that the signage next to the door provided the hours of operation. Mrs. Gribble asked whether any of the other signage would be illuminated and the Applicant confirmed that it would not.

Mrs. Gribble noted that one of the other conditions in the case report was the removal of the unauthorized pennant signs along 2nd Street; the Applicant stated that she was not aware those had been installed and that she would inform her client that they needed to be removed.

Mrs. Gribble stated that it sounded as though the Applicant agreed with Conditions #2 & #3 from the case report, and referenced Condition #1, which included the prohibition against internal illumination. She asked the Board members if there was a preference that the Applicant utilize a painted signage face. Ms. Rucker stated that she preferred a non-illuminated sign with a painted face; Mr. Henry agreed with that condition.

Mrs. Tennis asked whether the pennant signs were installed to enable patients to find the building given the new location; the Applicant confirmed that was the case, since there was no other signage advertising the presence of the medical facilities. Mrs. Tennis stated that she did not have an issue with retaining the pennant signs; Mr. Knight clarified that the Zoning Code did not allow the installation of such signs, but that it would be acceptable to keep the signs up for a month or so, but that patients could be given directions to the facility with their appointment information in the future.

Ms. Rucker moved, and Mrs. Tennis seconded the motion, to Approve with Staff & Additional Conditions; the additional condition was that the signage would be non-illuminated and would have utilize a painted signage face. The motion was adopted by a unanimous vote (5-0).

**MINUTES – HARB Regular Meeting
July 11, 2022**

- 2. 316 North 2nd Street, filed by Enrique Armas w/ Masa Authentic Mexican Cuisine, to install a 16.6-square-foot aluminum sign with a matte finish and vinyl letters advertising the business name.**

The case was represented by Enrique Armas with MASA Authentic Mexican Cuisine (the business owner), 423 Walnut Street, Apartment 215, Harrisburg, PA 17101 (aka “the Applicant”).

Mr. Knight gave a synopsis of the case report recommending the request be Approved.

Mrs. Gribble asked the Applicant whether they wanted to provide additional information on the proposal or ask any questions regarding the Planning Bureau’s case report; the Applicant stated that he did not.

Mrs. Gribble noted that there were no conditions of approval included with the recommendation.

Mrs. Tennis moved, and Ms. Rucker seconded the motion, to Approve. The motion was adopted by a unanimous vote (5-0).

- 3. 1801 North 2nd Street, filed by Staci Basore, to remove and replace real slate shingles around the dormers in the third-floor mansard roof with asphalt shingles.**

The case was represented by Staci Basore (the property owner), 1801 North 2nd Street, Harrisburg, PA 17102 (aka “the Applicant”).

Mr. Knight gave a synopsis of the case report recommending the request be Approved with the following condition(s):

1. If the Board authorizes the removal of the real slate shingles, the Applicant will be required to utilize synthetic slate shingles that match the existing historic slate in reveal, color, size, and dimension.
2. Associated architectural roof features including trim, chimneys, dormers, eaves, or gables shall be preserved or repaired in-kind if needed.
3. If possible, slate shingles shall be saved or donated for use on other historic slate roofs for repair.

Mrs. Gribble asked the Applicant whether she wanted to provide additional information on the proposal; the Applicant noted that she had brought samples of the roofing options that she wanted the Board to consider, and noted the price difference between the products. The Applicant stated that she was willing to utilize an in-kind replacement, but wanted to appear before the Board to discuss the financial costs, and thus economic hardship, inherent in maintaining historic properties. She stated that she was well-versed in the costs of owning an historic property because she had lived in the property for twenty years.

The Applicant stated that asphalt shingles were available in 1870, noted that her home was constructed in 1902, and stated that millions of homes had had asphalt shingles installed by 1905. She stated that the material was thus historic and seemed appropriate for her property. She stated

**MINUTES – HARB Regular Meeting
July 11, 2022**

that it was unreasonable to expect owners to maintain homes in the city's historic districts if they weren't afforded the option of using the materials they wanted.

The Applicant stated that she had to stand half a block away to get the pictures of the rear roof that were included with the submission, and that the proposed area of work was barely visible from the street. The Applicant stated that if the proposal was to replace slate shingles on the side or front roofs, she would have no issue with in-kind replacement of the roof. She reiterated that she was willing to use synthetic slate shingles on the rear roof, but wanted the Board to consider her request for an alternative material and design.

The Applicant read from the Secretary of the Interior's Standards, stating that if the use of an historic material was not technically or economically feasible, then a compatible substitute was a viable approach. She acknowledged that the Board had granted approval of synthetic slate as a compatible alternative, but stated that she felt asphalt shingles should be included as well, because they looked similar from a distance. The Applicant referenced the samples she had brought to the meeting, and stated that they would look the same from across the street.

Mrs. Gribble asked the Applicant to confirm on what elevation the shingles would be installed; she stated that they would only be installed on the eastern elevation. She stated that the real slate shingles on the front and side mansard roofs was still in good condition, and noted that there would be some additional wooden trim work done on the side roof as part of the project, but that it would involve in-kind replacement. The Applicant referenced the existing conditions photos and noted that white metal sheeting had been installed on the rear elevation by a previous property owner as a temporary solution to water infiltration issues, but that the fix has remained to this day. She noted that the proposed work would involve tearing the roof down to the subsurface to implement a permanent fix. The Applicant also noted that there would be accompanying improvements to the roof including in-kind replacement of the rubber roof and trim elements.

Mrs. Gribble stated that she appreciated the application and presentation, stating that Board members were aware of the financial issues involved in the appropriate repair and rehabilitation of historic homes, but also noted that the Board's concerns also included consideration of the appropriateness of work with respect to past and future owners. She also noted that slate shingles were a 100+ year solution, whereas asphalt shingles only lasted for thirty years or so, and that the per annum cost of slate or synthetic slate shingles would be less than asphalt shingles. Mrs. Gribble noted that there was a significant difference in size and shape between the proposed alternatives, and that there were two designs of slate shingles on the roof that could not be replicated with asphalt shingles.

Mrs. Gribble asked whether there were any questions or comments from the other Board members. Mrs. Tennis asked how the proposed asphalt shingle compared to the existing slate shingle in regards to color, size, and dimension; the Applicant stated that it was possible to find asphalt shingles that matched the existing slate shingles. She also stated that even if the Board granted approval for use of the asphalt shingles, she might choose the synthetic slate shingles regardless. The Applicant stated that she had invested approximately \$100,000 in property maintenance since purchasing it. She reiterated that her primary goal in submitting the COA application was to initiate

**MINUTES – HARB Regular Meeting
July 11, 2022**

a discussion regarding the cost of maintaining historic properties, and noted that the property behind hers was deteriorating because the owner was unable to afford to rehabilitate the structure.

Mrs. Gribble stated that situations like these were a bit of a “Catch-22” because the gradual loss of historic architectural and individual elements within historic structures, or replacement with inappropriate alternatives, degrades the overall value, aesthetics, and attractiveness of the city’s historic districts. She stated that she understood financial hardships for individual owners, but that the Board’s primary job was to protect the integrity of the city’s historic districts because there were benefits to that as well.

Mrs. Tennis stated that the Board was also supposed to make equitable and fair decisions, and that she appreciated the Applicant’s presentation. She referenced a separate case the Board had reviewed in which the issue of financial hardship was considered. Mrs. Tennis noted that in some instances, rowhomes would have slate shingles shared across the front of connected mansard roofs, but that that would not be the case for the proposed location of work since the mansard roof did not connect across the rear of the properties. Mrs. Tennis noted that there were many blocks of rowhomes in which mansard roofs connected across multiple properties, and that in many cases, the slate shingles were attached directly to the roofing boards without vapor barriers or insulation. She stated that it was easy for elements to rot in that instance, but it would be difficult to replace individual shingles. Mrs. Tennis stated that she was open to considering asphalt shingles, especially if the Applicant could find a material that matched the existing color and look of the real slate shingles. She stated that homeowners needed to be able to protect their roofs from weather.

Mrs. Tennis inquired about the shapes and designs of the existing slate shingles, and stated that if the Applicant could find asphalt shingles in a similar appearance, she thought those would be appropriate. The Applicant requested clarification on whether she was referring to the side or rear mansard roof; Mrs. Tennis stated that the pattern appeared to run across the mansard roof on all three sides. Mr. Knight noted that there was a band of scalloped shingles in between rows of rectangular shingles on all three sides of the mansard roof.

The Applicant reiterated that she would be able to find synthetic slate shingles in a matching pattern, but noted that the side and rear roofs were separated by a piece of wooden trim that would be replaced as part of the project, and that because of that, she didn’t think a different material and design would be noticeable. The Applicant stated that she would defer to the Board’s decision.

Mrs. Gribble asked whether there were questions or comments from the other Board members. Ms. Rucker stated that she was not in favor of the asphalt shingles, and that she felt the synthetic slate shingles. Ms. Bennett stated that she also supported the use of synthetic slate shingles.

Mrs. Gribble asked whether the existing slate in the proposed location of work was in a condition that allowed it to be salvaged and reused. The Applicant noted that the existing metal on the rear roof was installed about halfway up the roof, and thus she would be replacing the entire rear roof, but that she intended to save the slate shingles for use in any future repairs to the front or side mansard roofs. She reiterated that repair work would also be done around the window and other roofing elements as well.

**MINUTES – HARB Regular Meeting
July 11, 2022**

Mrs. Gribble re-read the conditions in the case report, and the Applicant concurred that they were generally acceptable; she noted that there appeared to be some disagreement amongst the Board members regarding Condition #1, but that there appeared to be enough consensus to take action on the proposal.

Mrs. Gribble moved, and Ms. Bennett seconded the motion, to Approve with Staff Conditions. The motion was adopted by a majority vote (4-1).

4. 106 Conoy Street, filed by Katcha Neale, to install a six-foot-high, wooden, dog-eared fence to enclose back yard. This is an After-the-Fact application.

The case was represented by Katcha Neale (the property owner), 409 West Walnut Street, Lancaster, PA 17603 (aka “the Applicant”).

Mr. Knight gave a synopsis of the case report recommending the request be Approved with the following condition(s):

1. The Applicant must have the fencing installed so that the finished/decorative side of the fence faces out from the property; currently, the northern and western stretches of fence are installed with the unfinished side facing out.
2. Once the lumber has dried, the fence must be painted or stained; the Planning Bureau recommends that this be completed within 90 days from the date of installation.
3. The Applicant will submit a Floodplain Development Permit application and receive approval from the City’s Floodplain Administrator.

Mrs. Gribble asked the Applicant whether they wanted to provide additional information on the proposal; she responded that she did not, but that she was happy to answer any questions.

Mrs. Gribble asked whether there were any questions or comments from the other Board members. Ms. Rucker asked why they had installed the fence without permits from the City; the Applicant stated that the contractor had not been aware that they needed to file permits as they thought they were completing a partially-existing fence. She noted that the neighboring properties had fences installed as well. The Applicant stated that she had done some research online to determine the requirements for new fences, but reiterated that she had thought she was just completing an existing fence.

The Applicant noted that it was currently difficult to schedule contractors for work, and that when they become available, you work on their timeline. She noted that it was imperative that the rear yard be secured so that they could allow their dog some outdoor play area since she was going to be out of town in the near future.

Mrs. Gribble re-read the conditions in the case report; she noted that the fence had already been installed and asked whether it was possible to meet Condition #1. The Applicant asked whether it would be possible to add boards to the existing exposed portion of the fence; Mrs. Gribble clarified that the Applicant was proposing to install fencing boards on both sides of the structural members.

**MINUTES – HARB Regular Meeting
July 11, 2022**

Mrs. Gribble referenced Condition #2 and asked if the Applicant had any issue with painting or staining the fence; the Applicant responded that she did not and asked whether there were regulations on the colors that could be used or if she had to submit a new application for HARB review. Mrs. Gribble confirmed there were no regulations on the color, and noted that the 90-day period was necessary to allow the chemicals in the pressure-treated wood to age appropriately so the wood could accept any applied paint or stain. The Applicant requested confirmation that she could paint or stain the fence and Mr. Knight confirmed that.

Mrs. Gribble asked whether the Applicant had any issues with the submittal of a Floodplain Development Permit noted in Condition #3. The Applicant responded that she did not.

Ms. Rucker moved, and Mr. Henry seconded the motion, to Approve with Staff Conditions. The motion was adopted by a majority vote (4-1).

5. 1414 & 1416 North 3rd Street, filed by Zachary Nitzin w/ Modern Rugs, to install fencing around the perimeter of the two adjacent parcels to improve the aesthetics of the vacant lots, to prevent trespassing, and to contribute to the overall improvement of the street as an “arts corridor.” The Applicant has provided several alternatives for the proposed fencing.

The case was represented by Zachary Nitzin & Tahirih Alia with Modern Rugs (the property owner), 1404 North 3rd Street, Harrisburg, PA 17102 (aka “the Applicants”).

Mr. Knight gave a synopsis of the case report recommending the request be Approved with the following condition(s):

1. The proposed fencing will be limited to six feet, which is the maximum height for fences in the Commercial Neighborhood (CN) zoning district per Section 7-307.9(e) of the Zoning Code; if the Applicant does not concur with this condition, they will need to secure approval of a Variance request from the Zoning Hearing Board.
2. The Planning Bureau would recommend that that Applicant not utilize the chain-link fence design (Option D), although notes that since the fence is intended to be temporary, a lower-cost alternative is the most sensible.
3. The proposed fence will be installed for no longer than one year from the date of HARB approval. The Planning Bureau notes that the development of the site was to have begun by this point, and wants to ensure that the lots are not allowed to remain vacant for an extended period.
4. The Applicant must reconstruct the sidewalk along the Basin Street side of the property to the City’s standards for sidewalks, and will ensure that the footprint of the proposed fence does not encroach into the public right-of-way.

Mrs. Gribble asked the Applicants whether they wanted to provide additional information on the proposal. They stated that they did not want to be limited to a one-year approval because they were not sure how long it would take to raise the funds to construct the building that was previously approved at the June 2021 HARB meeting; they noted that over the course of several years, the cost to construct the proposed building had increased significantly from \$2.5 million to \$6 million. They stated that it would be infeasible to remove the fence after one year, noting that the fences

**MINUTES – HARB Regular Meeting
July 11, 2022**

would have a considerable cost, since they wanted to make them as attractive as possible utilizing quality materials; they stated that the fence would cost approximately \$30,000. They asked the Board to grant an extension on the time limit for installation of the fence.

The Applicants reiterated that they intended to proceed with the project as originally approved at the June 2021 HARB meeting, and that their main purpose in installing the fence was to secure the property and create an attractive appearance for their neighbors and the community. They stated that they were considering temporarily installing pavers to accommodate events and create a gathering space.

Mrs. Gribble stated that she did not have hard copy documentation of the proposed fence alternatives in her packet; Mr. Knight stated that they had been included in the digital copies as well as the extra hard copy packets he had brought to the meeting. He provided the copy from the Planning Bureau's packet to Mrs. Gribble.

Mrs. Tennis noted that Option A stated that it was stainless steel, but that the illustration made it appear as though it were wood; the Applicants confirmed that the fence was wood. Ms. Tennis asked whether the Applicants intended to install a cement footer at the bottom of all the fence alternatives and they confirmed that they did. The Applicants stated that they were open to any suggestions or proposals the Board might make regarding the materials or design of the fence.

The Applicants noted that their business specialized in design, and that they wanted to ensure the proposed fence conveyed the importance of the element; they also noted that it was across the street from the Susquehanna Art Museum, which imparted additional importance to the design aesthetic.

The Applicants referenced the fencing alternatives they provided with the submission and stated that they felt that Option B best matched the horizontal architectural elements from their adjacent building; they also stated that Option A provided some of the same visual continuity. Mrs. Gribble looked through the fencing options and stated that she felt Options A-C were appropriate but that Option D should be removed from consideration.

Mrs. Gribble noted that it sounded as though the Applicants were agreeable to the conditions as discussed; Mrs. Tennis noted that the Applicants had requested that the time limit be extended so that the lots could be used for outdoor space until the Applicants were able to raise the funds to construct the previously-approved building. Mrs. Tennis noted that Options A & B had a concrete footer below the fence and asked whether that was included in Option C as well; the Applicants confirmed that was the case. Mrs. Tennis asked whether the concrete footer would function as the foundation of the proposed building; the Applicants confirmed that was the intention.

Mrs. Gribble asked Planning Bureau staff why they had included the one-year time constraint as a condition of approval; Mr. Knight noted that the June 2021 HARB approval had anticipated that construction would begin in 2022, and that he wanted to ensure the lot didn't remain vacant or end up with a use not intended when the initial approval for demolition was granted. He acknowledged that issues attributable to COVID had significantly increased construction costs and introduced

**MINUTES – HARB Regular Meeting
July 11, 2022**

ambiguity in project timelines, and noted that the buildings previously on-site were in poor condition.

Mr. Knight also noted that he was unsure of how long the fence would be installed and thus whether a permanent fence design was necessary, although he noted that he believed the Applicants intended on constructing the previously-approved building as soon as feasible. He stated that balancing the desires of the Applicants and the goals of the Planning Bureau made the timeline a little uncertain, but that he wanted to bring the issue to the attention of the Board so that they could make an appropriate determination. Mr. Knight also noted that the uncertain timeline also introduced the issue of whether the project required HARB approval. He stated that if the fence were only installed for six months, it likely would not be subject to HARB review, but that a longer period might be; he noted that there wasn't really a firm timeframe under which projects definitely did or did not require HARB review.

The Applicants confirmed that they would never use the lots for off-street parking, and they stated they had invested a significant amount of time, money, and energy in improving conditions on the block. They stated that their design partners and clientele were often high-end, and thus they were focused on ensuring the block was appealing and projected a good image. They referenced the design of the proposed construction on-site, noting that they had invested resources on design professionals and architects to ensure the new building made a positive impact on the community.

The Applicants reiterated that they had no intention of operating the site illegally, or of retaining the lot in its current state for any longer than necessary to raise funding for the project. They noted that they would like to hold events on-site after the fence was installed, both for their business and for the community, so that the public could enjoy the space as well.

Mrs. Gribble re-read the conditions in the case report; she noted that the limit on the fence height in Condition #1 was related to the Zoning Code and that the Applicants would need to receive approval of a Variance; the Applicants confirmed that was agreeable. She noted that Condition #2 included a prohibition on the use of a chain-link fence design, and that the Board seemed in agreement that Options A-C would be acceptable. Mrs. Gribble asked whether the time limit outlined in Condition #3 should be extended to three or five years, or whether it should be left open-ended; she noted that "temporary" proposals often became permanent without enforcement.

Mr. Henry asked the Applicants whether they had a specific timeframe regarding the construction project. The Applicants stated that they wanted to have the foundation built within a year, but stated that COVID had significantly impacted their business. They noted that their customers were primarily in the retail and hospitality industries, such as hotels and shopping malls, and that all of those businesses were severely impacted by restrictions and closures due to COVID. They stated that this severely depleted their resources. The Applicants stated that they did not have a fixed timeline due to these financial issues, but noted that they were evaluating all options including submittal of a RACP application in October 2022, among other grants. They stated that three to five years would be a reasonable timeframe. Mrs. Tennis asked whether a three- to five-year timeframe would be acceptable and the Applicants confirmed that it would be.

**MINUTES – HARB Regular Meeting
July 11, 2022**

Ms. Bennett stated that she believed a one-year time limit for the proposed fence was appropriate, and Ms. Rucker concurred. Mrs. Gribble noted that a three-year allowance seemed like a good compromise between one-year and five-year timeframes. Ms. Rucker asked for additional information regarding the timelines both of when construction would start and how long it would take. Ms. Bennett asked why a timeframe of three years was being discussed when the Applicants indicated that the project would take six to eight months. Mr. Knight clarified that they were referring to the length of time needed to construct the building as opposed to the amount of time needed to raise the necessary funds.

Ms. Rucker suggested the Applicants make a presentation for a fence once they've secured the funding for the building; the Applicants clarified that they would begin construction on the building at that point, so the fence wouldn't be necessary. The confirmed that the fence was only an interim solution to improve the aesthetics of the vacant lot until construction could begin.

Ms. Rucker asked whether the proposed fence would only run along the back of the lot; the Applicants confirmed that it would run along the front, back, and side property lines to enclose the entire lot.

The Applicants stated that their only purpose for requesting an eight-foot-high fence was because they wanted to shield the vacant lot from view, and noted that several of the surrounding buildings were fairly tall and could thus look into the lot. They said they would have an internal discussion regarding whether to submit a Variance for a fence higher than six feet.

Mrs. Gribble stated that the Board should come to a compromise on the length of time the fence could stay up and asked Ms. Bennett if three years was an acceptable compromise. Ms. Bennett indicated that she did not want to approve a temporary fence for that long.

Mrs. Tennis asked whether the Board had come to an agreement on the appropriate materials and design of the fence. Mrs. Gribble asked whether there were any concerns with Options A-C provided by the Applicants; Mrs. Tennis stated that she preferred Options A & B, but was fine with all of them except Option D [note: this is the chain-link fence]. Mrs. Gribble and Ms. Rucker concurred. Ms. Bennett noted that the Board would not recommend chain-link fence for use in any project.

Mrs. Tennis recommended the Board vote to approve Option A or B; Mrs. Gribble noted the proposal would modify the Planning Bureau's recommendation. The Applicants stated that the condition would be acceptable. Mrs. Gribble asked whether that language would satisfy the other members of the Board; Ms. Rucker confirmed that she supported that condition on the design of the fence.

Mr. Knight stated that if the Board had concerns about the installation timeframe, based on the recommendation in the Planning Bureau's case report, then he would be amendable to the Board modifying the condition to allow installation for up to three years. He stated that five years may be a bit too long, but that three years seemed sufficient to allow the Applicant to raise the money necessary for the construction of the approved building; he noted that grant applications were often not approved in the first year, but that the odds were better in successive years.

**MINUTES – HARB Regular Meeting
July 11, 2022**

Ms. Rucker stated that if the Board granted approval for a one-year allowance, the Applicants could return to the Board and request an extension if they needed one. Mr. Knight confirmed that would be an option. Ms. Rucker stated that she preferred that option. Mrs. Tennis stated that she felt three years was more reasonable because COVID had disrupted normal project planning timelines, including difficulty in securing labor, material costs, project lead times, and unexpected delays in ordering supplies. The Applicants confirmed that they were encountering those issues in their planning towards the project.

The Applicants reiterated that they cared deeply for the neighborhood, and wanted to develop the properties in a way that would contribute positively to the neighborhood; they stated that they could have planted grass and left it in an unfinished state. The Applicants noted that they had worked with the Planning Bureau staff to develop a proposal that would activate the site and contribute positively to the appearance of the street. They stated that their legal counsel and insurance agent both strongly recommended that that lots be fenced to prevent unauthorized access.

The Applicants noted that they were incentivized to begin construction as soon as possible, because the configuration in their current office space [note: this is property at 1408 North 3rd Street] would be dictated by the construction of the new building, and that their offices were currently empty until the new addition was construction. They stated that there were significant costs to maintaining empty office space, and thus they wanted to begin construction as soon as possible. They reiterated that they invested significantly in the area and had rehabilitated several blighted properties along the block over the past several years. Ms. Rucker stated that she lived in the neighborhood and noted that it had been cleaned up for over a decade. The Applicants confirmed they were referring specifically to the properties on the block and not the entire neighborhood.

Mrs. Gribble suggested the Board continue their discussion regarding the length of time that the fence could be installed; she asked whether the Board wanted to approve a three-year timeframe or a one-year timeframe. Mrs. Tennis stated that she felt three years was appropriate given the testimony from the Applicants; Mrs. Gribble concurred. She noted that the proposed design was a significant improvement over the existing conditions, and that a three-year allowance would ensure the building was completed in a timely manner.

Mrs. Gribble also noted that Condition #4 related to reconstructing the sidewalk along Basin Street and ensuring that the fence did not encroach into the public right-of-way; Mr. Knight stated that he included that condition because the existing construction fence and erosion barrier was placed all the way to Basin Street; the Applicants stated that the condition was acceptable.

Mrs. Gribble moved, and Mrs. Tennis seconded the motion, to Approve with Staff & Additional Conditions; the additional conditions were that the Applicants would only utilize Options A or B for the fence, and that the fence would only be approved for up to three years. The motion was adopted by a majority vote (4-1).

6. 1102 North 2nd Street, filed by Steven Toole, to install two new porches on the side and rear of the building, including a second-floor porch running along the northern elevation

**MINUTES – HARB Regular Meeting
July 11, 2022**

of the building and a third-floor porch atop the second-floor addition in the rear of the building.

The case was represented by Steven Toole (the property owner), 5005 Pellingham Circle, Enola, PA 17025 (aka “the Applicant”).

Mr. Knight gave a synopsis of the case report recommending the request be Approved.

Mrs. Gribble asked the Applicant whether they wanted to provide additional information on the proposal; he stated that he was looking forward to moving forward with the project, and wanted to thank Planning Bureau staff for their assistance.

Mrs. Gribble asked the Applicant for specific information on the proposed exterior work. He stated that the location of the proposed work was visible across a parking lot from Bartine Street, and that he wasn't sure whether HARB approval was necessary. The Applicant stated that he wanted to remove the fire escapes to prevent unauthorized access to the property and building roof by itinerant individuals. He stated that the proposed porches would allow each of the four units on-site to have access to outdoor space, and confirmed that a rooftop deck would be accessible from the third-floor unit, while a new porch on the second level would be accessible to the two units on the floor below, with the first floor having access to the ground floor courtyard. He stated that the post-COVID real estate market prioritized outdoor space for residential units.

Mrs. Gribble requested confirmation that the floor boards would be Azek and the railings would be powder-coated aluminum; the Applicant confirmed that would be the case. Mrs. Gribble asked about the railing posts, and the Applicant confirmed that they utilized powder-coated aluminum sleeves that went over the posts. He confirmed that the only aspect that would be visible from a public right-of-way was the railings and posts.

Mrs. Gribble asked whether there were any questions or comments from the other Board members. Ms. Rucker stated that she felt the decks were a great addition to the property and was supporting the project. Mrs. Tennis confirmed that the project would be a net improvement. Ms. Bennett did not have any comments.

Ms. Rucker moved, and Ms. Bennett seconded the motion, to Approve. The motion was adopted by a unanimous vote (5-0).

OTHER BUSINESS:

Discussion of HARB by-laws and regulations

Mr. Knight noted that he had attached the HARB by-laws to a previous email communication; he noted that he had researched HARB's records to identify if the Board had regulations. He stated the last time the by-laws had been revised was in 2010, before his tenure with the City, and that the regulations had not been updated or discussed in depth to his knowledge, although he noted that there were several periods during which other Planning Bureau staff had served as Secretary to the Board. Mr. Knight noted that aside from incidents in the past regarding quorums, the regulations outlined within the by-laws had not been points of discussion for past Boards, until the issue of quorums and conflicts of interest had arisen at the previous month's meeting.

**MINUTES – HARB Regular Meeting
July 11, 2022**

Mr. Knight noted that the by-laws specified that a quorum was defined as a majority of the *current* Board members, meaning that three of the five current members would constitute a quorum versus requiring four of the total seven positions. He noted that all of the Board members with the exception of Mr. Henry had been serving for several years, and asked whether they had any questions or suggestions regarding the by-laws. Mr. Knight noted that there had been significant changes since the by-laws were drafted, not just regarding the regulation of properties and availability or appropriateness of materials, but also with respect to how post-COVID meetings were managed.

Mr. Knight stated that he didn't think the Board needed to make any decisions at the current meeting and that they could consider by-law revisions at the August HARB meeting. He noted, as an example, that the Board may want to change their voting procedures for the Chair and Vice Chair positions.

Mrs. Gribble stated that she thought that the Board should be prepared to discuss the by-laws at the August HARB meeting and should review them and consider changes in the intervening weeks. Mr. Knight noted that there was only one case on the agenda for the August meeting, so there would be ample time to discuss the by-laws.

Discussion of Board vacancies

Mrs. Tennis asked whether the Planning Bureau was still soliciting candidates for the vacant Board positions. Mr. Knight confirmed that the Planning Bureau was working with HHA to identify good candidates, but that some potential options had fallen through for a variety of reasons, and that any new candidates would not be able to receive confirmation hearings until after City Council had returned from their hiatus in late August. He also stated that he would also accept any nominations from current Board members. Mrs. Gribble stated that she would consider potential candidates.

Mrs. Tennis stated that several of the Board member positions were reserved for specific individuals, such as a realtor or Codes Bureau staff, and noted that the vacant positions could therefore be filled by anyone who was a resident of an historic district. She asked whether they should consider having some overlap in required positions, so that if the realtor serving on the Board resigned, there would be another one ready to replace them.

Mr. Knight noted that filling vacancies with historic district residents had been a focus of the previous Historic Preservation Specialist, and that while the various municipal historic districts were generally well-represented by the Board, there were rarely residents from the Allison Hill Municipal Historic District. He noted that the Board rarely saw applications for projects in that district; Ms. Rucker stated that she was not aware there was a Municipal Historic District on Allison Hill. She recalled an effort to establish a Municipal Historic District along State Street, but that most of the residents had not supported that designation. Ms. Rucker recalled a proposal for a parking lot that had come before the Board during the June 2022 meeting; Mr. Knight clarified that project was located in the Summit Terrace Architectural Conservation Overlay District (ACOD). Ms. Rucker asked whether that was the neighborhood he was referencing; Mr. Knight noted that there was actually a separate historic district near the intersection of Mulberry and Derry Streets, atop the bluff above Cameron Street. He noted that it was a smaller district than the one in Shipoke.

**MINUTES – HARB Regular Meeting
July 11, 2022**

Mr. Knight noted that properties in that area were more likely to be owned by out-of-town landlords who were not familiar with the historic district designation and often conducted unpermitted work over nights and weekends. He stated that there were likely fewer owner-occupants in this area, and thus less people holding their neighbors and property owners to account for doing work in conformance with historic district regulations. Mr. Knight stated that while the City did not often receive Building Permits for work in that district, but those that were submitted were held to the same standards as owners in other historic districts. He also noted that City departments such as the Codes Bureau and Planning Bureau were understaffed in the past, and that unauthorized work might have been conducted during those times.

Ms. Rucker stated that property owners and residents may not even be aware that they were living in an historic district, and Mr. Knight confirmed that contractors and property owners were sometimes surprised when they were informed of the applicable review requirements. He stated that buildings in the Allison Hill Municipal Historic District were often as old as buildings in other districts and might have the exact same architectural features, but that there had been less of a focus by previous City staff on maintaining these elements in an historically-appropriate manner.

Bringing the conversation full circle, Mr. Knight stated that having a Board member from that neighborhood would improve enforcement of historic district requirements in the area. Ms. Rucker stated that some of the residents in the neighborhood might not be able to afford the cost of some of the products that the Board generally required. Mr. Knight noted that the neighborhood was located close to downtown and the train station, and that properties along Sylvan Terrace and Crescent Street had great views of the downtown skyline. He also noted there were several infrastructure projects in the neighborhood, and that the work might promote more investments in properties in the area, and thus the Board might be seeing more applications from that district.

Mrs. Tennis asked whether historic preservation grants for homeowners was a viable option to help people be able to afford to rehabilitate their properties in historically-appropriate ways. Mr. Knight noted that he tried to direct property owners to grants and other assistance that he was aware of, but that prioritizing such work was difficult given the breadth of issues addressed by the Planning Bureau and the lack of staff. Mr. Knight noted that the former Historic Preservation Specialist was often able to conduct site visits to discuss projects with property owners, but that he did not have the expertise or availability to provide that service.

Mrs. Tennis stated that she would be happy to provide those types of services to Applicants on behalf of the Board. Mr. Knight solicited questions from the Board members, and suggested that he might be able to convince the former Historic Preservation Specialist and current PHMC regional director, Frank Grumbine, to conduct an informational session at a future meeting. The Board members stated that they would appreciate a presentation by Mr. Grumbine.

Mrs. Gribble stated that the Board still needed to make a determination on when an executive session to vote on Board positions could be held. Mr. Ekema-Agbaw clarified that the Board should publicly announce that they were planning on holding an executive session, although the session itself would not be open to the public. Mrs. Gribble noted that that Board had Tabled a discussion on the vote until the end of the meeting, and could thus discuss the issue after they had adjourned the regular meeting.

**MINUTES – HARB Regular Meeting
July 11, 2022**

After the regular meeting was adjourned, Mrs. Gribble stated that the Board would be going into executive session; Mrs. Tennis stated that she thought the Planning Bureau had recommended that the issue be Tabled until the August HARB meeting. Mrs. Gribble clarified that the Board had previously Tabled a discussion of the issue until the end of the current meeting, at which point there would be a discussion on a vote for Vice Chair.

Ms. Rucker moved to discuss the issue at the following month's meeting. Mr. Knight noted that the Board had already adjourned for the night, and Mr. Ekema-Agbaw confirmed that the Board could not vote on the issue because they had already adjourned the current meeting. Mrs. Gribble stated that the Board should have an executive session before the next meeting to vote on Vice Chair. Mr. Knight suggested the Board meet several minutes before the regularly-scheduled start of the August HARB meeting to have a quick vote on the Vice Chair. Mrs. Tennis asked whether the by-laws would be discussed at that time; Mr. Knight clarified that they could discuss the by-laws under the "Other Business" at the end of the meeting.

ADJOURNMENT: 7:34 PM

Ms. Bennett moved, and Mr. Henry seconded the motion, to adjourn. The motion was adopted by a unanimous vote (5-0); the meeting adjourned at 7:34 PM.