

Birmingham Township Historical Commission
Minutes of the Meeting of November 23, 2010

At 7:03 p.m. in the Township Building, Chairman Will Snook called the meeting to order and declared a quorum with the following members present: Mark Gross, Scott Garrison, Ed Zaloga, Lloyd Roach, and Matt Bedwell. Betty Organt was excused.

Minutes of the Special Meeting of November 8 were approved with the following correction: "Ed Zaloga was excused from attending." (Roach, Gross, all in favor)

Minutes of the October 26 meeting were approved with the following correction in Paragraph 5: "... Joe Mendez had said he'd received..." (Roach, Gross, all in favor)

County November 30 Event : Matt Bedwell and Jacquie Roach agreed to represent the Historical Commission at the event at Radley Run Public Brandywine Battlefield Landmark Protection Grant Recognition Meeting; Messrs. Zaloga, Gross, Snook and Roach will also attend.

John Snook : By invitation, East Bradford Township Supervisor John Snook addressed the HC to discuss the relationship between HARBs and Historical Commissions. John Snook said he'd reviewed Birmingham's ordinance and saw an overlap. In East Bradford, members of the two groups overlap, so there has not been any conflict. Issues go to the HC first, then to a formal HARB review if it is a HARB issue. Issues reviewed at regularly scheduled HC meetings should not require special (neighbor) notification. John Snook explained that the Historical Commission is set up by the Zoning Ordinance with no formal legislation, but that Act 161 set up HARBs by a special Historic Preservation Act *outside* the Zoning Ordinance. Thus, appeals are made to different bodies.

Mark Gross suggested the HC and HARB be merged. John Snook explained that HARB must review any building application for any change within a Historic District, while the HC covers in addition any historical resource within the whole township, and that the Birmingham ordinance clearly states that the HC does *not* supercede the HARB. The Supervisors must consider an HC recommendation before deciding on a HARB recommendation. Mr. Gross said he considers it unfair to an applicant if the two groups disagree.

John Snook recommended that the Supervisors make policy to clarify the reviewing duties, directing that all permit applications be determined by the Building Inspector/Zoning Code Enforcement Officer as to whether approval is required by the HC and/or the HARB, and that there be at least two overlapping members. Lengthy discussion ensued with suggestions for

- joint HARB/HC meetings,
- merging the two groups,
- maintaining the two groups,
- overlapping HARB/HC members,

- written guidelines set by the HC,
- making the whole township a historic district,
- the HC and HARB chairs deciding the route for an applicant

John Snook emphasized that HARB rules must be followed. Mr. Zaloga said that both groups should be notified whenever there's a permit application. John Snook said there *must* be two separate groups, but all members could overlap and both groups could have the same chair. Mr. Roach said the Building Inspector/Zoning Officer must make the determination about what is required for each applicant. Mr. Bedwell said he thought it was beneficial and more protective to have both HC and HARB. John Snook said the HC purview is to make sure that changes are generally consistent with the Secretary of the Interior' Standards, but that nothing is required (by the HC) for submission beyond a regular permit application for buildings outside the Historic Districts. He said the HC could require everything that HARB requires for an application. It was agreed that the issues of purview and authority need clarification.

Mr. Gross noted that the HC influence is diminished by the lack of requirement for a permit for anything other than a building or demolition. John Snook and Matt Bedwell emphasized education as the best tool for getting owners to maintain the historic resources. Mr. Bedwell mentioned that durable features (e.g., windows, roofs) are most important.

All agreed that there should be a sheet of guidelines for historic resources, showing the requirements of each group.

All agreed that they want to afford all of the Class I, II, and III resources the same level of protection as the properties in the Historic Districts.

John Snook described the inventory in E. Bradford as designating some buildings as being "non-contributing" and said that properties whose owners reject their inventory listing may be included upon the sale of the property. Matt Bedwell suggested maintaining the database of the properties and buildings in the inventory, including applications and changes to them.

The HC members thanked John Snook for his time and information and at 8:20 voted to adjourn. (Gross, Roach all in favor)

Respectfully submitted,

Jacquie Roach

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