

Proceedings held before the Historic Preservation
Commission of of Brighton at 2300 Elmwood Avenue, Rochester, New
York on May 25, 2017 commencing at approximately 7:30 p.m.

PRESENT: Jerry Ludwig
John Page
David Whitaker
Diana Robinson

NOT PRESENT : David Whitaker, Justin Delvechio, Wayne Goodman

PRESENT:
Ramsey Boehner, Town Planner
Mary Jo Lanphear, Town Historian
Kenneth W. Gordon Town Attorney

FIRE ALARM PROCEDURES WERE ANNOUNCED

MR. CHAIRMAN: I would like to call
the May 25, 2017 meeting to order. May I have a motion to approve the
agenda as amended to include the property list.

MR. WHITAKER: So moved.

MR. PAGE: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED
Jerry Ludwig Yes John Page Yes
Diana Robinson Yes David Whitaker Yes

MR. CHAIRMAN: We have minutes from the
March 23, 2017 meeting. I would like a motion to approve those with
any corrections.

MR. PAGE: I move to approve the minutes from
the March 23, 2017 meeting as corrected.

MR. WHITAKER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

Jerry Ludwig	Yes	John Page Yes
Diana Robinson	Yes	David Whitaker Yes

MR. CHAIRMAN: Mr. Secretary was this meeting properly advertised?

MR. BOEHNER: Yes, it was properly advertised in the Brighton Pittsford Post of May 11, 2017.

MR. CHAIRMAN: That meeting as duly advertised will now be held.

COMMUNICATIONS

NONE

DESIGNATION OF LANDMARKS

4H-01-17 Application of Mary Jo Lanphear, Town Historian, for property owned by Justin and Emil Lambert, at 3345 Elmwood Avenue, tax number 137.12-2-2-1.1 for landmark designation. All as described on application and documents on file. ADJOURNED TO THE JUNE 22, 2017 MEETING AT THE PROPERTY OWNER'S REQUEST.

MR. BOEHNER: The adjournment is allowed as long as no changes are made to the house during the adjournment. The reason they asked for an adjournment was because they could not attend the meeting tonight.

CERTIFICATE OF APPROPRIATENESS

NONE

HARDSHIP APPLICATION

NONE

MR. CHAIRMAN: The Public Hearings are closed.

NEW BUSINESS

150 Old Mill Lane, Demolition

MR. LUDWIG: I would like to defer on this until we know a little bit more about it. I would like to know if that house is on a conforming lot and whether whatever they are planning on building is that conforming to the existing lot?

MR. BOEHNER: Mary Jo could you write something up on this for the June meeting.

2735 Monroe Avenue, Demolition

MR. LUDWIG: I need a motion that we should send a letter to the Planning Board that we will not be proceeding for designation.

MR. PAGE: I will make that motion.

MS. ROBINSON: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

OLD BUSINESS

99 PELHAM ROAD

CULTURAL SURVEY

MR. BOEHNER: We have received the Cultural Survey for 99 Pelham Road. I would recommend an amendment to the list of properties for which the Cultural Survey has been prepared and since it has not been designated we would be adding 99 Pelham Road to the list.

MR. GORDON: This is proposed to be substantially abolished and that is defined as 50 percent of all that is to be demolished. That certainly leaves a gap and that gap is if that property is being considered to be designated but has not yet been designated that is going to be partially demolished but not substantially demolished. So just one exterior wall is coming down and that is what this list we maintain is meant to address. Code section 1755 B says in addition to the requirements under Chapter 224 which is the Historic Preservation Law shall be required prior to the demolition Any portion of an exterior wall on a property which has not been designated but is included in the list of properties for which the property has been listed for consideration and possible designation by the Commission. So that is why this survey is important to catch those properties that are not yet designated if there is going to be any demolition of any exterior wall.

MR. LUDWIG: We need a motion to list the survey and to add 99 Pelham Road to the list of properties.

MR. PAGE: I will put forth that motion.

MR. WHITAKER: Second

MS. VANDERLINDE: So moved to approve the minutes for the February 23, 2016 meeting with any corrections

MR. PAGE: Second

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED
John Page Yes Diana Robinson Yes
Jerry Ludwig Yes David Whitaker Yes

MR. PAGE: Suppose someone wanted to replace their windows during this twilight period does that count as demolition?

MR. LUDWIG: My concern is this includes carriage houses but not green houses. If this was surveyed and someone came in and wanted to demolish the green house it would not come before our Commission?

MR. GORDON: That is true. Chapter 73 talks about demolition of buildings not all demolitions have to go for a permit because any structure is defined as having four walls and a roof to shelter people or animals or property so that is your general definition of what a building is but in Chapter 73 you only get a demolition permit for a building used as a dwelling place or a carriage house etc and it is a list and clearly does not include a green house. So in review of demolition permits the Historic Preservation Commission is triggered by any demolition permit application acquired under Chapter 73 for Planning Board review which would only apply to carriage houses etc not green houses. The separate provision talks about your survey property list is not limited by those properties that needs a demolition permit. That section of the code talks about in addition to those properties that would otherwise meet the definition of a demolition permit any building which is on the cultural survey list that is proposed to have any portion any exterior wall demolished so there we are using the generic definition of a building. We are not limiting it to carriage house etc. So removing a glass window in a building used for people, animals etc. would need to obtain a permit provided it is on the adopted list. Which you just did.

MR. PAGE: It would be nice at some point to get the green house listed.

99 Pelham Road

MR. BOEHNER: I will send an informal letter letting them know there is a survey and ask if they have any comments.

MR. GORDON: This has two tax account numbers 122.19-1-36 is known as 99 Pelham Road and 122 .19-1-37 is Pelham Road with no number.

MR. LUDWIG: I guess the bottom line is did we add the right thing to the survey list. Should we amend the cultural survey list to include both those tax numbers? Would someone like to make a motion to amend the Historic Resource Inventory? Let's have Ramsey give us the tax numbers

MR. BOENHER: 122.19-1-36 and 122.19-1-37.

MR. LUDWIG: Can I have a motion to amend the Historic Resource Inventory?

MR. WHITAKER: So moved.

MR. PAGE: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

John Page Yes	Diana Robinson Yes
Jerry Ludwig Yes	David Whitaker Yes

PRESENTATIONS

NONE

ANNOUNCEMENTS

NONE

MR. CHAIRMAN: Can I have a motion to adjourn

MR. PAGE: So moved.

MR. WHITAKER: Second.

MR. LUDWIG: The meeting is adjourned. Thank you all.

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ADDENDUM TO THE MARCH 25, 2017
MEETING OF THE HISTORIC PRESERVATION
COMMISSION

MR. LUDWIG: I mentioned that there was not an ordinance in the beginning to protect green houses and some how glass carriage houses got in there. The carriage part needs to come out. Just green houses or conciliatory things like that.

MR. WITHAKER: Change Wilmont to Wilmot, there is no N in Wilmot

CHANGE 3334 CHANGE TO 3345

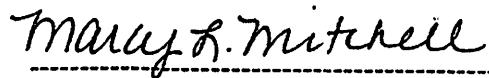
C E R T I F I C A T I O N

I, Judy Almekinder, 7633 Bauer Van Wickle Road, Lyons, New York 14489, do hereby state that the minutes of the May 25, 2017 meeting of the Historic Preservation Commission at 2300 Elmwood Avenue, Brighton, New York, is a true and accurate transcription of those notes to the best of my ability as recorded and transcribed by me.



Judy Almekinder

On this 5 day of June in the year 2017, before me personally came Judy Almekinder to me known, and known to me to be the person described herein and who executed the foregoing instrument, and she acknowledges to me that she executed the same.



Notary Public

MARCY L. MITCHELL
Notary Public, State of New York
Qualified in Wayne County
No. 01MI6281958
Commission Expires May 13, 2024