



# Allentown

435 Hamilton Street  
Allentown, Pa. 18101

## Meeting Agenda - Final

### Community and Economic Development Committee

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Wednesday, August 19, 2020

6:30 PM

Council Chambers

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The meeting will be livestreamed. The link to the meeting can be found on the city website with the agenda and legislation at <https://www.allentownpa.gov>. Council will receive comments on the legislation prior to the meeting and will consider all comments from city residents. All comments must include name and address, including your city, and be emailed to [Michael.Hanlon@AllentownPa.gov](mailto:Michael.Hanlon@AllentownPa.gov) by 2:00 PM on the date of the meeting. Comments received from city residents by that deadline will be forwarded to the Mayor and Council members prior to the meeting and will also be noted at the appropriate period of the meeting. These timely received comments will also be posted on the City's webpage as a supporting document to the meeting. Any comments received on the meeting day, after the 2:00 pm deadline, will be forwarded to the Mayor and Council as soon as practicable.

#### Roll Call: Chair Guridy, Gerlach, Affa

R93 CEDC this evening

Denial of a Certificate of Appropriateness – 114 N. West Street

Attachments: [R93 DENIAL - 114 N West St Gazebo](#)

[114 N West St Final Review](#)

**James Whitney, 924 Walnut St**

**This denial fails to explain how its findings are related to historical appropriateness. By making a judgment that takes into account issues regarding water irrigation, and the distance between the gazebo and the homeowners fence, HARB is overstepping its authority and encroaching on the authority and duties of other governmental bodies such as the department of building standards and safety, as Allentown Zoning Board. The Denial itself acknowledges as much by stating “zoning review would be needed and that it might not meet zoning regulations.” It is not the duty of any governmental Agency to make judgements based on predictions of what other agencies may decide. Doing so violates the rights of the homeowner to go before the agency whose decisions are being predicted. HARB does not have the authority police taste or preference, to weigh in on potential property line disputes, or to unqualified determinations regarding a structures impact on stormwater management. If this denial is approved, the property owner could enter into litigation against the city for violating his rights as a property owner, and the city could end up paying the claimants legal fees. Again this denial vastly oversteps the authority or HARB. I believe the mission of HARB has drifted away from its original purpose and should be reexamined.**

**Adjournment**