

# *Local Tools for Historic Preservation*



**Westtown Township Comprehensive Planning  
Task Force**

**January 26, 2017**

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# ***Westtown Township Historic Resources Inventory***

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**January 26, 2017**

**Gail Guterl**

**Chair, Westtown Township Historical Commission**

# ***Westtown Township Historic Resources Inventory***

- ❑ Westtown Historical Commission established in 2013**
- ❑ Commission's primary purpose to educate**
- ❑ Inventory efforts began with base information from 1988**
- ❑ Inventory began with resources dating prior to 1901**
- ❑ Inventory is ever evolving**
- ❑ Westtown has no specific provisions for historic resources**

# ***Westtown Township Historic Resources Inventory***

## **Five Resource Classifications:**

- 1. On or Eligible for the National Register**
- 2. Of Local Historic Value**
- 3. 100 years or older**
- 4. Potential Archeological Site**
- 5. Properties with Historical Elements**

# Oakbourne Mansion



**Class 1:**

**On or Eligible for National Historic Register**



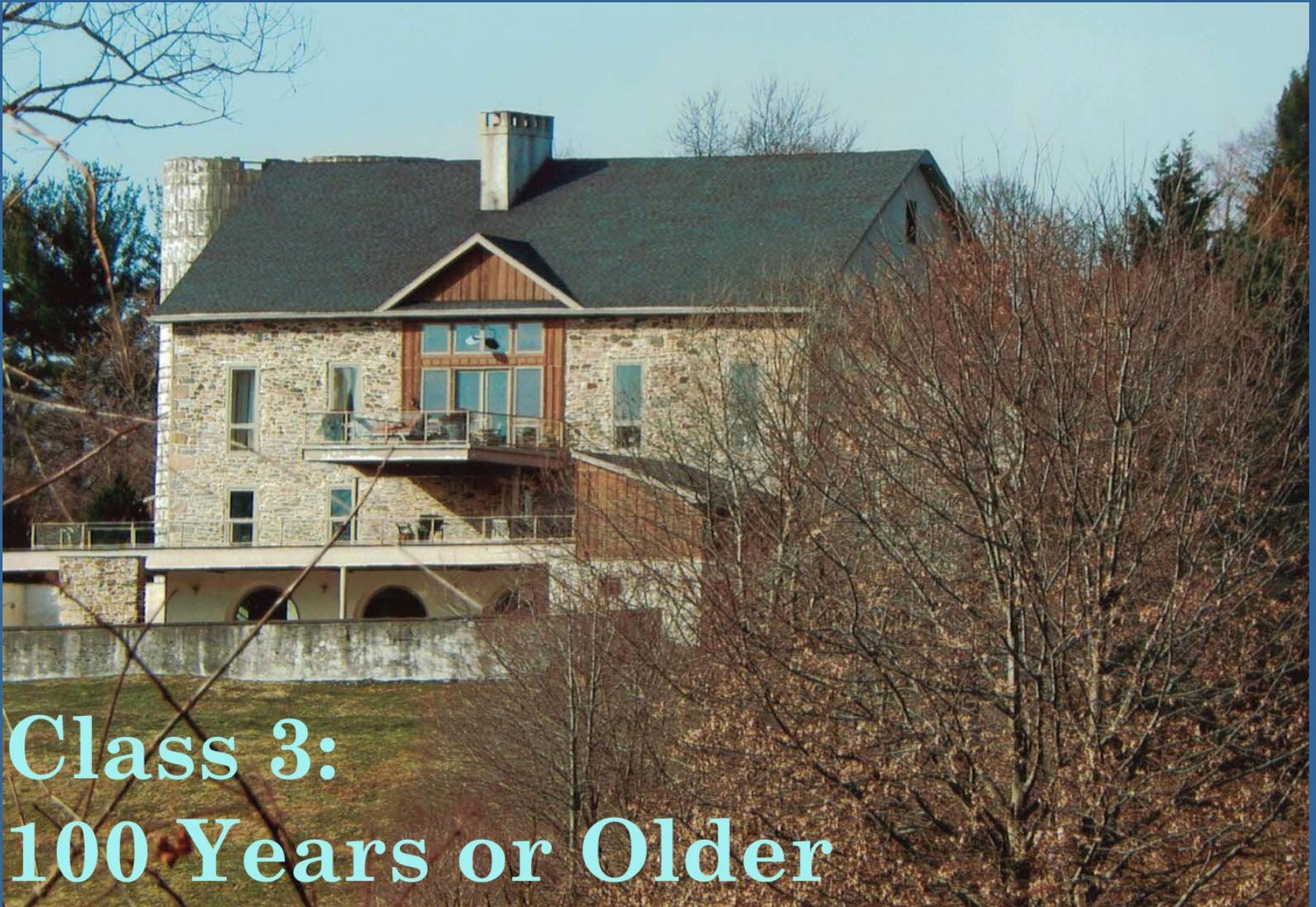
**Class 1: On or Eligible  
for National Historic Register**



**Class 2: Of Local Historic Value**



**Class 3:  
100 Years or Older**



**Class 3:  
100 Years or Older**



**Huey House**  
**Class 4: Potential Archeological Site**



**Class 5**  
**Properties with**  
**Historical Element**

# Historic Resources in Pennsylvania run the gamut . . .



***As for planning and regulatory  
tools, one size does not fit all!***

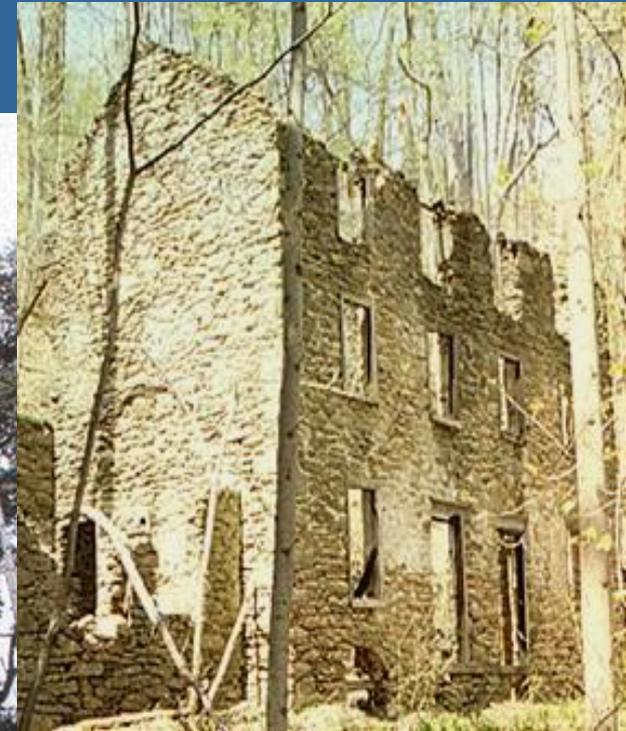
***And unlike natural resources, historic resources require human use and investment to survive!***



(AFTER) EXTERIOR

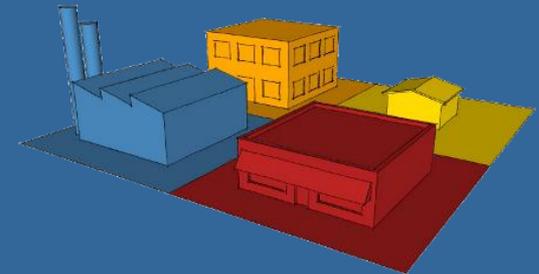


(BEFORE) EXTERIOR



# Important Concepts

- The regulation of historic properties for the purpose of preservation is part of the government's police power
- While sometimes technically distinct, historic preservation ordinances are treated legally as the same as other land use regulations
- Effective Historic Preservation programs involve more than regulating windows, doors, and color



# ***Local Regulatory Tools for Historic Preservation***

- **Constitutional and Legislative Mandates**
- **Act 167 Historic Districts, certified by PHMC;**
- **MPC-based Historic Overlay Zoning;**
- **Special Zoning Provisions**

## **Key Objectives:**

- **To encourage conservation of historical landscapes and community character;**
- **To facilitate protection of historical integrity;**
- **To provide incentives for continued use of historic resources;**
- **To discourage unnecessary demolition;**

# Your Charge...

The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment.

Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.

- Pennsylvania State Constitution Article 1, Section 27

The municipal, multimunicipal or county comprehensive plan...shall include, but need not be limited to the following related basic elements...

(6) A plan for the protection of natural and historic resources to the extent not preempted by federal or state law

- Municipalities Planning Code, Article III, Section 301

# Enabling Legislation

## Historic District Act

- Enacted in **1961**
- Allows designation of districts
- Used to regulate alteration, demolition, and new construction within districts

## Municipalities Planning Code

- **1968**, as amended through
- Allows use of zoning tools for historic preservation
- Used to regulate demolition, development, subdivision, and sometimes alteration

# Some Basics

## What is the Historic District Act?

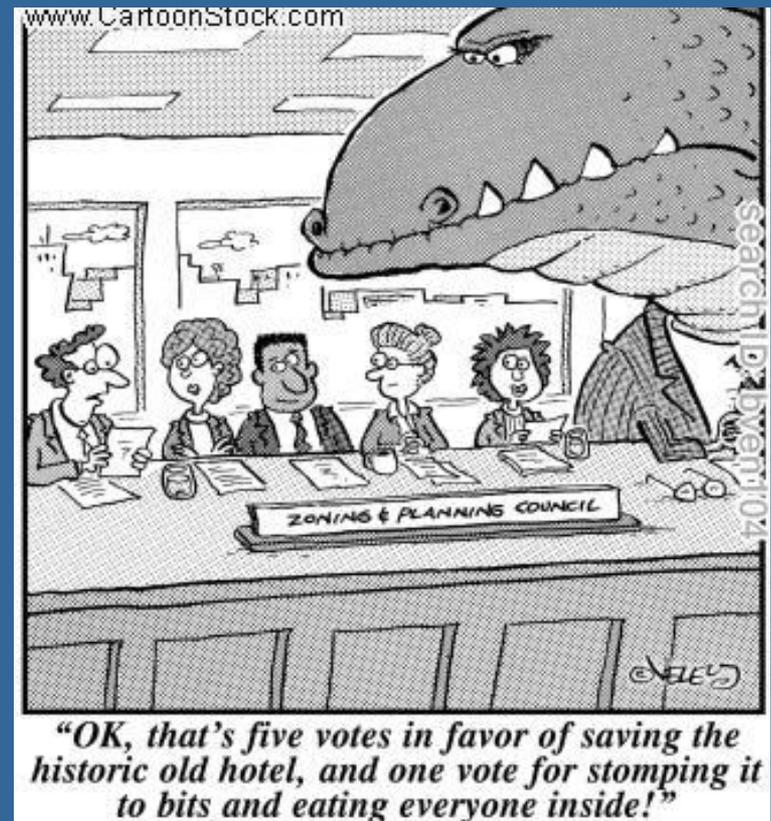
- State law that allows municipalities to designate areas of historical significance as “historic districts” and regulate how properties within those districts are changed over time
- Provides for the appointment of a Historic Architectural Review Board to review alterations to properties and make recommendations to elected body (Council) on Certificates of Appropriateness (COA)



# Some Basics

## What is the Historic District Act?

- Requirements may be as limited as delaying/restricting demolition to review of all exterior changes
- Scope of the ordinance should be developed in response to particular needs of the district and related to planning goals
- May not be sufficient to solve all of the issues on its own
- Often not the best tool in a Township like Westtown



# Some Basics

## What is the Municipalities Planning Code?

- State law that defines how municipalities conduct planning and zoning activities
- Includes a provision authorizing/mandating the use of zoning for historic preservation purposes (Article 6)
- The MPC is non-specific about how preservation-related provisions could/should be structured



# More on the MPC

- PHMC does not have a formal role in the development or administration of ordinances enacted solely through the zoning code



# When does the MPC Make Sense?

- In communities where the resources are scattered or separated by large distances
- In communities where there are significant landscape (rural or designed) features that merit preservation
- In communities facing development pressures on historic resources
- As a companion to other preservation tools



# *Regulation of Historic Resources will not always Preclude Change . . .*

**John Snook's  
"Overlook Farm"**



**1900**



**2000**

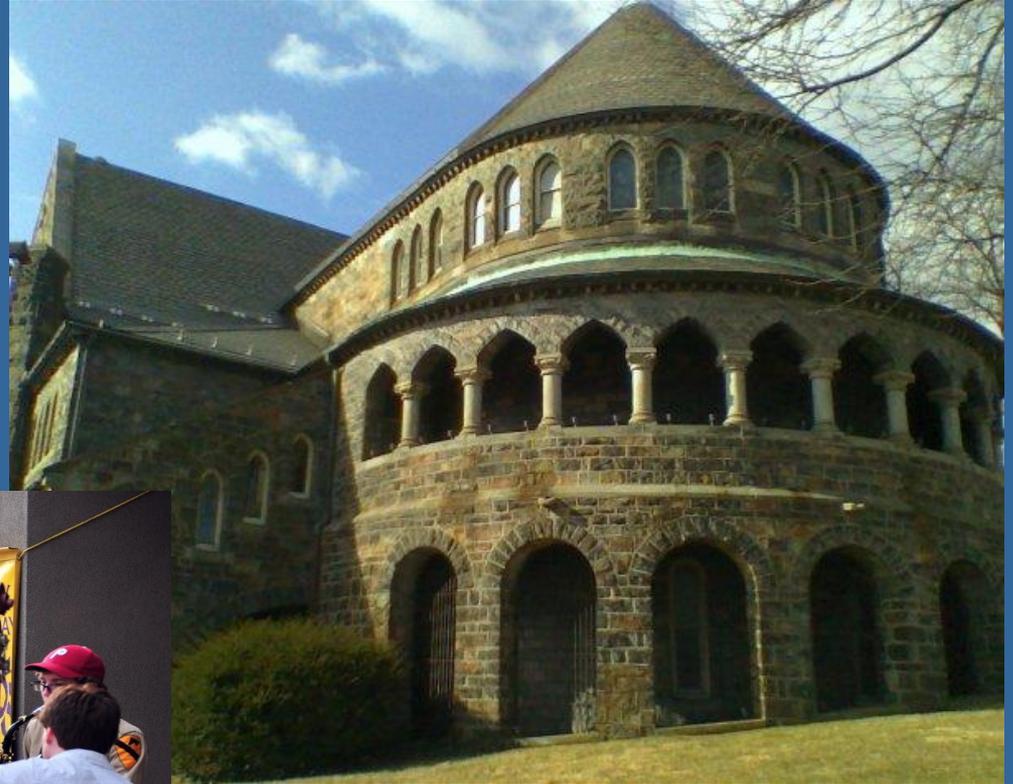
*But Reasonable Regulation can Promote  
Historic Preservation while recognizing that*

**Community Resource**



**= Private Value**

# City of Bethlehem



**Three Regulatory Approaches**

# City of Bethlehem

- **Historic Bethlehem** – standard HDA district with HARB; COA approved by City Council
- **Historic Conservation District** – South Bethlehem and Mount Airy – standard HDA district approach but no HARB; review by separate Historic Conservation Commission
- **Landmarks** – resources outside historic districts
  - Reviewed by Historic Conservation Commission under MPC
  - Refers to purview for any regulated activity but only provides specific provisions for review of demolitions

# City of Lancaster



# City of Lancaster

- Lancaster Historic District
  - Standard HDA district with HARB
  - All visible activity governed
- Heritage Conservation District
  - All areas within Lancaster National Register District outside of Lancaster Historic District
  - Standard HARB approach but governed by Historical Commission
  - Purview excludes
    - Demolition in immediate danger or demolition not visible from public street
    - Maintenance and repair
    - Construction of appurtenances or accessory elements regardless of visibility

# Borough of West Chester

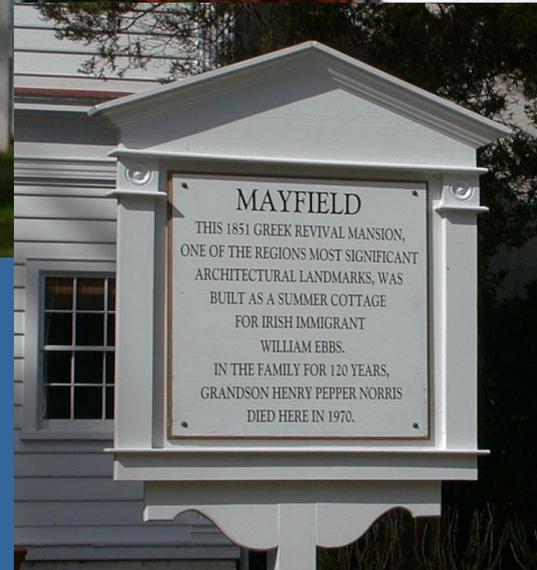


Small HDA District – remainder of historic resources unregulated

# West Chester's *Mayfield*



**Modified zoning provisions applied to small “infill” development, preserving unregulated historic resource**



# A comprehensive survey of local resources is the best way to justify applicability of regulation

*Many inventories are quite imprecise!*



PENNSYLVANIA HISTORIC RESOURCE SURVEY FORM - PHOTO/SITE PLAN SHEET 89A

Pennsylvania Historical and Museum Commission  
Bureau of Historic Preservation  
Box 1026, Harrisburg, PA 17108-1026

Survey Code/Tax Parcel/Other No.: MO-10-142 County: Snyder  
Municipality: Monroe Township Address: East side of Airport Road  
(Historic Name/Other: Simon P. App Farm Property (153))  
Site Plan

**Photo Information**

Attach Photo Here

Number	Description of View	Direction of Camera
1	South and west (main) facades of house. Note original windows and doors.	NE

Photographer Name: Nancy Holst Date: 5/98  
Negative Location: CHRS Inc. 403 E. Walnut St. North Wales Pa. 19454

**Site Plan**

0 400ft 121.9m

NOTE: BUILDINGS NOT TO SCALE

PHOTO LOCATION

NATIONAL REGISTER BOUNDARY

AIRPORT ROAD

CORN CRIB  
SHED  
BARN  
BANK  
SUMMER KITCHEN  
VEHICLE STORAGE

1 2 3 4 5

N

*But the Westtown Township Historical Commission is working on it!*

# Oley Township



- HDA District covers the entire Township
- Agricultural structures excluded from review
- GIS –based Historic Resources Inventory



# Oley Township Historic Resources Inventory

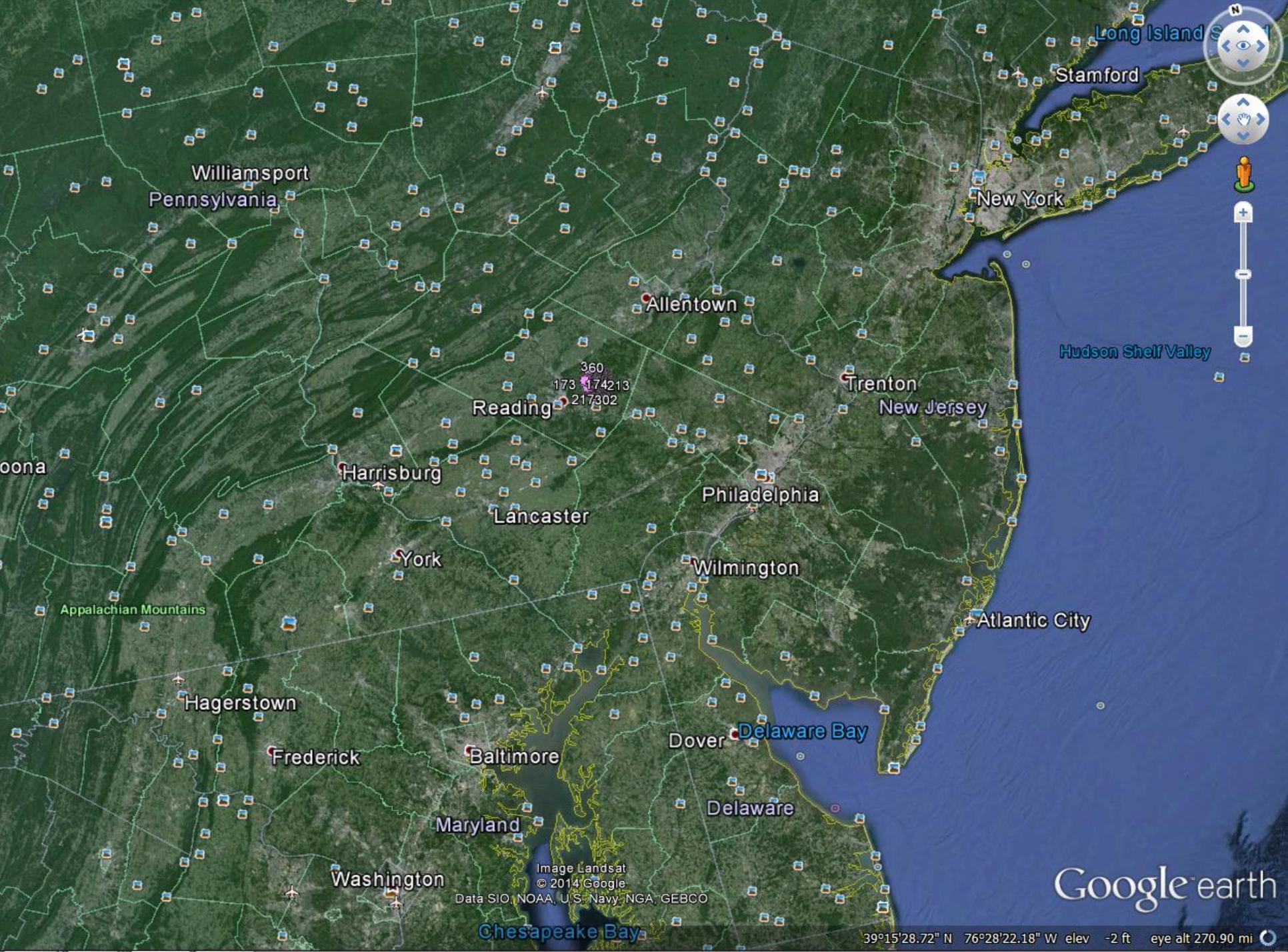
- Built on a Google Earth platform



our Guide







Williamsport  
Pennsylvania

Stamford

New York

Allentown

Reading

Trenton  
New Jersey

Harrisburg

Philadelphia

Lancaster

York

Wilmington

Atlantic City

Appalachian Mountains

Hagerstown

Dover

Delaware Bay

Frederick

Baltimore

Delaware

Washington

Maryland

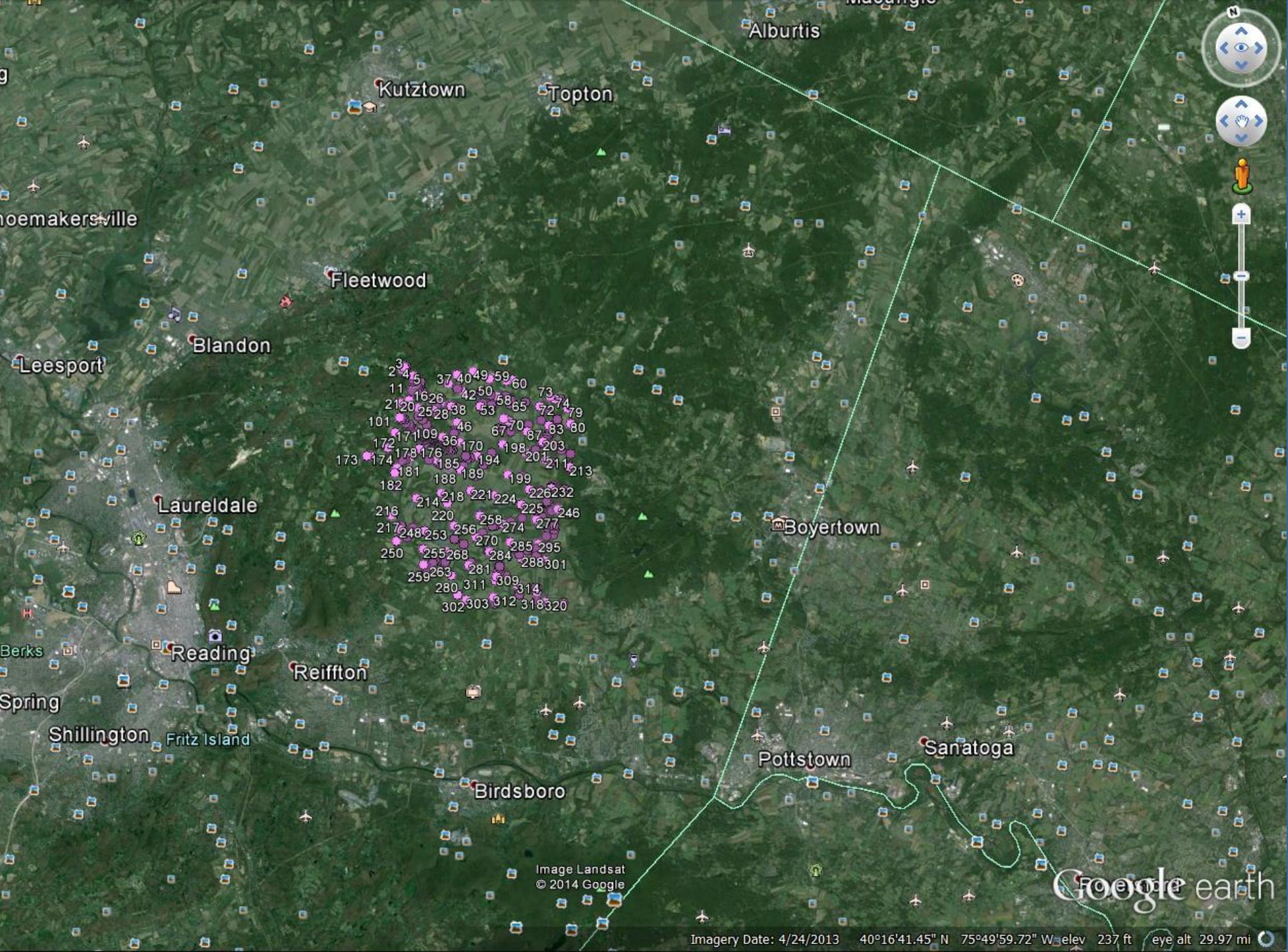
Chesapeake Bay

Google earth

39°15'28.72" N 76°28'22.18" W elev -2 ft eye alt 270.90 mi

Image Landsat  
© 2014 Google  
Data SIO, NOAA, U.S. Navy, NGA, GEBCO

360  
173 174213  
217302



Kutztown

Topton

Alburtis

Fleetwood

Blandon

Leesport

Laureldale

Boyertown

Reading

Reiffton

Pottstown

Sanatoga

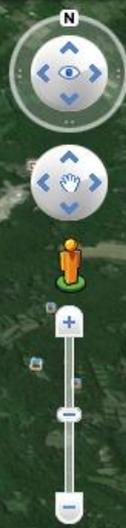
Shillington

Fritz Island

Birdsboro

Image Landsat  
© 2014 Google

Google earth



Breezy Corner

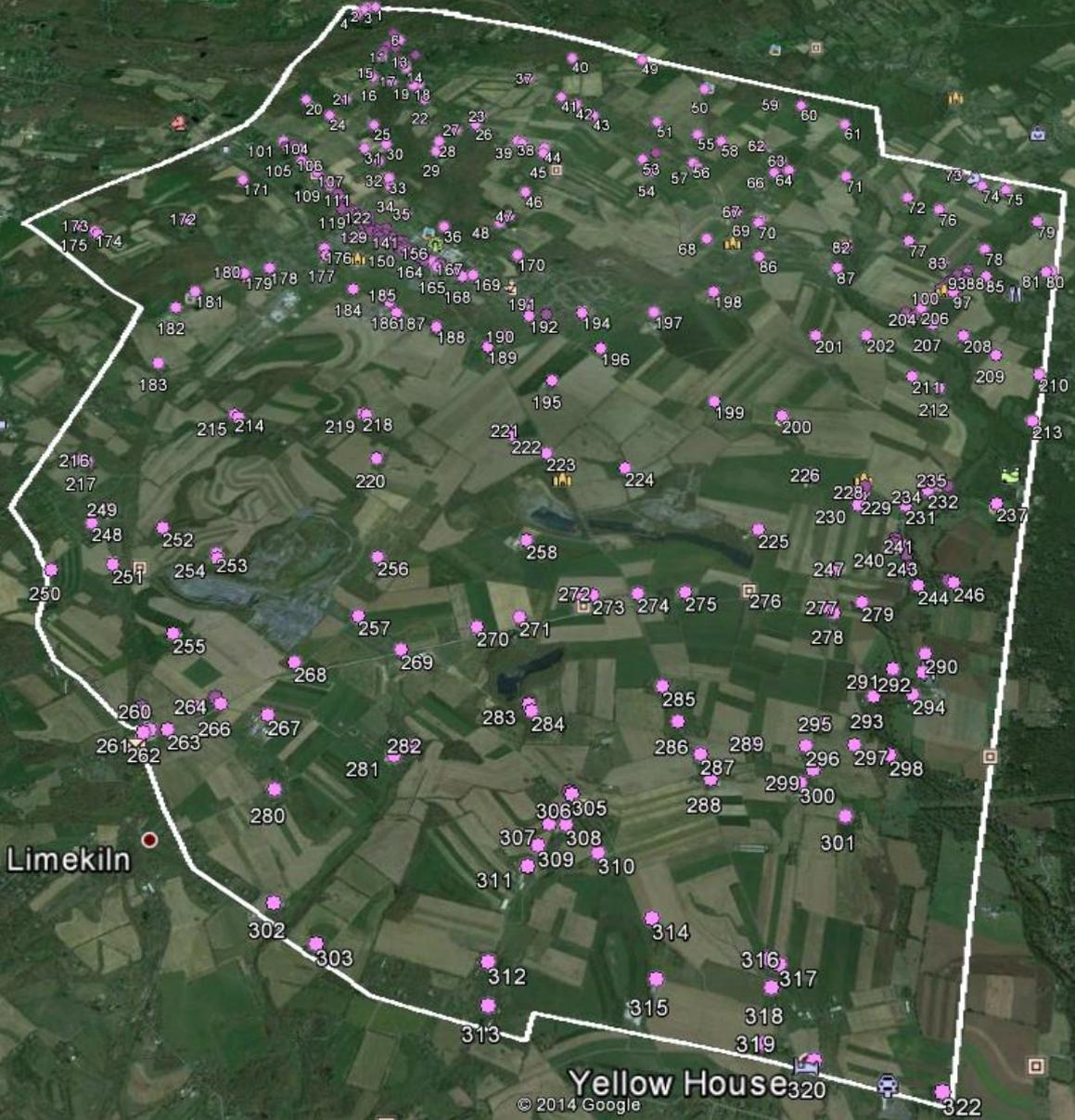
Five Points

Limekiln

Woodchoppertown

Yellow House

Google earth



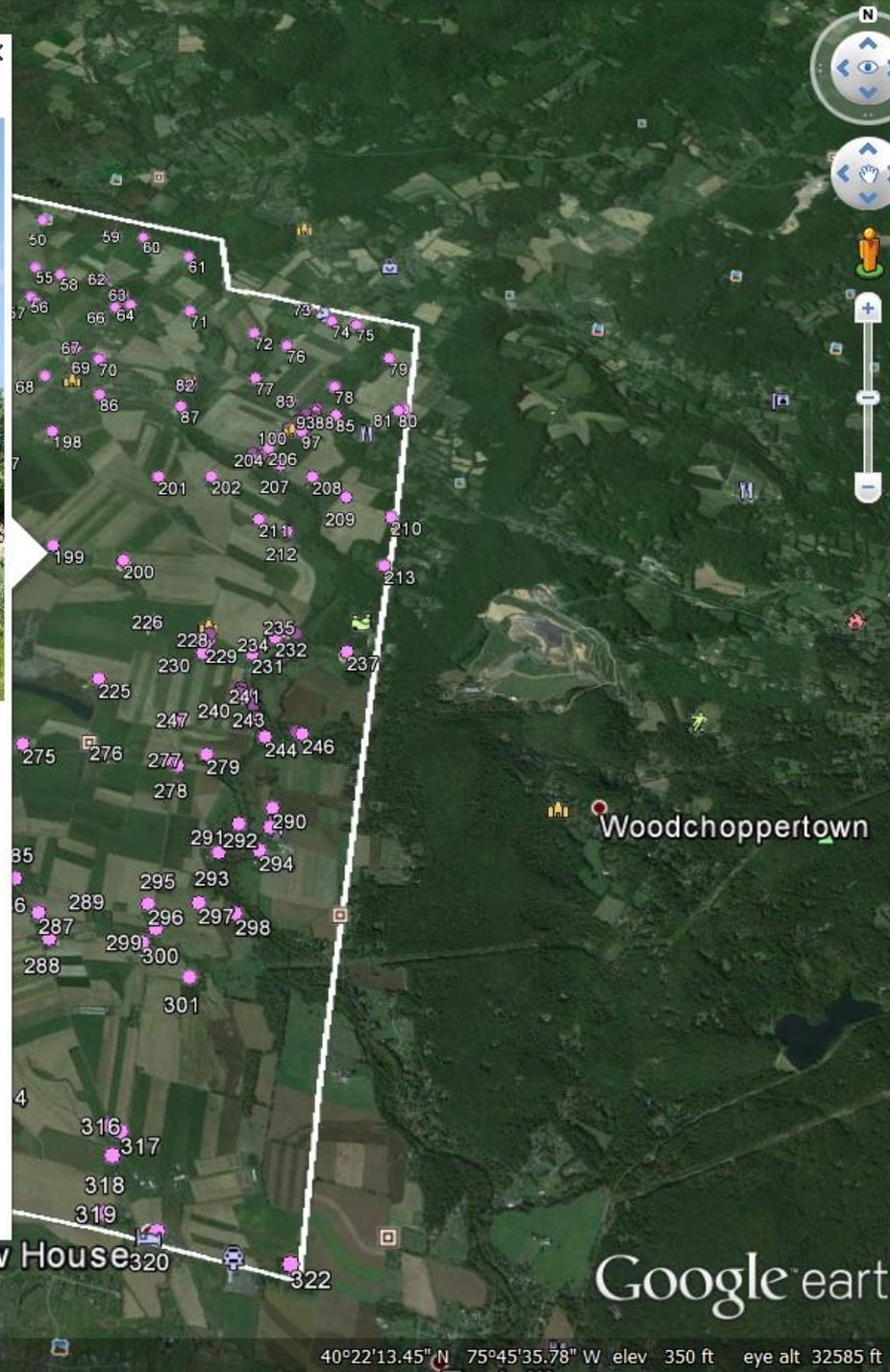
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#### Catherine Stahler Property

FID	204
Historic Site Name	Catherine Stahler Property
Surveyed Site ID	64
Category	Surveyed sites
National Register Code	
Property ID	67535800543528
Owner 1	SHANK L L/PETERSHEIM W R &
Owner 2	WILLMAN N M/PETERSHEIM D A
Address 1	RABENOLD/BINDER 553 OLEY RD
Address 2	OLEY
Address 3	PA
Address 4	19547
Address 5	
Historic Site ID	199

Directions: [To here](#) - [From here](#)



© 2014 Google  
Yellow House 320

Google earth

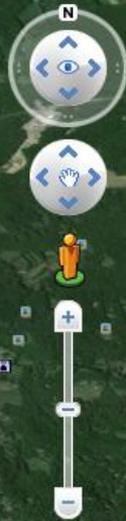
236



**Greisemer's Mill Bridge**

FID	4
Historic Site Name	Greisemer's Mill Bridge
Surveyed Site ID	0
Category	National Register sites
National Register Code	
Property ID	
Owner 1	
Owner 2	
Address 1	
Address 2	
Address 3	
Address 4	
Address 5	
Historic Site ID	236

Directions: [To here](#) - [From here](#)



Pikeville

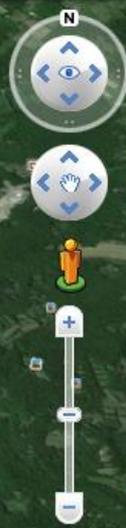
Woodchoppertown

© 2014 Google  
Yellow House

Google earth

40°21'49.61" N 75°44'03.19" W elev 296 ft eye alt 31903 ft

1993



Breezy Corner

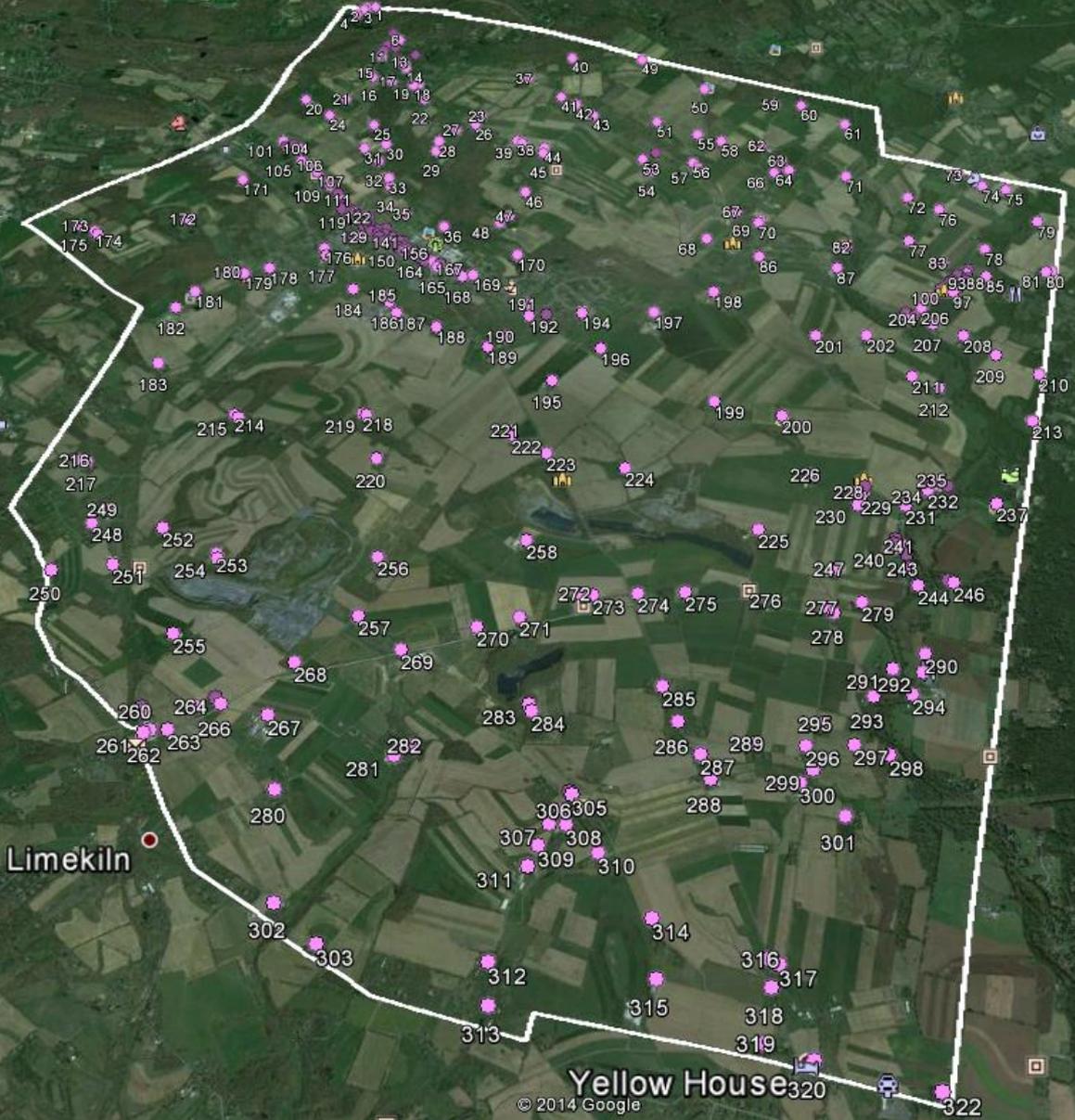
Five Points

Limekiln

Woodchopertown

Yellow House

Google earth



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© 2014 Google

Google earth

1993

40°23'07.84" N 75°47'19.92" W elev 419 ft eye alt 2162 ft

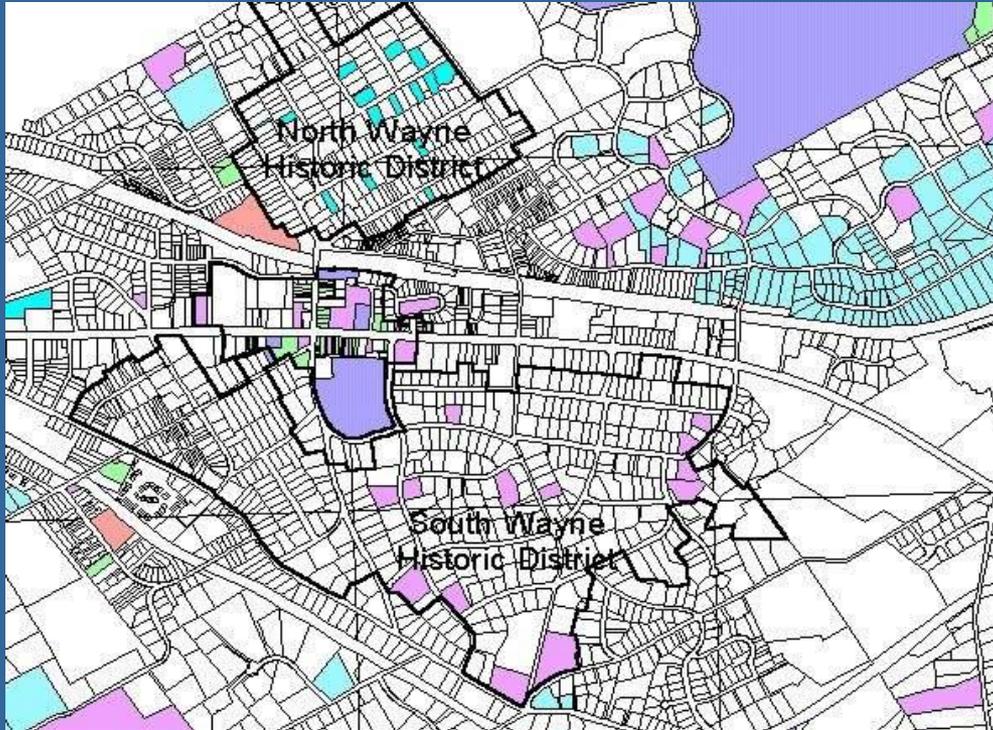


Kohn Property	
FID	160
Historic Site Name	Kohn Property
Surveyed Site ID	154
Category	Surveyed sites
National Register	

Google earth

# Radnor Township

## *2003 Historic Resource Survey*

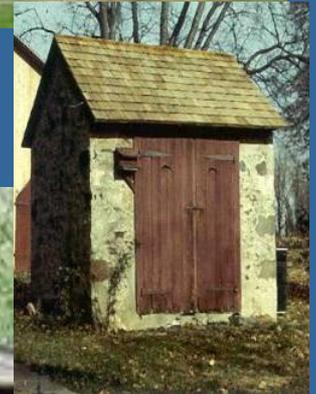


- 200 Properties
- 6 Historic Districts
- 4 Historic roads
- 2 Historic bridges
- 218 survey forms/424 resources



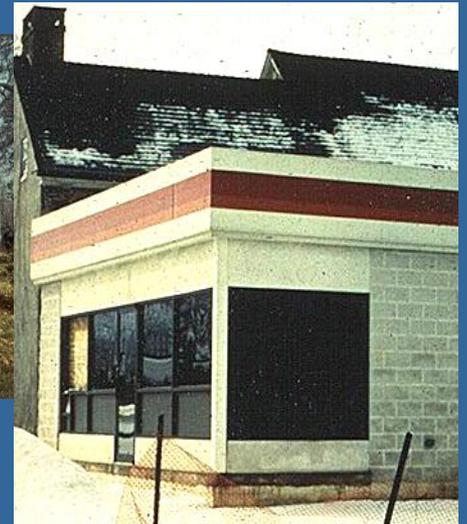
# Historic Resource Classification

- **Why Classify?**
  - public education
  - general resource prioritization
  - differential regulation?
- **Can Subjectivity be Avoided?**
  - National Register Criteria
  - Standards for consideration of local significance



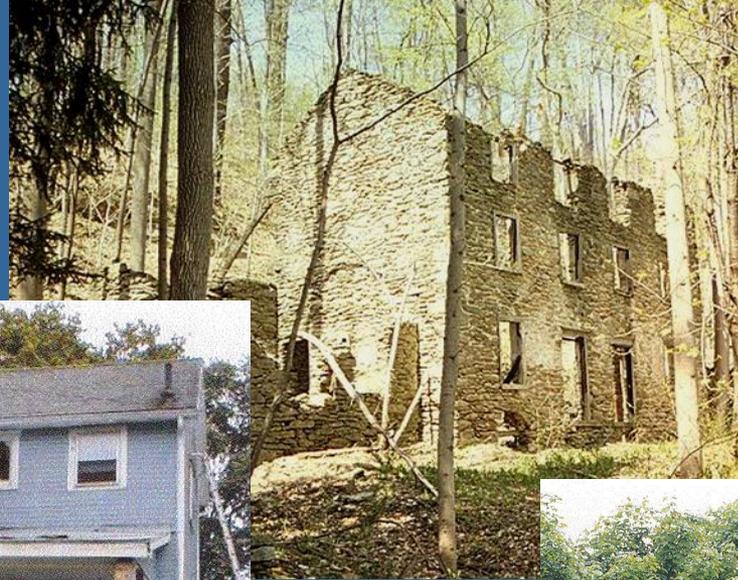
# *Specific identification of resources to be regulated:*

- Principal Structures
- Outbuildings or “secondary” structures
- Non-contributing resources excluded !

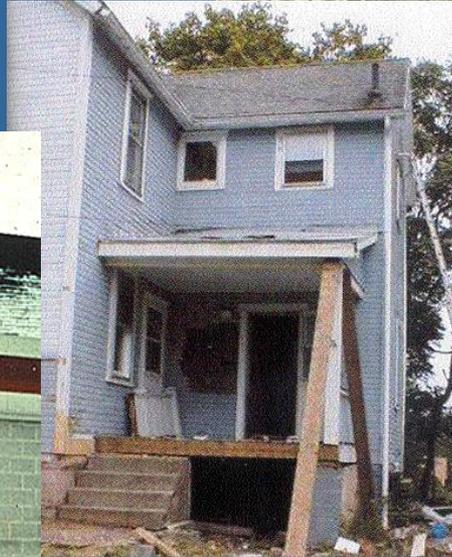


# Demolition Permit Issues

*What is demolition by Neglect?*



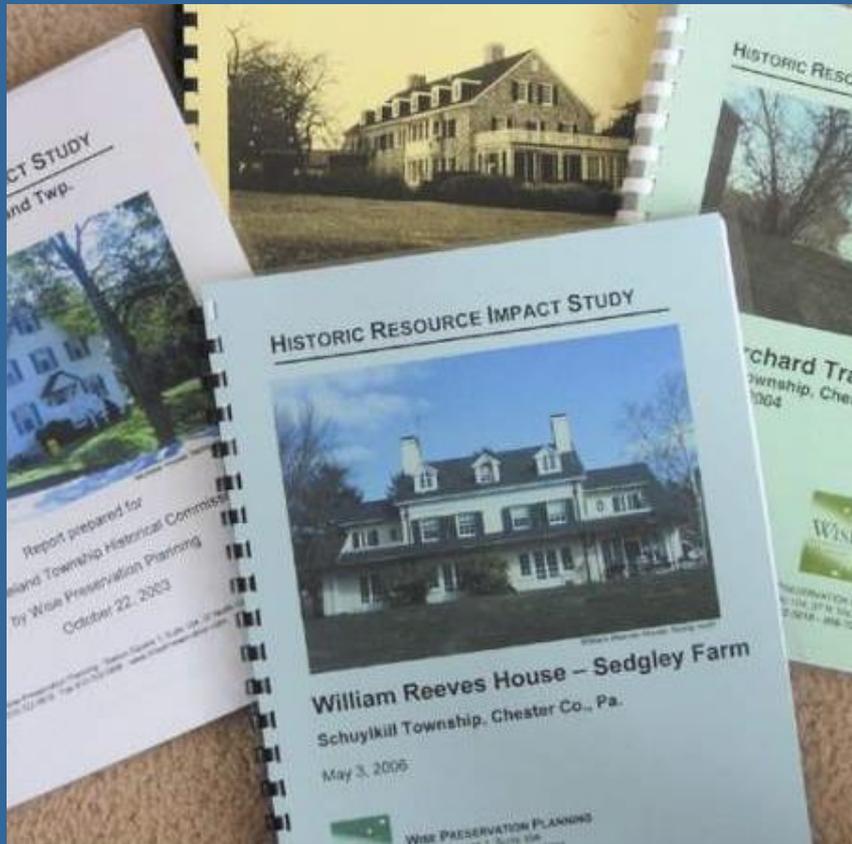
*What Benefits Come from Delay versus Denial?*



*How reasonably may we regulate alterations?*



# Required Impact Assessment & Mitigation



*can result in significant conservation of historic landscapes and structures, including conservation easements as the guarantor*

# Historic Resource Impact Study

## common approach

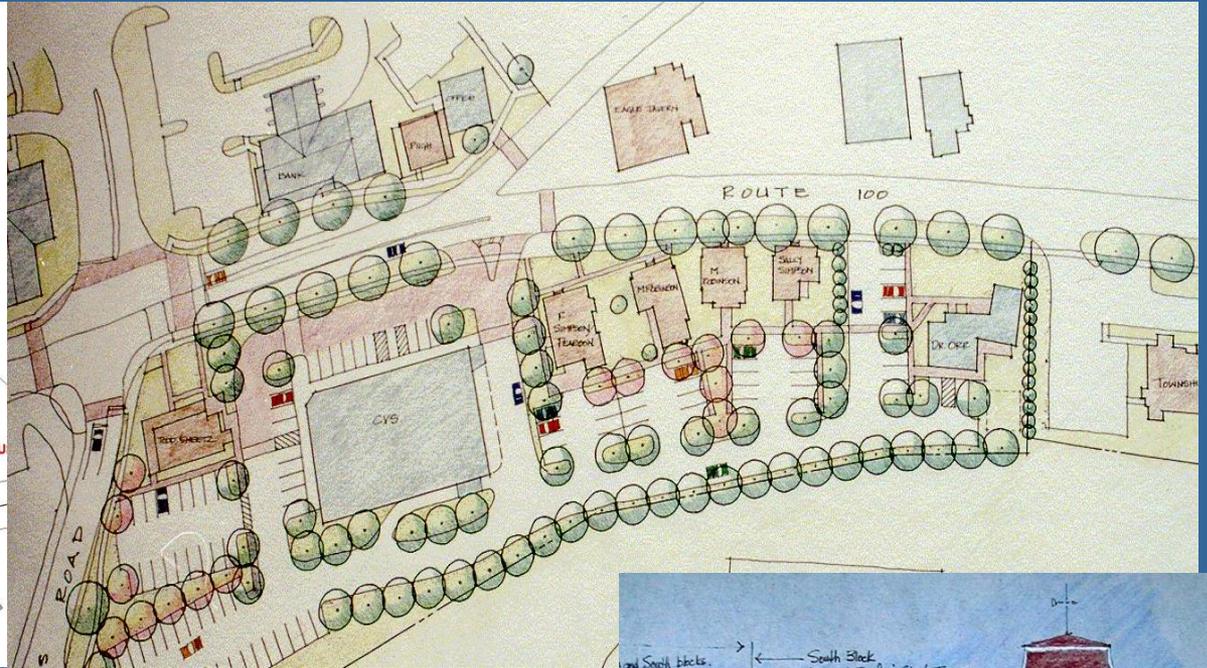
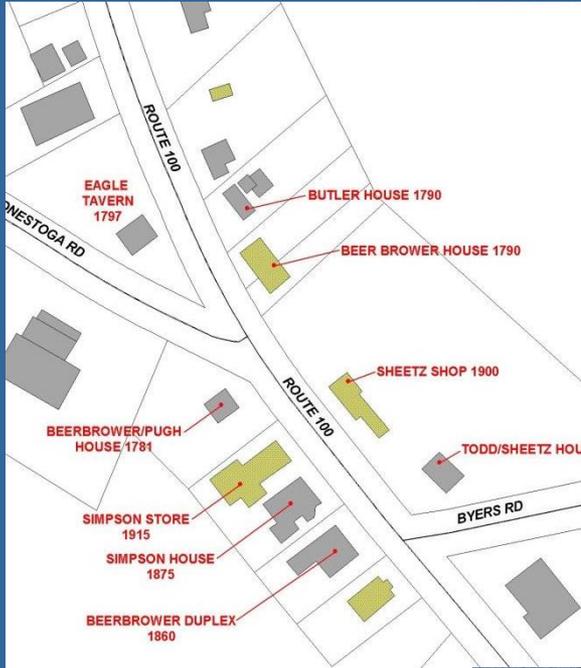
- Required for Development within 250 feet of any Historic Resource;
  - Can be applied to Subdivision or Land Development and bridge or highway construction
- Assessment of Potential Impacts;
- Suggestions for Mitigation of Negative Impacts:
  - buffering, landscaping, conservation

***Required Impact Assessment AND Mitigation has resulted in significant conservation of Historic Landscapes in a number of municipal settings***

# Thornbury Maximum Density Sample

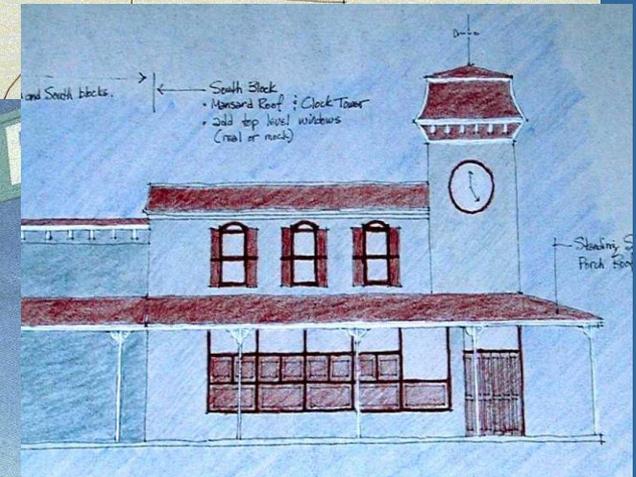


# Upper Uwchlan Eagle Village Plan



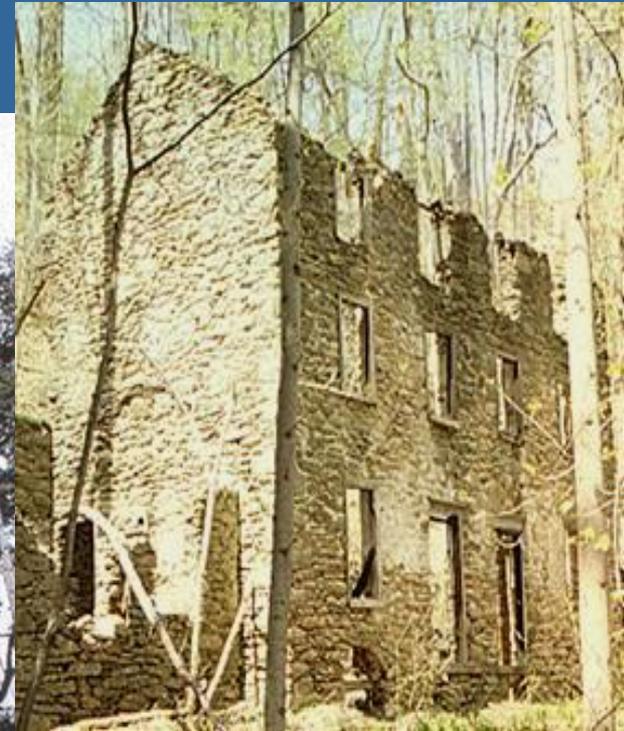
*Move spares homes  
from demolition*

**HISTORIC HOUSES  
TAKE TO THE ROAD**



# The Bottom Line:

*Unlike natural resources, historic resources require human use and investment to survive!*



# Municipal Zoning Overlay

## *Historic Preservation Provisions*

### Sample Incentive Provisions for Continued Use:

- Additional Principal Use;
- Expanded Use Opportunities:
  - Home Occupation or Home-Related Business
  - Antique Shop
  - Business or Professional Office
  - Artists Studio/Crafts Workshop/Cultural Studio
  - Child or Adult Day Care
  - Personal Service or Repair Service
  - Catering or Food Preparation; No Consumption on-site
  - Residential Conversion (to apartments)
- Area & Bulk Modifications.

# *Incentive Provisions intended to offer clear benefits and clear path to approval, yet protect neighbors*

- *“free” (additional) principal use*
- *uses not available under applicable zoning*
- *area and bulk modifications*
- *conditional use procedures*



# *Create incentives through the MPC's regulatory provisions...*

*Depending upon zoning district and the site's location...*



Permit more flexibility in the numbers and/or types of uses.

# *Zoning Incentives also may provide for density bonuses*

Westtown and Pocopson Townships have developed density bonuses for both preservation of historical landscapes and preservation of historic structures.

- *Landscape bonus related to acres conserved*
- *Structural bonus related to square footage restored consistent with Secretary of Interior standards*
- *Permanent conservation easements required*

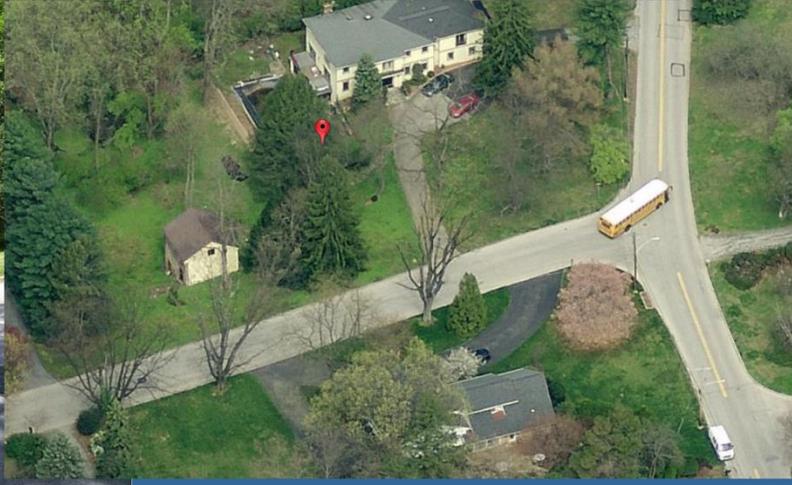
# *“Density” bonuses take many forms:*

*Permit resources in preservation areas or exclude them from impervious or building coverage calculations.*



# *Adjust dimensional standards...*

**Relax yard setbacks to help preserve outbuildings and allow for their reuse.**



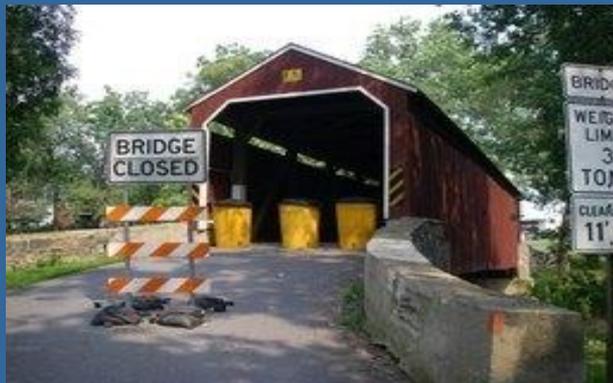
October 13, 2014

# *Enable adaptive re-use*



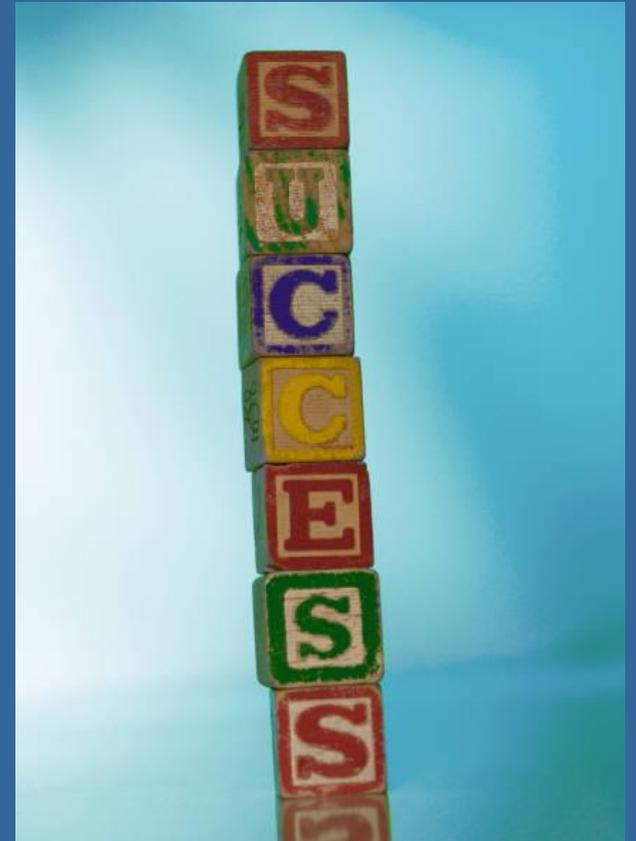
# Ultimate Effectiveness of Regulatory Approaches

- Translate community consensus into public policy
- Adopt flexible regulatory provisions consistent with enabling legislation
- Be very clear as to what is regulated and how
- Create incentives for preservation
- Take maximum advantage of plan review
- Establish specific conditions of approval
- Educate landowners regarding options

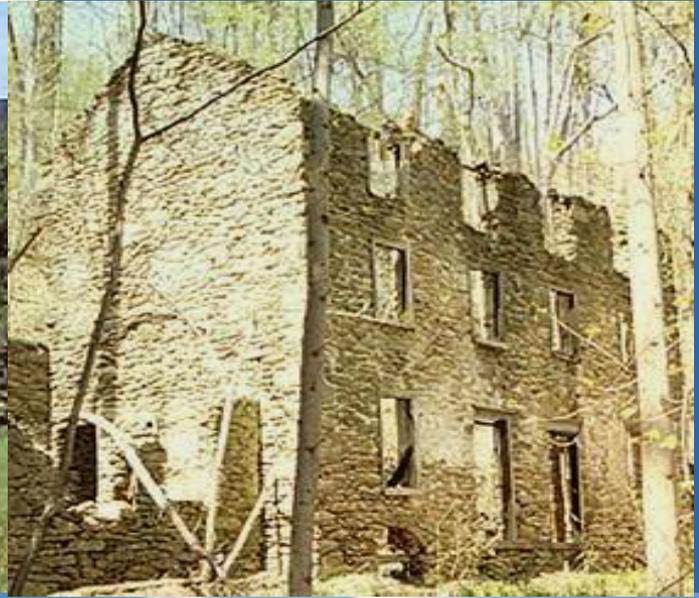


*And, as the saying goes....*

**Perception is reality.**



So the public's experience of the process is a **KEY** to success!



***Thank You!***