

**HISTORICAL ARCHITECTURAL REVIEW BOARD**  
**01MAY2017 MEETING MINUTES**

In attendance was Larry Peseski (Chair), Nancy Ruddle (Vice Chair), Scott Minnucci, Marnie Newman, Mark Baum Baicker, Patrick Pastella, Noel Barrett (Liaison) and Christine Terranova (HARB Administrator).

**I. Call to Order**

Chair Peseski called the meeting to order at 7:07 p.m. and noted that H.A.R.B. did have a quorum.

**II. Approval of Minutes – April 3<sup>rd</sup>, 2017**

**Upon a Motion by Mark Baum Baicker, seconded by Scott Minnucci, H.A.R.B. unanimously agreed to approve the minutes of April 3<sup>rd</sup>, 2017.**

**III. Review and Approval of Annual Report of 2016**

Chair Peseski noted that the review and approval of the Annual Report of 2016 would be tabled for the next scheduled H.A.R.B. meeting.

**IV. Chairman's Topics**

**A. Fast tract process for replacement/repair in kind**

HARB Administrator distributed copies of Administration comments and suggestions (dated 4/24/2017) to be reviewed and discussed regarding the final draft of the Proposed Repair and Replacement In Kind – Fast Tract Procedure (RRIK). See the two page attachment.

HARB reviewed and discussed the suggestions and comments from the administration. Chair Peseski will be attending the Board of Supervisors' meeting on May 2, 2017 to give a brief presentation and discussion on the proposed Repair and Replacement In Kind – Fast Tract Procedure (RRIK).

**V. Public Comment – None**

**VI. Adjournment**

**A Motion was made by Marnie Newman, seconded by Mark Baum Baicker, to adjourn the meeting at 8:49 p.m.**

Respectfully submitted,  
Christine E. Terranova  
H.A.R.B. Administrator  
Solebury Township

ADMIN COMMENTS 4.24.2017

RE: PROPOSED REPAIR AND REPLACEMENT IN KIND – FAST TRACT PROCEDURE (RRIK)

NOTE: The administration has reviewed the initial draft documents with the assumption that the RRIK process is being proposed to expedite those applications that do not visually change what can be seen from the public way AND do not require permits, resulting in a reduced turnaround time for issuance of a Certificate of Appropriateness (CofA).

1. RRIK is **NOT** applicable if proposed work requires a Permit – there can be no ‘conditional approval’ by HARB reviewers if the work requires a permit
2. If a permit is required, such application must submit standard application to HARB and subsequently receive a Certificate of Appropriateness from the BOS before any permit application is submitted
3. Even when a permit is not required, Pennsylvania law is unclear on whether the Township can eliminate the need for a CofA. The Township could take the position that, when no permit is required, a RRIK does not constitute “erection, reconstruction, alteration, restoration, demolition or razing” and that, therefore, no CofA would be required. Under this interpretation of Pennsylvania law, the Township would need to amend its Ordinance to allow the RRIK procedure for projects NOT requiring a permit.
4. State law does not permit HARB to approve or issue CofA – only the governing body (BOS) has that authority, so that a RRIK review can result in a recommendation from HARB reviewers, but not an approval to commence work (this serves the fast-track purposes by reducing the timeframe involved with a full HARB submission, while remaining compliant with State Law)
5. IF #3 above is satisfactorily addressed and the Ordinance is amended, the following issues need to be determined as to RRIK process:
  - a. How many copies of an RRIK application must be submitted
  - b. If HARB is ‘recommending’ under the RRIK, then sufficient copies should be provided by the applicant for the BOS (2 copies would be insufficient)
  - c. An owner’s authorization should be required if the owner is not acting as the applicant
  - d. Who reviews and signs-off/makes recommendation on a RRIK – how many HARB members are to be involved in the RRIK review
  - e. If reviewers deem RRIK appropriate, since this is a recommendation to fast-track and not require a full HARB submission the recommendation should proceed to the BOS to issue a CoA
  - f. If reviewers determine the proposal is not RRIK appropriate, a detailed explanation should be provided to the applicant w/guidance on moving forward with the standard HARB process
6. Is there a fee to be assessed for the RRIK procedure – if so, what amount? - Twp. fee schedule will need to be revised accordingly before implementing

The “REPAIR OR REPLACEMENT IN-KIND REFERENCE STANDARD” should be reviewed in more detail before finalizing to avoid any conflict with permitting requirements.

SEE ATTACHED REVISED DRAFTS

**RRIK - ADMINISTRATION SUGGESTION**  
**4/24/2017**

Administration offers the following suggestion in an effort to achieve the goals for fast tracking certain applications without totally eliminating the Certificate of Appropriateness:

If the goal of the RRIK Fast-Track Procedure is to reduce the amount of time and angst for the property owners whose projects do not alter, change or revise what can be seen visually from the public way, and whose projects do not require permitting, the following steps could easily achieve that goal:

1. An RRIK application is reviewed by the HARB Administrator and two (2) HARB Members "The Reviewers";
2. If the RRIK application is determined by the Reviewers to be appropriate for fast-track (e.g. no visual changes and no permits required) then a recommendation for issuance of a Certificate of Appropriateness (CofA) is prepared and forwarded to the Board of Supervisors;
3. The BOS considers the recommendation and issues a CofA at its next meeting.

If the Ordinance is revised to allow for the above, this scenario eliminates a good deal of the timeframe involved:

- a. \$75 application submission fee;
- b. Application deadlines – RRIK applications can be submitted at any time;
- c. Attendance at a full HARB meeting;
- d. 14 day Posting of Property;
- e. No need for Individual notices to be sent to all property owners with 1500 feet of the subject property;