

**THE MAYOR'S TASK FORCE ON HISTORIC PRESERVATION
DOMINIQUE HAWKINS, VICE CHAIR**

**MEETING MINUTES
THURSDAY, 19 OCTOBER 2017, 6:30 P.M.
KANBAR CENTER, JEFFERSON—EAST FALLS CAMPUS, 4201 HENRY AVENUE**

PRESENT

Dominique Hawkins, vice chair
Peter Angelides
Oscar Beisert
Cathy Califano
Carl Dress
Mike Fink
Patrick Grossi
Nan Gutterman
Julie Gutstadt
David Hollenberg
Lou Iatarola
Cory Kegerise
Trapeta Mayson
Matt McClure
Doug Mooney
Justino Navarro
Elhadji Ndiaye
Aparna Palantino
Laura Spina
Bob Thomas
Fon Wang
Seri Worden, National Trust for Historic Preservation
James Wright

ALSO PRESENT

Karen Black, Task Force Facilitator
Rob Nieweg, National Trust for Historic Preservation
Will Cook, National Trust for Historic Preservation
Alex Raday, National Trust for Historic Preservation
Jon Farnham, Philadelphia Historical Commission
Randal Baron, Philadelphia Historical Commission
Laura DiPasquale, Philadelphia Historical Commission
Meredith Keller, Philadelphia Historical Commission

CALL TO ORDER

Dominique Hawkins called the meeting to order at 7:00 p.m., following an interactive public discussion.

INTRODUCTION

Tom Becker, Associate Vice President for Operations, Jefferson—East Falls Campus, welcomed the Task Force members and thanked Ms. Hawkins for her work on the campus. Ms. Hawkins discussed the agenda and introduced the presenter.

PRESENTATION

Will Cook, Associate General Counsel of the National Trust for Historic Preservation, gave a presentation titled: “Legal Analysis: How Does Philadelphia’s Historic Preservation Ordinance Compare to Other Cities?” He outlined the strengths of Philadelphia’s local law and preservation ordinance, noting that its strengths include the Historical Commission’s authority; the Criteria for Designation and the eligibility of objects for designation; the financial hardship provision; the affirmative maintenance requirement; the unnecessary hardship provision; and the Commission’s adherence to the *Secretary of the Interior’s Standards*. He then identified areas of the local law that could be strengthened. These areas included: increasing nomination diversity and incentives; clarifying the “public interest” exception in the ordinance; instituting a demolition delay; adopting sustainability and archaeology guidelines; reviewing all new construction in historic districts; and reconsidering the appeal process.

DISCUSSION OF PRESENTATION

Ms. Hawkins asked Mr. McClure to lead a discussion of the legal analysis. Mr. McClure opened the floor to discussion.

Task Force members discussed the benefits of preservation and the balance it requires, including the application of the *Secretary of the Interior’s Standards*. Members noted that the *Standards* are a good foundation but could be modified for application within the City of Philadelphia. Another member stated that the *Standards* are difficult for the average citizen, because they were conceived for national application. It was suggested that the *Standards* be tailored for Philadelphia’s design guidelines and for property owners in order to ease the strain on average citizens. Mr. Cook responded that the current ordinance does allow for the tailoring of the *Standards*.

Other discussion focused on the designation process, with members noting that, even with a significant increase in designation, eligible properties would remain unlisted. One member suggested incorporating more tools into the preservation of historic resources and not relying solely on designation for protection. Task Force members commented that the Historical Commission’s jurisdiction over new construction in historic districts should be reconsidered and that a demolition delay should be introduced.

One Task Force member asked whether the Historical Commission is satisfying its notification process when it considers nominations for designation. Others responded that it is satisfying its notice responsibilities. Mr. Cook clarified that the Historical Commission’s notification process is adequate; however, he stated that some property owners take issue with the timing of the notice, which is currently provided only after a nomination is deemed correct and complete and not at the time the nomination is received by the Historical Commission. One member remarked

that a property is not under the Commission's jurisdiction until it sends notice, which is required at least 30 days in advance of the first meeting; earlier notification could jeopardize historic resources by informing property owners of impending designations before the jurisdiction to regulate those properties is in place. Another member observed that the Commission allows property owners to request continuances of the reviews and that the process can cause a nomination to be tabled for long periods of time. It was noted that the Historical Commission's jurisdiction remains in place during any tabling of a nomination requested by the property owner. A Task Force member reminded his fellow members that the Historical Commission wields significant power with designation; owner consent is not a prerequisite for designation in Philadelphia, but is in many other municipalities.

Several members returned to the subject of new construction in historic districts, with one member explaining that the Historical Commission does review all new construction in historic districts, although its jurisdiction is sometimes limited to commenting only, particularly when a property was an empty lot at the time of designation.

The need for training of Historical Commission members was noted. One member stated that the Certified Local Government (CLG) requirement includes eight hours of training per year, although that training can be individually defined to include new member orientation. Another example was offered, in which an architect could use an AIA event to satisfy the CLG training requirement. One member noted that the Historical Commissioners and committee members undergo regular ethics training.

The discussion concluded with a focus on sustainability, with one member noting that some of the issues under consideration are potentially in conflict with one another, such as sustainability and preservation. Mr. Cook recommended that Task Force members consult the Secretary of the Interior's *Illustrated Guidelines on Sustainability* as a starting point. He commented that the guidelines include information on solar panels and other forms of sustainable energy, though he added that studies in sustainability are ongoing. One member stated that the requirements to satisfy energy standards have been increasing. Another Task Force member noted the precedent-setting Robinson Township case, which recognized the environmental bill of rights in Pennsylvania.

REPORTS FROM SUBCOMMITTEES

Ms. Hawkins requested that one co-chair from each subcommittee offer a summary of their work to date.

Mr. McClure, co-chair of the Regulation subcommittee, stated that the committee has held two substantive meetings and have prepared two scoping questions for the Task Force to address. The first question, he stated, pertains to how the preservation ordinance should be modified or enhanced, with subcommittee members identifying areas such as archaeological resources, demolitions, and the appellate process as worthy of consideration of amendment. He noted that the second question relates to topics with significant public interest. At the most recent meeting, he continued, the subcommittee discussed Will Cook's comparative analysis of the preservation ordinance, and the subcommittee reached a general consensus that Philadelphia's ordinance and regulation system is legally strong, although there were differing opinions on its interpretation. Mr. McClure added that he would like to continue that dialog and commented that Messrs. Farnham and Mooney will join their group at the subcommittee's next meeting.

Nan Gutterman, co-chair of the Surveying Historic Resources subcommittee, explained that her group is in the data collection process, which will enable it to determine its emphasis and focus. She also indicated that the subcommittee is working with representatives of the National Trust for Historic Preservation in identifying best practices that may allow the group to make recommendations for adjusting current City practices.

Peter Angelides, co-chair of the Incentives subcommittee, stated that his group has convened one meeting to date where the group hammered out its scope and questions for the National Trust. He noted that the subcommittee will pose the following questions: What are we trying to incentivize? What are we trying to accomplish? What direction do we need to take?

Trapeta Mayson, co-chair of the Education and Engagement subcommittee, commented that the group has identified a scope and developed questions to present to the National Trust. She stated that the subcommittee has been seeking to identify preservation's stakeholders, including who they are and how to reach them. She then noted that the Task Force website, phlpreservation.com, is live and that the group aims to engage the public through the website. She discussed the first public Task Force meeting, observing that it was not demographically diverse, adding that she has received both positive and negative feedback. She questioned how preservation can play a role in communities, suggesting that the group needs to educate community members throughout Philadelphia. She also stated that the subcommittee would like to provide opportunities for comments and suggestions and indicated that feedback can be provided through the website.

ACCEPTANCE OF VISION

Ms. Hawkins presented the Task Force Vision Statement for approval and asked if there are any strong objections from Task Force members. No one objected. The Vision Statement was approved.

ADJOURNMENT

Ms. Hawkins adjourned the meeting at 7:57 p.m.