Schuylkill Township

Schuylkill Township is located along the Schuylkill River on the eastern border of Chester County in southeastern Pennsylvania. The river forms its northern borderer and Mount Misery (also known as Valley Forge Mountain) is its southern boundary. Schuylkill Township was part of Charlestown Township until 1826, when it was divided into two separate townships. Its earliest settlers were the Anderson family from who arrived in 1713 from Sweden.
Historically Important Structures

- Anderson Farm and Cemetery
- Moore Hall – Built in 1740, the oldest Georgian-style House in Chester County
- Meadow Brook Farm – Farm house built by Moses Coates Jr. in 1754
- Bull Tavern – 1734 Colonial hostelry
- Schuylkill Friends Meeting House – 1818 and important stop on Underground Railroad
- Nearly 200 houses protected as Class 1 or Class 2 historic properties by Schuylkill Townships Historic Ordinance
Historic Commission

Commission’s Responsibilities:

- Identify significant architectural, historical, and natural sites
- Create an awareness of the history
- Research and record the history
- Advise the BOS and other Township officials and agencies regarding preservation and restoration of significant historical structures, including the review of zoning and/or subdivision/land development proposals and building/demolition permit applications which have the potential to impact historical resources;
Zoning Amendment
Historic Properties Overlay Map

Charged with the responsibility to create a comprehensive framework for the application of zoning ordinance provisions for the preservation of historic sites, buildings, structures, objects, and districts in Schuylkill Township in accordance with the National Historic Preservation Act of 1966; Article I, Section 27, of the Pennsylvania Constitution; and the Pennsylvania Municipalities Planning Code, The Historic Commission revised its Historic Ordinance to create an Historic Properties Map deemed an overlay on any zoning district now or hereafter enacted to regulate the use of land in Schuylkill Township.
The Historic Properties Map shall delineate two classifications of historic properties:

- A Class I property contains one or more of the following historic resources:
  - (a) A building, site, structure, or object listed individually in the National Register of Historic Places or designated a contributing resource within a National Register Historic District.
  - (b) A building, site, structure, or object that has received a determination of eligibility (DOE) for the National Register, as defined by this article, or is located within a district that has received a determination of eligibility (DOE) and is designated as a contributing resource within that district.
  - (c) Resources that are deemed by Chester County to meet substantially the National Register criteria under the Chester County certification program.
A Class II property contains one or more of the following historic resources: buildings, sites, structures, and/or objects of significance to Schuylkill Township, as determined and documented by the Schuylkill Township Historical Commission. Such resources:

- **(a)** Do not presently qualify under the criteria for designation as Class I;
- **(b)** Are included in the Schuylkill Township Historic Resources Survey; and
- **(c)** Represent sufficient historic significance as to warrant, in the judgment of the Historical Commission, the protections and incentives offered by this article.
Proposed Demolition of Class 1 or Class 2 Historic Resource

No Class I or Class II historic resource may be demolished unless approved as a conditional use by the Board of Supervisors in accordance with the procedures and requirements of this section, as applicable.
Demolition by Neglect

The owner or any other person or persons who may have possession, legal custody, or control of any building or structure designated as a Class I or Class II historic resource shall not permit such building or structure to fall into a state of disrepair which may result in the deterioration of any facade or exterior appurtenance or architectural feature so as to produce or tend to produce, in the opinion of the Zoning Officer or his/her designate, a detrimental effect on the historic character of the resource.
• The Zoning Officer shall notify the Historical Commission of any instance where, in his/her opinion, demolition by neglect has occurred or may be occurring.

• Where the Historical Commission believes a Class I or Class II historic resource is undergoing demolition by neglect, it may so indicate to the Township Manager and request that the Zoning Officer be authorized to investigate the property and the degree to which demolition by neglect is occurring.

• He Zoning Officer shall have the power to institute any proceedings at law or in equity, as provided under the terms of this chapter, necessary for the enforcement of this section, including all remedies set forth in the Pennsylvania Municipalities Planning Code.
Recent Examples

• Schuylkill School
• Reeves Sedgley Farm
• Anderson Farm
• Meadow Brook Farmstead
• Twin Bays @ Historic Corner Stores
* Zoning Officer issues $500 citation for violation of Historic Zoning Ordinance for Demolition by Neglect
* Owner appeals to Chester Court of Common Pleas
* Chester County Court Orders owner get chance to appeal to the Zoning Hearing Board, despite fact time for appeal had long expired.
* ZHB denied both Meehan's appeal that the citation be overturned and his request for a variance
Excerpts from Zoning Hearing Board Appeal

The ZHB states that one takes an historic property in the state in which the buy it and it is the owners responsibility to maintain the property and keep it from neglect. Specifically, the ZHB's written decision states "... the requirements for maintaining a Class I Historic Structure are *without regards for finances* ..." (emphasis added)
Similar reasoning is applied in denying the variance. The ZHB concludes, "... While the repair costs of the Barn are presently unknown, the Board finds that the *historical value of the Anderson Farm and Barn is priceless, and it must be preserved* ...". (emphasis added).
• Other supporting language includes, "... While the finances involved in the ownership and maintenance of the Anderson Barn may be significant, they are of the type generally incurred by those choosing to own historically important properties ... ". This, too, speaks directly to the PASD application.

• Lastly, the ZHB concludes, "... As a result, the Board finds that the Property itself has not given rise to any unique hardship, and that the Barn, in its intended, restored state, can be reasonably used with this variance ... ". 
Meadow Brook Farmstead
• Phoenixville Area School District obtains Meadow Brook Golf Course, which includes Meadow Brook Farm, be eminent domain.
• Building of new school commences
• 1 year into project, PASD applies for Demolition Permit to tear down Civil War ear barn on Farmstead
• Historic Commission prepared to Opposed Application in Conditional Use Hearing before the BOS.
• 11th Hour Agreement to form Joint Task Force between HC and PASC to try to save entire farmstead.
HC to argue PASD has failed to adequately prove by a preponderance of the evidence that they satisfy a majority of the factors identified in §370-55.B.3 of the Schuylkill Township Zoning Ordinance by failing to satisfy the following:

- The demolition of the historic resource in question will adversely affect the historic significance or architectural integrity of neighboring historic properties or the historic character of the neighborhood or community.
- It is feasible to continue the current use or other uses permitted within the underlying zoning district ...
- Adaptive use opportunities exist.
- The permitted uses and adaptive use potential of the historic resource proposed to be demolished provide a reasonable rate of return based on a reasonable initial investment.