

THE MINUTES OF THE 288th STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

7 March 1985

F. Otto Haas, Chairman

Present: F. Otto Haas, Chairman

Janet S. Klein, Vice Chairman

Edward Pinkowski

Dudley Sykes, Commissioner, Department of Public Property

Allen Beckman

Warren Eisenberg, City Treasurer

William Thompson

Herbert W. Levy, A.I.A., Architectural Advisor to the Commission

Ted Bartley, Member, Architectural Committee of the Philadelphia Historical Commission

Richard Tyler, Historian

Randal Baron, Executive Secretary

Terry Koob, Clerk-Steno II

Also: Harry Fertik, Owner of 243 S. Quince Street/222 S. Jessup Street

Robert Shusterman, Esq., Attorney for Ronald Lavin, Owner of 333 South Street

Stanley Krakower, Esq.

Ruth E. Brown

Ronald Lavin, Owner of 333 South Street

Lawrence Gilbert, Architect for renovation to 333 South Street

William Whiting

John Francis Marion

Paul Hirshorn

Patrick Starr

Marylou McFarland, Preservation Coalition of Greater Philadelphia

and others

Unless otherwise noted, all actions taken herein are the results of motions correctly made, seconded and carried.

Owing to there being numerous persons in attendance at the meeting concerned with 243 S. Quince Street/222 S. Jessup Street, the Chairman directed that Old Business be discussed first.

OLD BUSINESS

Mr. Tyler reviewed the matter of the houses at 243 S. Quince/222 S. Jessup Streets owned by Mr. Fertik. His comments included a description of the recommendation of the 16 May 1984 Architectural Committee meeting, approved at the 7 June 1984 Commission meeting, to link the two properties with the erection of a two story ell and a one story kitchen/passageway. He explained that Mr. Fertik applied to the Zoning Board of Adjustment for a variance as the proposal entailed some intrusion into the yard between the buildings, resulting in a technical violation of the zoning requirements. The Zoning Board of Adjustment voted unanimously to deny the variance. The owners successfully requested a rehearing to demonstrate to the Board and opponents in the neighborhood that by right they could build a large addition to 243 S. Quince Street if they demolished 222 S. Jessup Street to fulfill the open space requirement. As part of this demonstration, they applied for a demolition permit for 222 S. Jessup Street.

At its meeting of 16 January 1985 the Architectural Committee reviewed the Fertik's demolition application. The Committee recommended that the six month moratorium provided by the ordinance not be applied in this instance. The Committee reasoned that the six month delay is designed to provide an opportunity to devise an alternative to demolition. The proposal approved by the Commission in June represents, in the view of the Committee, a sensitive preservation alternative. The Zoning Board's denial of a variance to the Fertiks would give to the six month moratorium an undesired punitive quality.

Herb Levy reiterated the Architectural Committee's recommendation that the demolition permit be approved without imposing the six month delay.

Warren Eisenberg suggested that the six months stay of demolition be imposed because the Commission's chief responsibility is to preserve historically certified buildings for as long as possible.

William Thompson agreed with this view stating that the six month delay was meant to be used in cases such as this where additional time was needed to find a solution - in this case waiting for the decision of the Zoning Board of Adjustment.

Chairman Haas opened the floor to additional comments.

Stanley Krakower, Esq., Attorney for the community group in opposition to the Fertik's proposal, made two points which he felt directly impacted the Commission's decision. Firstly, he refuted the idea that the linkage of the two houses represented a viable preservation alternative because the link was not legal in terms of Philadelphia's zoning laws. He opined that any preservation alternative should be within the bounds of all the laws of the City of Philadelphia. He made a second point that the Commission has the option of delaying demolition for an intermediary amount of time such as three or four months and suggested that such a delay might be appropriate in this case.

Mr. Pinkowski voiced his opinion that the link provided a viable preservation alternative because it allows for the owners of the buildings to accomodate their family while the changes to the building are largely hidden from public view by an existing wall.

Mr. Fertik requested that his demolition permit be approved without the six month delay claiming that the issue of the changes to the buildings had been going on since the Summer of 1984 and that the additional delay would be a financial hardship. In addition he doubted that the delay would yield any compromise proposals from the opposition as they had failed to come up with alternatives up to this time.

A motion was made to impose the six month moratorium on demolition and was approved by a vote of 5 to 1.

The second item of Old Business to be addressed was the Bulletin Building at 1315-1325 Filbert Street. Mr. Tyler updated the Commission on the events concerning this building. He explained that the City has already obtained and posted a demolition permit and that the Historical Commission's potential certification of the building would have no power to stop or delay the demolition.

Janet Klein asked that the Bulletin Building be well documented before its demolition.

The third item of Old Business involved three buildings certified at the Certification Meeting of 4 January 1985: 1) Tabernacle Presbyterian Church, 3700 Chestnut Street; 2) Steel Estate, 3001 W. School House Lane; and, 3) Overbrook Train Station, 6260 City Avenue.

Mr. Tyler explained that the owners of these properties have sent letters requesting that their buildings be decertified.

The motion was made to refer the buildings back to the Certification Committee and was unanimously approved.

THE MINUTES of the 287th Stated Meeting of the Philadelphia Historical Commission held on 7 February 1985 were reviewed and approved with the following addition. The names William Thompson and Allen Beckman were added to the attendance list.

THE MINUTES of the Architectural Committee for 20 February 1985, Herbert W. Levy, A.I.A., Chairman. The motion was made to accept the minutes of the Architectural Review Committee with the removal of two items: 333 South Street and 1812 Delancey Street. The minutes were reviewed and approved.

#### 1812 Delancey Street

Mr. Levy reviewed the Committee's opinion that the porch rail on the rear of 1812 Delancey was too high and therefore out-of-scale with the rest of the porch design.

The architect for the project, Mr. Hirshorn, presented revised plans for the porch rail that addressed the concerns of the Architectural Review Committee. These plans were reviewed and approved.

#### 333 South Street

Mr. Bartley recapped the submission made by Mr. Lavin, the owner of 333 South Street, and his architect, Mr. Gilbert. The alteration proposal involved removing the recessed glass shopfront on the first floor and replacing it with a new glass front flush with the facade. On the second floor, the bricks separating the two original windows were to be removed to create one large glass opening. Mr. Bartley explained that the Architectural Review Committee rejected this proposal as it was felt that these changes destroyed some of the most important aspects of the building.

The Committee felt that the architectural value of this portion of South Street lay in the combination of 18th and 19th century row homes altered with late 19th and early 20th century commercial storefronts. Pictures were distributed to show the wide variety of recessed shopfronts on this portion of South Street and the marketing value of the recessed display area. Mr. Bartley ended by explaining that the Commission recommended that the owner resubmit plans for the building retaining the recessed entryway to a compromise distance of at least six feet of the original twelve. The second floor windows were to be retained in their present configuration.

Mr. Shusterman, the lawyer for the owner, Ronald Lavin, expressed several objections to the Architectural Review Committee's recommendation. He explained that the present shopfront would not meet the merchandising needs of his client because: 1) The additional area taken up by the entryway was needed for marketing space; 2) The electronic security device to be placed at the door of the shop would be triggered by items being carried back and forth to either side of the machine; and, 3) The present shopfront was in poor condition. He additionally stated that the Commission had been lax in not certifying buildings on the South side of the block and that inappropriate changes had been made to other buildings, both certified and noncertified on the block.

Mr. Sykes and other members of the Commission expressed the opinion that it must be possible to find some form of security device to circumvent the technical issue of the alarm system.

A motion was made to accept the recommendation of the Architectural Review Committee. The motion was approved unanimously.

Mr. Shusterman asked the Commission if the six month stay of demolition on the building would begin on that day, 7 March 1985.

The Commission members explained to him that he had applied for an alteration to the building and his proposal was rejected.

THE REPORT on Philadelphia Historical Commission Staff Activities for February 1985 was reviewed and approved.

The Chairman and the Historian, noting that this was the last Stated Meeting under the old ordinance, thanked the members of the Historical Commission for the time, effort and support they had given to the Commission over the years.

There being no further business, the meeting adjourned at 3:57 PM.

Respectfully submitted,

Randal Baron  
Executive Secretary