

**THE MINUTES OF THE 664TH STATED MEETING OF THE
PHILADELPHIA HISTORICAL COMMISSION**

**FRIDAY, 8 DECEMBER 2017
ROOM 18-029, 1515 ARCH STREET
BOB THOMAS, CHAIR**

PRESENT

Robert Thomas, AIA, Chair
Emily Cooperman, Ph.D.
Mike Fink, Department of Licenses & Inspections
Steven Hartner, Department of Public Property
John Mattioni, Esq.
Dan McCoubrey, AIA, LEED AP BD+C
Rachel Royer, LEED AP BD+C
R. David Schaaf, RA, Philadelphia City Planning Commission
Betty Turner, M.A.

Jonathan E. Farnham, Executive Director
Randal Baron, Historic Preservation Planner III
Kim Chantry, Historic Preservation Planner II
Laura DiPasquale, Historic Preservation Planner II
Meredith Keller, Historic Preservation Planner II
Allyson Mehley, Historic Preservation Planner I
Megan Schmitt, Historic Preservation Planner I

ALSO PRESENT

Jason Morris
Charles Curtis
Michael Sklaroff, Esq., Ballard Spahr LLP
David Gest, Esq., Ballard Spahr LLP
Nathan Farris, Esq., Ballard Spahr LLP
Laura Blau, BluPath
Paul Thompson
Jeff Klemens, Thomas Jefferson University
Evan Oskierko-Jeznacki, University of Pennsylvania
Susan Reel-Panish, Pella Windows
Joseph Beller, Offit Kurman
Ian Cope, Cope Linder Architects
Paul Steinke, Preservation Alliance for Greater Philadelphia
Faye Anderson, All That Philly Jazz
Jason Morris
Emerson Main
Ken Levenson, NYPH/NAPHN
John Moore
Patrick Grossi, Preservation Alliance for Greater Philadelphia
David S. Traub, Save Our Sites
Adrienne Harris
Oscar Beisert, Keeping Society

Tanya Seaman
James Duffin
Mary McGettigan
Charles Loomis

CALL TO ORDER

Mr. Thomas called the meeting to order at 10:30 a.m. Commissioners Cooperman, Fink, Hartner, Mattioni, McCoubrey, Royer, Schaaf, and Turner joined him.

ANNOUNCEMENT OF EXECUTIVE SESSION

Mr. Thomas announced that the Historical Commission had met in executive session prior to the start of the public portion of the meeting to discuss litigation matters.

MINUTES OF THE 663RD STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

Mr. Thomas asked if anyone had suggestions for corrections to the draft minutes for the 663rd Stated Meeting of the Philadelphia Historical Commission, held 10 November 2017. Mr. Farnham offered the following suggestions for corrections to minute for 6901 Rising Sun Avenue, which had been provided by the property owner's attorney. Page 40, Line 5 should read: "On the other hand, he contended, the parish house has ~~ever~~ never been on any list of historic places." Page 41, Lines 3 and 4 should read: "Mr. Wamsley stated that he ~~served~~ serves the Diocese of Pennsylvania as Canon to the Ordinary and currently serves as the senior staff person for the ~~church~~ Diocese." Page 44, Line 17 should read: "Lorie Henry, ~~records warden~~ Rector's Warden at Trinity Church Oxford, stated that the church does not have an installed ~~rector~~ Rector, so the Vestry is the governing body of the church, and Ms. Henry heads that body." Page 49, Line 34 should read: "He explained that he offered testimony to the Committee on Historic Designation at its September meeting where he highlighted historic facts and summarized a letter from archivist Jack Newman, who explained that the Burlington Historical Society became involved in several major digs at ~~the church site~~ Doane Academy in Burlington, New Jersey and discovered artifacts with Revolutionary War ties and a wealth of pre-European artifacts." Page 55, Line 27 should read: "Kyle ~~Simon~~ Sammin, a member of Trinity Church Oxford and co-chair of the history committee, stated that he wanted to correct misrepresentations proffered by Mr. Jackson about the church's history." At Page 56, Line 30, the sentence reading: "~~She acknowledged that a Royal Farms is not ideal for the location but argued that it will allow the church to survive for the next 10 or 20 years.~~" should be replaced with: "Ms. Furlong stated: 'Maybe having a Royal Farms there isn't ideal, but it is how we are going to survive for the next 10 years or 20 years so that we can continue to be there.'" Mr. Thomas asked for additional suggestions for corrections. None were offered.

ACTION: Ms. Cooperman moved to adopt the minutes as corrected for the 663rd Stated Meeting of the Philadelphia Historical Commission, held 10 November 2017. Ms. Turner seconded the motion, which passed unanimously.

CONTINUANCE REQUESTS

ADDRESS: 100 S INDEPENDENCE W ML

Name of Resource: Rohm & Haas

Proposed Action: Designation of property, interior, and objects

Property Owner: KPG-IMW Owner, LLC

Nominator: Preservation Alliance for Greater Philadelphia

Staff Contact: Kim Chantry, kim.chantry@phila.gov, 215-686-7660

OVERVIEW: These nominations propose to designate the building, public interior, and chandeliers at 100 S. Independence W. 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. The Committee on Historic Designation has not yet reviewed these nominations; therefore, they must be remanded to the Committee for reviews before the Historical Commission considers them.

DISCUSSION: Mr. Thomas and Ms. Cooperman recused, owing to their firms involvements with the property. Ms. Turner assumed the chair. She announced that the Historical Commission could not proceed with the consideration of the continuance request because it lacked a quorum without Mr. Thomas and Ms. Cooperman. Mr. Farnham explained that the Committee on Historic Designation would consider the continuance request at its next meeting and forward a recommendation on the request to the Historical Commission at its January 2018 meeting.

ADDRESS: 1401 S WATER ST

Name of Resource: Engine 46 Firehouse

Proposed Action: Designation

Property Owner: Cedar-Riverview LP

Nominator: Benjamin Leech, Preservation Alliance for Greater Philadelphia

Staff Contact: Kim Chantry, kim.chantry@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the building at 1401 S. Water Street satisfies Criteria for Designation A, C, D, E, and H.

OVERVIEW: This nomination proposes to designate the property at 1401 S. Water Street as historic and list it on the Philadelphia Register of Historic Places. The nomination argues that the former fire station is significant under Criteria for Designation A, C, D, E, and H. The nomination contends that the building represents a period in which the City of Philadelphia invested heavily in the expansion of municipal services and in the architectural character of its facilities, satisfying Criterion A. The nomination argues that the Flemish Revival style reflects the environment of the late nineteenth century, satisfying Criteria C and D, and is an early work of John T. Windrim, satisfying Criterion E. Lastly, the nomination contends that the former fire station represents an established and familiar visual feature of the Pennsport neighborhood, satisfying Criterion H. A small portion of a circa 1999 addition stands on the building's historic and current legal parcel, and is considered non-contributing for the purposes of the nomination.

DISCUSSION: Mr. Thomas assumed the chair following his recusal in the previous matter. He explained that the owner of 1401 S. Water Street, the Engine 46 Firehouse, has requested a continuance of the review of the nomination for the property to the January 2018 meeting of the Historical Commission. Mr. Thomas asked if any Commissioners had comments on the request. None were offered. Mr. Thomas asked if any members of the audience had comments on the request. None were offered.

ACTION: Ms. Cooperman moved to continue the review of the nomination for 1401 S. Water Street to the January 2018 meeting of the Historical Commission. Mr. Mattioni seconded the motion, which passed unanimously.

ADDRESS: 2311 MADISON SQ

Proposal: Legalize windows, storm door, and door frame

Type of Review Requested: Final Approval

Owner: Rittenhouse Development Group LLC

Applicant: William Baker

History: 1872

Individual Designation: 9/28/1971

District Designation: None

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standards 5 and 6.

OVERVIEW: This property falls within a development of unusual row houses on one of two garden blocks. All of the properties on these blocks are individually designated. The application proposes to legalize inappropriate windows and a door frame on the front façade of this historic building. The applicant applied to the Historical Commission and received a permit to renovate

the interior and install one window on the rear façade of this house. The permit approval specified that there would be no work to the front façade. The developer then removed the front windows and installed aluminum-clad square-head windows into the arch-head openings. Square aluminum panning was installed in place of the original ogee molding at the window frames. Alerted by concerned neighbors, the Commission had a violation issued. The staff met with the developer to discuss the correct windows and the appeal process. Several weeks later, again without a permit, the developer had the original ogee front door frame removed and replaced with square stock. He also installed a new storm door. The marble was painted blue grey and the bricks were repaired with grey cement.

DISCUSSION: Mr. Thomas explained that the owner of 2311 Madison Square has requested a continuance of the review of the permit application for the property to the January 2018 meeting of the Historical Commission. Mr. Thomas asked if any Commissioners had comments on the request. None were offered. Mr. Thomas asked if any members of the audience had comments on the request. None were offered.

ACTION: Mr. Mattioni moved to continue the review of the application for 2311 Madison Square to the January 2018 meeting of the Historical Commission. Ms. Turner seconded the motion, which passed unanimously.

THE REPORT OF THE ARCHITECTURAL COMMITTEE, 14 NOVEMBER 2017

Dan McCoubrey, Chair

CONSENT AGENDA

Mr. Thomas introduced the consent agenda, which included applications for 312-14 N. 2nd Street and 204 Wood Street; 2225-27 Spring Garden Street; and 123 Christian Street. Mr. Farnham noted that the Philadelphia Archaeological Forum had submitted a letter the day before the meeting advocating for the requirement of archaeological analyses at 109 Elfreths Alley and 312-14 N. 2nd Street and 204 Wood Street. Mr. Baron began to explain to the Commission why archaeological requirements would be inappropriate for the site. Mr. Farnham interrupted him and asked him to hold any comments on the merits of the application or the letter from the Philadelphia Archaeological Forum until the Commission had made a determination on the Consent Agenda question. Mr. McCoubrey requested that the chair remove the application for 312-14 N. 2nd Street and 204 Wood Street from the Consent Agenda and placing it on the Agenda. Mr. Thomas asked if any Commissioners had additional 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 applications for 2225-27 Spring Garden Street and 123 Christian Street. Ms. Royer seconded the motion, which passed by a vote of 8 to 1. Mr. Mattioni dissented.

AGENDA

ADDRESS: 109 ELFRETHS ALY

Proposal: Demolish non-historic addition, construct addition, add front dormer, replace front door

Type of Review Requested: Review In Concept

Owner: John Moore III

Applicant: Alvin Holm, Alvin Holm AIA Architects

History: 1798, John Pechin House

Individual Designation: 6/26/1956

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 2, 3, 5, 9, and 10.

OVERVIEW: This in-concept application proposes to demolish a non-historic addition and construct a new addition at this house at the east end of Elfreth's Alley. The property is located at the northeast corner of N. Front Street and Elfreth's Alley. Front Street was relocated when I-95 was constructed. The side and rear of the property are highly visible from N. Front Street. The Historical Commission approved a small, one-story addition to the side of the piazza or rear ell in 1988. The Historical Commission approved the larger rear addition in 2005 and it was constructed in 2008. The house was abandoned at about the time of the completion of the larger addition and sat empty for many years, suffering from water infiltration, mold, and deterioration.

The proposed addition would replace the non-historic additions, would be three stories in height, and would be located to the side and rear of the piazza. The application proposes adding a third story to the historic two-story piazza that would extend onto the roof of the historic main block. The application claims that the piazza, the short rear ell, was historically three stories in height but was reduced to two stories at some point. The application provides an insurance survey as evidence that the piazza was three stories in height, but the survey is, in fact, for 115 Elfreth's Alley, not 109 Elfreth's Alley. It appears that the application misconstrues the survey because 115 Elfreth's Alley was known as No. 9 Elfreth's Alley before the street numbering system was updated after the 1854 consolidation of the city and county. The application wrongly assumes that No. 9 in the older system translates to 109 in the new street numbering system. It does not. Several facts in the survey confirm the mistake. The survey cited in the application was conducted for owner Ephraim Haines, who, in fact, owned 113 and 115, but never 109. The property at 109 was purchased by carpenter John Pechin in 1798 and the Pechin family retained ownership of it until 1891. The survey for No. 9 cited in the application notes a "three Story Brick House" to the east of No. 9 and a "9 feet wide alley" to the west. There has neither been a house to the east of 109, nor an alley to the west, but both conditions are satisfied by the property at 115. The claim that the piazza was originally three stories must be dismissed. No insurance survey is available for 109 Elfreth's Alley, but the 1916 Sanborn atlas does show the piazza to be two stories in height, not three. The Historical Commission reviewed proposals for the extant addition in 2004 and 2005. The 2004 application proposed constructing a third story on the two-story piazza. The Historical Commission rejected that proposal, owing to the addition on the eighteenth-century piazza portion of the building and advised the application to limit his addition to the rear of the property, behind the historic piazza. Complying with the advice, the applicant proposed a three-story rear addition behind the piazza with no addition on the piazza in 2005, which the Commission approved.

The proposed addition is very large, larger than the main block of the historic house. Moreover, it has a very large scale, owing to the heavy neo-Colonial ornamentation, which treads closely to the line dividing history from a false sense of history. Constructing the addition, which would attach to the side and rear of the piazza, would require demolishing the side wall of the piazza, which is original eighteenth-century fabric.

The application also proposes adding a dormer to the front slope of the roof of the main block, facing Elfreth's Alley. The building did not historically have a front dormer and adding one would certainly violate Standard 3, the prohibition against creating a false sense of history. The application also proposes to replace the front door based on the cited insurance survey; however, the cited survey describes 115 Elfreth's Alley, not 109, and should not serve as a basis for any alterations to the building.

DISCUSSION: Mr. Baron presented the application to the Historical Commission. Property owner John A. Moore III represented the application.

Mr. Baron pointed out on the photograph on the screen the location of the present proposal. He explained that the applicant had a question for the Commission that was different than what the Committee considered. The Committee learned that the applicant owned a lot extending quite far north of the existing structure. The Committee members advised him to consider building farther north on the site to allow the historic building to be "depressurized" and not crowded by new construction. The northern end of the lot backs up to the rears of houses facing onto Bladens Court. The applicant asked if Commission will allow him to build on that portion of the lot even though it will block the view of the rears of the Bladen Court properties. Mr. Thomas asked if the applicant has a design proposal for this new location to present to the Commission. Mr. Moore said that he did not. Before he spent money on the new design he wanted to know if the view shed or as he termed it "air rights" question would rule out his design. Ms. Cooperman said that it is hard to answer that question without knowing about the view shed to the rears of the Bladens Court buildings. In addition, she said that she would want to know about the archeological sensitivities of the site.

Mr. Moore said that he has included in their packets maps showing the whole site back to the 1700s. He explained that the site was entirely landlocked by industrial buildings and that there was never a view shed to either the rears of Bladens Court or the rear ell of 109 Elfreth's Alley before I-95 was cut through, resulting in the demolition of many structures on Front Street. The members of the Architectural Committee had determined that, despite the changes owing to I-95, it was important to preserve the view of the rear ell because it is visible today. Mr. McCoubrey explained that the Committee concluded that it was important to preserve the view to the rear ell and to preserve the historic fabric. Mr. Thomas asked Mr. Farnham if this property is individually designated or part of an historic district. Mr. Farnham explained that it is both. It was designated individually at the Commission's first meeting with designations on 26 June 1956. It is also part of the Old City Historic District. Mr. Thomas pointed out that when something is part of a district that the Commission does consider the effect of work on the district as a whole. He said that it is hard to make a judgement on a design without knowing its setbacks and scale. Mr. Moore asked again if the Commission is concerned about the view. Mr. Thomas said that typically the Commission regulates views to elements of a building being modified. He asked if this is not perhaps more a zoning question. Mr. Moore said that one of the reasons that the Committee recommended denial of his current proposal was the loss of the view of the rear ell. He asked if the Commission would object to the loss of the view of the rears

of the Bladens Court houses. Ms. Cooperman said that they are two different things. She was not sure that the Commission has ever addressed that issue. Mr. McCoubrey said that the Commission has many times approved buildings on vacant lots that result in obscuring views of the rears of other buildings. He cited a project at 25th and Lombard Streets.

Ms. Cooperman acknowledged that the archeological sensitivities are another important issue. She said that it is possible that there were already excavated basements on the site; however, information about archaeology is not presented in the current application. Mr. Moore said that at the moment they are not proposing that building and will address the archeology at that time. He was only concerned with the protection of the view. Ms. Cooperman said that the envelope of the existing building needs to be preserved. Mr. Moore said that they would like to modify the ell and think that it has been much altered. Mr. McCoubrey said that, although the current rafters appear to have been raised a few feet, the ell still retains its two-story massing and fabric. Mr. Moore asked if he has understood correctly that the mere blocking of a view to a neighboring property is not enough to lead to the denial of a future proposal. The Commission members agreed with that assertion. Then Mr. Moore asked if the Commission would object to building on the site of the corner park. He pointed out that what appears to be a former party wall is stuccoed. Mr. Thomas thought that if this was a party wall from a formerly attached building that constructing on that park would in concept be acceptable as long as the new building was lower than the existing building and did not hide the gable end. Mr. Moore asked if it was acceptable to hide the view to the brick rear ell. The Commission members opined that he should not hide the brick wall of the rear ell. Mr. Thomas asked Mr. Moore if he wishes to withdraw the application or if in fact the Commission even needs to vote on the conceptual application. Mr. Farnham said that a vote is optional because a conceptual application can not lead to a building permit.

The Historical Commission took no formal action on the in-concept application and instead informally resolved to allow the comments proffered by Commissioners during the review to stand for themselves.

ADDRESS: 312-14 N 2ND ST AND 204 WOOD ST

Proposal: Demolish non-contributing building, construct 6-story building

Review Requested: Final Approval

Owner: Teresa Eck

Applicant: Jason Morris, 204 Wood St LLC

History: 1961

Individual Designation: None

District Designation: Old City Historic District, Non-contributing, 12/12/2003

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial for the application as submitted, but approval, with the staff to review details, provided:

- the renderings show the context,
- the first floor is raised and more prominent,
- punched openings with light colored lintels and sills are substituted for the ribbon-like registers.
- the HVAC equipment is not visible from the public right-of-way,
- the first-floor bathroom window is studied, and
- the cornice is continuous, not broken.

OVERVIEW: This application proposes to demolish a non-contributing building and to construct a six-story building with a penthouse at the corner of 2nd and Wood Streets. The Historical Commission has full jurisdiction over the proposed new construction. The building would be clad in grey brick and feature a cast-stone base, large metal-paneled bays, and metal windows. A penthouse clad in metal paneling running the height of the rear elevation would access a roof deck enclosed by a parapet.

It is difficult to understand how the building would relate to the neighboring properties, as they do not appear to be accurately depicted in the drawings. Likewise, it is difficult to surmise from the drawings how the materials themselves would interact and connect.

DISCUSSION: Mr. Baron presented the application to the Historical Commission. Developers Jason Morris and Charles Curtis represented the application.

Mr. Baron noted that the staff had placed the proposal on the consent agenda because the applicant had addressed all of the Architectural Committee's design suggestions, which were reflected in the revised drawings. He explained that the Commission received a letter from the Philadelphia Archeological Forum asking for the proposal to be reconsidered because of potential archeological significance. Mr. Baron pointed out that the Commission had already considered the significance of the site when it reclassified the site as non-contributing on 12 December 2014. He asserted that any claim of archaeological significance should have been proffered during the reclassification review. Mr. Thomas asked the Commission members if they had any concerns regarding the architectural design of the building. Hearing none, he focused the discussion on the archeological concerns.

Mr. Farnham noted that the Old City Historic District was not designated under Criterion I, the archaeology criterion, but a box reading "Historical Archaeology" was checked on the district nomination form in the Significance section. The significance boxes on the standard nomination form have since been removed because they did not correspond one-to-one with the 10 Criteria for Designation. He opined that, whether the Commission can regulate archaeological resources

within the district, given the conflicting claims regarding archaeological significance in the nomination, remains an open question. He reported that the Historical Commission reclassified the property in question from contributing to non-contributing to the Old City Historic District in December 2014, when the property owner submitted documentation showing that the building on the site had been built in 1961, not c. 1920 as the inventory claimed. He explained that that review would have been the appropriate moment to assert that this site has archaeological potential, but such an assertion was not made. With the reclassification, the Commission essentially decided that this particular site has no historical significance, including archaeological significance. Mr. Farnham concluded that the Historical Commission's authority to regulate potential archaeological resources is tenuous at best.

Ms. Cooperman suggested that the applicant consult with an archeologist. Mr. Farnham said that the Commission has the authority to condition approvals. Mr. Morris, one of the developers, addressed the Commission, explaining that they had completed a Part One environmental assessment report. They are operating with a very tight time frame and adding conditions could make the project unfeasible, he observed. Ms. Cooperman asked if the report team included an archeologist or if the report addressed archeology. Mr. Morris said that he had not read the report. She opined that a Phase One report likely did not include such information. She asked if he would be willing to contact the Archeological Forum. She noted a project where human remains were found on Arch Street. She asked if this site had been previously excavated with basements. Mr. Baron pointed to the site on a map from an early atlas showing that a three-story house previously stood on the site. Ms. Cooperman said that the Archeological Forum can be very helpful with archeological issues and how to mitigate them.

ACTION: Ms. Cooperman moved to approve the revised application as presented to the Historical Commission at its meeting of 8 December 2017, with the suggestion that the developers contact the Philadelphia Archaeological Forum to discuss its concerns and recommendations for the site. Ms. Royer seconded the motion, which passed unanimously.

ADDRESS: 2225-27 SPRING GARDEN ST

Proposal: Demolish non-contributing building, construct 4-story hotel

Review Requested: Final Approval

Owner: 2225-27 Spring Garden Street LLC

Applicant: Paulina Madajewska, MMB Contractors, Inc.

History: 1957; Spring Garden Medical Arts Building

Individual Designation: None

District Designation: Spring Garden Historic District, Non-contributing, 10/11/2000

Staff Contact: Kim Chantry, kim.chantry@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, pursuant to Standard 9, with the following suggestions:

- the brick is reduced in size to a standard-sized brick;
- the north elevation is as shown on page five of the drawings, rather than the alternate design on page nine, with a mullion added to break up the larger vertical spandrel glass;
- the brick on the north elevation returns approximately sixteen inches on the sides; and
- the base is increased slightly in height.

OVERVIEW: This application proposes to demolish a non-contributing building and construct a four-story hotel. The proposed building will occupy the same footprint as the existing building.

The front of the proposed building will be clad in brick and will feature large window openings with small glass balconies. The highly-visible west side façade will be clad in fiber cement panels in mixed neutral colors. The staff asserts that the overall massing, scale, rhythm, and materials are appropriate for this location within the Spring Garden Historic District, but suggests that the brick façade return at the side elevation so that the façade appears to be less of a separate brick veneer.

ACTION: See Consent Agenda

ADDRESS: 123 CHRISTIAN ST

Proposal: Construct window well at front façade

Review Requested: Final Approval

Owner: Silvia Maia

Applicant: Emerson Maia, Impact Construction

History: 1830

Individual Designation: 6/24/1958

District Designation: None

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of a window well, provided it is reduced in size, is of masonry construction, has no curb, and has a more conventional, flush grate; approval of the window security bars, provided they are installed on the window jambs, not the face brick; and approval of the relocation of the handrail, provided it is not attached to the marble of the stairs, with the staff to review details, pursuant to Standard 9.

OVERVIEW: This application proposes to cut a window well in the front elevation of this individually-designated property, to replace glass-block basement windows with aluminum-clad simulated-divided lite windows, and to relocate the handrail from the right side of the front steps to the left.

The staff notes that the drawings feature numerous inaccuracies. They do not accurately depict a three-lite window in the non-altered basement opening; they feature a note regarding glass block windows at the first and second floors; and the first-floor plan shows a fence and gate around the front steps and proposed window well. These items should be revised for submission to the Historical Commission. The application should also clarify whether there is a curb proposed around the well, which appears in section, but not in elevation.

ACTION: See Consent Agenda

OLD BUSINESS

ADDRESS: 714-16 W GIRARD AVE

Name of Resource: National Security Bank

Proposed Action: Designation

Property Owner: Bellao, LLC

Nominator: The Keeping Society of 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 nomination demonstrates that the property at 714-16 W Girard Avenue satisfies Criteria for Designation C, D, E, and J, but not A, and that the period of significance should be extended to 1934.

OVERVIEW: This nomination proposes to designate the property at 714-16 W Girard Avenue and list it on the Philadelphia Register of Historic Places. The nomination contends that the former National Security Bank, constructed in 1887, is significant under Criteria for Designation A, C, D, E, and J. The nomination contends that the property is significant as a prominent commercial building evidencing the late Victorian interest in eclecticism with a design by Frank R. Watson, a prominent architect best known for his ecclesiastical and residential buildings. The nomination argues that this building is a rare surviving example of Watson's commercial work, constructed in an era when the only common design characteristic of banks was their intent to impress. For the design of the building, the nomination contends, Watson liberally borrowed from a variety of architectural traditions to create a striking house of finance in the late Victorian tradition. In addition to its architectural significance, the nomination contends that the National Security Bank played an important role in the development of the new national banking system in Philadelphia, and in the surrounding German-American immigrant community. The nomination also argues that the bank's second president, Isaac Sheppard, was a significant local figure.

DISCUSSION: Ms. DiPasquale presented the nomination to the Historical Commission. No one represented the property. Oscar Beisert of the Keeping Society represented the nomination.

Mr. Beisert noted that he could answer any questions the Commissioners might have about the nomination, and that he did not object to the Committee on Historic Designations's recommendation to extend the period of significance to 1934.

Ms. DiPasquale directed the Commissioners to a letter submitted by attorney Stephen Murphy on behalf of the property owner. In the letter, Mr. Murphy opposed the designation of the property. Mr. Thomas incorporated the letter into the record for the review. City attorney Leonard Reuter explained he was contacted by Mr. Murphy, who represents the owner of the property, who indicated that the property owner remains opposed to the designation and that his understanding is that they are opposing it on legal grounds because of their understanding of the restrictions imposed by designation, but that they are not challenging the merits of the nomination specifically.

Mr. Thomas opened the floor to public comment. Paul Steinke of the Preservation Alliance for Greater Philadelphia noted the Alliance's support for the nomination. He argued that it is an excellent nomination, and agreed with the recommendation of the Committee on Historic Designation.

David Traub of Save Our Sites expressed his organization's support for the nomination. He opined that it is a significant property, and one of the most notable buildings along West Girard Avenue.

ACTION: Ms. Cooperman moved to find that that the nomination demonstrates that the property at 714-16 W. Girard Avenue satisfies Criteria for Designation C, D, E, and J, but not A, to extend the period of significance to 1934, to designate it as historic, and to list it on the Philadelphia Register of Historic Places. Ms. Turner seconded the motion, which passed unanimously.

REMAND FROM COURT OF COMMON PLEAS

ADDRESS: 1722 PINE ST

Proposal: Rehabilitate building per passive house standards

Type of Review Requested: Final Approval

Owner: Paul Thompson and Laura Blau

Applicant: Laura Blau, BluPath Design, Inc.

History: 1845

Individual Designation: None

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

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OVERVIEW: This application proposes to execute a deep energy retrofit of a four-story, four-unit historic property within the Rittenhouse-Fitler Historic District. By retrofitting the property, the applicant ultimately seeks EnerPHit certification, a retrofit standard of the International Passive House Association.

In May 2016, by a vote of 5 to 4, the Historical Commission approved the installation of new wood shutters and Passive House certified windows at the front façade, provided that the windows replicate the appearance of the original six-over-six double-hung sash, but denied the proposed EIFS over-insulation of the brick rear ell. At the July 2016 meeting, the Historical Commission considered a revised application for the work at the rear that proposed again to over-insulate the brick rear ell with an EIFS system. Additionally, it proposed installing new Passive House certified windows, installing awnings at the south windows, replacing deck railings, installing a new cornice, and renovating the existing fire escape. At that time, the Historical Commission adopted the recommendation of the Architectural Committee and unanimously denied the application, pursuant to Standards 2, 6, and 9 and the Historical Commission's earlier denial of 2016.

The applicant appealed the Historical Commission's decision to the Court of Common Pleas, which remanded the application to the Commission with instructions to consider the Environmental Rights Amendment of the Pennsylvania Constitution when the application is reconsidered.

DISCUSSION: Ms. Keller presented the application to the Historical Commission. Attorneys Michael Sklaroff, David Gest, and Nathan Farris and property owner Laura Blau represented the property.

Mr. Sklaroff offered a correction to the staff overview, stating that the case was not heard by the Board of License and Inspection Review.

Leonard Reuter, city attorney representing the Historical Commission, agreed to the correction, adding that, following the Commission's decision, two appeals were filed. One, he noted, was filed to the Board of License and Inspection Review and another to the Court of Common Pleas. He explained that a third action, seeking a Writ of Mandamus, was filed by the applicant. The issue, he continued, was brought up in light of the Robinson Township case that considered Article 1, Section 27 of the Pennsylvania Constitution, which is commonly known as the Environmental Rights Amendment (ERA). Mr. Reuter stated that, in the Robinson Township case, after a very long and complicated discussion, the court ultimately held that the state and local government have trustee obligations over the environmental resources of the state. Article 1, Section 27, he continued, also specifically provides the public with the right to the preservation of the natural environment and the state's historic resources. He commented that this case ultimately provided the authority for the city to revise its preservation ordinance in the 1980s, an action which gave the Historical Commission the expanded powers it currently holds, which are greater than those under its original iteration. He remarked that it has always been the Law Department's position that the Commission does act within its obligations under the ERA but that the question had been raised, in light of the Robinson Township and another reported opinion, whether the local government and its agencies are required to consider its trustee obligations with respect to the protection of environmental resources. He posited whether, in instances when an individual submits an application to alter a property, the Commission can consider the environmental impact. He cautioned that, in this particular case, the applicant claims that the environmental impact would be positive, but argued that in other cases the impact could be negative. He asked whether the Commission would consider such impacts in fulfilling those trustee obligations in order to avoid what the Law Department finds to be unnecessary litigation. He contended that the Commission and all City agencies have certain trustee obligations and should consider environmental impacts. He then explained that the case was a stipulated agreement the court signed off on that caused the application to return to the Commission. The other understanding of the agreement, he continued, is that the specific weight the Commission gives to the environmental impacts of the alteration should be determined by the Commission itself. He asserted that the fact that the Commission is required to consider the application does not in any way dictate the weight given to the matter. He argued that the Commission's primary duty is to the preservation of historic resources, and that has controlling weight, but the Commission is authorized to consider the environmental impacts of the alteration.

Mr. Sklaroff stated that he is in agreement with Mr. Reuter's statements up to one point. He thanked the North American Passive House Network, an organization that made it possible for his team to proceed on behalf of the property owner in court. He summarized Mr. Reuter's statements by noting that the Commissioners are free to consider the environmental issues, but contended that that was not the agreement. The stipulation, he contended, is that the City and the Commission agree and acknowledge that the Commission is obligated to discharge its trustee obligations under Article 1, Section 27 of the Pennsylvania Constitution in its further consideration of the merits of the application. He claimed that action is not optional. He clarified that he is not suggesting that the matter dictates how the Commission deliberates, adding that the court's decision is an important step. He argued that what happened in the Robinson Township and subsequent litigation in the context of fracking caused the Pennsylvania Supreme Court to decide three years ago that every state and local official in the Commonwealth, including the governor, members of the General Assembly and judicial system, and each

constituent agency from top to bottom are obligated to discharge obligations as environmental trustees. He contended that consideration of this application is the first time that a City agency is acting as an environmental trustee, noting that the decision does not mean that the environment is at issue in every case. Rather, he continued, he hopes it means that in a case such as this, where a property owner proposes to make sound changes of non-character defining historic fabric, the Commission will be persuaded that it will be beneficial from an environmental perspective. He argued that the Commission can place the Secretary of the Interior's Standards in context but that the serious trustee obligation will be considered. He asked that the Commission see how the technique would work, calling the goal worthy and in accordance with the Commission's trustee obligation, which, he contended, is the highest obligation under the law. He asked that the Commission make a serious evaluation of the proposal. Mr. Sklaroff asserted that when Ms. Blau presented the application on 8 July 2016, there was a complete discussion of the proposal and the Commission considered the issues but that there was also the concept that the Secretary of the Interior's Standards governed the decision. He suggested that the Commission felt constrained by those Standards and argued that they are a guidance to the Commission and its Commissioners but are not state law, nor is the Commission subject to federal law. He reiterated the Commission's trustee obligation to the environment and explained that the proposal is designed to improve indoor air quality, protect historic fabric at the building's rear which has suffered greatly over the years, reduce energy consumption to protect the environment, and in a more general way that can be replicated, to help mitigate global warming. Mr. Sklaroff noted that the building is contributing to the district and not individually designated or classified as significant. He commented that the building was constructed in 1845 with alterations in 1922, including brick additions at the rear. The front façade facing Pine Street, he asserted, contains the primary character-defining features, as set forth in the district's history. The rear, he continued, faces Waverly Street, which does not promote a pleasant pedestrian experience, owing to partially obstructed sidewalks caused by parked cars and the presence of numerous decks. Mr. Sklaroff then circulated the curricula vitae of his panel of experts and asked Ms. Blau to explain what she intends to achieve and how she proposes to execute her plans.

Mr. Thomas responded to Mr. Sklaroff's comments and opined that the Commission went through a similar process when the Americans with Disabilities Act (ADA) was passed. He noted that it was clear the federal civil rights law required buildings and sites to be made accessible. The environmental issue, he continued, has been presented to the Commission through other projects, such as an application to install solar collectors on Elfreth's Alley. He commented that the Commission must work both with the Secretary of the Interior's Standards and as trustees for the environment. He argued for the importance of Commissioners to understand not only the technical merits of the proposal as it pertains to the environmental criteria but also how it addresses what needs to happen to the alley, which is a narrow service alley with high visibility. He asserted that the Commission needs to forge some compromises and it is not just for this property. His hope, he added, is to gain from this application some sense of how to proceed. He opined that, owing to ADA regulations, the Commission now has a body of experience from which to draw.

Mr. Mattioni stated that there has been a substantial change in the Commission's approach to windows, so to suggest the Commission has not taken the environment into account is shortsighted.

Mr. Sklaroff countered that he was on the Commission when it addressed windows, and he was not suggesting that this vision was not taken into account. He explained that he meant that for

the first time, the Pennsylvania Constitution is providing a reason to take the environment into account. This provision of the constitution, he added, does not take away the judgment of the Commission, but it does place the environment on a different level. He expressed hope that he and the Commission could find common ground on the proposal, which he called modest, noting that it is at the rear of the building and arguing that it is a worthy goal. Mr. Sklaroff asked Ms. Blau to explain what she intends to achieve and how she proposes to execute her plans.

Ms. Blau stated that she is principal of BluPath Design and both architect and owner of the property, along with her husband and partner, Paul Thompson. She noted her credentials by stating that she has a degree from the University of Pennsylvania and is a registered architect, is LEED AP certified, BBNC LEED AP certified, a Passive House consultant, a building performance analyst, and has conducted building audits. She summarized her portfolio of deep-energy retrofit houses in Philadelphia and Washington, D.C. She noted that the Commission approved Passive House-compliant windows at the front façade of her property at 1722 Pine Street. She then recounted her ownership history of the property, explaining that she and her family would use the property as their primary residence but wanted to execute a deep-energy retrofit using EnerPHit standards. To begin, she continued, she analyzed the quality of the brick to understand what is possible so as not to damage the building. The EnerPHit program, she explained, requires a step-by-step master plan for the whole building. She detailed the work completed to date, including window replacement, excavation and underpinning the basement level, and reconfiguring interior spaces. When the building was studied, she continued, hygrothermic models and moisture testing of the brick was done. She asserted that the moisture testing indicated that the front façade brick was the best brick and proved to prevent moisture ingress, despite being north facing. The rear brick, she continued, is poor quality and very porous. She noted that the Rilem tests to measure moisture absorption showed little absorption at the front façade, which further supports the notion that the brick is high-quality and does not absorb moisture quickly. She contended that the rear brick, by contrast, absorbed water at such a high rate that the Rilem tube needed to be refilled and concluded that the brick is poor quality, highly absorptive, and porous. She argued that the brick cannot be repointed to compensate for the brick's porosity, since mortar needs to be softer than the brick. She explained that she used hygrothermic models to simulate different conditions, including no intervention, installing traditional insulation at the building's interior, and insulating with an air barrier. All models for the different scenarios, she claimed, showed the presence of an unacceptable mold risk and moisture levels that exceeded a safe zone for mold. She argued that only an exterior insulation system that prevents moisture from penetrating the brick would protect the brick from deterioration and provide an acceptable indoor air quality. She stated that her proposal includes an exterior insulation system with a rain screen, drainage plane, insulation, and finish. The system, she added, would be held off the ground plane with a protective skirt, and the brick surface would be pretreated with a removable consolidant and open vapor and moisture barrier. She described that raked adhesive would allow a drainage plane, so no moisture could be trapped inside the wall. She recalled that Ms. Cooperman noted previously that the hygrothermic models presented were only predictive models. She stated that since that time, she has removed the finish on most of the building, and found the brick to be in very poor condition, observing that it easily crumbles at the interior. She provided images of the interior brick and its corresponding exterior face and contended that the exterior conceals the damage and poor condition of the interior face of the brick. Ms. Blau argued that moisture travels to the interior, condenses, and causes deterioration, owing to interior temperature controls. She added that the manufacturers confirmed that the materials she is proposing are removable.

Evan Oskierko-Jeznacki stated that he is a doctoral student at the University of Pennsylvania and offered a brief background of his qualifications and summarized his work on historic sites. Mr. Oskierko-Jeznacki identified the Pine Street façade as containing the building's character-defining features, including its Greek Revival features. Mr. Sklaroff asked Mr. Oskierko-Jeznacki if the rear of the property was original. Mr. Oskierko-Jeznacki responded that it is not and that it dates to 1922. He then characterized the rear of the building as being in very poor condition, with both brick and mortar deteriorating.

Mr. Sklaroff asked whether Ms. Blau's proposal is a reasonable option for preserving the historic fabric of the rear and side of the building. Mr. Oskierko-Jeznacki replied that, given the deteriorated state of the façade, the proposal is a viable option. He further contended that in its current state, the brick is susceptible to further weathering irrespective of climate change. He added that the proposal presents a reasonable and sustainable solution to the issues of deterioration, since moisture movement through the wall is causing the deterioration on both the interior and exterior of the building. Whatever can be done to prohibit moisture movement, he argued, is paramount. He suggested that only addressing deterioration and not addressing the underlying pathologies passes the buck to future owners. He added that the moisture moving through the wall leads to mold and potentially serious respiratory illnesses.

Mr. Sklaroff asked Mr. Oskierko-Jeznacki whether, according to the studies, the proposed technique will be effective in preserving indoor air quality. Mr. Oskierko-Jeznacki answered that it would preserve indoor air quality by arresting moisture ingress through the building envelope, thereby reducing the amount of moisture entering the indoor air space.

Mr. Sklaroff asked, with respect to the preservation of the brick at the rear and rear side, whether Mr. Oskierko-Jeznacki is satisfied that the technique will preserve that brick. Mr. Oskierko-Jeznacki responded that the material should be kept dry and warm. Right now, he continued, the brick walls are completely exposed and will otherwise continue to rapidly deteriorate, given climate change. He argued that a drainable system like the one proposed would be a great step forward. Mr. Sklaroff asked whether Mr. Oskierko-Jeznacki is satisfied that the system would achieve the goal of reducing the energy load of the building. Mr. Oskierko-Jeznacki answered that a significant amount of effort and research has gone into developing the details and that by reducing the thermal difference between the interior and exterior of the wall, the system will help protect the material and reduce energy consumption. He added that there has been quite a bit of literature on the type of system proposed.

Mr. Sklaroff noted that the City of Philadelphia's Office of Sustainability submitted a letter of support for the project. He then introduced Jeffrey Klemens, professor of biology and design at Thomas Jefferson University, East Falls Campus. Mr. Klemens summarized his background. Mr. Sklaroff requested that Mr. Klemens offer a brief description of climate change and how it might be relevant to 1722 Pine Street. Mr. Klemens stated that reducing emissions essentially requires a reduction of human impacts on the carbon cycle. He explained the carbon cycle, fluctuations that have occurred, and the rise in the levels of carbon dioxide in the atmosphere. He further explained the impacts of that rise on the climate and general environment. He discussed an ideal scenario over time in which the general population would cease new emissions. He then acknowledged that the proposal would not take large amounts of carbon out of the atmosphere, but argued that it would contribute to the technological, financial, regulatory infrastructure that allows these systems to be deployed at the scale that would begin to have a major impact. The scale of Philadelphia's emissions and residential emissions is substantial, he added. Mr. Klemens described the 80/50 initiative from the Mayor's Office of Sustainability,

explaining that the city-stated target is to reduce carbon emissions by 80% by the year 2050. Within Philadelphia, he continued, 60% of carbon emissions come from the built environment and, of that 60%, one-third is sourced to residential buildings. In order to reach the 80/50 target, he added, there would need to be a 30 to 50% increase in the efficiency of those buildings. He suggested that the ability to reduce emissions implies that there will be widespread, energy-efficient retrofitting of residences in the city over the next few decades.

Mr. Thomas opined that the National Park Service, which issues the Secretary of the Interior's Standards, has for many years published a series of preservation briefs that can be practically applied. He stated that the National Park Service published an informative brief on making historic buildings energy efficient decades ago. He added that the Commission must look at this property and ask how to reconcile the Standards with the Commission's role as trustees of the environment. Inevitably, he continued, it will lead to compromises, but he also advocated for developing a series of guidelines and standards for this type of application. He asked what compromises the Commission needs to consider to find a solution.

Ms. Cooperman stated that she is pleased to hear the applicant addressed the issue of reversibility, which had not previously been clarified. The argument presented, she added, was persuasive, but she suggested that the exterior walls of the rear addition are not rapidly failing but are in the process of failure. She questioned whether existing precedents could be located to inform how the Commission has addressed exteriors in a similar condition and commented that those instances could be useful. Mr. Thomas responded that walls have been rebuilt when there has been no feasible alternative to stabilization.

Mr. Sklaroff reiterated that 1722 Pine Street is contributing to the district and not classified as significant. He further argued that the Pine Street elevation, not the Waverly Street elevation, is what makes the building contribute to the district. He acknowledged the importance of past precedent and past Commission decisions, but contended that this new role as trustee gives the Commission liberty to consider history, but primarily in the context of the current environmental problems. Mr. McCoubrey argued that the Commission is also trustee of the scenic, historic, and aesthetic values as well; the same section of the Constitution that obligates the Commission to be a trustee of the environment also obligates it to be a trustee of historic resources. Mr. Sklaroff agreed, but countered that the Commission serves as a trustee of the natural environment. Mr. McCoubrey asked that the nineteenth-century and 1920s masonry be identified and questioned how far the EIFS system would extend. He further questioned how much of the brick is absorptive and whether any was in good condition. Mr. Thomas opined that it depends on the age of the brick and what type of brick was used.

Ms. Blau answered that all the rear brick, including the original brick and 1922 addition, is porous and poor quality. Mr. McCoubrey asked if Ms. Blau tested the brick at different points along the rear ell. She affirmed that she had.

Mr. McCoubrey inquired about the EIFS material and asked whether the system would consist of an actual stucco on the exterior. Ms. Blau answered that she assumed she would work out the details with the staff in terms of color. Mr. McCoubrey inquired about the material properties. Ms. Blau responded that it would be a standard EIFS, which is a synthetic stucco that comes in various textures. Mr. McCoubrey asked if Ms. Blau explored any systems that would provide a similar insulation value but that would not include EIFS. Ms. Blau answered that there is a new cork material that can be used for insulation. Mr. McCoubrey stated that there are instances when the Commission does approve stucco over failing brick, but it is typically real stucco rather

than a polymer system. Ms. Blau responded that stucco is not reversible and requires mechanical attachment, which would cause permanent damage. Mr. McCoubrey countered that the proposed system is several inches thick and would not necessarily require affixing the stucco to the brick. Ms. Blau replied that stucco is too heavy and the adhesive system cannot support the stress. Mr. McCoubrey asked whether the system can only be achieved using EIFS. Ms. Blau confirmed that this specific system is proposed, because it is lightweight and does not require mechanical fastening to the building.

Mr. McCoubrey inquired about the relationship of the windows to the surface of the wall. Ms. Blau replied that she worked with Randal Baron of the staff, who requested that the windows be placed in the same relationship to the brick as they were previously, so the windows would be set back two inches from the exterior face of the wall.

Mr. Schaaf questioned where the EIFS would be applied, observing that the drawings show the system on the south and west walls. Ms. Blau responded that she would like to apply the system to the east elevation, but to do so requires the permission of the neighbor. Mr. Schaaf asked whether it would impact the EnerPHit goals. Ms. Blau acknowledged that it would be problematic, but added that she is hoping to reach a compromise with her neighbor. Mr. Thomas clarified that Ms. Blau's building is taller than the adjacent building, so a portion of the party wall is exposed. Adding exterior insulation, he continued, would extend over the property line, which would require the owner's permission.

Mr. Thomas opened the floor to public comment. David Traub of Save Our Sites commented that the article of the Pennsylvania Constitution cited refers to each citizen's right to purer air and the right to visual and aesthetic features of the community, but he argued that Philadelphia is not a natural environment and that it comprises a manmade environment. He further remarked that it is a brick city and brick is one of the most prominent features within the city. He called the proposal a "slippery slope" in which owners all over the city could evaluate their walls and determine that they are composed of poor quality brick with high water absorption. This proposal, he continued, may serve as a precedent for covering those walls with stucco.

Paul Steinke of the Preservation Alliance for Greater Philadelphia stated that his organization had been approached by Ms. Blau and her legal counsel and received education on the legal issues. He added that the Alliance shares Mr. Traub's concern that an approval would set a precedent, and questioned whether the block's corner properties, likely constructed with the same brick but with much more visibility, would qualify for a similar approval. He remarked that there is a lack of guidelines about what constitutes an alley street and questioned which property owners would have a right to implement a similar system. The impulse, he contended, is to respect the efforts of Ms. Blau and her team and to approve the application, but he asked the Commission to consider the precedent, since the underlying issue relates to maintenance. He opined that the typical intervention to address failing brick is to rebuild with new brick. In this case, he continued, covering over brick is anathema to how most preservationists think. He commented that achieving this level of energy efficiency is a noble goal, but he argued that this home likely already exceeds any reasonable standard for energy efficiency represented by the spirit of the Pennsylvania Constitution. He suggested that the rear insulation would not save the planet faster than the work already done. He added that the Preservation Alliance, in consultation with its advocacy committee and staff, is in non-opposition to the project.

Charles Loomis of Green Building United stated that he had circulated a letter from the organization's executive director. He summarized his background and interest in the project. He

thanked the Commission for its forward thinking and work in approving energy-efficient windows. He read several passages from the circulated letter that focus on the benefits of the proposed retrofit, its the impact on the city, and the promotion of energy efficiency.

Ken Levenson, representing the North American Passive House Network, endorsed the application, stating that the organization finds that it represents best practices of building science in its approach to building renewal and its incorporation of available technologies. He further commented that the proposal delivers energy efficiency commensurate with climate challenging and considers the care and balance of seeking high-performance efficiency standards, while addressing the historic fabric and climate objectives. He argued that climate mitigation and historic preservation are “two parts of the same puzzle” and can work together. He remarked that historic buildings often are more efficient than postwar buildings, and some of the greatest offenders are more recent construction. He advocated for improving the efficiency of good buildings by making them even more efficient.

Oscar Beisert commented that the block of Waverly Street behind 1722 Pine Street does not appear to be particularly historic when compared to other small streets in the city. He cautioned that, should the application be approved, the proposal should be treated as a special case on this block and not influence the treatment of the rears of properties along other small streets.

Mr. Thomas asserted that the Commission’s decision must be supported by good reasoning, particularly because the case was remanded by the court. The precedent, he continued, must not lead to any unintended consequences.

Mr. Mattioni stated that he has listened to the discussion but is not completely clear on the proposal that is before the Commission and asked for clarification on the work proposed to the rear of the building. Ms. Blau answered that she proposes to cover all brick surfaces on the rear ell, which includes the south and west facing elevations. With permission from her neighbor, she continued, she would like to cover all the exposed surfaces on the east facing elevation. She added that the proposal does not include covering the bay, which she has reconstructed under a previous approval.

Ms. Cooperman clarified that the application currently before the Commission is strictly for the covering of the exterior brick with EIFS. Mr. Sklaroff affirmed. Mr. McCoubrey asked whether the application includes the pergola and sun shades shown in the drawings. Ms. Blau claimed that the awnings were previously approved, but the staff disagreed. Ms. Blau again clarified that the current application only includes the covering of the brick.

James Duffin stressed that it is important to note that the proposed work is reversible, adding that reversibility is important to consider moving forward with similar requests.

Mr. Reuter clarified that he agreed with Mr. Sklaroff’s position on the Commission functioning as a trustee. The Robinson court’s discussion of the trustee obligations, he continued, only dealt specifically with the second clause of Article 1, Section 27, which indicates that the Commonwealth has an obligation to preserve natural resources for the people. He argued that the trustee obligation would and could extend to historic resources, though that is not what the Robinson case addressed. Rather, he continued, the case established that citizens have a right to our resources, and the Commission’s obligations set forth in the preservation ordinance primarily deal with the right of the public to the preservation of natural resources; now, he added, the court has made it clear that the Commission also has specific trustee obligations

with respect to the natural environment, which in this case relates to reducing carbon emissions and energy consumption. He explained that that does not lead to any particular decision by the Commission. He contended that the Commission must decide how it discharges those obligations and where the importance lies. He stated that the Commission seriously reconsidering the application is the main purpose for reviewing the application at the current meeting. The final decision, he reiterated, is up to the Commission. He asked that the Commission treat the matter as a regular permit application submission and conclude the review with a motion, suggesting that a standard motion for either approval or denial be made with language specific to the installation of the EIFS system.

Mr. Sklaroff agreed with Mr. Reuter's comments.

Mr. Thomas asked that some explanation be offered in the motion specific to the property. Mr. Reuter observed that the application includes a building permit application form dated 8 December 2017. He reiterated that this matter relates to a permit application. Mr. Thomas agreed, but repeated his request that the Commission include a specific explanation of its decision.

Mr. Sklaroff suggested that this application is specific and that the record shows it in a specific context. He contended that the Commission does not normally provide explanations and there may be too much significance being attached to the decision. He noted that this is not a class action and is only about the property at 1722 Pine Street. He asked the Commission to confine itself to what is currently proposed and argued that the discussion does not apply to significant buildings and that it applies to this one application. He asserted that there would be room to consult with the Commission's stakeholders to create rules that satisfy the Environmental Bill of Rights and the preservation ordinance.

Mr. Traub opposed the suggestion that the building is not significant in the Rittenhouse-Fitler Historic District. He observed that there are few structures classified as significant in the district, noting that contributing buildings dominate and are what comprise the district. He suggested that the lack of classification as significant is irrelevant.

Mr. Thomas stated it is important to have a record of this discussion for future conversations about similar proposals.

ACTION: Ms. Cooperman moved to approve the application, with the staff to review details. Ms. Turner seconded the motion, which passed by a vote of 8 to 1. Mr. Mattioni dissented.

DISCUSSION OF THE DESIGNATION OF HISTORIC DISTRICTS

Mr. Thomas noted that two new staff members have joined the Historical Commission and, with the added staff capacity, the Commission is able to accelerate its historic district designation program. He asked the Commissioners to have a brief discussion regarding the criteria for prioritizing the order in which the pending historic district nominations will be considered. Mr. Farnham directed the Commissioners to a document included in their meeting materials packets that listed all of the designated and nominated historic districts with dates of designation or submission and numbers of properties. He then pointed out the list of proposed criteria for establishing an order for reviewing pending historic district nominations. He stated that he was not asking the Commissioners to establish an order, but only to agree to the criteria for

establishing an order. He noted that the staff still needs to collect some data before the Commission can establish an order. He explained that the staff would seek additional guidance from the Commissioners once the requisite data was obtained. Ms. Cooperman observed that the level of historic significance of a potential district must be one of the most important factors when establishing a prioritized list of district nominations. Mr. Thomas stated that the Commission should also consider the compatibility of proposed historic districts with other plans for the areas. The Commissioners discussed the proposed criteria and agreed that the following criteria would be employed when establishing a proposed order for reviewing pending historic district nominations:

- Level of historic significance;
- Level of risk of demolition and adverse alteration to historic resources;
- Order of submission of nominations;
- Level of support from nominators and property owners;
- Size, complexity, and other factors related to feasibility of successful completion; and,
- Compatibility with other plans such as city, transportation, and environmental plans.

Paul Steinke of the Preservation Alliance thanked the Historical Commission for discussing the matter of pending historic districts and asked the Commission to share the list of pending districts with the public. The Commissioners provided a copy of the list to Mr. Steinke, which he shared with members of the audience. Mr. Farnham remarked that the number of properties indicated on the list for the proposed Ridge Avenue Thematic Historic District, 80 properties, was an early estimate and should not be taken as a final number. He noted that the number could grow or shrink considerably.

Mary McGettigan introduced herself and stated that she represents West Philadelphians for Progressive Planning and Preservation, a community organization. She apologized that she had missed the beginning of the Historical Commission's discussion of historic districts, noting that she had been out of the room. She asked if she had missed anything. She asked if the proposed Spruce Hill Historic District had been discussed yet. She stated that it was "very poignant" to have heard the discussion about the section of the Pennsylvania Constitution related to the preservation of historical values earlier in this meeting during the review of the application for 1722 Pine Street. She claimed that her rights with regard to Spruce Hill have been "curtailed." She stated that the Spruce Hill Historic District nomination was submitted a generation ago. She stated that she feels as though she has been "thrown to the wolves." She stated that the Spruce Hill Historic District nomination should be at the top of the list. She stated that she is entitled to "due process." She asserted that the proposed Spruce Hill Historic District should be designated even if it is very large and there is political opposition to it. She asked if "abandonment" is a legal term. She asked: "Did someone leave the nomination in a basket and run away?" She stated that: "Justice delayed is justice denied." Mr. Thomas responded to her many assertions and questions, stating that the Historical Commission, Mayor's Task Force on Historic Preservation, and City of Philadelphia are all seeking to improve preservation in Philadelphia. The Historical Commission just hired two new staff members. The Historical Commission will now be able to do work that it has not been able to do. The Historical Commission has suffered from a lack of capacity, owing to its small staff. Mr. Farnham explained that he had objected to Ms. McGettigan reference to the proposed Spruce Hill Historic District nomination as "tabled" at an earlier Historical Commission meeting because the term tabled implies that the Historical Commission began its review of the nomination, which starts with notice to the property owners within the proposed historic district. The Historical Commission never initiated its consideration of the nomination and never notified the impacted

property owners of any such consideration, and therefore never took jurisdiction over the properties, which starts with the written notice. Therefore, the review could not be tabled because it never began. Tabled implies a halt to a formal process that is underway. He stated that the term “abandoned” is not a term of art, but is simply a word that the Historical Commission has used occasionally to describe two nominations, Spruce Hill and Penn Knox, that were abandoned during the tenure of the former director of the Historical Commission. The term abandoned is not a pejorative, but simply means that the Historical Commission does not consider the nominations to be active or awaiting processing. He agreed that there are many potentially historic buildings in Spruce Hill and a district or districts should be considered for the area.

Oscar Beisert of the Keeping Society reminded the Commissioners of the importance of and threats to the Colonial Germantown National Register Historic District, which is a National Historic Landmark, and suggested that a local historic district should be created along Germantown Avenue. He asked that a Germantown Avenue district be added to the list, even if no nomination has yet been submitted.

ANNOUNCEMENT OF 10 NOVEMBER 2017 ACTION ON 1020-24 CHRISTIAN STREET NOMINATION

Mr. Thomas read the Historical Commission’s decision on the nomination proposing the designation of 1020-24 Christian Street into the record:

On October 13, 2017, the Philadelphia Historical Commission reviewed a nomination proposing to designate the property at 1020-24 Christian Street as historic and list it on the Philadelphia Register of Historic Places. At that time, the Historical Commission found that the property satisfied Criteria for Designation A and J and then tabled the matter for one month, to its meeting in November 2017. On November 10, 2017, the Historical Commission took up the tabled nomination. After a lengthy discussion, the Commissioners considered a motion to designate the property and list it on the Philadelphia Register. The final tally of the votes on the motion was 5 in favor of the motion, 4 opposed, with 2 members abstaining. At that time, it was announced that the motion carried by a majority of those voting and that the property had been designated a historic and listed on the Philadelphia Register. The Commission moved to the next agenda item, and eventually adjourned its November 2017 meeting without further discussion of the 1020-24 Christian Street matter. Upon review, the City’s Law Department, in consultation with the Historical Commission, determined that the announced interpretation of the vote was incorrect. Rule 4.6.e of the Historical Commission’s Rules & Regulations requires that “A majority of the members present at the time of voting, including any members abstaining, is required to adopt a motion.” As a result, because the vote involved a total of 11 present members, the motion required 6 votes in order to carry. Contrary to the conclusion at the time of the vote, the motion to designate 1020-24 Christian Street failed to carry the required majority. Therefore, the Historical Commission declined to designate the property at 1020-24 Christian Street as historic and list it on the Philadelphia Register of Historic Places. As of November 10, 2017, the Historical Commission’s jurisdiction over the property at 1020-24 Christian Street lapsed.

ADJOURNMENT

ACTION: At 1:59 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 3: Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

Standard 5: Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

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.

