

MINUTES

**HARRISBURG ARCHITECTURAL REVIEW BOARD
REGULAR MEETING
November 7, 2022
THE MARTIN LUTHER KING, JR. CITY GOVERNMENT CENTER
CITY COUNCIL CHAMBERS**

MEMBERS PRESENT: Trina Gribble, Chair
Bruce Henry, Assistant Codes Administrator
Camille Bennett

MEMBERS ABSENT: Kali Tennis, Vice Chair
April Rucker

STAFF PRESENT: Geoffrey Knight, Planning Director
Neil Grover, City Solicitor

OTHERS PRESENT: See Sign-In Sheet

CALL TO ORDER: 6:00 PM

APPROVAL OF MINUTES:

Mrs. Tennis was not in attendance, but submitted comments regarding the minutes via email prior to the meeting and noted the following: requested a correction in the minutes; she noted that they stated that she needed to “mentally prepare” which should be revised to read “fully prepare.” Mr. Henry moved, and Ms. Bennett seconded the motion, to Approve the minutes from the September 12, 2022 meeting without corrections. The motion was adopted by unanimous vote (3-0).

Mr. Grover asked whether the absences of Mrs. Tennis and Ms. Rucker had been transmitted to the Board and acknowledged in advance of the meeting, noting the by-law references to unexcused absences. Mr. Knight confirmed that they had.

Mrs. Gribble asked about the status of the two applications included on the agenda which had been withdrawn. Mr. Knight noted that the Applicant for 424 Boas Street had confirmed that they were withdrawing their application, and would be installing a standing seam metal roof in Spring 2023, and that as an in-kind replacement project, the work could be administratively approved without HARB review. He noted that the Applicant for 407 Boas Street was withdrawing their application, and that they intended on resubmitting the project in Spring 2023, but that he was not sure whether they intended on revising their proposal before doing so.

OLD BUSINESS: N/A

NEW BUSINESS:

- 1. 260 Boas Street, filed by Chris Dawson with Chris Dawson Architect, to replace existing stained-glass church windows on the eastern and western facades with aluminum frame**

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windows and to replace the existing two-over-two windows on both façades with in-kind windows.

The case was represented by Chris Dawson with Chris Dawson Architect (the project architect), 300 North 2nd Street, Suite 701, Harrisburg, PA 17101 (aka “the Applicant”).

Mr. Knight gave a synopsis of the case report recommending the request be Approved with the following conditions:

1. The Applicant will only be permitted to replace windows on the western façade of the building, as windows on that elevation are largely not visible from the public right-of-way, but they will not be permitted to replace stained-glass windows on any other elevation.
2. The Applicant will not paint any of the unpainted masonry on the exterior of the building.

Mrs. Gribble asked the Applicant whether they wanted to provide additional information on the proposal. The Applicant noted that the property owner was a past board member of the Historic Harrisburg Association (HHA) and generally approached projects with sensitivity to the historic aspects. He asked the Planning Bureau staff to clarify whether the recommendation to retain windows on the eastern elevation of the property included the first-floor, double-hung windows as well. Mr. Knight confirmed that the condition in the case report did not apply to the first-floor windows and that he felt the proposed replacements for those windows were appropriate. The Applicant asked whether the condition just applied to the stained-glass windows; Mr. Knight confirmed that was correct.

The Applicant stated that he felt the information submitted with the COA application was a transparent and accurate reflection of the proposed appearance. He referenced a rendering of the project from Boas Street, stating that there would be no painting of the exterior brick, and noted that the stained glass windows along the front elevation and the first windows along each side of the structure as well. The Applicant concurred that the stained-glass windows were one of the more compelling aspects of the property that attracted the current owner to the property, and he stated that they had consulted window preservation experts regarding the in-situ retention of the stained-glass windows, but that they were no in good condition and that they were less relevant to the proposed apartment use than the previous church use. The Applicant stated that the property owner wanted to have “visual connectivity to the surrounding context of the city.”

The Applicant noted that the interior space was being converted to eight total apartment units, including four, two-bedroom loft units on the upper floors. He stated that each unit would have two of the stained-glass windows, and that the effect of retaining the windows would feel odd. He stated that they wanted to open up the interior spaces to the outdoors while not disturbing the stained-glass windows in the front.

Mrs. Gribble asked whether there were any questions or comments from the other Board members. Ms. Bennett stated that while the windows may not be in great shape, they were important contributory features to the historic character of the building.

Mrs. Gribble stated that she struggled with projects of this nature, noting that as congregations shrank and vacated their churches, they could leave behind buildings that were constructed for a

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very specific use. She noted that while adaptive reuse proposals were necessary to ensure the continued occupancy and maintenance of historic structures, the Board's mandate was guided by the Secretary of the Interior's Standards considered the stained-glass windows highly-contributory to the historic and architectural character of the property. Mrs. Gribble noted that the Planning Bureau's case report supported the replacement of the stained-glass windows on the western elevation, as that was not visible from a public right-of-way, and thus that at least half of the units would be able to have the windows proposed by the Applicant. She stated that she was supportive of the conditions in the Planning Bureau's case report.

Mrs. Gribble noted that the first-floor windows were clear, and thus they represented an in-kind replacement. She stated that she would prefer to not lose the stained-glass windows on the western elevation as well, but noted that because they were not visible from the public right-of-way, they were not within HARB's purview.

The Applicant stated referenced close-up drawings of the windows in the submitted plan set, and stated that the project team had considered various approaches to retaining their character, including only replacing portions of the stained-glass windows with clear panes. He stated the project team had had discussions with the former caretaker of the property, who suggested retaining the lead framing within the bottom portions of the windows but replacing the stained glass with clear glass, which would enable residents to see out of the building. The Applicant stated that this would retain a connection to the historic windows.

Mrs. Gribble stated that it might be a reasonable compromise, but didn't feel as though the Board could recommend such a proposal. She suggested that the Applicant could consider alternative approaches to retrofitting the stained-glass windows, such as installing hinges between different sections, allowing them to open portions independently, although she noted that such an approach might be expensive.

Mr. Henry stated that he supported the recommendations of the Planning Bureau's case report.

Mrs. Gribble noted that the Board appeared to have reached a consensus, and asked for a motion. Mr. Henry moved, and Mrs. Gribble seconded the motion, to Approve with Staff Conditions. The motion was adopted by a majority vote (2-1).

2. 1702 Penn Street, filed by Tyler Underkoffler, to replace an existing single-hung, first-floor wooden window on the primary façade with a large, Fibrex picture window featuring a simulated divided lite muntin bar.

The case was represented by Julie Wilson with Home Depot (the contractor), 14 Deer Drive, Hanover, PA 17331 (aka "the Applicant").

Mr. Knight gave a synopsis of the case report recommending the request be Approved. He noted he had submitted a similar proposal for his property to HARB in September 2021, and stated that he wanted to remind the Board of that review in the interest of transparency.

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Mrs. Gribble asked the Applicant whether they wanted to provide additional information on the proposal. The Applicant stated that she wanted to review notes regarding the project. Mrs. Gribble asked about the proposed simulated divided lite muntin bar, and inquired as to the current pane configuration; Mr. Knight noted there was currently a large, one-over-one window installed on the first floor. Mrs. Gribble asked whether it was a single-hung or a double-hung window; Mr. Knight stated that he was not sure which it was, but that if the window was similar to the one he had previously replaced, it was likely a single-hung window.

Mrs. Gribble noted that a simulated muntin bar would result in a single picture window appearing to be two panes; Mr. Knight noted that the Applicant was proposing to use a simulated divided lite muntin bar and that while he did not want to have a visual obstruction, he felt it was an aesthetic preference left up to the Applicant and Board. He acknowledged that the simulated divided lite bar better reflected the appearance of a one-over-one window.

The Applicant stated that the manufacturer had been unable to construct a single-pane window in the same size as the existing opening, and thus that the Applicant was proposing to install two, one-over-one windows in a side-by-side configuration in the existing opening. Mr. Knight stated that the owner had not conveyed this proposal to the Planning Bureau. The Applicant stated that the project might have been revised in the time between the submission of the COA application and the current meeting, based on the manufacturer not being able to produce a single pane window of the required size.

Mr. Knight noted that he was unsure of what the various alternatives were given the constraints as noted by the Applicant, but that the Planning Bureau would recommend denial of the revised proposal based on the visual impact of the proposed change and the precedent that the Board had established in previous project reviews.

Mrs. Gribble asked whether the other Board members understood the proposed project revision, and noted that the proposal would be a significant alteration to the pattern of windows on the block. She stated that she agreed with the Planning Bureau, and felt that the Board could not approve the proposal.

Mrs. Gribble stated that Pella manufactured single-pane windows in the size of the existing opening, and the Applicant stated that such a product was above the property owner's budget; she stated that the property owner would likely not replace that window. The Applicant noted that other windows were also being replaced with Andersen 100 Series windows in the same one-over-one pane configuration; she asked whether those replacements were acceptable, and Mr. Knight confirmed that they were, noting that they were administratively approvable, in-kind replacements and thus not included in the project review.

Mrs. Gribble asked whether there were any questions or comments from the other Board members. Mr. Henry stated that he did not support the proposed revision, and Ms. Bennett concurred.

Ms. Bennett moved, and Mrs. Gribble seconded the motion, to Deny the revised request to install paired, one-over-one windows in place of the existing, one-over-one window. The motion was adopted by a unanimous vote (3-0).

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- 3. 1714 Susquehanna Street, filed by Cate Kennedy, to remove the existing carport with second-floor deck, and to install a two-story, wooden fire escape along the rear porches. This is an after-the-fact application.**

The case was represented by Toni Reinhart (the realtor)(aka “the Applicant”) [Note: the Applicant did not provide their home or work address]. Mr. Knight stated that he had previously transmitted to the Board members a letter from the property owner authorizing Ms. Reinhart to represent her, noting that he wanted to avoid having to continue the case until the January 2023 meeting so that the owner could consider and respond to any conditions the Board may wish to include in their resolution.

Mr. Knight gave a synopsis of the case report recommending the request be Approved with the following conditions:

1. The Applicant will address the unpermitted work done on the front porch by replacing the deck boards with tongue-in-groove boards and replacing the railing with a turned-spindle design that reflects the design of the adjacent property.
2. All newly-constructed wooden elements will be painted or stained.

Mrs. Gribble asked the Applicant whether they wanted to provide additional information on the proposal. The Applicant stated that she did not.

Mrs. Gribble read through the conditions of approval in the Planning Bureau’s case report, and asked Planning Bureau staff to clarify the reference to the front porch work. Mr. Knight noted that the front porch had the same floor and railing design as the adjacent property at 1712 Susquehanna Street, but that these elements had been replaced without authorization and without permits. He noted that it might be difficult to find spindles of the exact same design as previously existed, but that a turned spindle design would at least recreate a similar appearance and would improve on the current historically-inappropriate design. Mr. Knight noted that he had discussed that portion of the work with the property owner, who had agreed to the condition, which was why that aspect was not included in the case report.

Mrs. Gribble noted that the previous spindles appeared to be thicker than regular 2x2 turned spindles. Mr. Knight confirmed that they appeared to be wider than milled 2x2 turned spindles, although that was difficult to ascertain from Google Streets View, which was the only visual documentation. He stated that he wasn’t sure how difficult it was to find or recreate the large railing spindles previously on-site. The Applicant noted that the MLS listing might have more recent photographic evidence of the porch.

Mrs. Gribble inquired about the current flooring on the front porch; Mr. Knight confirmed that the tongue-in-groove flooring had been replaced with pressure-treated 2x4 boards.

Mrs. Gribble asked whether there were any questions or comments from the other Board members. Ms. Bennett asked whether the Planning Bureau was only referencing the front porch when discussing the proposed turned spindles; Mr. Knight confirmed that was the case, and note that

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they were recommending 2x2 square spindles for the rear decks and fire escape, as those were currently in place and would differentiate that work from the existing historic structure.

Ms. Bennett asked for confirmation that the property owner had agreed to correct the unpermitted front porch work by reinstalling turned spindles. Mr. Knight confirmed that was the case, noting that the owner had been taken advantage of by a local contractor who assured her that he could perform work on the property, without notifying her of the historic district requirements and without the submittal of a Building Permit.

Mr. Knight reiterated that the carport and deck previously connected to the rear of the building was not original to the property, also noting that the deck featured lattice coverings on the railings, and thus that the removal of the deck did not constitute the alteration of an historic aspect of the property.

Mrs. Gribble asked what type of spindles would be installed on the wooden fire escape; Mr. Knight confirmed that the Planning Bureau was recommending approval of 2x2 square spindles to ensure visual continuity between the existing porch elements and the new work.

Mrs. Gribble inquired about the type of support posts that would be used for the rear deck and fire escape. Mr. Knight noted that the existing posts were pressure-treated 4x4 posts, and thus that the Planning Bureau supported the use of new 4x4 posts in the proposed work. Mr. Henry stated that they appeared to be 6x6 posts. Mrs. Gribble noted that the porch likely featured brackets at the tops of the posts; Mr. Knight concurred that was likely, but noted that all visual evidence going back as far as possible indicated that the rear porches featured square posts and railing spindles without other architectural embellishments, and thus maintaining that design would be an in-kind replacement.

Mrs. Gribble inquired about the second condition of approval related to painting or staining the wood. Mr. Knight confirmed that that was a standard condition included in reviews of projects that proposed new wooden elements. He noted that it was included to ensure that newly-installed wood did not split, splinter, or rot, and that paint or stain would ensure the new additions maintained a good appearance and contributed to the aesthetics of the property, the streetscape, and the neighborhood. Mr. Knight noted that pressure-treated wood often needed a few months to let the chemicals soak in and off-gas, and thus that they usually allowed a few months before the work needed to be painted. He noted that the deck and fire escape might need to be redone, as the current work was not built to code, and that the contractor could also pre-paint or -stain the wood in their warehouse before installation so that the owner did not need to have it done afterwards.

Mrs. Gribble asked the Board members if there were any questions or concerns about the conditions; there were none.

Mr. Henry moved, and Ms. Bennett seconded the motion, to Approve with Staff Conditions. The motion was adopted by a unanimous vote (3-0).

4. 1601 North 2nd Street, filed by David Hoffmann, to replace 27 windows on all three floors of the property, utilizing one-over-one wooden windows.

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The case was represented by Dave Hoffmann (the property owner), 1601 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 conditions:

1. The Applicant will not replace any of the stained-glass or divided-lite wooden windows on the third floor, as they represent excellent examples of craftsmanship and unique features not found elsewhere in the historic district, including in its pair at 1605 North 2nd Street.

Mr. Knight also confirmed that the primary focus of the application was the replacement of six, two-over-two wooden windows on the first and second floors of the side and rear porches with one-over-one wooden windows. Mrs. Gribble noted that most of the properties in the neighborhood featured two-over-two windows in their rear additions, she noted that 27 replacement windows were proposed, and asked Planning Bureau staff which windows would be replaced. Mr. Knight stated that he was not quite sure which windows would be replaced, but that based on site visits, there were 27 windows on the first and second floors. The Applicant stated that stained-glass windows on the third floor would be left intact, and that he was only proposing to replace existing one-over-one windows as well as the six two-over-two windows so that the building had a consistent appearance.

Mrs. Gribble asked the Applicant whether he wanted to provide additional information on the proposal. The Applicant responded that he did not, and that the Planning Bureau’s case report was accurate.

Mrs. Gribble asked whether the Applicant was proposing to replace any of the third-floor windows. He responded that some of the windows on the third floor would be replaced, but that stained-glass windows on the turrets would be kept and Plexiglass installed on the inside for weatherproofing. Mrs. Gribble informed the Applicant that any interior Plexiglass should have holes drilled in it to prevent moisture from being trapped between the window and the Plexiglass, which would degrade the window. The Applicant stated he would do that.

Mrs. Gribble noted that the third floor featured windows in a variety of pane configurations, but that none of them appeared to be one-over-one or two-over-two windows. Mr. Knight confirmed that there was at least one one-over-one window on the third floor, in the dormer on the front elevation; he stated that that window appeared to have been replaced in the past, and thus that the proposed windows represented an in-kind replacement.

Mrs. Gribble noted that the existing conditions photos submitted with the application showed at least one stained-glass window in the front turret and the adjacent dormer as well. The Applicant stated that he was intending on replacing those with one-over-one windows, but stated that he intended to keep the windows in the turret intact.

Mrs. Gribble asked Planning Bureau staff to clarify the condition related to the third-floor windows. Mr. Knight confirmed that some of the windows featured stained-glass, but that there were also windows with unique, divided lite panes, including arched and geometric Gothic panes,

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as well as Victorian panes. He stated that the Planning Bureau's condition included the retention of all of those windows as well.

Mrs. Gribble asked whether the other Board members had concerns about replacing the two-over-two windows with one-over-one windows; there were no concerns voiced. She noted that she lived in the neighborhood, and that most of the buildings featured two-over-two windows in their rear additions, and that it was a unique feature that she didn't want to see loss. Ms. Bennett noted that Mrs. Gribble has previously referenced the prevalence of two-over-two windows throughout the city's historic districts.

Mrs. Gribble inquired as to which manufacturer's windows were being proposed. The Applicant stated that they would be Mid State windows; Mrs. Gribble noted that they appeared to be the installers, but were likely not the manufacturers. The Applicant stated that he had provided a quote for the work with his application, and Mrs. Gribble noted that the contractor was Mid South.

Mrs. Gribble stated that the Board's resolution should clarify that the third-floor, stained-glass windows in the turret and the other divided lite panes needed to be retained. She asked the Applicant whether he understood that those windows needed to be preserved; he responded that he understood that condition. Mr. Knight stated that he considered the windows that Mrs. Gribble referenced to generally be "divided lite" and thus they were included in the Planning Bureau's condition of approval. He clarified that every window on the third floor which was not in a one-over-one pane configuration should be retained, and noted that there were only a couple one-over-one windows on the third floor. Mrs. Gribble stated that it appeared that many of the third-floor windows on the southern elevation were of that pane configuration, and specifically noted the ones in the side turret; Mr. Knight stated that based on his site visits, they appeared to be the Victorian divided lite style.

Mrs. Gribble asked the Applicant if he understood that the only third-floor windows that could be replaced were those which were existing, one-over-one windows. The Applicant asked whether the existing windows which were not one-over-one could be replaced with a similar pattern, stating that he could consider ordering those. Mrs. Gribble stated that she felt that in-kind replacement of the existing six-over-six windows would be appropriate.

Mr. Knight noted that the six-over-six windows in the turret featured Gothic arched divided lite, and noted that it would likely be difficult and expensive to find appropriate replacements for them. The Applicant inquired as to his options for addressing those windows. Mr. Knight suggested the Applicant find a contractor experience in repair and restoration of historic wooden windows, noting that that would likely be the cheapest option; he noted that they would likely sand surfaces and re-glaze the windows. Mr. Knight noted that repair was almost always cheaper than full replacement of windows; Mrs. Gribble concurred and noted that an experience window restorer could sand and re-bond deteriorated wood with epoxy material. She also suggested the Applicant consider install interior storm windows, as previously discussed, to prevent draughts and better weatherize the historic windows.

Mrs. Gribble re-read the conditions in the Planning Bureau's case report. Ms. Bennett asked how the Board was approaching the replacement of the two-over-two windows; Mrs. Gribble asked if

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she had concerns with that proposal. Ms. Bennett noted that the windows were in the rear of the property, and Mrs. Gribble noted that as an end unit, the side and rear of the building was visible directly from Harris Street. Ms. Bennett asked whether she had concerns about that aspect of the proposal, and Mrs. Gribble confirmed that she did. Ms. Bennett asked the Applicant whether he was able to replace those windows in-kind, and he confirmed that he believed he could.

Mrs. Gribble moved, and Ms. Bennett seconded the motion, to Approve with Staff & Additional Conditions; the additional condition was that the Applicant would retain the two-over-two pane configuration of the six windows along the side and rear elevations of the second and third floors. The motion was adopted by a unanimous vote (3-0).

5. 214 & 216 Herr Street, filed by Patrick Dee, to replace the existing wooden picket fences on-site with a wooden, paneled fence design similar to the neighboring property at 1108 Penn Street.

The case was represented by Patrick Dee (the property owner), 216 Herr Street, Harrisburg, PA 17102 (aka “the Applicant”).

Mr. Knight gave a synopsis of the case report recommending the request be Approved with the following conditions:

1. The fence will be painted or stained upon installation.

Mrs. Gribble asked the Applicant whether he wanted to provide additional information on the proposal, or ask any questions. The Applicant stated that he did not.

Ms. Bennett stated that she liked the proposed design.

Mrs. Gribble asked whether the height of the fence would be in conformance with the Zoning Code. Mr. Knight confirmed that the fence would be six feet high, which would be in conformance with the regulations for rear and side yard fences in the Residential Medium-Density (RM) zoning district in which the property was located.

Mr. Henry moved, and Ms. Bennett seconded the motion, to Approve with Staff Conditions. The motion was adopted by a unanimous vote (3-0).

OTHER BUSINESS:

1. Vote to adopt amendments to HARB by-laws discussed at previous meetings

Mrs. Gribble proposed that the Board table a vote on adoption of the amendments to the by-laws until the absent Board members were in attendance. Ms. Bennett agreed.

Mrs. Gribble asked the City Solicitor whether she needed to take a vote on the motion to Table a vote on adoption of the amendments; Mr. Grover confirmed that the Board should take a vote on the motion. Mrs. Gribble moved, and Ms. Bennett seconded the motion, to Table a vote on adopting the new by-laws until the next HARB meeting. The motion was adopted by a unanimous vote (3-0).

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Mr. Grover introduced himself, noting that it was the first HARB meeting he attended as the City and Board's legal counsel, and stated that he had recently reviewed the by-laws, and that he noted some amendments that could not be adopted unilaterally by the Board, as they required City Council action.

2. Tom Robel (1502 Green Street)

Mrs. Gribble invited a member of the public was in attendance to discuss an outstanding violation at a neighboring property. Tom Robel introduced himself, stating that he lived at 1502 Green Street, and that he wanted to report after-the-fact work at his neighbor's house and better understand the process for action after unpermitted work had been completed.

Mr. Robel noted that the new owner of the property at 1504 Green Street had done historically-inappropriate work without a permit, including replacement of windows and the front doors; he noted that many of the neighbors were upset about the changes. Mr. Robel stated that he had had a couple conversations with the property owner in which he indicated that he was replacing the front doors. He asked who was responsible for issuing violations and making determinations on the appropriateness of the work, and whether there were any penalties associated with the unpermitted work.

Mrs. Gribble noted that the Board had not been apprised of the existing conditions on the property and the changes prior to the meeting, and noted that Planning Bureau staff would be better able to answer his questions.

Mr. Knight noted that the issue had been brought to his attention when the property owner initially submitted a Building Permit to install HVAC mini-splits earlier in the year; he noted that the owner had been compliant during his initial conversations with them. He stated that in discussing that project, he had also apprised the owner that the replacement of the rear yard fence and railing spindles on the side porches required historic district review and the submittal of a Building Permit application. Mr. Knight noted that the property owner was some resistant to following the historic district rules for other exterior aspects of the property.

Mr. Knight stated that a follow-up site visit confirmed that the property owner had replaced all of the windows in the property without submitting a Building Permit and without discussing the proposal with the Planning Bureau, and that he subsequently replaced the front doors without authorization as well. Mr. Knight stated that he both called and emailed the property owner to notify them of the violations inherent in illegally replacing exterior elements without Building Permit approval, but that the individual ignored all outreach. He noted that at one point he spoke with an employee at the property owner's company, who indicated he would speak with the owner, but that he had not received any response. Mr. Knight stated that it was evident the property owner was willfully ignoring the historic district and permitting requirements.

Mr. Knight stated that he spoke with the Codes Bureau to determine the best path forward for addressing the tens of thousands of dollars of unauthorized work. Mr. Henry confirmed that the property could be placarded until the property owner submitted a Building Permit application and paid the after-the-fact fee. Mr. Knight confirmed that if and when that application was filed, he would deny the Building Permit based on the use of inappropriate materials, and inform the

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property owner that they were required to remove the windows or submit an after-the-fact COA application.

Mr. Knight stated that once a property owner ignored requests to bring a property into compliance, the issue fell to the Codes Bureau and, eventually, the District Justice offices, and that he was less familiar with the process beyond that point. Mr. Henry noted that citations issued by the Codes Bureau were civil, and not criminal, violations and that a District Justice could issue a fine but could not require the property owner to correct the violation; he noted that the case would have to proceed to a higher court to have further action taken.

Mr. Grover noted that there were provisions in the City codes for failure to comply with official orders, but that there was also a judicial review and appeal process. He stated that the process could be very time- and resource-intensive, which made it challenging for the City to pursue all identified violations. He noted that the City had not historically exercised that authority, although it was an option.

Mr. Robel noted that he was a property owner who appreciated the architectural and historic value of properties in the city's historic districts, and stated that if the City chose not to pursue egregious violations, they might as well discontinue regulations relating to historic districts. He noted that the violations were evident on a highly-visible property on a well-traveled street, and that if a property owner could show such disdain towards the City's regulations and citations, that there would be no point in having such regulations. Mr. Robel noted that multiple citations had been posted to the property.

Mr. Knight stated that non-compliance to the level of this property was rare, and that most property owners addressed violations once they had been apprised of them by the City, and that most of the remaining owners responded once citations or violations had been issued to the property, but that the subject property's owner was in the small minority that were resistant to almost all regulations and enforcement actions. Mr. Knight noted that the property owner appeared to be a smaller local firm; Mr. Robel noted that the individual owned multiple properties in the city.

Mr. Grover stated that he would be happy to attend a meeting with the Codes Bureau and Planning Bureau to identify the best ways of enhancing regulations and ensuring compliance in the issue. He stated that he would have to consider the amount of resources that could be dedicated to the issue, but was willing to utilize the options at his department's disposal.

Mr. Knight noted that he had discussed further enforcement actions with the Codes Administrator, Anne Montgomery, and had confirmed that while ignoring a Stop Work Order might constitute a fairly minor offense, the City could placard the property as a next step, since it would be used as a rental property and therefore require approval of a Residential Rental Inspection, which would be withheld until the various outstanding violations were addressed. Mr. Knight noted that ignoring a placard was a much more serious offense than ignoring a Stop Work Order. He noted that he often worked closely with the Codes Bureau on enforcement actions because they were related to the Planning Bureau's work and because the Codes Bureau had a greater capacity and ability to issue citations and attend hearings before the District Justice.

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Mrs. Gribble stated that she felt the Planning Bureau should pursue additional actions against the property owner, and should also identify allies within the community who could apply social pressure against the property owner. Mr. Grover asked whether she was implying that the owner should be publicly-shamed and Mrs. Gribble confirmed she was, noting that one of her motivations for joining the Board in the first place was due to an egregious violation at a property adjacent to her former residence. She noted that egregious historic district violations could negatively impact the values of surrounding properties.

Mr. Grover asked how the issue was brought to the Codes Bureau's attention; Mr. Knight noted that he had apprised the Codes Bureau of the work subsequent to his interaction with the property owner after the initial Building Permit submitted for mechanical work on-site. Mr. Robel noted that the property owner had also conducted interior renovations and that, as an adjoining property owner, he was concerned that they did not use licensed contractors. He stated that in conversations with the property owner, he indicated that he intended on doing additional work on the outside. Mr. Knight noted that after-the-fact work to replicate the appearance of historic elements with inappropriate materials was still a violation; he noted that it was a common issue he addressed when work was proposed in historic districts.

Mr. Robel thanked the Board members and Planning Bureau staff for their efforts to address the issue, and acknowledged that the City was often working with limited manpower and resources. He asked Law Bureau staff who else in the City he could discuss the issue with, and Mr. Grover confirmed that he would be the primary point of contact in identifying additional enforcement actions. He reiterated that he had to prioritize issues that came into his office, and that he often dealt with issues such as gun violence and illegal night clubs that had to take a higher priority. He suggested that Mr. Robel file formal complaint forms with the Planning Bureau and Codes Bureau to begin establishing a paper trail supporting enforcement actions.

Mr. Knight referenced Mrs. Gribble's inquiry about public shaming and stated that he was hopeful a letter of concern from HHA or a disapproval from the surrounding neighbors would precipitate action and compliance. He noted that if a property owner wanted to use their resources to avoid compliance and fight enforcement actions, it was something the City would have to deal with; he noted that as an historic district resident himself, he was concerned with making sure all property owners were following the rules.

Mr. Robel asked if he could file his complaints to the Planning Bureau and Codes Bureau via email and Mr. Knight confirmed that it would be acceptable. Mr. Robel reiterated his request to City staff to use all means and resources available to them to bring the property into compliance, and thanked the Board and City staff.

3. Vacancies

Mrs. Gribble asked Mr. Knight if the Planning Bureau had identified any candidates for the two vacancies on the Board; he confirmed that he had received strong interest from an individual who lived in Bellevue Park, noting that it was an Eligible Historic District as opposed to a Municipal Historic District. Referencing his earlier comments regarding the authority of the Board's by-laws; Mr. Grover noted that the Board could not impose either historic district or even city residency requirements on potential candidates without City Council authorization. He stated that he

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understood why the Board wanted to have such criteria for new members, but that he would have to review the proposed by-law amendments in greater scrutiny to confirm what actions may be necessary to implement them.

Mr. Knight noted that the recent candidate had contact him after a discussion with the director of HHA, David Morrison, so that he was confident that word had spread in the community regarding the vacancies and that he was hopeful more candidates would reach out. He noted that it was unlikely that City Council would review nominees and approve candidates before the end of the year, but that it would be helpful to have a pool of candidates before the end of the year, so that City Council could review them in early 2023.

Mrs. Gribble asked about the date of the next meeting; Mr. Knight confirmed that it would be held on January 9, 2023, since the Monday before might be reserved for the New Year's Even holiday. He stated that he intended on circulating a proposed 2023 Meeting Schedule in the next week to the members of all Boards for their review and comment.

ADJOURNMENT: 7:29 PM

Mr. Henry moved, and Ms. Bennett seconded the motion, to adjourn. The motion was adopted by a unanimous vote (3-0); the meeting adjourned at 7:29 PM.