



February 15, 2023
Historic Architectural Review Board Minutes
Troxell Council Chambers
Borough of Gettysburg

Chair Gary Shaffer called the Historical Architectural Review Board Meeting to order at 7PM on Wednesday, January 18, 2023 in Troxell Council Chambers, 59 E. High Street. A quorum of four (4) Board Members was present. Those in attendance were **Board Members:** Chair Gary Shaffer, Joan Hodges, Paul Witt, and Gettysburg Building Code Official Clem Malot of PA Municipal Code Alliance, Director of Historic and Environmental Preservation Debra English, **Absent:** Vice-Chair Brandon Stone, Suzanne Christianson, Justin Harman, and Planning Management Assistant Karen Mesher; **Others in Attendance:** Diane Bertoli and Jim Hill, R.A. Hill representing 317 Baltimore Street; and Doug and Morgan Miller representing 43 E. Middle Street.

Call Meeting to Order

Chair Gary Shaffer called the meeting to order at 7 PM in Troxell Council Chambers and conducted a roll call of members in attendance and confirmed a quorum of four (4) voting members present.

Introductions and HARB Review Procedures

Mr. Shaffer introduced the Board members and explained the procedures that would be followed during the meeting. He explained that only the Board members that were present at that meeting can vote on agenda topics and minutes. He noted that the Board serves as a recommending body to Borough Council, which makes the final decision concerning the issuance of Certificates of Appropriateness. He said that ***"HARB is a design review board only; and that each project must meet all other Borough ordinances and building code requirements prior to final approval."*** Borough Council will next meet the following month on the 2nd Monday of the month.

Review of Agenda

Mr. Shaffer said that there were no additions or corrections to the February 15, 2023 meeting agenda as presented. He asked if there is a motion to approve the agenda, Mr. Witt made the motion and Ms. Hodges 2nd.

Review of Minutes

Mr. Shaffer made a **motion** to approve the meeting minutes from the January 18, 2023 HARB Meeting Minutes as submitted with one correction of the spelling of "Mr. Witt". The motion was seconded by Mr. Malot.

Public Comment for Items Not on the Agenda

There were no public comments for items not on the meeting agenda.

Public Comment for Items on the Agenda

There were no public comments for items on the meeting agenda.

New Business: Applications for Review

A. COA 23-0002 CRITICAL PROJECT – 317 Baltimore Street – Jim Hill, R.A. Hill, Inc – Diane Bertoli GARAGE DEMOLITION

Demolition of existing 18 x 18' frame-built garage with asphalt siding to be replaced with 22' x 40' framed metal sided garage with a metal roof with one door opening on alleyway side with one man door on the rear yard to the house.

Ms. English gave a brief scope of the project noting that the request is for the demolition of small frame-built garage and construction of the large new metal sided garage. The existing garage is a smaller wood frame shingle-sided shed 18 x 18' with a shingled roof to be replaced with the construction of a new larger garage 22' x 40' in the same location. The new garage will be wood framed with painted metal siding and metal roofing with one large metal garage door on the alley side and a man door on house-facing side. The foundation will be poured by continuous footing, with a solid masonry concrete floor. The applicant provided a letter from a certified structural engineer stating the state of the structure and its lack of use for vehicles due to the low profile of the access doors. The garage is not visible for Baltimore Street however is highly visible from Court Alley.

Ms. English gave a brief history of the project that this structure was first shown on the Sanborn Fire Insurance Map in 1896 as a two-story brick structure with a rear two-story frame porch addition to the main structure and a two-story rear frame building with a one-story frame porch on the east facing side of the rear yard. All roofing materials were shingled. Permitting history: there are no previous permits on file for this property on file other than this application.

The staff recommendation would be that the exterior design of the building respect the historic context of the existing historic structures in the neighborhood. Staff recommends discussion and review from the board members for the demolition of the existing garage, review of the certified Structural Engineers report and proposed design of the new garage.

Mr. Shaffer asked the applicant if they wanted to make a presentation to the Board or just answer Board questions for this project.

Mr. Hill of R.A. Hill Inc. gave a brief scope of the project noting that they submitted a good bit of information and photos for this project for review. The main issue is the structural aspect of the garage and its inability to be used for vehicle access. He said that it is not functional, and that the rear access doors are small and inadequate. If you were to put a full-size vehicle into the garage and shut the door, you probably would not be able to get around the front end to exit the garage. The new proposed garage would set back where the neighbor's garage is, allowing Ms. Bertoli to park parallel along the alley or pull into the new garage. The current garage and its proximity to the alleyway barely

allow her to park parallel to the garage. It is a very narrow area and not safe to park without room to get in and out of the car.

Mr. Shaffer noted that he did not think the four Board members here would have difficulty with this request and that three members are absent tonight. He noted that the Board follows a quasi-parliamentary procedure, and that they are just a recommending board that does not issue the Certificates of Appropriateness so that they do not either approve nor deny any applications and that they recommend them to Council. Mr. Shaffer asked the four members if they have any last questions for the applicant to clarify regarding both the application and the appropriateness of the application.

Ms. Hodges said she once owned the house next door and asked if the new garage would be located at the same setback of that garage, and the applicant answered yes. Mr. Shaffer noted that the size of the new garage is much larger than the existing footprint, and noted he would not be opposed if the garage were reduced in length. He said that the applicant would not need to come back through HARB if it were reduced by 8 feet or so in length. There were no other questions from the Board.

Mr. Shaffer noted that he is concerned with the demolition and or change of materials to both facilitate new garages and to renovate existing garages with materials that would provide less maintenance. He said that the *Gettysburg Design Guide* should be more specific regarding rear-existing accessory structures; and that HARB should look into protecting these older outbuildings by following scale of other structures in the neighborhood, by protecting their character, and considering the historical significance and their historical material components.

Chair Shaffer presented *The Proposed Findings of Fact* for this Major Project at 317 Baltimore Street. He said that the structure is located within the boundaries of the Gettysburg Historic District, is a sensitive building over 50 years old at the time of application as defined in the *Code of Ordinances Borough of Gettysburg/Gettysburg Historic District* and not visible from the public view way via Baltimore Street but is visible from Court Alley, and therefore comes under the review right of this Board. Mr. Shaffer asked if there was any further discussion on this project and there were none; therefore Mr. Shaffer called for a motion from the Board.

Mr. Malot made a **motion** to recommend that Borough Council issue a Certificate of Appropriateness for 317 Baltimore Street to approve the demolition of an existing 18' x 18' garage and construct a new 22' x 40' garage as presented to the Board in the application dated January 10, 2023. The motion was second by Ms. Hodges and carried **4-to-0 by vote without dissent**.

B. COA 23-0007 MAJOR PROJECT – 43-45 E. Middle Street – Miller (NOV HARB/COA Design & Material Violation)

On May 18, 2011 HARB previously reviewed and approved the construction of the garage on this application for a redwood-sided garage with shingled roof with one large garage door on the alleyway side, and without windows. A Notice of Violation (NOV) / STOP WORK ORDER was placed on the property January 2022 for working with expired permits and was in violation of previously approved COA conditions.

Ms. English noted that this project was originally approved for construction in 2011 through an approved building permit without required Certificate of Appropriateness (COA) review (mistake through permit processing). The project started underway without the necessary COA and was flagged

with a NOV until HARB review on May 18th 2011. The project received COA approval with the following conditions of approval: exterior of the garage would need to be redwood sided with a shingled roof, no windows, and one garage door on alleyway side. The second NOV was issued in January 2023 for work performed outside of the COA approval of materials which changed from wood siding and a shingled roof to metal siding and a metal roof, removal of garage door that was replaced with a full glass man door on the alley side and adding additional windows. The applicant reapplied through the LU/COA for HARB review on February 15, 2023 with a detailed change of scope listing their changes from the previous May 18, 2011 COA approval.

Ms. English gave background information stating that the project scope is to side the building with metal siding and roofing, add additional windows and removal of the large garage door to be replaced with a full glass metal framed man door on alleyway side. She said that the applicant also added a sidewalk and other impervious areas and interior work to the garage (not reviewed through HARB). The application noted that they would like to change the use of the garage from residential storage to business/commercial use for their Hanover Glass and Mirror business as a satellite office, with employee check-in and customer access.

Ms. English gave a brief history of the building noting that it was first shown on the 1886 Sanborn Fire Insurance Maps as a two-story framed dwelling with a rear single-story edition with two small single-story porches on both sides of the structure. The original application for the garage construction was permitted under an application for a Non-UCC building application without COA review in error.

Ms. English noted the Permit History which included the initial garage application in 2011; a permit for a six-foot rear privacy fence in 2020, and this application based on the applicant receiving a Notice of Violation (NOV) for working without approved permits which had expired and a violation of the previously approved COA on May 18, 2011.

Ms. English noted, In addition to the above, the front railing was removed from the front façade of the building along the steps to enter the front door which was brought to her attention by Code Enforcement as a safety issue. She asked the applicant what the material of the railing was prior to removal, and what they plan to use for the railing. Mr. Miller replied that the railings approved by HARB, and the railings approved through his insurance company do not mesh; so he had left them off and never replaced them because his insurance company said they would drop his coverage. Ms. English noted the code letter required railings to be put back due to safety concerns and that they must be replaced. She said that there are many options that are appropriate that would meet both HARB's and his insurance company's requirements. She suggested that the applicant review the *Gettysburg Design Guide* which was provided to them, and that it shows many styles and railing options for structures located in the Historic District.

Ms. Miller said that the front entrance has water issues and that the steps are steep and difficult to traverse. She said that they may like to change the front entrance in the future and add a small roof over the front entranceway with modified steps because the current steps are shallow and steep. Ms. English asked the applicant to please submit a detailed scope of work to include those items for the LU, COA, and UCC reviews with materials and styles that they would like to construct which would require HARB review. The Millers said they are not looking for any more work at this time. Ms. Miller

noted code enforcement cited the lack of railings as a safety issue, so that would need to be addressed; but tonight's focus is on the garage out back.

Ms. Miller said that she has some pictures for HARB members to review. Mr. Shaffer asked if the Millers would like to make a presentation or just answer HARB questions. Mr. Miller said that he has always been under the impression that what cannot be seen from the main road did not need permits through HARB, and because the garage could not be seen from Middle Street or High Street that it was not under HARB's purview. Ms. English noted in the meeting that Mr. Miller attended the May 18, 2011 HARB Meeting which is when he had received initial HARB approval to construct the garage on the rear of his property.

Mr. Shaffer said that it is unfortunate that there is still incorrect information that gets circulated but there has been a tendency by this Board to try to collaborate with homeowners to reduce maintenance and review time of alternative acceptable materials on non-primary views. He said that HARB focuses on main street elevations which are most visible to the public; and that the initial approval was for a garage with wood siding, and that it is now proposed to change to metal with other significant changes. He said that this is a non-critical structure which is non-sensitive, meaning that it is less than 50 years old; and although this project is a non-sensitive building because it is visible from the alleyway, he noted that the features and construction are going to be permanent.

Mr. Malot stated that this Board will not be reviewing the UCC requirements of the building as the applicant indicated that they wish to operate their business out of the garage area to include employee and customer access, parking and for sales. Ms. Malot stated this Change of Use would require permitting and must meet all building code requirements. The applicant argued that during the COVID pandemic, people were zooming-in with customers out of their homes and that this situation is not any different. HARB discussed the removal of the Change of Use and internal modifications within this application scope to be addressed through separate review of LU/COA/PMCA re-application for change of use and internal modification under separate review, and that the applicant must meet all Zoning, Code, ADA, and UCC requirements. This review and vote would only include the exterior façade changes for the garage, siding, roofing and window style and exterior building materials, striking paragraph 2 in the scope of work and striking all references for use as a commercial/business use and therefore only review the external façade changes only.

Ms. English pulled up the Interactive zoning map noting non-residential uses, and that 41 that are permitted; and that this parcel is located within the Old Town District within the Historic District overlay and within the Streetscape Enhancement Overlay. She again noted that any Change of Use for this garage from residential/personal to business/commercial must meet all code and zoning requirements, UCC building requirements, and be reviewed by a separate application for Change of Use and all other modifications internal modifications and exterior modification outside of the façade materials of the building.

Chair Shaffer presented *The Proposed Findings of Fact* for the Major Project at 43-45 E. Middle Street. He said the structure at the rear of 43-45 E Middle Street is located within the Gettysburg Historic District and thus comes under the review right of this Board. The proposed work is a Major Project to a non-sensitive building requiring a Certificate of Appropriateness from the Gettysburg Borough Council as it is a non-sensitive building as defined in the *Borough of Gettysburg Code of Ordinances*

and the Gettysburg Historic District as being less than 50 years old. The building is a non-contributing structure within the Gettysburg Battlefield National Registry. The building has no architectural integrity but does have a high degree of visibility from the public alley. He called for a motion for Borough Council to approve the Certificate of Appropriateness for the application striking all references to the future use of the building as a commercial structure to be noted for the benefit of the homeowners private use.

Mr. Malot made a **motion** to recommend that Borough Council issue a Certificate of Appropriateness for the modification of the previously approved COA dated May 18, 2011 changing the exterior façade as stated in the application dated February 6, 2023, removing paragraph 2 in regard to Change of Use and internal modifications to the structure. The motion was seconded by Ms. Hodges and carried **4-to-0 without dissention**.

Reports

A. Consent Agenda Requiring Board Administrative Approval Since the Last Meeting:

- a. **COA 23-0132 MINOR PROJECT: 25 W. High Street - Saint Francis Xavier Church**
Installation of two 5' x 8' banners between columns at the west and east end of the church entrance for the observance of "Sunday the Word of God" through January 2023. There is one Banner Permit remaining for 2023. All applications must meet the *Secretary of the Interior Guidelines*.
- b. **COA 23-0133 MINOR PROJECT: 11 Chambersburg Street – Fazzolari Rentals**
Exterior improvements will include the scraping and reglazing of window 1, replacing the sash and glass on window 2, and the repainting both in the same color as existing windows. All applications must meet the *Secretary of the Interior Guidelines*
- c. **COA 23-0001 MINOR PROJECT – 82 Steinwehr Avenue - Chad Close**
Roof replacement of rubber roof to rubber roof on one-story building addition with all 'in-kind' work for roof. All applications must meet the *Secretary of the Interior Guidelines*.
- d. **COA 23-0003 MINOR PROJECT – 40 N. Stratton Street – TPRE Investments, LLC**
Residential use change to vacation rental with interior modifications and exterior modifications to include a new wooden deck and handicap ramp to the rear of the structure per UCC requirements. Work is not visible from rear roadway. Expanded parking area with stone and brick pavers. All applications must meet the Department of *Secretary of the Interior Guidelines*.
- e. **COA 23-0004 MINOR PROJECT – 321 Baltimore Street – Adam B. Doolittle**
Shingle-to-shingle re-roof with all in-kind replacement. All applications must meet the *Secretary of the Interior Guidelines*.
- f. **COA 23-0005 MINOR PROJECT – 323 Baltimore Street – Adam B. Doolittle**
Shingle-to-shingle re-roof with all in-kind replacement. All applications must meet the *Secretary of the Interior Guidelines*.

NOTE: HARB is a **DESIGN** review board only, each project must meet all other Borough Ordinances and Building code Requirements prior to final approval through Council on the 2nd Monday of the following month.

Ms. Hodges made the **motion** for the Board to administratively approve the presented Certificates of Appropriateness (COAs) since the January 18, 2023 HARB Business Meeting. The motion was seconded by Mr. Malot and **carried 4-to-0 without dissension**.

A. Report of Chair – *Chair Shaffer*

Chair Shaffer did not have a report at this time. Mr. Shaffer noted that he would like to update the *Gettysburg Design Guide* to include rear structures, and to follow guidelines for historic structures to fit the character of the neighborhood and existing historic characteristics.

B. Report of Staff – *Debra English, Director of Historic and Environmental Preservation*

HARB AWARDS: Director English said that the Board does not have any major projects that had been completed through 2022; so she discussed with the Board if they wish to wait until May 2024 for our next HARB Awards Ceremony.

Other Business

There was no other business before the Board at this time.

Public Comment

There was no public comment at this time.

With no other business before the Board, Chair Shaffer made the **motion** to adjourn, and it was seconded by Mr. Malot. The **motion passed 4-to-0**. The meeting adjourned at 8:47 PM.

Respectfully submitted,

**Debra English, Director of Historic and Environmental Preservation
C/O Karen Mesher**