

**THE MINUTES OF THE 621ST STATED MEETING OF THE
PHILADELPHIA HISTORICAL COMMISSION**

**FRIDAY, 9 MAY 2014
ROOM 18-029, 1515 ARCH STREET
SAM SHERMAN, CHAIR**

PRESENT

Sam Sherman Jr., chair
Richardson Dilworth III, Ph.D.
Anuj Gupta, Esq.
Dominique Hawkins, AIA, NCARB, LEED AP
JoAnn Jones, Esq., Office of Housing & Community Development
Rosalie Leonard, Esq., Office of City Council President
John Mattioni, Esq.
Sara Merriman, vice chair, Commerce Department
Joseph Palantino, Department of Public Property
R. David Schaaf, RA, Philadelphia City Planning Commission
Robert Thomas, AIA
Betty Turner, M.A.

Jonathan E. Farnham, Executive Director
Erin Cote, Historic Preservation Planner II
Randal Baron, Historic Preservation Planner III
Kim Broadbent, Historic Preservation Planner I
Laura DiPasquale, Historic Preservation Planner I

ALSO PRESENT

Greg Berzinsky, Berzinsky Architects
Robert Wautlet, E. Allen Reeves, Inc.
Ernie Freeman, First Presbyterian Church
Kathy Dowdell, AIA
Adam Montalbano, Moto Designshop
Haleh Kadkhoda
Joshua France
Neil Sklaroff, Esq., Ballard Spahr
Adam Verboys, Black & Poole
Carey Jackson Yonce, CANNO Design
Norman Bach
Paul George
Harry Schwartz, Society Hill Civic Association
Ben Leech, Preservation Alliance for Greater Philadelphia
Stephen Beers
Shawn Bullard
Mark Fink
Sammy Nestuno

CALL TO ORDER

Mr. Sherman, the chair, called the meeting to order at 9:00 a.m. Commissioners Dilworth, Gupta, Hawkins, Jones, Leonard, Mattioni, Merriman, Palantino, Schaaf, Thomas, and Turner joined him.

MINUTES OF THE 620TH STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

ACTION: Ms. Merriman moved to adopt the minutes of the 620th Stated Meeting of the Philadelphia Historical Commission, held 11 April 2014. Mr. Turner seconded the motion, which passed unanimously.

THE REPORT OF THE ARCHITECTURAL COMMITTEE, 22 APRIL 2014

Dominique Hawkins, Chair

CONSENT AGENDA

Mr. Farnham introduced the consent agenda and explained that it included four applications: 115-19 Cuthbert Street, Unit E; 319 S. Camac Street; 546 Queen Street; and 17-19 N. 02nd Street. Mr. Sherman asked if any Commissioners had comments on the Consent Agenda. No one offered comments. Mr. Sherman asked if the audience had comments on the Consent Agenda. No one asked any questions.

ACTION: Mr. Thomas moved to adopt the recommendation of the Architectural Committee for 115-19 Cuthbert Street, Unit E; 319 S. Camac Street; 546 Queen Street; and 17-19 N. 02nd Street. Mr. Schaaf seconded the motion, which passed unanimously.

AGENDA

ADDRESS: 115-19 CUTHBERT ST, UNIT E

Project: Construct one-story rooftop addition

Review Requested: Final approval

Owner: Stephen Beers

Applicant: Adam Montalbano, Moto Designshop

History: 1920

Individual Designation: None

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

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, with the staff to review details, pursuant to Standard 9 and the Roofs Guideline.

OVERVIEW: This application proposes to construct a small, one-story rooftop addition with roof deck on a residential multi-family building located within the Old City Historic District. The former light-industrial building was a box factory built about 1920; it was altered and added to in the 1980s. The design of the proposed addition is Modern in style, not to exceed 65 feet in height, and would be set back about four feet from Mascher Street. The addition would meet the parapet of the historic building along Cuthbert Street for a length of about 19 feet, with the remaining span along Cuthbert Street set back about three feet. Cuthbert and Mascher Streets are very narrow and views of the addition from the public right-of-way would be limited.

The Architectural Committee twice this year as in-concept reviews. The initial recommendation of the Committee was for a simplification of colors and materials, additional glazing, and reduction of visibility. The applicant then submitted a revised proposal to reflect simplified materials and colors, and the addition of glazing, but the overall massing remained relatively the same as the first submission. Upon second review, the Committee recommended approval of the in-concept application, provided an exterior stair is substituted for the pilot house, the railing is metal, and the addition is dark gray in color; with the staff to review details. The current revised proposal, requesting final approval, addresses those concerns.

ACTION: See Consent Agenda.

ADDRESS: 319 S CAMAC ST

Project: Construct two-story rear addition and deck

Review Requested: Final approval

Owner: Patrick and Shelly Baldasare

Applicant: Chris Deemer, Berzinsky Architects

History: 1828

Individual Designation: 2/28/1961

District Designation: None

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided that alterations to existing window or door openings do not widen the openings, and the glazing orientation on all new windows and doors is vertically oriented rather than horizontally oriented, with the staff to review details, pursuant to Standards 9 and 10.

OVERVIEW: This application proposes to construct a two-story rear addition with third-floor roof deck on a private residence. The existing one-story rear addition with third-floor roof deck will be removed. The new addition will be built using red brick where it faces South Fawn Street and will include doors on the first floor and casement windows on the second floor. The third-floor deck with metal railing will be set back on the addition about seven feet. The addition is visible from South Fawn Street at the rear, but not from South Camac Street.

ACTION: See Consent Agenda.

ADDRESS: 546 QUEEN ST

Project: Construct second-story addition with roof deck

Review Requested: Final Approval

Owner: Halle Borges

Applicant: Hyon Kang, KCA

History: 1825

Individual Designation: 12/31/1984

District Designation: None

Staff Contact: Erin Cote, erin.cote@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided the existing width of the third-floor opening is maintained; the door to the deck is glazed in the upper portion with six panes; no new soldier courses are

added; the first floor flanking windows are one-over-one; and the piers are capped with a solid material such as cast stone, with the staff to review details, pursuant to Standard 9.

OVERVIEW: This application proposes to construct a second-story addition with a roof deck over an existing non-historic rear one-story addition at this building at the corner of 6th and Queen Streets. The addition would be clad in brick or stucco as an alternate and would be recessed two inches to be differentiated. The deck would have brick piers at each corner with a metal railing in between. The deck would be accessed by the third-floor window cut down for a six-panel solid wood door. A soldier-course lintel would be installed above the door. A door with the upper portion glazed with six panes and no soldier-course lintel would be more appropriate. This application also proposed to install aluminum-clad six-over-six simulated-divided-light windows with 7/8 inch-wide muntins.

ACTION: See Consent Agenda.

ADDRESS: 7-43 W CHELTEN AVE

Project: Construct ADA access ramp, alter historic doors

Review Requested: Final Approval

Owner: First Presbyterian Church

Applicant: Robert Wautlet, E. Allen Reeves, Inc

History: 1871; First Presbyterian Church of Germantown; 1888, 1891, 1937

Individual Designation: 1/25/1966

District Designation: None

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, and suggested that the white doors should be retained and stored on site, the applicant should explore rotating the ramp, and both sets of doors should be paneled at the bottom and glazed above, with the staff to review details.

OVERVIEW: This application proposes to construct an ADA-accessible ramp at the rear of the building, and to replace two sets of exterior doors. The proposed ramp would be of wood construction. The first set of doors, which is visible from W. Cheltenham Avenue, would be replaced in kind. The second set of doors, which is visible from Vernon Park, would be replaced with an ADA-accessible metal door and sidelight. The stained glass and decorative wood transoms would remain.

Although it is unclear whether the set of doors facing W. Cheltenham Avenue is original, an 1895 photograph of the property indicates that the style of the existing doors is consistent with that of the historic doors. The rear doors facing Vernon Park appear to be original, and as such, the staff recommends that the applicant retain them in a permanently open position, while installing an ADA-accessible door in the opening.

DISCUSSION: Ms. Turner recused from the review, owing to her longstanding relationship with the church. Ms. DiPasquale presented the application to the Commission. Project manager Robert Wautlet and Ernie Freeman of the First Presbyterian Church of Germantown represented the application.

Ms. DiPasquale noted that the applicant had supplemented the application since the Architectural Committee meeting, providing a document justifying the need to configure the

ramp as proposed, as well as additional graphical documentation.

Ms. Hawkins noted that the letter of justification was sufficient, and that at the time of the Architectural Committee, the Committee did not have the information on the location of the ADA-accessible parking spaces, which were shown on the supplementary documentation provided to the full Commission.

Ms. Hawkins asked for clarification of the materials for the doors, and Mr. Wautlet responded that they would be metal doors with applied trim to create the appearance of a panel at the bottom. Ms. Hawkins noted that there was discussion at the Architectural Committee meeting for the need for the metal doors to provide security, and asked the applicants if they were willing to store the historic doors on site. Mr. Freeman responded that the doors would be saved indefinitely, but that they are concerned that the doors will fall apart during the removal process. Ms. Hawkins responded that even in pieces and parts, the doors provide valuable information for the future.

ACTION: Ms. Hawkins moved to approve the application, provided the historic doors retained and stored on site, with the staff to review details. Mr. Schaaf seconded the motion, which passed unanimously.

ADDRESS: 2139 CYPRESS ST

Project: Construct addition, alter front doorway, replace front windows

Review Requested: Final Approval

Owner: Anthony Tran

Applicant: Joseph DelCasale, DelCasale Custom Builders, LLC

History: 1860

Individual Designation: None

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

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standards 6 and 9.

OVERVIEW: This application proposes to construct a three-story rear addition with roof deck. The addition would span the entire rear of the property, and would require the demolition of a non-historic greenhouse. The materials of the addition would be stucco at the first floor, and Hardie-board siding on the second and third floors. The proposed addition would be visible from S. 22nd Street. The proposed roof deck would cover the roof of the third floor of the addition, as well as a large portion of the existing main block. It would be set back 12 feet from Cypress Street and approximately four feet from the east façade to minimize visibility from the approach westward along Cypress. Other proposed changes include new windows on the front façade, and the widening of the front door.

DISCUSSION: Ms. DiPasquale presented the application to the Commission. No one represented the application.

Ms. DiPasquale noted that the applicant had provided revised plans the previous day, which included the change of the cladding materials to be stucco throughout; the movement of the roof deck exclusively to the main block of the house, to minimize visibility from 22nd Street; and the dropping of the height of the third-floor addition to a point below the cornice line of the main

block, as discussed at the Architectural Committee. The applicant also abandoned the proposed widening of the front door, and will now retain the rear wall of the main block, as suggested by the Architectural Committee.

Ms. Hawkins noted that one of the principal concerns of the Architectural Committee was the construction of a deck on any portion of the main block. She stated that the Committee had recommended that a two-story addition at the rear, with a deck on the roof of the addition. Ms. Hawkins commented that the proposed third-floor addition only provides one additional room.

Mr. Sherman asked whether the visibility of the proposed additions from the street had been determined. Ms. DiPasquale presented a photograph showing the visibility of the property from S. 22nd Street. Mr. Thomas commented that, given the setback from Cypress and the visibility from S. 22nd, he did not believe that the proposed deck would be visible. Ms. Hawkins noted that photographs of the front façade show a small alley to the west of the front façade that would allow visibility of the deck from Cypress Street.

Ms. Hawkins questioned whether the building's chimney would need to be raised, given the proposed 12-foot setback of the deck. Mr. Thomas commented that, lately there have been many requests for the removal of historic chimneys, since modern heating equipment does not require the chimneys. He noted that the chimney and west side of the roof, where the proposed deck would be located, are quite visible from Cypress Street.

Mr. Thomas noted that the front door is unusually narrow, and questioned if there was a way for furniture to be brought into the building. Ms. DiPasquale noted that the rear of the property is accessible from the side alley, which is three feet wide.

Mr. Thomas commented that he noticed the front door hinges on the party wall side of the building, and that he believes the owner could meet the historic requirements by using offset hinges so that, when the door opens, it is not within the doorway, but instead back against the wall. This would allow the owner to take advantage of the full width of the door, if he so desires.

Ms. Merriman asked Ms. Hawkins what specific information she would seek for the roof deck configuration. Ms. Hawkins responded that she thinks that the deck would be visible from the front, and that the Architectural Committee felt that having a deck that is visible from the public right-of-way on the main roof of a building was inappropriate. She noted that there is an opportunity to have the deck on the second-floor rear. Ms. Merriman noted that a visibility study for a deck on the main block would be necessary.

Mr. Baron observed that the building to the east is one floor shorter, so the deck would need to be pulled back from that side as well to avoid additional visibility. He further noted that there might be a place on the main roof where a deck would be invisible, but that a mock up would be needed to identify such a place. He continued that, generally, the Commission has identified the rear ell as the appropriate place for a deck, even if it is somewhat visible. He noted that pushing the deck onto addition and off the main block would be his preferred alternative.

ACTION: Ms. Hawkins moved to deny the application as submitted, but to approve a two-story, stucco-clad rear addition with a deck on the addition, but no deck on the main block, with the staff to review details, pursuant to Standards 6 and 9. Mr. Schaaf seconded the motion, which passed unanimously.

ADDRESS: 668 N 19TH ST

Project: Legalize replacement of windows and alteration of bays

Review Requested: Final Approval

Owner: Haleh Kadkhoda

Applicant: Kevin O'Neill, KJO Architecture LLC

History: 1895

Individual Designation: None

District Designation: Spring Garden Historic District, Contributing, 10/11/2000

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial as submitted, but approval, provided the window and bay plans are modified appropriately, with the staff to review details, pursuant to Standard 6.

OVERVIEW: This application proposes replacing windows and copper bays. The Commission has had a long history with this owner and property. In 2004, the current owner replaced the windows in the property with one-over-one vinyl windows without a permit or approval. A violation was issued, which was appealed to the Commission and the Board of License & Inspection Review. The application and appeal were denied. In 2010, the same owner replaced a roof deck without a permit or approval. Again, a violation was issued. The owner applied to the Commission for the legalization of the deck. The Commission approved the legalization of the deck, provided the illegal windows were replaced with the appropriate windows. The replacement was never undertaken. Although the deck is marked on the plans in the current application as existing, it is not legal because the conditions for approval were never met. Recently, the replacement of the side bays was begun without a permit or approval.

The current application proposes replacing windows and reconstructing copper bays. After the Architectural Committee meeting, the applicants revised the plans to call for appropriate windows and the appropriate reconstruction of the bays.

DISCUSSION: Mr. Baron presented the application to the Commission. Property owner Haleh Kadkhoda and contractor Joshua France represented the the application.

Mr. Sherman stated that he is happy to see that this building will finally be brought into compliance. He asked when the work would begin. Mr. France explained that they are awaiting revised shop drawings for the windows. They will replace the windows and rebuild the bays as soon as possible.

ACTION: Ms. Hawkins moved to adopt the recommendation of the Architectural Committee and deny the application as submitted, but to approve a revised application, provided the window and bay plans are modified appropriately, with the staff to review details, pursuant to Standard 6. Ms. Jones seconded the motion, which passed unanimously.

ADDRESS: 1921 DIAMOND ST

Project: Legalize alterations

Review Requested: Final Approval

Owner: Mansion Lofts LLC

Applicant: Shawn Bullard

History: 1889; Willis Hale, architect

Individual Designation: None

District Designation: Diamond Street Historic District, Significant, 1/29/1986

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the masonry restoration and new roof shingles, with the staff to review specifications and samples; denial of all other aspects of the application, pursuant to Standards 2, 3, 5, 6, 7, and 9.

OVERVIEW: This application proposes legalizing illegal work as well as granting approval of new work. In October of 2006, the applicant obtained a permit to work on a chimney and roof. He exceeded that permit with the following work:

1. demolition of two metal-clad bays on the side façade, which were replaced with flat stucco infill with sliding doors and railings;
2. application of stucco over the front metal bay and removal of a railing;
3. installation of inappropriate vinyl windows on all three facades;
4. installation of an inappropriate front door;
5. painting of exterior brick;
6. construction of new garden wall in cinderblock; and,
7. new door at basement level opening to street.
8. Infill of front basement window with tiles.

The applicant now proposes to modify and legalize this work in the following ways:

1. remove the paint and repair the brick and brownstone walls, base, and stairs, but no specifications have been provided;
2. remove the stucco from the front bay and replace it with red vertical seam metal siding;
3. remove the stucco and French doors from the area of the side bays and replace them with windows and brick infill;
4. install rustic red asphalt shingles on the mansard; and,
5. convert side third-floor door into a window.

The paint removal and masonry repair could be an improvement if done correctly. The rest of the work involves replacing one inappropriate treatment for another. The building would still have its inappropriate windows and would be shorn of its decorative bays, balconies, and doors.

The Committee and Commission reviewed a very similar proposal in November 2012 and denied most of the work, except the masonry restoration. The violations have been enforced in court and fines are currently in place.

The applicant mentions some issues in his cover letter which could contribute to a hardship application, but he has not provided such an application.

DISCUSSION: Mr. Baron presented the application to the Commission. Property owner Shawn Bullard represented the application.

Ms. Jones asked Mr. Bullard if he wanted the Commission to act on the current application or defer judgment until he has submitted a financial hardship application. Mr. Bullard responded that he is eager to have the Commission consider this application so that he can understand what and is not acceptable. He said that he would rather invest his time and energy in the property itself than in preparing an application that will not be successful. He said that he would like to come to an agreement with the Commission on a compromise that includes the legalization and forgiveness of certain aspects of the illegal alterations. Mr. Sherman said that the Commission has occasionally approved the correction of violations on a schedule to allow the owner to spread the work and cost over a period of time. He suggested that such an approach might be appropriate in this circumstance.

Mr. Bullard read a letter to the Commission that had been distributed to the Commission members in advance of the meeting and is part of the record for this review.

We would like to legalize the historical alterations made to 1921 Diamond Street. Due to financial hardships, lack of outside funding, and an underdeveloped location, we are only able to make certain restorations. Since investing over \$290,000 we have done our best within our financial parameters and resources available to us, to restore or correct MORE historical characteristics to 1921 Diamond Street.

We share the same passion as you, the Historical Commission, to bring out the best in 1921 Diamond Street. We believed this was truly displayed when acquiring a condemned and blighted building on the brink of being torn down. In all actuality I saved 1921 Diamond Street seven years ago from being destroyed, and hope the historical commission will deem forgiveness, for some of the historical structure components that are no longer present. Historical details that were no longer present due to the horrible condition and unsalvageable structural damage when acquired in 2007. I hope the Historical Commission will distinguish a standing, alive, and now being maintained, 1921 Diamond Street as a conquest that we all should be proud of. With that said I hope the Historical Commission will accept my proposal to bring back the historical nature of 1921 Diamond Street, within the minimum financial means of the owner and legalize the historical alterations present.

Mr. Baron stated that he has advised Mr. Bullard to develop a schedule for correcting the violations. He asserted that it would be premature for the Commission to consider a financial hardship argument or the forgiveness of the violations at this time because the applicant has provided no hardship documentation. Mr. Bullard is before the Commission at this time because the courts are enforcing the violations and have assessed large fines. Mr. Baron emphasized that acting today on application that has been submitted would not preclude a financial hardship submission in the future. He urged the Commission to act on the information before and not prejudge a hardship application that has not been and may never be submitted.

Mr. Bullard said that he is now more mature than when he first worked on the project. He said it is a large building that was in very poor condition when he purchased it; he was overwhelmed by the complexity of the project. The Department of Licenses of Inspections had put a yellow sticker on the building, indicating that it was to be demolished, when he purchased it. The building had already been painted blue before he purchased it, he claimed. He stated that Mr. Baron was incorrect in claiming that he had removed or altered the bays; some were gone when he purchased it and others were collapsing. Mr. Bullard acknowledged that he installed the vinyl windows because he could not afford the correct historical windows for this corner property,

which has many windows. Mr. Bullard stated that he lost money on the development. He said that he is willing to remove the paint and point the brick within one year. He said that he would cover the front stucco bay with wood or metal siding within a year. In the meantime, he would like to come to an agreement with the Commission and have his \$12,000 lien removed. He stated that he would like to discuss a timeline for compliance with the Commission. He provided photographs of the building taken before he started the work.

Ms. Leonard asked how much time he would need to correct the violations. Mr. Bullard responded that the timeline will depend on what needs to be corrected and what the Commission is willing to forgive. He estimated two to three years, but said that it depends on how much work needs to be done.

Mr. Thomas explained that he planned the renovations for very similar buildings on Parkside Avenue. He said that the Park Service accepted the reconstruction of the bays in an alternate material that was painted a patinated green. He said that Mr. Bullard could work on the brickwork and roofing now and should discuss with the staff cost-saving ways to restore the original appearances of the other elements. He asked Mr. Bullard if the units are occupied. Mr. Bullard explained that they are occupied, but contended that Diamond Street is not the lucrative location it had been several years ago. Temple University students are no longer interested in locations as far west as 19th Street. He said that the roof is not in violation and he is no longer interested in doing any work to the roof.

Mr. Bullard asked again for a list of elements that need to be restored and those that can be forgiven. He stated that he believes that the doors, windows, and bays are the primary elements in violation that must be rectified. Mr. Sherman stated that those are the main elements that must be brought into compliance. He suggested that Mr. Bullard develop a comprehensive plan with a timeline for presentation to the Commission. A comprehensive plan must be the basis for a discussion; the Commission cannot develop a plan with the applicant during the public meeting, but must review a plan presented by the applicant. Ms. Hawkins read from the staff recommendation the list of the elements that should be restored including reconstructing the bays to match the original appearance, installing the balcony, installing the historically appropriate windows and doors, and restoring the masonry. She gave him a copy of the list of elements. She said that there may be some flexibility on the rear fence. Mr. Thomas explained that the Commission cannot approve a plan presented orally; it must be documented. He explained that applicants must present written proposals that the Commission, its staff, and the public can review in advance of the public meeting. The proposals provide details of the projects proposed for approval. The Architecture Committee reviews the proposals and offers non-binding recommendations. The Commission then reviews proposals at its public meetings. The proposals must provide the Commission and public with the important details before approvals can be granted. Mr. Bullard opined that the Commission was not understanding him, but he would accept its decision.

ACTION: Mr. Thomas moved to adopt the recommendation of the Architectural Committee and approve the masonry restoration and new roof shingles, with the staff to review specifications and samples, by deny all other aspects of the application, pursuant to Standards 2, 3, 5, 6, 7, and 9. Mr. Mattioni seconded the motion, which passed unanimously.

ADDRESS: 17-19 N 02ND ST

Project: Construct rear stair tower, infill window, cut door

Review Requested: Final Approval

Owner: F&F Real Estate Partners No. 1 LP

Applicant: Mark Fink, Mark Fink Real Estate

History: 1785

Individual Designation: 1/6/1977

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

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided the window locations are modified as suggested, with the staff to review details, pursuant to Standards 9 and 10.

OVERVIEW: This application proposes alterations needed to combine two structures into one for use as a hostel. The 2nd and Church Street facades are being restored under separate permit approved by staff. The work proposed in the current application would take place at the east or rear facade. A three-story stair tower would be added at the rear of 19 N. 2nd Street; it would preserve the existing rear wall and leave the rear cornice exposed. The stair tower would be clad in stucco. A new door would be cut in a previously stuccoed portion of the rear façade of 17 and a window opening would be infilled with a reveal. Views of the rear façades will soon be obscured by townhouses that will be built on the adjacent lot on Church Street.

ACTION: See Consent Agenda.

OLD BUSINESS

ADDRESS: 240 S 07TH ST

Project: Construct three-story addition and decks, alter rear dormer

Review Requested: Final Approval

Owner: Franco Deblasio

Applicant: Carey Jackson Yonce, Canno Design

History: 1796, John Hutchinson, carpenter

Individual Designation: 4/30/1957

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

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

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

OVERVIEW: This application proposes constructing an addition and two decks at the rear of this late eighteenth-century building. The building has an unusual cantilevered rear addition, which predates its designation. The new addition would be constructed on and beside the rear ell, infilling the side yard. It would be clad with siding like the siding already on the existing rear addition. The side wall of the ell at the side yard would be retained and encased within the addition. An upper roof deck would be added to the addition and accessed from a rear dormer converted to a door. A second deck would be constructed on the existing addition. The addition and upper deck would be visible but inconspicuous from both 7th and Manning Streets.

DISCUSSION: Mr. Baron presented the application to the Commission. Property owner Franco Deblasio, architect Carey Jackson Yonce, attorney Neil Sklaroff, and preservation consultant George Thomas represented the application.

Mr. Baron noted that the architect has revised the architectural drawings to make it clear that the deck railing will not be attached to the rear slope of the roof of the main block. Mr. Baron explained that the Historical Commission typically limits the exercise of its authority to those elements of buildings and properties visible from the public right-of-way, but has, on occasion, regulated elements of buildings that are highly significant, but completely out of public view. He noted that some expressed concern that the proposed construction would compel the construction of an addition on the chimney to satisfy the building code; the architect has conceded that the chimney may need to be altered. The Architectural Committee opined that the addition would be visible from Manning Street and would result in an obscuring of the original volume of the ell. The Architectural Committee voted to recommend denial, pursuant to Standard 9. The applicant has submitted additional information, which was sent to the Commissioners by email. The Society Hill Civic Association has submitted a letter, which was distributed this morning to the Commissioners.

Mr. Sklaroff distributed paper copies of the additional information, which was emailed to the Commissioners. Mr. Sklaroff introduced the architect, Mr. Yonce, and noted that he trained under architect Robert Venturi. Using floor plans, Mr. Yonce pointed out the proposed addition at the various levels. On the first floor, the addition will allow for a larger kitchen. On the second floor, it will allow for a bathroom. On the third floor, it will allow for a larger bedroom. He pointed to a proposed deck on the roof of the existing addition. He also pointed to a proposed roof deck, which would be accessed from an existing dormer at the attic level. He noted the change to the railing of the roof deck suggested by the Architectural Committee. He reported that he went out onto the roof and confirmed that the chimney will not need to be altered. Mr. Yonce stated that they are proposing to add 5'-4" to the width of the rear ell. He explained that they are proposing wood siding for the addition that will match the wood siding on the existing addition. Mr. Yonce stated that the additions will be clad in wood siding and the original building in brick, allowing the observer to differentiate original from added. Mr. Yonce informed the Commissioners that his submission package includes renderings showing the proposed addition in orange; it will not be orange in color when built, but is depicted in that color in the renderings for clarity.

Ms. Hawkins observed that the Architectural Committee had pointed out some discrepancies between the architectural plans and elevations. Ms. Hawkins commented that the chimney is shown as flush with the wall in one drawing and proud of it in another. She noted that the deck railing was inconsistent between drawings as well. She noted some inconsistencies between the location of the property line, party wall, and addition wall on various drawings. Mr. Yonce explained that the architectural drawings are accurate, but the massing model, which is intended to give a general sense of the overall volume of the addition through the renderings, does not depict the finishes and details precisely. Ms. Hawkins asked if the siding would cover the chimney. Mr. Yonce stated that it would not; it would run to the chimney and terminate. Ms. Hawkins noted that the discrepancies between the architectural drawings and renderings were highlighted at the Architectural Committee meeting, but have not been corrected in the revised drawings. Mr. Yonce apologized. Mr. Sklaroff observed that the inconsistencies in the drawings relate to rear sections of the building that are completely out of the public's view. He acknowledged that the drawings include a few minor inconsistencies, but asserted that they are irrelevant to the Commission's review. Ms. Hawkins asked if the building code allows for wood siding at the property line. Mr. Sklaroff stated that his team believes that the design is code

compliant; if it is not, it will be rendered compliant in consultation with the plans examiner at the Department of Licenses & Inspections. He again asserted that the area of potential revision is completely outside the public view and should be irrelevant to the Commission.

Mr. Sklaroff introduced the preservation consultant, Mr. Thomas, and noted that he not only teaches at the University of Pennsylvania but also currently teaches at Harvard University's Graduate School of Design. Mr. Sklaroff reported that he is an expert in Philadelphia architecture, has visited the site, and has reviewed other similar applications in the Historical Commission's files. Mr. Sklaroff observed that the Commission has approved numerous applications that involve infilling the side yard of a rear ell. He remarked that they have provided information about these applications to the Commission. Mr. Thomas stated that the critical point to understand is that rowhouses such as the one in question are used differently today than they were originally. When built, the main family living space was in the main block at the front and the rear ell was the domain of servants and devoted to tasks like cooking. Since the late twentieth century, the kitchen has become the main living space of the American family. The rear ells of rowhouses have become increasingly important. Mr. Sklaroff explained the various exhibits that he had submitted to the Commission. They document earlier approvals of projects like that proposed.

Mr. Thomas stated that the first photographs in his packet of materials are of the buildings in the row that includes the house in question. The next section includes photographs of nearby properties; the section includes photographs of the fronts and rears of the houses. It is clear that the rears of the houses have been altered in the last 30 or 40 years to accommodate contemporary living patterns. The photographs show that all of the houses have been modified for contemporary living requirements. This is the "normative development of the Philadelphia row and townhouse," he asserted. He showed additional photographs of nearby houses that have been altered or are being altered. He asserted that it is normal to adapt these houses for changing lifestyles. If we prevent them from adapting, they lose value. He showed more photographs, claiming that the rears have been altered and added to extensively. He noted that the house at 21st Street and Cypress Street has been altered and added to repeatedly with the Historical Commission's approvals. He showed numerous photographs of rowhouses in Center City that have been altered at the rear and, in some cases, built out to the property lines. He ended with a photograph of the "symphony of variety" at the rears of Philadelphia rowhouses. He contended that buildings must be adapted to be "comfortable, usable, and valuable." He asserted that the front facades should be preserved because they provide a unified streetscape, but the rears should be able to be modified. He distributed a sheet of paper, which was not provided to the Commission in advance, showing the mid nineteenth-century Hexamer atlas for the block with the subsequent changes indicated in red. The changes at the rears make these buildings "livable in the world that we live in." He claimed that changes to the rears of rowhouses are the "norm," not the exception. Mr. Thomas reminded the Commission that it typically allows changes to buildings that are not conspicuous from the public right-of-way. Mr. Thomas stated that the proposed addition is well designed and is reversible, meaning that it could be removed in the future, leaving the historic building intact. This application proposes to adapt the building for twenty-first-century living and thereby maintain its value.

Mr. Sklaroff distributed additional information about properties that have been altered and added to in ways similar to the current proposal. He stated that the proposed addition is modest and is designed to "achieve livability."

Howard Lander of 709 Spruce Street stated that he attempted to expand the rear ells of buildings he was redeveloping on the 900-block of Clinton Street many years ago and was denied the approvals he sought. Mr. Lander asserted that this house and the other two in the row are “special.” He asserted that the new owner should not have purchased this house if it is too small in its current condition. He reported that the property has been sold three or four times recently because it is very small. He stated that the small size of the house is a “detriment” to it. He objected, however, to any addition to the small house because it would “make the whole neighborhood feel different.” Mr. Lander explained that he has been working with the Commission on changes to his house at 709 Spruce. He stated that he appreciates the Commission.

Kathy Dowdell asked if the Commission could provide her with a copy of the materials distributed by the applicant. She asked if they were available on a flash drive. Mr. Farnham explained that the materials were submitted to the Commission in advance of the meeting and were available for public review in the Commission’s offices prior to the meeting. Ms. Dowdell stated that she visited the Commission’s office to review project files, but did not see this application listed on the Architectural Committee’s agenda. It was noted that this matter is old business and would not have appeared on that agenda.

Harry Schwartz of the Society Hill Civic Association stated that the position taken by Mr. Thomas is “a novel interpretation of historic preservation.” He summarized the position, contending that Mr. Thomas had stated that historic houses do not serve contemporary needs and therefore must be altered. He also observed that Mr. Thomas had stated that filling in the open area along the ell is typical or normal. He disagreed with Mr. Thomas, especially his conclusions that historic houses become unusable if they are not adapted and that the front façade is the only element worthy of preservation. Mr. Schwartz stated that his organization endorses the Architectural Committee’s recommendation of denial. He argued that rear ell of this building is a character-defining feature. Rear ells are intended to bring light and air to the sides and rears of rowhouses. Encasing or encapsulating the ell with an addition violates Standard 2, which stipulates that the alteration of spaces that characterize a property should be avoided. The ell is a character-defining feature and should not be encapsulated. Standard 5 dictates that distinctive features that characterize a property shall be preserved. The ell is a distinctive feature and should be preserved. The Guidelines recommend against attaching an addition such that the character-defining features are obscured. The Guidelines recommend against an addition that results in the loss of character of the resource and its setting. He concluded that the Standards and Guidelines are very clear in this matter. He strongly urged the Commission to adopt the recommendation of the Architectural Committee.

Paul George, one of the owners of 238 S. 7th Street, the building to the north of the one in question, addressed the Commission. He urged the Commission to adopt the recommendation of the Architectural Committee. He asserted that the changes proposed are “extreme” and “out-of-keeping with the architectural nature of the house.” The addition would destroy the building and its relationship to the neighboring house. Mr. George asserted that the application does not comply with the Secretary of the Interior’s Standards and will “obliterate” the light coming into his home. He stated that the applicant has not addressed the impact to his home. He referred the Commission to the document he provided earlier. He provided a history of the three houses in the row, which were built in the 1790s. He stated that his house and the one in question are “interconnected.” He stated that the houses have main blocks and rear ells, which allow light and air in. He reported that the original rear ell of his house was widened many years ago. He explained that the rooms in his widened rear ell have windows that open out into the side rear

yard at 240 S. 7th Street. He objected to the proposed window for the south façade of 240 S. 7th Street. He objected again to the addition, which would fill the open space along the ell. He stated that the addition ignores the relationship with his house, the “sister” house at 238 S. 7th. Mr. George turned to the documents presented by Mr. Thomas and concluded that other mistakes should not be used to justify this mistake. He objected to the accuracy of the captions on the photographs presented by Mr. Thomas. He asserted that the testimony from Mr. Thomas was meant to deceive regarding an addition to the rear of a house. Mr. George questioned whether he would be able to maintain the sidewall of his rear ell when the proposed addition is constructed. To maintain the sidewall of his widened ell at 240 S. 7th, one must occupy the open property at 238 S. 7th, he asserted. If that open property at 240 S. 7th is built on, then there will be no way to maintain the widened ell at his house at 238 S. 7th Street. He asserted that he needs the open space at the neighboring property to work on his property. He held up a piece of paper showing how far apart the rear ell walls would be when the addition is built and wondered how scaffolding could be erected. He also wondered how firefighters would undertake rescues in a narrow space. He stated that he is also worried about his foundation. He reported that his rear ell was widened out into his side yard along his original ell, but he does not know whether a sufficient foundation was installed at the time. He noted that he is worried that, if his widened rear ell has an inadequate foundation, his it may be damaged when the adjacent rear ell is widened. He again advocated for denial, but asserted that, if the Commission approves the project, it should be conditioned with the requirement that the applicant retain a professional engineer to ensure the construction will not adversely impact his already-widened rear ell. He concluded, stating that he has letters from two neighbors, who oppose the project.

Attorney Paul Boni stated that he represents Paul George and his partner. He submitted the letters from the two neighbors opposing the application for the record. He stated that, if the Commission cares about spatial relationships, then this application should be denied. He asserted that both 238 and 240 S. 7th Street are “perfectly fine, perfectly usable” three-bedroom houses. He noted that he lives in a very small house. He stated that completely filling in the side yard of one ell is damaging to the adjacent property. “This proposal is just way too massive.” He claimed that none of the applicant’s examples support the applicant’s case, but instead support his claim that ells that face each other “should be respected.” He contended that this is a case of one property owner exploiting his property to the detriment of the neighbor so much so that the subject property loses all of its light and air. The Secretary’s Standards are intended to preclude this sort of “damage.”

Ted Robb of 236 S. 7th Street stated that he is opposed to the application. He noted the lengthy discussion about spatial relationships, but suggested that the applicant should take personal relationship into account. He stated that the owners of the three contiguous properties have always consulted one another before making changes. The applicant should be concerned with personal relationships as well as spatial relationships.

Mr. Sklaroff observed that the rear ell of the house owned by Mr. George and his partner at 238 S. 7th Street, to the north of the property in question, has already been widened, reducing the width of the space between the two ells and reducing the light and air. Now, Mr. George is objecting to a change at the neighboring house that has already been made to his house. Mr. Sklaroff stated that issues of light and air as well as structural issues are matters regulated by other agencies, not the Historical Commission. Those other agencies will ensure that this proposal satisfies their standards. The job of the Historical Commission is to ensure that this project satisfies its standards. He asserted that this project does satisfy the Secretary of the Interior’s Standards. He asked Mr. Thomas to identify the character-defining elements of this

house. Mr. Thomas stated that the character-defining feature of these houses is change. He pointed out the changes to the three houses in the row. These buildings are characterized by a “constancy of change.” Mr. Thomas stated that the real question before the Commission is: Does a change at the back of this house change what matters about this building? He answered his question, stating that a change at the rear does not change the important aspects of this building. He claimed that the Standards are intended to permit changes that allow buildings to remain relevant. Preventing changes of rowhouses at the rears would be “throwing the baby out with the bath.” All of the buildings in the area have been altered at the rear. Such changes are the norm.

Mr. Sherman stated that he considers the question of widening of the rear ell to be a zoning question, not a preservation question, in this case.

Ms. Merriman asked Mr. Farnham to explain why the staff recommended approval of this project. Mr. Farnham stated that he would answer the question by first responding to the comments of Mr. Schwartz. He noted that the Commission’s Rules & Regulations stipulate that the Commission “shall be guided by” the Secretary of the Interior’s Standards. Mr. Farnham explained that the Rules employ the term “guided by” for a very good reason. The Standards were written by the federal government for a very different regulatory environment than the one in which the Commission practices. The Commission is directed to be guided by the Standards, and not to apply them strictly, because of this difference in regulatory environments. The federal government created the Standards to provide preservation review criteria for the management of its own construction projects and for those in which it has an involvement through permits, grants, tax credits, and other mechanisms. The federal government can apply a stricter standard to its self and those projects that it is facilitating than the Historical Commission can. The Commission is charged with protecting the public’s access to historic resources, the public’s right to observe and appreciate those resources. The staff’s recommendation derives directly from that understanding of the Commission’s charge and its guidance by the Standards. Mr. Farnham acknowledged that the rear ell of the property in question could be considered a character-defining feature with a strict interpretation of the Standards, but would not be a character-defining feature in the context in which the Commission is guided by the Standards to protect the public’s access to historic resources. He asserted that the ell is barely visible from the public right-of-way and the proposed alterations would have virtually no effect on the public’s appreciation and understanding of this building. Mr. Farnham reported that the staff discussed its recommendation for this application at length before reaching consensus, but noted that the staff’s initial concerns related to the view of the addition and deck from 7th Street, not the infilling of the ell. He stated that the staff quickly agreed that the infilling of the ell would have no impact on the public’s understanding of the building and was therefore solely a zoning issue. He stated that the staff discussed and eventually decided that the addition and deck were appropriate because they would be inconspicuous from the public right-of-way and therefore comply with the Standards and Guidelines. Mr. Farnham acknowledged that the Architectural Committee disagreed with the staff. Regarding precedent, Mr. Farnham stated that the Commission has approved several applications proposing to infill the side yards along rear ells. Mr. Farnham stated that, even though there are precedents for an approval in this instance, the primary question is not one of precedent, but one of direct visual access for the public. He noted that the integrity of the ell in question may also be a factor. In this case, the ell has already been altered. Ms. Merriman stated that she agreed with Mr. Farnham’s comments and contended that the issue of light and air at the neighboring ells is a matter for zoning, not the Historical Commission. Ms. Merriman stated that the Commission’s job is to protect historic resources for

the public. She asserted that the proposed changes would be inconspicuous from the public right-of-way.

ACTION: Ms. Merriman moved to approve the revised application as presented to the Historical Commission at its meeting of 9 May 2014, with the staff to review details, pursuant to Standard 9. Ms. Turner seconded the motion, which passed by a vote of 7 to 4. Commissioners Dilworth, Gupta, Mattioni, Merriman, Palantino, Thomas, and Turner voted in favor. Commissioners Hawkins, Jones, Leonard, and Schaaf dissented. Commissioner Sherman abstained.

ADJOURNMENT

ACTION: At 11:06 a.m., Ms. Merriman moved to adjourn. Mr. Schaaf 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 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, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

Standard 7: Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damages to historic materials will not be used.

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.

Roofs Guideline: Recommended: Designing additions to roofs such as residential, office, or storage spaces; elevator housing; decks and terraces; or dormers or skylights when required by the new use so that they are inconspicuous from the public right-of-way and do not damage or obscure character-defining features.