MINUTES

**HARRISBURG ARCHITECTURAL REVIEW BOARD**

**REGULAR MEETING**

**January 7, 2019**

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

**PUBLIC SAFETY AUDITORIUM, ROOM 213**

**MEMBERS PRESENT:** Andrew Knee, Chair

Trina Gribble, Vice Chair

Anne Montgomery, Assistant Codes Administrator

April Rucker

Camille Bennett

Neil Heffelfinger

**MEMBERS ABSENT:** Jeremiah Chamberlin

**STAFF PRESENT:**  Geoffrey Knight, Planning Director

Tiffanie Baldock, Senior Deputy City Solicitor

**OTHERS PRESENT:** See attendance signature sheet

**CALL TO ORDER: 6:00 PM**

**APPROVAL OF MINUTES:**

The minutes from the November 5, 2018 meeting were approved with no corrections. Ms. Montgomery moved, and Ms. Rucker seconded the motion, to approve the minutes from the November 5th meeting. The Board approved the motion by unanimous vote (6-0).

**OLD BUSINESS:**

1. **711 South Front Street, filed by Victoria Ringley with Homespire Windows, LLC, to replace seven windows on the subject property with white, vinyl windows.**

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

The case was represented by Tim Burkett w/ Homespire Windows, LLC (the contractor), 542 Industrial Drive, Lewisberry, PA 17339; and Steven Moffett (the property owner), 711 South Front Street, Harrisburg, PA 17104 (aka “the Applicants”).

Mr. Knee noted that at the November 5th HARB meeting, it was noted that the proposed materials might differ substantively in some way from other vinyl windows, and thus the Board may be able to consider the proposed windows as a “test case.”

Mr. Knee asked the Applicants whether they had anything to add to the case report. The Applicants stated that composite materials contained a large percentage of vinyl material in them. They also noted that the proposed windows were made specifically for the northeastern client and were manufactured in Pennsylvania. The Applicants stated that approximately 15% of the materials in the window product would change based on the location of the proposed use and that different materials would affect the durability of the window product. They stated that the product was field tested by leaving it exposed in an open field in Pennsylvania for six months. They also stated that the window would be 85 millimeters, which was the thickest window provided in the industry, and that their method of anchoring the windows to the building frame was an improvement over industry standards. The Applicants stated that the windows were composed of “virgin” vinyl materials, and not recycled vinyl, which was the case in other windows; they further noted that this would prevent the windows from yellowing and would ensure the white color was maintained. The Applicants also noted that the window was wrapped in “G-8” material, which was a high-quality, PVC-coated aluminum. Finally, the Applicants noted that the window product provided better structural performance because it used an internal “honeycomb” design to ensure longer quality and longevity.

Mrs. Gribble asked the Applicants how they customized the size of the window and whether they standardized the size of the windows. The Applicants stated that they customized the sizes down to a quarter to an eighth of an inch, and noted that they would often use the framing of the original window when replacing them. They stated that the usually left a gap between the existing framing elements and the replacement window to ensure they could level it with shims, once installed, and put installation around the sash inserts. The Applicants stated that from the street, the windows would have a smaller glass size and thicker frame size.

The Applicants noted that they would be replacing an arched window frame, with a decorative element comprising the arch, and maintain the layout by boxing in the interior and then capping the exterior. The property owner, Mr. Moffett, stated that he and his wife had recently moved from Baltimore, MD and that they liked Shipoke and purchased the home because they appreciated the historical integrity of the buildings in the neighborhood. Mr. Moffett stated that the majority of the windows in the home were contractor-grade windows which were poorly installed, causing them to leak air and water. He stated that he selected the current contractor because of the architectural integrity of the window product, noting that their vinyl window product was not the cheapest of the ones they had reviewed. Mr. Moffett noted that he invested in the building and in the community and thus wanted windows that would make the house look its best.

Mrs. Gribble asked the Applicants whether they had brought any product literature; the Applicants responded that they did not have any with them, but noted that they had brought sample windows which were out in their vehicle. Mr. Knee noted that they had asked the company representative at the last meeting to bring a product sample. Mrs. Gribble stated that a physical sample would be helpful to understand the product, and asked whether they should entertain a motion to Table the application so the Applicants could get the sample. Mr. Knee agreed, noting that if they were going to approve the product as a “test case,” they would need to understand the product, noting that the Board would granting approval for a material and not just a manufacturer’s product. He asked whether the Applicants were comfortable having the review Tabled until the end of the meeting and they confirmed that they were.

Mrs. Gribble moved, and Ms. Bennett seconded the motion, to Table the application and move discussion to the end of the meeting to let the Applicants have time to retrieve a sample of the material. The motion was adopted by a unanimous vote (6-0).

Mr. Knee re-introduced the application after the last application under “New Business” had been heard. Mr. Knight noted that a formal motion to Table the COA application for 712 North 3rd Street should be taken.

The Applicants brought product samples before the Board. They asked for confirmation from the Board that the primary concern was the durability of the vinyl product. Mr. Knee noted that he was inquiring as to whether the current product was superior to other vinyl products, so much so that it could be approved as a “test case,” noting that HARB had, in the past, approved products composed of otherwise non-approvable materials if they had substantial benefits. The Applicants stated that there were currently vinyl windows in the property which were in a deteriorated state.

Mrs. Gribble stated that she also wanted to understand how the current product was comparable to wooden or composite materials. The Applicants stated that the current product was no comparable to wood or composite materials, stating that wood rots and presents an undue maintenance burden. They noted that vinyl did not require painting or staining and would not deteriorate. They stated that the efficiency was ten times better in a vinyl product, although they noted that wood was porous and thus provided insulation. They stated that windows should have insulation in them, similar to walls in homes.

The Applicants presented product samples to the Board and discussed the product. Mr. Knee noted that the Board would need to know exactly what made the material different than other similar materials so that they could form a justification for a “test case” approval. The Applicants stated that composite-material windows had only been around for eleven years, which he didn’t feel was long enough to verify their performance. Mr. Knee clarified that the Board had only approved *some* composite materials. The Applicants stated that composite materials faded quickly, noting that Trex decking would fade in about six months.

The Applicants stated that composite material was composed of reclaimed wood, vinyl, and resin and stated that the subject product was only using the vinyl component. Ms. Rucker asked whether the window product was paintable; the Applicants stated the material could be painted by the manufacturer, although they noted it required a special paint product to ensure it was properly applied. The Applicants discussed the 15% of the elements in the vinyl product that differentiated it from other products, including a heat stabilizer (used in manufacturing process), impact modifier (which made vinyl more flexible), UV stabilizers (minimized UV effect on window), titanium dioxide (which made windows whiter and didn’t allow heat to absorb), and processing agents (which prevented warping). The Applicants discussed the difference between molding and extruding products, and stated that extruded materials were better.

The Applicants noted that many vinyl windows were composed of recycled vinyl, which required bleach and tended to break down sooner, but noted that the subject product was comprised of virgin vinyl that did not require bleach because it was not comprised of various different vinyl products. They stated that existing vinyl windows used a significant amount of bleach, which provided a bluish tint to products.

The Applicants discussed the joints in the subject product versus traditional vinyl windows. They noted that traditional vinyl windows were machine-joined, which caused contraction and misalignment, versus the “twelve-point fusion weld” in the subject product. They noted the construction created a “uni-frame” which allowed the window installation to move as a single unit, which prevented gaps and sagging. The Applicants noted that another element of the subject product was a steel U-bar in the window sash that provided improved security and structural integrity. The Applicants stated that all of the aspects noted enhanced the appearance and longevity of the proposed window product.

The Applicants demonstrated the strength and integrity of the product by jumping up and down on the window sample.

Mrs. Gribble asked how the product accommodated divided lite designs; the Applicant stated that they put spacers between the panes of glass, and noted that in some cases they could add a “contoured grid” that would provide more depth. Mrs. Gribble asked what the pane configurations were in the current windows on the subject property. The Applicants stated that they were proposing a six-over-six grid in the third floor dormer window to match the neighbor’s window; they stated that they thought at one time the two buildings were matching. The Applicants specified that their only option for the frame was a European beveled edge which created a drip edge that preventing rotting.

The Applicants stated that a previous property owner had installed cheap, contractor-grade vinyl windows on the second and third floors (although they noted the first floor was a wooden window), that had not aged well.

The Applicants described the interior of the window and noted that it included a tilt-in design that allowed the windows to easily be cleaned.

Mrs. Gribble inquired as to the dimensions of the framing around the window panes; the Applicants stated that it was slightly larger than traditional wooden windows. They stated that the difference was most noticeable on the bottom of the window along the sill, which they squared off to permit more insulation inside the window packet. They also noted the capping around the exterior of the window was wider than in traditional wooden windows. Mrs. Gribble asked whether the product had weep holes in it; the Applicant confirmed that they were integrated into the product.

Mr. Knee stated that he didn’t want to speak for the Board, and asked other Board members to provide input. He stated that he was reluctantly leaning towards approving the request as a “test case” based on the durability and the paintable nature of the product [*note: this is not necessarily paintable based on the existing HARB determination of the condition, which is that a product be paintable without voiding the warranty and without requiring special treatments*]. He stated that one of the conditions was that the window be painted to see how the product weathered and managed adherence of paint. The Applicants responded that their product was a white window, and asked what the Board meant by having it painted. Mr. Knee clarified that the Board could not regulate color, but noted that if the material was being approved as a “test case” the Board would want to know how it handled the application of regular paint. The Applicants stated that the product could not be painted with a paint brush. They noted that homeowners generally did not have their window product painted and that they offered a lifetime warranty, and that it cost approximately $500 additional per window to have them painted. They noted that had to use a special vinyl-adherent paint that was sprayed on in the factory. They also noted they could do different colors on the inside of the window and the exterior.

Mr. Knight noted that if a future property owner bought the house and wanted to paint the windows a different color, the manufacturer would need to remove the windows and repaint them in the factory. The Applicants responded either that would occur or the future property owners would effectively need to purchase new windows. The Applicants noted that a future property owner would need to take special measures to apply special paint with special equipment.

The property owner implored the Board members to let the subject property be treated as a “test case.” Mr. Knee stated that he was inclined to approve the product as a “test case,” but felt that paintability was an important consideration. Mr. Knee stated that he didn’t think the subject property needed to match the appearance of the neighbors’ windows.

Mrs. Gribble stated that she was concerned that the window profiles and the sash were completely different from other products that HARB had approved. She stated that she appreciated that it was a better vinyl window, but didn’t feel as though it was appropriate for historic districts. She also noted that there was no way to effectively simulate divided lite since the divisions were spacers between the glass panes and that the full pane would reflect. The Applicants responded that simulated grills *could* be installed, but that they preferred not to because it made them easier to clean.

Mr. Knee clarified that any approval would only be as a “test case” for the subject property and would not be a blanket approval, and again reiterated that paintability was important. He said that he would want to see the product be painted to see how it weathered and aged.

Mrs. Gribble asked how long the manufacturer had been in operation making the subject product. The Applicants responded that the company had existed since 1962. Mrs. Gribble clarified that she was referring to the sale of the vinyl window product; the Applicant stated that they had begun retail sales in 1982 but had rebranded as Homespire in 2016.

The property owner noted that he had previously been a police officer and prized the window product’s safety, stating that he lived along “homeless highway” and neighbors were worried about itinerant individuals passing by their homes every day. Mr. Knee stated that he didn’t think that was in the Board’s purview.

Mr. Heffelfinger stated that the Board’s concern was the future use of the product in other properties, and Ms. Rucker agreed. Mr. Heffelfinger stated that he didn’t have a problem having the product be a “test case” if it abided by certain conditions. He stated that the Applicants wouldn’t have to paint the whole window, just a small swatch.

The Applicants referenced a text message they received from the president of the company, which confirmed that the windows could be painted, but that it would void the warranty. They stated that they could not confirm that the paint applied would be done in a way that would not damage the window and that such treatment would reflect poorly on their product.

Mr. Knee asked Board members whether they had any other comments. Mrs. Gribble asked for how long the Board would consider the product a “test case” for the purposes of understanding the ways in which it weathered and aged. Mr. Knee stated that they wouldn’t require the property owner to remove the windows if they turned out not to be an acceptable product, and that they did not have time frames. Ms. Baldock confirmed that they couldn’t apply a time frame and require the property owner to remove the product if it was deemed unacceptable. Mr. Knee stated that the Board could periodically observe the product to see whether it was appropriate to move forward with approvals in the future, and stated that he believed there were two other types of products currently installed that were acting as “test cases.”

The Applicants responded that if the product warped or sagged, the company would replace the windows because they guaranteed them for the life of the product and that even if they sold the home in twenty years, the company promised they would look and act the same.

Ms. Montgomery stated that she was open to approving the product as a “test case” and Mr. Knee concurred, but stated that he was concerned about future test cases in other historic district properties. He reiterated that he was concerned about paintability and stated that he felt the windows should be painted, and confirmed that he felt he windows should be painted. The property owner asked if he meant all the windows and Mr. Knee confirmed that he did. The property owner stated that he had already invest a lot of money in the property and he felt it was an unreasonable burden on him to require painting. Mr. Knee stated that cost was a concern of the board and that the Board was trying hard to find a vinyl product that would work for the historic district.

The Applicants asked for clarification on whether the Board was concerned about whether the product itself could be painted, or whether other future property owners could paint the material; Mr. Knee confirmed it was the latter. Ms. Baldock asked the contractor whether had a painted window sample with him; the contractor responded that he did not.

Mr. Knee asked whether the Board members had any other concerns, noting that he wanted to include them in the conditions for any approval. Mrs. Gribble stated that she was concerned about the aesthetics. The property owner stated that the current windows were not attractive and asked what would have happened to the owner who installed them if the City had caught them during installation. Mr. Knee noted that it often occurred that property owners referenced non-historic elements of neighboring properties as justification for being allowed to install their own. He noted that there were a lot of illegally installed windows in historic districts; Mrs. Gribble noted that some such vinyl windows may have been installed before the adoption of the city’s historic districts.

The property owner stated that as a property owner and tax payer, his project had been held up for months because he had “chosen to go the right route.” He said felt he was being penalized for doing it the right way and that there was no way the current windows had received HARB approval.

Ms. Bennett stated that she didn’t feel the Board should approve the proposal; the Applicants asked that she explain why. Ms. Bennett noted that the Board usually approved wood or wood-based products and that she didn’t want to set a precedent for future cases. She noted that the Board had denied vinyl windows before and asked whether the Board would choose to approve other such proposals with the specifications of the subject products. Mr. Knee stated that he was trying to structure the “test case” approval so that didn’t happen.

The Applicants listed aspects of the product that differentiated them from other vinyl windows including: a fusion joint, a honeycomb design in the frame, a virgin vinyl material made for the local climate, a steel U-bar in the frame, and 85-millimeter thickness. Mrs. Gribble inquired as to what the comparable products would be; the Applicants responded that products from West Shore Window & Door would be the closest. Ms. Rucker asked whether Pella windows were comparable; the Applicants responded that Pella didn’t make many vinyl windows anymore. They stated that Pella’s windows were comparable but were mass-produced for the entire country, so they didn’t have the benefits of local production and testing. They stated that OKNA windows had a fusion weld, similar thickness, and a honeycomb design, but did not have a steel U-bar and the material was different. The Applicants noted that West Shore Window & Door used a “sunshield vinyl” product, which was produced by another company that didn’t manufacture them for a northeastern climate.

The Applicants stated that Fibrex windows were approximately 87% vinyl and that they could not be fusion-welded because that was not possible with wood. The property owner stated that products evolved and that none of the Board members knew as much about windows as the contractor.

Ms. Rucker noted that the Applicants had stated that their product was only three years old; the contractor specified that the company’s brand name was only three years old. Ms. Rucker asked how long the particular model window had been produced; the Applicants stated that they had been producing the subject product for twelve years.

Mr. Knee asked whether anyone from public had comments on the project; there were no comments.

Mr. Knee asked for other concerns with the product or reasons for approving the product as a “test case.” Ms. Montgomery stated that she felt it seemed more study and durable than other vinyl products. The Applicants listed the five criteria from earlier. Mrs. Gribble noted that the product was also extruded and had a lifetime warranty; Mr. Knee asked whether the Board could regulate a lifetime warranty. Ms. Baldock asked whether the product had a lifetime warranty or warranty for as long as the purchaser lived in the property. The Applicants stated that in Pennsylvania, it didn’t matter after seven years because after that period of time, companies didn’t have to honor lifetime warranties and thus companies only wrote policies as “life of ownership.” Ms. Baldock asked for clarification on that time frame and the Applicants confirmed that it would lapsed after the current owner left but noted that the company allowed owners to transfer twenty years of warranty.

Mrs. Gribble noted that the Planning Bureau’s recommendation was to deny the proposed product, and Mr. Knee stated that the Board was trying to find a way to approve the product.

Mrs. Gribble stated that she still had a problem with the aesthetic of the product and that it was not historically accurate.

The property owner asked what his options were if the Board denied the proposal; Mr. Knee stated that if the Board denied the proposal, he would have to return with a different product. Mr. Knight noted that the property owner could proposed a product which could be administratively approved, in which case he would not have to return before the Board. The property owner stated that he would not choose wood because he already had a wooden window and it leaked. He stated that he wasn’t convince the composite material was any better.

Mr. Knee stated that his concern was that the product was not paintable; Mrs. Gribble stated that that was not her main concern. The contractor stated that it was paintable but that he never advised a property owner to do so; he did note that the president of the company stated that it could be painted. Mrs. Gribble noted that the Board’s position had been that alternative products had to be paintable without voiding the warranty. Mrs. Gribble noted that she did not want a condition to be that the product was painted, because once it would be field painted, it would lessen the value of the product. She reiterated her concerns regarding the profile of the window and the thickness of the frame and sash elements; Ms. Rucker agreed with that assessment.

The Applicants asked whether a proposal to cap windows would require HARB review and approval. Mr. Knight noted that if the proposal were to cap windows with vinyl or aluminum products, the project would require HARB review. The Applicants asked whether the Board would approve PVC-coated capping; Mr. Knight stated that the Planning Bureau would recommend denial of such a proposal.

Mr. Knee asked what would happen if the Board was evenly split on the proposal; Ms. Baldock stated that it would not pass.

Mrs. Gribble inquired as to the basis of the Planning Bureau’s initial recommendation of denial; Mr. Knight noted that it was a vinyl product, which had not been approved in the past regardless of the specific qualities of the vinyl, and that the fact the product could not be painted without voiding the warranty and without requiring special treatment. He noted that the Applicants had stated that the window would need to be removed from the building to have it repainted; the Applicants stated that it could be painted with a paint brush, and Mr. Knight noted that would void the warranty. He stated that the issue seemed fairly straightforward and that there was no good justification for approving the product. The Applicants stated that the current windows were of poor quality and asked how the Planning Bureau can justify leaving them in. Mr. Knight noted that the Applicant was presenting a false choice between leaving the existing windows in the building or using vinyl windows when there were other options the property owner could use that would not even require HARB review. Mr. Knight stated that the decision was ultimately up the Board to make.

Mr. Knee stated that an approval condition which may allow the project to move forward included painting the product in-situ, and asked whether other Board members had other conditions they wanted to include. He asked whether Board members wanted to require simulated divided lite to be added. The property owner asked whether the Board was requiring that as a condition of approval and noted that many other properties in the neighborhood did not have those. He stated that he wanted a clear view of the river and didn’t want grids on the windows. Mrs. Gribble stated that she didn’t feel it should be a condition in this case and noted that the original windows in the property may not have had divided lites.

The Applicants asked whether they would be required to receive HARB approval if they were proposing to replace a one-over-one window with a divided lite window, regardless of the material. The Applicants asked whether a wooden window purchased from Home Depot with divided lites would have muntins on the outside of the glass and stated that they didn’t think it would and thus the proposed project would provide a better divided lite appearance.

Mrs. Gribble asked whether the spacers in the subject product filled the entire void between the window panes; the Applicants provided a sample of the subject product’s spacer for Board review.

Mr. Knee listed the reasons that the Board might approve the product as a “test case” which included the honeycomb design, the fusion-welded corners, the virgin vinyl material, the 85-millimeter thickness, and the extruded manufacturing technique. He asked whether the other Board members had any other conditions they wanted to include; Mr. Heffelfinger asked whether the Applicants could simply paint small color swatches to test the weathering on the window exterior to reduce the associated cost. He stated that he didn’t think the test needed to be too long. The Applicants asked whether the company was expected to paint the window or the property owner; Mr. Knee stated that he assumed it was the latter. The Applicants said they didn’t think that would help. Mr. Knee asked Mr. Heffelfinger whether paintability was a required condition for him; he replied that it was not and that he expected the homeowner to stay there for a long time, but then restated that he thought painting small swatches on the window was a good idea.

The property owner stated that if he walked through the neighborhood and saw that every house had the same type of window material or design, he would understand the Board’s position on the vinyl material; he noted that houses had windows of varying ages, materials, quality, and designs. Mr. Knee stated that he didn’t think the requirement to paint a portion of the window should be added as a condition.

Ms. Montgomery moved, and Mr. Heffelfinger seconded the motion, to Approve with Additional Conditions; the additional condition was that the application would be considered a “Test Case” and thus would not establish a precedent for future applications, for the following reasons:

1. The honeycomb design;
2. The fusion-welded joints;
3. The virgin vinyl material;
4. The 85-millimeter thickness;
5. The extruded manufacturing process; and
6. The steel U-bar integrated into the window sash.

The motion was adopted by a majority vote (4-2); Mrs. Gribble and Ms. Rucker dissented.

The Applicants asked whether there was another meeting or review of the application. Mr. Knight noted that there would only be an additional review before City Council if the City Administration chose to appeal HARB’s decision, which would only happen once the meeting minutes and resolutions were completed and forwarded to City Council. He noted that it would likely take a couple weeks at the earliest. Mr. Knight stated that if the City chose not to appeal the decision, he would approve the Building Permit application. The Applicants asked whether they should wait to receive an approved Building Permit application before ordering the windows; Mr. Knight confirmed that was the case.

**NEW BUSINESS:**

1. **1417½ North 3rd Street, filed by Erika Malorzo, to hang a new, wooden projecting sign from the existing bracket on the front façade.**

Mr. Knight gave a synopsis of the case report recommending the request be Approved with Conditions. The condition was that:

1. The Applicant will receive approval for the Easement Application for the projecting sign, which has been filed with the City.

The case was represented by Erika Malorzo (the business owner), 1500 Penn Street, Harrisburg, PA 17102 (aka “the Applicant”).

Mr. Knee asked the Applicant whether she had anything to add to the case report or wanted to make any comments in addition to the case report. The Applicants stated that they did not.

Mr. Knee asked whether any Board members had questions or comments; there were no questions from Board members. Mr. Knee noted that the application included two different signage design proposals, and inquired as to which was the final design. The Applicant noted that the design with the individual lettering was the final design. Mr. Knee asked whether it was going to involve paper letters applied to the wood surface; the Applicant responded that the lettering would be etched or painted onto the surface.

Mr. Knee asked whether anyone from public had comments on the project; there were no comments.

Ms. Rucker moved, and Ms. Bennett seconded the motion, to Approve with Staff Conditions. The motion was adopted by a unanimous vote (6-0).

1. **712 North 3rd Street, filed by Paul Peffley w/ MLP, LLC, to install a concrete ADA ramp with metal railings along the side façade and at the front entrance.**

The Applicant was not in attendance at the meeting. Mr. Knee moved the application to the end of the meeting; Mr. Knight noted that the Board needed to vote on a formal action.

Mrs. Gribble moved, and Ms. Montgomery seconded the motion, to Table the application and move discussion to the end of the meeting in case the Applicants showed up. The motion was adopted by a unanimous vote (6-0).

The Applicant did not appear during the meeting.

Mr. Knee re-introduced the application after the last application under “New Business” had been heard.

Ms. Rucker moved, and Ms. Bennett seconded the motion, to Table the application. The motion was adopted by a unanimous vote (6-0).

1. **254-256 North Street, filed by Matt Long w/ Harrisburg Commercial Interiors & Associates, Inc., to expand the existing dormer at 254 North Street; replace existing commercial window on the first floor of the side façade with a double-hung window design; install a double-wide window on the third floor of the side façade; install a new exterior staircase, deck, and entrance on the rear façade with Trex treads and wooden frame and railings; install cementitious fiberboard on the second floor of the buildings; and replace the existing windows and door at 254 North Street with a roll-down garage door. The Applicant will also be making improvements to the parking pad in the rear.**

Mr. Knight gave a synopsis of the case report recommending the request be Approved with Conditions; the conditions were that:

1. The proposed roll-down garage door will not be utilized as a parking entrance, as neither the Planning Bureau nor City Engineer’s Office would approve the establishment of a new driveway and curb cut. Additionally, the garage door will utilize clear panes to enhance the visibility from inside and out, and to improve the aesthetics of the property from the street.
2. The Applicant will reconstruct the curb and sidewalk along Susquehanna Street, and ensure that the parking spaces are configured so that vehicles will not encroach on the public right-of-way. Per the City Engineer’s comments, the Applicant should reinstall curbing along Oliver Alley, although specific treatments can be coordinated with the City Engineer.
3. The Applicant will install physical separation between the rear of the parking area and Oliver Alley, in the form of either a small fence or wall, or vegetative screening.
4. Any signage for a prospective business will submit a COA application for HARB review and, if not in conformance with the Zoning Code, a Variance or Special Exception application as necessary for review by the Planning Commission and Zoning Hearing Board.

The case was represented by Matthew Krupp (the property owner), 258 North Street, Harrisburg, PA 17101; and Matthew Long w/ Harrisburg Commercial Interiors (the contractor), P.O. Box 10, Marysville, PA 17053 (aka “the Applicants”).

Mr. Knee asked the Applicants whether they had anything to add to the case report; the Applicants stated that they were open to any questions or comments from the Board members. Mr. Knee solicited initial comments from Board members. Mr. Heffelfinger asked whether the Board should require wood material on the garage door shown in the renderings; Mr. Knee stated that he didn’t feel that the Board should require wood and that he didn’t believe they previously required any specific materials.

Mr. Heffelfinger noted that he had been by the property a couple times and it looked like it was coming along nicely.

Mr. Knee inquired as to the proposed inclusion of the garage door on the front façade. The Applicants asked whether that had been included in the COA application; Mr. Knight noted that it was included on the elevation plans submitted with the application. The Applicants noted that the garage door had been added as a placeholder, and that they were leaving the façade treatment up to the first floor commercial tenant, whom they had just signed to a lease. They noted that they had not considered a garage door in that location since the first iteration of the façade design, and that it was no longer part of the current proposal. The Applicants stated that the commercial tenant would be a submitting a COA application for the façade treatment and signage in the future, and noted that the proposal would likely include a more traditional, floor-to-ceiling, storefront window design.

Mr. Knee requested some clarification on what the final design may look like. The Applicants reiterated that the proposal would likely involve three, floor-to-ceiling storefront windows, and provided a digital rendering showing the presumptive proposal. They noted that because the first floors of the two properties were being combined into one space, there wouldn’t be a need for a second entrance at 254 North Street. The Applicants provided an illustration to Board members on their cell phone. They again noted that the façade treatment would be on a separate COA to be submitted in the near future by the tenant of the commercial space.

Mr. Knee asked Planning Bureau staff whether the combination of the first floor spaces was permitted; Mr. Knight confirmed that the Zoning Code did not prohibit a business occupying the first floor of two spaces or the owners consolidating the adjacent lots. The Applicants stated that the window which had previously been installed before the façade was boarded up may have been installed in the 1950s and was not original to the structure. Ms. Rucker asked what business had previously been on-site; the Applicants noted that it had been the Coventry restaurant which closed approximately 30 years ago. They noted that the properties had been gradually deteriorating since then and that the HRA had purchased the properties about 15 years ago.

Mrs. Gribble noted that she had recently walked past the properties and observed the progress on rehabilitating, and that she was happy to see the work to improve the buildings, but she stated she was concerned about there only being a preliminary plan and that she didn’t want the Board to have to vote on a plan that wasn’t finalized, as COA applications may be required in the future. The Applicants clarified that the only outstanding aspect of the project was the first-floor façade of the property at 254 North Street, as they were leaving that aspect up to the tenant. Mr. Knee noted the case report included a new window on the third floor; the Applicants responded that they had not included that aspect in the COA application and noted that they were abandoning that aspect of the project and retaining the window as-is. The Applicants clarified that they were referencing the window on the third floor of the side façade and not the dormer window.

Mr. Knee stated that he shared Mrs. Gribble’s concerns and did not want to stall the project but that the application had conflicting information. Mr. Knight noted that the Planning Bureau’s case report recommended that any proposed garage door appear as the Applicants had presented in their elevation plans and shown in their more recent renderings, and that he expected the business owner would want to roll the door up in the spring and summer for outdoor seating. The Applicants reiterated that it was one idea, but that noted that it was not included in the COA application. They requested that the potential garage and the second, third-floor window be removed from the current review and any approval resolution. Ms. Baldock asked for confirmation that the commercial tenant would be submitting the façade design and the Applicants confirmed that was the case.

The Applicants stated that the first-floor façade of 254 North Street had been rotted wood which an engineer required them to remove; they reiterated that the commercial tenant would be submitting an additional COA application themselves. They noted that they had secured the building envelope with a temporary solution, but that it would be left in that state until the next COA application was reviewed and approved.

Mr. Knee stated that he was still unsure as to what exactly the Board would be approving, stating that there was a lot of tentative proposals in the design. The Applicants stated that the only aspect which might be considered “tentative” was the garage door shown on the plans. They noted they were requesting approval for one-over-one windows to establish uniformity, since many of the existing windows had varying pane configurations. Mr. Knee inquired as to the material of the windows; the Applicants confirmed that they were using wooden windows. Mrs. Gribble noted that the Applicants’ statements made sense, but that their renderings and elevation plans showed different proposals. Mr. Knight noted that the windows which were not changing the pane configuration were not reviewable since they had already been approved as in-kind replacements.

The Applicants stated that it was their understanding that the rear parking area could be administratively approved. Mr. Knight confirmed that was the case but stated that he had included it because it was part of the overall project and site plan. He noted that it was currently a deteriorated asphalt lot.

The Applicants stated that they were seeking the exact wording that appeared in the Planning Bureau’s case report and that they would submit an updated site plan the following day [*note: this has not yet been received by the Planning Bureau*]. They noted that many of the aspects of the elevation drawings were examples of materials or design to submit with the COA application, but not necessarily specific proposals.

Mrs. Gribble noted that the proposed entrance on the second floor of the rear façade of 254 North Street was a nine-lite door with panels. The Applicants confirmed that was the case and stated that the proposed door was the closest they could find to the original entrance. They noted that some of the other doors were deteriorated or non-historic, and that their intention was to match the design of the existing doors as much as possible, while keeping a consistent design aesthetic.

Mrs. Gribble inquired as to the age of the properties. Mr. Krupp stated that Historic Harrisburg Association had informed him that his property (258 North Street) was constructed in the 1880s, and that he presumed the subject properties were constructed around the same time. Mrs. Gribble stated that she wasn’t sure whether the nine-lite doors were original. The Applicants responded that they did not think much of the existing structures were original; noting that the brick facing wasn’t available until the 1950s and that the circular storefront windows were later additions.

Mr. Knee asked whether anyone from public had comments on the project; there were no comments. Mr. Knee reviewed the conditions of approval from the Planning Bureau’s case and stated that the first condition referencing the garage door could be removed, noting that the design may be submitted in the future. He noted that the condition referencing the sidewalk reconstruction along Susquehanna Street should remain, as well as the reference to the configuration of parking spaces. He noted that the fourth condition referenced the construction of a small fence, wall, or vegetated screening. The Applicants noted that the existing parking configuration involved perpendicular head-in parking and that they were proposing angled spaces which would leave a small gap towards the rear of the property in which landscaping could be planted. They also noted that they would be replacing the asphalt with permeable pavers.

Mr. Knee asked whether the Board felt they needed to add anything to that condition of the case report involving materials or scale of the fencing. There were no comments. He also noted that the last condition of the case report referenced potential signage.

Mr. Knee asked for clarification regarding the brick along the front façade of the structure; the Applicants confirmed that they would be installing Hardie board in place of the existing wooden siding and maintaining the brick façade where it currently existed.

Mrs. Gribble asked whether the fire escape at 254 North Street would remain; Mr. Heffelfinger noted that it was being installed as part of the project. She stated that she didn’t see the fire escape in the photos but noted that it had been included on the elevation drawings. The Applicants stated that it was the new entrance to the second floor of 254 North Street, noting that there hadn’t been an interior staircase previously and that the previous exterior staircase was not code-compliant. Ms. Bennett asked whether there was only one means of egress to that second-floor apartment; the Applicants confirmed that was the case and that the Codes Bureau had confirmed that an accessible window would provide the other means of egress.

Mr. Knee noted that all the materials in the COA application had formerly been approved by HARB, and stated that he was comfortable with the proposal.

Mrs. Gribble stated that she was unsure of what material would be used for the stairs. The Applicants noted that the stair treads would be composed of Trex composite material and that everything else would be comprised of “architectural style” wood. Mr. Knee stated that he was comfortable with Conditions #2-4 as noted in the case report and asked whether there were any other comments. Mrs. Gribble asked whether the Board should add a fifth condition of approval regarding the proposal for the storefront at 254 North Street. Mr. Knight stated that the Board did not have to add a condition, but could merely remove Condition #1 and let the commercial tenant submit a proposal for that façade through a future COA application. The Applicants confirmed that the tenant was working with their own architect to design the interior and exterior of the space.

Ms. Bennett moved, and Ms. Rucker seconded the motion, to Approve with Staff & Additional Conditions. The additional condition was that:

1. The garage door indicated in the plan drawings would be removed from the review.

The motion was adopted by a unanimous vote (6-0).

1. **1122 North 2nd Street, filed by Kris Armstrong w/ National Access Corp., to install an emergency access ramp on the front façade of the property, providing ADA access to the main entrance for the first-floor unit.**

Mr. Knight gave a synopsis of the case report recommending the request be Approved with Conditions; the conditions were that:

1. Per consultation with the City Engineer, the proposed ADA ramp should be installed along the northern elevation of the property, providing access to the side entrance. This will necessitate removal of a portion of the first-floor porch railing, which does not appear to feature historically-contextual spindles.
2. The ADA ramp should be constructed along the side façade, with the entrance being directed towards North 2nd Street to best take advantage of the topography of the sidewalk.
3. The Applicant will submit an Easement application and the requisite supplemental documentation, and receive approval from the City for the proposed ADA ramp design.
4. The ADA ramp will be constructed entirely of wood, as opposed to the proposed wood and metal construction, and will be painted or stained upon installation.

The case was represented by Kyle Manning w/ Alex Manning Enterprises (the property owner), P.O. Box 188, Mechanicsburg, PA 17055; and Laurie Schwing, Hershey, PA (aka “the Applicants”). The Applicants stated that they were expecting a contractor’s representative to be at the meeting as well, although they were not in attendance.

Mr. Knee asked the Applicants whether they had anything to add to the case report; the Applicants stated that they did not. The Applicants stated that they had a current wheelchair-bound tenant who had requested the ramp, and that he had put a call in to the contractor, whom he expected to reach out to the City regarding permitting.

Mr. Knee noted that the Planning Bureau’s case report had recommended that the proposed layout not be used and that the ramp be relocated to the Cumberland Street side of the building; he asked whether that would be acceptable to the Applicants. They noted that there is no entrance to the first-floor front unit from the side entrance and therefore the ADA ramp could not be located to that entrance. Mr. Knight requested clarification on the issue; the Applicants stated that the side entrance provided access to a unit in the rear of the building. Mr. Knight stated that he had spoken with the City Engineer, who had confirmed that a structure which wrapped around the front corner of the building, providing access to the front entrance, would be acceptable as well, although it would not be preferable. He stated that if that was the only way to provide access to the front unit in which the tenant lived, then they would have to consider that design.

Mr. Knee stated that it sounded as though the ramp could be constructed in a way that wrapped around the building, but that the configuration as submitted would not be recommended. Mr. Knee asked whether the proposed ADA ramp would be a temporary structure; the Applicants responded that they believed it was intended to be a modular structure that could easily be removed, but that it could as be retained on a permanent basis. Mr. Knee asked for clarification on whether the ADA ramp would be anchored to the building in some fashion; the Applicants responded that it would.

The Applicants noted that the construction of the ADA ramp was almost complete when work was stopped by the City and the workers required to disassemble the ramp. They stated that they weren’t aware the project hadn’t gotten City approvals. They Applicants stated that the ramp was “beautifully done.”

Mrs. Gribble asked how many tenants were in the building; the Applicants responded that there were five units. Mrs. Gribble asked how they provided access to all the units; the Applicants responded that all the units had access through the main front entrance and stairwell; they noted that all the units except the front, first-floor unit had access to Cumberland Street via side doors and a fire escape along the side of the building. They reiterated that the front, first-floor apartment only had access through the front entrance and that the contractor had proposed to build an elevated, wooden stoop with the proposed metal ramp running to the side along North 2nd Street. They noted that stairs would be added to the ADA ramp to provide access.

Mrs. Gribble noted that this design would cause the proposed ramp to encroach further into the right-of-way. Mr. Knight noted that he had measured the sidewalk during a site visit and that it was thirteen (13) feet from the curb to the foot of the stoop and sixteen (16) feet from the curb to the building façade, which meant that the stairs could extend further into the right-of-way and still have sufficient pedestrian space be retained.

Mr. Knee stated that if the proposed ramp was a temporary, modular structure it might not be subject to HARB review, but that if it was a permanent structure, the Board usually expected more attention to the design of the addition with respect to the historic character of the property. The Applicants stated that they understood the proposed ramp to not be permanent, and that if and when it was removed, they would reinstall the existing metal railings on the stoop. Mr. Knee noted that designing an ADA ramp to usual HARB specifications would likely be more expensive than the submitted design. Mrs. Gribble stated that she interpreted the proposed ramp as being temporary; the Applicants stated that the contractor could answer those questions, and noted that they were not paying the cost of the installation, which was being handled by a third party.

Mr. Knee asked how the construction of the stoop would proceed, and whether the proposal was to replace the brownstone stoop with a concrete stoop. The Applicants stated that was not the case. Mr. Knight noted that he had stopped the project from being constructed and that the project involved the construction of a pressure-treated-lumber stoop extension onto the existing brownstone stoop and that it could be removed, noting that the contractors had removed the ramp while he was there. Mr. Knight stated that he wasn’t sure whether the organization funding the ramp required that it be removed when the tenant left; he also stated that he wasn’t sure whether the owners intended to retain the ramp for future tenants, noting that it was unlikely the Planning Bureau would be notified when the current tenant moved out. He stated that he was working under the expectation that the ramp would be a permanent installation.

Mr. Knee asked whether the review requirements would be the same if the ramp were a temporary structure. Mr. Knight stated that he was unsure of how such a project would be reviewed, particularly if it were proposed to be temporary with an indeterminate removal date. He stated that he felt it was up to the Board to make that decision. Mr. Knee stated that he felt the Board could review it if the ramp could be removed without damaging the structure itself; Mrs. Gribble noted that it appeared that was the case.

Mr. Knee noted that the Board could decide to review the proposal as though it was a permanent structure, in which case the proposal would involve significantly more investment, or they could review it as a temporary structure, in which case the current proposal may be acceptable. The Applicant stated that they preferred not to approach the project that way because they were unsure of how much funding was available for the project. Ms. Rucker noted that the Applicants should confirm the cost of the proposed ADA ramp. The Applicants stated they preferred to approach the project as a removable structure. Mrs. Gribble noted that if the Board was going to review it as a temporary structure, they should include a time limit on its installation, noting that it wasn’t the same as previous seasonal alterations the Board had reviewed such as temporary vestibules added to front entrances for winter months. Mr. Rucker noted that the Board could add a condition requiring the removal of the ramp within 30 days from the tenant leaving.

Mr. Knee asked whether a temporary ramp would be within the Board’s purview; Ms. Baldock noted that so long as a structure was temporary, the Board did not have authority to approve or deny it, or to place any conditions.

Mr. Knee noted that the two Applicants appeared to differ in whether the proposed project would be permanent or temporary. Mr. Manning reiterated that he wasn’t sure how much funding was available for the ramp, but that he didn’t have a preference either way. Ms. Schwing noted that the project was being financed with federal funding and that there was a fairly large cap on the amount of funding available, although some of that had been used on retrofitting the bathroom. The Applicants suggested that it might be best to table the discussion so that they could coordinate with the contractor. Mr. Knee noted that might be preferable given the potential additional expense for a permanent ADA ramp.

Ms. Rucker asked how the tenant would access the property if the Board tabled the issue for another month. The Applicants responded that the tenant had not been moving around much since he had just returned from a hospital visit and that he was not particularly mobile.

Mrs. Gribble again noted that the proposal was a temporary structure, which would not be within HARB’s purview, but if the Applicants chose to install a permanent ramp, the Board could vote on how that should be constructed so the Applicants could move forward regardless. Mr. Knee noted that he was concerned about how any installation would affect the stoop. Mr. Knight noted that it appeared the Applicants could remove the proposed ramp with no impact on the historic elements. Ms. Gribble noted that even a temporary structure would likely need to be secured to the structure somehow so as not to create access or stability issues. Mr. Knight noted that the wooden components of the new stoop had been anchored to the wooden doorway frame; he noted that securing the structure through the wood was permitted for other elements. Mrs. Gribble clarified that she wanted to ensure that any approved structure was not anchored into either the brownstone or the brick façade, and that such condition should be added to the HARB resolution.

Mr. Knight recommended that action be taken at the current meeting, noting that he had placed the application on the agenda even though it was a late addition, because he didn’t want the tenant to have to deal with the current situation for another month.

Mr. Knee asked whether it would require a separate application and review if the Board approved a permanent structure and the Applicants ended up installing a temporary structure. Mr. Knight noted that if the structure was temporary, the Board wouldn’t have purview at all. Mr. Knee asked about the configuration and encroachment into the public right-of-way; Mr. Knight confirmed that would be addressed through the Easement review process, but noted that regardless of the permanence, he would recommend the design that wrapped around the building corner. The Applicants stated that could be accommodated. They also noted that they had begun developing the Easement documentation and were awaiting the owner’s signature and the final approved design.

Mr. Knee stated that if the proposed ramp was to be temporary, the Board should require that it not be secured to historic elements of the structure. Mr. Knight noted that the Board could require any anchoring to be secured through wooden elements or mortar joints.

Mr. Knight asked whether the requirement that the ramp be constructed of wood would still be applicable if the Board was voting on a “dual resolution” that addressed either a permanent or a temporary installation. He asked whether there were any other materials the Board felt should be used; the Board members stated that they felt wood was most appropriate. Mr. Knee noted that if the Applicants installed a temporary ramp, then they might still be able to go with the originally-proposed metal materials; Ms. Rucker reminded him that if the proposed ramp was temporary, the Board would not have purview.

Mr. Knee noted that the Board was moving forward with a resolution as though the installation would be permanent, with the notation that a temporary ramp would not need to receive Board approval.

Ms. Bennett moved, and Mrs. Gribble seconded the motion, to Approve with Staff & Additional Conditions. The additional conditions were that:

1. A wraparound design that ran along the eastern (North 2nd Street) and northern (Cumberland Street) façades will be used, as opposed to the proposed switchback design along North 2nd Street;
2. Conditions #1 and #2 from the Planning Bureau’s case report would be removed; and
3. Any anchoring of the ramp to the building would be made through wood or mortar joints within the brick façade.

The motion was adopted by a unanimous vote (6-0).

**OTHER BUSINESS:**

1. **Discussion on historic district regulations.**

Mr. Knee noted that a discussion on historic district guidelines was listed under “Other Business”; he stated that the Board should wait until the next month to address those, unless any Board members had comments. Mrs. Gribble stated that she had some issues for discussion, but would hold her comments until the February meeting given the late hour.

Mr. Knee stated that for the next month’s meeting, he wanted people to consider whether they wanted to write specific sections of the document. He also noted that they had to determine a timeline for consultation with other organizations such as Historic Harrisburg Association and the Pennsylvania Historical & Museum Commission, as well as the public, if they intended on having a final draft by the end of 2019.

Mr. Knight stated that if Board members found specific sections from other cities’ historic district regulations, they should provide hyperlinks, or copy and paste the sections to those sections in a draft Word document. He noted that the Board could then whittle down those sections or revise the text as necessary, but noted that it would help them craft a new document in language that was best practice for the historic district field.

**ADJOURNMENT: 8:23 PM**

Ms. Bennett moved, and Mrs. Gribble seconded the motion, to adjourn. Ms. Rucker noted that the Board needed to find a way of shortening meetings and limiting discussion in the future. The motion was adopted by unanimous vote (6-0) and the meeting adjourned at 8:23 PM.