

Chapter 114, HISTORICAL DISTRICT

[HISTORY: Adopted by the Board of Supervisors of the Township of Tredyffrin as Ch. IX, Art. 24, of the 1979 General Laws of the Municipality of Tredyffrin. Amendments noted where applicable.]

GENERAL REFERENCES

Building construction -- See Ch. 80.
Fire prevention -- See Ch. 111.
Subdivision and land development -- See Ch. 181.
Zoning -- See Ch. 208.

§ 114-1. Declaration of legislative intent.

The Board of Supervisors of Tredyffrin Township, Chester County, Pennsylvania, does ordain that in accordance with the provisions of an Act entitled "An act authorizing counties, cities, boroughs, incorporated towns and townships to create historic districts within their geographic boundaries; providing for the appointment of Boards of Historical Architectural Review; empowering governing bodies of political subdivisions to protect the distinctive historical character of these districts and to regulate the erection, reconstruction, alteration, restoration, demolition or razing of buildings within the historic districts" (Act of General Assembly, No. 167, dated June 13, 1961, as amended by Act of General Assembly, No. 24, dated April 23, 1963) and to protect those buildings and sites located within Tredyffrin Township which have historical significance and recall the rich architectural and historical heritage of the township and the state, making them a source of inspiration to residents of the township by awakening interest in our historical past and promoting the general welfare, education and culture of the township in which these distinctive historical areas are located, the Tredyffrin Historical District is hereby created.

§ 114-2. Boundaries.

- A. The limits of the Tredyffrin Historical District shall be the Tredyffrin Township boundaries, which are more fully described as follows: Bounded on the north from west to east by Charlestown, Schuylkill and Upper Merion Townships; on the east from north to south by Upper Merion and Radnor Townships; on the south from east to west by Radnor, Easttown, Willistown and East Whiteland Townships, and containing 19.8 square miles.
- B. The provisions of this chapter shall apply to those buildings and sites and the area within 250 feet of such building or site which are listed in Exhibit A and which are designated on the map attached as Exhibit B, both of which exhibits are made a part hereof and by reference incorporated herein. EN

- C. These buildings and sites and the area within 250 feet of the same which are located within the Tredyffrin Historical District are hereby declared to have historical significance.

§ 114-3. Certification by Pennsylvania Historical and Museum Commission.

Immediately upon the adoption of this chapter, the Tredyffrin Township Board of Supervisors shall forward a copy thereof to the Pennsylvania Historical and Museum Commission. This chapter shall not take effect until:

- A. Said Commission has certified by resolution to the historical significance of the buildings and sites and the area within 250 feet of such building or site (designated in Exhibits A and BEN) which are within the Tredyffrin Historical District; and
- B. It has been duly advertised, as required by existing law.

§ 114-4. Board of Historical Architectural Review.

- A. A Board of Historical Architectural Review is hereby established and is to be composed of a minimum of five members, to be appointed by the Township Board of Supervisors, one of whom shall be a registered architect, one a licensed real estate broker and one a site inspector, and at least two additional members shall be appointed from the township who have the knowledge of and the interest in the preservation of the historical buildings and sites within the historical district.
- B. The initial terms of the members of the Board of Historical Architectural Review shall be as follows: one member shall be appointed for one year, one member for two years, one member for three years, one member for four years and one member for five years. Annually thereafter, a member of said Board shall be appointed for a term of five years. An appointment to fill a vacancy shall be only for the unexpired portion of the term. The position of any member of the Board appointed in his capacity as a registered architect, a licensed real estate broker or as the site inspector who ceases to be so engaged in his profession shall be automatically considered vacant. An appointment to fill a vacancy shall be only for the unexpired portion of the term.

§ 114-5. Duties and powers of the Board.

- A. The Board of Historical Architectural Review shall give counsel to the Board of Supervisors of Tredyffrin Township regarding the advisability of issuing any certificate of appropriateness which the Board of Supervisors may issue pursuant to this chapter. For this purpose, the Board of Historical Architectural Review may make and alter rules and regulations for their own organization and procedures, consistent with this chapter and the laws of the commonwealth.
- B. In determining the counsel to be given to the Township Board of Supervisors relative to the issuing of a certificate of appropriateness, the Board shall consider only those matters that are pertinent to the preservation of the historic aspect and nature of the building, site or area certified to have historical significance, including the following:

- (1) The effect which the proposed change will have upon the general historic and architectural nature of the building, site or area certified to have historical significance.
 - (2) The appropriateness of exterior architectural features which can be seen from a public street or way.
 - (3) The general design, arrangement, texture, material and color of a building or site and the relation of such factors to similar features of other buildings or sites which have been certified to have historical significance within the district.
- C. Board members are required to disqualify themselves from voting on any project in which their own financial interests are directly or indirectly involved.

§ 114-6. Quorum.

A majority of the Board, as appointed, shall constitute a quorum, and action taken at any meeting shall require the affirmative vote of a majority of the Board.

§ 114-7. Compensation.

The members of the Board shall serve without compensation. However, said Board may, pursuant to appropriations authorized by the Township Board of Supervisors, employ secretarial assistance, pay their salaries and wages and incur other necessary expenses in performing their duties under this chapter.

§ 114-8. Duties of the Township Building Inspector.

- A. The Tredyffrin Township Building Inspector shall not issue a permit for the erection, reconstruction, alteration, restoration, demolition or razing of any building, site or area within the district which has been certified to have historical significance by this chapter until the Board of Supervisors has issued a certificate of appropriateness.
- B. Upon receipt of an application for a building permit for work to be done to any building, site or area certified to have historical significance within the district, the Building Inspector shall act in accordance with the procedures presently being followed in that office, except as those procedures are necessarily modified by the following requirements:
 - (1) He shall forward to the office of the Board of Historical Architectural Review a copy of the application for a building permit, together with a copy of the plot plan and the building plans and specifications filed by the applicant, within three days of receiving the same.
 - (2) He shall maintain in his office a record of all such applications and of his handling and final disposition of the same, which shall be in addition to and appropriately cross-referenced to his other records.
 - (3) He shall require applicants to submit a sufficient number of additional copies of material required to be attached to an application for a building permit to permit compliance with the foregoing.

§ 114-9. Hearing before the Board.

- A. Upon receipt by the Board of Historical Architectural Review of a notice that an application for a building permit has been filed with the Building Inspector for the erection, reconstruction, alteration, restoration, demolition or razing of a building, site or area certified to have historical significance within the district, the Board, within 30 days from the time said application for a building permit was originally filed, shall schedule and hold a hearing to consider the counsel which the Board will give to the Township Supervisors.
- B. The person applying for the permit shall be given a minimum of 10 days' notice of time and place of the hearing and shall be invited to appear to explain his reasons for such application. The Board may invite such other person or persons as it desires to attend the hearing, and other interested persons may appear and be heard.

§ 114-10. Decisions of the Board.

- A. If the Board, on the basis of the information received at the hearing with the applicant for a building permit, decides to counsel against the granting of a certificate of appropriateness, it shall indicate in writing to the applicant, within 10 days after the hearing, those changes in plans and specifications, if any, which, in the opinion of the Board, would protect the distinctive historical character of the building, site or area within the district. The Board shall thereupon withhold its report to the Township Board of Supervisors for a period of 30 days following submission of its written recommendations to allow said applicant to decide whether or not to make the recommended changes in his plans and specifications. If the applicant determines that he will make the suggested changes, he shall so advise the Board, in writing, within said 30 days. If the applicant does not so advise the Board within said period, then the Board may assume that the applicant does not intend to make the recommended changes.
- B. Within 10 days after the hearing provided for in § 114-9 or upon the expiration of the aforesaid thirty-day period (if the Board has submitted in writing to the applicant recommendations for changes to his plans and specifications), the Board shall submit to the Township Supervisors, in writing, its counsel concerning the issuance of a certificate of appropriateness to authorize a permit for the erection, reconstruction, alteration, restoration, demolition or razing of all or a part of any building, site or area certified to have historical significance within the district. The written report shall set out the following matters:
 - (1) The exact location of the area in which the work is to be done.
 - (2) The exterior changes to be made or the exterior character of the structure to be erected.
 - (3) A list of the surrounding structures certified to have historical significance with their general exterior characteristics.
 - (4) The effect of the proposed change upon the general historic and architectural nature of the district.
 - (5) The appropriateness of exterior architectural features which can be seen from a public street or way.

- (6) The general design, arrangement, texture, material and color of the building or site and the relation of such factors to similar features of other buildings or sites in the district, which have been certified to have historical significance.
- (7) The opinion of the Board (including any dissent) as to the appropriateness of the work proposed in regard to preserving or destroying the historic aspect and nature of the building, site or area certified to have historical significance within the district.
- (8) The specific counsel of the Board as to the issuance of, or its refusal to issue, a certificate of appropriateness.
- (9) Any changes in plans and specifications recommended by the Board.

§ 114-11. Hearing before the Tredyffrin Township Board of Supervisors.

- A. Upon receipt of the written counsel of the Board of Historical Architectural Review, the Township Supervisors shall consider at its next scheduled meeting the question of issuing to the Building Inspector a certificate of appropriateness authorizing a permit for the work covered by the application. The applicant shall be given 10 days' notice by the Township Secretary of the time and place of the hearing at which his application will be considered and shall have the right to attend and be heard regarding his application.
- B. In determining whether or not to issue a certificate of appropriateness, the Township Supervisors shall consider the same factors as the Board of Historical Architectural Review set forth in § 114-5 of this chapter, and also the report of the Board. If the Township Supervisors approve the application, they shall issue a certificate of appropriateness authorizing the Building Inspector to issue a permit for the work covered. If the Township Supervisors disapprove, they shall do so in writing and copies shall be given to the applicant and to the Pennsylvania Historical and Museum Commission. The disapproval shall indicate what changes in the plans and specifications would meet the conditions for protecting the distinctive character of the building, site or area certified to have historical significance within the district.
- C. The Board of Supervisors shall render its written decision within 30 days of the hearing. If the Board does not render its written decision within said 30 days after the hearing, it shall be deemed that said Board has decided in favor of the applicant, and a certificate of appropriateness shall thereupon be issued.

§ 114-12. Appeals.

Upon receipt of the written disapproval of the Township Supervisors, the Building Inspector shall disapprove the application for a building permit and so advise the applicant. The applicant may appeal from the disapproval as provided by law, and the Building Code of the township.EN

§ 114-13. Enforcement.

The Building Inspector shall have the power to institute any proceedings at law or in equity necessary for the enforcement of this chapter in the same manner as in his enforcement of the Building Code of the township as presently enacted or as the same may from time to time be amended.EN

§ 114-14. Amendments.

The provisions of this chapter may be amended in the future by the Board of Supervisors of Tredyffrin Township after notice and hearing as provided by law.

EXHIBIT A
Tredyffrin Historical District

Identification Number	Site and Location	Owner (1966)
<u>A. Houses used as revolutionary quarters (buildings still standing):</u>		
1	STIRLING'S QUARTERS - Yellow Springs Road, 1/3 mile west of Rte. 363 (Covered Bridge)	Robert C. Liggett
2	KNOX' QUARTERS (Valley Forge Farm) Rte. 363 and Valley Stream at Yellow Springs Road	Valley Forge State Park Commission
3	MAXWELL'S QUARTERS (Valley Forge Farm) Rte. 363 and Valley Stream at Yellow Springs Road	Valley Forge State Park Commission
4	LAFAYETTE'S QUARTERS (Brookside Farm) west side of Wilson Road 1/2 mile south of Yellow Springs Road	University of PA (Occupants: Mr. and Mrs. E. P. Raum)
5	DuPORTAIL'S QUARTERS (Cressbrook Farm) west side of Rte. 363 south of Pennsylvania Turnpike	University of PA (Occupants: Mr. and Mrs. J. Nugent)
6	WAYNE'S QUARTERS (Many Springs Farm) Walker Road and Anthony Wayne Drive	Mr. and Mrs. Robert S. Haas
7	PULASKI'S QUARTERS (Brookmead Farm) north side of Walker Road opposite Wayne's Quarters	Dr. and Mrs. Edward L. French
8	POOR'S QUARTER (Little Place Farm) 1406 Thomas Road	Mr. and Mrs. Joseph M. McCready, Jr.

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| 9 | POTTER'S QUARTERS 1444 Thomas Road | Mr. and Mrs. T. Richard Butera |
| 10 | GREENE'S QUARTERS (Rehobeth Farm)
north side of Swedesford Road west
of Old Eagle School Road | B. Nathaniel Richter |
| 11 | HOWE'S QUARTERS (British) north side
of Old State Road west of Contention | Robert Bruce
Balbirnie Lane |
| 12 | KNYPHAUSEN AND WOODFORD'S QUAR-
TERS (Hessian) east side of Contention
Lane 1/2 mile south of Swedesford
Road | Mr. and Mrs. James
N. Rice |
| 13 | CORNWALLIS' QUARTERS (British) Tory
Hollow (Reese Homestead); east side
of Cassatt Road 1/8 mile south of
Swedesford Road | Mr. and Mrs.
William Baird |
| 14 | LEE AND BRADFORD'S QUARTERS
(Chesterbrook Farm) north side of
Swedesford Road between Wilson Road
and Mill Road | Alexander J.
Cassatt |
| 15 | CAPT. JOHN DAVIS' HOME on Chester-
brook Farm; east side of Mill Road
1/3 mile north of Swedesford Road | Alexander J.
Cassatt |

B. Old school houses (buildings still standing):

- 1 OCTAGONAL SCHOOL HOUSE - northeast corner of Diamond Rock Hill Road and Yellow Springs Road
- 2 OLD EAGLE SCHOOL HOUSE - east side of Old Eagle School Road 1/6 mile north of P.R.R. Staftford Station

C. Log cabins (still in existence):

- 1 DEADDIO CABIN - east side of Church Road 2/3 mile north of Swedesford Road
- 2 MRS. MARGARET SHUMWAY DAVIS CABIN - east of Parson Curry Road 1/4 mile north of Yellow Springs Road
- 3 HEYBURN-CLARK-ROYE CABIN - west side of Long Lane (off Revere Road & Robbins Lane) 1/2 mile north of Old Lancaster Road

- 4 WETHERBY-HAMPTON-SNYDER-ATLEE-WILSON CABIN - 251 Irish Road, Berwyn
- 5 VanLEER-Curwin CABIN - east side of Irish Road north of Conestoga High School
- 6 MRS. EDWARD BROWNING CABIN (Hughs Hollow) - west side of Route 363, ½ mile north of Conestoga Road
- 7 DREXEL PAUL-TOMPKINS CABIN - south side of Upper Gulph Road 1/3 mile west of King of Prussia Road (opposite Grace Chapel)

D. Old taverns and inns (still standing):

- 1 BLUE BELL TAVERN - (older Blue Bell, built 1735) west side of Glenn Avenue south of Lancaster Ave.; home of Miss Caroline Newton in 1966.
- 2 BLUE BELL TAVERN - (second Blue Bell, built in 1790's) north side of Old Lancaster Road opposite 17th milestone and just north of P.R.R. Daylesford Station; home of Richard B. Ferguson in 1966.

E. Old mill (still standing):

- 1 GREAT VALLEY MILL - east side of North Valley Road 1/2 mile north of Swedesford Road

F. Covered bridge (in existence):

- 1 KNOX BRIDGE - Yellow Springs Road at Route 363 over Valley Stream

G. Miscellaneous structures (still standing):

Identification Number	Site and Location	Owner (1976)
1	BARN, STIRLING'S QUARTERS - south side of Yellow Springs Road, opposite Stirling's Quarters	Robert C. Ligget
2	SPRINGHOUSE - 738 North Valley Road, Paoli	Michael Prescott
3	STRAFFORD TRAIN STATION Old Eagle School Road, north of Strafford Avenue [Added 4-18-1988 by Ord. No. HR-116]	Owner (1988) National Railroad Passenger Corp.