

REGULAR BUSINESS MEETING:

The May, 2016 regular (monthly) meeting of the Historical Commission (HC) of East Bradford Township, Chester County, PA was held on Tuesday, May 17, 2016 in the McCardle Meeting Room in the Township Building, 666 Copeland School Road, West Chester, and Chester County, Pa., 19380-1822. Public Notice of the 2016 East Bradford Township public meeting schedule was published in the Daily Local News 01-07-16.

Commission Members present:

Mary Sue Boyle, Chair
Richard (Rick) Kirijan
Jean Renshaw, Esq
Margaret (Peggy) Scholl

Commission Members not present:

Marie Boisvert
Ann Armstrong
Richard Gallagher

Staff/professionals present:

Township CEO Brenden L. Beaumont

Not in attendance:

Board of Supervisors Liaison, Thomas A. Egan

Also in attendance Advisory Boards and Commissions (ABC's):

None.

Others/ Citizens/ Residents in attendance: (with those noted below in the body of the Minutes):

8 citizens were in attendance, including.
Andrew Semon, Toll Brothers Inc.
Thomas Deignan, Carrollton Design
Brown Vincent, Toll Brothers Inc.
Bea Tigue Duffy
Joseph A. Tigue
Richard C. Weber, DNB First
Greg and Ruth Mattioni
William T. Ryan IV

The meeting Call to Order occurred at approximately 07:00 P.M. by Chair Boyle.

PUBLIC COMMENT: *Sunshine Law, Act 93, as amended, requires public comment prior to official action.*

None offered / received at this time.

REPORTS/ ANNOUNCEMENTS/ CORRESPONDENCE/ PRESENTATIONS:

None scheduled at this time.

MINUTES: The Historical Commission, on motion of Richard Kirijan, seconded by Mary Sue Boyle, with all in favor, approved the following minutes: 04-19-16 Regular Meeting.

The minutes (and copies) are available for review at the Township Building or at www.eastbradford.org.

EXECUTIVE SESSION:

None scheduled at this time.

Chair Boyle reported the following Executive Session(s) occurred during the period since the last Regular Meeting:

None.

NEW BUSINESS:

A. Sign replacement for Nova's Pizza and Pasta at East Bradford shops was approved after discussion and pictures were reviewed. Mary Sue Boyle motioned for approval as presented and seconded by Peggy Scholl with all in favor.

SUBDIVISIONS/LAND DEVELOPMENT:

A. SD# 632 – Tigue Farm/ Toll Bros. (Conditional Use)

Andrew Semon presented Map of the Tigue property showing the 90 units to be built, the farmhouse and the barn. For purposes of consistency, it was agreed to use the terms Barn, Farmhouse and Tenant House Ruin, all as shown on the Site Plan section of the Pennsylvania Historical Resource Survey Form for East Bradford Township Historic Resource 137. The term "Applicant" means the applicable Toll Brothers Inc. entity or entities. Bea Tigue Duffy stated that the trust shows that the property must be sold in its entirety and at this point discussion started. Thomas Deignan explained why in his professional opinion he believes the Farmhouse should be torn down. His assessment of the property was the Tenant House Ruin and Barn can be restored, but that the Farmhouse has too many additions that are not historic, therefore the amount of money that would have to be put in the restoration could never be recovered. Mary Sue Boyle stated that subsequent to our last meeting, Andrew Semon agreed to have contractors tour the farmhouse to see if they may be interested in purchasing the farmhouse. On May 5 three restoration contractors toured the house and all three had a conceptual interest in pursuing the purchase option. The meeting was attended by Brown Vincent and Bea Tigue Duffy. The applicant refused to go forward with any of the contractors.

The HC then discussed a list of concessions needed before further discussion of demolition of the Farmhouse.

- 1. The Applicant will modify the Barn into a single residence. Modification of the south, east and west facades will be in compliance with Section 115-128 of the East Bradford Code (the "Code"), as determined by the HC in accordance with Section 115-127 of the Code. The intent of this condition is for these three facades of the Barn to be treated like a Class I historic resource under the Code so that the Barn continues to look like a 1750-1820 barn on these three facades, and not a residence. The Applicant agreed with the exception of the lower quarter of the East façade where the current addition to the Barn is in great disrepair.**
- 2. The lot established by the Applicant for the Barn (the "Barn Lot") will include the Tenant House Ruin and the stone walls that are located at the back of the Barn and continue eastward behind the Tenant House Ruin (the "Stone Walls"). The Applicant agreed.**
- 3. The Barn Lot will be at least 3 acres. Mr. Semon stated, "If this works with the total conformance of the lot plan," the Applicant agrees.**
- 4. The Barn Lot will have its own driveway off of Tigue Road, and therefore there will be no connection from the Barn Lot to any new road made as a part of the Applicant's land development. The Applicant agreed.**
- 5. The Barn Lot will not be subject to the Homeowner's Association. The Applicant agreed.**
- 6. The Tenant House Ruin will be restored. Restoration of the south, east and west facades shall be in compliance with Section 115-128 of the Code, as determined by the HC in accordance with Section 115-127 of the Code. The intent of this condition is for these three facades of the Tenant House Ruin to be treated like a Class I historic resource under the Code. The arched stonework inside the Tenant House Ruin will not be destroyed or adversely altered by any flooring or other changes to the Tenant House Ruin. The Applicant agreed.**

7. The Stone Walls will be restored. The Applicant agreed.

8. No residence will be built on the lot currently designated for the Farmhouse on the Applicant's current Conditional Use Plan submission. The Applicant agreed.

9. The Applicant will pay for a Phase I Archeological Review on the three tax parcels that make up the Tigue property, to be performed by a company/individual selected by the HC. The Applicant agreed subject to a limit on the dollar amount to be paid by the Applicant (\$10,000) and a limit on the location of the review (no review to occur on any of the residential lots or areas designated for retention/drainage basins).

10. The Applicant agreed that buffering of the rear of the proposed new homes on the south side of Tigue Road will be screened with planting as agreed during the May 10 Conditional Use hearing.

11. The Applicant agreed to pay for a historical report relating to the Farmhouse.

12. The road in front of the barn shall not be altered to shift closer to the resource parcel, if road modification occurs. The applicant agreed, to the extent possible given the terrain.

The twelve concessions listed above, subject to the Applicant's limitations stated above, are referred to as the "Conditions" in these minutes.

The HC noted that it ordinarily does not discuss demolition of an historic resource until a demolition permit has been filed. Nevertheless, the HC continued discussing the Applicant's suggestion that the Farmhouse be demolished so that the HC's recommendation (including Conditions) may be included in the approval (if any) of the Applicant's Conditional Use Plan submission for the Tigue property. The HC's discussion of factors to be considered under Code Section 115-125C(4) with regard to the proposed demolition of the Farmhouse portion of HR 137 is summarized in the following chart: (See page 4)

East Bradford Code Factors	Historical Commission Findings
<p><u>115-125C(4)(a)</u> The effect of demolition on the historical significance and architectural integrity of the resource in question, neighboring identified historic resources, and the integrity of their respective historical landscape settings</p>	<p>Demolition would destroy the historical significance and architectural integrity of the Farmhouse. However, as a result of the Conditions, the demolition would greatly enhance the architectural integrity of the Barn and the Tenant House Ruin and the integrity of their respective historical landscape settings. This is because the Barn and the Tenant House Ruin are Class I DOE resources for which the Code provides no protection as to the integrity of the exterior. The Conditions do provide protection as to the integrity of the exterior of the Barn and the Tenant House Ruin.</p>
<p><u>115-125C(4)(b)</u> Has the applicant demonstrated that it has considered and/or pursued all alternatives to demolition?</p>	<p>No. However, the Applicant has made it clear to the HC that it will not provide the protections the HC seeks for the Barn or the Tenant House Ruin unless the HC agrees to recommend demolition of the Farmhouse.</p>
<p><u>115-125C(4)(c)</u> Economic feasibility of adaptive reuse of the resource proposed for demolition</p>	<p>Given the tax parcel and surrounding usage, the best use of the Farmhouse would be a residence or bed and breakfast. Economic feasibility of adaptive reuse does not really enter into this analysis; it is more a question of sacrificing one historic resource in order to provide protection for other historic resources for which the Code does not provide such protection.</p>
<p><u>115-125C(4)(d)</u> Alternatives to demolition of the resource</p>	<p>Should the proposed demolition permit not be approved, the Applicant is not required under the Code to restore the Tenant House Ruin, and the Applicant is not required to keep three facades of the Barn looking like a barn (as opposed to a modern residence). The HC believes that under the circumstances, it is forced to choose one or the other, and that protection of the Barn and Tenant House Ruin outweighs protection of the Farmhouse.</p>
<p><u>115-125C(4)(e)</u> Does the resource in its current condition present a threat to public safety?</p>	<p>The Farmhouse is a potential attractive nuisance.</p>
<p><u>115-125C(4)(f)</u> Has the resource been intentionally neglected?</p>	<p>No.</p>
<p><u>115-125C(4)(g)</u> Would the required retention of the resource represent an unreasonable economic hardship?</p>	<p>This factor is questionable. Nevertheless, the HC finds that the resources the Applicant has pledged to dedicate to the Barn and the Tenant House Ruin are significant in comparison to what the Applicant's obligation would otherwise be under the Code.</p>

Jean Renshaw made a motion to recommend to the Board of Supervisors that when the Applicant submits a permit to demolish the Farmhouse, the permit be approved subject to the Conditions, and that the Conditions be stated in the approval (if any) of the Applicant's Conditional Use Plan submission with respect to the Tigue property. The motion was seconded by Richard (Rick) Kirijan with all in favor except Mary Sue Boyle who opposed the recommendation for approval of demolition of the Farmhouse due to its substantial structural integrity.

OTHER BUISUNESS:

Mary Sue Boyle reported that the oral history project is moving forward and the next interview will be with Rachael Mullen.

MEETING ADJOURNMENT:

The Historical Commission, on motion of Chair Mary Sue Boyle and seconded by Peggy Scholl, with all in favor adjourned the Regular meeting at approximately 9:30 P.M.

NEXT MEETING:

Next scheduled Regular Meeting of the Historical Commission, Tuesday, June 21, 2016, 07:00 P.M.

Lenore Guthrie
Recording Secretary for the Historical Commission