

**UPPER ALLEN TOWNSHIP
HISTORICAL ARCHITECTURAL REVIEW BOARD
January 17, 2023**

MEMBERS

Natasha Adler, Vice-Chairperson
Matthew Taylor
Virginia LaFond
Susan Sears
Frank Grottola, UAT Building Inspector (absent)

TOWNSHIP STAFF

Jennifer Boyer, Comm. Develop. Director
Scott Finkenbiner, Planning Technician

Board of Commissioners Liaison

Commissioner Jim Cochran
Commissioner Ginnie Anderson

CALL TO ORDER

A meeting of the Upper Allen Township Historical Architectural Review Board was called to order on Tuesday, January 17, 2023 at 7:01 p.m. at the Upper Allen Township Municipal Building. The Pledge of Allegiance was recited by all, and Roll Call was taken by Vice-Chair Adler. Vice-Chair Adler noted that Mr. Grottola was absent.

ANNUAL REORGANIZATION

Vice-Chair Adler stated that the reorganization would be postponed until a later meeting.

APPROVAL OF MINUTES

A **MOTION** was made by Mr. Taylor to approve the minutes of the November 15, 2022 meeting. The **MOTION** was seconded by Ms. LaFond. The **MOTION** carried unanimously. (4-0)

OTHER BUSINESS

- 1. Discussion to recommend consideration of a Zoning Overlay District for the protection of historically significant properties and structures.**

Vice-Chair Adler began the discussion by asking if the members of the board had the opportunity to read the materials provided, as Mr. Botchie's recommendation was based upon them. Ms. Boyer provided an explanation of Mr. Botchie's recommendation, stating an overlay district be created to protect existing properties listed within the "Early Architecture in Upper Allen Township" book that are outside of a local historic district. This list is not meant to be all inclusive, but a starting point. Ms. Boyer went on to say that at the November 2022 meeting there was some confusion on the specifics of what Mr. Botchie was recommending, and hopefully the provided materials would clear up that confusion.

Mr. Taylor asked if Mr. Botchie was recommending a zone, which could protect individual properties, or district, which could protect an area. Ms. Boyer stated that if Mr. Botchie was referring to the MPC then he meant an overlay district which would be similar to a zone. She believed Mr. Botchie wanted to create a list that could cover the entire township as opposed to a district that would cover a specific area. An example within the Zoning Ordinance would be the Floodplain District. The floodplain is an overlay of the entire township but only applies to certain properties within a floodplain or floodway. If the property is within these areas, it is subject to additional regulations. For the historic district overlay, additional regulations would be set for class 1, class

2, and class 3 type properties. Each class could have their own regulations, including the allowance of certain uses which would apply above and beyond the base zoning district.

Mr. Taylor asked for clarification on whether the formal listing requires approval by the landowner. It was confirmed that the property owners would need to approve being added to the list. Ms. Boyer explained that there has been no outreach to the community. The HARB needed time to understand the proposal, and the board must make a recommendation to the Board of Commissioners before any decision would be made. If there is a favorable recommendation to the Commissioners and the project moves forward, then staff would begin reaching out to property owners. There would also need to be policy direction on which properties should be included on the list, especially if we include any that are not currently listed in the *Early Architecture* book.

Vice-Chair Adler asked if HARB would be involved with the creation process of the list and regulations. Ms. Boyer stated that HARB would not be involved with the regulation of the properties on the list. The HARB's jurisdiction lies with local historic districts. Any overlay district within the Zoning Ordinance would be subject to review by the Planning Commission and/or Zoning Hearing Board, depending on how the ordinance regulations were created. The Board of Commissioners has the option to create a Historic Review Committee, but are not required to do so.

Vice-Chair Adler went on to ask if the current historic districts have had their boundaries defined, and if those properties would be excluded from the list. Ms. Boyer said that the boundaries were updated as shown to HARB previously, and the properties within those boundaries would fall under the purview of HARB. Yes, they would be excluded from the zoning overlay list because they are already part of a municipal historic district. If a historic district were to be dissolved, then those properties could be added to the zoning overlay list, if the property owners approved.

Mr. Taylor asked for clarification on the ability for property owners to opt out of the list. Ms. Boyer stated that the Commissioners would need to consider how property owners could opt out of the list, just as they should consider how property owners could opt in. Mr. Taylor asked the Commissioners in attendance if they had any thoughts on the matter. Commissioner Cochran said he understood it there were two options, one would be an overlay of the entire Township, or parts of it, which would require approval from at least 50% of the population involved, and the other option would be an overlay for specific properties where each property owner would be able to opt in or opt out. Additionally, Commissioner Cochran stated that it was his understanding that Mr. Botchie had planned to go to each property listed in the "Early Architecture in Upper Allen Township" book and ask if the property owner would like to be included in an overlay list. Ms. Boyer explained that a list would allow for protection of properties in a noncontiguous area.

Phil Walsh of 443 McCormick Road asked if the proposed overlay would be limited to properties identified in the "Early Architecture in Upper Allen Township" book but are not already in a historic district. Ms. Boyer stated yes. Mr. Walsh also asked if a property owner opted out of the list, could a future owner of the property opt in later. Vice-Chair Adler stated that this is unclear at this time, but as the rules and regulations are decided a decision will be made.

A **MOTION** was made by Ms. LaFond to table the discussion until a later meeting. The **MOTION** was seconded by Vice-Chair Adler. The **MOTION** carried unanimously (4-0).

PUBLIC COMMENT

Kevin Shaw of 711 E Winding Hill Road who was also speaking on behalf of Faye Evans of 518 E Winding Hill Road stated that Ms. Evans is listed in the "Early Architecture in Upper Allen Township" book in the research and survey section. Mr. Shaw conveyed his interest in forming a historical society for the Township, due to his collection of Native American artifacts and interest in history. He also wanted to suggest that rules be set forth to ensure that residents maintain their historic properties, and to prevent the destruction of historic properties.

ADJOURNMENT

There being no other business, Mr. Taylor made a motion to adjourn the meeting. Ms. LaFond seconded the motion and the meeting adjourned at 8:02 p.m.