

**THE MINUTES OF THE 485th
STATED MEETING OF THE
PHILADELPHIA HISTORICAL COMMISSION
10 January 2003 at 9:00 a.m.**

**City Council Caucus Room, 4th Floor, City Hall
Michael Sklaroff, Esq., Chair**

Present

Michael Sklaroff, Esq., Chair
Melissa Heller-Batzer, Director of Economic Development, Office of City Council President
James Brown, IV
Duane Bumb, Deputy Director, Commerce Department
Gary Hack, Chair, Philadelphia Planning Commission
David Perri, Deputy Commissioner, Department of Licenses and Inspections
Vincent Rivera, AIA
Denise Smyler, Esq.
Harris Steinberg, AIA
Thomas Sugrue, Ph.D.
Norman Tissian
Scott Wilds, Deputy Director, Office of Housing and Community Development

Jonathan Farnham, Historic Preservation Planner
Diane M. Hughes, Executive Secretary
Laura M. Spina, Historic Preservation Planner
Richard Tyler, Historic Preservation Officer

Lawrence K. Copeland, Esq., Senior Attorney, Law Department

Also

Amy Kellogg
Jamie Swidler
Benjamin Zuckerman, Esq., Cozen O'Connor
Joseph Serratore, Serratore Architects
Arlene Pailos
George Anni
Laurie Phillips
Lenore Millhollen, Center City Residents' Association/Preservation Alliance
William G. Schwartz, Esq., Obermayer Rebmann Maxwell & Hippel LLP
Rick Shaffer, 619 Catharine Street
William Alesker, AIA, 619 Catharine Street
David Nasatir, Esq., Obermayer Rebmann Maxwell & Hippel LLP
Philip Senechal, 237 South 18th Street, Unit 17B
Diane M. Deely
Rae Munroe
Richard W. Thom, AIA
Sandra Lazovitz, 622 Catharine Street
Chip Pressman, 622 Catharine Street
Drew Hamilton, Dane Décor
Harold Yaffe
Tim McGrath, MD
Ronald Patterson, Esq., Klehr Harrison Harvey Branzburg & Ellers

Kathy Conway
Ralph Maiolino, United Communities Southeast Philadelphia
Barry A. Milberg, 237 South 18th Street
Reva VanderHeide, 708 Fulton Street
Charles Ellis, 311 South Camad Street
Carole Shanis, 237 South 18th Street
Alan Krigman, 211 South 45th Street
Rebecca Harclerode, 750 South Warnock Street

Mr. Sugrue, Vice-Chair, called the meeting to order at 9:08 a.m.

Minutes of the 484th Stated Meeting of the Philadelphia Historical Commission. Mr. Sugrue noted the correct spelling of Margaret Tinkcom's last name. Upon a motion made by Mr. Bumb, the Commission unanimously approved, as corrected, the minutes of the 484th Stated Meeting of the Philadelphia Historical Commission held 13 December 2002, Michael Sklaroff, Chair.

THE REPORT of the Architectural Committee, 17 December 2002

1516 Pine Street

Joseph Ciminera Jr., Owner

Joseph Serratore, Applicant

DATE: 1849, Thomas U. Walter, architect

PROPOSAL: Roof decks, stair tower, covered walkway, carport in concept

The Architectural Committee recommended approval in concept of the following:

1. *Building of the carport with the continuation of the vocabulary of the brick in a revised design;*
2. *Deck on top of the carport;*
3. *Covered walkway;*
4. *Deck on the two-story portion of the property with plain vertical rails.*

It recommended denial of the remainder of the proposal including the stairtower, fourth-floor roof elements as submitted, pursuant to 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 work 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.] but gave the applicant guidance for a less intrusive addition.

This proposal in concept involves adding a roof deck and tall skylight additions on top of the main structure of the house and a stair tower to reach that area. The plans also call for a new carport with deck above, a link to the main house, a covered walkway alongside, and a deck on the two-story section at the rear of the house. There is a degree of visibility to the roof because of views at a distance south from Hicks Street, which faces this house across Pine Street. Houses also face Waverly Street at the rear; therefore it is not a service alley. The upper portions of the rear have visibility from Lombard Street. Finally the important architect Thomas U. Walter, architect of the dome of the U.S. Capitol, designed this fine example of Italianate architecture, which has much ornamentation for a rear facade.

Mr. Farnham presented the proposal and noted that he and Mr. Tyler made a site visit to determine visibility. The site visit established visibility from Waverly Street as well as from Sydenham Street; however, visibility from Hicks Street was very minimal. In response to Mr. Hack's query about what is adjacent to the covered walkway, Mr. Farnham noted that the neighboring house, like the majority on Pine Street, has a rear ell, which would diminish the

visibility of the walkway. Mr. Sklaroff asked for clarification of the Committee's recommendation with regards to the denied portions of the proposal. Mr. Farnham explained that the staintower as well as the roof deck and the proposed 4th floor roof elements were the features that the Committee had concerns about.

Joseph Serratore, the applicant, said that the covered walkway's visibility as shown in the drawings is inaccurate, because the drawings are not to scale. He noted the erection of a railing mock-up three-feet from the roofline to establish visibility. Mr. Serratore said that an existing interior staintower would be renovated and it would encompass part of the exterior staintower. In addition he noted that the proposed design will not mimic the historic features. He said that the proposed covered walkway over the side yard is approximately seven feet high and that the rear entrance will become the primary entrance for the second unit. The original Pine Street entrance would remain the entrance for the first unit.

Lenore Millhollen, Center City Residents' Association/Preservation Alliance, noted her objection to the roof deck and covered walkway. She expressed concern about setting a precedent for covering historic open space on a lot.

Mr. Rivera said that the proposed staintower, with its overwhelming massing, disrupts the historic character of the building. Mr. Wilds suggested the continuation of the staintower in brick instead of the proposed glass, believing the brick to be less intrusive. Mr. Tyler said that the staintower would only be minimally visible from Waverly and Sydenham Streets. He suggested the lowering of the skylights to the height of the railings to minimize visibility. Mr. Sklaroff inquired about the reason for the covered walkway and Mr. Serratore said that the walkway would give the owner privacy and identity as an entrance. In addition, he said that the proposed walkway would be a translucent material, which lets the light shine through and will not change as it ages. In response to Mr. Tissian's query as to what is seen from neighboring houses, Mr. Serratore said a Dryvit pitched roof. Mr. Steinberg said that the revised drawings depict the staintower as less intrusive and appropriate for the multiple use in the rear of the building. Mr. Wilds concurred with Mr. Steinberg.

Mr. Wilds made a motion to accept the Committee's recommendation, which was duly seconded by Mr. Sugrue. After more discussion, Mr. Wilds withdrew his original motion. Mr. Sugrue agreed with the withdrawal.

Mr. Brown asked that the denials of the Architectural Committee be clarified. Mr. Steinberg expressed concern about the covered walkway and Mr. Sklaroff concurred. Mr. Wilds said that if the functionality of the building has changed and if access is being moved to the Waverly Street façade, then he believes that the walkway is appropriate. Mr. Steinberg and other Commission members believed that the carport should be brick with the elimination of the covered walkway.

Mr. Tissian made a motion to approve the proposal in concept as submitted. Mr. Hack seconded the motion which carried with 11 votes. Mr. Rivera opposed the motion.

Mr. Sklaroff passed the gavel to Vice-chair, Mr. Sugrue.

2226 Green Street (former yard of 2224 Green Street)

Charles Ercole, Owner

Ronald Patterson, Esq., Applicant

PROPOSAL: Construct three-story rowhouse

The Architectural Committee recommended approval per 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 work 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], with the staff to review details to try to achieve an appearance similar to the adjoining house.

This proposal calls for construction of a single-family, neo-Italianate, row-house on the western portion of the former yard of 2224 Green Street. The Commission approved a similar house in May 2001.

Ms. Spina presented the proposal. Mr. Wilds noted that in a previous application for construction on this site, there was opposition from the owner of the neighboring house.

Ronald Patterson, counsel for the applicant, said that the opposition evolved from the issue of the sub-division of the property with relation to the neighboring house's bay window; the issue has been resolved. He referred to a letter from the Spring Garden Civic Association giving its approval of the proposed construction.

Mr. Hack remarked that the historic features should not be mimicked; however, the applicant should seek a compatible design.

Mr. Steinberg made a motion to approve the proposal, with the staff to review details to achieve an appearance similar to but not mimicking the adjoining house. Mr. Bumb seconded the motion which carried with 11 votes. Mr. Sklaroff recused.

Mr. Sugrue returned the gavel to Mr. Sklaroff.

2124 Mt. Vernon Street

Fred and Amy Kellogg, Owners/applicants

DATE: c. 1855

PROPOSAL: Rear addition, garage and deck

The Architectural Committee recommended approval pursuant to 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 work 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.], with the staff to review details.

This application involves adding a fourth story to the rear ell of this mid block rowhouse and a garage with deck at the rear. The rear of the house sits at Clay Street, which is a wide service alley.

Mr. Farnham explained the proposal and the Commission members concurred with the Committee's recommendation.

Mr. Steinberg made a motion to accept the Committee's recommendation. Mr. Wilds seconded the motion which carried unanimously.

249-251 North 2nd Street

Plato Marinakos Jr., Owner/Applicant

DATE: c. 1760

PROPOSAL: Renovate, partial demolition and construct four-story building

The Architectural Committee voted unanimously to recommend final approval of the application,

with staff to review details, provided two conditions are met:

- 1. the front, 1st-story, left window at 251 N. 2nd Street must be changed to a Gothick window to match the adjacent openings*
- 2. the entire brick portion of the south wall of the rear ell must be preserved; the middle, 2-story section of the rear ell wall must be exposed to the exterior; the eastern, 3-story section may be enclosed within the interior*

This application calls for rehabilitating the designated historic house at 251 N. 2nd Street and adding a new structure on the vacant lot at 249 N. 2nd Street, which in effect will constitute an addition to 251. The developer plans to renovate the front portion of the structure but demolish the façade of a structure at the rear of the property that appears original. As currently designed, the new construction which houses parking on the first floor, allows the mid-section of the rear ell of 251 N. 2nd to remain largely intact and visible from Wood Street.

Mr. Farnham presented the proposal. Commission members asked the applicant if he were in agreement with the Committee's recommendation. The applicant responded in the affirmative.

Mr. Hack made a motion to accept the Committee recommendation. Mr. Wilds seconded the motion which carried unanimously.

315-319 Arch Street

Philadelphia Management Company, Owner

Dottie Tuccio, Applicant

DATE: 1916, Schmidt Building, Sauer & Hahn, architects

PROPOSAL: Projecting signage

The Architectural Committee voted to recommend denial of the sign as proposed and suggested that the applicant redesign the sign in such a way as to protect the fragile, significant storefront.

This application proposes signage for the *dane decor* store on the first floor of the Schmidt Building at 315-319 Arch Street. This application is limited to the signage labeled sign D in the elevation drawing titled "exterior signage". Signs A, B, and C have been approved at the staff level. The type D sign, with the store's name, would consist of an aluminum composite material board with applied red and white vinyl lettering and an aluminum mounting system. It would be mounted on the terra cotta storefront to the left of the central door and would project out over the sidewalk.

Mr. Farnham presented the proposal in which he noted the fragile condition of the masonry.

Andrew Hamilton, the owner, said that he is of the opinion that the masonry is limestone and presented revised drawings with a change in the attachment of the signage

Mr. Sklaroff asked the applicant if he would be willing to work with the staff in the field. Mr. Rivera pointed out that the attachment of the signage is a structural issue, and that the Committee should review the revised plans. Mr. Sklaroff recommended tabling the proposal with its referral back to the Architectural Committee.

Ms. Smyler made a motion to table the proposal for a period not to exceed six (6) months and to refer it back to the Architectural Committee. Mr. Brown seconded the motion which carried unanimously.

322 South Lawrence Court

Jack Panitch, Owner

Daniel Mehan, Applicant

DATE: c. 1970, Bower & Fradley architects

PROPOSAL: New windows

The Committee recommended denial of the proposal pursuant to Standards 2, 5 and 6.

This application proposes installing new Pella casement windows in the Late Modern townhouse at 322 South Lawrence Court. The original triple casement windows at the 2nd-story front façade would be replaced with new, smaller, triple casement windows and 5 inches of infill at the bottom. The original paired casement windows at the 3rd-story front and rear façades would be replaced with new, paired casement windows with dimensions similar to the originals. Unlike the original wood windows, the Pella replacements would be clad with aluminum on the exterior. The provided documentation does not clearly demonstrate that the original details, like the dividing mullions and brick molding, would be duplicated. Further details should be provided to complete this application.

Mr. Farnham explained the proposal. Mr. Sklaroff asked the applicant if there is any reason why the conforming window cannot be installed.

Jack Panitch, the owner, said the proposed windows are cheaper, and that in relation to the safety issue, the custom window does not have roll down screens. In addition, he prefers the clad rather than the wood window because it is maintenance free.

Mr. Steinberg made a motion to accept the Committee's recommendation for denial pursuant to Standard 2 [The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.], Standard 5 [Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.] and Standard 6 [Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and where possible material.]. Mr. Wilds seconded the motion which carried unanimously.

104 South 5th Street, American Philosophical Society

American Philosophical Society, Owner

Steven Albert Shomer, Esq., Applicant

DATE: 1785-1789, Samuel Vaughan, architect

PROPOSAL: Banner signage

The applicant requested a continuance for a period not to exceed thirty days.

Mr. Sklaroff passed the gavel to Mr. Sugrue, vice-chair.

121-135 Walnut Street, NE corner of 2nd Street

Renaissance Properties, Incorporated, Owner

Richard Thom, Applicant

DATE: 121-25: 1830s, 127: between 1796-1835; 129-35: 1951

PROPOSAL: Approval of demolition, conceptual approval of new construction and rehabilitation

The Architectural Committee recommended final approval for the demolition only.

The Committee and Commission previously approved in concept the demolition of the rears of

these buildings and the construction of a 7-story addition. The proposal now calls for final approval of the demolition so that work can begin on the project. The demolition will include Moravian Street from the street-line and the rears of the buildings along Walnut Street.

Ms. Spina presented the project and Mr. Tyler informed the Commission that the Pennsylvania Bureau for Historic Preservation has requested that the demolition include the east façade of 123 Walnut Street. The Bureau regards the retention of the façade as a façade-ectomy, which it believes, would set a precedent. Mr. Tyler asked that the Commission defer to the State's request in order to preserve the tax credits and to allow the project to move forward.

Richard Thom, the applicant, said that he attempted to incorporate the façade into the design, but the State believes that it is in violation of the *Standards*.

Mr. Wilds asked that the minutes reflect the Commission's dismay of the State's request, which removes a substantial amount of historic fabric. Mr. Steinberg expressed concern over the allowance of the demolition without the review of the plans for the new design. It was noted that restoration details for the Walnut Street properties will be seen by the Committee.

Ms. Smyler made a motion to approve the demolition to include the State's request. Ms. Heller-Batzer seconded the motion which carried with 11 votes. Mr. Sklaroff recused.

3224 Powelton Avenue

Ida Washington, Owner

R. J. Pisani, Applicant

DATE: c. 1880

PROPOSAL: Legalize rebuilt porch

The applicant requested a thirty-day continuance.

3226 Powelton Avenue

Ida Washington, Owner

R. J. Pisani, Applicant

DATE: c. 1880

PROPOSAL: Legalize rebuilt porch

The applicant requested a thirty-day continuance.

1010 Arch Street, Winston Building

Saul Shenker, Owner

Daniel Messinger, Applicant

DATE: 1902, William B. Pritchett, architect

PROPOSAL: Legalize signage

The applicant withdrew the application.

613-621 Catherine Street

United Communities Southeast Philadelphia, Owner

Shaffer Group Incorporated, Applicant

DATE: c. 1838

PROPOSAL: Partial demolition, rehabilitation and new construction in concept

The Architectural Committee recommended denial of the proposal as submitted, pursuant to

Standard 2 [The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration 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 a property.] and three site guidelines [Not recommended: Locating any new construction on the building site in a location which contains important landscape features or open space], [Not recommended: Introducing new construction onto the building site which is visually incompatible in terms of size, scale, design, materials, color, and texture; which destroys historic relationships on the site; or which damages or destroys important landscape features.], [Not recommended: Placing parking facilities directly adjacent to historic buildings where automobiles may cause damage to the buildings or landscape features, or be intrusive to the building site.]. It gave the applicant guidance for a design that would be sensitive to the historic building and the community's desire for open space.

This application in concept calls for partial demolition of the church (the annex), rehabilitation of the church into six condominium units, and the construction of 14 townhouses with on-site parking. The new development will also incorporate the neighboring property at 611 Catherine Street, which is not on the Philadelphia Register of Historic Places.

The Methodist Episcopal Church purchased the land in 1838 and erected St. Paul's M.E. Church. In 1903, the church sold the property to the Philadelphia City Missionary Church, an extension society of the Methodist Episcopal Church. The Philadelphia Society for the Employment and Instruction of the Poor acquired the property in 1935, and the building became the House of Industry.

Mr. Spina presented the proposal, which has been revised to move the driveway from east to the west. However, the staff believes that the space provided by the revision is still minimal with regard to the view of the historic building. Mr. Sklaroff said that the property has a vast amount of historic features, and asked if these features would be lost. He noted that the 1838 building is intact, but that the view from Marshall Street is not the primary façade. Mr. Schwartz, counsel for the applicant, responded that the demolition would occur to make the site viable for the development. The Committee in making its recommendation, saw it as a trade-off of a very important development and stressed the importance of the view of the building from Catharine Street. Mr. Rivera believes that the design is very congested and robs the building of its site. Mr. Sugrue thought that the revised drawings are sensitive to the historic building and it is an appropriate solution. Mr. Wilds inquired whether Mr. Schwartz's client owns the property. It is under an agreement of sale. Mr. Sklaroff thought that with the elimination of three townhouses, the historic building would be better respected. Mr. Wilds concurred with Mr. Sklaroff; however, he believed that with the elimination of two townhouses the symmetry would be maintained. Ms. Smyler emphasized that this is an important project and she would not want the project to fail owing to the elimination of three townhouses.

Rebecca Harclerode, a resident, said that the community garden is very important to the community, and asked that the developer allow green space in the rear.

In response to Mr. Wild's query about the legality of the termination of the community garden, Mr. Schwartz said that the rear garden's oral license was terminated last year and the developer offered the community a small area to the left for a garden.

Chip Pressman, who lives on Catharine Street, believes that development on Catharine Street should be limited.

Mr. Tyler commented about the importance of the site, that it was sold in 1935 and became the

House of Industry. Mr. Hack opined that the development could be accomplished with the elimination of two townhouses.

Mr. Schwartz remarked that the elimination of two townhouses may prove financially infeasible and also that the time line for the start of construction is very important.

Mr. Hack made a motion to deny the proposal as submitted. Mr. Wilds seconded the motion which carried unanimously. Commission members suggested that the applicant submit a revised proposal with the elimination of two townhouses in front of the historic building to preserve the historic view from Catharine Street.

237 South 18th Street, Unit 17B, The Barclay

Philip Senechal, Owner/Applicant

DATE: 1928, J.E.R. Carpenter, architect

PROPOSAL: Balcony and French door

The Architectural Committee recommended approval, pursuant to 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 work shall be differentiated from the old and will be compatible with the historic materials, features, size, and proportion and massing to protect the integrity of the property and its environment.] and 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 property and its environment would be unimpaired.].

The Committee revisits this proposal for a balcony and French doors, similar to one approved by the Historical Commission in January 1999. Mr. Senechal, the owner of the unit, began work on the project, cutting a hole in the building fabric. He stopped work and his permit lapsed. He now seeks a new permit. The building management has asked that the Commission not accept any applications without its agreement. In addition, a downstairs neighbor has raised objections to the previously approved work. The new application differs from the old by adding four inches to the length of the balcony and several inches to the height of the railing. The rail would also receive decorative rings to match the balcony rails approved at the 21st floor.

Ms. Spina presented the application. Mr. Tissian expressed concern about the visibility of the proposed balcony. Ms. Spina noted that it is tucked into a corner that is hidden by the fire stair balconies.

Benjamin Zuckerman, counsel, and the owners, Philip and Diane Senechal, attended the meeting. Mr. Zuckerman said that one balcony, which is similar to the proposed balcony, already exists and noted that the proposed balcony would be situated on the interior courtyard facing north behind the existing fire stairs, with visibility only from Locust Street. In addition, he said that there are three or four other balconies of various sizes that exist. Mr. Zuckerman remarked that the proposed balcony would have been completed if it were not for the owners of the building asking that the construction be delayed until the completion of exterior alterations to the building. He also believes that the revised design is an improvement.

Ronald Patterson, counsel for the neighbor below the proposed balcony, said that he takes issue with the removal of historic fabric and believes that the historic character of the building is being disrupted. He noted that the existing balconies are small balconettes, which differ in scale and design.

Mr. Sklaroff inquired if the dimensions of the proposed balcony differ from the previously

approved balcony. The proposed balcony differs by four inches from the balcony approved in 1999, owing to the location of the structural beams. Mr. Sugrue pointed out that in 2001 a smaller balcony was approved. Mr. Sklaroff stressed the importance of uniformity on all facades. Mr. Perri told the Commission that owing to the extenuating circumstances, because the permit expired and the design of the balcony increased in size, the applicant must secure a new permit as well as a new approval. Mr. Hack commented that the Condominium Association has the right to decide on the type of balcony to be installed; however, he believes that the issue should be resolved within the Association. Therefore, it is his belief that the proposal should be approved. Mr. Sklaroff remarked that the façade is relevant to the community and its treatment in the future is also important.

Carole Shanis, a resident, and president of the condominium association, said that she was troubled by the size of the proposed balcony and its physical projection from the building. She stressed the importance of uniformity throughout the building and would not be opposed to a flower balcony, which would be comparable to what exists on the building.

Janet Bender, the neighbor directly opposite the proposed balcony, expressed her opposition to the proposed balcony.

Laurie Phillips, a resident and real estate broker, voiced her approval of the proposed balcony and noted that the proposed balcony would not obscure the light of the unit beneath the balcony. She said that having a larger balcony where people can sit outside would add life to the courtyard.

Harold Yaffe said that he believes the proposed balcony would have minimal visibility and that it will enhance the view in the courtyard.

Mr. Steinberg made a motion to accept the Committee's recommendation. Mr. Hack seconded the motion which carried with 9 votes. Mr. Tissian, Ms. Smyler and Mr. Sklaroff dissented.

OLD BUSINESS

1216 Spruce Street, SE corner of Camac Street

George Anni, Owner

Clayborn Cann, Applicant

DATE: c. 1821, altered 1840

PROPOSAL: New café windows, exhaust vent, rear decks, doors and fence

The Architectural Committee recommended approval of the proposal as submitted, with the legalization of the decks, with the staff to review details, pursuant to 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 work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, proportion and massing to protect the property and its environment] and the mechanical systems guideline.] as submitted, with the legalization of the decks, with the staff to review details.

The proposal involves legalizing the building of two decks and an exhaust duct on this house and corner store. In addition, the applicant wishes to modify the storefront to feature operable café windows and wood bulkhead panels. H.V.A.C. units installed on the roof without a permit would be placed on the rear decks.

Ms. Spina presented the proposal and noted the receipt of petitions from neighbors who oppose the decks, which they state, did not exist previously. Mr. Sugrue pointed out that the designation photograph shows a lower deck.

George Anni, the owner, attended the meeting and contends that at the time of purchase, decks existed on the property. He said that he was not aware that a permit is required to replace an existing deck and the HVAC on the roof. In addition, the vent, which needs legalization, he believes, is in the best possible location.

Tom McGrath, a resident of Camac Street, said that the lower deck did exist, but at no time was there a roof deck. In response, Mr. Anni acknowledged that the door to the deck and a wooden floor existed, but it had no railing. Area residents met with Mr. Anni and expressed concern about the placement of the venting on the roof. Two compromises resulted from this meeting: that the current roof duct is equipped with a smog-hog to control odors and the elimination of the operable windows on the Camac Street façade. Some residents also expressed opposition to the roof deck.

Commission members concluded that the existence of wooden planks on the roof does not constitute a roof deck and discussed the allowance of a roof deck. Mr. Wilds concluded that since the door to the roof deck already existed, then the roof deck should be approved. Ms. Smyler concurred.

Mr. Wilds made a motion to accept the Committee's recommendation, with the elimination of the operable windows on the Camac Street façade. Mr. Brown seconded the motion which carried with 11 votes. Mr. Rivera dissented.

THE REPORT of the Activities of the Historical Commission staff, December 2002.

Mr. Tyler asked if members of the Commission had any questions about the report. There were none.

HARRY A. BATTEN MEMORIAL FUND

Mr. Tyler asked the Commission to approve the expenditure of \$4,893.19 for services provided by Keast and Hood for an engineer's report for the church at 300-318 North 63rd Street.

Mr. Hack made a motion to approve the expenditure. Ms. Heller-Batzer seconded the motion which carried unanimously.

Discussion on the Budget

Mr. Sklaroff introduced the topic by stating that the Fiscal year 2004 Budget for the Commission will be \$265, 619.00. He noted that this amount is too low for the Commission staff to function. Mr. Tyler noted the two new proposed districts would add considerable work and suggested taking the position of no more districts until ample staff is hired. Mr. Perri offered the possibility of generating revenue through the permit process and recommended that a committee be established to address enforcement, which can generate additional fees. Some members inquired if productivity loans are still in existence and the response was affirmative. Mr. Sklaroff asked Mr. Perri to chair a committee, which would consist of Ms. Heller-Batzer, Mr. Tissian and Mr. Rivera, to consider budgetary issues. Ms. Heller-Batzer said that it is very late in the process and recommended developing a plan, which would show how much revenue is generated through the permit process.

In addition, Commission members, using the Barclay proposal as an example, asked the Law Department to review the Philadelphia Code, to see if the approvals by the Commission are valid for a specific time period.

Mr. Bumb made a motion to adjourn. Mr. Sugrue seconded the motion which carried unanimously.

The meeting adjourned at 12:00 p.m.

Respectfully submitted,

Diane M. Hughes
Executive Secretary