

Historical Commission of Birmingham Township
Minutes of the meeting of May 23, 2023

The regular meeting of the Birmingham Township Historical Committee was called to order by the Chairperson, Mike Forbes at **7:02pm** in the township building.

PRESENT: HC Members: Kelly Fleming, Pat Kelly, Mike Forbes, John Ponticello

ABSENT: Matt Bedwell

Others present: Dan Hill

Ms. Fleming made a motion to approve the minutes from the April 25, 2023 meeting as amended. Mr. Ponticello seconded the motion and it passed unanimously.

Sign Dedication for Birmingham Hill (rescheduled for 5/31 /2023 at 7pm)

Ms. Fleming stated the attendance is looking better for the re-scheduled date. And that all of the speakers are still able to attend – although still awaiting for confirmation from Mr. Hill. All other information from the previous date remains the same. The sign dedication event should be 45 minutes in length. Ms. Fleming will start the event and then turn it over to Dan Hill. Cuyler Walker is still attending, but this time Stephanie Armpriester is also able to attend from the Brandywine Conservancy representative. Peter Adams from the Sons of the American Revolution is also able to attend on this date. Jeannine Speirs will discuss the entire battlefield heritage plan. Mr. Forbes will discuss the battle history of Birmingham Hill and Sandy Hollow. Lastly will be the unveiling of the sign by the Birmingham Township Supervisors. Photos will occur prior to the unveiling and afterwards.

Ms. Fleming also wanted to discuss the direction the sign is facing. Ms. Spiers commented that unless you know that the sign is there, you wouldn't notice that the sign is there due to the way that it is located parallel to Birmingham Road. All of the other signs are located perpendicular to the roads they are on. Mr. Forbes said he is okay with whatever is decided in regards to moving the sign or keeping it the way it is – perhaps a poll should be taken at the sign dedication to see what the majority of the people think.

Ms. Kelly also noted that the sign on Rt. 926 can't be seen because the trees around it are all overgrown and need to be trimmed. Mr. Hill stated that Rt. 926 is a state road and the right-of-way area would be maintained by PennDot.

Review and Discussion of the BOS latest proposal for the Historic Resource Ordinance

Mr. Forbes wants to approach this in a way that will hopefully limit the length of the meeting. As such, Ms. Fleming has made copies of the last version that the HC proposed so that it can easily be compared to this latest BOS version. The HC, the CCPC and members of the community provided feedback on the previous version of the proposed ordinance.

A lot of the changes in this latest revision are things that the HC had suggested – they are omissions of things that were suggested rather than additions of things that the HC does not agree with. Below are a list of the items that the HC would like to have either added back into the ordinance or modified prior to adoption:

- The character portion of the definition is in the document, just not where the HC had suggested.

- The HC has essentially been removed from reviewing any exterior alterations being proposed to any historic resources. The HC wants to be added back into the document as a reviewing/recommending body prior to the BOS. (page 3)
- The HC would like to add back the language they proposed in Section 122-36.3 E(3): “or certain building permits” and “as well as subdivision or land developments that occurs within 500 feet of a Historic Resource” (page 7)
- In Section 122-36.4 E: the HC discussed the proposed changes reducing the costs associated with notifying neighbors and noted they are okay with these changes to the Notice Requirements of 200ft and 14 days (page 8). They want clarification of “conspicuous location” of the sign. The HC recommends that the location be defined as within 5 feet of the road on the same side as the structure is located. They would like Chief Nelling’s input on this definition. (page 9)
- In Section 122-36-4 H: the HC is okay with the recommendation for a demolition to be discussed at the next regularly scheduled BOS meeting. (page 11)
- In the same section there was feedback from the public that the if the BOS should reject a recommendation from the HC, the reasoning for the rejection should be stipulated in the meeting minutes. Mr. Forbes asked Mr. Hill for an explanation of how the process works. Mr. Hill explained the process for recommendations to be considered by the BOS and then stated that the discussion at the BOS meeting is always captured in the minutes although the minutes are not made public until they are approved the following month. Thus it is important for members of the public who have an interest in a certain topic to attend the public meetings in order to understand decisions made in a more timely manner.
- In Section 122-36.5 A: the HC has been removed from the entire discussion of landscaping and screening. The document does not specify who reviews the landscape plan, what distance is considered for the landscape plan or what the criteria is that needs to be met in order to screen historic resources. Mr. Hill noted that the subdivision and land development process includes a section for landscape planning. Mr. Forbes stated that the ordinance does not stipulate who reviews it though. Mr. Forbes also noted that there are not many subdivisions that are left within the township; however, there are potentially more tear downs are rebuilds that could happen (like the one on Birmingham Road) and that is what the HC is concerned about in terms of landscape screening for adjacent historic resources. This is an area of the ordinance that HC thinks needs to be addressed better. Ultimately the HC would like to have their wording reinserted: “The plan shall be submitted to the HC for review and comment based on the general purposed and objectives of this article prior to the respective hearing or meeting before the BOS or Zoning Hearing Board.” If the HC is not the reviewing committee, then someone needs to take responsibility for shielding historic resources from major new development that abuts the historic resource property. (page 13)
- In Section 122-36.6: Minimum Building Setbacks: The HC would like to have the setback to be reverted back to the 200 feet. Mr. Forbes asked Mr. Hill for the driving force of what would decrease the setback? Mr. Hill does not have a reason. Mr. Forbes states that 200 feet would be applicable for all historic properties within the township except the ones that would be located within the Dilworthtown Village area. Thus, the HC would like to reinsert their language back in: “of 200 feet” and “unless the building or structure replaces a previous structure that was within 200 feet of the historic resource in which case the setback shall be equal to two times the otherwise required setback.” (page 14)

- In Section 122-36.7 D: they would like to match the wording in the Demolition section and have the only situations in which the historic resource owner needs to come to the HC would be for actual exterior changes to the historic resource. Discussion ensued about the HC with regard to the charge noted at the beginning of this ordinance of making sure that the HC must make sure that the historic resources continue to embody the historic character. The HC can concede the maintenance part, but they want to continue to have say over aspects that will affect the actual historic resource.
- In Section 122-36.7 E: Discussion continued in this section about the role the Building Inspector/Zoning Officer plays in confirming that the aspects that are approved by either the HC, HARB or the BOS are actually what the applicant does. The HC would like to have the wording they previously proposed be added back into the ordinance.
- In Section 122-36.8 Historic Resource Impact Study: Mr. Forbes asked Mr. Hill for the reasoning why an HRIS would be eliminated in the most historic township in the state? Mr. Hill stated he believes that it is related to the additional expenses incurred by a property owner. Mr. Forbes would like to have an HRIS be required in areas of the township where there is known evidence of impact to areas where revolutionary battles were fought. Mr. Forbes proposes adding all of the language from the HC previous draft back into the ordinance with a caveat such as “within defined segments of the township with known significance of where major battles took place.” (page 18-19)

The HC is also providing comments on the document that was sent out by Quina for review.

New Business

Mr. Forbes made a motion to adjourn the meeting at 8:28pm. Seconded by Ms. Kelly and voted unanimously. The next meeting will be June 27, 2023 at 7:00pm.

Respectfully submitted,
Jennifer Boorse
HC Secretary