

THE MINUTES OF THE 342ND STATED MEETING
OF THE

PHILADELPHIA HISTORICAL COMMISSION

13 June 1990

City Council Caucus Room

Edward A. Montgomery, Jr., Chairman

Present: Edward A. Montgomery, Jr. Chair
William L. Brown
David Brownlee
David Hollenberg
Jason Nathan
Reverend William D. Thompson
James Cuorato, Department of Commerce
David Baldinger, Deputy Director,
City Planning Commission
Charles Finney, Deputy Commissioner,
Department of Public Property
Scott Wilds,
Office of Housing and Community Development
David Wismer, Department of Licenses and Inspections

Maria Petrillo, Esq., Chief Assistant City Solicitor
Richard Tyler, Historic Preservation Officer
Randal Baron, Preservation Planner
Sara Jane Elk, Historic Research Technician
Ira Kauderer, Preservation Consultant
Daniel W. Simcox, Executive Secretary

Also: Patricia A. Siemiontkowski, Assistant City Solicitor,
Department of Law, City of Allentown
Mary Kay Noyallis, City Planning Commission
Jeffrey A. Cohen, architectural historian
Joseph Berenholz, Esq., owner, South 21st Street
Jennie Castaldo, 1230 Arch Street
Howard Kittell, Executive Director
Preservation Coalition of Greater Philadelphia

THE MINUTES of the 341st Stated Meeting of the Philadelphia
Historical Commission held on 9 May 1990, Edward A.
Montgomery, Jr., Chairman. There being no objections,
additions or corrections, the minutes were adopted.

The Report of the Architectural Committee of the Philadelphia
Historical Commission held on 31 May 1990, David Hollenberg,
Chairman. The Committee reviewed five applications,
including two within the proposed Rittenhouse Fitler
Historic District. Mr. Hollenberg provided a summary of
each project and the recommendations of the Committee.

Recommendation to Retain an Independent Consultant

The Committee recommended that the Commission retain an independent consultant to assess the application to demolish the buildings situated at 26-28-30 South 21st Street, based on claims of financial hardship. Joseph Berenholz, the owner of these properties, undertook a study of the economic viability of several development options and submitted that report to the Architectural Committee. The report, however, does not explore a development option which the Committee had suggested as perhaps the most viable means of preserving these buildings, that of retaining the front forty feet of the buildings in conjunction with new construction in the rear of the properties. The applicant declined to examine that option based on his assumptions regarding the present real estate market and the prospect of securing financial support. Mr. Hollenberg reinforced the Committee suggestion that the consultant retained by the Commission assess this unexamined development option.

Mr. Nathan seconded this recommendation to retain an independent consultant to analyze Mr. Berenholz' report, to assess the economic viability of these historic properties and to explore the development option suggested by the Committee. Mr. Tyler noted that this recommendation implied a deferral, for a period not to exceed six months, of the request for demolition in order to allow the Commission to assess the report submitted by the applicant.

The Commission adopted the recommendations of its Architectural Committee for 26-28-30 South 21st Street. It also affirmed the Committee's request that the applicant prepare a cover letter enumerating objective reasons for not exploring the development option suggested by the Committee. This letter also should include Mr. Berenholz' assessment of the economic viability of demolishing these buildings to develop a parking lot. Mr. Tyler noted that he would contact the owner with regard to the selection of the consultant to ensure an impartial assessment by an independent party.

Approval in Concept

The Committee recommended an approval in concept for a proposed roof-top addition for 247 South Van Pelt Street, a two-story brick carriage house in the proposed Rittenhouse Fitler Historic District. As depicted in the preliminary plans and sight-line study submitted by the architect, this addition would be invisible from the street. Regarding proposed alterations to the masonry openings, the Committee expressed reservations and requested that the applicant provide historic documentation supporting his proposal. This recommendation was seconded and approved unanimously.

Approval

The Committee recommended approval of a proposal to install an electrical transformer beneath the sidewalk along Spruce Street for the Society Hill Synagogue. The Committee also recommended approval of revised plans for the installation of HVAC and ductwork. Mr. Wilds asked if the Philadelphia Electric Company (PECO) would install other similar transformers underground. He alluded, specifically, to an outstanding problem at the Swedenborgian Church at 22nd and Chestnut Streets. Mr. Tyler expressed optimism, based on the favorable resolution of this situation, that PECO would cooperate in efforts to resolve similar difficult problems. Subsequently, Mr. Nathan recommended that the staff contact PECO to discuss the aforementioned outstanding problem.

Mr. Hollenberg explained that the University of Pennsylvania had undertaken a comprehensive study of College Hall and had planned for the restoration and reconstruction of its doors, windows, roof and walls. Altered substantially since its construction in 1871, the building has lost two towers as well as its original vibrant colors which have been muted as original stone has been patched and repaired. The present application would allow the architect to proceed with masonry work on the southeast quadrant of the building. Mr. Hollenberg noted that the architect, who examined the report, requested two corrections:

- (addition, p. 6, p. 3): "at the west and reclad in cast stone at the east."
- (correction, p. 6, p.4): "The Committee added that the prototype wall, already prepared and available for viewing, will serve as a test patch for staff examination and approval."

There being no objection, these corrections were incorporated into the Report. Mr. Hollenberg then reviewed the recommendations of the Committee:

- approval of the proposed masonry work for the southeast quadrant of the building.
- approval in concept of the proposed alterations to the doors, windows, rear entrances and roof.

If future phases do not differ significantly from the current proposal, the Committee will amend this recommendation without a full presentation by the architect. Further, the Committee requested a copy of all record drawings, which should include a description of the masonry techniques used throughout the project, for placement on file at the Commission office.

Mr. Nathan seconded the recommendations of the Architectural Committee for both Society Hill Synagogue and College Hall

at the University of Pennsylvania. The Commission adopted these recommendations of its Architectural Committee.

Disapproval

The Committee recommended disapproval of proposed alterations to the facade of 301-303 Cherry Street. This recommendation was seconded and approved unanimously. Mr. Hollenberg noted that the applicant was amenable to the suggestions of the Committee and revised his plans accordingly.

THE REPORT ON STAFF ACTIVITIES, May 1990. Mr. Montgomery indicated that the staff report was acceptable for incorporation into the record.

Rules and Regulations Mr. Brownlee inquired into the status of the Rules and Regulations. Miss Petrillo indicated that she was reviewing the document in view of comments forwarded by John Gallery, a consultant retained by the Commission. Any changes based on these comments would clarify and reorganize, without substantially altering, the Rules and Regulations. Miss Petrillo indicated that the document would not require further review by the Commission.

Mr. Wilds expressed concern that the document had not been forwarded to the Department of Records and requested a firm schedule for its adoption. He suggested that counsel incorporate the consultant's recommendations during the mandatory thirty-day period for public comment. Further, the draft forwarded to the Department of Records should be the one approved by the Commission. Miss Petrillo indicated that she would forward the draft approved by the Commission to the Department of Records within a week.

Mr. Tyler outlined the remaining steps for the adoption of the Rules and Regulations. After deposit of the document with the Department of Records, a mandatory thirty-day period for public review and comment will follow. Mr. Tyler recommended that the Commission hold a public hearing on the document pursuant to this period of public comment. Though not legally mandated, this measure would afford further opportunity for public comment. After adoption of the Rules and Regulations by the Commission, the Administrative Board must approve the document. Mr. Tyler estimated that the document could be adopted by September 1990.

OLD BUSINESS

CONTINUATION OF THE HEARING ON THE REPORT of the Thirty-Sixth Meeting of the Designation Committee of the Philadelphia Historical Commission held on 2 February 1990, David Brownlee, Chairman. At each of its last four meetings, the Commission deferred its hearing on nominations for historic designation for 1214, 1216-1220, and 1228-1230 Arch Street. As Mr. Brownlee had presented these nominations thrice previously, the Commission agreed to proceed to discussion.

Mr. Tyler noted that Norman Oshtry, counsel to the owner of 1228-1232 Arch Street, indicated that he would be in court at the time of the Commission meeting. Consequently, Mr. Oshtry requested a deferral. In a letter to the Commission, he wrote that he received a letter of notification for the Commission meeting on 12 June 1990. This letter has been retained for the record.

Mr. Tyler recommended that the Commission resume its hearing on the nominations. He noted that the Commission, at its May meeting, granted a continuance of one month. This deferral had been the fourth granted upon request of the applicants. Mr. Tyler concluded that the owners had been given ample opportunity to express their views. Mr. Brownlee added that the approved minutes of the May meeting clearly announced that the hearing would resume at the June meeting of the Commission. Miss Petrillo emphasized that the owners had not presented any information which factually opposed the nomination. She advised the Commission that it had three options: to postpone the hearing based on the claim of inadequate notice, to hear testimony and postpone the vote, or to resume the hearing and vote at this meeting.

Jennie Castaldo, 1230 Arch Street, reiterated the claims made by Mr. Oshtry. She added that the other owners also received only one day notice of this meeting.

A MOTION was made by Mr. Brownlee to defer consideration of this matter for one month. Mr. Nathan seconded the motion and advised postponing the hearing based on concern that the designation of these buildings might be challenged on claims of inadequate notice and due process rather than upon the merits of the nominations.

A VOTE on the question was called by Mr. Montgomery. Mr. Hollenberg abstained. Messrs. Brown, Finney, Nathan, Thompson and Wismer supported the motion. Messrs. Baldinger, Brownlee, Cuorato, Montgomery, and Wilds opposed. The motion failed.

A MOTION was made by Mr. Brownlee to enter 1214 Arch Street, the Mershon Building, on the Philadelphia Register of Historic Places. The motion was seconded by Mr. Nathan.

Mr. Tyler indicated that he received a copy of a letter from the Pennsylvania Bureau for Historic Preservation, dated June 1986, which indicated that each of these buildings was eligible for entry upon the National Register of Historic Places. Miss Petrillo requested that Mr. Tyler include a copy of this letter in the record.

Mr. Brownlee indicated that mention was made at the May Commission meeting of a survey of these properties undertaken by the CLIO Group. Jeffrey Cohen, an architectural historian who prepared that survey, was present. Mr. Brownlee asked Mr. Cohen if he wanted to address the Commission regarding the nature or content of his survey. Mr. Cohen refuted an inference drawn from his 1980 evaluation that each of these buildings "would contribute to a district" only and did not meet the National Register's criteria individually. At the May Commission meeting, Robert Faux implied that this evaluation meant that each of the buildings lacked sufficient historic significance to warrant individual entry on the National Register. Mr. Cohen said that he wrote his evaluation based on the assumption that a district nomination constituted a more expedient means of entering these buildings on the Register. He objected to the inference that this evaluation meant that any of the buildings lacked significance by itself.

There being no further comment, a vote was called by the Chairman. The motion was adopted unanimously, with Messrs. Hollenberg and Finney abstaining.

A MOTION was made by Mr. Brownlee to enter 1216-1220 Arch Street, the Young Smyth Field Building, on the Philadelphia Register of Historic Places. The motion, seconded by Mr. Nathan, was adopted unanimously. Messrs. Hollenberg and Finney abstained.

A MOTION was made by Mr. Brownlee to enter 1228-1232 Arch Street, the Breintnall Building, on the Philadelphia Register of Historic Places. The motion, seconded by Mr. Nathan, was adopted unanimously. Messrs. Hollenberg and Finney abstained.

There being no further business, the Commission adjourned at 11:15 p.m.

Minutes Approved: 11 July 1990
Daniel W. Simcox, Executive Secretary