A meeting of the Upper Allen Township Historical Architectural Review Board (HARB) was held on Tuesday, May 15, 2018. The meeting was called to order at 7:54 p.m. once a quorum was met. The Pledge of Allegiance was recited by all, and Roll Call was taken by Chair Botchie. Chair Botchie noted that Ms. Adler, Ms. Widmer Ressler, and Mr. Taylor were absent.

APPROVAL OF MINUTES

Ms. LaFond said that the property at 1008 West Lisburn Road was not constructed as a “tavern” as stated in the minutes and requested that be removed. Mr. Cooper said that there was a typo on the second sentence under New Business – Item 1, and asked for that to be corrected. A MOTION was made by Ms. LaFond to approve the minutes as amended of the April 18, 2017 meeting. The MOTION was SECONDED by Mr. Grottola. The MOTION carried unanimously (4-0).

ANNUAL BOARD REORGANIZATION

A MOTION was made by Mr. Cooper to nominate Joseph Botchie as Chair and Natasha Adler as Vice-Chair. The MOTION was SECONDED by Ms. LaFond. The MOTION carried unanimously (4-0).

NEW BUSINESS

1. Application for 649 McCormick Road to construct an addition to the home.

Mr. Bryce Fager of 649 McCormick Road has made an application for a Certificate of Appropriateness to construct an addition to the home. The addition (a game room) will be 375 square feet in size. The addition will be constructed along the rear of the property, where there is an existing patio. The addition will be comprised of fiber cement walls and aluminum clad wood windows, which match the existing home. The roof will be a metal standing seam material.
The property, located at 649 McCormick Road, is located within the Township’s Low Density Residential (R-1) Zoning District and the Yellow Breeches Municipal Historic District.

Mr. Grottola said he is very familiar with this project, and he has confirmed that the proposed addition cannot be seen from the roadway. He said the materials that they are proposing to use are similar with the existing structure. Mr. Cooper said that he agrees with Mr. Grottola.

No public comment.

A MOTION was made by Mr. Grottola to recommend approval of the Plan. The MOTION was seconded by Mr. Cooper. The MOTION carried unanimously (4-0).

Ms. Boyer stated that the Board of Commissioners will review this project on June 6, 2018.

2. Application for 342 Gettysburg Pike to demolish an existing addition and replace with a similar, larger addition to the home.

Ed and Jen Abolins of 342 Gettysburg Pike have made an application for a Certificate of Appropriateness to demolish the existing addition and replace with a similar, yet larger addition to the home. The existing addition is 350 square feet in size, and the new addition is to be 522 square feet in size.

The property, located at 342 Gettysburg Pike, is located within the Township’s Medium-Density Residential (R-2) Zoning District and the Shepherdstown Municipal Historic District. This Victorian Georgian home was built as a 5-bay Georgian center hall house circa 1855-790.

Ms. Abolins said they will use materials that are complimentary to the existing structure. Ms. LaFond asked if the addition will be to the back of the house. Ms. Abolins said yes.

Mr. Cooper said he is familiar with the property, because the Applicants are his neighbors. He said that the existing addition does not meet current HARB guidelines. He said the new addition will add to the beauty of the building and area. Chair Botchie asked if there will be a basement under the addition. Ms. Abolins said no. Mr. Grottola asked if it would only be a one story addition. Ms. Abolins said yes.

No public comment.

A MOTION was made by Mr. Cooper to recommend approval of the Plan. The MOTION was seconded by Mr. Grottola. The MOTION carried unanimously (4-0).

Ms. Boyer stated that the Board of Commissioners will review this project on June 6, 2018.

3. Consideration of text amendment to Chapter 155, Section 13, Signs.

Ms. Boyer said that the Township regulates on and off-premise signs in order to promote public safety, enhance the aesthetic quality of the Township and its neighborhoods, and preserve the character of the community while encouraging economic development. As such, amendments are necessary from time to time to ensure compliance with new regulations.
In June 2015, the United States Supreme Court (USSC) issued its opinion on a case known as Reed v. Town of Gilbert. The USSC targeted three different types of signs in the Town of Gilbert’s regulations, to include “ideological”, “political”, and temporary directional” signs. Each of these three types of signs was subject to different regulations for size, location, and time. The USSC’s opinion held that a municipality is prohibited from enacting or enforcing content-based sign regulations unless the municipality can demonstrate a compelling state interest in the regulations of the content and the ordinance is narrowly tailored to achieve that interest. Signs which target speech based on its communicative content are now subject to strict scrutiny and can be ruled unconstitutional. As an example, political signs are sometimes regulated differently than other types of temporary signs. Under Reed, election signs must be subject to the same regulations as other types of signs.

Like many municipalities, the township waited until additional opinions came forward to clear up ambiguity in the USSC’s opinion. We are now in a position to move forward with text amendments to our Ordinances to correct any potential conflicts.

Chapter 155, Section 13 states a sign to be erected on a property that lies within one of the municipal historic districts is subject to review by HARB prior to the issuance of a sign permit. The current language, however, could be viewed as HARB evaluating signs based on content, and is therefore unconstitutional under the Reed decision. Township staff recommends the following amended language, as shown in Section 155-13. Signs.

Chair Botchie asked if the Township would be able to regulate the size of a house numbering sign. Ms. Boyer said the zoning ordinance would regulate the size of house numbers.

No public comment.

A MOTION was made by Mr. Cooper to recommend approval of the proposed text amendments. The MOTION was seconded by Mr. Grotto. The MOTION carried unanimously (4-0).

OTHER BUSINESS

1. Discussion of HARB Bylaws

The Board agreed that the current Bylaws are acceptable; however, Ms. LaFond asked other Board members to think about adding more historical districts to the area. She would like to discuss this at a future meeting.

ADJOURNMENT

There being no other business, a MOTION was made by Mr. Cooper to adjourn. The MOTION was seconded by Mr. Grotto. The MOTION carried unanimously (4-0). The meeting ended at 8:26 p.m.