MINUTES

**HARRISBURG ARCHITECTURAL REVIEW BOARD**

**REGULAR MEETING**

**March 4, 2019**

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

**PUBLIC SAFETY AUDITORIUM, ROOM 213**

**MEMBERS PRESENT:** Trina Gribble, Vice Chair

Anne Montgomery, Assistant Codes Administrator

Camille Bennett

Jeremiah Chamberlin

Neil Heffelfinger

**MEMBERS ABSENT:** Andrew Knee, Chair

April Rucker

**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 February 4, 2019 meeting were approved with no corrections. Mr. Chamberlin moved, and Ms. Bennett seconded the motion, to approve the minutes from the February 4th meeting. The Board approved the motion by unanimous vote (5-0).

**OLD BUSINESS:**

**NEW BUSINESS:**

1. **1401 North 3rd Street, filed by Steve Thompson with Stoner Graphix, to install a 43.14-square-foot, wall-mounted, backlit sign comprised of 15-inch-high, stainless steel channel letters and located above the existing wall signage along North 3rd Street.**

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 Variance application that they have submitted concurrent with the COA application.

The case was represented by Alice Anne Schwab with the Susquehanna Art Museum, 1401 North 3rd Street, Harrisburg, PA 17102 (aka “the Applicant”).

Mrs. Gribble 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 Applicant stated that the proposed signage would be similar to the existing wall signage, but it would include the names of significant donors.

Mr. Chamberlin stated that he thought the proposed signage appeared to be better than the existing vinyl letters that had been installed temporarily. Mrs. Gribble agreed. The Applicant confirmed that the existing vinyl signage was only installed as a temporary measure.

Mr. Knight reminded Mrs. Gribble to inquire as to whether anyone from public had comments on the project; there were no comments.

Mr. Chamberlin moved, and Ms. Bennett seconded the motion, to Approve with Staff Conditions. The motion was adopted by a unanimous vote (5-0).

1. **228 Boas Street, filed by Robert Shokes, to remove the pre-existing vinyl siding on the first floor of the western façade and apply a stucco finish; construct a three-foot-high concrete block wall with a stucco finish in the front yard; and install a third-floor deck on the rear façade to replace the existing “standing roof access.” This is an After-the-Fact review.**

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

1. The Applicant will remove the divider halfway down the side façade, installed for the explicit purpose of shielding the rear façade from view from the right-of-way so that vinyl siding could be installed. This architectural element was not discussed with the Planning Bureau, is not included in the current application, and represents an unauthorized circumvention of the historic district regulations.
2. The Applicant will remove the vinyl siding along the western elevation, which is visible from Boas Street (once the unauthorized divider is removed) and from Penn Street, and utilize either a cementitious fiberboard or stucco treatment.
3. The Applicant will paint or stain the pressure-treated wooden materials used to construct the third-floor deck; given the current weather, the Planning Bureau believes that a deadline of April 30th should provide the Applicant with enough time in appropriate weather conditions to accomplish this.
4. The Applicant will detail the front yard patio wall with a design similar to that found in other stoops on the same block, to better integrate the element into the architectural character of the streetscape.

The case was represented by Robert Shokes, Jr., 900 Brentwater Road, Camp Hill, PA 17011 (aka “the Applicant”).

Mrs. Gribble 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 Applicant stated that he took issue with the Planning Bureau’s reference to the 2’ x 12’ wooden screening element that had been installed along the western elevation to shield the rear of the property from Boas Street. He stated that other installations could serve the same function, such as a lattice material on a double-hinged door or a gated fence installed between the subject property and the adjacent property to the west.

The Applicant stated that he made the improvements to the property with the understanding that the first floor of the side (western) elevation and the second floor of the front (southern) elevation were subject to HARB review, and asked for more clarification on what was within the Board’s purview. He stated that it seemed unreasonable to require removal of the vinyl siding on the first floor of the side elevation when there was also vinyl siding on the second floor.

Mr. Chamberlin noted that any exterior aspect which was visible from a public right right-of-way was subject to HARB review and that the side elevation was visible from Penn Street. The Applicant confirmed this was the case but noted that it was only visible during certain times of the year. The Applicant also stated that he had been advised by Planning Bureau staff that the eastern façade was not within HARB purview by that it was visible from the public right-of-way; he stated that if the eastern façade was not within HARB purview, then he didn’t understand why the western façade was under consideration. Mr. Chamberlin clarified that the eastern façade was visible and should have been reviewed by HARB. The Applicant stated that he had been directly informed by Mr. Knight that it was not within HARB’s purview.

Mr. Knight confirmed that, during the initial review of the project in 2017, he had informed the Applicant that the eastern elevation was not subject to HARB review and noted that he had included that error in the Planning Bureau’s case report. Mr. Knight stated that he had incorrectly assumed that the work occurring on that façade would be behind an existing garage and therefore would not be visible from the public right-of-way. He acknowledged that it was an oversight on his behalf to inform the Applicant that the elevation was not within HARB’s purview, and noted that aspect of the project was not included in the case report since the Applicant had moved forward in good faith per the Planning Bureau’s direction. The Applicant stated that this allowance had informed his understanding of what was subject to HARB review, which was also based on the work he had done on other properties throughout the city.

Mr. Chamberlin stated that he had researched via the County’s property information system other properties owned by the Applicant and that none was in an historic district; the Applicant stated that there were other properties he owned or managed in the city’s historic districts, referencing the property at 1824 Penn Street as an example. He noted that the property may not have been registered under his personal name.

Mr. Chamberlin stated that he was not willing to grant approval of the vinyl siding since the Board had not given such approvals in the past, and noted that the western façade was visible from the public right-of-way and that HARB’s purview included visibility at any point in the year. He noted the primary issue was not whether it was within HARB purview, but whether the work was acceptable to the Board or not.

The Applicant stated that he had taken a picture from the rear, third-floor deck to demonstrate the view from there and the visibility of properties that surrounded it. Mr. Chamberlin noted that the Applicant’s porch was not a portion of the public right-of-way, and that if aspects of properties were not visible form the public right-of-way, the Board did not have purview.

Mr. Chamberlin asked whether other Board members had comments or thoughts. Mrs. Gribble stated that she agreed with Mr. Chamberlin on denying the vinyl siding, noting that it was not an historic material and she also agreed with his description of the Board’s purview.

Ms. Montgomery asked whether the Applicant has submitted a Building Permit application for the work currently being done; Mr. Knight confirmed that an application was submitted and was being held in the case file until a decision had been rendered. Mr. Chamberlin asked if the Building Permit application was on file when the work was done; Mr. Knight noted that it had not been submitted at that time.

Ms. Bennett noted that the Applicant had stated that they had other properties that they did work on and managed, and asked why the Applicant they had done the work being reviewed without first securing a Building Permit. The Applicant inquired as to what work Ms. Bennett was referring; she noted that it was the work currently being reviewed by the Board. The Applicant stated that it was a misstatement because all the work that had been done was done with a permit and was done with the understanding he had regarding appropriate work based on conversations with Mr. Knight. The Applicant stated that the location on Penn Street from where Mr. Knight took an existing conditions photo, you were “surrounded by vinyl.” He stated that he didn’t feel it to be “outside of the norm” in that area of Midtown.

The Applicant stated that he didn’t do the work because he didn’t think he would get caught, he made the exterior alterations because he felt the project fit in with the historic character and that aspects were not visible from the public right-of-way. He stated that he didn’t understand how if the eastern façade was not within HARB’s purview, the western façade was. The Applicant stated that he had not done anything that was not included on the permit; Mr. Chamberlin asked him to confirm that he had a general construction permit for all the exterior work, and the Applicant replied that he did.

Mr. Knight stated that he wanted to address the Applicant’s testimony because it was not accurate. He noted that patio in the front yard was not included on any permit when the work was done; he noted that he had spoken with the Applicant about appropriate development there, including the prohibition against using the space as an off-street parking pad, but that no permit or COA had been filed for the work. Mr. Knight also noted that when he had noted the unpermitted exterior work occurring and issued a stop work notice, the Applicant had not only filed a permit for that work but also for additional interior work that had not been previously submitted or approved.

Mr. Heffelfinger asked whether any penalties had been assessed; Mr. Knight confirmed that the Applicant had filed an after-the-fact fee and had also presumably paid double Building Permit fees for the unpermitted work.

Mrs. Gribble asked whether anyone from public had comments on the project; there were no comments.

Mr. Chamberlin stated that he wanted to make some minor revisions to the conditions of approval included in the Planning Bureau’s case report. He stated that the condition referencing the design of the front yard patio wall should have more clarity; Mr. Knight noted that there were only two other stoops with a similar design on that block, and that one had a square incision design on the exterior and one featured a recessed square panel. He also noted that best practices and standards in historic preservation recommended that modern construction and alterations not appropriate or mimic in too great of detail design elements from other architectural styles or eras. He noted that he left it intentionally vague to allow the Board to make their own decision about what design was most appropriate.

Mr. Chamberlin noted that the second condition referenced removing the vinyl siding on the western elevation and that the Applicant had not addressed that condition in his statements. The Applicant asked whether it referred to the entire western façade and not just the first floor, which he said were included in his original communications with Planning Bureau staff. He stated that it was clear that the first-floor side façade and second floor front façade were referenced in this email communications, and that the Planning Bureau had stated that applying stucco to these areas would be approved. The Applicant stated that he read the communication to mean that these areas were being identified because they were subject to HARB purview and other areas were not.

Mr. Knight noted that at the time he contacted the Applicant, there was only siding on those two locations and that he was not aware the Applicant intended to reside the entire second floor with vinyl siding. He also noted that in reviewing the email communications, the Applicant had stated several times that intended to install cementitious fiberboard in order to get administrative approval and that at no point in their conversation did the Applicant indicate he would use any other siding material. He noted that it wasn’t until he became aware that work had restarted on the project and conducted a site visit that he became aware the Applicant was installing vinyl siding.

Mr. Chamberlin noted whether the Applicant was intending to use cementitious fiberboard or stucco, the work would have needed to be administratively approved by Planning Bureau staff. Mr. Knight confirmed this was the case and noted that if the vinyl siding had been proposed, it would have been flagged for HARB review. The Applicant stated that he did remove vinyl siding from the front of the first-floor side façade and replaced it with stucco. Mr. Chamberlin noted that any other work would still have needed Planning Bureau review to ascertain whether it required HARB review or could be administratively approved. He stated that he felt that Mr. Knight did a good job bringing cases to the Board for review, while trying to administratively approve as many projects as possible, to create a better working relationship between the City and residents and property owners.

Mr. Chamberlin reiterated that the could not approve the vinyl siding, and asked the Applicant whether they were amenable to the condition; the Applicant stated that he didn’t feel as though he had an option, and that he would remove and replace the existing vinyl siding, but that he wanted clear direction on what type of siding would be approved for use.

The Applicant stated that the reason he had installed the concrete block wall for the front patio was that there was a four-day window in which the weather allowed exterior work to get done. He stated that he needed to finish the house because he had 130 other properties on which he needed to do work. Mr. Chamberlin stated that, as a landlord himself, he understood issues with timing and availability to do work, but that if he did work without confirming its appropriateness with the Planning Bureau, he would run into issues like the current situation. Mr. Chamberlin noted that the Planning Bureau’s recommendation was clear in referencing cementitious fiberboard or stucco for the siding.

Mr. Heffelfinger asked what kind of stucco treatment was used on the patio walls. The Applicant confirmed that it was a multi-layered, hand-finished mortar and did not use Dryvit, EIFS, or other similar products.

Mr. Chamberlin asked Planning Bureau staff to re-read the conditions; Mr. Knight recited the conditions of approval in the case report. He noted that the condition recommending removal of the divider halfway back along the western façade was ultimately up to the Board; the Applicant stated that it was his intention to remove it since the façade was visible regardless. Mr. Knight noted the second condition was a requirement to remove the installed vinyl siding and replace it with cementitious fiberboard or stucco treatments. He also noted the third condition of approval required painting or staining the wood on the third-floor deck with a deadline of April 30th be provided to allow for the weather to change enough to accommodate the work. Finally, he noted the last condition that a simple design be applied to the front patio to have it blend in with the other similar stoops on the block.

The Applicant stated that he could apply a second coat of mortar to the patio wall, while leaving in a recessed area to create a rectangular panel. The Applicant also requested the same April 30th deadline to install stucco along the western façade to ensure the appropriate temperatures in order to do the work. Mr. Knight noted that the deadline only applied to the painting and staining requirement, and acknowledged that the weather needed to be appropriate in order to stucco the western façade. He stated that he was not recommending a time limit by which work must be done.

Mr. Chamberlin asked if there was a point at which the Building Permit expired; Mr. Knight stated that there was; the Applicant stated that he intended to have the work done by the end of May.

Mr. Chamberlin moved, and Ms. Bennett seconded the motion, to Approve with Staff Conditions. The motion was adopted by a unanimous vote (5-0).

**OTHER BUSINESS:**

1. **Discussion on administratively approved project at 1408 Susquehanna Street.**

Mrs. Gribble noted that Mr. Knight had circulated an email request for comment on the proposed garage door replacement on the property at 1408 Susquehanna Street. Mr. Knight noted that the property had previously been used for accessory storage for a gas station on the corner of Reily Street and North 3rd Street, which had been demolished and replaced by the Campus Square building. He noted that the current owner had testified during a zoning review in 2018 that the roof had collapsed in the blizzard of 1996 and that the structure had been rebuilt as it previously existed and thus was an in-kind replacement.

Mr. Knight noted that the prospective owners intended to utilize the structure as an indoor accessory parking facility, which had some zoning considerations, but that the new use would only utilize two of the garage doors for ingress and egress. He stated that the existing garage door was a metal, roll-down design with little to no historic or architectural value, and that the proposal was to replace it with metal, divided-lite glass panes and panels similar to the façade design for the proposed coffee shop at 254 North Street that the Board had reviewed at a recent meeting.

Mr. Knight stated that the project was replacing a non-historic architectural element on a non-contributory structure and that he was unsure of the Board’s position on whether a review was required. Mrs. Gribble asked whether anyone had responded to the email and Mr. Knight confirmed that Ms. Montgomery had responded that she felt the project could be administratively approved.

Mr. Chamberlin stated that he had a problem with the proposed use, but not a problem with the proposed redesign of the garage door. Ms. Baldock noted that the issue was not on the agenda and asked Mr. Knight what he was asking the Board to decide. Mr. Knight stated that he believed the Board wanted to have a discussion on that topic; Mrs. Gribble asked whether the Planning Bureau needed additional input from the Board on that issue and Mr. Knight confirmed that he did not, noting that he had not heard from any other Board members and thus administratively approved the proposal.

Mr. Knight noted that the project was somewhat time-sensitive and was connected to a project at the adjacent site at 1418-1422 Susquehanna Street which was being proposed for a surface parking lot. Mr. Chamberlin asked whether that use was permitted via the Zoning Code and Mr. Knight confirmed that it was not a by-right use and would thus be reviewed by the Zoning Hearing Board, along with a review of the design by HARB. Mr. Chamberlin noted that the location was in the Competing Parking Area; Mr. Knight confirmed that was the case and noted that the review would include a legal analysis from that perspective as well.

Mr. Knight referred back to the current issue, restating that the replacement of the garage door involved a change in a non-historic element of a non-contributory structure. He asked for comments from Board members regarding Planning Bureau review of similar projects that may require HARB review. Mrs. Gribble stated that given the reviews they have undertaken regarding garage doors in other historic district properties, she felt it was a good idea for the Board to formally review similar projects in the future.

Mr. Chamberlin noted that the Board had strongly debated the garage elements of the project at 232 North Street and that in light of such reviews, similar projects should receive the same amount of scrutiny. Mr. Knight noted that that project was slightly different as it was a component of a larger new construction project, while the current project only involved replacement of a garage door. Mr. Chamberlin stated that he still felt the projects should receive Board review. Mr. Knight stated that he would ensure such projects received HARB review going forward.

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

Mrs. Gribble noted that she had not attended the previous months’ meeting and was unsure what was discussed regarding the proposed HARB Historic District Design Guidelines. Mr. Chamberlin stated that he felt Mr. Knee was taking a substantial burden in designing the table of contents and researching documentation to develop a proposed draft, and noted that he had offered to discuss coordinating with Historic Harrisburg Association (HHA) on public notification and outreach. He noted that HHA held meetings on the last Monday of each month and that a discussion on the proposed guideline update could be scheduled several months in advance.

Mr. Knight noted that he had attended a meeting at HHA the previous week and spoken with David Morrison and Jeb Stuart with HHA and Bryan Van Sweden with PHMC about attending a monthly HARB meeting to discuss the document development process. He stated that the April 1st meeting would be a good opportunity to have that discussion since there were currently no items on the agenda for that meeting; Mr. Chamberlin stated that he expected a couple applications to be submitted for that meeting based on conversations he had had, one of which would be an after-the-fact review.

Ms. Baldock inquired as to when the submission date for the April meeting was; Mr. Knight noted that it had been Friday (March 1st), although he noted that he would likely still take applications for a few more days as there were none currently on the agenda. He noted that even if a couple applications were submitted, the April meeting would be a good opportunity to further discuss the document. Mr. Knight also noted that Mr. Knee had considered the April 1st meeting for a discussion on the outline and drafts sections.

Mr. Knight stated that he felt the best option was to cut-and-paste sections from the existing document into the draft document, and then add sections or links to sections featuring best practices from other municipalities’ documents to supplement existing sections or establish the proposed new ones.

Mr. Chamberlin asked whether a Google Docs file could be established to allow the Board members to collaborate on edits, additions, and revisions; he noted that this would allow people to work on the document without modifying or changing content from others. Mrs. Gribble stated that she felt each individual should be responsible for one or two chapters. Mr. Knight stated that he would invite HHA, PHMC, and the Historical Society of Dauphin County (HSDC) to the next month’s meeting so that the Board members could ask them questions and they could provide guidance and best practices. Mr. Chamberlin noted that they might also engage the PA Downtown Center regarding the document; Mr. Knight noted that the executive director, Bill Fontana, had previously been on the Board.

Mrs. Gribble noted that the Board had also discussed having the Planning Bureau updating the property owner notification form, previously emailed to the Board by Mr. Knight, the existing form to that outlines the zoning, historic district, and floodplain designations. Mr. Knight noted that he had already discussed transferring the responsibility for the form to the Planning Bureau, since the Codes Bureau didn’t actually manage any of those issues. He also noted that he would update the format to be more legible, comprehensive, and informative.

Mr. Chamberlin asked whether the City required notification of the property designations for new owners. Mr. Knight noted that the current flood certification effectively functioned in this capacity, as the Flood Certificate was required to be filed upon any transfer of property. Mr. Knight also noted that he would coordinate with the Greater Harrisburg Association of Realtors to apprise them of any updates.

Mr. Chamberlin referenced the Applicant for the after-the-fact review at the current meeting, and stated that while he thought the individual was aware of the historic district designation, having the information more clearly presented in a document every property owner received would remove the excuse of not be aware of the designation before work began. Ms. Montgomery stated that she felt it would be best if links to additional information were provided on the form as well; Mr. Knight noted that hyperlinks wouldn’t work on a hard copy document, but that individuals could be easily directed to information on the City’s website.

Mr. Knight noted that the City intended on moving towards all digital documentation submission and communication, including having HARB packets distributed to Board members via tablets provided by the City, and that in that case, property owners would received digital versions of documents that would accommodate hyperlinks. Mr. Knight noted that the Planning Bureau may have a new Historic Preservation Specialist in time for the April 1st HARB meeting, which would allow him more time to handle administrative tasks such as this.

Mr. Knight recommended that the Board members begin reviewing historic district design guidelines from other communities and bring those to the April 1st HARB meeting for discussion.

Mrs. Gribble noted that the City had installed banners in some areas of historic districts, and wondered how historic districts could be identified outside of paperwork so that property owners were aware that their property was in an historic district. Ms. Montgomery noted that the Old Uptown Harrisburg Municipal Historic District had banners on street poles and streetlights in some locations. Mr. Chamberlin noted that the community had coordinated that effort; Mr. Knight noted that the Midtown Square Action Council had received a Dauphin County Gaming Grant to install the ones in Midtown. He stated that it may be the case that the community would take on that effort, as opposed to the City.

Mr. Chamberlin stated that involved citizens knew their property was located in an historic district. Mr. Knight stated that he notified any resident, property owner, or contractor about the historic status of a property if they inquired, specifically noting that the Applicant whose case was heard at the meeting had been notified several times of the designation and requirements.

**ADJOURNMENT: 6:56 PM**

Mr. Chamberlin moved, and Ms. Montgomery seconded the motion, to adjourn. The motion was adopted by unanimous vote (5-0) and the meeting adjourned at 6:56 PM.