



CITY OF ALLENTOWN

30528

**RESOLUTION**

**R168 - 2022**

***Introduced by the Administration on November 16, 2022***

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Certificate of Appropriateness – 621 W. Liberty Street

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***Resolved by the Council of the City of Allentown, That***

**WHEREAS** a Certificate of Appropriateness is required under the provisions of the Act of the General Assembly of the Commonwealth of Pennsylvania No.167, June 13, 1961 (P.L.282) known as the Pennsylvania Historic District Act; and City of Allentown has adopted a Historic District Ordinance, Article 1391, under the provisions allowed in the Pennsylvania Historic District Act; and

**WHEREAS** the owner, Hector Galarza, applied to the Historical Architectural Review Board (HARB) for a Certificate of Appropriateness to legalize roof replacement at the property, as described in the attached final report; and

**WHEREAS** the HARB held a meeting on said matter on November 7, 2022, where a representative for the applicant was in attendance via a computing device; and

**WHEREAS** based on the statements and evidence presented, the HARB made the following findings of fact, as detailed in the attached case report:

1. The roof was replaced without a building permit or HARB approval.
2. No historic roofing material was lost as a result of replacement.
3. The roofing material installed is not compliant with the Design Guidelines.
4. A range of appropriate replacement materials for non-historic roofs is allowed by the Guidelines.

**WHEREAS**, based on the above findings of fact, the HARB agreed on the motion not to allow the roofing as proposed, and recommended to City Council denial of a Certificate of Appropriateness as detailed in the attached case report.

**WHEREAS**, Allentown City Council, after review, finds the roof replacement does not have an adverse impact on the historical character of the neighborhood.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Allentown that a Certificate of Appropriateness is hereby approved for the above referenced alteration.

**AMENDMENT TO ADD THE FOLLOWING: WHEREAS**, Allentown City Council, after review, finds the roof replacement does not have an adverse impact on the historical character of the neighborhood, **PASSED 7 – 0.**

	Yea	Nay
Candida Affa	X	
Ce-Ce Gerlach	X	
Daryl Hendricks	X	
Natalie Santos	X	
Joshua Siegel	X	
Ed Zucal	X	
Cynthia Y. Mota, President	X	
TOTAL	7	0

***THIS IS TO CERTIFY, That the above copy of Resolution No. 30528 was adopted by the City Council of Allentown on the 30<sup>th</sup> day of November, 2022, and is on file in the City Clerk's Office.***

  
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City Clerk

**HDC-2022-00067**

**Address: 621 W. Liberty Street**

**District: Old Fairgrounds Historic District**

**Applicant: Stephen Seip, Lehigh Valley Roofers**

**Proposal: Legalize asphalt shingle roof (Violation Correction)**

**Building Description:**

This 2½-story row house, ca 1903 is a porch house. The gable roof has a single dormer and bracketed eaves. The windows are 2/2 sash with ornamental frame. The main entry is a single glazed door with transom on a wooden porch with fan brackets and balustrade railing.

**Project Description:**

This application proposes to legalize the installation of Atlas Pinnacle Pristine shingles in a black color on the main gable roof and front porch roof. The roofing prior to work was a 3-tab asphalt shingle. No loss of historic slate resulted from the roofing replacement.



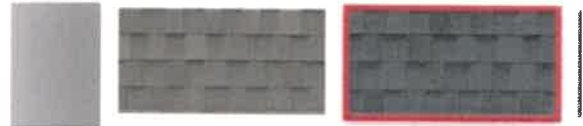
621 W. Liberty Street after replacement, November 2022.  
(Staff)



621 W. Liberty Street prior to reroofing, 2021. (Google StreetView)



621 W. Liberty Street prior to reroofing, 2021. (Google StreetView)



Atlas Pinnacle Pinnacle shingles in Black.

**Applicable Guidelines:**

**Chapter 3.1 – Roofs**

**3.1.8** Replace non-historic roofing materials in-kind or with recommended alternates. If the original material is documented, restoration of the original material is also an appropriate option but is not required. Original roofs may have been replaced long ago, yet asphalt shingles and similar alterations are still considered impacts to the overall appearance. Replacement materials should match the existing in color, pattern, shape, and profile. Greater flexibility is possible with non-historic roofing and using durable high-quality replacements is recommended.

**Observations & Comments:**

The row of buildings at 615 to 623 W. Liberty Street were historically roofed in slate shingles. The gable roofs and porch roofs of all buildings have been replaced with 3-tab asphalt shingles. The Atlas Pinnacle Pristine shingles differ in shape, dimension, profile, and color from both the historic slate and 3-tab shingle. These shingles have an exaggerated tapered shape that more closely replicates cedar shakes. Staff finds the material to be appropriate, owing to the previous replacement of the historic slate, but notes that the particular shingle is inappropriate and does not accurately replicate the

appearance of slate. The historic slate would have been rectangular in shape, not tapered like cedar shakes, and would have been gray rather than black. The Atlas Pinnacle Pristine shingles do not meet Guideline 3.1.8. However, staff finds that the expense of reroofing the building would not be justified, since no historic material was lost. Due to unique circumstances of current manufacturing challenges, staff and the HARB Consultant find that there is substantial cost difference between typical appropriate architectural shingles and the proposed shingles.

**Staff Recommendation:**

Approval, owing to the unique circumstance that the cost of replacement would not be justified because no historic material was lost, with the comment that the existing shingles do not meet the Design Guidelines and a more appropriate shingle that matches the dimension, shape, profile, color, pattern, exposure, and overall appearance of historic slate should be installed in the future. Approval does not set precedent, due to the unique circumstance of temporary manufacturing conditions.

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**HARB Discussion:**

Luis Adames (LA) represented his grandfather who owns the property and explained that both porch and main roofs were leaking and required replacement. He elaborated that a roofing contractor applied for a permit and reroofed the building. Meredith Keller (MK) explained that the City has not issued the permit, because the roofer completed work prior to applying for the permit.

AJ Jordan (AJ) stated that the HARB should not consider cost in its review, despite the staff's recommendation, and that financial hardship is considered through a separate process. He then commented that since no historic material was lost, the board could consider approval, though he added that he struggles with this specific roofing material, because it would not have been approved had the application come to the HARB prior to replacement, since it is not an appropriate shape.

LA stated that he already paid \$11,000 to replace the roof and that the work was an emergency measure to abate leaks and prevent interior deterioration.

Glenn Lichtenwalner (GL) asked LA if he is aware that the property is in a historic district. LA responded that he is now, but he was unaware previously because the property is owned by his 84-year-old grandfather, who struggles with dementia. GL asked if LA knew that he needed a permit to reshingle the roof, which is a requirement for all properties within the city. LA answered that he hired Lehigh Valley Roofers to do the work and obtain the permit. MK reiterated that the roofing contractor submitted the permit application after the work was completed and that the permit application was forwarded to her by a permit technician for HARB approval.

AJ contended that the HARB could force a corrective action, suggesting that the property owner could sue the contractor. The HARB discussed rejecting the staff recommendation, claiming it was inadequate and did not reflect the circumstances.

LA questioned whether the onus was on him to sue the contractor to recover the money invested in the new roof. MK clarified that the HARB is only offering a recommendation and that the application would need to be reviewed by City Council and that LA could appeal his case to Council and ask that they approve the application.

**Action:**

HARB member AJ Jordan made a motion to deny the application presented on 11/07/2022 for legalization of the roof replacement at 621 W. Liberty Street as submitted and finds the application is not in compliance with Chapter 3, Section 3.1 Roofs of the Historic District Guidelines, noting that there are no unique circumstances to this application. Dave Huber seconded the motion, which passed by a vote of 4-0. Phillip Hart abstained.