

**HISTORICAL ARCHITECTURE REVIEW BOARD
BELLEFONTE BOROUGH
MEETING MINUTES**

**August 13, 2019 - 8:30 a.m.
236 West Lamb Street, Bellefonte, PA 16823
www.bellefonte.net**

CALL TO ORDER:

The August 13, 2019 regular meeting of the Bellefonte Borough Historical Architecture Review Board (HARB) was called to order by Mr. McGinley at the Bellefonte Borough Municipal Building at 8:30 a. m.

ROLL CALL:

MEMBERS PRESENT: Sam McGinley
Walt Schneider
Pat Long
Maria Day
Megan Tooker
Robert Lingenfelter

NON-VOTING MEMBERS: Gay Dunne

STAFF MEMBERS: Shannon Wright, HARB Administrator

GUESTS: Bonnie Tatterson
Chris Tailor
Joanne Tosti-Vasey, Borough Council, Chair

ADDITIONS /CORRECTIONS TO THE AGENDA:

Colors for Parking Meters (Old Business) if time allows

DECLARATION OF CONFLICT OF INTEREST:

None.

DECLARATION OF EX PARTE COMMUNICATION:

None.

APPROVAL OF THE MINUTES:

**Mr. Schneider moved to approve the minutes of the July 23, 2019 meeting.
Ms. Long seconded the motion;
Motion carried.**

PROJECT REVIEW AND PUBLIC COMMENTS:

425 N. Spring Street (Paint) Post Project Approval

This project was already completed. The property owner offered that she had a contractor paint it and it looks beautiful.

Ms. Wright had the paint chips for members if interested.

**Mr. Schneider moved to approve the project as presented.
Ms. Long seconded the motion.**

Mr. McGinley stated that although the structure does look beautiful, he wished that HARB could have been there from the beginning so the project could have gone through the proper channels.

The property owner thanked Ms. Wright for her encouragement and professionalism. The property owner stated that the process of projects and HARB is a slippery slope and as a community member she has had some real trepidation about it. She overlooked the permit process for painting. When she heard from Ms. Wright, they tried to work it out and through it all, Ms. Wright was incredibly professional, and she appreciated that.

Motion carried.

Ms. Dunne inquired of the property owner if she had any recommendation for HARB with regard to their relationship with the community. The property owner offered that only a stone's throw away from her home, was a house with a fence falling down, with a yard that does not get mowed, with a pile of brush in the backyard for months, maybe years. In the 23 years she has been in the neighborhood the home has never been painted, the awnings are dirty. The property owner questioned why HARB was at HER house. All she did was try to improve her property. She explained that she takes great pride in her home ownership and being a good neighbor and citizen of Bellefonte. She understood the HARB mission, but she thinks it needs to be tweaked to look at the whole community in improving the way Bellefonte looks. It has to be ALL of the houses. That is the part that makes her neighbors resent HARB's process. She realizes HARB's good intention.

Ms. Tooker stated that the guidelines of HARB have been set up by the state. She stated that HARB does not have permission to go on someone's property that is not doing a HARB project and coming before the Board. Ms. Long stated that she would need to speak with the Borough about the condition of her neighbor's home.

438 W. Curtin Street (Paint)

The property owner presented his painting project to HARB. He enjoys the semi-gloss black window trim style with brick. He would like to paint his property accordingly. He presented Onyx Black from Benjamin Moore, which is similar to Mopboard from the Williamsburg collection.

He also took some pictures around Bellefonte with structures with black on it. He started at Bonfatto's. All the beige currently on his structure will be black. He will most likely replace the storm door to match the black.

Mr. Schneider moved to approve the painting of the existing taupe trim to black.

Ms. Long seconded the motion.

HARB members discussed the black and how it looked elegant and popped. Mr. Schneider stated that one concern was the front door will have a lot of mass with the black there. He thinks that this can be worked on with Ms. Wright after painting if it is an issue.

Motion carried.

ADMINISTRATIVE APPROVALS:

251 N. Allegheny Street – Porch

The prior administrative approval expired. The property owner changed the brand of the shingle. This will be an in-kind match of the existing roof.

259 N. Spring Street – Roof

This is an in-kind roof replacement. Interestingly, per Ms. Wright, the property owner was going to go with Solar Shield, heard about what had happened with the other home on the street, so they decided to do shingles.

369 Phoenix Avenue – Lights

This project is the EMS building. They are adding one strip of lighting on each door. The lights are alternating red and green according to closed and opened doors. Backing in they cannot see the door and the lights will help them with parking the vehicles.

The visibility of the lights was discussed. Mr. Schneider opined that the lights will be bright. Ms. Wright stated that she feels they might be a plus, because if the EMS vehicles are not actually sitting out, she does not know if people traveling there know that an emergency vehicle may be exiting.

430 N. Allegheny Street – Roof

This is another roof project. This is at the corner of Allegheny and Curtin. It is a shingle roof that appeared as slate.

INFORMATION AND DISCUSSION ITEMS:

103-117 N. Allegheny Street – Crider Exchange Roof

The property owner of the Crider Exchange building decided that he was going to take all of the slate off the side of the building and replace it with shingles along Pike Street. The original roof was leaking and was in a state of disrepair. There were tarps on the roof for months, if not years. It is one of the top three buildings that Mr. Schneider worries about from a fire perspective in the Borough. It is arguably one of the most distinctive buildings in the Borough.

Ms. Wright discovered on a Friday afternoon that they were working on the roof. The code inspector for the Borough issued a stop work order. The work did not stop and on Monday was still working on the roof. Another stop work order was issued on Monday. He did not stop the work again. Ms. Wright believes that on Wednesday, they official posted the building and they still continued to work on the roof. There will be fines issued.

Mr. Schneider stated that the slate is gone on the Pike Street side of the building. The replacement shingle is “not terrible” according to Ms. Wright and has a little relief to it.

Mr. Lingenfelter inquired about the violation.

From the code side of things, Mr. Schneider stated that it is a commercial building and he did not receive a permit so the property owner will be cited, and the contractor will be cited in court for working without a permit. Secondly, there was a stop work order issued – and they continued to work. They will be cited for that as well. Citations start at \$300 up to \$1,000 and it is up to the court to decide. They could be cited daily.

At the same time, the HARB ordinance contains a similar clause. The code consequence is that they are technically still required to get a permit. He has to permit the job. Code can revoke the certificate of occupancy for the building. Mr. Schneider could evict everyone in the building.

Discussion was held on violations. Ms. Long recalled another building wherein he did not get permission to do any of the work that was done on that building. This is how the contractor operates and he knows he is supposed to come into HARB. Ms. Tooker interjected that this is an information item and there is no vote on this today. She stated that HARB has allowed options due to the price of slate. In the past HARB has allowed shingle.

Mr. McGinley stated that he thinks that Mr. Schneider needs to do what he has to do, and they will deal with the property owner when he arrives at the Borough Building (due in at 10:00 a.m.). Ms. Wright stated that the difference in the situation at hand is that the project was just done, and

it could have possibly been repaired. She also opined that because of the prominence of the building and because of the prominence of the roof in the downtown area, it has a different classification that some of the other buildings.

There are not many buildings in the downtown area that are slate. The Brockerhoff House was mentioned. There are many people that stay or go to shingle that did not already have the slate, so that is a consideration to be made on this project. Mr. McGinley offered that the property owner needed to come in and speak with HARB and proceed from that point. The project is visible from the street. Nothing will be acted on today.

Mr. Lingenfelter asked that Mr. Schneider expand on the HARB consequences. Mr. Schneider offered that with HARB he will get cited because he did not come through HARB for approval recommendation and he did not follow the HARB ordinance. That trail will be followed. The HARB board cannot deliberate on a decision until a project is actually proposed. It is incorrect for HARB to decide anything without a proposal.

The next step is for them to come back, and share what was done, per Mr. Lingenfelter. HARB would then make a recommendation and let Council decide what to do with the project.

Ms. Tosti-Vasey inquired about what will happen if the property owner refuses to come through HARB. Ms. Dunne also inquired about the procedure with the contractor and how that would fit into the process. Mr. Schneider stated that enforcement against the contractor from the Code side would be feasible but not HARB.

Ms. Wright offered that she, Mr. Schneider, Mr. Stewart, Mr. Holderman, and some other code representatives anticipated a meeting with the property owner at 10:00 a.m. the morning of the HARB meeting. She stated that there are other issues beyond the exterior of the building that need to be addressed. This meeting has been a long time coming, per Ms. Wright.

Mr. Schneider stated that this particular property owner's thought is that "Bellefonte will not become State College." He does not feel subject to the regulations. It has gotten to the point where the inspector needs to go onsite with a police officer. The next inspection will be police escorted.

Mr. Schneider researched HARB regulations and once the property owner is given notification that the work is not done with HARB permission, he can be cited daily, and the courts may fine him from \$300-\$1,000 daily until the project has been brought into compliance.

OLD BUSINESS:

None.

NEW BUSINESS:

Council Work Session – Tuesday, September 3

Ms. Wright stated that the Council work session has been scheduled for September 3, 2019. This is a Tuesday at 6:30 p.m. Brian Van Sweden from the State Historic Preservation Office will be there, and it is imperative that as many HARB members attend as possible. Other HARB related issues will be discussed as well.

Mr. Schneider stated that one thing that needs to be figured out before the next HARB meeting, is some structure for the work session. The meeting needs to stay on track.

Downtown Maintenance Code Ordinance

Ms. Wright discussed the possibility of a downtown maintenance code ordinance. She envisioned this not covering the entire HARB district but to focus on the commercial areas – the central business district and the waterfront business district. She offered that there are a lot of issues with non-maintained buildings and aesthetic issues related to disinvestment in the building. She opined that there is mindset by persons taking care of their property and they wonder why they need to upkeep their building, when others do not. Right now, there is nothing that addresses non-safety issues.

Ms. Wright researched some ordinances and as she came across a main street in North Carolina that had a good sample. She liked how it addressed some of the aesthetic issues and how it gave time periods and percentages for things. She gave the example of awnings.

“The structure shall not have awnings within more than 30% of the surface area torn, tattered, for a period of more than thirty consecutive days.”

She gave the example of the Diamond Deli’s awning which is in need of replacement. With something like the aforementioned in the ordinance, it could be enforced. She also mentioned that the Crider Exchange roof discussed earlier had tarps on it for a long time. Under something like this ordinance, it would give HARB the ability to ask for something like that to be repaired in a timely manner. She stated that this may help with HARB’s reputation to some degree as well. She feels that sometimes people do not make the changes because they are scared of the answer they are going to get. Ms. Wright feels that in initiating the conversation with them and working with them, people are very surprised with the response.

Ms. Wright envisioned this as a separate ordinance. It would be HARB to some degree because the commercial areas are in their historic district, and all the changes would have to be reviewed by the Board or administratively. She does not know where the ordinance would be “housed.”

Penalties and enforcement were discussed. The current ordinance enforcement officer does issue fines. Perhaps the structure can follow the nuisance code fine structures.

Ms. Wright will inquire about three main street communities in Pennsylvania that may have this sort of ordinance. She also was working on the design guideline pilot program and feels that this will help with a Downtown Maintenance Code Ordinance because the guidelines will be established. She mentioned Jim Thorpe, Pennsylvania and how their design guidelines are made available everywhere so that everyone knows of the standard that the property owners are being held to.

Ms. Tooker offered that comparable in Pennsylvania would be helpful as this will go to Borough Council and she feels like this may be something that may be argued about as they have not been very supportive on HARB's decisions on roofing types at this time. They may see it as HARB doing one more thing... Ms. Dunne interjected that maintenance has more of an appeal with Council.

Ms. Wright does not think that an ordinance of this type should be directly coupled with preservation, but rather with the economic viability of downtown and how the first impression that people see is directly tied with whether they will come downtown and utilize the downtown. The old Golden Broom award was discussed briefly.

The Keystone Communities Program does have a facade grant that has been used by the Borough in the past. Part of the problem is the funding stream is so small that multiple grants cannot be applied for at the same time. One of Ms. Wright's goals was to eventually have a facade grant that would go hand in hand with it and could be a revolving fund. When she has conversations with persons that claim that they cannot afford certain repairs, she can offer grant funding with a match to help with the issues.

A downtown improvement district was discussed. Because many of property owners will not maintain their buildings, she does not know if the Borough could get that 60 percent agreement rate. It would definitely improve downtown. The persons that agree to go in on the improvements are assessed on their taxes and that money funds the downtown improvement district or the business improvement district. State College has this district. Many of the regular maintenance projects are funded by the district there.

Mr. Lingenfelter liked the idea of funding it through support of the persons that support the improvements and want to be on board. Ms. Day suggested financing the façade grant through fines incurred from a Downtown Maintenance Ordinance. This may shed a better light on Council imposing fines because they would know that the money would be going back to the improvements in the district.

Mr. Schneider stated that it is important that HARB gets on the same page as Council. Ms. Tosti-Vasey opined that that is why she wanted a joint meeting. She wanted each HARB member to speak through a Q and A session stating their concerns. Mr. Lingenfelter also would like to hear Council's issues with HARB and what drives the issue. Mr. Schneider interjected that since Council is the approving body, HARB would need to ask Council what their vision of HARB is and why HARB is here. Council can then present marching orders.

Ms. Tooker discussed Council's opposition to HARB relative to some of the issues that have been at odds lately. She feels like quitting HARB because she feels like she is wasting her time in feeling very strongly about something and it goes to Council and they decide otherwise.

Strategy for the work session was discussed briefly. The meters were discussed briefly. They will be put on the next agenda for discussion.

ADJOURNMENT:

With no other business to come before HARB,

Mr. Schneider moved to adjourn.
Ms. Long seconded the motion.
Motion carried.

Meeting adjourned at 9:32 a.m.