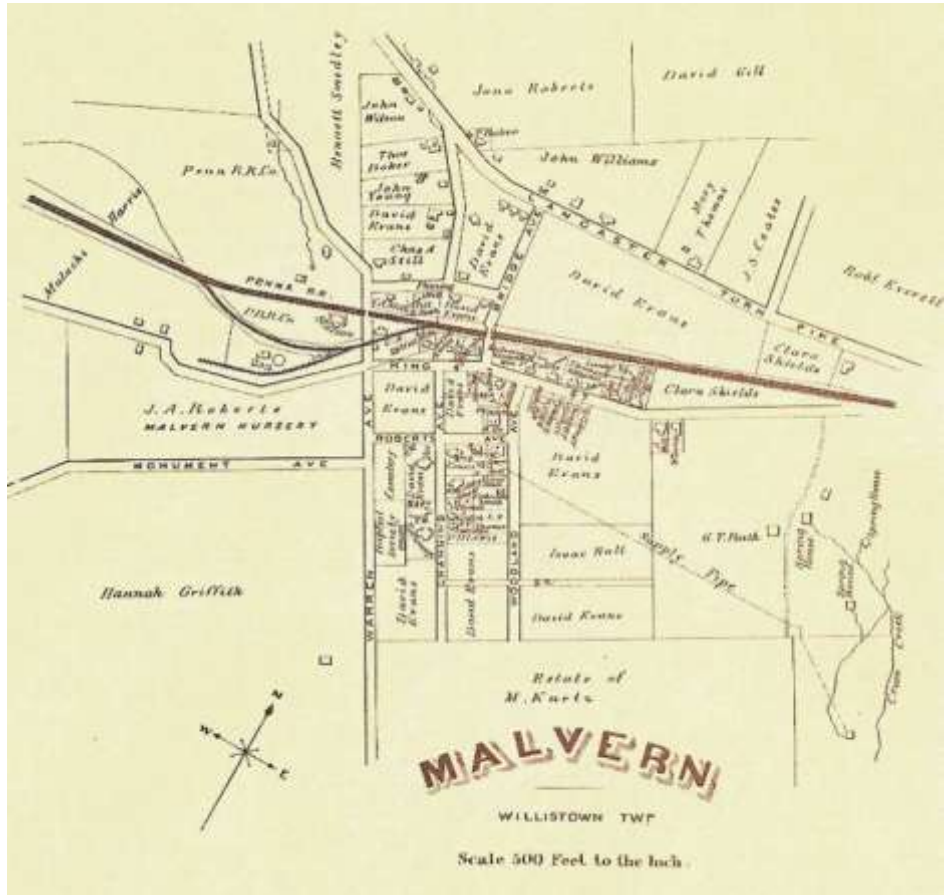


Chapter 8

Historic Resources Plan

Historic resources provide a reminder of original settlement patterns – such as land uses and roads – that helped create the landscape of today. They also help define an area's character and sense of place, as well as contribute to a community's quality of life. Historic preservation is an important element in the planning process because it protects and retains those historic resources and provides an understanding of a community's past. Without protection and preservation of historic resources, future development will change the landscape of Malvern and erase much of its character.

A plan for historic resource protection is required under Act 68 of 2000 amending PA Act 247, the Pennsylvania Municipalities Planning Code (MPC). This Chapter 1) provides an overview of existing identified historic resources, 2) outlines local historic resource protection policies, regulations, and activities in the Borough, 3) highlights pertinent Federal, State, and County historic resource protection policy and programs, and 4) provides needs and recommendations to further support historic resource protection in Malvern Borough.



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HISTORIC OVERVIEW

Borough History

Englishman, Quaker, and explorer, William Penn established Chester County in 1682 as one of the first three counties in Pennsylvania, along with Bucks and Delaware counties. Malvern was originally part of Willistown Township, which was part of a tract surveyed for William Penn in 1684, and the area was settled largely by English Quakers. During the Revolutionary War, the area was the location of a surprise attack by the British on American troops on the night of September 20-21, 1777. Pennsylvania Continental troops under General Anthony Wayne were surprised by a night bayonet attack and nearly 170 Americans were wounded or killed. It has been said that the Paoli Battle, known to American troops as the Paoli Massacre, became a rallying point for Americans for the remainder of the American Revolution. Forty years after the skirmish, on September 20, 1817, a nine foot marble monument was erected to commemorate the Paoli Massacre at the location today known as the Paoli Memorial (Association) Parade Grounds.

Through the 18th and early 19th centuries, Malvern was a farming crossroads within rural Willistown Township. With the development of the east-west main line of the Pennsylvania Railroad and the West Chester Railroad, which converged at Malvern in 1832, the crossroads became known as the “West Chester Intersection” and began developing into a railroad oriented village. In 1873, the Pennsylvania Railroad updated its stations



along the main line, changing the name from “Intersection” to “Malvern. The new train station building in Malvern (c.1900) stimulated further growth and the “Village of Malvern” became official. In 1889 the Borough of Malvern was established as a separate political entity from Willistown Township. By the 1890's Malvern had a thriving business community.



Malvern's location at the western end of Philadelphia's Main Line rail line has continued to play a key role in its development and history. The Borough continued its role as a rail-oriented town in a primarily rural area until the region began to suburbanize. The invention of the automobile during the 1900s and the electrification of the Paoli and Philadelphia commuter railways in the 1920s increased suburbanization and population growth in the region as well as accessibility to the



Borough. Improved access led to greater suburbanization in the region. As the region continued to suburbanize, Malvern Borough became a town center providing goods and rail commuting within the growing region. With construction of Route 202 in the early 1970's, new jobs arrived that spurred demand for housing in the region.

Malvern Borough's oldest house, c. 1731, is on North Warren Avenue near King Street. The Quaker Friends' one-room schoolhouse, established in 1889, remains at the corner of Woodland Avenue and Roberts Lane. Much of the Borough dates to the Victorian era, which is reflected in residences and the historic Victorian facades of the town center business district, and more recently, the newer streetscaping elements of Victorian street lamps and brick pavers. Victorian era houses built in the late 1800s include dwellings built using Avondale or serpentine stone quarried in nearby Goshen. Though Victorian era architecture is predominant, there are also other architectural styles represented in Malvern. Today Malvern is known as the site of the Paoli Battlefield, a National Register listed site since 1997, and for the location of Malvern Preparatory School and the Malvern Retreat House, St. Joseph's-in-the-Hills.

What is an Historic Resource?

The physical evidence of the Borough's historical and cultural development is contained within its historic resources. These resources are not limited to architecturally significant buildings, but include all types of resources and collectively are considered to be those buildings, sites, districts, objects, or structures evaluated as historically significant. The National Park Service, the federal agency that administers several primary historic preservation programs, generally defines historic resource categories as follows:

Building:	A house, barn, church, hotel, or similar construction created principally to shelter any form of human activity.
Site:	The location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined or vanished, where the location itself possess historic, cultural or archaeological value.
Structure:	A building used for purposes other than sheltering human activity.
Object:	A form of simple construction that is primarily artistic in nature and relatively small in scale. It may be movable, but is generally associated with a specific setting or environment.
District:	A significant concentration, linkage, or continuity of site, buildings, structures, or objects united historically or aesthetically by plan or physical development.

HISTORIC RESOURCES INVENTORY

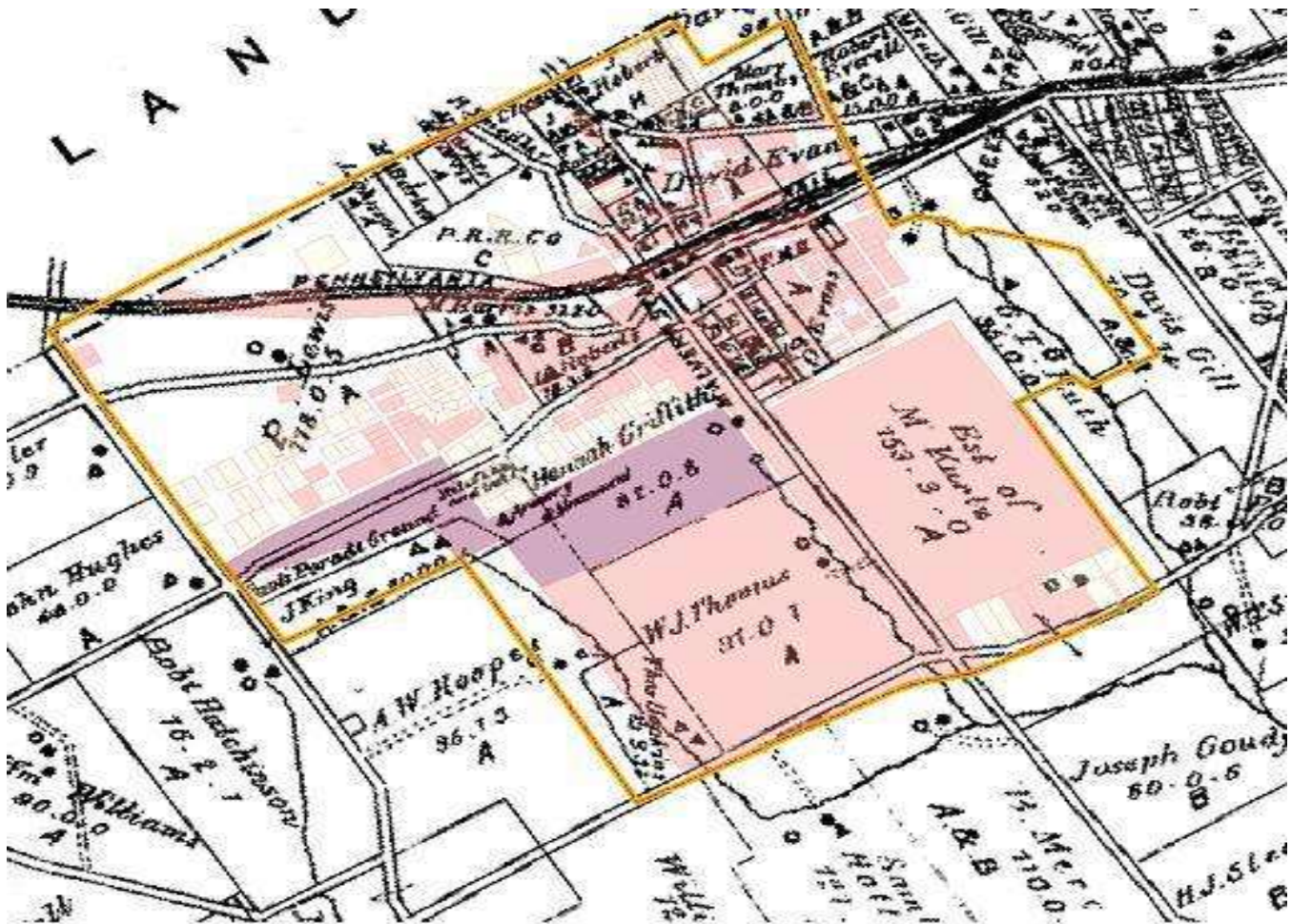
A comprehensive historic preservation program begins with the identification and evaluation of historic resources, so that the nature and types of resources to be protected is understood. Once historic resources have been systematically identified, implementation strategies can be undertaken to protect these resources. It is important to remember that historic resources change over time and, depending on the type and degree of the change, it should be respected as part of the natural evolution of that resource.

Local Historic Resources Surveys

In their publication *Guidelines of Local Surveys: A Process for Preservation Planning*, the National Park Service defines a survey as a “process of identifying and gathering data on a community's historic resources.” Surveys are necessary for local preservation efforts as they provide for the systematic collection and organization of information on historic resources.

- ***Chester County Historic Sites Survey (CCHSS)*** was conducted in most communities throughout the County between 1979 and 1982. These surveys of communities are considered “preliminary” or “reconnaissance” surveys: they are a list of sites, focusing primarily on residential properties, with general information, such as location and owner. The CCHSS for Malvern Borough identified 532 Class 1, 2, and 3 historic resources. The CCHSS is on file at the Chester County Historical Society, as well as stored with the Borough Historical Commission and Chester County Parks and Recreation.
- ***Chester County Historic Resource Atlas*** is an effort between the Chester County Parks and Recreation Department and GIS Department in partnership with the Chester County Historic Preservation Network and municipalities. Chester County initiated a countywide digital update to the CCHSS in 2004 using a Geographical Information System (GIS). The *Atlas* identifies and inventories historic resources 50 years or older for planning purposes, and is being completed on a municipality-by-municipality basis. As of March 2011, 22 municipalities in the County had

completed their Historic Resource Atlases and approximately another 40 are underway, for total municipal participation in the project nearing 90 percent. Malvern Borough completed its Historic Atlas in 2008, entitled *Malvern Borough Historic Resource Atlas*. (see the *Atlas* for a map of historic resources in the Borough)



Malvern Borough Breous Map 1883

With 2008 Historic Resource classification overlay

Historic resources in Malvern's *Atlas* have been classified as to their significance based on National Register criteria for resource evaluation. The classification structure was agreed upon by Malvern and the Chester County Heritage Preservation Coordinator. Class I and II resources are considered to be of critical importance to the quality of life in Chester County and resource protection planning is recommended to protect these resources.

Class I:	The resource is listed on, contributes to, or is determined eligible for inclusion in the National Register of Historic Places. This includes contributing resources in a national register district or eligible district.
Class II:	Based on National Register eligibility criteria, the resource is considered by the municipality to meet the standards to be considered for the National Register of Historic Places or is identified as highly significant at a local level.
Class III:	All remaining resources that are 50 years and older effective at the published date of the Historic Resource Atlas.



The Malvern *Atlas* identified one Class I resource, the Paoli Battlefield Site and Paoli Memorial Association Grounds, which was listed on the National Register in 1997. The majority of historic resources in Malvern are considered Class II resources, or highly locally significant, with some having the potential to meet the standards for National Register eligibility. The *Atlas* identified 350 Class II resources and 180 Class III resources in the Borough. The types of structures inventoried in the *Atlas* include: principal buildings, outbuildings, bridges, walls, and other accessory structures. It is important to note that even though local historic resources may not be listed on or eligible for the National Register, due to their local significance, these sites should still receive consideration when a change of land use, other zoning permit item, new land development, or subdivision is proposed that may affect the historic integrity of the site. The *Malvern Borough Historic Resource Atlas* is available for review in Borough Hall.

National Register of Historic Places

Authorized under the National Historic Preservation Act of 1966 and administered by the National Park Service, the National Register of Historic Places is the Nation's official inventory of historic resources that should be preserved. The National Register is part of an overall national program "to coordinate and support public and private efforts to identify, evaluate, and protect historic and archeological resources." (The National Register program is further described in the Federal, State, and County Historic Resource Policy and Programs section later in this chapter.) Using National Register listing and eligibility criteria, properties on the Register include: districts, sites, buildings, structures, and objects that are significant in American history, architecture, archeology, engineering, and culture. Malvern Borough contains one very significant resource that was listed on the National Register of Historic Places in 1997, the Paoli Battlefield Site and Paoli Memorial Association Grounds, as further described below. As of 2011, an application is underway for potential National Historic Landmark designation. Malvern is also part of a much larger multi-county thematic historic district determined National Register eligible in 1995, the Mainline of the Pennsylvania Railroad, from Philadelphia to Harrisburg. A re-evaluation of its National Register eligibility by PHMC may be needed due to the age of the initial eligibility determination. Based on the *Atlas*, it appears there are no other resources in the Borough that have potential for inclusion on the National Register.

Paoli Battlefield Site and Paoli Memorial Association Grounds¹

The Paoli Battlefield Site and Paoli Memorial Association Grounds is hallowed ground as the site of the Revolutionary War Paoli Massacre of 1777 and a commemorative property and parkland focused on honoring all veterans. The area's history from farmland to hallowed ground and parkland spans a period of well over 200 years. In 1777, the area was part of the local, agrarian landscape. The encampment and massacre site consisted of a wooded hillside and two fields belonging to different farms between what is now Sugartown Road and Warren Avenue. The Paoli



¹ Note that the name of the Paoli Massacre site and associated Memorial Grounds varies between the National Register of Historic Places nomination and the *Remember Paoli* brochure. For planning purposes a variation of the National Register name (*Paoli Battlefield Site and Parade Grounds*) is used in this Plan.

Battlefield Site and Paoli Memorial Association Grounds, containing approximately 65 acres, currently consist of two adjoining parcels. In 1777, these two parcels represented the northern portions of two farms and were the location of the heaviest action of the massacre.

- The eastern parcel, the **Paoli Battlefield Site** also known as the Paoli Massacre Site, is approximately 44 acres and consists of a forested ravine and slope on the south side that rises steeply to a flat plateau containing a grassy field. The field is surrounded by woodlands on three sides (eastern, northern, and southern), and connects to the Parade Grounds immediately to the west.
- The western parcel, approximately 22 acres, is the **Paoli Memorial Association Grounds**, which is divided into the **Parade Grounds** on the eastern portion and **Memorial Park** on the western portion. The Parade Grounds include: a small walled burial mound, commemorative monuments (Paoli Massacre Monument from 1817, Paoli Massacre obelisk from 1877, World War I monument, World War II urn, and World War II monument), grandstand platform, and a paved circular parade drive as well as unmarked ruins of a limestone gazebo erected for the 1876 U.S. Centennial. Memorial Park includes passive and active recreation facilities (see Chapter 11, Table 11-2) and administrative structures. Several acres of lawn separate the Parade Grounds from Memorial Park.

The Paoli Massacre was the third major action in the unsuccessful Philadelphia Campaign to prevent the British offensive campaign to capture Philadelphia during the Revolutionary War. The failure of the Philadelphia Campaign led to the British occupation of Philadelphia and the American encampment at Valley Forge the ensuing winter, 1777-1778. The first two American attempts to stop the British invasion that autumn were the Battle of Brandywine, September 11, 1777, and the Battle of the Clouds, September 16, 1777. These resulted in significant loss of men and material at Brandywine, retreat, regrouping, near total destruction of ammunition on September 16, and exhaustion of the poorly trained and equipped American troops. The gathering and placement of troops in Malvern was part of the third effort by Washington to try to contain Howe's advance and prevent the capture of Philadelphia, while shielding supply and manufacturing centers to the west (such as Lancaster, Reading, and northern Chester County). Troops encamped at the wooded hillside in Malvern were under the command of Brigadier General Anthony Wayne, whose orders were to monitor and harass the rear of the main body of British troops. Wayne's troops built their shelters in a cornfield on the east side of a fencerow dividing two properties and placed their artillery and horses in the field on the west side of the fence. Second and third fence rows were located in the next field and along Sugartown Road at the other end of the field. The Paoli Massacre consisted of a meticulously executed fast-moving sneak attack by British troops using bayonets. Fifty-three Americans were killed and over 100 were wounded.



The day after the battle, civilians and Major Caleb North's men buried American casualties along the fence row dividing the two properties; many of the American troops had backed up against this fence in the battle. The Republican Artillerists of Chester County used the 40th anniversary of the battle in 1817 to erect on the grave a marble monument in honor of those who had served.

Most of the battlefield area has remained fields and woods. In 1822, the 22 acre area (roughly what was the northern half of the field west of the fence) that includes the burial mound was obtained by a local veterans' group for use as a veteran memorial parade ground.

Contributions from the Borough have assisted with maintenance of the grounds. In the 20th century, World War I and II monuments, a caretaker's house (1922), the grandstand built upon old stones from the 1834 Columbia Railroad (1957), the reproduced wall around the 1817 Monument (1964), and interpretive signage were added.

Baseball fields and a Boy Scout cabin were constructed in the property's northwest corner during the 1950s. The fields south of the Parade Grounds and east of the burial mound remained plowed land. In 1922, land east and southeast of the burial mound was sold for the creation of the Malvern Preparatory School. In the 1930s the strip of land along the northern edge of that property, between Warren and Wayne Avenues, was subdivided for residential development. In the late 1980s the field south of the Parade Grounds was subdivided for residential development. In 1996 the Paoli Battlefield Preservation Fund was created to purchase from the Malvern Preparatory School the 44 acre field, ravine, and slope to the east of the burial mound to ensure its preservation as key lands of the Paoli Massacre.



The Paoli Battlefield Site and Paoli Memorial Association Grounds are significant in the area of Military History under Criteria A for Evaluation for the National Register of Historic Places (associated with events that have made a significant contribution to the broad patterns of American history). The period of significance is divided into two segments: 1777, the year of the event, and 1817-1947, when citizens developed the Parade Grounds, placing monuments and holding ceremonies and anniversary programs to memorialize the site and later military conflicts. It is important locally for its association with the battle of September 20 - 21, 1777. The Battlefield Site retains integrity of location, setting, feeling and association. The Parade Grounds was also the location of battle action and contains the burial mound of American casualties. Set aside as a patriotic and commemorative property in the early nineteenth century, it primarily reflects locally shared perceptions of the character and honor bestowed upon veterans from the Revolutionary War to World War II. Since the time of their creation, the collection of 19th and

20th century monuments and landscaped grounds are cultural expressions by original participants and subsequent generations from the Borough of Malvern and surrounding communities to commemorate their understanding of the past. Therefore the property also meets Criteria Consideration F for commemorative properties (a property primarily commemorative in intent if its design, age, tradition, or symbolic value has invested it with its own exceptional significance).

In 1998, the Paoli Battlefield Fund was created to protect the battle site. In the late 1990s, a well-publicized national campaign was undertaken that rallied historians, local, state and federal officials, school children and private citizens. The result was significant private donations and a special "Patriot Act" passed by Congress that helped fund both the Paoli and Brandywine Battlefields. The Paoli Battlefield Site was successfully purchased from the Malvern Preparatory

School, which owned the land. The Paoli Battlefield Preservation Fund, Malvern Borough, and the Paoli Memorial Association work cooperatively to preserve these sites/lands. More specifically, the Paoli Battlefield Site is owned by the Borough and administered by the non-profit Paoli Battlefield Preservation Fund (which originally purchased and then deeded the property to the Borough). The adjacent Paoli Memorial Association Grounds is owned and operated by the non-profit Paoli Memorial Association - the successor to the original Paoli Monument/ Committee of Minutemen established to oversee the property in 1889.

LOCAL HISTORIC RESOURCES POLICY, PROTECTION, AND PLANNING EFFORTS

Historic preservation requires a combination of public and private sector efforts and activities. There is an interdependent relation between the public and private sectors: when the *public* sector is successful, it creates supportive policy and regulation, develops necessary infrastructure, supports economic activities, and creates a desirable quality of life; when the *private* sector is successful it creates a strong economic base, keeps property values high, and generates tax revenue. Identifying activities in both sectors helps to demonstrate how both contribute to achieving historic preservation goals. This section provides an overview of historic preservation policy, regulations, and activities in the Borough by both the public and private sectors.

Local Historic Resources Protection Policy (from 1999 Comprehensive Plan)

The most current Borough historic resource protection policies and recommendations were developed in Malvern's *Comprehensive Plan* (1999) and are summarized as follows:

<p>Cultural Resources Protection Goal: Protect and enhance the historic and scenic resources that contribute to the Borough's distinct identity, and recognize the importance of these resources.</p>
<p>Objectives:</p> <ul style="list-style-type: none"> • Identify historic resources within the Borough, and develop a strategy to help in their protection. • Ensure that local land use and other regulations do not discourage preservation and rehabilitation projects. • Consider protection of cultural resources through local ordinances. • Encourage preservation activities in the Borough and private and public involvement in preservation initiatives. • Advocate proper maintenance and continued integrity of historic properties by their owners. • Continue to support efforts for the preservation of the Paoli Battlefield Site, which is a valuable cultural resource and contains sensitive natural resources.
<p>Recommendations:</p> <ul style="list-style-type: none"> • Complete the Borough Historic Site Survey, and prioritize the resources based on their historical and architectural significance. <i>Status - completed</i> • Require the identification of historic resources on development and subdivision proposals. <i>completed</i> • Review and revise land use ordinance and building code standards that directly discourage preservation or adaptive re-use. <i>Status - considering</i> • Apply for a National Register Historic District, particularly along the King Street corridor. <i>Status - n/a</i> • Consider the possibility of adopting Historic Preservation Zoning, based on the Borough Historic Sites Survey. <i>Status - considering</i> • Encourage adaptive re-use of structures by providing special standards and additional uses in zoning. <i>Status - considering</i> • Continue to work in cooperation with the Paoli Battlefield Preservation Fund and plan for the future of the Paoli Battlefield Site. <i>Status – completed</i> • Consider creating design guidelines based on the unique characteristics of the community to provide guidance on appropriate building modifications. <i>Status – considering</i>

Building Code Regulation

The Borough adopted the International Existing Building Code (IEBC) under the recently adopted Uniform Construction Code (UCC), and has not experienced any known problems with interpretation of building code standards or code enforcement issues interfering with or discouraging the preservation of historic resources.

Local Historic Resources Protection Measures

The Paoli Battlefield Site (Borough-owned, Paoli Battlefield Preservation Fund managed) and Paoli Memorial Association Grounds are two separate parcels; they are considered to be protected. No other potentially historic areas in Malvern Borough are similarly protected.

Table 8-2 summarizes historic preservation regulations the Borough has adopted, which are implemented through zoning, subdivision and land development, and land use procedures.

Table 8-2: Current Borough Historic Resource Protection Regulations (as of July 2009)

Article/Section	Protection Measures
Zoning Ordinance (adopted 2003, amended through May 2009)	
Article I, Section 102.F.	Identifies one of the Borough's objectives as: Protect and enhance the historic and scenic resources that contribute to the Borough's distinct identity, and recognize the importance of these resources.
Article XIII, Section 1300.B	Notes that one objective of the C-2 Adaptive Re-use Commercial District (the King Street corridor) is to: To protect the historic character of the Borough through permitting a diversity of uses and encouraging economically viable uses for these structures.
Article XVI, Section 1603 and 1703	Addresses the I-1 and I-2 Institutional Districts, and requires special regulations for a Planned Campus Development and Planned Office Campus Development, including: <ul style="list-style-type: none"> Reuse of existing facilities shall, to the greatest extent possible, preserve the architectural integrity and facades of buildings. Building plans indicating the extent of all alterations and enlargement shall be submitted as part of the development application. Buildings eligible for and listed on the National Register of Historic Places shall be identified on the building plan. New buildings should be designed so as to complement the styles and spatial layout of the existing buildings.
Article XIX, Section 1903.A	Addresses the I-4 Institutional District, and requires the following special regulations for a municipal use: <ul style="list-style-type: none"> A municipal use shall, wherever practicable, utilize existing buildings and facilities within the district. Reuse of existing facilities shall, to the greatest extent possible, preserve the architectural integrity and facades of buildings. Buildings eligible for and listed on the National Register of Historic Places shall be identified on the building plan. New buildings should be designed so as to complement the styles and spatial layout of the existing buildings.
Article XIX, Section 1903.B	Addresses the I-4 Institutional District and requires the following special regulations for conditional use applications for educational and religious uses: <ul style="list-style-type: none"> An educational or religious use shall, wherever practicable, utilize existing buildings and facilities within the district. Reuse of existing facilities shall, to the greatest extent possible, preserve the architectural integrity and facades of buildings. Building plans indicating the extent of all alterations and enlargement shall be submitted as part of the conditional use application.

Article/Section	Protection Measures
	<ul style="list-style-type: none"> • Buildings eligible for and listed on the National Register of Historic Places shall be identified on the building plan. • New buildings should be designed so as to complement the styles and spatial layout of the existing buildings.
Article XXI, Section 2100	Addresses the POSC Public Open Space and Conservation District, and identifies one of its purposes as: To preserve the Paoli Battlefield Site, which is on the National Register of Historic Places, and to allow for development of the site as a monument in accordance with the recommendations for implementation in the Malvern Borough Comprehensive Plan adopted in September, 1999. It is permitted, in accordance with Section 605 (2)(vi) of the Pennsylvania Municipal Planning Code, to create additional classifications within any zoning district to regulate uses and structures at, along or near "places having unique historical, architectural or patriotic interest or value." The POSC District allows passive recreation use, forestry, and accessory use by right, and active recreation use as a conditional use.
Article XXIV, Section 2415.D, Supplemental Use Regs/Mobile Home Parks	Requires that 15 percent of the gross tract area be open space and notes that: Open space shall be substantially free of structures, except those designed for recreational purposes or the preservation of historic structures, and shall be usable.
Article XXIV, Section 2416.B.12, Supplemental Use Regs/Multi-Family Dwelling	Requires that 15 percent of the land be reserved for recreation areas, and notes that: This area shall be substantially free of structures, except those designed for recreational purposes or the preservation of historic structures, and shall be usable.
Article XXIV, Section 2420, Supplemental Use Regulations/ Planned Campus Development for Professional, Executive or Business Office Use	Requires that a Planned Office Campus shall, whenever practical, reuse the existing buildings and facilities within the district to promote maintenance of the Borough character and architecture. Whenever possible, it is encouraged that reuse of the existing buildings should maintain the architectural integrity and facades of the buildings. Building plans indicating the overall extent of exterior alterations should be submitted as part of the Conditional Use review application. Any building listed on or eligible for the National Register of Historic Places shall be listed on the building plan. It is strongly encouraged that additional buildings be designed to complement the architectural character and development layout of existing buildings.
Subdivision and Land Development Ordinance (adopted 2006, no amendments through May 2009)	
Article I, Section 102	Identifies several purposes for the SLDO, including: To ensure the development of land will be conducted with due regard to topography, geologic conditions, and natural and cultural resources, so that the highest quality environment is obtained.
Article II, Section 201	<p>Defines a Historic Resource as any building, wall, bridge, structure, road, trail, monument, garden or other landscape feature, archeological site or cultural artifact identified as any of the following:</p> <ul style="list-style-type: none"> • As an historic site in the Chester County Historic Sites Survey ; • As a "certified historic structures" by the Secretary of the Interior; • As an individual listing or a contributing resource within an historic district designated in the National Register of Historic Places; • Having received a Determination of Eligibility (DOE) for the National Register of Historic Places from the Pennsylvania Historical and Museum Commission (PHMC); • Other resources of similar historical significance as may be designated by the Borough of Malvern.
Article III, Section 300	Requires an Existing Resources and Site Analysis Plan (ERSAP) and the Four Step Design Process (which includes identification and protection of historic resources) for all major subdivisions and land developments.
Article IV, Section 400	Details the required contents of the ERSAP, which include any historic resources.

Article/Section	Protection Measures
Article V, Section 516	Details the Old Towne Malvern Design Standards, and includes a provision (516.B.7) that: Building styles and materials should reflect traditional and historical precedent in Olde Towne Malvern. No building shall be a windowless box. Architectural features such as clock towers, porches, porticos and colonnades may be utilized to provide accent and orientation features or to add grace and charm to Olde Towne Malvern. Porches, porticos and colonnades also are encouraged to provide shade and to serve as a transitional space from the public to private realm of Olde Towne Malvern.
Article V, Section 525	Addresses landscaping requirements and notes that existing vegetation, natural features or historic resources shall be preserved wherever feasible and incorporated into the Landscape Plan (525.A.1).

Source: *Malvern Borough Zoning Ordinance*, 2003 with amendments through May 2009; *Malvern Borough Subdivision and Land Development Ordinance (SLDO)*, 2006.

Public Sector Historic Preservation Activities

Public sector involvement is critical for the success of historic preservation.. Current historic preservation efforts include:

- **Borough Historical Commission** – Malvern has already taken a key step in acknowledging the importance of historic resource protection through the creation of the Borough Historical Commission. An Historical Commission is a key element in public sector promotion, advocacy, and education about historic resource protection. The Borough’s Historical Commission promotes identification and preservation of historic properties in the Borough.
- **Historic Inventory** – As discussed earlier, the Historical Commission has updated the Borough’s historic inventory through participation in the Chester County Historic Resource Atlas project. The Malvern Borough Historic Resource Atlas was completed in 2008, and the Historical Commission is currently developing ordinance language to better preserve the historic resources identified in the Atlas.
- **Artifact Inventory** – The Historical Commission has inventoried the artifacts (books, 75th Borough anniversary items, plaques, among other items) given to the Borough since 1983. As of August 2009, the Historical Commission had assigned 58 identification numbers to these artifacts, these numbers are assigned to individual as well as groups of items, so the total number of artifacts is greater than 58. Artifacts are displayed in Borough Hall to share and provide community outreach and education about Borough history.
- **Participation in Heritage Tourism** – The Borough has been coordinating with adjacent municipalities and the Chester County Planning Commission on the Patriots Path. The goal of this effort is to promote a pedestrian link between Valley Forge National Historical Park in Tredyffrin Township with both the Paoli Massacre Site in Malvern Borough and the Battle of the Clouds Park in East Whiteland Township, with no major acquisition of right-of-way. Additional information on the effort is provided in Chapter 11, Parks, Recreation, and Open Space.

Private Sector Historic Preservation Activities

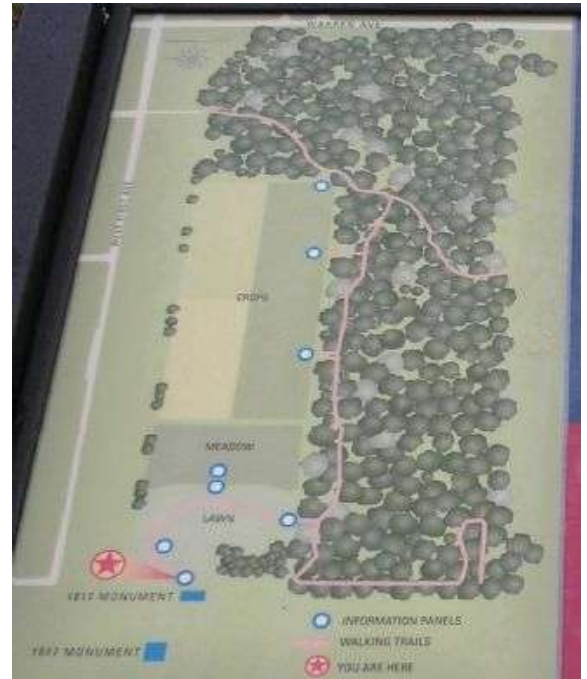
A few local private sector organizations’ are involved in historic resource protection in and around Malvern, as follows:



- **Paoli Battlefield Preservation Fund (PBPf)** is dedicated to protecting, preserving and promoting the historical significance of the Paoli Massacre through the funding and

development of educational programs and conservation activities. Recently, PBPF has been involved in directing professional archeological investigations at the Paoli Battlefield Site, which on ongoing yet have already revealed some battle-related artifacts.

- **Paoli Memorial Association** owns the Paoli Memorial Association Grounds, which includes the Parade Grounds and mass grave of the 53 Continental soldiers killed in the Paoli Massacre. Portions of their property are also used for public recreation.
- **Paoli Battlefield Site and Paoli Memorial Association Grounds Markers and Signage** includes a series of locally erected historic markers and information signage that follow and mark the walking trail of the Paoli Battlefield Site. (<http://www.hmdb.org>)
- **Willistown Conservation Trust** also works within and adjacent to the Borough, as its mission is to preserve the open land, rural character, scenic, historic and ecologically significant resources of the Willistown area and nearby communities.



Battlefield Site Map Marker

Community Education and Public Outreach

The following outreach efforts to educate the public on historic resources protection, preservation regulations, and preservation efforts have occurred in the Borough:

- An updated walking tour brochure of the Borough is available to the public. The brochure contains a brief history of the Borough along with information about historic businesses on King Street, churches, schools, and municipal buildings. A map is included in the brochure. The Historical Commission is working to make the brochure more user friendly, with a focus on King Street, churches, and schools.
- The Historical Commission created and maintains the Malvern History Center, which is located in Borough Hall and rotates displays of the Borough's historic artifacts. The Historical Commission has hosted school and scout groups at the History Center and hopes to continue this form of outreach in the future. In 2009, a History Center open house was held to better educate Malvern residents on the Borough's history.
- The Historical Commission has participated several times in the *Chester County Town Tours and Village Walks*. The Historical Commission expects to participate again in the future.
- Plans are already underway to celebrate Malvern Borough's 125th anniversary in 2014. Books on the history of Malvern have been published for prior anniversary celebrations. Three Borough history books have been completed and published, as well as a children's coloring book. The Borough and Historical Commission are working to determine the best way to celebrate the Borough's history for the 125th anniversary.
- The Historical Commission contributes articles about historic preservation and/or historic resources in the Borough in the Borough's quarterly newsletter.

FEDERAL, STATE, AND COUNTY HISTORIC RESOURCES POLICY AND PROGRAMS

There are various historic preservation techniques and programs available to facilitate the protection of historic resources. Although they differ in approach, most either evolved directly out of federal or state laws or are enabled by federal or state legislation. An understanding of federal, state, as well as county policy and programs for historic preservation, described in this plan section, provides a solid foundation to determine what techniques and programs are both available and appropriate for future historic preservation planning efforts in Malvern. A glossary of acronyms and historic preservation terms is provided at the end of this Chapter.

FEDERAL LEVEL

The National Historic Preservation Act of 1966 (NHPA) earmarked the beginning of a broad scale federal historic preservation policy and created a strong legal basis for the protection of historic resources through a framework of measures to be used at the federal, state, and local levels. The NHPA was a response to public outcry against the severe loss of historic resources (because of urban renewal and blight reduction) in larger cities and boroughs. The legislation's purpose was to create a comprehensive framework for protecting historic resources throughout the nation through a system of reviews, regulations, and incentives that focused on preserving historic resources. The NHPA encouraged cooperation among federal, state, and local governments as well as between individual agencies to address the protection of historic resources.

Key National Historic Preservation Act Programs and Mandates:

- The NHPA formalized the National Register of Historic Places.
- Section 106 of the NHPA requires that any project that receives federal funds, sponsorship, or assistance review its impact on historic properties.
- A State Historic Preservation Office (SHPO), authorized by the NHPA, helps to facilitate cooperation among governmental levels by coordinating preservation activities and administers preservation activities contained in the NHPA on a state level. In Pennsylvania, this agency is the Pennsylvania Historical and Museum Commission (PHMC).
- The Certified Local Government (CLG) Program, authorized by the NHPA, enables municipalities to participate directly in federal preservation programs and to access (through the state) certain funds slated for historic preservation activities.

National Register of Historic Places

The National Register of Historic Places is the official, comprehensive listing of districts, sites, buildings, structures, and objects of historical, architectural/engineering, or cultural significance to the prehistory and history of the locality, state, or nation that are deemed worthy of preservation. The list is maintained by the National Park Service (NPS) under the US Department of the Interior; and in Pennsylvania, the National Register program is managed by the Pennsylvania Historical and Museum Commission (PHMC), Bureau for Historic Preservation (BHP). Properties do not need to have national significance to be listed on the National Register, but may be listed if they are significant to local or regional history as well.

Sites on the National Register of Historic Places are termed 'National Register listed' sites. Through a preliminary review process, sites also may be determined to be eligible for listing, referred to as 'National Register eligible' sites or as having received a 'Determination of Eligibility'

(DOE). In the case of a National Register Historic District, proposed District boundaries are delineated to include areas and properties determined to be significant; these properties are ‘contributing’ to the district. Within those boundaries may also be properties which are not considered significant to the district, and these properties are considered ‘non-contributing’.

As stated above, listing is mainly honorary and does not affect the rights of property owners nor place obligations or restrictions on the use or disposition of property. It does, however, impact the use of federal funds or assistance, in that federal or federally assisted projects need to be reviewed for their potential impact on National Register listed or eligible sites as described below under *Section 106 Process*.

To determine significance, there is a set of established criteria against which a property will be reviewed to determine whether it could be on the National Register. Criteria for Evaluation are:

- The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:
- that are associated with events, activities, or patterns that have made a significant contribution to the broad patterns of our history; or
 - that are associated with the lives of persons significant in our past; or
 - that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
 - that has yielded, or may be likely to yield, information important in prehistory or history.

National Register listed and eligible properties are included on a listing that is updated frequently and can be found on PHMC’s website: <http://www.phmc.state.pa.us>. As of 2011, Malvern contained one National Register listed site, the Paoli Battlefield Site and Paoli Memorial Association Grounds. Malvern contain no National Register eligible sites, and based on the *Malvern Borough Historic Resource Atlas* it appears that there may be no sites in the Borough which may qualify as individually eligible.

National Historic Landmarks Program

National Historic Landmarks (NHL) “are nationally significant historic places designated by the Secretary of the Interior because they possess exceptional value or quality in illustrating or interpreting the heritage of the United States” and include buildings, sites, districts, structures, and objects that have been determined by the Secretary of the Interior to be nationally significant in American history and culture.

There is a nomination process to become an NHL, and a set of criteria are used to determine the level of national significance. The NHL designation automatically places a resource on the National Register. Once designated, the NPS NHL Assistance Initiative assists in NHL preservation through technical assistance to NHL owners/managers and through education of the public about the importance of NHLs. The NHL Stewards Association, a group of owners and managers, also work to preserve, protect, and promote NHLs. Relatively speaking, few properties hold this national distinction. As of October 2011, there were only 9 NHLs in Chester County, including Brandywine Battlefield National Historic Landmark and Valley Forge National Historic Park, and 170 NHLs statewide in Pennsylvania. As of 2011, an application is underway for the Paoli Battlefield Site and Paoli Memorial Association Grounds NHL designation.

Highlights of the National Historic Landmark designation from the National Park Service:

- NHL designation recognizes that properties are important to the entire nation.
- NHLs are listed on the National Register.
- Owners of NHLs are free to manage their property as they choose, provided no federal license, permit, or funding is involved.
- As with other National Register listings, federal agencies whose projects affect a NHL must give the Advisory Council on Historic Preservation an opportunity to comment on the project and its effects on the property.
- Owners of NHLs may be able obtain federal historic preservation funding, when funds are available. Federal investment tax credits for rehabilitation and other provisions may apply.
- A bronze plaque bearing the name of the NHL and attesting to its national significance is presented to the owner upon request.

Benefits of National Historic Landmark designation include:

- Required review under the Section 106 process as to the impact projects involving federal funding or assistance;
- Limited federal grants through the Historic Preservation Fund, and certain funding sources may give NHLs higher funding priority; and
- The NPS provides technical preservation assistance to NHL owners.

Section 106 Review Process

The Section 106 review process was one of the most effective components of the National Historic Preservation Act (NHPA) in reducing the loss of historic resources. This section of the NHPA requires that any federally sponsored, funded or assisted project, including those requiring a federal permit, license, or approval, is reviewed for its impact on historic resources either listed on, or determined eligible for, the National Register. The federal agency directly or indirectly responsible for the project is responsible for insuring compliance with the review process. This review can be delegated to federal field offices or passed through to the state, county or municipal governmental agency responsible for administering the federal funds. Conducting the review at the local level can encourage local input on projects and provide for a high degree of participation on the part of those who may be directly impacted by an activity. This is important as the Section 106 process also stipulates that the public be notified of such projects and their effects, which in turn is key as public involvement helps lead to more acceptable community solutions.

Section 106 does not necessarily protect historic resources from demolition or alteration, however, it requires an investigation of alternatives and consideration of mitigation measures. For example, for Community Development Block Grant funding, administered by Chester County's Department of Community Development, National Register listed and eligible sites and historic districts are reviewed for a project's potential impact on resources prior to project initiation.

American Battlefield Protection Program

In 1998, the National Park Service created the American Battlefield Protection Program (ABPP), a federal partnership initiative to help communities identify, assess and protect our nation's historic battlefield. The program mission states in part that "Battlefields honor those who fought and died for their ideals, their homes, and their families. It also ensures that both the tragedies of war and our nation's hard-won advances are never forgotten." The ABPP includes grant funding for battlefield study and protection projects. In 2010, Chester County Parks and Recreation and Dept. of Computers/Information Services received a grant from the ABPP to complete a Historic Resource Atlas of the battle area and to develop an animated map of troop movements and battle

action using GIS. Chester County staff will work in association with municipal historic commission volunteers to complete this project in December 2011. The Paoli Battlefield project follows the model developed via a 2009-10 ABPP project for the Brandywine Battlefield, also undertaken by Chester County Parks/DCIS and municipal historical commission volunteers. The ultimate goal of the Paoli Battlefield project is to provide public education about the Philadelphia Campaign of 1777 in a highly user-friendly manner using modern technologies. It is hoped that these two projects can be tied together so that the national significance of regional historic resources and battle action of these portions of the Philadelphia Campaign of 1777 can be easily conveyed for widespread public consumption and education.

Certified Local Government Grant Program

The Certified Local Government (CLG) Program, enabled under the NHPA, was established to facilitate greater participation in historic preservation at the local level. It strives to encourage local, state, and federal partnerships to protect historic resources and address historic preservation issues. A CLG is one that meets certain criteria including:

- The adoption and enforcement of historic preservation regulations,
- Establishment of an historical commission or similar body, and
- Engaging in the survey of historic properties.

One of the most important incentives of the CLG program is increased access to federal preservation funds. Ten percent of each state's allocation of historic preservation funds (as authorized by the NHPA) must be allocated to the CLG's. In Pennsylvania, funds are administered by PHMC. There are six CLGs in Chester County, however Malvern is not a CLG.

Investment Tax Credits for Historic Preservation

The availability of federal income tax credits for the rehabilitation of income producing historic resources has proven to be a very effective means of encouraging their voluntary preservation. Investment tax credits first became available for historic preservation in 1976, and for the next 10 years, they served as a major incentive as billions of dollars were expended in the rehabilitation of historic properties. Although the program was scaled back in 1986, investment tax credits remain available and may result in substantial savings in rehabilitation costs, often making rehabilitation more financially feasible than new construction.

Section 47 of the Internal Revenue Code, promulgated after the Tax Reform Act of 1986, provides a rehabilitation tax credit of:

- 20% for the rehabilitation of certified historic structures (for commercial, industrial, agricultural, or rental residential purposes, but not for structures used exclusively as an owner's private residence) *or*
- 10% for the rehabilitation of non-historic buildings placed in service before 1936 (applies only to buildings rehabilitated for *non-residential* uses).

A 'certified historic structure' is one that is either individually listed on the National Register or is certified as "contributing" to a National Register Listed District. More information on the process may be obtained from PHMC and at http://www.nps.gov/history/hps/tps/tax/download/HPTI_brochure.pdf.

Preservation Easement Programs

For historic preservation purposes, a preservation easement is in general terms a legal agreement designed to protect a significant historic, archaeological, or cultural resource, or a portion thereof.

Preservation easements can also be used to protect a historic landscape or battlefield. Under an easement, a property owner grants a portion of the property rights to a qualified organization. Many times easements are specifically for the preservation of a historic building's façade – called a façade easement - whereby the focus is to ensure that the historic building's façade will be maintained, protected, and preserved in perpetuity. There are potential financial benefits for a property owner from the charitable donation of a facade easement to a tax-exempt organization (IRS Code Section 501(c)(3)). The donation of a façade easement must be made for conservation purposes, such as the protection of a National Register listed historic structure, and must be made in perpetuity. Unlike properties eligible for the rehabilitation tax credit, an easement donation can be for a structure used for *either* business or non-business use. More information is available at the NPS Technical Preservation Services website: <http://www.nps.gov/history/hps/tps>.

Other Federal Programs and Entities

The **National Trust for Historic Preservation** for more than 50 years has helped protect historic resources. The Trust provides leadership, education, and advocacy to save America's diverse historic places and revitalize communities. The Trust owns and operates a collection of nationally significant house museums and provides a wide range of preservation services across the country, including grant programs. More information can be found at their website, <http://www.preservationnation.org/>.

Previous federal surface transportation and funding bills, such as **SAFETEA-LU** (formerly known as TEA-21), included a Transportation Enhancement (TE) Program to strengthen the cultural, aesthetic, and environmental aspects of the Nation's intermodal transportation system. Improvements eligible for 80% federal funding under the TE Program included acquisition of scenic lands and purchase of historic properties or buildings in historic districts, including historic battlefields. Depending upon the next federal transportation reauthorization bill, the TE Program may continue to be a potential funding source for historic preservation projects.

Founded in 1989, **Partners for Sacred Places**, based in Philadelphia, is the nation's only non-denominational, non-profit organization devoted to helping Americans embrace, maintain and make good use of older and historic religious structures. Partners for Sacred Places provides assistance and serves as an information clearinghouse for groups interested in finding out more information on how to maintain historic structures, outreach to children, fundraising, sharing property and uses, and more on their website <http://www.sacredplaces.org>.

While pivotal federal legislation and programs for historic resource protection have been discussed or indirectly referenced in this Chapter, information about **other Federal laws** affecting historic resources is available on the PHMC's website.

The National Trust for Historic Preservation provides tracking of **prospective federal legislation** on the Advocacy Center section of their website: <http://www.preservationnation.org/>.

STATE LEVEL

The NHPA authorizes the creation of a State Historic Preservation Office to administer provisions of the Act at the state level. In Pennsylvania, the agency assigned this responsibility is the Pennsylvania Historical and Museum Commission. The Pennsylvania Historical and Museum Commission (PHMC) is responsible for maintaining and administering the state's sites and museums, making determinations of eligibility (DOEs) for the National Register, managing the State Archives, and administering a wide variety of historic preservation programs.

Pennsylvania History Code

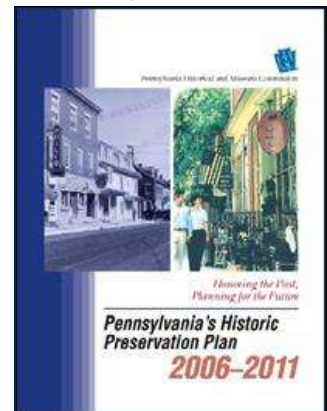
Many of the federal mandates required through NHPA are reiterated in the Pennsylvania History Code, Title 37 of the Pennsylvania Consolidated Statutes. The code pertains to the conservation, preservation, protection, and management of historical and museum resources and identifies PHMC as the responsible agency. It outlines Pennsylvania's legal framework for historic preservation and also mandates cooperation among other state entities in identifying and protecting historic and archeological resources. Additional state legislation addresses preservation, supplementing the provisions of the History Code.

Pennsylvania Preservation Plan and Outreach Programs

In 1999, PHMC and its partners developed a 5-year preservation plan for Pennsylvania. PHMC just recently completed an update to this plan entitled, *Honoring the Past, Planning for the Future: Pennsylvania's Historic Preservation Plan 2006-2011*. Focus groups were convened around the state, and an online survey was developed. The responses of both are reflected in the priorities of this plan through *three* plan goals and implementing objectives/actions. The *three* main goals of the plan are as follows:

- Recognize, sustain, and support historic resource as viable components of local community environments.
- Secure stable public policy and public funding supports at all levels for the preservation of historic and cultural resources.
- Identify and celebrate preservation accomplishments through recognition, leadership, stewardship, and outreach.

The full plan can be found on PHMC's website, preservation plan tab, at: <http://www.phmc.state.pa.us/bhp>. In 2011, PHMC is working to complete a 2012-2017 plan update.



PHMC provides education and outreach about historic preservation through their Public History Programs including:

- Sponsors educational workshops that cover a range of historic preservation topics.
- Provides preservation services and assists municipalities, preservation organizations, and other preservation groups in preservation topics and issues.

Act 167, Historic District Act of 1961

This Act authorizes municipalities to create local historic districts and protect historic and architectural character through regulating the erection, reconstruction, alteration, restoration, demolition, or razing of buildings within a certified local historic district. Local historic districts established under the auspices of Act 167 must be formally certified through PHMC. Act 167 also requires the appointment of an historic architectural review board (HARB) to advise the local governing body on the appropriateness of building activity in the district. Requirements for HARB membership are outlined in the Act 167 legislation. There are no Act 167 Certified Historic Districts or HARBs in the Borough. During the timeframe of this Comprehensive Plan, the Borough is not interested in pursuing this option, though it is still beneficial to have mention of a brief description of this tool here for educational purposes.

Act 247, PA Municipalities Planning Code of 1968, as amended (MPC)

The MPC authorizes the use of municipal land use controls such as use regulations and area and bulk requirements to protect historic resources. MPC enabled regulations primarily focus on land use-oriented provisions. This differs from Act 167 regulations, which specifically focus on control of architectural character. The MPC regulates places having unique historical, architectural, or patriotic interest or value through the creation of a specific zoning classification, as is indicated below. In Chester County, the MPC has been often applied to protect historic resources through adoption of municipal-wide historic overlay zoning. However, other incentive measures have been implemented though zoning in some municipalities – for example, allowing additional uses for historic resources in order to promote their reuse and continuation. (The Borough's MPC enabled regulations related to historic resource protection are summarized in Table 8-2 above)

Article I of the MPC establishes General Provisions for the Act

- Section 105, Purpose of Act - "It is the intent, purpose and scope of this act to protect and promote safety, health and morals; ...to promote the preservation of this Commonwealth's natural and historic resources and prime agricultural land;to encourage the preservation of prime agricultural land and natural and historic resources through easements, transfer of development rights and rezoning;...."
- Section 107, Definitions - "Preservation or protection," when used in connection with natural and historic resources, shall include means to conserve and safeguard these resources from wasteful or destructive use,..."
- Section 107, Definitions - "Public grounds," includes:(3) publicly owned or operated scenic and historic sites.

Article III of the MPC establishes the basis for comprehensive planning in municipalities:

- Related to historic resource protection planning, Section 301(a)(6) states "The municipal, multi-municipal or county comprehensive plan...shall include...a plan for the protection of natural and historic resources...This clause includes.... historic sites."

Article VI of the MPC establishes the basis for zoning ordinances and provides for the protection of historic resources through zoning:

- *Section 603(a)* – "Zoning ordinances should reflect the policy goals of the statement of community development objectives [which should generally reflect municipal policy goals of the comprehensive plan, as feasible] and give consideration to the character of the municipality, the needs of the citizens, and the suitabilities and special nature of particular parts of the municipality."
- *Section 603(b)(2)* – "Zoning ordinances...may permit, prohibit, regulate, restrict and determine [among other provisions]...size, height, bulk, location, erection, construction, repair, maintenance, alteration, razing, removal and use of structures..."
- *Section 603(b)(5)* - "Zoning ordinances ...may permit, prohibit, regulate, restrict and determine [among other provisions]...protection and preservation of natural and historic resources and prime agricultural land and activities."
- *Section 603(c)(7)* – "Zoning Ordinances may contain: [among other provisions]...provisions to promote and preservation prime agricultural land, environmentally sensitive areas and areas of historic significance."
- *Section 603(g)(2)* – "Zoning ordinances shall provide for protection of natural and historic features and resources."
- *Section 604(1)* – "The provisions of zoning ordinances shall be designed to promote, protect and facilitate any or all of the following: ...[among other provisions] preservation of the natural, scenic and historic values in the environment..."
- *Section 605(2)(vi)* – "...Where zoning districts are created, all provisions shall be uniform for each class of uses or structures, within each district, except that additional classifications may be made within any district: [among other provisions] ...for the regulation, restriction or prohibition of uses and structures at, along or near: [among other provisions] ...places having unique historical, architectural or patriotic interest or value..."

Main Street and Elm Street Programs

The **Main Street Program** provides grants to municipalities to assist downtown economic development through establishing a local revitalization organization for the purpose of managing revitalization efforts through the hiring of a full-time professional downtown coordinator/Main Street Manager. Funds can be used for:

- Administrative Costs associated with Main Street Manager positions and offices;
- Physical improvements supported by downtown plan for Downtown Reinvestment Component;
- Acquisition costs and physical building improvements for Anchor Building component

The **Elm Street Program** was created to foster older historic neighborhoods located within walking distance from revitalized Main Streets. Grant funds are available for planning, technical assistance and physical improvements to residential and mixed use areas in proximity to central business districts. Funds can be used for:

- Revitalization of residential and mixed use neighborhoods;
- Administration costs to support an Elm Street Program

PHMC's Historical Marker Program



Established in 1946, the Historical Marker Program is one of the PHMC's oldest, most popular, and recognized state programs. Located throughout Pennsylvania, the blue and gold markers highlight people, places, and events significant in history. New markers are approved and erected along Pennsylvania roadways every year.

PHMC owns and maintains the markers after they are installed and dedicated. At present, markers are repaired and repainted approximately every seven years. An example of an existing historical marker is shown here to illustrate its design as well as the type of historical information contained on the marker itself. There are over 2,000 markers statewide.

There are no PHMC Historical Markers within the Borough proper, though the *Duffy's Cut Mass Grave* PHMC State Historical Marker is located just outside of the Borough boundary in Willistown:

However, there are two other state historic signs in the Borough (one at King Street/Sugartown Road and the other at Paoli Pike/Warren Avenue). Both were likely erected in the 1920s as part of the former Keystone Town Marker Program (a program of the former PA Dept of Highways, PaDOT's predecessor). The Keystone Marker Trust is working statewide to preserve signs erected as part of that program. The Borough Historical Commission is working with the Trust to discover more information about the history of these



signs and to determine how to correct the inaccuracies on the King Street/Sugartown Road sign.

Though not state markers, there are also a series of locally erected markers and informational signage (shown here) that denote the walking trail on the Paoli Battlefield Site, as well as local markers and signage on the Paoli Memorial Association Grounds.



Act 537, Sewage Facilities Planning – Review for Historic and Archeological Resources

Act 537, the Pennsylvania Sewage Facilities Act, requires each municipality in Pennsylvania to have an Official Sewage Facilities Plan that addresses existing and future sewage disposal needs. In most cases, the Pennsylvania Department of Environmental Protection (PaDEP) requires the completion of formal sewage facilities planning modules for new subdivision and/or land development to update or to revise the municipal Act 537 plan before a subdivision is created, thus ensuring a consistent means of sewage disposal. The package of completed forms and its supporting documentation is called a “sewage facilities planning module” or “planning module.”

Once a planning module has been completed by an applicant, it is given to the municipality in which the project is proposed for review, plus PaDEP, Chester County Health Department and Planning Commission, and sometimes Chester County Conservation District. A planning module is required to be submitted for all land development projects with the *general* exception of projects 1) that PaDEP grants exceptions (such as projects using public sewage systems which contain adequate capacity to accommodate the proposed project) or 2) that propose 10 lots or less for single-family detached homes intending to use individual on-lot sewage disposal systems. Permitted activities which may affect Historic Resources on the National Register of Historic Places are not exempt from DEP permits regardless of size.

State regulations establish procedures for planning module approvals and permit reviews. PHMC reviews project activities for their potential effect on significant historical and archeological resources and provides comments on a planning module prior to PaDEP’s acceptance of it for PaDEP review. In turn, PaDEP is to consider this review and implement PHMC’s recommendations for the site. An applicant is required to submit a Cultural Resources Notice form to PHMC if a proposal involves 10 acres or more of earth disturbance; and/or if a 50 year old or older structure(s) is on the site of the proposed development. Procedural gaps can occur in the process and a municipality may need to take steps to ensure that they receive PHMC comments.

Other State Legislation

While pivotal state legislation and programs for historic resource protection has been discussed or indirectly referenced in this Chapter, additional information can be found at PHMC’s website. Information about new and proposed state legislation affecting historic resources is available on the Preservation Pennsylvania’s website (<http://www.preservationpa.org>).

COUNTY AND REGIONAL LEVEL

Chester County Historic Preservation Network

The Chester County Historic Preservation Network (CCHPN) is a non-profit organization that provides support to grassroots historic preservation efforts. CCHPN strives to build connections between professional and avocational preservationists and to be a countywide network allowing exchange of historic preservation information.

Specifically, CCHPN’s mission is to be an affiliation of local organizations and individuals dedicated to protecting and preserving Chester County’s historic resources and landscapes through education, facilitation, and public and private advocacy. (<http://www.cchpn.org/>)

CCHPN Activities include:

- ⇒ Annual educational programs for municipal officials and historical commissions on historic preservation-related topics;
- ⇒ Summer picnic where volunteers are recognized and a successful preservation project in Chester County is featured;
- ⇒ Chester County Ledger newsletter that focuses on preservation activities in Chester County and highlights historic resources;
- ⇒ Supporting the Chester County GIS Historic Resources Atlas; and
- ⇒ Co-sponsoring, along with Chester County Parks and Recreation and Chester County Conference and Visitors Bureau, the *Chester County Town Tours and Village Walks* summer historic area walking tour program. Malvern Borough participated in 2008 and in other years.

Chester County's Comprehensive Policy Plan: Landscapes 2 Historic Preservation Policy



The loss of important historic resources is one of the concerns addressed by the Chester County Comprehensive Policy Plan, *Landscapes2*. It identifies the protection of historic resources as important to sustainability/'green' development, character/sense of place retention, economic development, and maintaining the high quality of life for Chester County residents. The plan calls for sustaining and enhancing resources while accommodating planned growth in appropriate areas. The Plan includes specific resource protection objectives and policies as well as actions to implement Plan goals.

Preserving Our Places: An Historic Preservation Planning Manual for Chester County Communities (1998) promotes the implementation of the historic preservation goals and objectives of *Landscapes* and *Landscapes2*. The manual provides background information about historic preservation, outlines core elements of a comprehensive historic resource protection plan, and describes historic resource protection planning in Urban, Suburban, and Rural Landscapes in the context of a preservation plan. (<http://www.landscapes2.org/Historic/historicDocs.html>)

Vision Partnership Program (VPP) Grants - The Chester County Commissioners, through their VPP Grant program provide matching grants funds for eligible projects to qualified municipalities in the County. Historic Preservation plan projects, historic resource surveys, and ordinance and special study implementation projects may be eligible for funding under this program. See the Vision Partnership Program Grant Manual at www.chesco.org/planning for further information about this grant program and the specific types of projects that may be funded.

Chester County Parks and Recreation, Office of Historic Preservation

In addition to helping promote heritage tourism for the County and heritage interpretation and education for County Parks, Chester County Parks and Recreation provides direct heritage and historic preservation assistance to municipalities; This includes the following specific programs:

- ***The Chester County Historic Preservation Officer*** provides coordination between the county, PHMC, and the general public when identifying and addressing the county's individual historic resources and their history, based upon the National Preservation Act of 1966 as amended. Activities include; the Chester County Historic Structures Certification Program; Section 106 consulting party for state and federally-funded or assisted projects; Section 106 reviews for County projects; Historic Resource identification, registration and documentation; Chester County Historic Resource Atlas Project - GIS Mapping of Historic Resources updating the Historic Sites Survey 1979 – 1982.

- **Technical Expertise and Educational Assistance** to the public and municipalities including municipal historical commissions, committees and societies; historic resource information for residents, businesses and property owners; assistance to resource taskforces and organizations on historic preservation issues; assistance for historic structures preservation and maintenance standards; participation as a Chester County Historic Preservation Network (CCHPN) Board Member.
- **Chester County Historic Certification** (CCHC) resulted from public and private requests for acknowledgement of locally significant historic resources that may not be eligible for the National Register. While CCHC is a courtesy designation, it is an effective preservation planning tool, issued upon request from individual property owners, for the recognition of locally significant historic resources. For certain resources, it could also be one initial step towards eventual National Register eligibility status and/or for historic resource classification purposes in historic resource zoning regulations. It is necessary that specific documentation (such as assessment and deed records, lineage, historic maps, among others) be submitted to the Chester County Historic Preservation Officer to justify qualification of a resource as County Historically Certified. The CCHC program does not include any properties in Malvern Borough.

HISTORIC RESOURCES PLANNING IMPLICATIONS

- The *Malvern Borough Historic Resource Atlas* provides a preliminary inventory of historic resources and a classification as to their level of historical significance. The Borough has collected general preliminary historic and architectural information about these resources as was needed for their identification and classification. To provide community outreach and a better understanding of historically significant resources in the Borough, the Historical Commission may consider documenting more complete historic and architectural information about these resources on PA Historic Resource Survey Forms. These forms are the official state historic resource survey forms used in Pennsylvania and are available through PHMC.
- In 2008, the Borough completed a historic resources survey, *Malvern Borough Historic Resource Atlas*. Though the Borough is an older historic community with many historical and architectural assets, only one site, the Paoli Battlefield and Paoli Memorial Association Grounds is listed on the National Register. There are no National Register eligible sites in the Borough presently, and based on the Atlas results it appears there may be no individually eligible sites. As a next step the Borough may consider if any of the resources identified in the *Atlas* should be considered for thematic eligibility, for example apply for National Register eligibility as a historic railroad community along the main line of Philadelphia.
- The zoning and Subdivision and land development ordinance (SLDO) include standards currently which provide policy and support of resource protection and the economic benefits of adaptive reuse of historic buildings, and also require identification and consideration of historic resources during the redevelopment and development process. Since the Borough has completed, as of 2008, an inventory of historic resources, the Borough may consider more protective zoning and SLDO standards for historic resources.
- Though situated geographically in the Borough, the Paoli Battlefield Site and Paoli Memorial Association Grounds are regional and nationally important historic sites. For this reason, it is important that the Borough continue to work cooperatively with the Paoli Memorial Association and Paoli Battlefield Preservation Fund on battlefield interpretation and tourism opportunities.

- The Borough Historical Commission currently provides an educational role for historic resources in the Borough through such activities as participating in Chester County Town Tours and Village Walks summer programs and through the completion of the Malvern Borough Historic Resources Atlas, which is part of the broader Chester County Historic Resource GIS Atlas project. The Historic Commission should continue their role as an educational resource to Borough residents, and may consider expanding that role in the future to facilitate education and understanding about historic resources in the Borough.

HISTORIC RESOURCES PLANNING RECOMMENDATIONS

Preservation of historic and cultural resources is important to Malvern Borough which contains many older homes and buildings. The Borough has a Historical Commission in place, which has identified 351 historic resources in the Borough in the *Malvern Borough Historic Resource Atlas*. Historically and architecturally significant sites should be protected to preserve Malvern's character and heritage. Additionally, historic preservation can provide economic benefits by supporting revitalization efforts and enhancing existing structures, particularly in the commercial corridor.

An organized historic preservation planning approach can serve to recognize and help maintain Malvern's heritage. This discussion outlines potential options for the Borough in promoting historic preservation. These options involve both regulatory measures and provision of incentives to encourage the protection of historic resources. To successfully implement some of these options will require coordination and cooperation among stakeholders. Citizen participation and support is key to a successful historic preservation effort. The Borough Historical Commission would be the appropriate body to take the lead in coordinating the implementation of many of these options, as well as, other preservation efforts.² The following are options the Borough can consider.

National Register

8.1 Pursue Determinations of Eligibility (DOE) submissions and nominations to the National Register of Historic Places using a thematic approach or for individual resources, as appropriate, using information inventoried from the Malvern Borough Historic Resources Atlas.

One such example is Malvern as an original railroad commuting community along the historic main line of Philadelphia. This is partly acknowledged already via the National Register eligible district for the Pennsylvania Railroad's Mainline.

- *Benefits of National Register recognition* - National Register status provides an important and honorary level of recognition to a property, generates community pride, and heightens interest in historic resources. A DOE or National Register listing is an honorary distinction not directly affecting the use, alteration, or disposition of a property; property owners are not obligated to open their properties to the public, nor to restore or even to maintain the property. However, the prestige of this formal recognition that a structure or district is of historic significance has potential to help attract historic tourism, and small businesses can benefit from increased tourism and clientele. A registered district can be a helpful marketing tool for a property owner or area. Also, with National Register status, federal funded or assisted projects are required to be reviewed for their potential impact to these properties. Property owners can also benefit from being listed

² More information about these strategies is available through Chester County Planning Commission's publication, *Preserving Our Places*, 1998.

on the National Register as they are eligible for certain types of funding designed to encourage specific preservation activities associated with rehabilitation or adaptive reuse. In addition, federal investment tax credits for rehabilitation may apply.

- *Two-Step National Register listing nomination process* - First, a DOE for listing on the National Register must be obtained. A Pennsylvania Historic Resource Survey form, ideally completed as part of the Comprehensive Historic Resource Survey, discussed above, is submitted to PHMC for review and evaluation of National Register criteria. If a property is determined to be 'National Register eligible', the second step is the completion of the National Register nomination form, available through PHMC. It should be noted that there are many properties that do not pursue National Register listing. A DOE essentially affords some of the same level of protection as National Register listing, however, federal investment tax credits for rehabilitation and other programs are only available for properties formally listed in the National Register.
- *Helpful NPS bulletins* (See <http://www.nps.gov/history/publications.htm> and <http://www.nps.gov/nr/publications/bulletins.htm>) -
 - *How to Apply the National Register Criteria for Evaluation* (Bulletin #15)
 - *How to Complete the National Register Registration Form* (Bulletin #16A)
 - *How to Complete the National Register Multiple Property Documentation Form* (Bulletin #16B)
 - *Guidelines for Evaluating and Documenting Rural Historic Landscapes* (Bulletin #30)
 - *Guidelines for Evaluating and Registering Cemeteries and Burial Places* (Bulletin #41)
 - *Guidelines for Evaluating and Documenting Properties Associated with Significant Persons* (Bulletin #32)
 - *How to Evaluate and Nominate Designed Historic Landscapes* (Bulletin #18), and
 - *Guidelines for Evaluating and Registering Archeological Properties* (Bulletin #36)

Paoli Battlefield Site and Paoli Memorial Association Grounds

8.2 Continue to support efforts to promote the Paoli Battlefield and its interpretation.

- Participate with the Paoli Battlefield Preservation Fund (PBPF) and Paoli Memorial Association (PMA) to find workable solutions to potential future tourism challenges facing the Paoli Battlefield and the Borough.
- Support in roadway, historic markers, way-finding signs, and other signage which identifies the Paoli Battlefield for purposes of education, increasing recognition, and generating community spirit.
- Support the application for National Historic Landmark designation for the Paoli Battlefield.
- Support the American Battlefield Protection Program (ABPP) grant 2010-2011 Study and potential follow-up ABPP Preservation Plan grant project to complete a Historic Resource Atlas for the Battlefield and an animated map of battle action to be used for educational and outreach about the national importance of the battle and its place in the Philadelphia Campaign of 1777.
- Continue to work with the Paoli Battlefield Preservation Fund (PBPF) and Paoli Memorial Association (PMA), and Patriots Path communities to investigate undertaking an Interpretative Plan and additional interpretive and education markers and programs.

- Work with the Paoli Battlefield Preservation Fund (PBPF) and support implementation of the Paoli Battlefield Master Plan, discussed and recommended in the Revitalization Plan.

Historic Resources Education through Identification and Documentation

8.3 Provide outreach to new and current owners of historic properties and new borough officials as well as to residents and property owners in general through the Historical Commission about historic resources and their protection.

While current municipal officials and volunteers actively involved in historic resource protection in Malvern have an understanding about historic resources and their preservation, residents, new owners of historic properties, and newer municipal officials may not. The Borough can include information on the Borough website, newsletter articles, and materials in Borough Hall and History Room about Malvern's history, historic resources, and artifacts. The Historical Commission should develop and send an informational letter to new owners of historic properties as well as providing to new municipal officials discussing the role of the Historical Commission, historic resources/preservation planning, as well as the significance of resources as related to the community, quality of life in Malvern, and the importance of overall resource stewardship. The Borough Historical Commission may consider documenting historical and architectural information about historic resources identified in the *Malvern Borough Historic Resource Atlas* on PA Historic Resource Survey Forms. These forms are the official survey forms used in the state of Pennsylvania and are available through PHMC. National Park Service brochures and bulletins can be consulted as reference and educational material to help in this understanding of historic resources. Continue to transcribe the oral tapes about historic resources in the Borough that were recorded by historian Jane Davidson as part of the Atlas project. Particularly useful materials include *My Property is Important to America's Heritage* bulletin and the *National Register of Historic Places* brochure. (see <http://www.nps.gov/nr/publications/bulletins.htm>)

Historical Commission

8.4 Promote the role of and facilitate historic preservation efforts by the Historical Commission, as supported by this Plan.

The Historical Commission is a key element in public sector promotion, advocacy, and education about historic resource protection. The Borough can provide policy supportive of Historical Commission efforts and involvement in Borough governmental activities related to or which affect historic resources. To solidify this policy the Borough can create an administrative procedure and/or provisions in zoning, SLDO, building/demolition permitting, the Historical Commission Ordinance, etc. to outline specific Historical Commission duties/responsibilities in various facets of Borough activities.

8.5 Periodically review Historical Commission purposes and function to ensure they accurately reflect current activities and duties of the Historical Commission.

Subdivision and Land Development Ordinance (SLDO) and Plan Proposal Review Process

8.6 Update historic resource definitions in the SLDO to reflect the definitions and classifications in the recently completed Malvern Borough Historic Resource Atlas.

8.7 Guide new and infill development to be compatible with and complement historic resources, and examine how historic resources are sited within the Borough’s cultural landscapes.

Use the subdivision and land development review process to encourage compatibility and sensitivity to historic resources and have the Historical Commission participate in this process.

8.8 Require the Planning Commission to request that the Historical Commission review the impact of subdivision and land developments proposals on historic resources.

This requirement would apply where there are historic resources shown on the Borough Historic Resources Atlas and/or the National Register on or within a specified proximity to the site under proposal. This recommendation can be implemented through requiring a Historic Impact Study/Statement in either the SLDO or as a part of a Historic Overlay in the zoning ordinance.

8.9 Continue to require historic resources to be identified on a site analysis plan for preliminary and final plan proposals.

Zoning Ordinance

8.10 Consider zoning provisions for historic resource protection.

This method offers a different approach to preservation than a locally controlled Act 167 historic district. Historic overlay zoning modifies use, and area and bulk regulation of underlying zoning to protect historic resources and help promote their preservation. The Borough might consider forming a Task Force to investigate this option.

A historic overlay zone adds another layer to the underlying zoning establishing specific regulations to protect resources. For example, alternate uses, appropriate and compatible with the building’s character, can be permitted to offer incentive for reuse of a structure. Certain uses permitted by right in the underlying zoning may be allowed as conditional uses to give greater control to the Borough. Area and bulk regulations may also be modified to complement existing character. In addition, the provision for Historic Impact Statements is allowed to determine and disclose the impact of new development on a site.

In developing historic overlay zoning, it is important to ensure that regulations within the historic overlay zoning are compatible with other zoning ordinance provisions in order to reduce conflict and potential negative impacts on resources or future historic preservation efforts. For example, the Borough should ensure that if expanded uses or different setbacks are permitted for historic resources as an economic incentive for their continued use or reuse that these uses are not in conflict with the underlying zoning. This method is flexible and does not have to be associated with a specific underlying zoning district, but can be Borough-wide. This is an excellent method for municipalities which do not have the concentration of resources for a local historic district, or do not desire the level of regulation of a local historic district.

Standards to consider when creating Historic Overlay Zoning regulations are as follows:

- General Applicability
- Legal Statement to indicate that the Overlay is in accordance with the MPC
- Purpose Statement

- General Provisions:
 - Boundaries of the Overlay.
 - Effective Date (i.e. the provisions of this Overlay shall not go into effect until the date of adoption of the municipal Historic Resource Survey and Map).
 - Compliance.
 - Historic Overlay Concept.
 - Preservation of Other Restrictions.
 - Definitions (this can be placed in the Definitions article of the zoning ordinance instead)
- Historic Resource Inventory and Map:
 - Identification (i.e. historic resources can include any prehistoric or historic district, site, building, structure, or object, and shall meet the provisions of the Overlay including boundaries of National Register Historic Districts, Certified (Act 167) Historic Districts, and areas of Archeological sensitivity. The Historic Resource Inventory/Map shall identify historic resources to which the provisions of these regulations apply.)
 - Classifications (i.e. Class I, II, III, etc.) based on specified criteria.
- Map Revisions (i.e. based on the criteria for classification, the Historic Resource Inventory/Map may be revised from time to time by legislative action of the Board of Supervisors following a public hearing, at which time proposed changes shall be presented. The Historical Commission is the advisory body to review and recommend such revisions.
 - Revise as necessary to keep an updated Historic Resource Inventory/Map
 - Discuss in detail the process on how to revise map/inventory
 - Criteria to determine whether a resource should be included or not
- Modification to Area and Bulk requirements – incentive for reuse of historic structures by conditional use or special exception (case-by-case basis); additional conditional use or special exception requirements may apply.
- Special Provisions/Additional Use Opportunities – an incentive for reuse of historic structures, and for infill in existing historic villages as a conditional use or special exception (case-by-case basis); additional conditional use or special exception requirements may apply.
- Application Procedures – Procedures for conditional use or special exception approval for historic resources, as applicable.
- Signage – can set provisions per classification of historic resources in addition to those required in the general Sign Regulations:
 - Permit Process/Application requirements.
 - Zoning Officer Roles and duties (i.e. the Zoning Officer should provide the Historical Commission with a copy of the application, together with any plans or diagrams within a set time of the application).
 - Historical Commission Role in Sign Permit application (i.e. set a time to complete application review, prepare a written report for the Zoning Officer and applicant indicating whether the sign will have any detrimental effect on the historic or architectural integrity of the resource, and if so, what specific changes can be made to mitigate the effect with encouragement to the applicant to erect a sign complementing the historical significance.
 - Issuance of Permit.
- Additional Landscaping and Buffering Requirements:
 - Landscape Plan
 - Buffering Plan
 - Review by Historical Commission
- Demolition of Historic Resources:
 - Demolition by Neglect Standards.
 - Permit Process/Application Requirements.
 - Review Process for Demolition Permits (including criteria for review, Historical Commission Recommendation, documentation of the resource and additional informational requirements such as a financial analysis of reuse alternatives to demolition, as necessary, costs incurred by the Historical Commission, and Board of Supervisors decision)
 - Issuance of Permit.

- Enforcement (Fines and penalties; Zoning Officer role; Board of Supervisors role).
- Appeals to the Zoning Hearing Board

8.11 Require Historical Commission official review for demolition applications relating to historic resources through the building permit/demolition process or zoning requirements. (also see recommendation above).

8.12 Determine if applicable provisions for signs, lighting, and buffering associated with historic resources should be included in the zoning ordinance.

Building Code

8.13 Periodically review Borough Building Codes to ensure they do not inadvertently discourage or make more difficult the repair and maintenance of older buildings and historic resources.

As of 2011, about 1/3 of the housing stock is 70 years or older and nearly half is 50 years or older. There is also a high percentage of older buildings and historic resources along the King Street corridor. A higher percentage of older buildings has local planning implications, including the need for possible flexibility and adjustments to building code requirements to meet their needs and limitations. There are often great repair/maintenance needs in older buildings and historic resources. This can add additional financial burden on residents, and building codes requirements should be such that they do not add additional unneeded financial burden by creating standards that are not attainable for historic resources and/or serving as a disincentive for continued use or reuse of historic resources. As part of the UCC, there is a certain amount of discretion in interpreting building code requirements as well as the Existing Buildings Code can be adopted to minimize negative and sometimes devastating impacts to the rehabilitation and repair of historic resources while still providing a safe building environment.

Community Education, Outreach, and Involvement

8.14 Initiate community involvement and participation in historic preservation through the Historical Commission.

Public involvement is important because of the need to obtain philosophical, volunteer, and financial support from the community and various constituencies and interest groups within the Borough to have successful preservation. There is often a need to emphasize and rouse civic pride to get citizens involved in preservation. Keeping the public as well as municipal officials informed and involved should be a Borough historic preservation priority. Through the Historical Commission, the Borough should consider undertaking the following specific activities to encourage community education, outreach, and involvement:

- Consider creating a digital database of the recently completed Borough artifact inventory which now is recorded as paper records. These Borough artifacts and their inventory is an important educational tool about Borough history and method of public outreach and community education.
- Public recognition can be given to successful preservation efforts that are sensitive to Borough historic character in order to raise awareness, instill pride, and encourage involvement in historic preservation activities. Plaques can be displayed on historic resources in recognition of their significance.
- Serve as liaison between the public and private organizations.

- Become more involved in subdivision/land development plan review as related to historic resources.
- Continue to participate in heritage tourism activities. Consider hosting another tour of adaptively reused, restored, and/or preserved historic resources. Specifically, the Borough could continue to participate in coordinated county and/or regional outreach activities related to historic preservation, such as the walking tour of Malvern for the Chester County Town Tours and Village Walks.
- Continue to include articles about historic resources in future Borough newsletters.
- Add topical and rotating historic resource information on the Borough website.
- Provide technical assistance and advice to homeowners, as needed, about items such as history, appropriateness of alterations, building materials, and architectural elements for historic resources in the Borough.
- Continue to undertake oral histories and to digitally record the 13 current oral histories on file to date, 4 of which have been completed as of 2009.
- Continue partnerships with other preservation minded organizations and intergovernmental coordination as with the Paoli Battlefield Fund and the Paoli Memorial Association to further preservation efforts/projects in the Borough.
- Work with the Great Valley school district and local private schools to update school curriculum on local history and historic preservation topics. PHMC participates in www.ExplorePAHistory.com in partnerships with other organizations such as PSEA which could serve as a starting point for this idea.

Historic Design Guide

8.15 Consider establishing a Task Force to investigate developing design guidelines as a way to help provide guidance for redevelopment, rehabilitation, re-use, infill, or new construction that complements and is compatible with neighborhood/community character.

Design guidelines identify design features that are compatible with the existing character of the community. Their purpose is to help development occur in a manner sensitive to the Borough's existing character as well as to aid restoration or preservation efforts for existing buildings. These guidelines generally focus on a building's exterior, primarily the façade since that has the greatest impact on the community character. Design guidelines can address a variety of features related to site design, such as streetscaping and setback, and building design, such as massing and scale.

Preservation of the business district Borough character could complement revitalization efforts by maintaining the Borough's unique character, and helping to ensure a quality environment for business. Design guidelines are generally voluntary, providing an educational resource, and may also be linked to incentives. Certain guidelines can be incorporated into regulations, such as setbacks in zoning or parking in the SLDO design standards. The Secretary of the Interior's Standards for Rehabilitation provides a more general type of guideline addressing important topical areas, and can be used as a basis on which to build guidelines geared specifically for the Borough. The Chester County *Community Planning Handbook* (Tool #45) provides additional information about design guides. Design guidelines can be general or specific, but should address topics such as:

- Architectural design (including massing, proportion, scale, rhythm, and material)
- Site design (such as the relationship of buildings to the road and site features)
- Roadway/road frontage

- Landscaping
- Signage

Main Street Program and Elm Street Program

- 8.16 Consider becoming a Main Street Program or an Elm Street Program, which provide grass roots approach to revitalization of central business districts of small towns, by incorporating economic development and historic preservation principles.**

Classic Towns Program

- 8.17 Consider becoming a DVRPC Classic Town community, which provide a grass roots approach to fostering business growth, continued revitalization, identifying sense of place/community features, and appropriately marketing older developed communities.**

Act 537 Sewage Facilities Planning Review

- 8.18 Ensure receipt of all components of an Act 537 planning module (including PHMC's review for impact to historic and potential archeological resources), prior to granting preliminary or final subdivision or land development plan approval.**

Due to procedural elements of the Act 537 review process that are beyond municipal control, there is potential for gaps in communication and instances where it may be possible that a subdivision and/or land development does not receive input from the proper entities in terms of historic/cultural resource review.

The PHMC review is one tier in the review process for examining a project's potential to impact historic resources; municipal officials, who are generally more familiar with a project and existing historic resources, should take a review role at the local level as well. The Historical Commission would be the appropriate advisory group to monitor and review subdivision and land development projects for their effect on historic resources. Likewise, the Borough could assist the process by checking that an applicant provides necessary paperwork in time to PHMC for proper Act 537 review and then provides PHMC's comments to the Borough prior to any approvals or conditional approvals.

Restoration and Physical Preservation

- 8.19 Promote physical preservation of existing older and historic structures, which is the most obvious solution for protecting historic resources.**

The purest form of preservation is restoration, the pristine return of a property to its original state. This type of traditional historic preservation method has typically resulted in beautifully restored structures used for some type of tourism or educational benefit, such as a house museum. Another preservation method, rehabilitation, or returning a property to a state of utility, makes possible a contemporary use while preserving those features that contribute to historical significance. Both methods present alternatives to preserving a structure.

Renovation and reconstruction are secondary options to restoration or rehabilitation to combat potential total destruction of older buildings. Whereas renovation consists of building modernization where important features may be lost while the building core

remains, reconstruction can stabilize any remains of a resource and build upon those remains to recreate (using new materials) the physical appearance of the original structure. While neither of these methods are ideal historic preservation techniques, they can help preserve the core of a resource and keep aspects of older buildings standing, even though they may no longer be considered 'historic' due to alteration.

To promote the physical preservation of structures, the Borough should continue providing supportive policy, enacting and supporting incentive-oriented regulations, and assisting as possible with being a liaison and providing information about historic resources. The Historical Commission could help the Borough prioritize which buildings to target as key priorities for physical preservation, and preservation façade easements could be considered once buildings have been preserved. See the NPS website at <http://www.nps.gov/history/publications.htm> for technical publications helpful in physical preservation projects.

Adaptive Reuse

8.20 Continue to encourage adaptive reuse for the purpose of resource protection and continued viable future use.

Adaptive Reuse is a method of converting older buildings into newer, more viable uses, and can serve as an important tactic in preserving buildings that are inherently part of Borough character but which can no longer accommodate their original use. Adaptive reuse is already supported in the I-1, I-2, and I-4 districts and should continue to be supported by the Borough through considering expanding land uses and other techniques for historic buildings in zoning. The SLDO, Building Code standards, and permitting processes should also be evaluated for their potential effect on reuse potential and if they are ways to work within the intent of those codes, etc to foster reuse of historic buildings. Adaptive reuse is a dual strategy as it supports economic concerns as well as historic preservation objectives by allowing reuse of existing buildings and thus maintenance of the building stock (if properly implemented). More information about adaptive reuse is available in the Chester County Planning Commission's *Community Planning Handbook* (Tool #52).

Investment tax credits are a financial incentive to encourage such reuse which, with use of these tax credits, can be a viable alternative to demolition and new construction. The tax credit program successfully illustrates that both adaptive reuse and preservation of architectural character may be accomplished through thoughtful design.

Additionally, components of the Transportation Enhancements Program, part of the federal surface transportation policy and funding act known as SAFETEA-LU, *may* be available in the future for historic preservation activities such as rehabilitations of facilities and the preservation of scenic and historic landscapes which enhance the transportation experience. For more information on this program see <http://www.fhwa.dot.gov/safetealu/>. However, it should be noted that with the current economic uncertainties at the federal and state levels the future of the TE program including what types of activities will be eligible for funding is uncertain.

Historical Markers

8.21 Investigate installing state and other historical markers to identify and acknowledge important resources.

Using the information gained through the recently completed Borough Historic Resources Atlas, the Borough should consider which historic sites should be nominated for state markers. The state (PHMC administered) historical marker program can be applied for annually by any person or organization. The deadline for receipt of nominations is usually in December or January. Once a marker site is approved, PHMC staff work with applicants to prepare marker text, select dedication dates, and arrange appropriate dedication ceremonies, generally within a year of approval. Limited matching grants are available for the manufacture of markers. PHMC's website includes guidelines, information, and directions on how to nominate a marker. Through the state program, the Borough should apply for a state marker for South Warren Avenue to mark the location of and commemorate the Paoli Massacre. (Also see 8.2)

The Historical Commission should work with the Keystone Marker Trust to change the incorrect information on the existing Keystone Town state marker at King Street and Sugartown Road. The Historical Commission could also determine if other historic markers should be considered outside the state program. Historical markers, whether state or local, are dedicated in public events, which present good opportunities for the community to both celebrate and understand their heritage.

Certified Local Government (CLG) Program Participation

8.22 Consider applying for CLG status.

The CLG program was established to facilitate greater participation in historic preservation at the local level, and encourages historic preservation as a part of local government as well as an integral part of local land use policy. The program provides technical assistance, greater access to the national preservation network, direct participation in the National Register nomination process, and small grants to local governments seeking to preserve historic resources. In Pennsylvania, the program is administered by PHMC and a match is required for projects undertaken with CLG funding.

Due to the Borough's increasingly active historic preservation program including completion of the Malvern Historic Resource Atlas, a Historical Commission in place, and this historic resource protection plan in place, the Borough would appear to be a candidate for the CLG program in the future after the Borough enacts historic preservation regulations. The borough needs to apply directly to PHMC to become certified and an official program participant. Detailed information on this program, contained in the "Guidelines for Implementation of the Certified Local Governments Program in Pennsylvania" and "Certification Worksheet for the Pennsylvania Certified Local Governments Program," is available from the PHMC.

GLOSSARY OF ACRONYMS AND TERMS

ACT 167 (Historic District Act) - Pennsylvania enabling legislation which protects historic resources through authorizing counties and municipalities to create historic districts within their boundaries through local ordinances, and to regulate building activity including demolition, within the district. PHMC must certify the historic district in the form of National Register eligibility. The Act requires the creation of a HARB to advise on building activity within the district. A certificate of appropriateness must be granted before building activity continues.

ACT 247 - The "Pennsylvania Municipalities Planning Code", Act 247 of 1968, as amended (53 P.S. §10101 et seq.).

BHP – Bureau for Historic Preservation, PHMC

CCHPN – Chester County Historic Preservation Network

CDBG – Community Development Block Grant

CLG - Certified Local Government

DOE (Determination of Eligibility) - An action through which the eligibility of a property for National Register listing is decided, but the property is not actually listed on the Register. Nominating authorities and federal agencies commonly request determinations of eligibility for federal planning purposes and in cases where a majority of private owners object to National Register listing. Obtaining a determination of eligibility is the first step of the National Register nomination process.

FHWA – Federal Highway Administration

GIS – Geographic Information System

HARB – Historical Architectural Review Board

MPC – see Act 247.

NHPA – The National Historic Preservation Act of 1966

NPS – National Park Service

PaDOT – Pennsylvania Department of Transportation

PHMC – Pennsylvania Historical and Museum Commission

PRESERVATION – Generally, saving from destruction or deterioration old and historic buildings, sites, structures, and objects and providing for their continued use by means of restoration, rehabilitation, or adaptive reuse. Specifically, “the act or process of applying measures to sustain the existing form, integrity, and material of a building or structure, and the existing form and vegetative cover of a site. It may include stabilization work, where necessary, as well as ongoing maintenance of the historic building materials.” (Secretary of the Interior’s Standards)

RECONSTRUCTION - “The act or process of reproducing by new construction the exact form and detail of a vanished building, structure, of object, or part thereof, as it appeared as a specific period of time.” (Secretary of the Interior’s Standards)

REHABILITATION - “The act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural, and cultural values.” (Secretary of the Interior’s Standards)

RENOVATION - Modernization of an old or historic building that may produce inappropriate alterations or eliminate important features or details.

RESTORATION - “The act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.” (Secretary of the Interior’s Standards)

SAFETEA-LU - Safe, Accountable, Flexible, Efficient Transportation Equity Act, which rebuilds on and renews TEA21.

SHPO (State Historic Preservation Officer) - The official designated by the Governor to administer the state’s historic preservation program and the duties defined in the NHPA and Pennsylvania History Code. In Pennsylvania, the State Historic Preservation Office is the Pennsylvania Historical and Museum Commission (PHMC) and the executive director of PHMC is the SHPO.

TEA21 - Transportation Equity Act for the 21st Century, as amended and extended.

SUMMARY OF WEBSITE REFERENCES IN CHAPTER TEXT

Chester County Historic Preservation Network website; CCHPN website:
<http://www.cchpn.org/>)

Chester County Parks and Recreation Department website: <http://dsf.chesco.org/ccparks> - heritage resources tab.

Chester County Planning Commission website; <http://dsf.chesco.org/planning/site/default.asp>.
Preserving Our Places is on the web at
<http://dsf.chesco.org/planning/lib/planning/pdf/preservingplaces/HisPresManual.pdf>

National Park Service’s website: www.nps.gov

National Register Listed sites, National Historic Landmark list, NPS Technical Preservation Services website: <http://www.nps.gov/history/hps/tps>

National Register bulletins and brochures website:
<http://www.nps.gov/nr/publications/bulletins.htm>.

National Register publications website: <http://www.nps.gov/history/publications.htm>.)

National Trust for Historic Preservation website:
<http://www.preservationnation.org>

PHMC's website: <http://www.phmc.state.pa.us>.

Partners for Sacred Places website: <http://www.sacredplaces.org>.

Preservation Pennsylvania's website: <http://www.preservationpa.org>.

SAFETEA-LU website; <http://www.fhwa.dot.gov/safetealu/>

Malvern Borough Historic Resources

LEGEND

Parcel with Historic Resource

ID # 02-001

Displayed by Class

Class 1

Class 2

Class 3

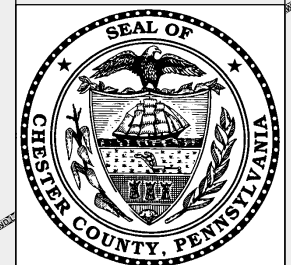
Historic Bridge

Bridge
Historic Resource ID
02-570

0 0.25 0.5 Miles



February 22, 2008



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1895 CHESTER COUNTY RAILROAD MAP

