RESOLUTION NO.

RE: CERTIFICATE OF APPROPRIATENESS UNDER THE PROVISIONS OF THE ACT OF THE PENNSYLVANIA LEGISLATURE 1961, JUNE 13, P.L. 282 (53 SECTION 8004) AND BETHLEHEM ORDINANCE NO. 3952 AS AMENDED.

WHEREAS, it is proposed to secure a COA to demolish a series of detached dwellings in order to construct a new infill development at 106, 110-112, 116, 118, 122-124, 126 East Fourth Street, two "through-block" site parcels situated along East Morton Street as well as 119 and 119.5 East Morton Street.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bethlehem that a Certificate of Appropriateness is hereby DENIED for the proposal.

	Sponsored by: (s)	
	(<u>s)</u>	
	ADOPTED BY COUNCIL THIS	DAY OF
	<u>(s)</u>	President of Council
ATTEST:		
(s) City Cler	·k	

HISTORIC CONSERVATION COMMISSION

CASE #793 -- It is proposed to secure a COA to demolish a series of detached dwellings in order to construct a new infill development at 106, 110-112, 116, 118, 122-124, 126 East Fourth Street, two "through-block" site parcels situated along East Morton Street as well as 119 and 119.5 East Morton Street.

OWNER / APPLICANT: Morton Street Properties LLC, Praxis Real Estate LLC / Lehigh SH Development I LLC

The Commission upon motion by Mr. Cornish and seconded by Mr. Evans adopted the proposal that City Council DENY a Certificate of Appropriateness for the proposed work as presented and described herein:

- 1. The proposal to demolish a series of detached dwellings in order to construct a new infill development at 106, 110-112, 116, 118, 122-124, 126 East Fourth Street, two "through-block" site parcels situated along East Morton Street as well as 119 and 119.5 East Morton Street was presented by Joseph Bubba and Kevin Serfass.
- 2. The motion to DENY recommendation to issue a Certificate of Appropriateness for the proposed demolition was unanimously approved; therefore, the proposal to demolish a series of detached dwellings in order to construct a new infill development at 106, 110-112, 116, 118, 122-124, 126 East Fourth Street, two "through-block" site parcels situated along East Morton Street as well as 119 and 119.5 East Morton Street was DENIED. Those voting in support of denying a recommendation to issue a Certificate of Appropriateness determined the proposal failed to comply with Bethlehem Ordinance 1714.03 Purposes of the Historic Conservation District and Historic Conservation Commission Design Guidelines concerning Demolition as well as the following Secretary of Interior's Standards (SIS) for Rehabilitation. Based upon the oral report made by the Historic Officer and the presentation of the Applicant, the Commission found that the proposed demolition violated the following SIS for Rehabilitation:
 - SIS 1. -- A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
 - SIS 2. -- The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
 - SIS 5. -- Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
 - SIS 6. -- Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

- SIS 9. -- New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

The Secretary of Interior's Standards (SIS) for Rehabilitation do not reference demolition because they anticipate retaining and rehabilitating historic structures; similarly, relevant Historic Conservation District Design Guidelines¹ provide: "The complete or partial demolition of buildings within the Historic Conservation District is considered a drastic action since it alters the character of the streetscape, surrounding buildings and the demolition site. Once buildings that contribute to the Historic Conservation District and history of the community are destroyed, they cannot be replaced. Potential alternatives to demolition include the construction of an addition, increasing the size and potential use, or adaptive reuse."

The Historic Conservation Commission encourages that all attempts to reuse a historic building be exhausted prior to considering demolition. The Historic Conservation Commission will not recommend approval for demolition unless: (1) The proposed demolition involves a non-significant addition or portion of the building, provided that the demolition will not adversely affect those portions of a building that are significant; (2) The proposed demolition involves a non-significant building, provided that the demolition will not adversely affect those parts of the site or adjacent properties that are significant; or (3) The applicant has demonstrated that they have exhausted all other options and they will suffer undo economic hardship.

Based upon guiding standards and relevant design guidelines, the proposed development project is inappropriate due to the proposed demolition of nine (potentially ten) contributing structures and lack of supporting documentation that all options to retain and rehabilitate contributing structures are exhausted. As was raised during the April 18, 2022, meeting, appropriate design solutions that could potentially result in a recommendation by the Historic Conservation Commission for a Certificate of Appropriateness involve demolition that retains all historically contributing structures.

JBL: jbl	
	By: Off tob
Date of Meeting: April 18, 2022	Title: Historic Officer

Historic Conservation Commission Design Guidelines, https://www.bethlehem-pa.gov/CityOfBethlehem/media/DCED-Media-Library/PlanningZoning/HCC_Design_Guidelines.pdf.