

Proceedings held before the Historic Preservation Commission of of Brighton at 2300 Elmwood Avenue, Rochester, New York held on March 22, 2018 commencing at approximately 7:30 p.m.

PRESENT: Jerry Ludwig
John Page
Justin DelVecchio
Diana Robinson
David Whitaker

NOT PRESENT: Wayne Goodman

Kenneth W Gordon, Town Attorney
Mary Jo Lanphear, Town Historian
Ramsey Boehner, Secretary/Town Planner

FIRE ALARM PROCEDURES WERE ANNOUNCED

MR. CHAIRMAN: I would like to call the March 22, 2018 meeting to order. We have minutes from the January 25, 2018 meeting to approve. Any corrections? Do I have a motion?

MR. WHITAKER: I move to approve the minutes with any corrections.

MR. PAGE: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED
Justin Delvecchio Yes David Whitaker Yes
John Page Yes Diana Robinson Yes

MR. CHAIRMAN: I was not present at the January meeting.

MR. CHAIRMAN: I would ask for a motion to approve the agenda.

MR. WHITAKER: I so move.

MR. PAGE : Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

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

MR. CHAIRMAN: Was this meeting
Duly advertised?

MR. BOEHNER: Yes, it was properly advertised
in the Brighton Pittsford Post of March 15, 2018.

MR. CHAIRMAN: The meeting as advertised will
now be held.

COMMUNICATIONS

NONE

DESIGNATION OF LANDMARKS

NONE

CERTIFICATE OF APPROPRIATENESS

2H-01-18 Application of Mark McCarthy, owner of property at 2556 East Avenue, tax number 122.20-3-3 for a certificate of appropriateness to install French doors and a fence in the rear yard. All as described on application and documents on file.

MR. MCCARTHY: I want to put a fence in my rear yard. I don't know the dimensions but it is parallel to East Avenue. It is going from the house to the carriage house. It won't be over 26 feet and will come to the house and then I want the French doors in the kitchen area so we can go in and out of there and put some steps back there. I have two dogs fenced in the back yard. Can I give you the dimensions of the fence?

MR. CHAIRMAN: That would be good and also do you have any information about the French doors? I received the pictures of the fence but not the French doors.

MR. MCCARTHY: Well, they are wood.

MR. CHAIRMAN: Divided light?

MR. MCCARTHY: Yes. We will install them ourselves so we know they are done right.

MR. BOEHNER: I can show you the French doors.

MR. PAGE: It is a full length divided door. Paneled it is an exterior door but it is identified as an interior door.

MR. CHAIRMAN: Shall we talk about the doors first.

MR. PAGE: Yes. I have no problem with installing the doors that are being proposed. What we don't have is an idea of how it is going to be trimmed out or how the steps would look.

MR. MCCARTHY: It is going to be trimmed in wood.

MR. CHAIRMAN: Is there a railing necessary and is it one step or two steps? How many steps to the ground?

MR. MCCARTHY: It is going to be about four steps.

MR. CHAIRMAN: So some type of railing would be needed.

MR. MCCARTHY: Yes, we will put a railing up and we will build it ourselves and we will put in two or three foot footers in there or whatever is required. Pressure treated.

MR. CHAIRMAN: I guess as far as the door goes I don't think we have any problems. I guess the only caveat that we would make is that the trim around the door match whatever else is on the house.

MR. MCCARTHY: Yes, and we will make the trim ourselves.

MR. CHAIRMAN: Okay, I figured you probably would.

MS. LANPHEAR: Will the fence go anywhere near the carriage house?

MR. MCCARTHY: Yes, the way I have it goes from the house to the end of the garage. It intersects the carriage house. It will go from the end of the garage to the carriage house. The fence starts at the end of the garage

MR. DELVECCHIO: Is there anything there now?

MR. MCCARTHY: No. The fence will be new and it will be one of those two styles.

MR. CHAIRMAN: Mark, did you call out the height that you are proposing?

MR. MCCARTHY: I think calls for 5 and a half feet tall.

MR. BOEHNER: You can go up to six and a half feet but five is fine.

MR. MCCARTHY: I will make it five feet. I don't want it too high. I don't want to make it feel like a fortress or something.

MR. JORDAN: Can we have one person at a time talk because Judy can't possibly take this all down and this is a public hearing so if we can keep that in mind.

MS. ROBINSON: Are these different kinds of wood and are they going to weather down to gray or what are they going to end up looking like?

MR. MCCARTHY: Well that fence there we could color it any color we want.

MS. ROBINSON: I just wondered if they are going to be natural and weather down to a grey.

MR. MCCARTHY: We are going to oil stain them every couple of years.

MR. PAGE: So your intent is to stain the wood?

MR. MCCARTHY: Probably clear or something like that. You can see it in that picture right there. They will be darker posts and it will be very similar to that one right there. I probably wouldn't do a clear stain but a translucent stain so you can see the different woods.

MR. CHAIRMAN: Is it treated or is it cedar?

MR. MCCARTHY: It is cedar.

MS. ROBINSON: Did you think about anything coming through the leaves and so forth this one in the picture is pretty intense?

MR. MCCARTHY: This is going to be five foot and if you put in a stockade fence it will have a fortress type look. This one is on an angle and you can look straight on and you really can't see through it. Its like lattice work straight on you can't see through it but on an angle you can. I can get this from a few companies they have discontinued it but they still have some of it in stock.

MR. CHAIRMAN: Which one do you prefer?

MR. MCCARTHY: I think I prefer that one and would like to get that one approved.

MR. JORDAN: That one is a stockade fence with lattice at the top.

MR. CHAIRMAN: I would say that is pretty close yes.

MR. PAGE: I prefer that one as well I think it has a little hint of tradition and this one is a little bit more modern but I think it is somewhat of a removable item because when I first read stockade I was a little worried and having it like this it changes the character of it dramatically. So I am satisfied with that.

MR. MCCARTHY: And I think staining it will make it look a little bit different.

MR. CHAIRMAN: Any questions?

MS. ROBINSON: Are the posts set in concrete or just in dirt?

MR. MCCARTHY: In dirt they probably won't last that long and we will probably go down two or three feet with a footer. We will probably go down three feet with a footer and it will probably last a lot longer but it won't be in concrete.

MR. CHAIRMAN: They will probably last longer if they are not in concrete. Okay any questions about the fence or the doors?

MR. MCCARTHY: We plan on matching the outside when we frame it on the outside because we are framing it ourselves.

MR. CHAIRMAN: Any other questions or comments? Okay public hearings are closed. Is there anyone here to speak on this application? Any questions? Do you have a motion:

MR. JORDAN: Yes. I will propose the following resolution.

WHERE AS application number 2H-01-18 has been submitted for a certificate of appropriateness under the Town's Historic Preservation Law for improvements to property located at 2550 East Avenue in the Town of Brighton, County of Monroe, State of New York, currently owned by Mark McCarthy to perform work described as the installation of a fence and French doors and steps all as detailed in said application

AND WHERE AS the Historic Preservation Commission duly called a public hearing to consider such matter on March 22, 2018

AND WHERE AS the necessary legal notice was published and required sign posted pursuant to Town code.

AND WHERE AS the public hearing was held and all persons having an interest in such matters having had an opportunity to be heard therein

AND WHERE AS the Historic Preservation Commission hereby determines pursuant to the factors set forth in Section 224-5 of the Town code for the proposed described work to the subject property is consistent with the purposes of the Town's Historic Preservation Law and compatible with the historic character based upon its review of the application and documents on file and received at the public hearing and testimony presented at the public hearing

IT IS NOW HEREBY RESOLVED that the Historic Preservation Commission hereby receives and files the above described application and all of the documents submitted there with

AND IT IS FURTHER RESOLVED the Historic Preservation Commission hereby approves application 2H-01-18 for a certificate of appropriateness for the above described work to be performed at the property located at 2550 East Avenue, in the Town of Brighton, County of Monroe, State of New York subject to the following conditions that the trim work on the French doors be custom milled to match the trim work on the other doors of the house, and number two, that the fence installed by cedar stockade fence with lattice work at the top as depicted in the sample picture submitted as part of the application and number three, that the fence line contact the house at least one foot from the corner of the house,

and number four, that the above described work be completed within one year from the date of this proposal.

AND BE IT FURTHER RESOLVED that pursuant to Chapter 224 of the Town Code the above described work qualifies for the exemptions set forth in the New York State Real Property Tax Law, Section 444-a.

MR. PAGE: I will make that motion.

MR. WHITAKER: Seconds.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

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

3H-01-18 Application of Brian and Joyce Connolly, owners of property at 99 Pelham Road, tax number 122.19-1-36, for a certificate of appropriateness to install a generator in the side yard. All as described on application and documents on file.

MR. CONNOLLY: Brian Connolly, property owner, essentially our home is water heated about 600 gallons of water flows through the system at any time. And as Isaac pointed out if we had a power outage where power was unavailable for a large period of time you could have a substantial problem.

MR. CHAIRMAN: It wouldn't be very pretty.

MR. CONNOLLY: The previous owners had installed a device to back feed the power into the power panel and it was not up to code. The previous owner - in the breaker panel had installed a 220 volt line that can run up to a portable generator and the issue with that is if you don't disconnect the main switch you can feed electricity into the line and you can get a shock and essentially that is not a solution so we need a generator. The generator has to be 4 feet and some inches from the house because of the exhaust fumes and generators can ignite the house and it has to be set away from the house. On the other side of the house there are a couple of air conditioners and the idea was to

put it on the side of the house where we have evergreens to conceal it. As you face the front of the house the device would be on the left side of the house or the narrower side of the house. And again the device runs for 12 minutes a month just to maintain it.

MR. CHAIRMAN: Sure.

MR. CONNOLLY: It has a natural gas line into it and when it comes on it disconnects the power on the inside and after power comes on from RG&E for two minutes it shuts off.

MR. BOEHNER: Have you obtained a variance for the generator?

MR. CONNOLLY: I am not familiar with that, Henderson would have applied for that.

MR. BOEHNER: A generator by code needs to be in the rear yard behind the house. This is on the side so if he is not granted a variance you are going to have to put it behind the house in the rear yard. My question to you is can we have an alternative in case this is denied by the Zoning Board of Appeals. I am not saying it will be but if it was denied he would have to come back here.

MR. CONNOLLY: The rear of the house is a French garden so it is not a great location for a generator. There is a small area off of the porch that is a distance from the home to the driveway so that is what restricts us to the left side of the house.

MR. JORDAN: If you were not able to get approval from the Zoning Board to put it on the side of the house would you want to place it in the rear lot or would you choose simply not to have a generator at all.

MR. CONNOLLY: Again we could look into a portable generator again there is a significant number of homes in the area with freezing pipes when the electricity goes out. And the electricity seems to be out for one to three days at a time.

MR. CHAIRMAN: Is there a separate garage or is the garage attached?

MR. CONNALLY: The garage is detached.

MR. CHAIRMAN: So technically it could go in the garage area with a line to the house if necessary. As far as we are concerned we are happy to have it on the left side of the house and the Zoning Board I believe has approved a number of those in the past.

MR. BOEHNER: If he doesn't get a variance he is going to have to come back.

MR. DELVECCHIO: Does he have to specify an area or can he just ask us for any location around the house other than the front yard.

MR. CONNOLLY: I wouldn't be okay with it in the front yard.

MR. DELVECCHIO: You are asking for more than one location?

MR. PAGE: No Ramsey is on his behalf. I would like to go forward with as requested and have him come back and hope for the best.

MR. CHAIRMAN: I think that the fact we have approved on the left side of the house will maybe give you an added boost.

MR. PAGE: Well, it is more than approved we would recommend that it not be in the back because I agree with you entirely it would be disruptive to the gardens which are an element of historic importance there that we are interested in.

MR. JORDAN: Well, I suppose that would be part of the C of A resolution but it could be a separate request to make of the committee staff to send a letter to the Zoning Board of Appeals –

MR. BOEHNER: I don't usually recommend or start giving recommendations to other boards. I would be glad to let Mr. DeStefano know that you prefer to have it on the left side because of the French gardens in the rear.

MR. PAGE: I think what I feel is that we agree with the assessment that the left side is the best for the house because of the circumstances.

MR. CHAIRMAN: I would concur with that.

MR. CONNALLY: It would be more visible on the right hand side. The air conditioners and compressors are hidden behind a concrete wall and I would put the generator there but it is not safe because you get carbon monoxide and it has to be so many feet from the house.

MR. CHAIRMAN: So is this the south side?

MR. CONNOLLY: Yes, the south side and it would be landscaped to conceal it.

MR. CHAIRMAN: It would be on the south west side on the Highland Avenue side how is that?

MR. CONNOLLY: Yes. It would be the south west side.

MR. CHAIRMAN: Okay any other comments or questions? This is a public hearing would anyone from the audience care to speak on this application?

MR. CONNOLLY: Other than the green house we are going to take out the plexi-glass and put in glass. It doesn't look the way it should.

MR. CHAIRMAN: Okay great, any other questions or comments the public hearing on this application is closed. Is there a resolution on this?

MR. JORDAN: Okay. I propose the following resolution.

WHEREAS application 3H-01-18 has been submitted for a certificate of appropriateness under the Town's Historic Preservation Law for improvements to property located at 99 Pelham Road , in the Town of Brighton, County of Monroe, State of New York, owned by Brian Connolly to perform work described as the installation of a 9 kilowatt Generator on the side of the property closest to Highland Avenue.

AND WHEREAS the Historic Preservation Commission duly called a public hearing to consider the matter on March 22, 2018

AND WHEREAS the necessary legal notice was published and required sign posted pursuant to Town Code .

AND WHEREAS the public hearing was held and all persons having an interest in such matter having had an opportunity to be heard therein

AND WHEREAS the Historic Preservation Commission hereby determines the factors set forth in Section 224-5 of the Town Code That the proposed above described work on the property is consistent with the purposes of the Town's Historic Preservation Law and compatible with the properties historic character based upon its review of the application and documents on file and received at the public hearing with the testimony presented at the public hearing

IT IS HEREBY RESOLVED that the Historic Preservation Commission hereby receives and files the above described application and documents submitted therewith.

AND IT IS FURTHER RESOVED that the Historic Preservation Commission approves application 3H-01-18 for a certificate of appropriateness for the above described work to be performed at the property located at 99 Pelham Road in the Town of Brighton, County of Monroe, State of New York subject to the conditions as follows:

paragraph Number one, that the generator is installed on the side of the property closest to Highland Avenue, paragraph Number two, that the generator so installed be screened with plant material, paragraph Number three, that the work to be performed at the property be completed within one year of the date of this approval

AND BE IT FURTHER RESOLVED pursuant to Section 224 of the Town code qualifies for the exemptions set forth in New York Real Property Tax Law Section 444-a.

MR. CHAIRMAN: The only change I would make is that it is the application of Brian and Joyce Connolly.

MR. JORDON: Well, it was actually submitted by Anderson Water and the owner of the property is Brian Connolly. I don't know I don't have the deed with me.

MR. CHAIRMAN: Okay, can I have someone approve the motion?

MR. WHITAKER: I so move.

MR. DELVECCHIO: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

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

HARDSHIP APPLICATIONS

NONE

MR. CHAIRMAN: The public hearings are closed.

NEW BUSINESS

Demolition review – Carriage House at 2700 East Avenue

MR. CHAIRMAN: Is there someone here to speak on this matter?

MS. VOLOSHIN: Isanna Voloshin, co-owner, of the property at 2700 East Avenue. We own the main house and this carriage house is in the back and not visible to anyone except for us and the neighbors because it sits right on the property line. It's basically decomposing. The original house from the 1900's was demolished back in the 50's and no one did anything with the old carriage house and it has just been decaying.

MR. VOLOSHIN: Ilya Voloshin, co-owner of the property at 2700 East Avenue. The carriage house is in terrible condition, the floors are in terrible condition. Its infested with bees and rodents and it will be tremendous burden on us to try and keep it up. That home would need to apply tremendous amount of renovations, the appliances are in terrible condition as well as everything else. I don't see us ever renting that carriage house or ever using that house and it is a tremendous burden on us.

MS. VOLOSHIN: It has just been ignored and I don't know why they didn't retouch it up when they redid the house in the 50's. I found some papers on the house and it was rented out at one time but no one has ever taken care of it and we don't want tenants.

MS. LANPHEAR: I found in October of 1929 Richard Strong who owned the house sought a permit for a stone garage and garden wall. It was to be 18 by 30 and it cost \$900.00 and was done by Roselawn and Swan (Phonetic) so it was built in 1929 or 1930.

MS. VOLOSHIN: And then in 1955 they demolished the main house. We would love to remove all that asphalt out of our back yard and this is in a horrid condition. It is just unbelievable .

MR. CHAIRMAN: This has a pool on it.

MS. VOLOSHIN: The main house does and that actually is in poor condition and we are going to be getting rid of that.

MR. CHAIRMAN: And there is an adjacent garage?

MS VOLOSHIN: Yes we have an attached garage and the asphalt runs all the way to that.

MR. VOLOSHIN: We will keep that but remove all the asphalt and plant grass and trees.

MS. VOLOSHIN: It has been a lot of work for me and no one sees it and I don't see that it has any historic significance other than the fact it dates back to 1920's. Our neighbors back yard on Green Field is about a foot away from this. There is a huge pine that drops tons of needles. The squirrels love this place.

MR. VOLOSHIN: The other thing is the roof is leaking.

MR. JORDAN: Just to remind the Board is this a structure you would want to consider to designate as a historic landmark and does it meet the criteria of code. That is the issue.

MR. CHAIRMAN: Right so a yes vote here tonight would mean that we do not wish to send a letter to the –

MR. BOEHNER: It would mean you would direct me to prepare and send a letter to the Planning Board that the Historic Preservation Commission will not be scheduling a hearing to designate this property.

MR. CHAIRMAN: Okay anyone else wish to speak this is a public hearing. I guess it is not a public hearing. Does anyone wish to make the motion to direct the Secretary prepare and send a letter to the Planning Board that the Historic Preservation Commission will not be scheduling a hearing to designate this property.

MR. PAGE: I will make that motion.

MR. WHITAKER: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

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

Demolition Review – 3525 Elmwood Avenue

MR. CHAIRMAN: Is there anyone to speak on this application?

MR. BOEHNER: Usually not.

MS. LANPHEAR: I talked to Tracy in the public records and she found an application for a permit for this house dated January 1959 and the architects were Donald Q. Farier (phonetic) and Allen McCumber lived in the house after it was built. And he was also the chairman of the Brighton Planning Board for a number of years and he sold the house in the mid 70's and he sold it to Sam Turner and later a Willford Kunz lived in the house in the 1980's.

MR. CHAIRMAN: Thank you for that and although I hate to see ranch houses disappear I did finally find it today and I have no objection, anyone else.

MR. JORDAN: It will be the same motion as the last one. You will direct the secretary to prepare and send a letter to the Planning Board that the Historic Preservation Commission will not be scheduling a hearing to designate this property.

MR. WHITAKER: I will make that motion.

MR. DELVECCIO: Second.

UPON ROLL CALL VOTE MOTION UNANIMOUSLY CARRIED

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

525 Penfield Road

MR. CHAIRMAN: This is a vacant lot and it is adjacent to a property that we have designated on Penfield Road which has been upgraded and lovingly maintained. What are our options there Mr. Town Attorney?

MR. BOEHNER: It is a separate parcel and always has been from way back so we have no control over it and I think it came up for sale recently. Do we have any interest in proceeding with this vacant parcel for designation?

MR. PAGE: No.

MR. CHAIRMAN: I agree with John.

MR. BOEHNER: There is nothing to do but we do let you know when property comes up for sale.

OLD BUSINESS

Properties to be surveyed or updated.

A discussion was had concerning properties to be surveyed or updated.

MR. CHAIRMAN: 2351 East Avenue I would move that we update that one and the Gleason house has never been surveyed on Stoneham way east of Brighton. I am proposing an update to 2351 because it has a new owner, Nelson Thomas and it is a spectacular house and then lets not rush about the Gleason house. I suggest we look at the Gleason house and then discuss it next month.

PRESENTATIONS

NONE

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ANNOUNCEMENTS

NONE

MR. CHAIRMAN: Can I have a motion to adjourn?

MR. WHITAKER: So moved.

MR. PAGE: Second.

MR. CHAIRMAN: The meeting is adjourned.

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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 March 22 2018 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

Judy Almekinder

State of New York,
County of Wayne

On this 10th day of May in the year 2018, 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.

Lisa D. Grimes

Notary Public

LISA D GRIMES
Notary Public, State of New York
Qualified in Ontario County
No. 01GR6117761
Commission Expires November 1, 2020

LISA D CRIMES
Notaria Pública, State of New York
Qualified in Queens County
No. 01GR611365
Commission Expires November 1, 20