

**THE MINUTES OF THE 653RD STATED MEETING OF THE
PHILADELPHIA HISTORICAL COMMISSION**

**FRIDAY, 13 JANUARY 2017
ROOM 18-029, 1515 ARCH STREET
BOB THOMAS, CHAIR**

PRESENT

Robert Thomas, AIA, chair
Emily Cooperman, Ph.D.
Michael Fink, Department of Licenses & Inspections
Antonio Fiol-Silva, AICP, FAIA, LEED AP BD+C
Melissa Long, Division of Housing & Community Development
John Mattioni, Esq.
Dan McCoubrey, AIA, LEED AP BD+C
Thomas McDade, Department of Public Property
Laura Spina, Philadelphia City Planning Commission
Betty Turner, M.A.

Jonathan Farnham, Executive Director
Randal Baron, Historic Preservation Planner III
Kim Broadbent, Historic Preservation Planner II
Laura DiPasquale, Historic Preservation Planner III
Meredith Keller, Historic Preservation Planner I

ALSO PRESENT

Paul Steinke, Preservation Alliance for Greater Philadelphia
Patrick Grossi, Preservation Alliance for Greater Philadelphia
Kathy Dowdell
Brett Webber, Brett Webber Architects, PC
Marcello & Paula Cynn Ciorlino
John Christinzio, Quest Design Services LLC
Stuart Rosenberg, SGRA
Andrew Fearon
Kirk Pratt
Dave Kim
Connie Flaville
Linda Jakybowski
Johanna Calfer
D. Pickington
Vincent Lipczynski
Paul Morawski
Carolyn Devine
Joe Jankowski
J.M. Duffin
Andrew Miller, Esq.
Leo Voloshin
Wanda Castaneda
Kenneth Perry
Venise Whitaker

Chris Seamans, Star Newsweekly
Mark Merlini, Brickstone
Peter Moriarty, Brickstone
Robert Rueter
John Wisniewski
Sherron Walker
John Lingham
Andrew Corkery, Spirit News
Jason Birl, Ambit Architecture
John Pringle
J.F. McCarthy, Historic Germantown
Amy Lambert, University City Historical Society
Frank T. Brzozowski
Kate McGlinchey, Old City District
Oscar Beisert
Job Itzkovitz, Old City District
Elizabeth Stegner, University City Historical Society
Sara Pasch, Bluecadet
Paul Stone, Emerald Windows
J. Bock, Archdiocese of Philadelphia
John C. Manton
Michael Mattioni, Esq., Mattioni Ltd.
David Gest, Esq., Ballard Spahr
Anton Michels
Brett Peanasky, Klehr Harrison
C. Isaacson
D. Majka
Darin Steinberg
Tiffany Fasone
Anthony Bruttaniti
Phyllis Heyer, Rudolphy/Mercy-Douglass
Michael Phillips, Obermayer
William O'Brien, Esq.
Eapen Kalathil
Cathy Plankett
Michael Sklaroff, Esq., Ballard Spahr
Joan Rybas
Robert Shusterman, Esq.
Joseph Menkevich
Mary McGettigan, WP3P
Doug Mooney, PAF
Sue Patterson, Penn Knox

CALL TO ORDER

Mr. Thomas called the meeting to order at 9:00 a.m. Commissioners Cooperman, Fink, Fiola-Silva, Long, Mattioni, McCoubrey, McDade, Spina, and Turner joined him.

MINUTES OF THE 652ND STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

Mr. Farnham alerted the Historical Commission to two typographical mistakes in the motion for 4046 and 4048 Chestnut Street on page 14 of the minutes. It should read: "Ms. Cooperman moved to direct the staff to place the tabled review of the nomination for 4046-48 Chestnut Street on the agenda of the Historical Commission's meeting in January 2017."

ACTION: Ms. Turner moved to adopt the minutes of the 652nd Stated Meeting of the Philadelphia Historical Commission, held 9 December 2016, as corrected. Mr. McCoubrey seconded the motion, which passed unanimously.

Mr. Thomas noted that Sara Merriman, the vice chair of the Historical Commission and the Commerce Department's designee on the Historical Commission for years, had resigned from her job with the City to take a job in the private sector. He thanked her for her years of service.

REQUESTS TO CONTINUE NOMINATION REVIEWS

1642 FITZWATER ST

Name of Resource: Tabor Chapel and Mission School

Proposed Action: Designation

Property Owner: The First Colored Wesley Methodist Church

Nominator: Preservation Alliance for Greater Philadelphia

Staff Contact: Laura DiPasquale, laura.dipasquale@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the Commission table the review of the nomination and remand it back to the Committee for review at its 15 February 2017 meeting.

OVERVIEW: This nomination proposes to designate the property at 1642 Fitzwater Street as historic and list it on the Philadelphia Register of Historic Places. The nomination argues that property is significant under Criteria for Designation A, C, D, E, and J. The nomination contends that the church is significant under Criteria A and J for its association with the African American church and community in Philadelphia, and as a representation of the physical development of the larger Presbyterian Church through the establishment of mission chapels or congregations by the Philadelphia Sabbath-School Association. The nomination further argues that the Samuel Sloan-designed church is significant as an early example of his commissions, satisfying Criterion E, but little information is provided as to how the building embodies distinguishing characteristics of an architectural style, mentioned in the nomination as Italianate or Italian Romanesque, and how the building reflects the environment in an era characterized by said distinctive architectural style.

DISCUSSION: Mr. Farnham presented the continuance requests to the Commission.

Mr. Thomas asked for comments from Commissioners and the public on the continuance request. None were offered.

ACTION: Ms. Cooperman moved to continue the review of the nomination for 1642 Fitzwater Street and remand it to the Committee on Historic Designation for review at its 15 February 2017 meeting. Ms. Turner seconded the motion, which passed unanimously.

ADDRESS: 100 S INDEPENDENCE W ML

Name of Resource: Rohm & Haas

Proposed Action: Designation of building, public interior, and objects

Property Owner: KPG-IMW Owner, LLC

Nominator: Preservation Alliance for Greater Philadelphia

Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the Commission table the review of the nomination and remand it back to the Committee for review at its 15 February 2017 meeting.

OVERVIEW: These nominations propose to designate the building, public interior, and chandeliers at 100 S. Independence West Mall as historic and list them on the Philadelphia Register of Historic Places. The nominations collectively argue that the building, interior and chandeliers are significant under Criteria for Designation A, C, D, E, F, G, H and J. The building nomination contends that it is one of Philadelphia's most significant mid-twentieth century buildings, satisfying Criteria A and J, for its association with the Rohm & Haas Company, the Philadelphia Redevelopment Authority and the Philadelphia City Planning Commission, who were heavily involved in its development. The nomination further argues that the building's high-profile location next to Independence Mall, and the influence that the setting had on its design, satisfy Criteria G and H. Finally, the building nomination contends that the involvement of architect Pietro Belluschi satisfies Criterion E, while the building's Modernist characteristics and innovative incorporation of modern materials satisfies Criteria C, D, and F. The interior nomination proposes to designate the public interior portions of the north pavilion ground floor lobby and south pavilion commercial space. The nomination contends that the public interior portions of the ground floor are one of Philadelphia's most significant Modernist interior spaces, satisfying Criteria C and D, and are tied to influential modern designers Pietro Belluschi and György Kepes, satisfying Criterion E. The nomination further argues that the incorporation of Plexiglas into the design of the building, symbolizing the importance of that material to the success of the Rohm & Haas Company, satisfies Criterion A. The object nomination covers the three Plexiglas chandeliers that are located along the west perimeter of the north pavilion in an area of the building designed and used for non-public functions. The remainder of the chandeliers is included in the public interior nomination. The object nomination contends that the chandeliers are significant under Criterion A, for the incorporation of Plexiglas into the design of the building, symbolizing the importance of that material to the success of the Rohm & Haas Company, and under Criterion E, for their association with influential modern designers Pietro Belluschi and György Kepes.

DISCUSSION: Mr. Thomas recused from the consideration of the request because his firm may be involved in architectural work at the site. Ms. Cooperman recused owing to her involvement with the site. Mr. Farnham presented the continuance requests to the Commission.

Mr. McCoubrey asked for comments from Commissioners and the public on the continuance request. None were offered.

ACTION: Ms. Turner moved to continue the review of the nominations for 100 S. Independence West Mall and remand it to the Committee on Historic Designation for review at its 15 February 2017 meeting. Mr. Mattioni seconded the motion, which passed unanimously.

ADDRESS: 30 W CHESTNUT HILL AVE

Proposed Action: Designation

Nominator: James A. Ounsworth, Neighbors of 30 West Chestnut Hill Avenue

Owner: 30 West Main Street Development, L.P.; formerly David and Judith Buten

Staff Contact: Laura DiPasquale, laura.dipasquale@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the property at 30 W. Chestnut Hill Avenue satisfies Criteria for Designation C, D, and E.

OVERVIEW: This nomination proposes to designate the property at 30 W. Chestnut Hill Avenue as historic and list it on the Philadelphia Register of Historic Places. The nomination contends that the property satisfies Criteria for Designation C, D, and E. The nomination contends that the property is significant as a reflection of the distinctive architectural style of the environment of the 1880s in the suburban parts of the City; that it embodies distinguishing characteristics of the Queen Anne style; and that it is a representative work of important Philadelphia architect T.P. Chandler.

DISCUSSION: Ms. Cooperman recused owing to her involvement with the site. Mr. Farnham presented the continuance requests to the Commission.

Mr. McCoubrey asked for comments from Commissioners and the public on the continuance request. None were offered.

ACTION: Ms. Turner moved to continue the review of the nominations for 30 W. Chestnut Hill Avenue to the Historical Commission's meeting on Thursday, 13 April 2017 meeting. Mr. Mattioni seconded the motion, which passed unanimously.

ADDRESS: 559 RIGHTER ST

Name of Resource: Amos Barnes House

Proposed Action: Designation

Property Owner: James & Grace Barnes

Nominator: Historical Commission

Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the property at 559 Righter Street satisfies Criteria for Designation A, C, D, and I.

OVERVIEW: This nomination proposes to designate the property at 559 Righter Street as historic and list it on the Philadelphia Register of Historic Places. The nomination argues that property is significant under Criteria for Designation A, C, D, and I. The nomination contends that the Gothic Revival building is an example of the ornamental farm house made popular by American landscape gardener Andrew Jackson Downing's *Cottage Residences*, which popularized Victorian Cottage styles in the mid to late nineteenth century, satisfying Criteria C and D. The nomination further contends that the building is associated with the lives of individuals

significant in the past, satisfying Criterion A, including Jonathan H. Levering, the owner of the property in 1850 at the time of the construction of the house; architect Amos Barnes, who lived in the house for 52 years, during which time he designed numerous buildings throughout Philadelphia; Dr. Frances Druck, an early advocate of cremation who lived in the house in the 1870s until her death in 1885; and sculptor Henry Manger, brother-in-law to Druck, who crafted sculptures that stand in west Fairmount Park and abroad and who lived in the house with Druck. Finally, owing to its location at the crest of the ridge along a Native American trail, which became an early turnpike, the nomination argues that the large, primarily open site is likely to yield information important in pre-history and history, satisfying Criterion I.

DISCUSSION: Mr. Farnham presented the continuance request to the Historical Commission. Attorney William O'Brien represented the property owner.

Mr. O'Brien stated that he recently learned that the architectural historian who will be presenting testimony to the Historical Commission will be unavailable at the next two Commission meetings, and is first available at the Commission meeting scheduled for 13 April 2017. He asked the Commission to table the matter to that date.

ACTION: Ms. Spina moved to continue the review of the nomination for 559 Righter Street to the Historical Commission's meeting on Thursday, 13 April 2017. Mr. McCoubrey seconded the motion, which passed unanimously.

ADDRESS: 2117 E YORK ST

Name of Resource: Weisbrod & Hess Brewery

Proposed Action: Designation

Property Owner: Autowerkstatt LLC

Nominator: Kensington & Olde Richmond Heritage, LLC

Staff Contact: Laura DiPasquale, laura.dipasquale@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the property at 2117 E. York Street satisfies Criteria for Designation A, C, D, E, and J, provided the boundary description is revised to exclude the office building and vacant land at the corner of York and Martha Streets and the chimney stack is considered non-contributing, owing to its lack of integrity.

OVERVIEW: This nomination proposes to designate the property at 2117 E. York Street as historic and list it on the Philadelphia Register of Historic Places. The nomination argues that the former Weisbrod & Hess Brewery loading room, condenser and storage/boiler, and the wash house buildings, constructed between 1890 and 1899, are significant under Criteria for Designation A, C, D, E, and J. The nomination contends that the buildings are significant as part of the formerly much-larger Weisbrod & Hess Brewery complex, as well as for their association with Christian Hess, a prominent citizen in the German-American communities in Philadelphia and Atlantic City, NJ. The nomination also argues that the buildings are architecturally significant as representative designs of the Rundbogenstil style, which was used for German-owned breweries in Philadelphia and across the United States. Under Criterion E, the nomination contends that the property is significant as a work of German-American architect Adam C. Wagner, who designed more than 50 breweries during his lifetime.

DISCUSSION: Mr. Farnham presented the continuance request to the Historical Commission.

Andrew Fearon of Kensington & Olde Richmond Heritage, the nominator, stated that his organization concurs with the owner's continuance request.

ACTION: Mr. Mattioni moved to continue the review of the nomination for 2117 E. York Street to the Historical Commission's meeting on Thursday, 13 April 2017. Mr. McCoubrey seconded the motion, which passed unanimously.

THE REPORT OF THE ARCHITECTURAL COMMITTEE, 13 DECEMBER 2016

Dan McCoubrey, Chair

CONSENT AGENDA

Mr. Thomas introduced the consent agenda, which included applications for 336-38 S. 6th Street, 2011 Pine Street, 520 Delancey Street, 222 Fitzwater Street, and 703-07 N. 8th Street. Mr. Thomas asked if any Commissioners had comments on the Consent Agenda. None were offered. Mr. Thomas asked if anyone in the audience had comments on the Consent Agenda. None were offered.

ACTION: Mr. McCoubrey moved to adopt the recommendations of the Architectural Committee for the application for 336-38 S. 6th Street, 2011 Pine Street, 520 Delancey Street, 222 Fitzwater Street, and 703-07 N. 8th Street. Mr. Mattioni seconded the motion, which passed unanimously.

AGENDA

ADDRESS: 322 DELANCEY ST

Proposal: Demolish rear roof and dormer, construct full-width shed dormer

Review Requested: Final Approval

Owner: J. Rory Boyle & Laure W. Boyle

Applicant: Brett Webber, Brett Webber Architects, PC

History: 1786; Jonathan Evans, house carpenter; 1969

Individual Designation: 4/30/1957

District Designation: Society Hill Historic District, Significant, 3/10/1999

Staff Contact: Meredith Keller, meredith.keller@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standards 2 and 10.

OVERVIEW: This application proposes to demolish the rear roof and dormer and to construct a full-width, metal-roofed shed dormer. The building is listed as significant in the Society Hill Historic District, and the side and rear of the property are partially visible from St. Peter's Way. In addition to the roof alteration, full-height sliding glass door panels would be installed under the shed dormer, and the east-facing windows would be replaced. The application also proposes several first-story alterations, including new paving at the existing side yard and enlarging several existing window openings to install new sliding door assemblies.

DISCUSSION: Ms. Keller presented the application to the Historical Commission. Architect Brett Webber represented the application.

Mr. Webber explained that the revised submission responded to key observations of the Architectural Committee about the overall scale and sensitivity of the proposed modification. He asserted that there was a clear effort to provide a substantial setback on the partially visible east façade and that the change is illustrated in the revised south elevations and perspective views in the application. He asserted that the change to the roof profile, which now maintains the ridgeline, is a modification rather than the wholesale demolition of the rear slope.

Mr. Thomas requested clarification on the options identified in the application, noting that the application shows “Option 1” as the original submission and “Option 2” as the revised submission. Mr. Webber clarified that he is currently proposing the revised submission that incorporates the four-foot setback from the east elevation, since the east elevation is partially visible from St. Peter’s Way. The roofline was dropped from the main ridgeline by approximately two feet, he explained. The southern extension of the proposed shed dormer, Mr. Webber continued, also aligns with the existing, previously modified dormer, which was stripped of its original detail. He asserted that the proposal is a more sensitive approach to an important historic structure and is a modification that may have occurred prior to the building’s designation and certainly after its original construction. He reiterated that the revised application responds to the Architectural Committee’s comments, adding that it also includes the owners’ intention to repair and restore the building’s windows, which would be reviewed with staff to ensure the renovations are sensitive.

Mr. McCoubrey stated that, while the revised option does somewhat reduce the impact and visibility of the dormer, it remains visible from both St. Peter’s Way and Delancey Street. In order to build this, he continued, much of the original roof structure and the original dormer would be removed. The Committee, he noted, considered both the roof and dormer to be character-defining features of the building and their loss would not meet the Secretary of the Interior’s Standards.

Mr. Webber responded that there is no intention to modify any feature on the front elevation; the Delancey Street façade is the most visible and important component of the building.

Mr. Baron noted that, with a 1787 construction date, the building is an exceedingly rare type and of the highest level of significance. He contended that the previous rear alteration that removed part of the roof was a real compromise. To remove another large portion and the rear dormer, he continued, would damage the building’s historic character.

Mr. McCoubrey commented that the Committee agreed that the previously modified portion could be further modified to allow for more room at the interior, but that the dormer and remaining roof structure east of the dormer should remain. Ms. Cooperman concurred that the applicant should be restricted to the area where historic fabric has already been removed. Any further removal of historic fabric, she asserted, would not meet the Secretary of the Interior’s Standards.

Mr. Webber replied that the owners are seeking the full occupancy of the house, and there is a desire to increase daylight within the top floor. He argued that the perspective models indicate the visibility from the public right-of-way and lend understanding to how the proposed alteration relates to the existing dormer. He contended that the modification would be minimally visible from the street. Notwithstanding the property’s historic importance, he added, his proposal is the type of approach to a historic building that is appropriate.

Mr. Thomas opened the floor to public comment, of which there was none.

ACTION: Ms. Cooperman moved to adopt the recommendation of the Architectural Committee and deny the application, pursuant to Standards 2 and 10. Ms. Spina seconded the motion, which passed by a vote of 7 to 3. Commissioners Fink, McDade, and Mattioni dissented.

ADDRESS: 2500 S LAMBERT ST

Proposal: Install driveway at rear

Review Requested: Final Approval

Owner: Marcello and Paula Cynn Ciorlino

Applicant: John Christinzio, Quest Design Services LLC

History: 1912; John Windrim, architect

Individual Designation: None

District Designation: Girard Estate Historic District, Contributing, 11/10/1999

Staff Contact: Laura DiPasquale, laura.dipasquale@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standards 2 and 9.

OVERVIEW: This application proposes to remove 21 feet of a historic hairpin fence around the rear yard of this corner property in Girard Estate and to install a curb cut and parking pad in the rear yard. The district nomination notes the significance of the green space around the houses in the Girard Estate Historic District. The Historical Commission has denied several similar applications.

DISCUSSION: Ms. DiPasquale presented the application to the Historical Commission. Owners Marcello and Paula Ciorlino and expeditor John Christinzio represented the application.

Mr. Christinzio explained the desire to install parking into the rear yard of this property, which is currently paved with a concrete pad. Mr. Christinzio noted that they would remove the existing pad and replace it with two parking spots. Pieces of the existing hairpin fence would be used to build the new gate. He noted that the original application proposed to entirely remove the fence, but, following the Committee meeting, the applicants met with an ironworks contractor who said he could repair the existing fence and use the pieces to create a gate. Mr. Christinzio explained that the curb cut was already approved by the Streets Department, and that the pad would be lowered to grade and be a dyed concrete. He noted that the sidewalk at the curb cut would be replaced with large aggregate concrete to match the historic sidewalks in the neighborhood. Mr. Christinzio stated that there are two fence posts that were previously extended, and they will be reduced to their original height. Mr. Christinzio noted that the architect, Vince Mancini, had explained that the gate would not be able to swing out and maintain its rigidity without additional reinforcement through cross members. Mr. Christinzio explained that there is an existing person gate that has crossbars, and that appearance would be replicated for the gates. Mr. Christinzio noted that the architect also proposed horizontal flanges, but the appearance looked odd. Thomas responded that there is a third option for a very long gate, and that is to add sturdy wheels to the bottom of the gate and to lay a metal strip for that wheel to ride on in the new concrete. Mr. Thomas recommended that approach, assuming the Commission approved the revised application. Mr. Christinzio responded that the owners would be willing to do that. Mr. Thomas noted that the applicants may still want the diagonal reinforcement, but that the wheel would provide additional support.

Mr. Fiol-Silva commented that that whole side of the street features perpendicular parking, which suggests that there would not be a shortage of parking along that side of the street. He asked whether the Streets Department has approved the curb cut. Mr. Christinzio responded affirmatively. Mr. Fiol-Silva questioned the idea of headlights coming into the parking in the rear yard and invading the backyards of other houses. He opined that rear yard parking disrupts the pedestrian character of the block. Mr. Christinzio responded that they met with one of the Registered Community Organizations and discussed the project with the neighbors; the parking would be two for two, removing two on-street parking spaces and replacing them with two private parking spaces. Because of the angled parking, he noted, the law requires drivers to back into parking spots; the owners of this property would also back in to their rear-yard parking. Mr. Christinzio opined that by reducing the height of the existing parking pad, it would mitigate some of the issues related to water retention. Mr. Christinzio opined that there is precedent for rear-yard parking.

Ms. Spina questioned Mr. Christinzio's assertion that the privatization of the parking spaces would be a net zero for the neighborhood. Mr. Christinzio responded that the proposal would remove two on-street parking spaces, but since the owners have two cars, the parking would take two cars off of the street. Mr. Thomas commented that there is a difference between publically-available spaces and private spaces; for instance, if the family goes to the shore for a week, those spaces are not available to the public. Mr. Thomas guided the discussion back to historic preservation issues.

Mr. Mattioni opined that the reduction of the height of the concrete pad in the rear yard returns the property closer to its historic appearance. He also opined that he had believed that the Commission had worked out a different system for approvals for parking where it is available, given the persistent issues with parking in the neighborhood. He noted that he thought that the staff was approving them at the staff-level. Mr. McCoubrey responded that generally the parking that has been approved is off of a service alley, and that this location is off a main city street and is a highly-visible face of the Girard Estates.

Mr. McCoubrey noted that the landscape is an important character-defining feature of the district, and the loss of the landscape buffer along the street is significant. Mr. Mattioni responded that it does not exist currently. Mr. Thomas noted that there is proposed landscaping along the rear of the property. Mr. Thomas opined that, owing to the existing concrete pad and the proposed landscape buffer at the rear, he is in favor of the project.

Mr. Mattioni suggested that the use of a pervious material rather than a concrete slab would be a positive gain to the neighborhood. Mr. Thomas agreed, noting that a stone or brick surface would be more appropriate than a monolithic surface.

Mr. McCoubrey stated that the proposed project fills nearly the entire rear yard with parking, rather than with the life of a family and a garden. He suggested that a possible compromise would be one parking space as opposed to two. Mr. Thomas responded that, when the owner wishes to use the rear yard for something other than parking, he will move the cars. Mr. McCoubrey replied that Mr. Thomas is envisioning something that is not shown.

Mr. Thomas asked the owners if they would be amenable to using an attractive, compatible material. The owners agreed.

Mr. Fiol-Silva reiterated that his opposition to the installation of parking in the rear yard owing to the wholeness and character of the district. He noted that it would set a precedent for corner

properties throughout the entire district and erodes the character of the district. He noted that the idea of a hardship of not being able to find a parking space comes with the territory in urban living.

Mr. Mattioni reiterated his support for the proposal, noting that the character of the district has changed, and that he feels it is generally accepted there that if an owner can fit a parking space in their yard, they should. Mr. Mattioni noted that the character of the district has changed since he was a child. Mr. McCoubrey argued that part of the reason the district was created was to prevent the character of the district from eroding further, and that the purpose of designation is to start restoring some of the lost character-defining features, including the historic features of the buildings and their landscapes. Mr. Mattioni opined that the biggest feature of Girard Estate used to be the greenery of the backyards, and that largely does not exist anymore.

Ms. Cooperman noted that, while there is a crucial role for green spaces in neighborhoods such as Girard Estate, this particular yard is not pristine, having already been replaced by a concrete pad. She opined that, if the pad was not there, it would be a different situation than if it were actually a yard with trees and bushes and grass. Mr. McCoubrey responded that, once the yard is given over to cars, it will be for cars forever. Ms. Cooperman noted that in an ideal world, the yard would be a yard, but opined that reducing the amount of impervious surface through the use of pervious paving materials and more plantings may improve the landscape. Mr. Thomas agreed that he would not approve of removing green space, if it existed.

Mr. Ciorlino commented that there is an existing green space surrounding the pad, and they are not going to remove any of the plantings or the tree. Mr. Ciorlino noted that they will replace the sidewalk with material that will look better and everyone will love it because it will look nicer.

ACTION: Mr. Mattioni moved to approve the application, provided the gate is fabricated from the existing hairpin fence, the gate is supported by a wheel with track or similar mechanism, and the paving materials are pervious, with the staff to review details. Mr. McDade seconded the motion, which passed by a vote of 7 to 3. Commissioners Spina, McCoubrey, and Fiol-Silva dissented.

ADDRESS: 336-38 S 6TH ST

Proposal: Construct two four-story single family dwellings on subdivided lot

Review Requested: Final Approval

Owner: SK Six Developments, LLC

Applicant: Rotciver Lebron, Harman Deutsch Architecture

History: 1981; The Klett Organization, architect

Individual Designation: None

District Designation: Society Hill Historic District, Contributing, 3/10/1999

Staff Contact: Laura DiPasquale, laura.dipasquale@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, with the following provisions:

- solid brick replaces the brick screen;
- the visibility of the deck be reduced;
- the brick returns around the corner so it does not appear as a veneer;
- the front door fenestration be more in keeping with the paneled-door appearance of Society Hill;
- the windows are one-over-one or six-over-six double-hungs;

- the garage door has a paneled look;
- a pilot house is not proposed in the future; and,
- The roof pitch is modified to be closer to a one-to-one pitch.

OVERVIEW: This application proposes to construct two, four-story houses on a subdivided lot in place of an existing parking area accessed via Panama Street. The fronts of the two houses would be clad in red brick and feature front-loading garages, and a mansard roof with dormer windows. A roof deck would be enclosed with a metal railing. The pilot houses are not depicted on the elevation drawings. The side walls would be clad in stucco.

ACTION: On Consent Agenda.

ADDRESS: 2011 PINE ST

Proposal: Demolish 2-story rear addition; construct 1-story garage with deck

Review Requested: Final Approval

Owner: Anthony & Benita Checchia

Applicant: Anthony Bruttaniti, Bruttaniti Architecture

History: 1862

Individual Designation: None

District Designation: Rittenhouse Fidler Residential Historic District, Contributing, 2/8/1995

Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial of the fourth-floor deck, but approval of the remainder of the application, provided the brick matches the surrounding brick, the garage door lights are changed to square tops rather than arched, the discrepancy in the second-floor plan is addressed, and the metal railings are shown on that plan, pursuant to Standards 9 and 10.

OVERVIEW: This application proposes to demolish a shallow two-story rear addition and construct a one-story garage with deck in the rear yard of this mid-block property in the Rittenhouse Fidler Residential Historic District. The rear of the property faces Panama Street, which is considered a service alley on this block. The applicant intends to salvage and reuse components of the existing rear addition, including salvaging the brick from the existing addition for use as part of the garage addition. The proposed red brick garage addition includes a carriage house-style garage door with glazing.

ACTION: On Consent Agenda.

ADDRESS: 520 DELANCEY ST

Proposal: Construct shed dormer and deck at rear

Review Requested: Final Approval

Owner: Matt Phillips

Applicant: Megan Fitzpatrick, Ambit Inc.

History: 1820; 1968

Individual Designation: 4/30/1957

District Designation: Society Hill Historic District, Contributing, 3/10/1999

Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, pursuant to Standard 9.

OVERVIEW: This application proposes to construct a large dormer and deck at the rear of this mid-block property located in the Society Hill Historic District. The dormer would be cut from the rear roof slope, allowing access to the proposed deck on the heavily-altered rear ell. The original centered rear dormer was removed and replaced with a skylight in 1969, at which time a skylight in the proposed location of the new dormer was also removed. The installation of the deck includes the removal of an existing roof slope on the rear ell. The rear of the property is not visible from any public right-of-way.

ACTION: On Consent Agenda.

ADDRESS: 222 FITZWATER ST

Proposal: Construct rear third-floor addition and deck

Review Requested: Final Approval

Owner: 222 Fitzwater LLC

Applicant: Rotciver Lebron, Harman Deutsch Architecture

History: 1800

Individual Designation: 5/31/1966

District Designation: None

Staff Contact: Randal Baron, randal.baron@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: By a vote of 3 to 2, the Architectural Committee voted to recommend approval, provided that the new work is not visible from the public right-of-way, with the staff to review details. Mr. McCoubrey and Ms. Gutterman dissented.

OVERVIEW: This application proposes the demolition of a rear roof and dormer and the construction of a third-floor addition on the main block and rear ell of this early building. The application proposes appropriate front windows, but an inappropriate two-panel front door and rear windows.

ACTION: On Consent Agenda.

ADDRESS: 141-43 N 04TH ST AND 319 CHERRY ST

Proposal: Construct additions and six-story building

Review Requested: Review In Concept

Owner: J.G. Traver Inc.

Applicant: Stuart Rosenberg, Stuart G. Rosenberg Architects, P.C.

History: 1780

Individual Designation: 4/26/1966

District Designation: Old City Historic District, Significant, 12/12/2003

Staff Contact: Randal Baron, randal.baron@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standards 9 and 10 and the Historical Commission's approval in concept of May 2016.

OVERVIEW: The Historical Commission has recently reviewed applications for the development of this property. The property includes two eighteenth-century structures facing 4th Street, an eighteenth-century school building behind the buildings facing 4th Street, one-story, nineteenth-century, industrial additions wrapping around the school building, and a surface parking lot at the corner of Cherry and Orianna Streets. In May 2016, the Commission approved in concept a project to construct a long tall building on the vacant lot at Cherry and Orianna Streets, with the conditions that the new construction on the parking lot be limited to four-stories in height and that the additions around and on the school building were reduced to allow the school building to be clearly discerned.

The current application proposes the construction of an addition on top of and at the south side of the historic school building. The addition on top would be two stories in height with glazed walls. The application also proposes a six-story building for the lot at Cherry and Orianna Streets, ignoring the Commission's earlier limitation of the building to four stories in height.

DISCUSSION: Mr. Baron presented the application to the Historical Commission. Architect Stuart Rosenberg and attorney Michael Mattioni represented the application.

Mr. Baron explained that, since the Architecture Committee meeting, the applicant sent a letter requesting the withdrawal of the portion of the application regarding 141-143 N. 4th Street and the conversion of the remaining portion of the application regarding 319 Cherry Street from an in-concept application seeking advice only to a review-and-comment application. The Commission asked Mr. Baron to explain to the audience the differences between an application in concept, an application for final approval, and a review-and-comment application. Mr. Baron explained that the Historical Commission has full or plenary jurisdiction over most applications, meaning that it can approve or deny them; those are applications for final approval. An application in concept is an application that seeks the Commission's advice, but that advice is not binding and cannot lead to a building permit; the applicant must submit a subsequent application for final approval before a building permit can be issued. The Historical Commission is limited to review-and-comment jurisdiction only by the preservation ordinance for applications proposing new construction on undeveloped sites in historic districts. In other words, the Commission can offer comments on new construction on undeveloped sites in historic districts, but it cannot deny such applications. In this case, the application was originally submitted as an in-concept application, meaning one that sought the Commission's advice only, not approval, for a site that included historic structures and a parking lot. That application proposed to construct an addition on the parking lot and connect it to an historic structure. The parking lot alone would be considered an undeveloped site and subject to review-and-comment jurisdiction only. However, with the inclusion of the historic structure, the Commission has full or plenary

jurisdiction over the entire project. Now, with the withdrawal of the application for the connection and alterations to the historic structure, the applicant asks that the Commission convert the application from review in concept and review-and-comment application midway through the process. Mr. Baron stated that this application was presented to the Architecture Committee as an in-concept review of an addition to an historic structure. The public was notified of an in-concept review. Mr. Thomas opined that the application cannot be converted from an in-concept application to a review-and-comment application at this step in the process because neither the public nor the Architectural Committee had an opportunity to review it as a review-and-comment application. With the change to the application, the applicant must start the process from the beginning. Mr. Thomas offered to the applicant to have the Commission vote on the Committee's recommendation of denial on the in-concept application. Mr. Mattioni responded that, if the Commission is not willing to convert the application to a review-and-comment application, he would prefer to withdraw the application. He stated that his client had already submitted the new application for the next round of reviews by the Architectural Committee and Historical Commission. Mr. Mattioni withdrew the application.

ADDRESS: 703-07 N 8TH ST

Proposal: Replace windows

Review Requested: Final Approval

Owner: Friends Housing Collaborative

Applicant: Paul Stone, Emerald Windows Inc.

History: 1851

Individual Designation: 4/24/1962

District Designation: None

Staff Contact: Randal Baron, randal.baron@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval by a vote of 4 to 1. Mr. McCoubrey dissented.

OVERVIEW: The Friends Housing Collaborative owns several historically designated buildings on the 700 blocks of N. 8th and Franklin Streets that have been consolidated into one larger complex. Several years ago, the Collaborative installed vinyl windows in several buildings in the complex without a permit. To correct the non-compliant condition, the organization is replacing the windows in wood over several years. This application proposes the installation of wood six-over-six windows in a twin house formerly known as 705 and 707 N. 8th Street, which is part of the larger complex. Many of the other buildings in this row of nearly identical twins on N. 8th Street have six-over-six windows. However, an insurance survey indicates that 707 N. 8th Street originally had two-over-two and four-over-four windows on its front facade. The owner would like the row of twins to have a uniform appearance, all with six-over-six windows, and is therefore applying for approval of the six-over-six windows despite the insurance survey. Moreover, the owner has already purchased the six-over-six windows based on advice from the staff that was later contradicted by the insurance survey.

ACTION: On Consent Agenda.

ADDRESS: 701-39 MARKET ST

Proposal: Install canopy with signage

Review Requested: Review In Concept

Owner: Independence Center Realty LP

Applicant: Mark Merlini, Brickstone Realty

History: 1859; Lit Brothers Store; various buildings, 1859-1906

Individual Designation: 5/26/1970, 6/30/1970

District Designation: None

Staff Contact: Jon Farnham, jon.farnham@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval in concept of both options, with a preference for the shorter canopy, more solid piers, video screens retained within the interior of the canopy area, and appropriately scaled signage.

OVERVIEW: This in-concept application proposes a canopy at the main entranceway to the Lits Brother Store, which is located at about the midpoint of the 700-block of Market Street, on the north side of the street. A large canvas canopy stood at the main entranceway until recently, but it has been removed. In October 2016, the Architectural Committee reviewed an in-concept application proposing four schemes to update the entranceway with a canopy or a so-called “immersive threshold.” The Committee offered comments on the proposed designs, preferring the canopy to the immersion threshold. The application was withdrawn before the Historical Commission meeting for additional study and revision.

The current in-concept application proposes two options, a “lower height canopy” and a mid-height canopy.” The application does not include architectural drawings or specifications, so the details about the proposals are limited. For example, no information about dimensions or materials is provided. Both versions of the canopy appear to stand in front of the building on piers, rather than attached to it. They have video display screens in the piers and underside of roof. A large Lit Brothers sign in historic script would hang from the front of the canopy. The lower height canopy extends up to the transom level. The mid-height canopy extends up to the base of the storefront cornice.

DISCUSSION: Mr. Farnham presented the application to the Historical Commission. Property owner Mark Merlini, architects John Pringle and Peter Moriarty, and designer Sara Pasch represented the application.

Mr. Moriarty stated that they are proposing to replace a non-historic canopy, which was removed last year, with a new canopy. He showed an image of an immersion threshold in Washington DC, which they would include on the canopy. He explained the reason for the canopy, to draw people into the building to see the display inside, thereby increasing the retail vitality in the building. He showed other images of threshold experiences. He stated that the current entrance is almost invisible. The new canopy will designate the entrance to the building. He showed images of the proposed canopy. He pointed out that the inside surfaces of the piers as well as the soffit of the canopy would be animated with video screens. The screens would continue into the vestibule. The video animation will draw people into the building. Mr. Moriarty stated that they are also proposing to install a Lits Brothers sign in historic script to the canopy as they return the historic name to the building. He acknowledged that the Architectural Committee’s comments were very helpful and have been incorporated into the design. He confirmed that they are seeking in-concept approval of the lower height canopy, not the mid-height canopy. He stated that they would submit again for final approval after receiving the Commission’s comments.

Mr. Merlini stated that he has worked on the building for 30 years. He observed that the retail and restaurant tenants have suffered a downturn and occupancy has been up and down. He stated that they must find ways to draw people into the building. Currently, people walk right by without coming into the building. The canopy will attract pedestrians into the building.

Mr. McCoubrey stated that the Architectural Committee supported the application with the immersive threshold, provided the details are worked out. He stated that the Committee was in favor of the application, but will want to review all of the details such as the depth of the canopy.

Mr. Moriarty stated that their goal is to make the canopy completely reversible. It will be able to be removed at a later date and the building restored.

Mr. Fiol-Silva stated that the proposed canopy would be “a quantum improvement” over the recently removed canopy. He stated that it is “fantastic.” He approved of the Lits Brothers sign as well. Mr. McDade agreed. Mr. Thomas stated that he appreciated that the lighting was contained within the canopy. Mr. Pringle stated that they would continue to refine the design. Mr. Thomas noted that this canopy would be akin to the Mr. Peanut character on the Boardwalk in Atlantic City; it would draw people into the building.

Mr. McCoubrey stated that the Architectural Committee had recommended that the video screens on the piers be limited to the inward-facing surfaces. Mr. Moriarty agreed that they would not propose video screens for the street-facing or outward-facing sides of the piers. Mr. McCoubrey added that the video screens on the inward-facing sides of the piers do not need to be limited to the panels in the piers, but could extend beyond the piers toward the interior, up to the door itself.

Paul Steinke stated that the Preservation Alliance for Greater Philadelphia does not oppose the canopy. He thanked Brickstone for its exemplary stewardship of the building.

ACTION: Mr. McCoubrey moved to approve in concept the revised application with the video screens deleted from the outer sides of the piers, which was presented to the Historical Commission at its meeting on 13 January 2017. Mr. Fiol-Silva seconded the motion, which passed unanimously.

The Historical Commission took a five-minute recess.

THE REPORT OF THE COMMITTEE ON HISTORIC DESIGNATION, 14 DECEMBER 2016

Emily Cooperman, Chair

ADDRESS: 3827-33 POWELTON AVE

Name of Resource: Pennsylvania Industrial Home for Blind Women

Proposed Action: Designation

Property Owner: The Edith R. Rudolphy Residence for the Blind

Nominator: Staff of the Historical Commission

Staff Contact: Laura DiPasquale, laura.dipasquale@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the property at 3827-33 Powelton Avenue satisfies Criteria for Designation A and J.

OVERVIEW: This nomination proposes to designate the property at 3827-33 Powelton Avenue as historic and list it on the Philadelphia Register of Historic Places. The nomination argues that the building, constructed in 1880 for the Pennsylvania Industrial Home for Blind Women, is significant under Criteria for Designation A and J. Under Criterion A, the nomination contends that the property has significant interest and value as part of the development of the City and nation in the late nineteenth century, an era characterized by the establishment of benevolent institutions to address the myriad of societal concerns that resulted from the industrializing nation. Under Criterion J, the nomination argues that the property exemplifies the cultural, social, and historical heritage of the community of West Philadelphia as it transitioned from a rural landscape in the second half of the nineteenth century. The Home, which was one of the earliest of nearly 50 benevolent institutions to locate or relocate to West Philadelphia in the second half of the nineteenth century, has been in continuous operation as a working home for the blind for nearly 150 years.

DISCUSSION: Ms. DiPasquale presented the nomination to the Historical Commission. John Lingham and Sherron Walker represented the property owner.

Mr. Thomas commended the Commission's staff on writing the nomination. Mr. Lingham thanked Ms. DiPasquale for recommending the property for designation. He stated that the owners believe that it is a significant site in the University City area. Mr. Thomas noted that the organization serves a great purpose as well.

Patrick Grossi of the Preservation Alliance applauded the Commission for nominating this important historic resource, as well as the owners, for recognizing the significance of the property and welcoming designation with enthusiasm. He noted that he would like to see more of this type of nomination.

ACTION: Ms. Cooperman moved to find that the nomination demonstrates that the property at 3827-33 Powelton Avenue satisfies Criteria for Designation A and J, and to designate it as historic, listing it on the Philadelphia Register of Historic Places. Ms. Turner seconded the motion, which passed unanimously.

ADDRESS: 1600-06 E BERKS ST

Name of Resource: Interior of St. Laurentius Church

Proposed Action: Interior Designation

Property Owner: Archdiocese of Philadelphia

Nominator: John Wisniewski, Friends of St. Laurentius

Staff Contact: Laura DiPasquale, laura.dipasquale@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the Historical Commission continue the review, return the nomination to the nominator with a request that the nominator submit object nominations for the three Gothic altarpieces and mural paintings, and that the Commission remand the object nominations to the Committee on Historic Designation for review.

OVERVIEW: This nomination originally proposed to designate the majority of the interior of St. Laurentius Church at 1600-06 and 1608-10 E Berks Street and list it on the Philadelphia Register of Historic Places. The nomination contends that the interior of the property satisfies Criteria for Designation A, C, E, H, and J. The exterior of the property is already listed on the Philadelphia Register of Historic Places.

The original interior designation would have covered the narthex, towers, choir loft, nave, aisles, and main altar, and would place under the Commission's jurisdiction all window and door openings and the windows and doors therein (exterior windows and doors are already under the Commission's jurisdiction owing to the exterior designation), staircases, all interior trim, paintings/murals/frescoes, decorative moldings, plaster walls and ceilings (both painted and unpainted), and all light fixtures over 30 years in age.

The nomination argued that the interior reflects the environment in an era characterized by revivalist architecture as interpreted and articulated in the design of houses of worship in the late nineteenth century in Philadelphia. Specifically, the nomination argues that the interior of St. Laurentius Church exemplifies the Transitional style of architecture, which derives from a period of transition in architectural style between the Romanesque and the Gothic styles in the twelfth century. Furthermore, the nomination argues that the interior of St. Laurentius Church reflects the environment in an era characterized by a distinctive architectural style in the use of traditional Polish motifs. The nomination also argues that the interior is significant as the work of Edwin Forrest Durang, a master architect of ecclesiastical buildings in nineteenth century Philadelphia.

At the Committee on Historic Designation meeting, the nominator verbally withdrew the majority of the interior, instead focusing on the set of 16 paintings lining the nave and at the end of the aisles, and the three reredos/altarpieces. The nominator subsequently submitted this revision in writing as well.

DISCUSSION: Ms. DiPasquale presented the nomination to the Historical Commission. John Wisniewski represented the nomination. Attorney Michael Phillips represented the property owner, Holy Name of Jesus Church, and the Archdiocese of Philadelphia. Leo Voloshin represented the equitable owners.

Mr. Phillips asserted that it is the Parish and Archdiocese's opinion that the interior nomination was withdrawn and the Commission does not have any pending nomination before it for objects. Mr. Phillips argued that an object nomination would have to be submitted to the Commission separately pursuant the Commission's own Rules & Regulations. Even if the current nomination for the interior included the objects, the Rules & Regulations clearly provide that a separate

object nomination must be appended to the interior nomination. With respect to the three reredos and 16 paintings, which are all movable, he argued that the Historical Commission does not have jurisdiction over them at this time. Nevertheless, Mr. Phillips continued, the Archdiocese is willing to entertain discussions with the nominator if a responsible third party can be found who can take ownership and responsibility for removing and safeguarding and caring for these objects. Mr. Phillips noted that they would be willing to undertake those discussions whether a nomination is pending or not, because the Archdiocese does understand the importance of the objects to the Polish Catholic community.

Ms. Cooperman explained that, while the members of the Committee on Historic Designation had recognized the intrinsic significance of the interior and its objects, they were extremely concerned that designation might jeopardize the preservation of the building as a whole. She noted that the Committee encouraged the various parties to work together to form an agreement whereby these objects could be transferred safely and preserved to the satisfaction to the St. Laurentius community, but in which the preservation of the building itself was not jeopardized. Mr. Phillips responded that that is the Archdiocese's position as well, along with that of the equitable owner, Leo Voloshin. Mr. Phillips explained that Mr. Voloshin has the property under contract and is still proceeding with his due diligence phase, but the interior designation would put a wrench in plans.

Mr. Phillips asserted that there also would be an issue with the designation of the objects, should an object nomination be submitted, because an object designation by its definition means that the objects have significance in their context, so the owners would be compelled to apply to the Historical Commission to remove the objects to a new location.

Mr. Phillips requested that the Commission refrain from addressing the merits of the objects at this point, but with the understanding that, should they not be able to reach an accord, the nominator is free to submit a proper object nomination.

Mr. Thomas asked Mr. Farnham whether, procedurally, the interior nomination could be amended to an object nomination now, or whether it would be a separate issue requiring separate notice. Mr. Farnham responded that the Commission is in uncharted waters, and to take his advice with that understanding. He noted that when the staff originally received this nomination for the interior, it was the staff's belief that the objects now in question were fixtures, not objects. However, members of the staff have subsequently visited the site and learned that the paintings in question appear to be on canvas panels and are able to be detached from the wall, and the three reredos stand in the building, but are not what would now be considered fixtures. Mr. Farnham reiterated that there has been a change in the staff's understanding of the objects, as well as a revision to the nomination from the nominator. By the strict letter of the law, Mr. Farnham concluded, he believes that the Commission does not currently have a nomination before it. The interior nomination has essentially been withdrawn, and a desire expressed to nominate the objects within the building, but those nominations are not before the Commission today. Mr. Farnham continued, stating that he understands the concerns of the community members and others about the fate of these objects, which are very important to the Polish American community. He noted that, in speaking with representatives of the Archdiocese and Holy Name Parish, there appears to be willingness to enter into good faith negotiations to find a permanent home where these objects can be safeguarded, not in this site, but somewhere else in the city or outside of the city where they can be curated and interpreted. Mr. Farnham agreed with Mr. Phillips that the Commission does not have anything before it to act on. The change from Mr. Wisniewski in writing has essentially withdrawn the nomination. Mr. Thomas asked for clarification as to whether the object nomination would have to go back to the next Committee

on Historic Designation meeting. Mr. Farnham responded that the next Committee meeting is approaching very quickly, and the Commission is required to provide the owner with 30 days notice of a new nomination. A new nomination for the objects would need to be submitted very quickly.

Mr. Thomas noted that, when reviewing an interior nomination, the Commission looks at the entire interior, and asked whether there had been a discussion of each of the objects at the Committee on Historic Designation meeting. Ms. Cooperman responded that there had not necessarily been a discussion of each individual object, but there had been a discussion of the different classes of objects, the altars or reredos and the paintings in question. She stated that, all of the other important considerations aside, the Committee recognized the historical significance of the objects, particularly in relation to the Polish-American immigrant community of Philadelphia.

Mr. Mattioni agreed with Mr. Farnham that, with the withdrawal, the Commission no longer has jurisdiction over the interior, and therefore there is nothing left for the Commission to do except express the desire that all sides will cooperate in preserving these objects until an object nomination is submitted. Mr. Thomas noted that such a submission could conceivably lead to review by the Committee on Historic Designation in roughly 33 days.

Mr. Phillips opined that there is only one statement in the nomination that indicates the paintings are by Scattaglia, and that it is his opinion that each of the murals would have to be identified and its historic significance described. He asserted that there is nothing in the nomination about the reredos, by whom they were commissioned, where they came from, etc... He stated that he believes that an object nomination should set forth how and why these objects are historic. He reiterated that it is his desire to have the discussions with the nominator and community to find a proper entity to preserve the objects.

Hal Schirmer, attorney for the Faithful Laurentians, interjected that the pictures that the Committee saw were pictures of these objects on the wall, and the interaction of the objects and the interior. He opined that the fact that the paintings are on canvas affixed to the walls and not painted directly onto the walls themselves does not change the fact that they were already discussed at the Committee meeting and that simply changing and correcting an oversight does not divest the Historical Commission of authority. He opined that the nomination should be amended, but not withdrawn and re-filed.

Mr. Mattioni reiterated that the nomination does not separate out the specific items as objects for preservation, so the Commission does not have the right to consider it as though there was an addendum with the object nominations.

Mr. Wisniewski responded that he never considered his request to amend the nomination a withdrawal; he considered it a modification to focus exclusively on the 16 paintings and the three wooden reredos. In a layperson's mind, he opined, redoing an object nomination is doing the same thing as he already has, but on different pieces of paper. He noted that he spent three years of his life trying to make things right with St. Laurentius and he does not have the luxury of taking off every month to come to a meeting. He explained that when he originally wrote the nomination, it was all inclusive, because he truly believes that every piece of the interior is historic, but when one puts things in perspective and recognizes the reality of the situation, it is not possible to have everything on the interior designated as historic without negatively impacting the reuse of the building. Mr. Wisniewski explained that he did not understand that his

request to restrict the nomination to the 16 paintings and three altarpieces would require a new nomination.

Mr. Farnham apologized to Mr. Wisniewski and the Commissioners, noting that when he presented it, he said that Mr. Wisniewski had “essentially” withdrawn the nomination, because the Commission is in a position it has never been in before, and he believes the Commission must be careful. Mr. Farnham clarified that Mr. Wisniewski had never used the word “withdraw”; Mr. Farnham stated that he used that word because he believes that when one amends a nomination to exclude an aspect of it, one is essentially withdrawing that nomination from consideration. He read the key sentence from Mr. Wisniewski’s email: “I am respectfully writing to amend my nomination of St. Laurentius church from the entire interior to the following 19 objects, three altarpieces and 16 murals.” Mr. Farnham reiterated his opinion that the amendment to include only the objects is a withdrawal of the interior nomination, but noted that it is the Commission’s decision whether the interior nomination can be converted seamlessly into an object nomination, or whether the process needs to start over. He explained that the key question is whether or not the property owner received the appropriate notice, and he opined that there are good arguments on both sides.

Mr. Thomas asked Ms. Cooperman if she believed there was sufficient information to support the claims of historical significance of these 19 objects in the current nomination, if that information was submitted as an object nomination. Ms. Cooperman responded that the Committee did not believe that the interior nomination presented sufficient information on the objects themselves, but that the verbal testimony provided at the Committee meeting made it abundantly clear to the Committee that the objects are significant and would meet one or more of the Criteria for Designation. Mr. Thomas asked if the Commission would want to see an amended or new nomination that presented that information. Ms. Cooperman responded that the Committee understood that the objects met appropriate Criteria, but reiterated that there was also extensive discussion at the Committee meeting about whether the designation of some portions of the interior would jeopardize the building as a whole. She reiterated that the Committee encouraged all parties to come to a solution that would both satisfy the preservation of the objects and the preservation of the building.

Mr. Mattioni asked whether it would be appropriate to table the nomination and allow the nominator submit a revised nomination or an object nomination addendum. He opined that the current situation leaves the Commission to do the nominator’s job in fitting each object to the Criteria at this meeting, and that that is not appropriate. Ms. Cooperman suggested that the Commission could table the nomination and remand the revised nomination to the Committee on Historic Designation. Mr. Phillips responded that there are three separate and distinct categories of nominations: exterior, which are the majority the Commission receives; objects, of which there are only 11 designated in the City of Philadelphia; and public interior portions, of which there are only two designated in the entire City of Philadelphia. The Commission’s own regulations, he continued, provide a specific method and procedure for each sort of nomination. He noted that the Rules & Regulations allow for the combination of object nominations with interior nominations, but object nominations must be separately appended to interior nominations, and without that, the Historical Commission’s jurisdiction does not vest. He noted that the property owner has only been notified of an interior nomination, and that a consideration of designating objects is an entirely separate discussion. Mr. Phillips further emphasized that the property is on fragile ground because there is currently only one interested buyer who is under contract to redevelop the property and save the exterior, but who has indicated that if the interior is designated, or further roadblocks are put in his way, he will walk away from the

project. Mr. Phillips opined that the Commission cannot maintain jurisdiction over the objects without an object nomination.

Mr. Fiol-Silva opined that Mr. Phillips' point that the Commission has three distinct processes for designation is important, notwithstanding the potential threat to the building, which the Commission is tasked with protecting. He lauded all parties for their passion, but noted that the perfect is the enemy of the possible, and suggested that the Commission act intelligently and fairly. He expressed his hope that the Commission process could help all parties achieve their goals, even if none encounters a perfect scenario.

Mr. Thomas noted that at other designated church buildings, for example, stained glass windows were removed and preserved elsewhere to allow for the repurposing of the church. He opined that it would be ideal if the exterior is preserved and there is a reuse for the building, and these objects were designated and could be moved to another location, but that he thinks there needs to be a separate object nomination for that to proceed. He observed that there is goodwill between the parties and suggested that a settlement might be negotiated.

Mr. Phillips opined that the purpose of an object designation is for the City to step in and safeguard the objects. He noted that reaching an accord in which the objects are safeguarded, even if it is outside the confines of the City of Philadelphia, should be the paramount concern of all the parties.

Mr. Schirmer replied that Mr. Phillips is correct, but opined that the question is whether changing from an interior nomination to an object nomination blindsided the owners because they did not know that the reredos and paintings would be designated. He asserted that there was plenty of discussion of the objects at the Committee meeting, and already more than enough information presented at that meeting on the difference between the objects and the interior. He opined that, whether they are classified as an object or an interior, it was known that they were part of what was proposed for designation. Mr. Schirmer quipped that what is an object or a portion of the interior depends on "how big a Sawzall you're able to find." Mr. Schirmer noted that there are guidelines from the Vatican, "Opera Artis," that lay out the duty of the church to protect church history, and gives guidance to some of the distinctions of whether something is an interior piece or an exterior piece.

Ms. Cooperman asserted that the main question is what needs to happen to find a home for these objects. Mr. Phillips attempted to explain that the Archdiocese has an Ecclesiastical Exchange Program. Ms. Cooperman responded that she understands Mr. Phillips' point of view, but would like to hear from the St. Laurentian community about what they would like to have happen. Mr. Wisniewski responded that the former parishioners would like for the 16 paintings and three altarpieces to be given to a Polish Catholic community in the Greater Philadelphia area. Ms. Cooperman asked Mr. Phillips if his client would be amenable to that approach. Mr. Phillips responded that, if the Archdiocese is presented with a third party who would accept the objects as donations and would be vested with the responsibility of removing and caring for the objects, that is absolutely something that they would entertain in good faith and be happy to do in the best interests of all parties. He noted that the Archdiocese needs to be presented with that scenario; they will not let the objects simply be removed without an identified and agreed upon third party. Ms. Cooperman asked how that parish could be found. Mr. Wisniewski responded that he is afraid of retribution by the Archdiocese, but that he does have a process engaged already through Polish organizations, and that there are several places in the Greater Philadelphia area that have the ability to take the paintings and the altarpieces. Ms. Cooperman reiterated that there needs to be a third party. She asked: "How do we get there?" Mr. Phillips

responded that the first step is to identify the third party entity to which these objects could be donated. From there, he continued, there would be discussions about the mechanisms to accomplish the removal and safeguarding of the objects. Ms. Cooperman asked again: "How do we get there?" Mr. Phillips responded that Mr. Wisniewski has some homework to do, and that he would encourage Mr. Wisniewski to continue a dialogue with him and to reach out as soon as he has located one or a number of acceptable alternatives. Mr. Wisniewski replied that he began the process last Wednesday morning, and that, with the consent of the Archdiocese, that process would be much more efficient and easier to complete.

Ms. Cooperman opined that, if one of the possibilities of preserving the objects would be that they leave the city of Philadelphia, it would be pointless for the Historical Commission to designate them. She explained that she does not believe that it is due diligence on the Commission's part to divest itself entirely without the promise of a resolution to the problem, given the significance of the objects, but noted that she does not believe designation is necessarily the right tool for preserving the objects. That said, she continued, she personally would like to have some assurance that the objects would be preserved elsewhere, or the Commission should continue down the path of designation. Mr. Phillips responded that the objects will be preserved and maintained regardless of the Commission's actions. Ms. Cooperman responded that she believes that the ultimate destination of the objects should be something that is acceptable to the parishioner community. Mr. Phillips replied that, if it was not for that community, he does not know what the Archdiocese would do with a 50-foot tall reredos, as there are not many other churches that are looking to take such objects. He noted that many times these types of objects would be removed by the Archdiocese and safeguarded in the Ecclesiastical Exchange, but that they might sit there because the Archdiocese cannot find someone who wants them. He noted that the Archdiocese will continue to do what it always does in safeguarding sacred objects, but finding a new home for them will likely require the nominator's assistance.

Venise Whittaker, a member of the group calling itself the Faithful Laurentians, presented a copy of a business plan to preserve the church for the community. She opined that the church is a charitable trust and that the deeds belong to the parishioners. She noted that there is an appeal at the Vatican to reopen the church, and the attorney general can overturn the deed to the parishioners. She requested that the nomination be tabled so that the parishioners have the opportunity to process and complete the nomination.

Mr. Farnham asked Mr. Phillips if the Archdiocese would be willing to agree on the record not to undertake any change, alteration or removal of the objects in question for a period of 120 days, for example, unless they have the agreement of Mr. Wisniewski, the nominator. Mr. Farnham suggested that, during that 120 days, the parties could work together toward a compromise, and if one is not found, then Mr. Wisniewski would have the opportunity to submit an object nomination, or if the period lapses, to work with the equitable owner to remove the objects and move them to a different location or the Ecclesiastical Exchange. Mr. Phillips responded that he does not have the authority to make that agreement currently, but that he can state that the objects will be preserved. He stated for the record the Archdiocese's commitment to continuing to engage in a discussion to find an appropriate home for them, and to not do anything that would adversely impact them in the interim.

Mr. Fiol-Silva expressed his appreciation of the desire to preserve the objects, but argued that there are separate procedures for interior and object nominations, and those should be followed. He expressed his hope that all parties would continue to work together to find a solution to preserving the objects without jeopardizing the reuse of the building. Mr. Farnham

responded that he was not suggesting that the Commission deviate from its procedures, but was suggesting that Mr. Phillips and Mr. Wisniewski enter into a private agreement and express that agreement to the Commission. Mr. Thomas agreed, noting that both parties seem to be acting in good faith. He suggested that, even if an object nomination is submitted and the Committee determines that the objects meet the Criteria for Designation, the Commission might want to see whether the objects are able to find a new home before considering designation. He noted that designation might impose too many restrictions if, for example, a third-party entity is identified outside of the boundaries of Philadelphia.

Mr. Schirmer opined that the Commission's regulations are unclear to him. Mr. Thomas responded that it is his understanding that the Commission would consider the interior nomination withdrawn, but that they would entertain an object nomination should one be submitted. Mr. Thomas noted that there may be a period of time between the interior nomination withdrawal and the submission of an object nomination where the objects would not be under the Commission's jurisdiction, but that he believes the threat to them is slim. He noted that the Commission needs to balance all of the preservation concerns, and that, if there is not a use for a building, the building may be at risk. He stated that the question of who owns the building is not for the Commission to consider at all; it is a legal matter and has nothing to do with historic preservation.

Mr. Schirmer interjected that the church's own regulations state that, "works of art from the past are always and everywhere to be preserved." Just like the Commission has to follow its regulations, he noted, the parishioners are counting on the Archdiocese to follow its regulations. Mr. Thomas responded that the Commission cannot compel the Archdiocese to comply with its own rules. He stated that he is suggesting to his fellow Commissioners that they accept the interior nomination as withdrawn, but that of course they would review an object nomination if one were to be submitted, and that, meanwhile, both parties work very hard to find a mutually agreed upon home for the objects. Mr. Phillips responded that he intends to continue this discussion whether Mr. Wisniewski submits an object nomination or not. Mr. Mattioni noted that the Commission already has the commitment of the Archdiocese that they will preserve the objects according to their own procedures.

Mr. Wisniewski asked what he should do. Mr. Farnham addressed the Commissioners, noting that Mr. Wisniewski has asked to amend his nomination, not withdraw it, and suggested that the Commission needs to take some sort of action on the proposed amended nomination. Ms. Cooperman suggested that the nomination could be withdrawn. Mr. Wisniewski asked for clarification. Mr. Mattioni suggested that the nomination could be tabled and Mr. Wisniewski could submit a new object nomination. Mr. Phillips responded that an interior nomination was submitted; Mr. Wisniewski has not stated that he is withdrawing the interior nomination, but just that he wants to amend the nomination and turn it into an object nomination. Mr. Phillips asked: Is there a pending interior nomination before the Commission, and if so, what is the Commission's response to it? If it is not withdrawn, he argued, he would want to discuss the interior nomination. He asserted that an interior nomination jeopardizes the entire building because Mr. Voloshin is not interested in purchasing a building with an interior nomination. Mr. Fiol-Silva reiterated his desire for clarity, what is and is not on the table. Mr. Mattioni noted that, if the nominator withdrew the interior nomination, it would clarify the next steps, but that he does not want to make that decision for the nominator. Mr. Thomas opined that keeping the interior under the Commission's jurisdiction puts the building at risk. He noted that the nominator could nominate the objects at any time, while at the same time not potentially endangering the redevelopment of the building. Mr. Wisniewski responded that he would work with Mr. Phillips, and in the meantime, would like to pursue an object nomination. He stated that he understands

the risks, but that he does not trust the Archdiocese. The Commissioners asked if he was withdrawing the interior nomination. Members of the audience shouted their objections. Mr. Wisniewski responded that he sees an interior nomination as being the same as an object nomination. Mr. Thomas clarified that they are two separate types of nominations, noting that an interior nomination does not allow for the space to be divided up but instead requires that it remain intact. Ms. Cooperman noted that, if Mr. Wisniewski prepares an object nomination in the next few days and submits it to the staff and the staff determines that it is correct and complete and issues notice to the property owner, then the objects would be under the jurisdiction of the Historical Commission. Mr. Thomas noted that that nomination would then go before the Committee to determine whether the objects meet the Criteria, and then it would come to the Commission again, and at that time the Commission may choose to designate, or choose not to designate, based on the circumstances at that time. Ms. Cooperman noted that she understands that the Laurentian community may be concerned for the safety of the objects, but that it may be as little as a few days that the objects are not under the Commission's jurisdiction. Mr. Phillips stated for the record that, if the Commission is divested of jurisdiction owing to the withdrawal of the nomination, the Archdiocese is not going to go into the property in the coming days to take down the paintings.

Mr. Wisniewski withdrew the interior nomination, but asked if someone else might be able to submit a similar nomination, should they choose to. The Commissioners responded affirmatively.

Following the withdrawal, two members of the community spoke out, noting that they hope to purchase the building and save it for the Polish American community. Mr. Thomas asked them to withhold their remarks because the matter had been withdrawn from the agenda.

ADDRESS: 435-41 N 38TH ST

Name of Resource: Christ Methodist Episcopal Church, Mt. Pleasant Primitive Baptist Church

Proposed Action: Designation

Property Owner: Mt. Pleasant Primitive Baptist Church

Nominator: Michael J. Lewis and Amy Lambert, University City Historical Society

Staff Contact: Laura DiPasquale, laura.dipasquale@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the property at 435-51 N. 38th Street satisfies Criteria for Designation A, C, D, E, and J.

OVERVIEW: This nomination proposes to designate the property at 435-41 N. 38th Street as historic and list it on the Philadelphia Register of Historic Places. The nomination argues that property is significant under Criteria for Designation A, C, D, E, and J. The nomination argues that the former Christ Methodist Episcopal Church is significant as the work of renowned architects Frank Furness and George W. Hewitt. The nomination contends that Furness and Hewitt adapted High Victorian architectural ideas to the symbolic and practical requirements of a Methodist congregation in the design of this property, and created a plan that was an important precursor to the Auditorium Plan, the chief innovation in American religious architecture in the second half of the nineteenth century. The nomination further argues that the church and its congregation were intertwined in the development of the Mantua and Powelton Village neighborhoods of West Philadelphia, and that the property is significant for its association with various prominent members.

DISCUSSION: Ms. DiPasquale presented the nomination to the Historical Commission. Amy Lambert represented the nomination. No one represented the property owner.

Ms. Cooperman stated her support for the nomination, which she noted was well-written, and for an eminently worthy building.

Mr. Thomas noted that there was something interesting in the evolution of the building, which is situated in the middle of a block, an unusual placement for a church. He explained that, in looking at historic atlases, he discovered that the church property previously extended to Hamilton Street, but noted that it appears the Hamilton Street frontage was sold off at some point and six houses constructed on that site that are much later than any other houses in the neighborhood. Ms. Lambert responded that it was a joy to work on the nomination, and that Mr. Thomas is correct, the building was built to be the chapel for Christ Methodist Episcopal Church. The larger church would have been constructed on the space where the houses now stand, but the church found itself in financial straits and sold off the land they had planned to develop later, where the houses now stand.

ACTION: Ms. Cooperman moved to find that the nomination demonstrates that the property at 435-51 N. 38th Street satisfies Criteria for Designation A, C, D, E, and J, and to designate it as historic, listing it on the Philadelphia Register of Historic Places. Ms. Spina seconded the motion, which passed unanimously.

ADDRESS: 420-34 S 42ND ST

Name of Resource: 420 Row

Proposed Action: District Designation

Property Owners: multiple

Nominator: Justin McDaniel

Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the proposed historic district known as the 420 Row, which includes the properties at 420, 422, 424, 426, 428, 430, 432, and 434 S. 42nd Street, satisfies Criteria for Designation A, C, D, E, G and J.

OVERVIEW: This nomination proposes to designate a historic district that consists of 420, 422, 424, 426, 428, 430, 432, and 434 S. 42nd Street, the properties on the west side of S. 42nd Street between Osage and Baltimore Avenues. The nomination argues that row is significant under Criteria for Designation A, C, D, E, G and J. The nomination contends that the row was the first-built of Spruce Hill's earliest speculative real estate developments in the Queen Anne style, which influenced later residential development in West Philadelphia, and is the work of the significant firm of the Hewitt Brothers. The nomination further contends that the row epitomizes the streetcar suburban development of late nineteenth-century Philadelphia, and is significant for its inclusion in the West Philadelphia Streetcar Suburb National Register Historic District.

DISCUSSION: Ms. Broadbent presented the nomination to the Historical Commission. She explained that Justin McDaniel, the nominator and a property owner in the proposed district, was unable to attend the meeting, but had indicated in an email that there is now one additional owner-occupier on the block supporting the designation.

Ms. Cooperman stated that the Committee on Historic Designation was impressed by the quality and merits of the nomination, in addition to the support of the property owners. Paul Steinke of

the Preservation Alliance for Greater Philadelphia commented that the Alliance strongly supports the nomination, and that it is the first new historic district approved by the Commission in a while. He stated that the Alliance is excited for the City to add its 16th local historic district.

ACTION: Ms. Turner moved to find that the nomination demonstrates that the proposed historic district known as the 420 Row, which includes the properties at 420, 422, 424, 426, 428, 430, 432, and 434 S. 42nd Street, satisfies Criteria for Designation A, C, D, E, G and J, and to designate it as historic, listing it on the Philadelphia Register of Historic Places. Ms. Cooperman seconded the motion, which passed unanimously.

ADDRESS: 10751 and 10725 KNIGHTS RD

Name of Resource: Byberry Township Public Burial Ground

Proposed Action: Designation

Property Owner: City of Philadelphia

Nominator: Joseph J. Menkevich

Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the site at 10751 and 10725 Knights Road satisfies Criteria for Designation A, B, G, I, and J. Mr. Cohen abstained.

OVERVIEW: This nomination proposes to designate the site at 10751 and 10725 Knights Road as historic and list it on the Philadelphia Register of Historic Places. The nomination argues that site is significant under Criteria for Designation A, B, G, I, and J. The nomination contends that the Byberry Township Public Burial Ground is the first and oldest known public burial ground in existence in Philadelphia, established circa 1683 by John Hart, an important legislator of Pennsylvania, satisfying Criteria A, B and J. The nomination further argues that the site was laid out as a “rectangular square” similar to the several public squares and burial grounds within the center of Philadelphia which came later, satisfying Criterion G. Lastly, the nomination argues that the site has survived for more than 333 years in near-original condition, lying near a known Native American path, and may be likely to yield information important in pre-history or history, satisfying Criterion I.

DISCUSSION: Ms. Broadbent presented the nomination to the Historical Commission. No one represented the City of Philadelphia as the property owner. Joseph Menkevich represented the nomination.

Ms. Broadbent displayed a graphic to show how the historic burial ground occupies the entire parcel of 10751 Knights Road and a portion of the parcel at 10725 Knights Road. Ms. Cooperman thanked Ms. Broadbent for the graphic, stating that it clarifies any confusion from the Committee on Historic Designation meeting.

Mr. Menkevich offered to play a recorded voicemail message from the Office of Property Assessment, but the Commission declined the offer, stating that the graphic included in the presentation explains the parcel boundaries. Mr. Menkevich stated that the site is important because the first adventurers, people who came over with William Penn, are buried there, and it has remained relatively untouched except for a few neighbors who have extended their rear yards a little onto the site. He suggested that the neighbors should be proud of the site and respect it more. Mr. Thomas agreed that there are many historic properties that are not well-respected. Mr. Menkevich opined that the site was forgotten around the time of consolidation of the City of Philadelphia. He summarized that he would like to see the site designated for its

importance as a burial ground and for its association with Benjamin Rush. He commented that he thought he could put a positive spin on a nomination that was originally written by Fred Maurer, but rejected 10 years ago. He noted that the staff of the Commission was very helpful anytime he asked for help.

MOTION: Ms. Cooperman moved to find that the nomination demonstrates that the site at 10751 and 10725 Knights Road satisfies Criteria for Designation A, B, G, I, and J, and to designate it as historic, listing it on the Philadelphia Register of Historic Places. Ms. Turner seconded the motion.

Mr. Thomas asked for public comment prior to a vote. John Manton, who conducts research on the 21st Ward, commented that he has visited this site twice, and has witnessed encroachments by surrounding properties. He stated that there saw “No Trespassing” signs and heard threats from the neighbors, who claim harassment. Mr. Thomas responded that he encounters the same problems while working on trails and greenways. He stated that, if the site is designated, it puts a little more emphasis on the City looking after its property. Mr. Manton asked if it would enable them to apply to the Pennsylvania Historical & Museum Commission for a historical marker. Mr. Thomas responded that they can apply for a marker with or without local designation.

ACTION: The Historical Commission voted unanimously to adopt Mses. Cooperman and Turner’s motion to find that the nomination demonstrates that the site at 10751 and 10725 Knights Road satisfies Criteria for Designation A, B, G, I, and J, and to designate it as historic, listing it on the Philadelphia Register of Historic Places.

ADDRESS: 22-26 S 40TH ST

Name of Resource: West Philadelphia Institute

Proposed Action: Designation

Property Owner: West Philadelphia Community Mental Health Consortium Inc.

Nominator: Benjamin Leech, Preservation Alliance for Greater Philadelphia

Staff Contact: Meredith Keller, meredith.keller@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the property at 22-26 S. 40th Street satisfies Criteria for Designation A, E, and J. Ms. Cooperman dissented.

OVERVIEW: This nomination proposes to designate the property at 22-26 S. 40th Street as historic and list it on the Philadelphia Register of Historic Places. The nomination contends that the property satisfies Criteria for Designation A and J. The nomination argues that the property, a former West Philadelphia Institute building, is a rare surviving example of an early lending library established for working-class Philadelphians and serves as a direct precursor to the establishment of the Free Library of Philadelphia. The nomination acknowledges a series of significant alterations, but claims that the surviving footprint, massing, and visible roof features sufficiently convey the building’s history. While the nomination does not directly seek designation under Criterion E, it presents arguments that the building may also be the work of significant Philadelphia architect Frank Furness.

DISCUSSION: Ms. Keller presented the nomination to the Historical Commission. No one represented the property. Patrick Grossi and Paul Steinke represented the nomination.

Ms. Cooperman noted that all of her fellow Committee members were of the opinion that the property merits designation. She indicated that she was the sole skeptic, in terms of whether there is sufficient material remaining to warrant designation.

Mr. Thomas stated that the last remodeling was in 1976. Ms. Cooperman asserted that she declined to recommend the property for listing on the Register because it lacks visible evidence of original material, although she acknowledged that there may be substantial historic fabric below the cladding. Mr. Thomas underscored that the building also holds importance for its social history and its association with two prominent architects, even if altered.

Mr. Grossi called the nomination unique, given the insensitive alteration of the current structure. He commented that the Preservation Alliance identified the building for nomination owing to its association not only with Frank Furness but also with John T. Windrim. Windrim, he continued, was the architect of record for the Philadelphia Electric Company (PECO) alterations. Mr. Grossi added that he nominated the building for its association with the Young Men's Institute and West Philadelphia Institute, a precursor to the Free Library system. The nomination, he explained focuses on the property's social history, qualifying it under Criteria for Designation A and J, but he added that he is open to the possibility of including Criterion E. He noted that he requested that the period of significance be extended to 1930 to reflect the Windrim/PECO era. Mr. Grossi stated that any historic material under the existing cladding would date to the PECO period. He then explained that the building has a new equitable owner who welcomes designation and is willing to work with the Commission to restore the building to its circa 1930 appearance. He remarked that it would be appropriate to list the building on the Philadelphia Register, arguing that the property is unique and primed for a success story based on the rediscovery of a resource that traces its design to two of the city's architectural giants, Furness and Windrim. Likewise, he added, the property speaks to the history of late-nineteenth-century benevolent organizations and one of the city's most prominent private utility companies.

Mr. McCoubrey observed that because the pent roofs and double-height windows remain, it is likely that the masonry exists behind the cladding.

Ms. Spina contended that it is easy to focus on architecture, but that the alterations should not overshadow the social history, which is important to recognize. Even if the property only satisfied Criterion J, she continued, it could be eligible for designation, and the Criterion would be a good basis for the Commission's decision.

Mr. Thomas commented that the building's name struck his interest. He also argued that the building's association with social history (and not exclusively architecture) would allow it to be returned to an earlier period prior to the insensitive alterations.

Mr. Steinke reiterated that the new owner of record, who took title to the building since the nomination was first submitted, looks forward to working with the Commission, Committee on Historic Designation, and staff. The owner, he noted, expressed interest in using the Commission's expertise to restore the building to its optimal appearance once the 1976 cladding is removed. Mr. Steinke asserted that the property presents a rare opportunity for the Commission to make a real impact and to turn a building that is not very remarkable into a gift to the city.

Mr. Mattioni stated that if it were not for the owner's agreement to designation, he would be hard-pressed to attach significance to the architectural remains. Ms. Cooperman responded that she is persuaded by the social history argument, but argued against inclusion of Criterion E,

adding that it would not be appropriate owing to the extent of alterations, even if Windrim and Furness were involved in the earlier designs. The masonry, she continued, likely remains under the cladding. However, Ms. Cooperman asserted that even in its pre-1976 configuration, it would be difficult to argue that the building expresses Windrim's or Furness's design importance.

The Commissioners discussed whether to include Criterion E or to limit the Criteria for Designation to J.

ACTION: Ms. Long moved to find that the nomination demonstrates that the property at 22-26 S. 40th Street satisfies Criterion for Designation J, and to designate it as historic, listing it on the Philadelphia Register of Historic Places. Mr. McCoubrey seconded the motion, which passed unanimously.

ADDRESS: 5250 WAYNE AVE

Name of Resource: Methodist Episcopal Church of the Advocate

Proposed Action: Designation

Property Owner: New Covenant Baptist Church Missionary

Nominator: Sue Patterson & Oscar Beisert, Penn Knox Neighborhood Association

Staff Contact: Meredith Keller, meredith.keller@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the property at 5250 Wayne Avenue satisfies Criteria for Designation A, C, E, and J.

OVERVIEW: This nomination proposes to designate the property at 5250 Wayne Avenue as historic and list it on the Philadelphia Register of Historic Places. The nomination contends that the Methodist Episcopal Church of the Advocate satisfies Criteria for Designation A, C, E and J. The nomination argues that the building represents the establishment and enlargement of the Methodist Episcopal Church in Germantown, and that the property at 5250 Wayne Avenue represents the collective efforts of a congregation to raise funds to construct the impressive Gothic Revival structure. The nomination further asserts that the design represents the transition from Victorian to Neo-Gothic Revival style and serves as a significant work of the architectural firm Wilson, Harris & Richards. The nomination also identifies Henry A. Romberger, a prominent local manufacturer and philanthropist, as significant for his association with the Methodist Episcopal Church of the Advocate.

DISCUSSION: Ms. Keller presented the nomination to the Historical Commission. No one represented the property. Oscar Beisert, Sue Patterson, and Joe McCarthy represented the nomination.

Mr. Thomas commented that the nomination seemed quite thorough. Ms. Cooperman agreed, adding that she and another Committee member felt the association of the property with Henry A. Romberger was a bit tenuous. Otherwise, she continued, the building meets several Criteria for Designation. Mr. Beisert responded that he focused on Romberger because the church named the tower after him.

Mr. Mattioni asked if the property owner is known. Ms. Patterson answered that the ownership is in limbo. The congregation, she explained, has not been active for 20 or 30 years. She added that neighbors are searching for an heir to the pastor listed on the deed, and noted that some have spoken to several workmen entering and exiting the building. Ms. Patterson vocalized her

concerns about the building's future and noted that the nomination is a move to protect the property.

Mr. McCarthy stated that there has been some interest from real estate developers to find an appropriate use. Ms. Patterson added that an interested party, the Circus School in Germantown, had wanted to purchase the property. She explained that the Commissioner of the Department of Licenses & Inspections had offered to review the Department's structural assessment of the building, because the language of that assessment implied that the structure was so unsafe that it needed to be demolished, when in fact it was only the parapet that was unsound. Ms. Patterson explained that the Department corrected the language. Previously, she continued, the language was impeding any future use that required financing, because it made the building appear as a financial risk for a bank.

Mr. McCarthy claimed that the building would have been included as a significant contribution in the Penn-Knox historic district nomination, which was submitted about 1999.

Mr. Thomas opened the floor to public comment, of which there was none.

ACTION: Ms. Turner moved to find that the nomination demonstrates that the property at 5250 Wayne Avenue satisfies Criteria for Designation A, C, E, and J, and to designate it as historic, listing it on the Philadelphia Register of Historic Places. Ms. Spina seconded the motion, which passed unanimously.

ADDRESS: 4054 CHESTNUT ST

Proposed Action: Rescission

Property Owner: Off Penn Properties LLC

Applicant: Michael Sklaroff, Esq., Ballard Spahr

Staff Contact: Jon Farnham, jon.farnham@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend denial of the rescission request.

OVERVIEW: This application proposes to rescind the historic designation of 4054 Chestnut Street, a property which was designated as historic and listed on the Philadelphia Register of Historic Places on 8 July 2016. At that time, the Commission found that the property satisfied Criteria for Designation A, C, D, G, and J. The property owner claims that the property is "largely devoid of character-defining features."

The Historical Commission considered nominations for three sets of twins in this row in July 2016, 4046-4048, 4050-52, and 4054-56 Chestnut Street. The Commission designated 4050-52 and 4054-56 Chestnut Street in July. It tabled the nomination for 4046-4048 Chestnut, owing to a pending demolition permit. Those structures have been demolished. Section 14-1004(5) of the preservation ordinance states that "any designation of a building, structure, site, object, or district as historic may be amended or rescinded in the same manner as is specified for designation." Section 5.14.b.1 of the Rules & Regulations elaborates, directing that "the Commission may rescind the designation of a building ... and remove its entry ... from the ... Register ... if:

- a. the resource has ceased to satisfy any Criteria for Designation because the qualities that caused its original entry have been lost or destroyed;
- b. additional information shows that the resource does not satisfy one or more Criteria for Designation; or,

- c. the Commission committed an error in professional judgment when it determined that the resource satisfied one or more Criteria for Designation.”

Section 5.14.b.2 of the Rules & Regulations stipulates that “a person who seeks to have a designation rescinded shall make a written and documented submission to the Commission that demonstrates one of the three bases cited in Section 5.14.b.1 of these Rules & Regulations.” The applicants have provided a submission.

DISCUSSION: Ms. Long recused and left the room, owing to her husband’s employment at the law firm representing the property owner in this case. Mr. Farnham presented the rescission request to the Historical Commission. Attorney Michael Sklaroff, consultant Robert Shusterman, and property owner Eapen Kalathil represented the rescission request.

Mr. Sklaroff stated that the Historical Commission designated the property at 4054 Chestnut Street in July 2016. The property owner appeared at that meeting of the Historical Commission, but did so without counsel or expert testimony. The property owner requests that the Commission remove the property from the Philadelphia Register. He contended that the building is bereft of character-defining historic fabric. He claimed that this building was swept up in a discussion of the potential demolition of nearby buildings at the July meeting and did not receive a full and fair hearing. Other buildings in this group retain their original features, but this building does not. This building is not significant such that it belongs on the Philadelphia Register. This is a question of rigor; the Commission must address the question of what should and should not be on the Register with rigor. Mr. Sklaroff asserted that the building would never be deemed contributing in a local historic district.

Oscar Beisert spoke out of order from the audience, claiming that this building is in a National Register district. Mr. Thomas asked Mr. Beisert to respect the process and the participants and wait until the chair has invited him to speak. Mr. Thomas stated that everyone would have a chance to speak, but no one may interrupt another.

Mr. Sklaroff continued, stating that there is no locally designated district in which the building in question could be deemed contributing. At the July 2016 Commission meeting, the Commission did not hold a substantive discussion of 4054 Chestnut Street, he claimed. Mr. Sklaroff reported that, at the 14 December 2016 meeting of the Committee on Historic Designation, the only substantive comments were offered by Bruce Lavery of the Committee on Historic Designation, who stated that “he is not convinced that this building does not meet the cited Criteria.” He also stated that “the alterations are relatively minor.”

Mr. Sklaroff displayed a Powerpoint image that compared the building in question with the one to the east. He again noted that Mr. Lavery stated that “the alterations are relatively minor.” Mr. Sklaroff disagreed, stating that the alterations from the original condition are “fundamental.” The building is not significant. He added that there is no pending demolition or alteration permit application. The land owner is not seeking to alter the property, but believes that the property should be free of regulation because it is not that significant.

Mr. Sklaroff reminded the Commission of the recent 81-95 Fairmount Avenue matter. He stated that that building was built in 1820 and underwent many changes including a 1920s Colonial Revival remodeling. In that case, the nominator claimed that the later alterations were themselves significant. Mr. Sklaroff stated that he had disagreed with that claim, but whether you agree with it or not in that case, such a claim is not made in this case. He stated that there is no history associated with the changes to 4054 Chestnut. The door alterations are not

significant. The floor-level change is not significant. The first-floor window change is unimportant. There is no integrity to this building. The chimney has been removed. The door has been removed. The roof has been removed. They were all character defining, but have been removed. The neighboring building has integrity, but the one in question does not. Mr. Sklaroff objected to the claim that this building would contribute to a district. He objected to the assertion in the nomination that “despite these and lesser modifications, the string of houses remains visually coherent.” He observed that the nomination claims that the building’s massing and envelope remain intact. He countered that that may be sufficient integrity to be classified as contributing to a district, but it does not warrant an individual designation, which is equivalent to a significant classification in a district. Mr. Sklaroff asked rhetorically whether the changes that Mr. Laverty called minor were not, in fact, major.

Ms. Cooperman stated that she interpreted Mr. Laverty’s comment cited by Mr. Sklaroff to mean that he was not convinced by Mr. Shusterman’s testimony. Mr. Sklaroff responded that Mr. Laverty had called the alterations “minor”; they are not minor. He acknowledged that the Committee had heard his expert and had given the matter its full attention.

Mr. Sklaroff introduced his expert, Mr. Shusterman, whom he claimed has had a long career in historic preservation.

Mr. Shusterman stated that there have been very significant changes to this building that destroyed the original fabric of the structure. He referred to a Powerpoint slide being projected. The marble stoop was removed. The railing was removed. The watertable near the doorway has been removed. The doorway has been altered from a recessed, arched opening with a large transom; the doorway has been lowered almost to grade; the added doorway is not recessed, but projects out from the façade; it is an insensitive treatment; the brick at the former opening has been infilled poorly. The two, original, first-floor, front windows have been replaced by a tripartite window. Mr. Sklaroff asked Mr. Shusterman if the circumstances of the alterations are documented in the nomination. Mr. Shusterman replied that “there is nothing in the nomination that talks about any of the alterations other than to mention that a few exist.” Mr. Shusterman stated that the nomination provides no dates for the alterations and additions and makes no claims that the alterations and additions were undertaken in a sensitive manner. The original stone sills have been replaced by brick. Brick lintels were added. The added brick is inconsistent with the original façade and may have been painted. The changes are not sensitive or consistent. The attic or gable roof with dormer has been removed and a flat roof installed. The other buildings in the group retain their roofs. The large chimney has been removed. The removals of the roof, dormer, and chimney adversely change the massing of the building. Mr. Shusterman concluded that, in his expert opinion, “so much of the original fabric of the building has been removed that this building is not historic or worth historic designation by the Philadelphia Historical Commission. It does not have the historic merit that it might have had absent these changes.” Mr. Sklaroff asked Mr. Shusterman if he has considered each of the Criteria for Designation that was invoked in the nomination. Mr. Shusterman responded that he had considered each of the Criteria, A, C, D, G, and J, and concluded that the nomination fails to demonstrate that the property satisfies any of the five Criteria listed. He stated that it does not satisfy Criterion A, has significant character or is associated with a significant person; it is a standard building, typical of Philadelphia and has no particular significance. The removal of the character-defining features wiped away any significant associations it might have. With regard to Criterion C, this building did at once but no longer “reflects the environment in an era characterized by a distinctive architectural style.” The building has lost its character-defining elements and now represents no one period or one style. Regarding Criterion D, this building no longer “embodies distinguishing characteristics of an architectural style” because those

distinguishing characteristics, the door, windows, roof, dormer, chimney, and other features, have been removed. Criterion G requires that the property “is part of or related to a square, park, or other distinctive area that should be preserved according to a historic, cultural, or architectural motif.” Mr. Shusterman stated that the property is not part of a square, park, or other distinctive area. This is nothing more than “a stock development house that had character at one time but has no longer any character.” Mr. Sklaroff asked Mr. Shusterman if the property satisfies Criterion J, “exemplifies the cultural, political, economic, social, or historical heritage of the community.” Mr. Shusterman responded that exemplify means is “a very good example.” He stated that this property is not a very good example of anything. He stated that it is neither a good example of an original building nor a good example of building that has been modified from its original condition. It is not a good example of any historical style. It has been insensitively altered. Even the decorative gate between this building and the one to the east has been lost. Mr. Shusterman concluded that, given all of the changes, this property is not worthy of inclusion on the Philadelphia Register. It should be removed from the Register. Mr. Sklaroff asked the Commission to be rigorous and apply its criteria carefully. He stated that this building might contribute if it were located in a historic district, but it is not worthy of individual designation.

Elizabeth Stegner of the University City Historical Society observed that Committee on Historic Designation member Jeffrey Cohen had likened this block of twins to Bath, England during the Committee meeting. Ms. Stegner opined that Mr. Cohen’s opinion was “a little overstated.” She stated that the “bones” of the original Thomas Powers development survive. She countered claims made by the property owner’s attorney, asserting that there was significant discussion of this property at the meeting of the Committee on Historic Designation. She stated that the vote to designate this property was different from the votes for the other properties in the group and it was unanimous. It is part of a National Historic district and would be part of Spruce Hill local district, which has been nominated two times. The changes to the property in question are not significant.

Oscar Beisert introduced himself as one of the authors of the nomination. He stated that, “as a reasonable gesture, I would offer to state that I might be willing to rewrite this [the nomination] again.” He offered to remove Criterion C because the building “has had some changes.” He pointed out that the second and third-floor window openings have not been changed and there appears to be some original window fabric. Stone lintels and sills survive. The original cornice survives. The doorway is in the same general location as the original. The outline of the fanlight survives. The adjacent building has a storefront window. The basement fenestration survives. The brick façade survives. The east elevation is “pretty much as it was.” Mr. Beisert stated that he knew nothing about the rear of the building. By Mr. Sklaroff’s logic, most of the buildings in Society Hill “would be gone. They wouldn’t have been designated. They wouldn’t have been restored,” he argued. The Commission has designated buildings with entirely new facades. The Commission has designated buildings without original roofs. “This is a dangerous road to go down.” He offered again to revise the nomination, removing Criterion C.

Attorney Hal Schirmer stated that “architecture is frozen music. This looks like Beethoven’s Fourth: dum, dum, dum, dum.”¹ Grading the building, he stated that this is not an “A building,” but it is still a “B or C or passing.” He stated that “the official committee made the right decision about them, this committee made the right decision about them, and the Architectural Committee made the correct decision again.” He stated that the owner has already appealed

¹ Mr. Schirmer sang the famous four-note motif from Beethoven’s Symphony No. 5, but referred to it as the Beethoven’s Fourth.

this decision to the Court of Common Pleas. Mr. Schirmer mentioned a court case as precedent and claimed that the property owner could not seek a rescission from the Historical Commission while the designation was under appeal at the Court of Common Pleas. He asserted that, if a board amended its decision while under appeal, “piecemeal” litigation and decisions would result. “You can’t have two different moving targets moving through the system.” “You may get two bites at the apple, but you only get one bite at a time.” He claimed that the Historical Commission does not have jurisdiction over this matter. Mr. Thomas disagreed with Mr. Schirmer’s analysis and responded that the Commission would continue with the review. Mr. Farnham stated that, because Mr. Schirmer made the same claims at the Committee on Historic Designation, he had consulted with the Historical Commission’s attorney, Andrew Ross. Mr. Farnham stated that Mr. Ross had advised him to advise the Historical Commission that it has not given up jurisdiction over this matter and may proceed with the review of the rescission request.

Kathy Dowdell introduced herself as a neighbor and member of the public. She stated that the property in question would have been in the Spruce Hill Historic District, had the Historical Commission considered that nomination. She acknowledged the alterations, but contended that the average member of the public walking by would not notice the changes. She seconded the comments of Bruce Lavery and Jeffrey Cohen at the Committee on Historic Designation meeting, noting that Mr. Lavery had said that these buildings hold the “very DNA” of Philadelphia buildings. She asserted that the rescission request does not make a case for the satisfaction of any of the three bases for rescission. She stated that these buildings may have been ordinary, but, as buildings of this type are being demolished, they are becoming a lot less ordinary. She asked the Commission to uphold the designation.

Paul Steinke of the Preservation Alliance for Greater Philadelphia encouraged the Commission to uphold the designation. Mr. Steinke stated that the building would be open to demolition if the designation were rescinded. The owner’s representatives have stated that the owner does not intend to demolish this building. However, the next owner may seek to demolish the building. He stated that University City is undergoing a boom. If the designation is retained, then the owner can work with the Commission to restore the building. He asserted that the owner should make the building more appealing to the marketplace.

Mr. Sklaroff noted that the Commission had discussed liminal experiences in the past. The main doorway to this building has been significantly altered, forever changing the liminal experience of entering this building. One no longer enters this building as one did historically. The façade has been significantly altered. He reminded the Commission that this building is not located in a locally designated historic district. He reminded the Commission that this building might contribute to an imagined local district, but it would not be classified as significant. It is not significant, he claimed. It does not exemplify its history as do the other buildings in the group. Mr. Sklaroff rejected Mr. Steinke’s claim that the owner could “just” restore the building. He asserted that land owners have a legal right to be free of regulation that does not have a legal basis. The Commission must consider the case rigorously, he advised.

Mary McGettigan of West Philadelphia Neighbors for Progressive Planning and Preservation contended that the rescission request was an appeal of the designation. She asked for an explanation of the legal advice provided earlier by Mr. Ross through Mr. Farnham. She asserted that the Commission currently includes the same members that made the original designation decision in July 2016. If the Commission decides to rescind, it will be admitting that it made a mistake in July. She noted that the property owner can appeal a designation and asked if the community could appeal a rescission. Can the community re-nominate the property if the

designation is rescinded? She posited that the Commission could face an endless loop of nomination followed by rescission. She stated that the buildings in question inspired her to get a graduate degree in art history. She claimed that the Historical Commission has “tabled” the Spruce Hill Historic District nomination in an “unprecedented way.” She stated that the buildings “that so inspired” her are “meeting the wrecking ball on a regular basis.” She insisted that the Commission answer her question regarding whether it “can really continue rescission-nomination-rescission-nomination.” Mr. Thomas responded that a property owner is legally entitled to request that the Commission rescind a designation. Mr. Thomas stated that owners typically submit rescission requests for buildings that have been completely lost, for example by fire, but this owner has the right to make a rescission request based on the claim that the Commission erred in designating the property and the Commission has an obligation to hear that request.

Mr. Mattioni stated that, although he has questions about the opinion offered by Mr. Ross, the Commission is bound to accept the legal advice offered by the Law Department. Mr. Mattioni opined that there are some open questions about the Commission’s authority in this matter. He stated that it would be clear to him that the Commission did not have authority if this matter was before the Commonwealth Court, but it is not clear with regard to the Court of Common Pleas. He suggested that the Commission should accept the advice of Mr. Ross, notwithstanding his reservations.

Mr. Farnham noted that Mr. Ross had arrived at the Historical Commission’s meeting during the discussion. Mr. Farnham summarized the conversation regarding Mr. Schirmer’s claim that the Commission did not have the jurisdiction to consider the rescission request and the Law Department’s advice that it did have jurisdiction and could proceed with the review of the request. Mr. Farnham asked Mr. Ross to state whether he had accurately conveyed the legal advice to the Commission. Mr. Ross confirmed that it is his legal opinion that the Commission has the authority to proceed with the review of the rescission request in light of the appeal of the designation. The code authorizes the Commission to consider at any time applications to designate, amend designations, and rescind designations. The Commission may proceed with the review.

Mr. Fiol-Silva stated that, although he is not an attorney, he is inclined to agree with Mr. Mattioni’s assessment. He stated that the Commission must be rigorous. He stated that he is concerned about setting precedent by rescinding when the property was recently designated and when it was designated with other similar properties. He stated that the building that was constructed at 4042-44 Chestnut, where two twins were demolished, is of a “savage quality.” He asked everyone to fact-check him in the moment. He stated that the Commission just designated a building of low integrity so that it could be eligible for tax credits. Ms. Cooperman stated that that was incorrect. Mr. Fiol-Silva thanked her for fact-checking him live. He asked if a designation in this case would provide any tax incentives. Ms. Cooperman stated that it would not. Mr. Fiol-Silva stated that, despite his lack of rigor, rescinding this designation would seem to him to be rigorous. Ms. Cooperman stated that, to be rigorous, the Commission should adhere closely to the historic preservation ordinance. She stated that the ordinance makes no mention of “character-defining features,” a term that the applicants used many times today. Mr. Thomas asked everyone to focus on the matter at hand. He stated that the Commission is considering whether to rescind the designation of an individually designated property; it is not in a historic district. He asked the Commission to consider whether or not Messrs. Sklaroff and Schusterman have made a cogent argument that this property does not satisfy the stipulated Criteria for Designation. Mr. Fiol-Silva observed that the Commission designated a district of eight properties earlier today. The property in question is likewise part of a group of properties.

He stated that he was confused. He asked why St. Laurentius Church was first nominated individually, and then as an interior, and then as a series of objects. He noted that the Commission also designated a building earlier in this meeting that had been significantly altered. He stated that he is confused. He stated that the Commission must have “a constancy of intent and a constancy of procedures.” Ms. Cooperman explained that the Committee on Historic Designation had included Criterion G, not because this property sits on a park or square, but because it is part of a distinctive area. Mr. Fiol-Silva stated that he is “a very ultra-contextualist person.” He remarked that, if this designation is rescinded, the entire block might be demolished. Mr. Thomas stated that the Commission must make a decision; the conversation has gone on too long. Ms. Cooperman and Mr. Mattioni agreed that it was time for the Commission to act on the request.

ACTION: Ms Cooperman moved to find that the application had failed to demonstrate that any of the bases for rescission delineated in Section 5.14.b.1 of the Rules & Regulations had been satisfied and to deny the rescission request. Mr. McCoubrey seconded the motion, which passed unanimously.

OLD BUSINESS

4046 AND 4048 CHESTNUT ST

Nominator: Aaron Wunsch, Elizabeth Stegner, Oscar Beisert
Owner: 4046-48 Chestnut Street, LP

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nominations demonstrate that the properties at 4046 and 4048 Chestnut Street satisfy Criteria for Designation A, C, D, G, and J.

OVERVIEW: These nominations propose to designate the properties at 4046 and 4048 Chestnut Street as historic and list them on the Philadelphia Register of Historic Places. The nominations contend that the “restrained interpretation of the Italianate” twins satisfy Criteria for Designation A, C, D, G and J. The nominations argue that the twins, constructed between 1869-72 as part of the Thomas H. Powers development consisting of 4046-60 Chestnut Street, are a group of houses that have significant value as part of the development of the twin housing type and the formation of West Philadelphia as a suburb for white-collar commuters. The nominations further contend that the twins are part of and related to a distinctive area, owing to their listing on the National Register of Historic Places as a contributing resource within the West Philadelphia Streetcar Suburb Historic District.

In July 2016, the Historical Commission indefinitely tabled the review of nominations for 4046 and 4048 Chestnut Street because the property owner had applied for a demolition permit before the Commission had jurisdiction, and because a neighborhood group was appealing the validity of the permit to the Court of Common Pleas. At its July 2016 meeting, before tabling the nominations, the Commission found that the nominations were correct and complete and demonstrated that the properties at 4046 and 4048 Chestnut Street satisfy Criteria for Designation A, C, D, G, and J. The Court initially issued a stay on any demolition until the litigation was complete. An appeal of the validity of the permit to the Zoning Board of Adjustment failed. With the permit validated and some other technical issues unrelated to the Historical Commission cleared up, the Court lifted the stay, allowing the property owner to proceed with the demolition under the original permit over which the Historical Commission had no authority. The demolition began during the first week of December 2016 and is now complete.

At its December 2016 meeting, the Historical Commission directed the staff to place the tabled review of the nominations for 4046 and 4048 Chestnut Street on the agenda of the Historical Commission's meeting in January 2017.

DISCUSSION: Mr. Farnham presented the nominations to the Historical Commission. Attorney Andrew Miller represented the property owner.

Mr. Farnham stated that the claim made in the nominations regarding the satisfaction of the Criteria for Designation were all predicated on the buildings, not on the site. He reported that, with the demolition of the buildings, the Commission should find that the property no longer satisfies any Criteria for Designation and should allow its jurisdiction to lapse.

Mr. Thomas asked for discussion from the Commissioners. Mr. Mattioni responded that no discussion is necessary because the buildings have been demolished. Mr. Thomas noted that the nominations were tabled and asked if the Commission should take action to "clear its calendar." Ms. Cooperman noted that the Historical Commission retains jurisdiction over the properties and should deny the designation request to terminate that jurisdiction. Mr. Mattioni agreed.

Attorney Hal Schirmer presented his understanding of the timetable of the nomination review and litigation related to the appeal of the demolition permit. Mr. Schirmer claimed that the Commission's Rules & Regulations state that the Commission must follow Robert's Rules of Order. He then claimed that Robert's Rules allows bodies to table a matter for one meeting only. Mr. Schirmer claimed that the Commission's decision with regard to the designation of these properties "really doesn't affect the court's decision about what the law should be going forward."

ACTION: Mr. McDade moved to find that the nominations no longer demonstrate that the properties at 4046 and 4048 Chestnut Street satisfy any of the Criteria for Designation owing to the complete demolition, to reject the nominations, and to refuse to designate the properties as historic. Ms. Turner seconded the motion, which passed unanimously.

CLG COMMENT ON NATIONAL REGISTER NOMINATIONS

ADDRESS: 1705 W ALLEGHENY AVE (OPA ADDRESS: 1711 W ALLEGHENY AVE)

Name of Resource: A Mecky Company Building

Property Owner: Christo Rey Philadelphia High School

Nominator: Powers & Co., Inc.

Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660

OVERVIEW: The Pennsylvania Historical & Museum Commission (PHMC) has requested comments from the Philadelphia Historical Commission on the National Register nomination of the A. Mecky Company building. PHMC is charged with implementing federal historic preservation regulations in the Commonwealth of Pennsylvania, including overseeing the National Register of Historic Places in the state. PHMC reviews all such nominations before forwarding them to the National Park Service for action. As part of the process, PHMC must solicit comments on every National Register nomination from the appropriate local government. The Philadelphia Historical Commission speaks on behalf of the City of Philadelphia in historic preservation matters including the review of National Register nominations. Under federal

regulation, the local government not only must provide comments, but must also provide a forum for public comment on nominations. Such a forum is provided during the Philadelphia Historical Commission's meetings.

According to the nomination, the A. Mecky Company building, located in Philadelphia's Allegheny West neighborhood, was constructed in 1910 and 1916 by the Philadelphia architectural firm of Stearns and Castor. The nomination contends that the building is significant under Criterion A, Industry, both as the only Philadelphia manufacturer of "juvenile wheeled goods" including velocipedes, tricycles, hand cars, wagons and wheelbarrows, and as an innovator in that field. It was also one of the first companies to orient its marketing towards children, a practice that became standard and ultimately revolutionized the industry.

DISCUSSION: Ms. Broadbent presented the National Register nomination to the Historical Commission.

The Commissioners discussed the National Register nomination and determined that it should be supported. Ms. Spina commented that she is excited to see this kind of investment in this part of the City. Mr. Thomas agreed.

ACTION: Ms. Cooperman moved that the Commission recommend the A. Mecky Company building for designation in the National Register of Historic Places under National Register Criterion A, in the area of industry. Mr. Fiol-Silva seconded the motion, which passed unanimously.

ADJOURNMENT

ACTION: At 12:59 p.m., Mr. Mattioni moved to adjourn. Ms. Cooperman seconded the motion, which passed unanimously.

STANDARDS AND GUIDELINES CITED IN THE MINUTES

Standard 2: The historic character of a property will be retained and preserved. The removal of distinct materials or alterations of features, spaces, and spatial relationships that characterize a property will be avoided.

Standard 9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new works shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Standard 10: New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

CRITERIA FOR DESIGNATION

§ 14-1004(1) Criteria for Designation.

A building, complex of buildings, structure, site, object, or district may be designated for preservation if it:

- (a) Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the City, Commonwealth, or nation or is associated with the life of a person significant in the past;
- (b) Is associated with an event of importance to the history of the City, Commonwealth or Nation;
- (c) Reflects the environment in an era characterized by a distinctive architectural style;
- (d) Embodies distinguishing characteristics of an architectural style or engineering specimen;
- (e) Is the work of a designer, architect, landscape architect or designer, or professional engineer whose work has significantly influenced the historical, architectural, economic, social, or cultural development of the City, Commonwealth, or nation;
- (f) Contains elements of design, detail, materials, or craftsmanship that represent a significant innovation;
- (g) Is part of or related to a square, park, or other distinctive area that should be preserved according to a historic, cultural, or architectural motif;
- (h) Owing to its unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood, community, or City;
- (i) Has yielded, or may be likely to yield, information important in pre-history or history; or
- (j) Exemplifies the cultural, political, economic, social, or historical heritage of the community.