

**UPPER ALLEN TOWNSHIP  
HISTORICAL ARCHITECTURAL REVIEW BOARD  
March 21, 2023**

**MEMBERS**

Matthew Taylor, Chairperson  
Natasha Adler, Vice-Chairperson  
Virginia LaFond  
Susan Sears  
John Esser  
Frank Grottola, UAT Building Inspector

**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, March 21, 2023 at 7:03 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. All the members were present.

**ANNUAL REORGANIZATION**

Vice-Chair Adler called for recommendations for the Annual Board Reorganization. Vice-Chair Adler made a **MOTION** to nominate Mr. Taylor to serve as Chairperson. The **MOTION** was seconded by Mr. Esser. The **MOTION** carried unanimously (6-0). Mr. Grottola made a **MOTION** to have Ms. Natasha Adler continue to serve as Vice-Chairperson. The **MOTION** was seconded by Ms. LaFond. The **MOTION** carried unanimously (6-0).

**APPROVAL OF MINUTES**

A **MOTION** was made by Mr. Grottola to approve the minutes of the January 17, 2023 meeting. The **MOTION** was seconded by Vice-Chair Adler. The **MOTION** carried unanimously. (6-0)

**NEW BUSINESS**

**1. 240 Gettysburg Pike. Applicant would like to create access to the basement with use of a French door.**

Rkia Hall represented the plan as the property owner. Ms. Hall applied for a Certificate of Appropriateness to construct an exterior red brick stairwell to create access to the basement with the use of a French door. The property is located within the Shepherdstown Municipal Historic District and within the Neighborhood Commercial (C-1) Zoning District. The stairwell will be located under the existing wooden stairs to the second floor and would not interfere with the supports for those stairs. The stairwell will have a French drain at the bottom and a polycarbonate awning cover. There will also be an addition of a railing along the front patio stairs to provide safety for both staircases.

Ms. LaFond asked what the proposed purpose of the basement would be. Ms. Hall said the exact use is currently unknown, and that she would like to finish the basement as it is mainly dirt and floods occasionally. In the future it may be used for storage.

Ms. Sears asked if the driveway next to the stairs would be affected. Ms. Hall said no.

Chair Taylor asked if the stairs would be compliant with commercial codes for the rise and run, and what the finished width of the stairwell would be. Ms. Hall said that the steps will meet commercial codes, and the width would be approximately five feet.

Vice-Chair Adler asked if the building would be open to the public. Ms. Hall stated that the building will be open to the public in the future.

No public comment.

A **MOTION** was made by Chair Taylor to recommend approval of the Plan. The **MOTION** was seconded by Vice-Chair Adler. The **MOTION** carried unanimously (6-0).

### **OLD BUSINESS**

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

This topic was tabled at the previous HARB meeting and is being discussed again with more information being presented. Chair Taylor read the motion brought forth by former HARB Chair Botchie to have HARB recommend the Board of Commissioners consider adopting an ordinance to protect historic properties within the township that are not within a designated historic district. Ms. Boyer noted that she had gone through all the properties listed in the “Early Architecture in Upper Allen Township” book and removed any properties that are within a historic district leaving around 65 properties that may be applicable to this overlay district. Ms. Boyer also responded to a question from a previous meeting which asked about the oversight of the overlay district, stating that HARB would not oversee an overlay district within the Zoning Ordinance because it would fall under the PA MPC regulations. HARB is only regulated to oversee township historic districts designated under the Historic District Act 167. However, the Board of Commissioners could create an advisory board to review project applications within the overlay district, and members of HARB could petition to be appointed to that board while still serving on HARB.

Mr. Esser asked if individual homeowners could opt-in or opt-out of the district. Ms. Boyer said yes, the property owner would need to be willing to be added to the list. Chair Taylor wanted to ensure that it was clear that this would be an opt-in or opt-out process and that no one was being forced into it. Ms. LaFond asked if there is a way to ensure the rules would be the same. Ms. Boyer stated there is no way to be sure because the overlay district rules would be decided during the creation process. Discussion ensued concerning the opt-in and opt-out process, regulations of overlay districts, and general concerns about the ease with which properties could be taken out of the district after taking advantage of benefits.

Phil Walsh of 443 McCormick Road stated he was in favor of the creation of a historic overlay district, as it would add additional protections to the historic structures not located in an established historic district. He hopes that the process involves an initial opt in/out, but once in, a new owner can't immediately opt out.

Kristen Janowski, an architectural historian with Navarro & Wright Consulting Engineers, asked if the act was going to cover individual homes, what the criteria would be, and if plaques were an option. Vice-chair Alder

stated that if the plaques were an option, they would only be added to properties with the consent of the property owner. Mr. Grottola asked Ms. Janowski how old a structure needs to be to be considered historic and whether the age or a specific event surrounding the property is more important. Ms. Janowski stated that to be considered as an individual historic home it must usually be 50 years old, except with PennDOT which states at least 45 years old. Also, a specific significant event is more important, and more recent events such as 9/11 would ignore the 50-year-old rule. Chair Taylor stated in response to Ms. Janowski's questions that the overlay district was likely chosen by former Chair Botchie because there was not an easy or expeditious way to go property by property.

A **MOTION** was made by Chair Taylor to recommend to the Board of Commissioners the adoption of an ordinance in accordance with Act 247 of the Pennsylvania Municipalities Planning Code (PA MPC) as amended in 2000 providing for the protection of all historic resources listed and depicted within the 1976 publication "Early Architecture in Upper Allen Township" with the exception of any resources which have been demolished, are no longer in existence, or no longer have architectural value. Enrollment in this new district is not compulsory but by voluntary enrollment of the property owner. The **MOTION** was seconded by Vice-Chair Adler. The **MOTION** carried unanimously (6-0).

## **OTHER BUSINESS**

### **Discussion of Chapter 155 update**

Ms. Boyer stated that township staff had begun working on updates to the historic district ordinance because it was created in the 1970s and is a little outdated. The purpose of this is to get the Board's opinion on the language of the ordinance and what does and does not work. Ms. Boyer then listed topics which had already been discussed, which included updated maps to clearly define boundaries, clear language describing the boundary of the districts, the addition of a style guide for each district, economic hardship exemptions, and updated definitions and procedures.

Chair Taylor asked if discussion could be had concerning the addition of language to exempt from or relax restrictions on modern infill in historic districts. Ms. Boyer asked Chair Taylor if he was asking to exempt just renovations and alterations or new construction on vacant lots. Chair Taylor stated that in his opinion a modern home with modern features next to a historic home with historic features was not distracting, but he would like to have discussion on the topic. Vice-Chair Adler said that the point of the historic district was to maintain a similar style and allowing exemptions for modern infill might lead to the district disappearing. Discussion ensued clarifying to the entire board what Chair Taylor was recommending.

Phil Walsh of 443 McCormick Road said that if those restrictions are lifted on infill homes, then those properties could choose to not conform to the character of the district or neighborhood.

## **PUBLIC COMMENT**

Kevin Shaw of 711 E Winding Hill Road stated that he was at the previous meeting in January and spoke about the creation of an Upper Allen Historical Society. He also wanted to provide an update on the Lincoln cemetery which was approved on December 15, 2022 to be listed on the National Register of Historic Places, which would

allow for a Pennsylvania Historical Marker to be added. Finally, Mr. Shaw informed the board that the 50-year anniversary of the publishing of the “Early Architecture in Upper Allen Township” book would be in 2026 and he would like to see a committee formed to write a short, updated book.

### **ADJOURNMENT**

There being no other business, Mr. Grottola made a motion to adjourn the meeting. Vice-Chair Adler seconded the motion and the meeting adjourned at 8:30 p.m.