

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS HELD BEFORE THE BRIGHTON HISTORIC
PRESERVATION COMMISSION AT 2300 ELMWOOD AVENUE,
ROCHESTER, NEW YORK, ON MARCH 28TH, 2019, AT
APPROXIMATELY 7:15 P.M.

March 24th, 2019
Brighton Town Hall
2300 Elmwood Avenue
Rochester, New York 14618

PRESENT:

JOHN PAGE, CHAIRPERSON
JUSTIN DELVECCHIO
AMANDA DREHER
WAYNE GOODMAN
DIANA ROBINSON

NOT PRESENT:

JERRY LUDWIG
DAVID WHITAKER

MARY JO LANPHEAR
Town Historian

KENNETH GORDON, ESQ.,
Town Attorney

RAMSEY A. BOEHNER
Town Planner

REPORTED BY:

DOREEN M. SHARICK, Court Reporter
FORBES COURT REPORTING SERVICES, LLC
21 Woodcrest Drive
Batavia, New York 14020

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHAIRPERSON PAGE: We'll call the meeting to order. We have exits. Would you call the role, Mr. Secretary?

MR. BOEHNER: Ms. Dreher?

MS. DREHER: Here.

MR. BOEHNER: Mr. Page?

CHAIRPERSON PAGE: Here.

MR. BOEHNER: Mr. Goodman?

MR. GOODMAN: Here.

MR. BOEHNER: Mr. DelVecchio?

MR. DELVECCHIO: Here.

MR. BOEHNER: Ms. Robinson?

MS. ROBINSON: Here.

MR. BOEHNER: Absent is Mr. Ludwig and Mr. Whitaker.

CHAIRPERSON PAGE: Would anyone like to move a motion to approve the agenda?

MR. DELVECCHIO: I move.

MS. DREHER: I'll second.

CHAIRPERSON PAGE: All in favor?

ALL COUNCIL MEMBERS: Aye.

CHAIRPERSON PAGE: Thank you. Would anyone like to offer modifications to the minutes from February 28th or make a motion

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

to approve?

MR. GOODMAN: I make a motion.

MR. BOEHNER: Thank you.

MR. DELVECCHIO: Second.

CHAIRPERSON PAGE: Okay. Do you need to
call that one or do you want . . .

MR. BOEHNER: No, I'm fine.

CHAIRPERSON PAGE: Okay. All in favor?

ALL COUNCIL MEMBERS: Aye.

CHAIRPERSON PAGE: Thank you. Has the
meeting been advertised?

MR. BOEHNER: Yes, the meeting was
properly advertised in the Brighton Pittsford
Post of March 14th, 2019.

CHAIRPERSON PAGE: Okay. That meeting
will now be held. We have communications or
letter from Adam J. Doyle and Marcy J. Mason,
dated February 26th, regarding anticipated
renovations to 105 Summit Drive. I didn't
bring a copy of that with me.

MR. BOEHNER: Yes, we could receive and
file that communication.

MR. GORDON: Motion to receive and file
the communication.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. BOEHNER: Motion to receive and file
the communication.

MS. DREHER: I'll make that motion.

MR. BOEHNER: Thank you.

MR. GOODMAN: Second.

CHAIRPERSON PAGE: All in favor?

ALL COUNCIL MEMBERS: Aye.

MR. BOEHNER: Now, on the communication
on the side, I did send him a quick letter
back hoping he would call because he didn't
give me a number and I couldn't track his
number down. Mary Jo is still trying.

MS. LANPHEAR: His mother lives a couple
doors from me.

MR. GORDON: Do you need a number?

MR. BOEHNER: Do you know who he is?

MR. GORDON: I can give you his number.

MR. BOEHNER: Yes, sure, if you could.

MS. LANPHEAR: Go for it.

MS. DREHER: Your letter was pretty
clear as to what the next steps were.

MR. BOEHNER: Yeah, Jerry knows a lot
about ice damage. So, too, that may save
some of the work that he's doing. Jerry

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

thought it might be worth it to talk to him.
I just wanted to offer that to him.

MS. LANPHEAR: It's a Don Hershey
house.

MR. BOEHNER: Is that right?

MS. LANPHEAR: It is.

MR. BOEHNER: So we're trying to
outreach to him further besides just a
letter.

CHAIRPERSON PAGE: All right. No
further discussion on that. There's no
designation of landmarks. No certificate of
appropriateness, no hardship applications,
I'll announce the public hearings are closed.

New business, amendment to adopt a list
of surveyed properties that have not been --
that have not been surveyed. Oh, that have
not been approved I think. We shouldn't have
approved the agenda.

MR. BOEHNER: That have not been
designated. That's on me.

MS. LANPHEAR: They have a survey.

CHAIRPERSON PAGE: So to recap, we got
off on talking about how to proceed and how

1
2 to manage the properties that we have
3 surveyed but have not designated. We
4 acknowledge that we have a number of them
5 that we have considered and sort of set aside
6 if you will. And then we went through an
7 exercise of identifying 12 of the properties
8 that were ones that could be considered for
9 being removed from the list, thus, reducing
10 the backlog if you will.

11 And I think if being reminded by Ramsey,
12 that at the end it was decided that over the
13 next three meetings, we would look at four
14 properties meeting and chat about them.

15 MR. BOEHNER: I believe that correction
16 did scan all the reports and sent all them to
17 you. If you did not get them, let me know,
18 but that's my understanding.

19 MR. GOODMAN: I got them. I received
20 them.

21 MS. DREHER: Yes.

22 MR. BOEHNER: Yes, looks like everyone
23 got them.

24 MS. DREHER: I did as well.

25 CHAIRPERSON PAGE: So Jerry sent an

1
2 email today indicating that he was opposing
3 the idea. So I'll put it out there that
4 rather than remove him from the list, we
5 create a second list. My own feeling is, is
6 that I would like to take properties off of
7 the list if we don't think that we are going
8 to designate them. I think getting the
9 survey is useful. We have the survey. It's
10 there for all time and that information is
11 there.

12 If we determine that we don't want to
13 move forward with it, I mean the suggestion
14 is, is that they don't rise to the level of
15 wanting to move forward on them, but maybe
16 they don't sink to the level of discarding
17 them. I personally don't think that we are
18 discarding them. We are saying they are
19 perfectly fine properties, but we are not
20 going to designate them because there is a
21 lot of properties that would be better
22 considered for designation. So perhaps one
23 discussion is whether we remove a property
24 that's been surveyed or whether we don't
25 remove it and whether the idea of having a

1
2 secondary list is appropriate or worthwhile.

3 MR. BOEHNER: I would say, my thought
4 is, that we either we take them off the list
5 or we keep them on the list. We don't go
6 with another list. I don't know what exactly
7 that means and I don't know what that means
8 to the Board.

9 MS. DREHER: Wasn't there one of the
10 issues -- one of the issues was if something
11 was going to be demolished, we would be asked
12 to consider it?

13 CHAIRPERSON PAGE: Yes.

14 MR. GORDON: Sure.

15 MS. DREHER: You told us last time.

16 MR. GORDON: Right. So under the
17 demolition provisions of the Town Code,
18 Section 7355, specifically subsection B, it
19 says that if a property is on a list
20 designated by this Board, properties that
21 have been surveyed but have not yet been
22 designated as landmarks, that if any portion
23 of any exterior wall is proposed to be
24 demolished, that property has to come before
25 this Board before a demolition permit can be

1
2 issued.

3 Conversely, if a property is not on that
4 list, then those properties when they go for
5 demolition could have a portion of an
6 exterior wall demolished without this Board
7 ever seeing that property. If however, there
8 is going to be a proposed substantial
9 demolition of that property meaning greater
10 than fifty percent . . .

11 MR. BOEHNER: Yes.

12 MR. GORDON: Then that property would
13 come before this Board even if it is not on
14 the list of surveyed properties.

15 MS. DREHER: So I think that's probably
16 the most important thing, the difference
17 between going off the list entirely.

18 MR. BOEHNER: I think you're right.

19 MS. ROBINSON: Because I see a few
20 instances where if the owners are interested,
21 that changing hands, being bought and sold,
22 would be a crossing line for us to have some
23 kind of a say in the matter. Couple of
24 things have already happened that way. So
25 maybe two lists -- I guess two lists would be

1
2 cumbersome, going back and forth. I think
3 last time I was here, somebody suggested just
4 some kind of a mark. The list stays the
5 same, but some kind of a mark so that we
6 don't keep going over and over and rehashing
7 things. We're not going to think about these
8 till years from now, but still have that.
9 There were a couple that are very specific to
10 what I'm thinking about. I would like to see
11 something like that.

12 MR. GORDON: So the consideration, of
13 course, always when a property comes before
14 you that they are not yet designated, when a
15 demolition permit application is pending, is
16 this a property that you would take up for
17 designation? That's what the issue is. And
18 if your answer is yes, then you ought to be
19 sending an initial letter to start that
20 process.

21 So having properties held in limbo with
22 an extra step of administration isn't exactly
23 what the list was designed for. It's really
24 to preserve your ability to be view
25 properties that have a serious intention of

1
2 designating.

3 In reviewing the lists of properties, if
4 you have looked at these properties that have
5 been surveyed and said, this is not a
6 property that I, as a Board member, am
7 interested in designating, then, I would
8 think you would want to take it off the list.

9 MS. ROBINSON: So there isn't a
10 convenient or useful halfway measure to keep
11 tabs on. I'm thinking of a very particular
12 example of what would happen.

13 CHAIRPERSON PAGE: I think if that came
14 up, that you would make your case and vote in
15 favor of keeping them on the list.

16 MS. ROBINSON: So the choice of on off.
17 I'm just thinking of just some of the remarks
18 as we go over them and over them. We don't
19 want that one, even to ourselves.

20 MR. GOODMAN: That's my question. So
21 the intent of the Code wasn't to create like
22 an in between. So the list of surveyed
23 properties, I'm making an assumption here,
24 you can correct me if I'm wrong, but I'm
25 assuming that the Code's intent was if

1
2 there's a demolition while it's on the
3 surveyed list, the rationale behind that was,
4 it was in the process of being considered,
5 but it wasn't really the intent to keep on
6 there forever in this sort of ...

7 MR. GORDON: Correct.

8 MR. GOODMAN: -- Halfway.

9 MR. GORDON: So to think about, you
10 know, the history of this local law when it
11 first went into effect, there were a lot of
12 properties that were designated upfront.
13 There was also a recognition that the
14 Commission can't designate everything that
15 might possibly be historic in the first
16 months or years of the Commission's
17 operations. And so the Commission might,
18 because of the burden of the work that you
19 have to do, have properties that you might
20 have surveyed, but haven't gotten around yet
21 to designating and you wouldn't want to see
22 those properties or any portion of the
23 exterior walls of those properties
24 demolished, right?

25 That's what the intention is, is to

1
2 preserve your ability to designate a property
3 and preserve that property even though it has
4 not yet been designated. So I'd go back to
5 that proposition that if you believe that a
6 property is not worthy of consideration for
7 designation, it should come off the list.

8 CHAIRPERSON PAGE: This came up in part
9 because we have actually discussed several
10 properties and consciously, decided not to
11 proceed . . .

12 MR. BOEHNER: It's how it came out.

13 CHAIRPERSON PAGE: With designation. It
14 sort of blossomed a little bit from there
15 into, well, since these properties have been
16 surveyed for, are we going on 18 years,
17 something like that, 16.

18 MS. LANPHEAR: 24.

19 CHAIRPERSON PAGE: That and also we have
20 the sort of push and pull of going after
21 something new even though we've got these
22 things in our back pocket. So I think we
23 tried. We've discussed, but haven't, I
24 think, done a tremendous job of trying to
25 make sure that we go through the list, right?

1
2 So there's two aspects of the list. Even
3 though in theory everything that is on the
4 list is a good candidate, I think to turn
5 down that there's some percentage, a small
6 percentage, that are not good candidates and
7 so there's some benefit both to the homeowner
8 and to us to not have them on the list.

9 MR. GORDON: And there already is built
10 into the Code somewhat of a back stop, of
11 course, which is that if a property is going
12 to be substantially demolished, it's going to
13 come before you for your immediate
14 consideration as to whether this property
15 that you're interested in designating, it's
16 required whether it's on the list or not for
17 that to happen.

18 MS. DREHER: And if we know our answer
19 is if that were to happen with the property
20 on here, that we know our answer would be,
21 no, we don't want to designate it. You can
22 go ahead and demolish it, then it should come
23 off.

24 MS. ROBINSON: It comes off the list.

25 MR. GORDON: And it saves the property

1
2 owner the process of going through that. It
3 speeds up the department's review and it
4 takes a little bit of work load off you guys
5 as well.

6 MR. BOEHNER: I will say, just so you
7 know, people before they buy properties come
8 into the office. If you come into the
9 office, the properties are yellow on the
10 screen. And they'll ask, what does that
11 mean? You can see how they are kind of --
12 you put them in limbo. If they're trying to
13 sell it, buy it. They are not exactly sure
14 what it is. So that's why it's good to try
15 to -- if we have properties that we know that
16 we're just not going to designate, we should
17 take them off the list.

18 CHAIRPERSON PAGE: So that being said,
19 any more discussion about that? My
20 discussion would be, do we want to move on
21 these four and you know, yes or no, and then
22 talk about each of them in turn and make a
23 decision so that we can proceed with what we
24 talked about or we can decide to back off if
25 we don't want to proceed down that road.

1
2 MS. ROBINSON: I think we should discuss
3 making a decision and get off the wagon.
4 Make up our minds.

5 CHAIRPERSON PAGE: Okay.

6 MR. GORDON: And to that end, I would
7 also lend this comment. I think it adds to
8 the integrity of the process that you're
9 doing this. It makes sense to me that not
10 every single property ever surveyed is worthy
11 of designation. And you might think a
12 property is worthy of designation and have it
13 surveyed and realize that it is not. And
14 there's nothing wrong with that.

15 In fact, like I said, I think it lends to
16 the integrity of the process to say we are
17 looking at these in an objective sense.

18 MR. BOEHNER: Like if someone comes to
19 you and says, I want my property designated,
20 you might say we're not going to do that.

21 CHAIRPERSON PAGE: That happens every
22 once in a while.

23 MR. BOEHNER: It does happen.

24 CHAIRPERSON PAGE: I think these are, I
25 believe, all properties that were part of the

1
2 original bulk survey . . .

3 MR. BOEHNER: Yes.

4 CHAIRPERSON PAGE: Effort and when we do
5 a survey now, the way that things are set up
6 now, when we seek to get information about a
7 property, I think that everybody has thought
8 about it a little bit more perhaps than the
9 time then when the bulk list was created 20
10 years ago.

11 MS. LANPHEAR: I think it was the 1998
12 survey that you had sent to Cynthia. And
13 those were kind of off the top of our heads
14 kind of list, too. It was not done with a
15 whole lot of thought. With all these houses,
16 we've all driven by for years until that old
17 house should be designated, perhaps it should
18 be surveyed. So yeah, there may be a lot of
19 deadwood.

20 MR. DELVECCHIO: Ramsey, a question.
21 How many demos occur annually on average in
22 the Town, could you estimate?

23 MR. BOEHNER: I'd say less than a half
24 dozen.

25 MR. GORDON: Residential.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. BOEHNER: Residential.

MR. DELVECCHIO: Residential demos.

Okay.

MR. GOODMAN: Not many then.

MR. BOEHNER: Not many, but you know, people do tear them down and build a new house on them.

MR. DELVECCHIO: And the profile of those six, they tend to be on huge lots.

MR. BOEHNER: In the golf course.

MR. DELVECCHIO: Maybe a ranch, that they want to build a bigger house or is there any trend?

MR. BOEHNER: Well, I've been finding more along the golf courses.

MR. DELVECCHIO: Okay.

MR. BOEHNER: A number of those properties, but it's pretty staggered throughout the Town. We just did one, a very modest house, 1550 Elmwood. Just in that house was maybe a thousand square feet. Very simple house. They reduced the foundation. They modernized it. They put a second story on it.

1
2 MR. DELVECCHIO: My opinion, I agree with
3 keeping a list but, you know, carting
4 deadwood if you will, with comfort in that, I
5 don't know what the risk is of losing this
6 housing stock, you know, in terms of trying
7 to -- I don't know if that's the whole intent
8 of the law. I mean I'm learning here every
9 year as I sit through these meetings.

10 MR. BOEHNER: The intent of the law is
11 to designate local landmarks.

12 MR. DELVECCHIO: That meet the four
13 criteria.

14 MR. BOEHNER: That meet one of the four
15 criteria.

16 CHAIRPERSON PAGE: That meet one of the
17 four criteria. You know, we're talking about
18 -- I think we are talking about the cream.

19 CHAIRPERSON PAGE: Every building that
20 might be appealing to our preservation sense.
21 We're talking about the ones that are because
22 they have significant value either as a piece
23 of architecture or as an architectutive note, a
24 good example of an architectural note or
25 extreme social significance. Again, plus

1
2 some other attributes. So it is not -- you
3 know, I don't think we're calling it the
4 deadwood. I think we're just releasing from
5 limbo those properties that we have
6 determined don't meet the cream.

7 MR. DELVECCHIO: That and I mean you
8 talk about the homeowner knowing, you know,
9 okay, what rules apply, but then they maybe
10 have the ability to move more on renovations.
11 I mean, personally, I'm not concerned about
12 demos as much because I know that demos are
13 going to come before us anyway. I think
14 where we add value is people trying to really
15 alter their homes and make sure it's
16 consistent in an appropriate way.

17 MR. GORDON: I think I'm going to make
18 the same point that Ramsey is about to make,
19 which is because a property is on this list
20 of surveyed but not designated properties,
21 does not provide the protection that a
22 designated property gets. So there is no
23 requirement for a certificate of
24 appropriateness.

25 MR. DELVECCHIO: Right.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. BOEHNER: You do not have a say in the matter unless you pursue . . .

MR. GORDON: The only protection it has is for demolition of an exterior wall of that property.

MR. DELVECCHIO: Or but it's surveyed so if it's been surveyed, we take it off the list, but then if we want to designate it later that's . . .

CHAIRPERSON PAGE: That is possible.

MR. BOEHNER: That's possible because you can find out new information. .

MR. DELVECCHIO: Okay.

MR. BOEHNER: Which is always possible.

MS. DREHER: And the survey wouldn't go away. We would update the survey and then put it back on the list I would presume the procedure would be. So it's not like we're losing the survey that was made 24 years ago. We would still have that.

MR. DELVECCHIO: And this is all in context of a budget.

MR. GORDON: Yes.

MR. DELVECCHIO: The reality of it is

1
2 designated.

3 MR. GORDON: And I do think perhaps it
4 would be wise and maybe this goes to some of
5 the comments several of you have made, that
6 if you decide to remove a property from the
7 list, you're not going to dispose of that
8 survey. That the Town Historian or the
9 Secretary of the Commission will preserve
10 that survey in some sort of a format
11 infinitum.

12 CHAIRPERSON PAGE: Right. So our goal
13 is not to stop improvements in the Town or
14 even change that we may or may not be that
15 happy about. I think it's really just to
16 identify the real keepers.

17 Okay. So 3030 Brighton Henrietta Town
18 Line Road.

19 MS. ROBINSON: I think it's a really
20 charming house. I read in this it was in bad
21 repair, but we drove all around and checked
22 it out. The wood siding under there is --
23 the windows are great. And I don't know
24 where I heard this, but the owner had some
25 interest. I don't know where I heard that.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MS. LANPHEAR: People that still own the house are still interested in the house. They don't live there. I think they live elsewhere.

MS. ROBINSON: So just that floating by, they have some interest in it.

MS. LANPHEAR: They contacted me a lot about it.

MS. ROBINSON: If they do anything to it, we would like to be exposed to that. If they sell the whole thing, obviously, someone wants to get rid of it. But I think some of the examples that we have had that have been great successes, it could be really great. I could be a great little front piece for whatever in four years if they wanted to. So I know it's . . .

CHAIRPERSON PAGE: Need to do in retaining it?

MS. ROBINSON: I want the primitive house for variety sake. If I had any choice, I would like to keep it especially if the people owning it still have an interest in doing something, but on the other hand, if

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

they sell, it's going to be demolished.
We'll get a chance at it anyways.

MS. LANPHEAR: The area is getting so
commercialized.

MS. ROBINSON: They held on to it for a
long time and they still have four acres. It
goes all the way back to the canal.

CHAIRPERSON PAGE: Any other thoughts?

MS. DREHER: The survey did note that it
had the numerous alterations. So thinking
this is my first go around of this, how much
that weighs and what has been done over the
years, if that strays too far from the
original . . .

MS. ROBINSON: If you look at it, the
alterations are really like things that they
stuck on. So taking them away, taking them
away, it's not like they added a whole wing
on this, this thing sticking out the back for
a kitchen or something sticking out over here
and something sticking out over there. It's
more of things added on then actually rather
than alterations. You can see the main part
of the house.

1
2 MR. GORDON: So to put a sharper point
3 on it, if the property owners wanted to
4 demolish one of those alterations that was
5 stuck on, you would want that not to be
6 issued as a demolition permit, but to have
7 that come back before this Board or for this
8 Board to review the appropriate designation?

9 MS. ROBINSON: I just see that as if
10 there was someone who was inclined to do
11 something with that property, that would be
12 the . . .

13 MR. BOEHNER: It's the four criteria.
14 What four criteria?

15 MS. ROBINSON: I tried to go by the
16 numbers to be very scientific and I only came
17 up with seven or eight on that. It's really
18 a post and beam framing, which has got my
19 vote. It's got nice windows. I guess it's
20 in an agricultural development. It could be
21 restored. I guess that's the item criteria
22 number three. It could be restored, much of
23 it remains. And I guess on criteria number
24 five, was what would that be, criteria number
25 five, I said if listed, it could be subject

1
2 to restoration. Now, it's four acres. It
3 goes clear to the canal. I guess it got
4 three for item number five. So I only came
5 up with seven, which is not 15.

6 CHAIRPERSON PAGE: Did you have any
7 comments?

8 MR. GOODMAN: I think it can go either
9 way on this. I think this is a tough one.
10 And particularly, this question of
11 threatenable.

12 MS. ROBINSON: It's been threatened.

13 MR. GOODMAN: It's been threatened,
14 right? It's still sitting there. So I guess
15 I'm not really quite sure, John, what . . .

16 CHAIRPERSON PAGE: We'll take a vote on
17 it in a minute.

18 MR. DELVECCHIO: I'll probably just vote
19 and let that speak. I think what I weigh
20 also is the surrounding -- the context and
21 it's tough because you want to preserve that
22 one thing left, you know, in the midst of the
23 desert, but also, I just wonder about where
24 we put our focus and funding, et cetera. And
25 I think the impact on the community if it

1
2 were changed in a really adverse way, which I
3 don't know if that's going to hurt I believe.
4 I don't know what that would really add up
5 to. I just think there's some areas on Town
6 Line Road, so I'm more focused on other
7 buildings.

8 CHAIRPERSON PAGE: So I look at it and I
9 think it's a pleasant building. It has an
10 interesting history, much more interesting
11 history than what is preservable to me right
12 now and relative to other properties that we
13 have in the Town. It doesn't rise up to my
14 personal -- which is fine. We all have
15 different opinions on that threshold. So
16 that's the way I'm looking at it. You want
17 to say something?

18 MR. GORDON: No. Thank you, though.

19 CHAIRPERSON PAGE: Any other discussion?
20 Someone make a motion one way or the other.

21 MR. BOEHNER: The motion, if you're
22 going to keep it on the list, you don't
23 necessarily have to have a motion, but if you
24 want to it off the list, you do need to have
25 a motion.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHAIRPERSON PAGE: Somebody willing to make a motion?

MR. GORDON: Yes.

MR. BOEHNER: He agreed with my statement. Maybe yes would be better.

CHAIRPERSON PAGE: So the question is, is there a motion to remove it from the list of adopted lists of surveyed properties that have not been designated?

Hearing no motion, we will move on to the next property.

868 Clover Street. Discussion?

MS. ROBINSON: Somebody's putting in a porch. They had siding everywhere, but they were putting up -- really, I didn't take a photo. They are putting up a porch railing of this. You know what I'm saying? That's not -- somebody designed that. It might be, but I don't know. Somebody did that. I said, where did they get this idea? Could it have come from a photo? There doesn't seem to be any photos. Where did they come up with this idea? Do you know what I'm talking about? Did you see it?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MS. DREHER: I saw it, but I didn't make
a note of that.

MS. ROBINSON: It's difficult.

CHAIRPERSON PAGE: I can't say that
was . . .

MS. ROBINSON: No, I don't know.

CHAIRPERSON PAGE: If there's any
evidence.

MS. ROBINSON: But the evidence was,
they were doing a really great job and they
had taken the siding off the porch where that
work was happening. It was in progress. So
maybe they'll take the siding off all the
rest of the house. I don't know. I didn't
know if that porch was -- that railing was
historic or not.

MS. DREHER: I thought that the
historic, the phrase historic, I mean is that
seems like a pretty strong one to me.

MR. GOODMAN: I'm going to throw in my
brief . . .

MS. DREHER: No, I was commenting that I
thought, you know, that it was a strong
connection.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. GOODMAN: I mean I would be in favor of keeping this one on.

MS. ROBINSON: I got a nine for it.

MS. LANPHEAR: That's the only U. S. Senator from Upstate New York. That's something I guess.

MS. DREHER: That was the . . .

CHAIRPERSON PAGE: We have two houses.

MS. LANPHEAR: We do have two Keaton houses. He was also the town attorney for many years, too, before he became active in politics at a national level.

MR. GORDON: That does not make a house historic.

MS. DREHER: Well, I put down, you know, that he was a senator. Well, I guess he was in the house, senator, ambassador, associate justice of the court of appeals.

MR. GORDON: Oh, no, your Federal Building downtown Rochester.

MS. DREHER: Isn't there a road?

MS. LANPHEAR: Keaton Boulevard.

MS. DREHER: Where my daughter's office is. Now, it's good to know that there are

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

other homes.

MR. BOEHNER: The red brick home on Elmwood.

MS. LANPHEAR: 3500 Elmwood is the other house.

CHAIRPERSON PAGE: A later house.

MR. BOEHNER: The later house.

MS. LANPHEAR: The grand house.

CHAIRPERSON PAGE: The more associated with him house.

MS. LANPHEAR: Yes.

CHAIRPERSON PAGE: Okay. Justin?

MR. DELVECCHIO: Yes, I think that better meets the criteria.

CHAIRPERSON PAGE: Okay.

MR. GORDON: So I'm going to retract my earlier -- yes, and for clarity of the record, I would like the Commission to vote on each of these properties and I do believe that Ramsey is right, the motion should be to remove the property from the list.

So here's my thinking. Our minutes of this meeting are public. And if I am a person who is reading the minutes and

1
2 listening or understanding what I think to be
3 the comments, and this is particularly I
4 think relevant for 3030 Brighton Henrietta
5 Town Line Road, I might be confused as to
6 whether the Commission thinks the property
7 was worthy of designation or not and might be
8 able to raise some sort of issue if the
9 minutes are silent on whether the Commission
10 took a vote to retain it on the list or not.

11 So I would like there to be a motion to
12 remove it. Just because you make the motion
13 doesn't mean you have to vote in favor of it.
14 Just because you second the motion, doesn't
15 mean you need to vote in favor of it.

16 MS. DREHER: That would be my point is
17 what if no one feels it should be removed and
18 so no one would like to make a motion.

19 MR. BOEHNER: Yes.

20 CHAIRPERSON PAGE: I think he's asking,
21 please make the motion.

22 MR. GORDON: I'm asking, somebody please
23 make a motion. I'm asking.

24 MS. DREHER: And if we vote against it,
25 that's okay.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. GORDON: Absolutely.

MS. DREHER: Clarity of the record.

MR. GORDON: It makes a clearer record.
And it makes it clear the intention of the
Commission.

CHAIRPERSON PAGE: That being said, then
let's go back to 3030 Brighton Henrietta Town
Line Road. If someone would be so kind as to
make the motion to consider removing it from
the list and someone second it?

MR. GOODMAN: I'll make the motion.

MS. ROBINSON: I'll second it.

CHAIRPERSON PAGE: Any further
discussion? Okay. We can . . .

MR. BOEHNER: Ms. Dreher?

MR. GORDON: A no vote is do not remove
it.

MR. BOEHNER: Yes.

MS. DREHER: Okay, no.

MS. ROBINSON: Can we state the motion
again?

MR. GORDON: The motion is to remove it
from the list.

MS. DREHER: No would be my vote.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. BOEHNER: Mr. Page?

CHAIRPERSON PAGE: Yes.

MS. ROBINSON: No -- sorry.

MR. BOEHNER: You're coming. Be
patient. Mr. Goodman?

MR. GOODMAN: No.

MR. BOEHNER: Mr. DelVecchio?

MR. DELVECCHIO: Yes.

MR. BOEHNER: Ms. Robinson?

MS. ROBINSON: No.

MR. GORDON: So by a vote of three to
two, the motion fails.

CHAIRPERSON PAGE: Okay. Is there any
more discussion on 868 Clover Street before
we motion that?

MS. ROBINSON: It was also stated it was
the first house on Clover Street. First
house on that extension of Clover Street ever
built. My thought was if there was someone
there now who is actually doing something to
the house, then again, we get a chance to
have something to say about it. I wondered
about the railing.

MS. DREHER: This is going to bug me now

1
2 because I didn't make any notes about work
3 being done and I made it of other hoses.
4 When did you see the work being done?

5 MS. ROBINSON: Last week sometime.

6 MS. DREHER: Okay.

7 MS. ROBINSON: When I saw the railing, I
8 just wondered if someone actually had a
9 reason to do that, going back in the historic
10 photos or something we didn't know and the
11 fact that they took the siding off the front
12 porch and I mean they were doing a really
13 great job. Somebody's actually putting
14 thought in and not putting a Home Depot porch
15 on it. Maybe something is going on.

16 CHAIRPERSON PAGE: Basically, is good
17 news all around.

18 MS. ROBINSON: Yes.

19 CHAIRPERSON PAGE: Okay. Would somebody
20 like to make the motion, please?

21 MR. DELVECCHIO: I'll move.

22 MR. BOEHNER: Thank you.

23 MR. GOODMAN: Second.

24 MR. GORDON: Again, is a motion to
25 remove.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. BOEHNER: Ms. Robinson?

MS. ROBINSON: I'll say no.

MR. BOEHNER: Mr. DelVecchio?

MR. DELVECCHIO: No.

MR. BOEHNER: Mr. Goodman?

MR. GOODMAN: No.

MR. BOEHNER: Mr. Page?

CHAIRPERSON PAGE: No.

MR. BOEHNER: Ms. Dreher?

MS. DREHER: No.

MR. BOEHNER: Motion to remove. No, no, no, to keep it on the list, I'm sorry.

MR. GORDON: The motion is defeated by a vote of five against. None in favor. So it will stay on the list.

Now, just to really sharpen our Robert Rules and Procedural pencils, before we take up the next property, we should have a motion and a second to consider removal of this from the list and then have a discussion about removing it from the list.

MR. BOEHNER: That's true.

MR. GORDON: I'm sorry, but as Town Attorney, that's my job.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHAIRPERSON PAGE: Okay. This is an instance we should make the motion and then talk and then vote. That's fine with me.

MR. GOODMAN: I'd like to make a motion to remove 2244 East Avenue from the list.

CHAIRPERSON PAGE: Someone second?

MS. ROBINSON: I'll second it.

CHAIRPERSON PAGE: Okay. Discussion? What are your thoughts?

MS. DREHER: Well, the Hershey addition in the fifties doesn't work with the rest of the building. And so I was looking at that as a negative. I know that Don Hershey was a known architect and we have good examples of his work in Brighton, but to me, that did not seem like a positive thing for this building.

MS. ROBINSON: You could find the Italian Renaissance if you look hard and you actually see it better from the back of the house.

MS. DREHER: I did drive around.

MS. ROBINSON: It looks from the back of the house, which you can see it if you look.

CHAIRPERSON PAGE: Wayne?

1
2 MR. GOODMAN: I guess I'm struggling
3 with the kind of level of alteration and how
4 impactful that would be on this. I do think
5 it's been altered significantly.

6 CHAIRPERSON PAGE: Justin?

7 MR. DELVECCHIO: I agree.

8 CHAIRPERSON PAGE: Again, I think the
9 house is pleasant, but it doesn't -- we've
10 better examples I believe that we haven't
11 designated yet that I would be more
12 interested in. Any more discussion? Ramsey?

13 MR. BOEHNER: Mr. Page?

14 CHAIRPERSON PAGE: Yes.

15 MR. BOEHNER: Mr. DelVecchio.

16 MR. DELVECCHIO: Yes.

17 MR. BOEHNER: Mr. Goodman?

18 MR. GOODMAN: Yes.

19 MR. BOEHNER: Ms. Robinson?

20 MS. ROBINSON: Yes.

21 MR. BOEHNER: Ms. Dreher?

22 MS. DREHER: Yes.

23 MR. BOEHNER: Motion passes to remove it
24 from the list.

25 CHAIRPERSON PAGE: Can we have a motion

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

on 394 Edgewood Avenue, please?

MS. DREHER: I will move to remove 294 Edgewood from the list of surveyed properties.

MR. GOODMAN: I'll second.

CHAIRPERSON PAGE: Okay. Discussion?

MS. ROBINSON: I'll open up by having to say that this is a biggie for me. I feel so badly that we missed it by a matter of days. When I went to work that day and saw the windows out by the tree, I flipped, but that's not to say that there are other things that cannot be harmed on that house. I know they trashed the windows. I'm thinking -- well, there's two things. One is because I have to look at it everyday. There would be nothing stopping them from deciding this gingerbread Queen Ann porch addition was just too much. Too much to fix that thing. I wouldn't want to do it. There's nothing to stop anybody from designing that. It would just be too much trouble and let's just, you know, change it. So I don't think they could do much else to the rest of the house that

1
2 they've already done.

3 The other thing is that I've got the
4 whole abstract here from our house and these
5 two families were very intertwined from 1814
6 when they bought the first part. They have
7 depositions from the guy who lived there for
8 eight years with his cousin. I can't even
9 keep it all straight. I went through it.

10 Mary Jo knows about it, but the families
11 were original and they were the only two
12 families that lived there right to way, way
13 to the fifties, sixties. Luther Hill was the
14 last one. The one guy that they had a
15 deposition from says, you know, I remember I
16 moved there when I was four years old. I
17 lived there for eight years. They go back
18 and forth, back and forth. So the family and
19 the farming history that they were -- I know
20 the guy who bought our house. That's where
21 the 1850 comes from. And if you figure out
22 the age of his children, one was 20 something
23 and one was like a teenager, two boys. I
24 figured that's where the 1815 comes -- you
25 know, it's not on the map. It's on the map.

1
2 It's not on the map.

3 So they also built that house. So I
4 think there's a lot of that kind of family
5 history. They weren't famous people, but
6 they were there for a long time. And I
7 wouldn't like to see anything else happen to
8 it.

9 MS. LANPHEAR: The people that owned the
10 house contacted me last year and wanted it to
11 be designated.

12 MS. ROBINSON: She's not the greatest --
13 she didn't do the damage.

14 MS. LANPHEAR: She didn't?

15 MS. ROBINSON: The people who were
16 there, they really did a good job inside, but
17 then they -- a year later, they trashed it.
18 She's been there for a few years. I think
19 she had some problems. Maybe she was going
20 to lose the house or something. So maybe she
21 thought they were going to help her. They're
22 not the tidiest homeowners. I don't know --
23 I don't know what happened, but the only
24 thing they've got left to trash is the porch.

25 MS. DREHER: It looked to me like when I

1
2 went by just a few days ago that there was a
3 dumpster. They were doing some kind of
4 something there.

5 MS. ROBINSON: I think she's just got a
6 contractor or boyfriend or something. They
7 always have . . .

8 MS. DREHER: Yeah.

9 MS. ROBINSON: They always have trucks
10 and stuff.

11 MS. DREHER: Okay.

12 MS. ROBINSON: That's what I know about
13 the situation.

14 MR. GORDON: And when you say trash the
15 windows, what do you mean by that?

16 CHAIRPERSON PAGE: Replace.

17 MS. ROBINSON: They replaced them.

18 MR. GORDON: They replaced them.

19 MR. DELVECCHIO: They were appropriate?

20 MS. ROBINSON: Here's the thing. I told
21 Mary Jo the story. So I get up and go to
22 work. On the tree, stacked up behind -- on
23 the tree are all the windows. All the double
24 hung 6 over 6 windows stacked up by the tree
25 and I'm going to work. I'm going like -- I

1
2 call Jonathan, who worked all night. I said,
3 Jonathan, go out and get those windows and he
4 didn't. He snoozed. I came home and he had
5 salvaged the one. He had salvaged one
6 window, one of the diamond pane windows, but
7 they took all the double hung windows. I
8 wanted those windows. If nothing, I'll take
9 the windows and give them back to the people
10 and put them back. That's my little window
11 story.

12 MR. GORDON: So they replaced 6 over 6
13 pane double hung windows with something more
14 modern and inappropriate for that historic
15 character of the house.

16 MS. ROBINSON: And the unfortunate thing
17 was, that night when we were supposed to vote
18 on it, it was like they did it like two or
19 three days before we were going to.

20 MS. DREHER: I thought you were talking
21 about they did it like a couple days before
22 now.

23 MS. ROBINSON: It was two or three days
24 before we were going to designate it.

25 MS. DREHER: The first time.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MS. ROBINSON: The first time.

MS. DREHER: Mary Jo, the age of this house, is this one of the oldest?

MS. LANPHEAR: It's not the oldest. It's one of the oldest. It's not the oldest on Edgewood Avenue. It's old. Is it the Gladys Louis house?

MS. DREHER: The Gladys Louis.

MS. LANPHEAR: And Gladys Louis was very helpful. She was still alive when Arlene Wright was doing the history of Edgewood Avenue. She contributed a lot of information to Arlene about the rest of the places on Edgewood Avenue.

MS. ROBINSON: So that's the one that got away.

MR. GORDON: Diane, did I hear you correctly, you said that the property had been up for designation?

MS. ROBINSON: Yes.

MR. GORDON: They hadn't sent a letter or a hearing had been set?

MS. ROBINSON: I don't know. We were either going to send them the letter or maybe

1
2 you were going to send them the letter and
3 Jerry said, has anybody driven by? They
4 changed the windows and they ripped out the
5 shrubs. I guess maybe we were just going to
6 send them a letter. I don't really remember.

7 MR. GORDON: Okay. The reason I ask is
8 because there is a fairly large consequence
9 if they had received a letter for the
10 initial . . .

11 MS. ROBINSON: No, they didn't
12 do anything. So it must have been we were
13 getting ready to send them a letter.

14 MS. LANPHEAR: Yes.

15 MR. GOODMAN: This is the house -- the
16 house is covered with that siding, correct, I
17 mean there's vinyl siding?

18 MR. BOEHNER: Oh, I do remember, yes,
19 yes, because there was the issue to be
20 considered for designation because of the
21 vinyl siding.

22 MR. GOODMAN: Right.

23 MR. BOEHNER: I do remember.

24 CHAIRPERSON PAGE: In part --

25 MR. BOEHNER: Which is what I remember

1
2 the discussion being is because it wasn't
3 worthy because of the vinyl siding.

4 CHAIRPERSON PAGE: I think it has very
5 interesting social history. There's no
6 question about it. It's not a highly
7 distinguished house and it has been not
8 particularly well maintained over time. And
9 it is one of the houses like, for instance,
10 that we passed on when we were at one point
11 thinking about it.

12 MS. LANPHEAR: You did.

13 CHAIRPERSON PAGE: That's why it was
14 identified . . .

15 MS. ROBINSON: That particular meeting
16 where we were just going to send the letter.

17 MR. BOEHNER: I think it was being
18 discussed.

19 MS. ROBINSON: I do remember. It was a
20 big shock to me.

21 MR. BOEHNER: This is going back quite a
22 ways. I don't think we came that close to
23 sending a letter. We just went to say, hey,
24 go by and look at it. There was discussion.
25 What I was remembering the issue being is

1
2 that it had vinyl siding on it and that the
3 group wasn't real big on the vinyl siding.
4 That's what I remember.

5 MS. ROBINSON: My recollection is it was
6 so kind of stuck up and Jerry was sitting
7 here and it was like, we were about to do
8 something. And it was like, have you guys
9 seen it? And everybody was like, yeah, okay,
10 like, you know, we're going to do something.
11 I guess we'll send a letter. And he said,
12 have you seen it? And everybody was blank,
13 but have you seen it like yesterday?
14 Because it was so recent that they had done
15 this. That's how I was shocked into
16 remembering that.

17 MS. DREHER: I feel we have several
18 properties on the list that have vinyl
19 siding, vinyl siding and all windows being
20 replaced.

21 MS. LANPHEAR: On Edgewood Avenue is one
22 of the first designations, the Abby House.

23 MR. BOEHNER: And that was somewhat
24 controversial about the vinyl siding. Yes,
25 that was kind of a divisive discussion, if I

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

remember right, because of the vinyl siding.

MS. DREHER: I saw like in the rating system how that effected the rating, but then in combination with windows that were replacing. I could understand how that was -- the letter didn't go out before.

MS. ROBINSON: It's so confusing to me. Was someone in Gladys's family, the Evans people, too?

MS. LANPHEAR: Yes, Joseph Evans and Ann Evans.

CHAIRPERSON PAGE: Other discussion? Ramsey?

MR. BOEHNER: Mr. DelVecchio?

MR. DELVECCHIO: Yes.

MR. BOEHNER: Mr. Goodman?

MR. GOODMAN: Yes.

MR. BOEHNER: Ms. Robinson?

MS. ROBINSON: What we voting on?

MR. GOODMAN: Yes, is to remove.

MS. ROBINSON: Yes -- no.

MR. BOEHNER: Your vote is no. Mr. Page?

CHAIRPERSON PAGE: Yes.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. BOEHNER: Ms. Dreher?

MS. DREHER: Yes.

MR. BOEHNER: Motion passes.

MS. ROBINSON: It's confusing.

CHAIRPERSON PAGE: So what we did last time was we chose the first four of the 12 that were on the list. So if we follow that pattern, we would pick the next four for next month when we'll be here.

MR. BOEHNER: We have 3541 Elmwood Avenue.

MS. DREHER: That's been designated. I have that crossed off the list as designated.

MS. LANPHEAR: Right.

MS. DREHER: Just recently.

MS. LANPHEAR: Right.

MR. BOEHNER: That's why I have it circled. I'm sorry. I'm going from my notes from last meeting.

CHAIRPERSON PAGE: 66 Glenn Road.

MR. BOEHNER: 66 Glenn Road, I stand corrected. 1941 Monroe Avenue, 2113 Monroe Avenue. Should we do 2341 Monroe Avenue?

MR. GORDON: 2349.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. BOEHNER: 49.

MR. GOODMAN: Monroe Avenue, right?

MR. BOEHNER: 2349 Monroe Avenue.

MS. LANPHEAR: That's the old Cherry
House. 1941 is the plaza.

MR. DELVECCHIO: 1940 is . .

MS. LANPHEAR: What's 1941?

MS. ROBINSON: It's Twelve Corners
Plaza.

MS. DREHER: I looked at that and got
coffee at Star Bucks. I had to go look at
it.

MS. LANPHEAR: It works.

MR. DELVECCHIO: Try the breakfast
sandwiches.

MR. BOEHNER: So everyone has the
surveys to look at those four properties for
next month's meeting.

CHAIRMAN PAGE: Now, as a corollary, if
everybody could be looking at these
properties and starting the process of
evaluating them and ranking them for cueing
up . . .

MR. GORDON: For designation.

1
2 CHAIRPERSON PAGE: -- For designation
3 or for not. But I would think it would be
4 good if we could cue some up so that we can
5 try to have something to start the process on
6 all the time. And as it is now, everything
7 that we've got is virtually going to have to
8 get updated. So is that correct? It's on
9 the list here and if it's old, we have to ...

10 MR. BOEHNER: Most likely, I would say.
11 Have to look at the survey, but that has
12 been . . .

13 MR. GORDON: Didn't you select
14 properties that have updated?

15 CHAIRPERSON PAGE: Yes, yes.

16 MR. GORDON: Oh, okay.

17 MR. BOEHNER: Yes, we have two in the
18 hopper. That this was given to me.

19 CHAIRPERSON PAGE: I think it would be
20 nice if we could have some -- the way things
21 go, I'm thinking the best we could do is six
22 a year. And what I think is actually
23 happening is more like four because of timing
24 and people asking for an extension and having
25 to update.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. BOEHNER: And that is about right.

MS. DREHER: We need the surveys of the first couple on the list. I think I had made a line under 1415 Crittenden. So I think we were thinking we'd look at those. Is that what you're talking about?

CHAIRPERSON PAGE: We authorized the 3265 East and 3365 Elmwood, were those the two that . . .

MR. BOEHNER: 30 Stoneham and 3225 East Avenue.

MS. DREHER: I thought we were going to look at the surveys of the first five after Clover. I had drawn a line under that and those were going to look at the surveys and rank them. Not that we weren't considering them coming off the list.

CHAIRPERSON PAGE: No, no, no, right, yes.

MS. DREHER: Right, so that was what you're saying is get started on that?

CHAIRPERSON PAGE: Yes.

MS. DREHER: And I think that probably depends whether the Town staff can pull the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

surveys for us.

MR. BOEHNER: Yes, if I could, off the record.

(Discussion off the record.)

CHAIRPERSON PAGE: Okay. Just to wrap up, no old business, no presentation, no announcements. Anything else to discuss?

Motion to adjourn.

MR. DELVECCHIO: I move.

MR. GOODMAN: Second.

CHAIRPERSON PAGE: All in favor?

ALL COUNCIL MEMBERS: Aye.

(Proceedings concluded.)

C E R T I F I C A T E

I, DOREEN M. SHARICK, do hereby certify that I have reported in stenotype shorthand the proceedings of the Brighton Historic Preservation Commission, reported at 2300 Elmwood Avenue, Rochester, New York, on March 28, 2019.

That the transcript herewith is a true, accurate and complete record of my stenotype notes.

-----*Doreen M. Sharick*-----

Doreen M. Sharick,

Notary Public.