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3 PROCEEDINGS HELD BEFORE THE BRIGHTON HISTORIC
4 PRESERVATION COMMISSION AT 2300 ELMWOOD AVENUE,
5 ROCHESTER, NEW YORK, ON MAY 23RD, 2019, AT
6 APPROXIMATELY 7:15 P.M.

7

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May 23rd, 2019
Brighton Town Hall
2300 Elmwood Avenue
Rochester, New York 14618

10

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PRESENT:

12

GERALD LUDWIG, CHAIRPERSON
WAYNE GOODMAN
JOHN PAGE
DIANA ROBINSON
DAVID WHITAKER

14

15

NOT PRESENT:
JUSTIN DELVECCHIO
AMANDA DREHER

16

17

MARY JO LANPHEAR
Town Historian

18

19

KENNETH GORDON, ESQ.,
Town Attorney

20

21

RAMSEY A. BOEHNER
Town Planner

22

23

24

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

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2 CHAIRPERSON LUDWIG: Mr. Boehner,
3 would you take the role, please?

4 MR. BOEHNER: Member Ludwig?

5 CHAIRPERSON LUDWIG: Here.

6 MR. BOEHNER: Robinson?

7 MS. ROBINSON: Here.

8 MR. BOEHNER: Goodman?

9 MR. GOODMAN: Here.

10 MR. BOEHNER: Whitaker?

11 MR. WHITAKER: Here.

12 MR. BOEHNER: Page?

13 MR. PAGE: Here.

14 MR. BOEHNER: Absent is Delvecchio and
15 Dreher.

16 CHAIRPERSON LUDWIG: Thank you all for
17 coming. May I have a motion to approve the
18 agenda, please?

19 MR. WHITAKER: So moved.

20 MR. PAGE: I will second.

21 CHAIRPERSON LUDWIG: All in favor?

22 ALL COUNCIL MEMBERS: Aye.

23 CHAIRPERSON LUDWIG: Did we have the
24 minutes from the . . .

25 MR. BOEHNER: Yes, they were emailed

2 out.

3 MS. ROBINSON: I didn't see any.

4 CHAIRPERSON LUDWIG: I don't think I
5 was here in March anyway so.

6 MS. ROBINSON: No.

7 MR. BOEHNER: Maybe they weren't sent
8 out.

9 CHAIRPERSON LUDWIG: Did anyone read
10 the minutes?

11 MS. ROBINSON: I don't think there
12 were any meetings minutes. I don't know.

13 MR. PAGE: Unless they came. . .

14 MR. BOEHNER: I have some. I don't
15 know why -- obviously, if you haven't read
16 them, we can't do that.

17 MR. GORDON: We can put that off.

18 MS. LANPHEAR: We didn't get them.

19 MR. BOEHNER: I'm sorry. What's that?

20 MS. LANPHEAR: They were mailed out?

21 MR. BOEHNER: We'll do them next
22 month.

23 CHAIRPERSON LUDWIG: Would you mind
24 sending them out again?

25 MR. BOEHNER: The minutes are going to

2 be done at the June meeting. The March 28,
3 2019, minutes will be done at the June
4 meeting.

5 CHAIRPERSON LUDWIG: Okay. So we'll
6 wait on the minutes.

7 Was this meeting duly advertise?

8 MR. BOEHNER: Yes, it was properly
9 advertised in the Brighton Pittsford Post of
10 May 9th, 2019.

11 CHAIRPERSON LUDWIG: Well, that
12 meeting was duly advertised, will now be
13 held. We had no communications, no
14 designation of landmarks.

15 We do have a Certificate of
16 appropriateness. 5H-01-19, Bruce and
17 Marianne Williamson, owners of property at
18 474 French Road, Tax Number 150.14-1-3. For
19 Certificate of Appropriateness to install an
20 87 foot wall. No, it's not a wall. Okay.
21 Never mind. 48 foot black aluminum fence.

22 MR. WILLIAMSON: There is an
23 unflattering association that goes along
24 with that tall wall, Mr. Chairman; but thank
25 you very much. I appreciate you . . .

2 CHAIRPERSON LUDWIG: Just for the
3 record, state your name?

4 MR. WILLIAMSON: I'm sorry. Bruce
5 Williamson. And I also want to state for
6 the record that, unfortunately, I don't have
7 the form because I lost it, but I want to
8 certify that I posted the sign that was
9 given to me when I filed the application. I
10 posted it the 21st of April. It's been on a
11 tree along French and Edgewood ever since as
12 far as I can tell.

13 And I don't know how much you folks
14 went me to talk about this. If you had a
15 chance to read what's in the materials, it's
16 fairly simple. This is motivated as so much
17 doing with my money the past year has been
18 two rescue dogs that we got, two hound dogs,
19 and they are wonderful little boys and very
20 active, but they're dogs. And when they
21 run, they tend to tear up the yard.

22 So what we're wanting to do is to have
23 a dog side of the yard and human being side
24 of the yard. The human being side of the
25 yard being one as you face out the older

2 extension. It's not originally part of the
3 landmark there's a sliding door that's the
4 rear right basically of the house. And the
5 fence would run essentially from just the
6 left of that door so the dogs would go out
7 the door to their side of the yard through a
8 gate, we hope, just down the steps to the
9 other side of the yard, which includes the
10 path to the pool, which is at the rear of
11 the property.

12 The materials would match the 72 inch
13 tall fence that was approved back in 2013, I
14 think it was, when we first bought the
15 place. And it's a plain aluminum black
16 fence, smooth top. The illustrations are in
17 there. They show the existing fence and
18 then there are diagrams from the fence
19 company that show that the new fence would
20 look just like that, except this would be 48
21 inches tall. We don't need something very
22 tall. This would be the same height as the
23 part of the pool fence that faces the
24 interior of the yard. There's a taller pool
25 fence on the rear perimeter. So we ask for

2 a certificate so that we can put that fence
3 up and make the dogs happy and make our
4 visitors happier.

5 CHAIRPERSON LUDWIG: Any questions?

6 MR. PAGE: Thank you for the good
7 information.

8 CHAIRPERSON LUDWIG: Good
9 presentation.

10 MR. PAGE: The packet of information,
11 it helps here. I don't have any questions.

12 CHAIRPERSON LUDWIG: Anyone else have
13 any questions?

14 MR. WHITAKER: No.

15 CHAIRPERSON LUDWIG: David, are you
16 all set?

17 MR. WHITAKER: I'm fine.

18 CHAIRPERSON LUDWIG: Okay. The public
19 hearing is closed. May I have a motion to
20 approve the application?

21 MR. GORDON: Certainly. I would
22 propose the following resolution be adopted
23 by the Board:

24 Whereas, Application Number 5H-01-19
25 has been submitted for a Certificate of

25 And whereas, the Historic Preservation

2 Commission hereby determines pursuant to the
3 factors set forth in Section 224-5 of the
4 Town Code, that the proposed above-described
5 work of the subject property is consistent
6 with the purposes of the Town's Historic
7 Preservation Law and compatible with the
8 property's historic character based upon its
9 review of the Application and documents on
10 file and received at the public hearing and
11 the testimony presented at the public
12 hearing.

13 It is hereby resolved that the Historic
14 Preservation Commission hereby receives and
15 files the above-described application and
16 all of the attachments thereto.

17 And it is further resolved that the
18 Historic Preservation Commission hereby
19 approves Application Number 5H-01-19 for a
20 Certificate of Appropriateness for the
21 above-described work to be performed at the
22 property located at 484 French Road.

23 Subject to the condition that the
24 above-described work be completed within one
25 year from the day of approval. And that the

2 materials used in the project are consistent
3 with those materials described in the
4 Application.

5 And be it further resolved that
6 pursuant to Chapter 224 of the Town Code,
7 the above-described work qualifies for the
8 exemptions set forth in New York Real
9 Property Tax Law Section 444-A.

10 CHAIRPERSON LUDWIG: Would someone
11 like to present the motion, please?

12 MR. GOODMAN: I'll make the motion.

13 MS. ROBINSON: Second.

14 CHAIRPERSON LUDWIG: Second. Any
15 discussion? All in favor?

16 ALL COUNCIL MEMBERS: Aye.

17 CHAIRPERSON LUDWIG: Ramsey, do you
18 want to call the vote?

19 MR. BOEHNER: Yes, I think I would.
20 Member Ludwig?

21 CHAIRPERSON LUDWIG: Yes.

22 MR. BOEHNER: Robinson?

23 MS. ROBINSON: Yes.

24 MR. BOEHNER: Goodman?

25 MR. GOODMAN: Yes.

2 MR. BOEHNER: Whitaker?

3 MR. WHITAKER: Yes.

4 MR. BOEHNER: Page?

5 MR. PAGE: Yes.

6 MR. BOEHNER: Motion passes.

7 MR. WILLIAMSON: Thank you very much.

8 If I may, a piece of local news we found out
9 half an hour ago, if anybody likes Asian
10 Noodle down the way, the last chance you can
11 eat there is Saturday.

12 MS. ROBINSON: No.

13 MS. WILLIAMSON: The owner told us
14 that today they're closing on Saturday.

15 CHAIRPERSON LUDWIG: Oh, really, okay.

16 MR. WILLIAMSON: If you like the food,
17 now is the chance.

18 MS. ROBINSON: Thank you.

19 MR. WILLIAMSON: Thank you all very
20 much.

21 CHAIRPERSON LUDWIG: Thank you.

22 MR. WILLIAMSON: Mr. Chairman, thank
23 you very much.

24 CHAIRPERSON LUDWIG: You're welcome.

25 MR. WILLIAMSON: Thank you very much.

2 (Mr. Williamson exited.)

3 CHAIRPERSON LUDWIG: Okay. Folks, we
4 have no hardship applications. The public
5 hearings are closed.

6 New business. Updated survey.

7 MR. BOEHNER: We have two updated
8 surveys we sent out to everyone for your
9 review. I think the next step is to
10 determine if you like to proceed with the
11 designation process. And that would be to
12 send out a letter to the property owners,
13 notifying their interest for the property
14 being considered as a landmark and giving
15 them the opportunity to meet with Mary Jo
16 and myself.

17 CHAIRPERSON LUDWIG: Okay. Two houses
18 are the international style house on
19 Stoneham Road, 30 Stoneham Road.

20 MR. PAGE: 355 East Avenue has been a
21 corn field.

22 CHAIRPERSON LUDWIG: House of
23 Ferdinand Chase. So where do you want to
24 start?

25 MR. BOEHNER: We can do it one by one.

2 For the stenographer, if we can have one
3 person speak at a time.

4 CHAIRPERSON LUDWIG: I might suggest
5 we start with Stoneham Road. We haven't had
6 anything in that neighborhood. And
7 Ferdinand Chase's house hasn't changed in
8 quite a while. So that might be a good
9 place to start.

10 MR. PAGE: I'm in favor of that.

11 MR. BOEHNER: I don't know. If we
12 could, just pause for a second.

13 MR. GORDON: Would you like a formal
14 resolution?

15 CHAIRPERSON LUDWIG: I would love one.

16 MR. GORDON: I propose the following
17 resolution: It is hereby resolved that
18 pursuant to Section 224-3 of the Brighton
19 Comprehensive Development Regulations, the
20 Historic Preservation Commission directs the
21 Secretary of the Commission to contact in
22 writing the owner of 30 Stoneham Road for
23 the purpose of informally notifying such
24 owner of the proposed designation of 30
25 Stoneham Road under Chapter 224 of the

2 Brighton Comprehensive Development
3 Regulations and providing such owner a copy
4 of Chapter 224 and further advising such
5 owner of the opportunity for an
6 informational meeting with the Commissioner
7 of Public Works or his designee and the Town
8 Historian concerning the proposed
9 designation.

10 CHAIRPERSON LUDWIG: Okay.

11 MR. PAGE: I'll make that motion.

12 CHAIRPERSON LUDWIG: Second, please?

13 MR. WHITAKER: Second.

14 CHAIRPERSON LUDWIG: David seconds.

15 Any discussion?

16 MR. GORDON: So just to echo Ramsey's
17 point, your preference is to move on 30
18 Stoneham before the other property, which is
19 3225 East Avenue?

20 CHAIRPERSON LUDWIG: That's correct.

21 So this is a motion to send a letter. And
22 Ramsey, we have a motion. We have a second.

23 MR. BOEHNER: Member Ludwig?

24 CHAIRPERSON LUDWIG: Yes.

25 MR. BOEHNER: Robinson?

2 MS. ROBINSON: Yes.

3 MR. BOEHNER: Goodman?

4 MR. GOODMAN: Yes.

5 MR. BOEHNER: Whitaker?

6 MR. WHITAKER: Yes.

7 MR. BOEHNER: Page?

8 MR. PAGE: Yes.

9 MR. BOEHNER: Motion passes.

10 CHAIRPERSON LUDWIG: Great. Thank you
11 very much. Any other new business? I have
12 a few things I'd like to . . .

13 MR. BOEHNER: We will . . .

14 MR. GORDON: We do have a . . .

15 MR. BOEHNER: We will do 3225 East
16 Avenue at a future meeting for
17 consideration.

18 MR. WHITAKER: I thought we had some
19 other properties.

20 CHAIRPERSON LUDWIG: David, on the
21 back under . . .

22 MR. GORDON: Continuation.

23 CHAIRPERSON LUDWIG: Amendment to
24 adopt a list of certain properties that have
25 not been designated, we decided to pass I

2 believe on all the above . . .

3 MS. ROBINSON: Ahuh.

4 CHAIRPERSON LUDWIG: Glenn Road.

5 MR. PAGE: Yup.

6 CHAIRPERSON LUDWIG: Monroe Avenue,
7 all of the rest are on Monroe Avenue, yes.
8 So does that mean we should take those off
9 the list? I mean take them off the list or
10 keep them on the list or . . .

11 MR. PAGE: Take them off the list.

12 MS. ROBINSON: This happened last
13 month.

14 MR. PAGE: It was at least two months
15 ago.

16 MR. GOODMAN: We had a discussion a
17 couple months ago.

18 CHAIRPERSON LUDWIG: Basically, we are
19 trying to call out the ones that we don't
20 feel warrant designation.

21 MR. BOEHNER: I'm going to say on the
22 agenda on the back side we have -- at this
23 meeting we were going to look at 66 Glenn
24 Road, 1940 Monroe Avenue, 2130 Monroe
25 Avenue, 2349. We do have an updated list

2 from the last time.

3 CHAIRPERSON LUDWIG: So is there any
4 reason why these should remain on the list I
5 guess is my question?

6 MR. BOEHNER: It would be helpful if
7 one person talks at a time. So do property
8 by property just to help the stenographer.

9 MR. GORDON: If I may, just introduce
10 the subject and where we are, so you will
11 recall from our last discussion about
12 removing properties, what that import is,
13 and that is that when a property is on the
14 list, it is on the list because there is
15 some possible intention of this Board to
16 designate it as a landmark.

17 And because of that, if there is going
18 to be demolition of any portion of the
19 exterior wall, then that property will come
20 before this Board to determine if it wishes
21 to proceed with designation or it has no
22 problem with the demolition as proposed.

23 If a property is not on the list, then
24 when a demolition application comes in, it
25 only comes before this Board if more than

2 fifty percent of the property of the
3 exterior walls of the property is proposed
4 to be demolished. That's the difference.

5 MR. PAGE: Plus not leaving properties
6 hanging.

7 MR. GOODMAN: If I could, the last
8 meeting I attended, I think it was two
9 months ago, I think the discussion was that
10 the intent of that list, at least reflects
11 in the Town Code of Brighton, is it's not
12 meant to be a permanent fixture, right?
13 It's meant almost an on-deck, these
14 properties that as it's designed, these are
15 properties that have a likelihood or an
16 intent to move forward with designation.

17 CHAIRPERSON LUDWIG: Well, these are
18 properties that were originally surveyed in
19 '95, '96. So the question is, I think we
20 have talked about them before. We passed
21 over them before. Do we keep them on the
22 list or keep passing over them, or do we
23 just take them off the list? I think that's
24 the . . .

25 MR. GORDON: Right. To put a finer

2 point on what Wayne said, if you have no
3 serious intention of designating a property
4 as a landmark, it should come off the list.

5 CHAIRPERSON LUDWIG: Okay. Should we
6 take them one by one? Glenn Road.

7 MS. LANPHEAR: That's the Walter Hagen
8 house.

9 CHAIRPERSON LUDWIG: I think that
10 property might deserve some type of marker,
11 but I don't think it deserves designation.
12 And I think that's the conclusion that we
13 all came to. All right. So it would be
14 okay to remove that?

15 MR. BOEHNER: Yes, but we do need . . .
16 Mr. Gordon waits. We need to do it by
17 motion.

18 CHAIRPERSON LUDWIG: Okay. Do you
19 want to do them as a group or do it
20 individually?

21 MR. GORDON: I think the record would
22 be clearer if we do it individually.

23 MR. BOEHNER: If we do it one by one.

24 CHAIRPERSON LUDWIG: All right. May I
25 have a motion to remove 66 Glenn Road from

2 the . . .

3 MR. BOEHNER: From the adopted list of
4 surveyed properties that have not been
5 designated.

6 CHAIRPERSON LUDWIG: Yes, couldn't
7 have said it better.

8 MR. PAGE: I will make that motion.

9 CHAIRPERSON LUDWIG: Second, please?

10 MR. GOODMAN: I'll second.

11 CHAIRPERSON LUDWIG: Ramsey, you want
12 to call the vote?

13 MR. BOEHNER: Member Ludwig?

14 CHAIRPERSON LUDWIG: Yes.

15 MR. BOEHNER: Robinson?

16 MS. ROBINSON: Yes.

17 MR. BOEHNER: Goodman?

18 MR. GOODMAN: Yes.

19 MR. BOEHNER: Whitaker?

20 MR. WHITAKER: Yes.

21 MR. BOEHNER: Page?

22 MR. PAGE: Yes.

23 MR. BOEHNER: It's removed from the
24 list. Motion passes.

25 CHAIRPERSON LUDWIG: 1940 Monroe

2 Avenue, 12 Corners Plaza. This was one that
3 I was kind of wishy washy on. It's been
4 there forever. It's kind of unique. It's
5 been changed a lot. If they tore it down
6 tomorrow, would it be the end of the world?
7 Well, probably not.

8 MS. LANPHEAR: According to the
9 description that read this past week, the
10 original building designed by Spurs Barrows
11 was clad in white tile. Very unusual for
12 his time.

13 CHAIRPERSON LUDWIG: That's correct.

14 MR. PAGE: It's got a great social
15 history.

16 MS. LANPHEAR: It does.

17 MR. PAGE: It doesn't seem like the
18 spot, as a social spot, is in danger to me.
19 That's what I'm thinking. It's been a
20 plaza. It's been rehabbed as a plaza two or
21 three times since the beginning. And it
22 seems like it's relatively successful.

23 CHAIRPERSON LUDWIG: We have had
24 people come, that were redoing the bank, to
25 us because it was on the list as a courtesy

2 to -- I'd say maybe we're not going to
3 designate right away, but I just assume have
4 it on the list just in case. Because what
5 would the students of Brighton High School
6 do if that wasn't there. They'd all starve
7 to death.

8 MS. ROBINSON: As our counsel
9 explained, it gives us an insurance policy
10 if anything.

11 CHAIRPERSON LUDWIG: Okay.

12 MR. PAGE: I listed myself as on the
13 fence even though I brought it up. So I'm
14 going to say it reaches the preponderance of
15 social importance as sufficient to consider.

16 CHAIRPERSON LUDWIG: Even though
17 Montana Mills left.

18 MR. GORDON: Great Harvest Bread.

19 MR. PAGE: Everything has left and now,
20 Wegman's.

21 CHAIRPERSON LUDWIG: So do we need a
22 motion to keep it on the list or we just
23 pass over it and move on to the next one?

24 MR. BOEHNER: Oh, we do. It's on the
25 list.

2 MR. GORDON: I would like the Chairman
3 to acknowledge that no action is needed with
4 respect to 1940 Monroe Avenue because the
5 sense of the Board is that it should remain
6 on the list of surveyed properties that have
7 not been designated.

8 CHAIRPERSON LUDWIG: Again, no action
9 is needed. I think it should remain on the
10 board of surveyed properties.

11 2313 Monroe Avenue, frame house.

12 MR. BOEHNER: 2113.

13 CHAIRPERSON LUDWIG: 2113. It doesn't
14 ring a bell. Probably because I . . .

15 MS. LANPHEAR: It's a rather plain
16 front with a front gable when you're facing
17 the street, fairly close to the road.

18 MS. ROBINSON: With tall windows in
19 the front.

20 CHAIRPERSON LUDWIG: Where is it?

21 MS. ROBINSON: Across from the plaza.

22 MS. LANPHEAR: It's down a little bit
23 -- it's a medical building.

24 MS. ROBINSON: Next to the dry
25 cleaners.

2 MS. LANPHEAR: Yeah, dry cleaners.

3 CHAIRPERSON LUDWIG: Okay. I know.

4 It's the one with the windows that are
5 boarded up.

6 MS. ROBINSON: No.

7 MS. LANPHEAR: No, it shouldn't be
8 boarded up.

9 CHAIRPERSON LUDWIG: There is one that
10 -- a frame house right next to where the dry
11 cleaner is, across from CVS. It has the
12 windows boarded up.

13 MS. LANPHEAR: I don't think so.

14 MR. BOEHNER: Which dry cleaner?

15 CHAIRPERSON LUDWIG: Carriage House.
16 Right across from CVS. And there is a house
17 there.

18 MR. BOEHNER: It is boarded up. It's
19 been boarded up for years. It had a fire
20 long time ago.

21 CHAIRPERSON LUDWIG: I thought it was
22 something to do with the pollution.

23 MR. BOEHNER: No.

24 MR. PAGE: This is a property that
25 has, if Monroe had not been developed as it

2 has been developed, and if it hadn't been
3 completely engulfed and expanded and re-done
4 many, many times, would be significant for
5 its age and for the type of building that it
6 was, but I don't think it retains, you know,
7 much integrity for context.

8 MR. GOODMAN: I would agree with that,
9 too.

10 CHAIRPERSON LUDWIG: So should we have
11 a motion to remove it from the designated
12 list?

13 MR. WHITAKER: Yes.

14 CHAIRPERSON LUDWIG: David, you make a
15 motion. A second?

16 MR. PAGE: I will second.

17 CHAIRPERSON LUDWIG: Thank you.
18 Ramsey?

19 MR. BOEHNER: Member Ludwig?

20 CHAIRPERSON LUDWIG: Yes, take it
21 off.

22 MR. BOEHNER: Robinson?

23 MS. ROBINSON: Yes.

24 MR. BOEHNER: Goodman?

25 MR. GOODMAN: Yes.

2 MR. BOEHNER: Whitaker?

3 MR. WHITAKER: Yes.

4 MR. BOEHNER: Page?

5 MR. PAGE: Yes.

6 MR. BOEHNER: It's removed from the
7 list.

8 CHAIRPERSON LUDWIG: Okay. Next we
9 have the Cherry House.

10 MR. GORDON: That address is 2349
11 Monroe Avenue.

12 CHAIRPERSON LUDWIG: Yes. Which if
13 you look really closely, you might see
14 something that looks like a house there.

15 MS. LANPHEAR: It's so sad.

16 MR. PAGE: I have the plaques there.
17 I mean it's got this eccentric collection
18 of . . .

19 MS. LANPHEAR: Stuff.

20 MR. PAGE: Interesting social and
21 varied some architectural significance.

22 MS. LANPHEAR: It was a toll road and
23 they collected tolls at the Cherry House.
24 It was the Rolands, who were pioneers. Five
25 brothers that came to town. It's one of

2 their houses. We have other Roland houses
3 in town.

4 CHAIRPERSON LUDWIG: So where do we
5 stand on that?

6 MS. ROBINSON: I would have the same
7 comment as the first, that we get some
8 insurance policy on any future modeling and
9 when I look at the building, I didn't even
10 live in Brighton then, but he said, oh,
11 there's a Cherry House. Everybody kind of
12 knew that was a Cherry House. I know
13 they've done things to it, but I mean,
14 really crazy, on the west side, still looks
15 like intact picture. And for me the
16 structural history is very interesting. The
17 concrete that, if that was a date on the
18 concrete, that is -- could be earliest.
19 It's interesting and social. I can see
20 somebody coming in and doing worse.

21 CHAIRPERSON LUDWIG: Well, if it left
22 tomorrow, would it be the end of the world?

23 MS. ROBINSON: No house would be the
24 end of the world.

25 CHAIRPERSON LUDWIG: I just . . .

2 MS. ROBINSON: I'm just saying if
3 anybody wanted to do anything do it, we
4 could have some input into at least not
5 making it worse than it is.

6 MR. BOEHNER: That's if you designate
7 it. If you do not designate it, you have no
8 say in the matter.

9 MS. ROBINSON: Right. If it's on our
10 list, we get a chance to respond to a
11 partial.

12 CHAIRPERSON LUDWIG: Demolition.

13 MS. ROBINSON: Partial demolition.

14 MR. BOEHNER: No, you don't. You do
15 not.

16 MS. ROBINSON: If they wanted to
17 change the windows to something even worse?

18 MR. BOEHNER: You would not. You
19 would need to designate.

20 MS. ROBINSON: It would be fifty
21 percent -- it would be certain percentage of
22 an exterior wall, is that what I understand?

23 MS. GORDON: Demolition of an exterior
24 wall. So replacement of exterior windows is
25 not considered a demolition.

2 MS. ROBINSON: Demolition of any part
3 of the exterior wall.

4 MR. GORDON: So what triggers your
5 review is an application for a demolition
6 permit. And Public Works staff will look to
7 see how much of that structure is going to
8 be demolished. If it is more than fifty
9 percent, that will absolutely come before
10 you.

11 MR. BOEHNER: That's for any building.

12 MR. GORDON: For any building in town.

13 MS. ROBINSON: Right.

14 MR. GORDON: If it is on your list of
15 surveyed but not designated properties, any
16 demolition permit application is going to
17 trigger a review by this Board.

18 MR. BOEHNER: And review is to
19 determine should it be designated or not.
20 You do not have a say unless you designated
21 about anything on the structure.

22 CHAIRPERSON LUDWIG: Right.

23 MR. GORDON: Right, so it comes to
24 you. Let's say the Cherry House says, we're
25 going to knock down a wall. They want to

2 knock down an exterior wall. They've got to
3 come before this Board and explain that.
4 You're asked, are you interested in -- you
5 can't talk about we don't like what you're
6 doing with knocking this wall or
7 replacement.

8 Your only decision is do we want to
9 initiate the designation process for it.
10 Now, once the designation process is
11 initiated, they don't get any permits to
12 demolish, fair enough Ramsey?

13 MR. BOEHNER: Yes.

14 MS. LANPHEAR: What about if somebody
15 wants to separate the eastern portion, which
16 is that 20th Century House that is attached
17 to the 19th Century building. How does that
18 affect this?

19 MR. GORDON: When you say separate?

20 MS. LANPHEAR: Separate, remove the
21 connection between and make two separate
22 parcels there, the old house and then the
23 20th Century House.

24 MR. GORDON: And are you envisioning a
25 demolition of an exterior portion of the

2 wall?

3 MS. LANPHEAR: Right, it would be.

4 MR. GORDON: If it's on the list, come
5 before . . .

6 MS. LANPHEAR: But it's not the part
7 that's really the 19th Century House.

8 MR. GORDON: That doesn't matter.

9 MS. LANPHEAR: It wouldn't be fifty
10 percent . . .

11 MR. GORDON: Again, Public Works staff
12 isn't going to look at it and go, I wonder
13 if this is the part that the Historic
14 Preservation Board cares about or not.
15 They're not going to make that observation.

16 MR. BOEHNER: They're just going to
17 say, hey, there's an exterior wall being
18 demo'd. You're on this list. Guess what?
19 I'm not issuing you a building permit.

20 MR. GORDON: Demolition permit.

21 MR. BOEHNER: Demolition permit.

22 MS. ROBINSON: If it's not fifty
23 percent, you have nothing to say about it.

24 MR. GORDON: If it's not fifty percent
25 and it's not on the list, you have nothing

2 to say about it.

3 MS. ROBINSON: Okay. Got it.

4 MR. GORDON: Again, back to Wayne's
5 point earlier, it shouldn't stay on the list
6 if you have no intention of designating
7 this.

8 CHAIRPERSON LUDWIG: I tend to agree
9 and I would vote to take it off the list,
10 but that's just me.

11 MR. GORDON: But why doesn't somebody
12 make that motion and see how it goes?

13 CHAIRPERSON LUDWIG: Somebody like to
14 make a motion?

15 MR. PAGE: I would make a motion.

16 CHAIRPERSON LUDWIG: To take it off or
17 put it on?

18 MR. PAGE: Take it off.

19 CHAIRPERSON LUDWIG: Take it off.

20 Okay. May I have a second?

21 MR. WHITAKER: Sure.

22 CHAIRPERSON LUDWIG: Second. Okay.

23 Discussion?

24 MR. GORDON: So this is a motion to
25 remove 2349 Monroe Avenue from the list of

2 surveyed properties that have not been
3 designated.

4 MR. BOEHNER: A yes is to remove it
5 from the list. Member Ludwig?

6 CHAIRPERSON LUDWIG: Yes.

7 MR. BOEHNER: Robinson?

8 MS. ROBINSON: No.

9 MR. BOEHNER: Goodman?

10 MR. GOODMAN: Yes.

11 MR. BOEHNER: Whitaker?

12 MR. WHITAKER: Yes.

13 MR. BOEHNER: Page?

14 MR. PAGE: Yes.

15 MR. BOEHNER: It is removed from the
16 list.

17 CHAIRPERSON LUDWIG: Okay. Next we
18 have the demolition review of 141 Mill Road.
19 Mill Road is a hot place to be now
20 apparently, one of them.

21 MR. BOEHNER: Before we do go on that
22 while we're on this . . .

23 CHAIRPERSON LUDWIG: Yes.

24 MR. BOEHNER: There are properties for
25 next month that I'm going to be putting on

2 the agenda.

3 CHAIRPERSON LUDWIG: Okay.

4 MR. BOEHNER: It's 7 South Landing
5 Road.

6 CHAIRPERSON LUDWIG: Okay. Yup.

7 MR. BOEHNER: 270 South Landing Road
8 and 2331 Westfall Road. From my notes,
9 that's all the properties that you guys have
10 identified that you wanted to review.

11 CHAIRPERSON LUDWIG: Okay.

12 MR. BOEHNER: And that will be for
13 next month's agenda.

14 MR. WHITAKER: What's the third one?

15 MR. BOEHNER: 270 South Landing Road.
16 There was 7 South Landing Road and 2331
17 Westfall Road.

18 MR. WHITAKER: Okay.

19 MR. GORDON: Ramsey, you will have
20 Gretchen continue to update the list so that
21 when the Board sees this list . .

22 MR. BOEHNER: Yes, you have in your
23 folders an updated list from the last time
24 we did it. She does it usually right after
25 the meeting and will do it again.

2 MR. GORDON: So the three properties
3 that were voted on to be removed tonight
4 will be absent from the list when the Board
5 next sees this list?

6 MR. BOEHNER: That's correct.

7 CHAIRPERSON LUDWIG: Great.

8 MS. ROBINSON: Can I ask you a
9 question about 2349? What happens to the
10 plaques? Who do they belong to?

11 MS. LANPHEAR: The property owner.

12 MR. BOEHNER: I believe so. It's not
13 ours.

14 MS. LANPHEAR: There's signs about the
15 tolls that were charged. It's not a
16 marker -- it's not a historic marker I don't
17 believe.

18 MS. ROBINSON: It belongs to whoever
19 owns the property. That's not part . . .

20 CHAIRPERSON LUDWIG: Unless it's out
21 -- on the right of away and it's one that
22 belongs to the Town.

23 MR. GORDON: I don't think they are.

24 MS. ROBINSON: I just wondered.

25 CHAIRPERSON LUDWIG: Okay. Any other

2 before we move to Mill Lane?

3 MR. GORDON: So Mill Lane is coming
4 before you, 141 Mill Lane -- 141 Old Mill
5 Road is coming before you because the owner
6 of that property is seeking demolition of
7 more than fifty percent. Like the whole
8 thing. That's more than fifty percent. So
9 it's not on your list. I don't think it's
10 ever been surveyed. And so the issue before
11 you is, is this a property that the Board
12 might have an interest in designating and
13 therefore, wants to initiate that
14 designation process by -- in this case, we
15 would need to order a new survey on that
16 property or a first survey on that property
17 and then initiate the process thereafter.

18 MR. PAGE: They provided us with some
19 information about the history of the house.
20 Built in the eighties.

21 MS. LANPHEAR: '82.

22 MR. PAGE: And it's an interesting
23 house, but I don't think it rises to
24 designation standards.

25 MR. CHAIRPERSON: Well, it says the

2 exterior is soft contemporary. Well, until
3 you look at the roof.

4 MR. GOODMAN: John, I agree with you.
5 It's an architect designed house. It's an
6 interesting house. And in some ways I think
7 it's unfortunate it's being demolished, but
8 I don't really see this as being in our
9 purview. I don't know that it would -- I
10 don't think it rises to the level that we
11 would actually designate this property.

12 MR. PAGE: Particularly, from the
13 1980's, it would have to be a
14 particularly . . .

15 MR. GOODMAN: Yeah.

16 MR. PAGE: Important example of either
17 architect or a style or something like that.
18 I don't believe . . .

19 MR. GOODMAN: I agree with you.

20 MR. WHITAKER: I have a little history
21 earlier before the meeting. We were friends
22 of the developers, Roger and Joan, and we
23 used to play tennis on the tennis court at
24 280 Landing South. We had a house -- we had
25 a house designed by Robert Mason and they

2 loved that house so much, they tried to
3 design this house like our house was. It's
4 not anything like our house, but that was
5 their idea. And Roger and Joan moved to
6 California and she later died. And most
7 recently, owned by Allen Cook and his wife
8 and he owned the house next door, which is
9 one that was just redone by the (inaudible.)
10 The Cooks did some (inaudible) than what was
11 originally there, but I agree there is no
12 real history behind the house and doesn't
13 meet the fifty year old either.

14 CHAIRPERSON LUDWIG: Any other
15 discussion? So a vote -- a yes vote will
16 mean that Ramsey sends a letter . . .

17 MR. BOEHNER: Prepares a letter and
18 sends it to the Planning Board that you will
19 not be scheduling a public hearing to
20 consider designation. Do we have a motion
21 and second?

22 MR. GORDON: Not yet.

23 CHAIRPERSON LUDWIG: Motion?

24 MR. GOODMAN: I'll make that motion.

25 CHAIRPERSON LUDWIG: Second, please?

2 MR. PAGE: I'll second it.

3 CHAIRPERSON LUDWIG: Any discussion?

4 Okay, Ramsey?

5 MR. BOEHNER: Whitaker?

6 MR. WHITAKER: Yes.

7 MR. BOEHNER: Robinson?

8 MS. ROBINSON: Yes.

9 MR. BOEHNER: Page.

10 MR. PAGE: Yes.

11 MR. BOEHNER: Goodman?

12 MR. GOODMAN: Yes.

13 MR. BOEHNER: Ludwig?

14 CHAIRPERSON LUDWIG: Yes.

15 MR. BOEHNER: Motion passes. I will
16 send a letter.

17 CHAIRPERSON LUDWIG: Any other new
18 business?

19 MS. LANPHEAR: Can I ask for
20 clarification? 3225 East Avenue has not
21 been surveyed, is that correct?

22 MR. BOEHNER: I'm sorry. What was
23 that?

24 MS. LANPHEAR: 3225 East Avenue has
25 not surveyed, is that correct?

2 CHAIRPERSON LUDWIG: No, it has been.

3 MS. LANPHEAR: It has been surveyed?

4 CHAIRPERSON LUDWIG: Yes.

5 MS. LANPHEAR: Recently?

6 CHAIRPERSON LUDWIG: No, but it was
7 just recently updated.

8 MS. LANPHEAR: Okay.

9 MR. BOEHNER: We updated it and
10 Gretchen emailed them out maybe a week or
11 two ago.

12 MS. LANPHEAR: I didn't catch it.

13 MR. BOEHNER: There was two of them
14 that she sent out.

15 MR. PAGE: There was a lot of
16 additional information that was on that one.

17 MS. LANPHEAR: Okay.

18 CHAIRPERSON LUDWIG: Fascinating.

19 MR. GORDON: Would it be the Board's
20 pleasure to have 3225 East Avenue on the
21 agenda for the next meeting to consider
22 whether to initiate exhibition process at
23 that time.

24 MR. WHITAKER: I think so.

25 CHAIRPERSON LUDWIG: Either the next

2 one or the following one.

3 MR. PAGE: So Wayne's -- the developer
4 who is looking at the divinity school is
5 continuing to develop possible scenarios for
6 the campus and I know the Landmark Society
7 has been participating and including someone
8 from my office. And I'll pass this if you
9 haven't seen it.

10 MR. WHITAKER: Is that in the city?

11 MR. GOODMAN: It's in the city, but
12 the property line adjoins the Town.

13 MR. PAGE: This is more of just
14 general interest.

15 MR. GORDON: We're close, but we are
16 not on the campus.

17 MR. PAGE: Preservation is having a
18 good impact in the short term, for sure,
19 because it prevented a development scheme
20 that was looking at the south lawn or
21 negotiated with folks not to go on the south
22 lawn. An earlier developer may be -- they
23 have been working with the city in a very
24 proactive way and in a positive way and the
25 new developer has come in and they are

2 respecting the notion of not developing the
3 south lawn as being an important part of the
4 property, the landscape setting of the
5 property would be drastically changed if
6 something got built along that.

7 CHAIRPERSON LUDWIG: Oh, absolutely

8 MR. PAGE: That they had lot to go
9 after. There's still I think, you know,
10 work to be done here, but they're proposing
11 rather large structures. I'm sure the
12 developer needs to balance something they
13 think they can do right away versus
14 something that's a little harder.

15 MR. GORDON: I'm hoping the Town of
16 Brighton at least gets to sit at the table
17 as an involved agency when the project is
18 looked at because the neighbors on the far
19 -- are definitely going to be impacted by
20 any large structure on the north end of that
21 campus.

22 MR. BOEHNER: It would not be
23 involved. We believe only the interested
24 agency which means . . .

25 MR. GORDON: Fair enough. We have no

2 jurisdiction to make a decision.

3 MR. BOEHNER: Yes, we have no
4 permitting authority or anything else. I
5 went to that.

6 MR. GOODMAN: Right.

7 MR. BOEHNER: They had another
8 pre-application meeting. Wayne was there.
9 He spoke. I haven't talked to the
10 neighbors, but what John was saying seemed
11 to be true, that there was a building that
12 was very close to the west boundary of this
13 project. They moved the building. What we
14 can't tell is if you're going to have
15 parking over on the west side. There's a
16 slope there. There may be retaining walls.
17 More details are going to be needed, but
18 they are -- my understanding was that they
19 were trying to address the concerns of the
20 neighbors in the Town of Brighton. I don't
21 know if we're going to be able to fully
22 resolve their issues, but there seems to be
23 some effort made in that direction from what
24 I can tell.

25 MR. GOODMAN: We had met previously

2 with the developer and that new building
3 that's located -- that had been located on
4 the far eastern property line, which would
5 have had some fairly substantial impacts on
6 the Town of Brighton residents. So for a
7 variety of reasons, we made a suggestion
8 along with some of the neighbors, relocate
9 that new building where it's more along the
10 access of the existing historic buildings.
11 And he did do that.

12 MR. BOEHNER: Yeah.

13 MR. GOODMAN: Now, my comment at the
14 pre-application meeting was that there's
15 still questions remaining about retaining
16 walls to put in that parking. There's also
17 some concerns with maybe some light
18 pollution and so the developer at least, my
19 understanding is the developer is
20 indicating, you know, a willingness to work
21 with possibly an informal basis trying to,
22 you know, limit those impacts.

23 MR. BOEHNER: The city has been
24 informing us. They did invite us to the
25 pre-application meeting. We have told them

2 of our concerns.

3 CHAIRPERSON LUDWIG: Okay.

4 MR. GORDON: What is the proposed use?

5 MR. GOODMAN: Back to kind of what
6 John was saying earlier, it's a little
7 complex answer, but the historic campus will
8 remain small office, low impact office
9 space.

10 MR. BOEHNER: Kind of like mixed use
11 maybe.

12 MR. PAGE: And convention.

13 MR. GOODMAN: And chapel, wedding
14 chapel, convention, meeting space.

15 MR. PAGE: Right.

16 MR. GOODMAN: The issue, again, as I
17 understand it, or whatever involvement we
18 have had, the cash flow necessary to make a
19 project like that fly, barring a major
20 impact on the lawn and barring any major
21 impact to the historic structures, requires
22 new buildings to be built in order to
23 basically sustain the project. And the new
24 buildings are residential.

25 MR. BOEHNER: Apartments.

2 MR. GOODMAN: Right. So the new
3 buildings are residential, which then in
4 theory support the rest of the campus as a
5 whole.

6 MR. PAGE: There's a road that runs
7 through behind the structure and everything
8 north of that road including for the time
9 being the less historic dormitory buildings,
10 they will be converted into apartments as I
11 understand it and two new substantial
12 structures would be added so there would be
13 a lot of apartments they're talking about.
14 Between the two new buildings, it's a
15 hundred and thirty-five or something like
16 that.

17 MR. GOODMAN: You reduce the number,
18 you actually reduce the size of that really
19 large building to the north, but it's still
20 a large building. There is no getting
21 around it.

22 MR. PAGE: Five stories.

23 CHAIRPERSON LUDWIG: Okay. I have
24 several sort of odds and ends I'd like to
25 bring up at this time. I didn't have a

2 chance on open forum, but I did meet, oh, a
3 week or two ago with Rufus Judson and Mark
4 Bayer. The Judsons are the owners of the
5 recently designated Curtis Estate on Elmwood
6 Avenue. And Mark -- at that time we talked
7 about a lot of things. They're going to do
8 some landscaping changes. They're going to
9 alter the driveway somewhat. The front
10 right now is -- the driveway is paved with
11 the Medina sandstone, which it's pretty, but
12 it's not very practical. So they are going
13 to try and reuse the Medina sandstone at
14 curbing and things like that and alter the
15 driveway.

16 They are going to put in a pool and
17 patios. Eventually, they want to add a barn
18 and a greenhouse sort of off to one side.
19 They want to change three French doors in
20 this quasi family room, which is going out
21 on to the patio to the rear into single
22 doors. And having lived with narrow French
23 doors before, I thought that might not be
24 the worse idea, but right now, they are
25 gathering facts.

2 They probably will come in with some
3 suggestions and maybe something like Marvin
4 or an alternative to what they have now.
5 And Mark is working on that.

6 He has restored -- I know when they
7 first came in, they were really concerned
8 about the windows -- or the wife was. And
9 he has had people there restoring the
10 windows and they really look spectacular to
11 me. So they are doing great things. The
12 inside, they've done a lot on the inside.
13 And we will probably have them come to us at
14 some point.

15 The other thing next on the list is
16 Chris Corcoran. I don't know if you know
17 him, he's an attorney. I've known him for
18 quite a while anyway. His stepdaughter and
19 her husband bought the house just west of
20 Culver Road, the Spanish style house, you
21 know, Culver and Elmwood.

22 MS. LANPHEAR: Yes.

23 CHAIRPERSON LUDWIG: Which is now
24 vacant.

25 MS. LANPHEAR: Yes.

2 CHAIRPERSON LUDWIG: He said that . .

3 MR. GORDON: Clover.

4 CHAIRPERSON LUDWIG: Clover. I'm
5 sorry, Clover, Clover, Clover, sorry, sorry,
6 sorry. Anyway they plan to build an
7 addition in back. They want to work
8 sensitively to the architecture.

9 Apparently, the interior is original and
10 untouched. And only change to the house
11 since it was built in the thirties was the
12 addition of the garage.

13 So I said, well, you might want to come
14 before us for suggestions and options and
15 things like this and I know this house is
16 bubbled up occasionally as a house that we
17 might want to designate. So we'll see how
18 that goes.

19 MS. ROBINSON: What's the address?

20 CHAIRPERSON LUDWIG: Clover and
21 Elmwood. It's right there by . . .

22 MS. LANPHEAR: You can't miss it.

23 CHAIRPERSON LUDWIG: If you're headed
24 west on Elmwood, it's the second place on
25 the left I think from Clover.

2 Finally, I don't know if you noticed or
3 not, we're putting a new roof on the stone
4 tolan shed. It's not really a garage. It's
5 a shed next to the house. Kurt Catalano,
6 who is the prince of roofing, is doing that
7 and he's repairing the front. The house
8 trough -- wooden gutters. And he's going to
9 repair the one on the front of the shed and
10 line it with copper or something like that
11 and the rear of the shed, never had a gutter
12 and so as a result, raining cascading off
13 the roof, caved and we had to repair the
14 lower portion of the house -- or the shed
15 several times because of that. And so I
16 will be coming before the Board with an
17 application from the Landmark Society to
18 apply. Does anyone see any problem with
19 putting a wood gutter on the back of this
20 thing?

21 MS. ROBINSON: You upgrade.

22 CHAIRPERSON LUDWIG: Well, yeah.

23 MR. GORDON: Have to see what the
24 design looks like.

25 CHAIRPERSON LUDWIG: Well, okay.

2 MR. PAGE: It's okay.

3 CHAIRPERSON LUDWIG: Great, great.

4 Forgiveness is better than permission
5 sometimes. Don't want to go any further
6 than that. Okay. That's it.

7 MR. GORDON: Make the application.

8 CHAIRPERSON LUDWIG: We'll work on
9 that, yes. I'll get right on it.

10 MR. GOODMAN: I should just point,
11 too, if anyone would like to swing in and
12 take a look at that project. They are doing
13 an incredible job, cypress, which is yellow
14 cedar which is something called Cypress for
15 Shingles and they are all sawn. It's just a
16 fantastic job. I'll pass this around if you
17 want to see.

18 MR. WHITAKER: Not as good as the shot
19 of the random woodchuck.

20 CHAIRPERSON LUDWIG: This is the back
21 place that doesn't have a gutter. I guess
22 just them two.

23 MR. WHITAKER: The guy that lives
24 there in the building said, you got to watch
25 out. Land of the woodchuck and hanging out

2 there growling. You remember that. The
3 police came and they shot it.

4 MS. LANPHEAR: It was a raccoon. It
5 was a rabid raccoon. I remember that. We
6 couldn't get to the barn from the parking
7 lot because of the menacing raccoon.

8 MR. WHITAKER: So they shot it.

9 MS. LANPHEAR: I was the one that had
10 to tell them to do it. They had to have
11 permission to shoot the raccoon.

12 MR. GORDON: Forgive my ignorance, but
13 what is your relationship to this project?
14 Were you just . . .

15 CHAIRPERSON LUDWIG: Well, I'm on the
16 Board of the Landmark Society.

17 MR. WHITAKER: He had been forever.

18 CHAIRPERSON LUDWIG: The Landmark
19 Society owns the property and so someone
20 from the Landmark Society, probably me . . .

21 MR. GORDON: Ignorant that I am, your
22 position is . . .

23 MR. GOODMAN: I'm the Director of the
24 Landmark Society.

25 MR. GORDON: So Ramsey, if we have two

2 board members who are affiliated with the
3 owner of this premises and they are coming
4 in for a C of A, would you agree that both
5 of them have to recuse?

6 MR. BOEHNER: Yes.

10 MS. LANPHEAR: David is a former . . .

11 MR. GORDON: Former doesn't count.

12 MR. BOEHNER: Former doesn't matter.

13 The night it comes on . . .

14 MR. GORDON: You don't have a current
15 position.

16 MR. BOEHNER: The night the matter
17 comes on, we will need a minimum of four
18 members and four members to pass a motion.

19 MR. GORDON: And the four members have
20 to be people who don't have . . .

21 MR. GOODMAN: That's what I was
22 thinking. I'm sorry. I totally get it. I
23 totally agree.

24 MR. WHITAKER: Ken, I'm on three
25 committees. I'm not on the board.

2 CHAIRPERSON LUDWIG: You're fine,
3 David.

4 MR. GORDON: You're fine. You're not
5 compensated. It's a volunteer position.

6 CHAIRPERSON LUDWIG: Neither am I.

7 MR. GORDON: But you're on the Board.

8 CHAIRPERSON LUDWIG: With that in
9 mind, any other business we need to talk
10 about? And a motion to adjourn?

11 MR. GOODMAN: So moved.

12 MR. WHITAKER: Second.

13 CHAIRPERSON LUDWIG: All in favor?

14 ALL COUNCIL MEMBERS: Aye.

15 (Proceedings concluded at 8:15 p.m.)

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C E R T I F I C A T E

5 I, DOREEN M. SHARICK, do hereby certify that I
6 have reported in stenotype shorthand the proceedings
7 of the Brighton Historic Preservation Commission, at
8 2300 Elmwood Avenue, Brighton, New York, on May 23,
9 2019.

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

12

13

Doreen M. Sharick

14

15

Doreen M. Sharick,

16

17

Notary Public.

30

18

2