

Historic Preservation Commission of Brighton 7/25/19

PROCEEDINGS HELD BEFORE THE HISTORIC PRESERVATION
COMMISSION OF BRIGHTON AT 2300 ELMWOOD AVENUE, ROCHESTER, NEW
YORK ON JULY 25TH, 2019 AT APPROXIMATELY 7:15 P.M.

July 25th, 2019
Brighton Town Hall
2300 Elmwood Avenue
Rochester, New York 14618

PRESENT:

JOHN PAGE, ACTING CHAIRPERSON
DIANA ROBINSON
DAVID WHITAKER
AMANDA L. DREHER
WAYNE GOODMAN

MARY JO LANPHEAR
Town Historian

KEN GORDON, ESQ.
Town Attorney

RAMSEY A. BOEHNER
Town Planner

NOT PRESENT:
JERRY LUDWIG
JUSTIN DELVECCHIO

REPORTED BY: RHODA COLLINS, Court Reporter
FORBES COURT REPORTING SERVICES, LLC
21 Woodcrest Drive
Batavia, New York 14020

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CHAIRPERSON PAGE: I would like to call the
4 meeting to order. Mr. Secretary, if you would call the roll.

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MR. BOEHNER: DelVecchio and Ludwig are
6 absent.

7

CHAIRPERSON PAGE: Can I get a motion to
8 approve the agenda?

9

MR. WHITAKER: So moved.

10

MR. GOODMAN: Second.

11

CHAIRPERSON PAGE: All in favor?

12

ALL COUNCIL MEMBERS: Aye.

13

CHAIRPERSON PAGE: Have people had a chance to
14 look at the March 28th minutes?

15

MS. DREHER: I have some corrections. I can
16 just speak them. Page 5, Line 9, out reach should be reach
17 out. Line 21 also on Page 5, that should be they.

18

Page 6, Line 15, correction should be Gretchen
19 the name of the staff here at the town.

20

Page 7, Line 4, him should be them.

21

Page 30, Line 24, daughters should be doctors.

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Page 40, Line 8 and Line 17, eight should be
23 should be AE.

24

CHAIRPERSON PAGE: Anyone else?

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MR. WHITAKER: I have a change but I don't

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3 know which month. There's a reference to the round house
4 on --

5 MS. LANPHEAR: Old Mill Road?

6 MR. WHITAKER: Yes, the house on Old Mill Road
7 the owner's name is Rod Belsen, B-e-l-s-e-n that was
8 misspelled in the minutes.

9 MS. DREHER: I think that was May.

10 MR. WHITAKER: Rod and Joan, that was all.

11 MR. BOEHNER: Okay. I have a dated e-mail.
12 The original owners of 441 Old Mill were Ron and Joan not
13 Roger. That's from May when that comes up, now we are doing
14 March.

15 CHAIRPERSON PAGE: Anything from March? Can I
16 get a motion to approve as amended?

17 MS. DREHER: I will move.

18 MR. WHITAKER: Second.

19 MR. BOEHNER: Ms. Robinson?

20 MS. ROBINSON: Yes.

21 MR. BOEHNER: Mr. Goodman?

22 MR. GOODMAN: Yes.

23 MR. BOEHNER: Mr. Whitaker?

24 MR. WHITAKER: Yes.

25 MR. BOEHNER: Mr. Page?

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MR. PAGE: Yes.

MR. BOEHNER: Ms. Dreher?

MS. DREHER: Yes.

MR. BOEHNER: Motion passes.

CHAIRPERSON PAGE: We have the names for the
May 23rd, any others?

MS. LANPHEAR: I have some corrections for the
three that I found. Page 26, Rowlands, not Rolands; Page 21,
Storrs, not Spurs Barrows; Page 50, capitalize and hyphenate
stone and tolan, Stone-Tolan.

CHAIRPERSON PAGE: Any other corrections?
Someone make a motion.

MR. WHITAKER: I move.

MS. ROBINSON: Second.

MR. BOEHNER: Ms. Dreher?

MS. DREHER: I'll abstain.

MR. BOEHNER: Mr. Page?

MR. PAGE: Yes.

MR. BOEHNER: Mr. Whitaker?

MR. WHITAKER: Yes.

MR. BOEHNER: Mr. Goodman?

MR. GOODMAN: Yes.

MR. BOEHNER: Ms. Robinson?

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3 MS. ROBINSON: Yes.

4 MR. BOEHNER: Motion passes.

5 CHAIRPERSON PAGE: Okay. Was the meeting duly
6 advertised?

7 MR. BOEHNER: Yes. It was properly advertised
8 in the Brighton-Pittsford Post of July 11, 2019.

9 CHAIRPERSON PAGE: Okay. We will hold it now.
10 No communications, no designations of landmarks. We have two
11 certificate of appropriateness cases, the first case is
12 6H-01-19.

13 APPLICATION 6H-01-19

14 6H-01-19 Application of The Landmark Society
15 of Western NY, owner of property at 2370 East Avenue, tax
16 number 122.20-1-3, for a certificate of appropriateness to
17 install gutters on rear of shed. All as described on
18 application and documents on file.

19 MR. GORDON: Chairman Page, this matter it is
20 proposed by the Landmark Society. I don't believe based on
21 the present members that we would have a quorum who would be
22 eligible to vote on this matter. I will suggest that the
23 Board table this matter to the next meeting.

24 CHAIRPERSON PAGE: Does that require an
25 action?

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3 MR. GORDON: Well, technically, yes.

4 CHAIRPERSON PAGE: If someone could suggest
5 that motion?

6 MR. GOODMAN: I'm happy to make a motion to
7 table Application 6H-01-19.

8 MR. BOEHNER: You can't act on it.

9 MR. GORDON: I think it just needs to be
10 tabled based on the lack of a quorum for this matter and
11 we'll hold it at the next meeting.

12 MR. BOEHNER: It's held over.

13 CHAIRPERSON PAGE: We'll move on to the next
14 item.

15 APPLICATION 7H-01-10

16 7H-01-19 Application of Rufus and Amy Judson,
17 owners of property at 3541 Elmwood Avenue, tax number
18 137.12-2-15, for a certificate of appropriateness to install
19 a new driveway, arrival court, garage court, planting and
20 landscape enhancements, and the rehabilitation and
21 modification of the stone terrace located at the rear of the
22 house. All as described on application and documents on
23 file.

24 MARK BAYER: Good evening, I'm Mark Bayer from
25 Bayer Landscape Architecture and I'm here tonight with Amy

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and Rufus Judson the owners of this great property, and we are in the midst of kind of master planning for the future. They recently acquired the place and we built a preliminary master plan and we're here tonight to talk about Phase 1 improvements.

And primarily Phase 1 is focused on several things, but one of the principal things we've focused on is the entry and arrival. Right now you can see the house from Elmwood Avenue and it is basically a straight shot in from Elmwood Avenue. And what we would like to do is kind of create a much more dramatic and interesting arrival and experience for guests coming in, and just to also provide much more buffer from Elmwood Avenue. Right now, again, when you are on Elmwood you can see into the property.

So we are proposing a realigned drive, getting rid of the straight drive and doing kind of a seamless arrival drive. You would go through what we propose to introduce is a little woodland from the property. So it would create a buffer from Elmwood Avenue and create a sense of mystery upon your arrival, letting the house unveil as you come into the property. Right now see, you can see that house, what we want to do is actually bring an experience and let the house become apparent with the further you get into

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the site.

Some future improvements out here, and rather looking at them directly, we would like to put a little apron on Elmwood Avenue because of some of the stone we are trying to salvage. Ultimately we have an idea to put in a nice gateway stone kind of entry because there's unilock block out there right now. We would like to eventually get rid of it, but that's not really what we are here for tonight.

So the realigned drive, and currently there's a configuration you can kind of see down here that this is the current configuration with the secondary spur that is narrow and kind of confusing. We would like to get rid of some of that pavement that's in front of the house and just have a very simple arrival court and make it sufficient for the way they are going to live and use the house, which they will be entertaining, they will have a lot of guests, lots going on here.

And currently the driveway ranges from about 9 feet wide to 10 feet wide in the drive itself, to about 13 feet in the turning circle. You can't really park and have guests there, it's really tight. And currently this portion is all Medina cobble, it's old street paver. And it's extremely uneven to the degree that it's very

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challenging to walk on. They would like to change that, but salvage all of the Medina. And what we're planning to do is a border of Medina on the inner circle. The detailed drawing here actually is we're proposing to do Medina on the inner circle and use it for curbing along the outside of the circle. And then as I mentioned before, do like a Medina apron.

We're also planning to do some future phases. We actually have planned like a cutting garden, many other features that will be appropriate. We plan to reuse the Medina for border and edging. And so, again, the purpose would be to enhance that arrival experience, improve the circulation so it actually functions for today and today's vehicles and the way the Judsons will be using this space so that actual guests can park and still move around the circle.

And then the same thing is true with the garage. The approach drive is super narrow, it's about 9 or 10 feet, it's all rutted along the edges because it's very hard to navigate. The turn into the garage is extremely difficult, so we are proposing to widen that to 14 feet and expand the garage court so that you can make the turn into the four-bay garage area more comfortably. So that's the second piece of the project as far as the arrival and entry

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3 and parking goes.

4 The other component that we would like to do
5 is actually modify the rear terrace. Currently it is
6 basically a rectangle that is truncated about here and we
7 would like to actually give it a little bit of a softness on
8 the outer edge that would gesture to that unbelievable view
9 out to the golf course and give them more room to set up
10 furnishing, set up furnishings a little different way.

11 There's a couple of dry set steps over here
12 which we would actually like to eliminate and kind of get
13 more options for the way the furnishings are there. So that
14 is another piece that, again, we are planning to do. And
15 with all of these improvements I put in your packet some of
16 the kinds of planting ideas, of plant material ideas, we
17 intend to use as part of the project.

18 And, you know, with each of the proposed
19 improvements with the drive, I mentioned starting a miniature
20 woodland effect here and doing enhancements with tree
21 plantings and reworking the planting. The same with the
22 terrace and so on, so those are the major elements of what
23 we're planning to do. I'm sure you have a lot of questions
24 and I'd be happy to address any questions you have.

25 CHAIRPERSON PAGE: Thank you. It looks very

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3 nice. I think my main question would be for you to detail
4 specifically what you are looking for approval for tonight.

5 MARK BAYER: Okay. What we would like
6 approval for is really the main element would be we would
7 like approval for realigning the drive and doing an apron,
8 the apron on Elmwood Avenue and revising the turning circle,
9 and enhancing and widening the drive by the garage, and doing
10 the work at the garage court. And also modifying the
11 terrace, which would be, again, done with the same flagstone
12 material that's there now.

13 We are also planning in the fall to transplant
14 the rhododendrons that are immediately in front of the family
15 room and that's on the more detailed plan. I have got notes
16 about that, but we are planning to do that because it's on
17 top of the house and you can't see out of the room right now.
18 I would like to reuse them on site and planning to use them
19 on this edge of the property.

20 Those are the pieces that we are seeking your
21 approval for right now. We have long-range visions which
22 we're going to come back and see you about as things evolve.
23 The Judsons would like to do potentially a swimming pool
24 area, but that's not on the table yet. We're still thinking
25 about all of that and we have some other enhancements, so

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3 what I mentioned is what we're seeking tonight.

4 CHAIRPERSON PAGE: Okay. Well, I think that
5 what you're planning for the driveway is a big improvement,
6 And I know that the landscaping that you'll come up with will
7 be very nice. I don't have any particular issue with making
8 the important drive areas work for the house. In general the
9 circle is there and you're going to increase it and
10 supplement plantings. And the drive from there to the garage
11 is there, and the garage area is there, you're just going to
12 increase that.

13 Are you going to -- I assume that the circle
14 area you're going to deconstruct it in its entirety and
15 salvage the stone and reusing it and making it larger?

16 MARK BAYER: Yes.

17 CHAIRPERSON PAGE: Would that be true for the
18 remainder of the drive at the auto court?

19 MARK BAYER: I would say wherever we have --
20 the drive itself will be fully reconstructed, it's a
21 different alignment. The auto court, I suspect we will see
22 what kind of base we run into, but I suspect most of that
23 will be reconstructed. Maybe salvage some base, we'll
24 salvage all Medina as we intend to use it for many purposes
25 including edging and border here.

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I suspect we will salvage some of this pavement here, the base is in decent shape. I suspect this driveway will get reconstructed, and the terrace, we're going to see what kind of base is there and probably salvage some of it and build some of it new.

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MR. BOEHNER: The drive will be asphalt?

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MARK BAYER: The driveway coming into the site is asphalt, but Medina cobble apron and the turning circle will be asphalt and Medina cobble interior edge, and Medina cobble curb and then flagstone kind of threshold right there to match the stairs or the porch.

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CHAIRPERSON PAGE: The rear terrace, you're going to reconstruct it and change the configuration?

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MARK BAYER: Yes. Basically just adding about 9 feet with a soft radial form on that other edge, that would be the change. And then I mentioned previously there's some dry set I think it's three risers that are over on this deck that are kind of -- we want to capture that space and seating area and so we're planning to take those out.

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CHAIRPERSON PAGE: Are there any new elements other than the radial edge that you're introducing?

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MARK BAYER: Possibly a fire feature we're talking about, but it will be more like a piece of furniture

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3 set on that. That's the only thing, then we will have a
4 small grilling area and basically that's it at this point.

5 MR. WHITAKER: I was there today. You didn't
6 come out and stop me. I drove in and I drove around, the
7 circle is quite small so I can see why you want to increase
8 that, also very muddy because of all of the vehicles. There
9 are a lot of roof and soffits, I can certainly see why you
10 want to increase it. Only by the garage I didn't have a
11 problem swinging in to get into the garage, so I don't know
12 why you're going to expand that.

13 MARK BAYER: It's not the width, it's just the
14 turn. Depending on which bay you're trying to get into, if
15 you're trying to get into this bay here it's a tight swing,
16 and with the vehicles that they have, they find it
17 challenging. And the other thing is they have four little
18 kids, so we are also thinking of multi-purposing space for
19 play and, you know, games, and that's the area where we have
20 a hard surface for that kind of --

21 MR. WHITAKER: How is that different from what
22 is there now?

23 MARK BAYER: The current limits are about here
24 so we are adding about 20 feet or so, it's going to be 36 by
25 60 when we are done.

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3 MR. WHITAKER: Okay.

4 MARK BAYER: Plus this little turn out that is
5 about 12 by 20.

6 MR. WHITAKER: Okay.

7 CHAIRPERSON PAGE: Any questions?

8 MR. GOODMAN: I'll just say, I think it's a
9 fine design. I think it not only goes well with the setting
10 I think it compliments the architecture. I think it's a good
11 plan.

12 CHAIRPERSON PAGE: The straight drive catches
13 your attention not in a positive way.

14 MARK BAYER: That's one of the first things
15 when I came to the site I said, we have to change your
16 driveway. Because it just is such a beautiful property and
17 is very unimaginative the way they developed that entry.

18 CHAIRPERSON PAGE: Anyone else wish to speak
19 to this? If not, we'll close the Public Hearing and is there
20 any further discussion from the Board? If not, we'll ask for
21 a motion.

22 MR. GORDON: So other than having the work
23 being consistent with the plans and drawings that were
24 submitted, are there any other conditions other than your
25 usual completing within the time?

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Is there any -- this is not a historic preservation question, I'm just curious for my own edification -- is there any restriction on the materials that can be used on a curb cut in the State highway? They are using Medina cobble to curb at the apron, is there going to be a problem? It's not a Historic Preservation problem, but is there going to be a highway permit problem?

MR. BOEHNER: I don't know. That's not our highway.

MR. GORDON: I know it's not our highway.

MR. BOEHNER: I don't know. Mark, do you have any idea?

MARK BAYER: I may have to talk to the State or County to get a curb cut. We did that at a number of places.

MR. GORDON: I just didn't know. It's not us.

MARK BAYER: No, we will have to investigate that, but we've done it many times.

MR. GORDON: So yes, I have a proposed resolution for the Board to consider. Whereas Application 7H-01-19 has been submitted for a certificate of appropriateness under the Town's Historic Preservation Law for improvement to property located at 3541 Elmwood Avenue

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3 owned by Rufus and Amy Judson to perform work described as
4 the installation of a new driveway, arrival court, garage
5 court, and related planting and landscape enhancements, and
6 also the rehabilitation and enhancement of the stone terrace
7 at the rear of the house, all as shown on a set of drawings
8 by Bayer Landscape Architecture dated July 8, 2019, and as
9 described in a memorandum from Bayer Landscape Architecture
10 regarding the Judson residence, and as depicted in the
11 photographs also submitted at the Public Hearing.

12 And whereas the Historic Preservation
13 Commission duly called the Public Hearing to consider the
14 matter on July 25, 2019, and whereas the necessary legal
15 notice was published and a required sign posted pursuant to
16 Town Code. And whereas the Public Hearing was held and all
17 persons having an interest in such matter having had an
18 opportunity to be heard therein. And whereas the Historic
19 Preservation Commission hereby determines pursuant to the
20 factors set forth in Section 224-5 of the Town Code that the
21 proposed above described work to the subject property is
22 consistent with the purposes of the Town's Historic
23 Preservation Law and compatible with the property's historic
24 character based upon its review of the application and
25 documents on file and receipt at the Public Hearing and the

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3 testimony presented at the Public Hearing, it is hereby
4 resolved that the Historic Preservation Commission hereby
5 receives and files the above described application and all of
6 the materials submitted in support thereof.

7 And it is further resolved that the Historic
8 Preservation Commission hereby approves Application 7H-01-19
9 for a certificate of appropriateness for the above described
10 work to be performed at the property located at 3541 Elmwood
11 Avenue in the Town of Brighton, subject to the condition that
12 the above described work be completed in accordance with the
13 submitted plans, drawings, and descriptions by Bayer
14 Landscape Architecture. And subject to the further condition
15 that the above described work be completed within one year
16 from the date of approval, and be it further resolved that
17 pursuant to Chapter 224 of the Town Code, the above described
18 work qualifies for the exceptions set forth in New York Real
19 Property Tax Law Section 444-A.

20 CHAIRPERSON PAGE: Any further discussion?
21 Would someone like to put that --

22 MR. GOODMAN: I will make that motion.

23 MR. WHITAKER: Second.

24 MR. BOEHNER: Ms. Dreher?

25 MS. DREHER: Yes.

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3 MR. BOEHNER: Mr. Page?

4 MR. PAGE: Yes.

5 MR. BOEHNER: Ms. Robinson?

6 MS. ROBINSON: No.

7 MR. BOEHNER: Mr. Goodman?

8 MR. GOODMAN: Yes.

9 MR. BOEHNER: Mr. Whitaker?

10 MR. WHITAKER: Yes.

11 MR. BOEHNER: Motion passes.

12 CHAIRPERSON PAGE: Thank you. There are no
13 hardship applications.

14 The Public Hearings are now closed. New
15 business, amendment to adopted list of surveyed properties
16 that have not been designated.

17 MR. GORDON: Before that, I believe you've got
18 a demolition review?

19 MR. BOEHNER: We revised the agenda.

20 MR. GORDON: The Demolition Review of
21 3300 Brighton Henrietta Town Line Road.

22 CHAIRPERSON PAGE: Is there anyone to speak to
23 this?

24 MR. BOEHNER: Normally there's a packet of
25 information that you were given, gave us pictures, there's a

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3 little bit of information that they tried to present.

4 CHAIRPERSON PAGE: Anybody have anything to
5 add? It's an old building but there's nothing much there.

6 MR. WHITAKER: It was not previously
7 designated?

8 CHAIRPERSON PAGE: No, this is just under the
9 hardship law.

10 MR. BOEHNER: It's under our demolition law
11 before any building can be demolished it has to come to this
12 room. They want to demolish the building and they're
13 planning to put an office building up.

14 MR. GORDON: If it's on your list of
15 properties that you might consider as designated, then any
16 demolition of exterior walls of more than 50 percent requires
17 the property come before the Board here. It's not on your
18 list, but it still has to come before the Board because
19 they're planning to knock down the whole building.

20 CHAIRPERSON PAGE: Okay. Any discussions?

21 MR. GORDON: The resolution I would propose is
22 direct the Secretary of the Commission to send a letter
23 indicating that there is no interest in designating this
24 property.

25 MR. BOEHNER: And that a Public Hearing will

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3 not be scheduled.

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

5 MS. ROBINSON: Second.

6 MR. BOEHNER: Ms. Dreher?

7 MS. DREHER: Yes.

8 MR. BOEHNER: Mr. Page?

9 MR. PAGE: Yes.

10 MR. BOEHNER: Mr. Whitaker?

11 MR. WHITAKER: Yes.

12 MR. BOEHNER: Mr. Goodman?

13 MR. GOODMAN: Yes.

14 MR. BOEHNER: Ms. Robinson?

15 MS. ROBINSON: Yes.

16 MR. BOEHNER: Motion passes.

17 CHAIRPERSON PAGE: Okay. The amendment to
18 adopted list of surveyed properties that have not been
19 designated. We have received copies in the past, recently
20 for each of the properties, And the idea is to determine
21 whether we want to remove any of them from the list. And we
22 will start with 7 South Landing Road, I would call a lesser
23 Don Hershey. We are fortunate to be rich in Don Hershey,
24 good ones. I would propose to remove this from the list.
25 Any thoughts?

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3 MS. DREHER: I would agree.

4 MR. GORDON: So I heard John make a motion and
5 Amanda seconded, I think.

6 MS. DREHER: I agree with your comments and
7 I'll second the motion.

8 CHAIRPERSON PAGE: Now we can discuss it.
9 Okay, let's take a vote.

10 MR. BOEHNER: Ms. Robinson?

11 MS. ROBINSON: Yes.

12 MR. BOEHNER: Mr. Goodman?

13 MR. GOODMAN: Yes.

14 MR. BOEHNER: Mr. Whitaker?

15 MR. WHITAKER: Yes.

16 MR. BOEHNER: Mr. Page?

17 MR. PAGE: Yes.

18 MR. BOEHNER: Ms. Dreher?

19 MS. DREHER: Yes.

20 MR. BOEHNER: Motion passes.

21 CHAIRPERSON PAGE: Next is 270 South Landing
22 Road, it's an early vernacular, it's had significant changes
23 over the years. It's lost, in my view, much of its early
24 settlement character. We have other examples of vernacular
25 buildings that I think are more qualified, so I would vote to

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3 remove this from the list. I will make that motion.

4 MS. ROBINSON: Second.

5 CHAIRPERSON PAGE: Any discussion?

6 MS. LANPHEAR: I feel kind of strongly because
7 of its age, it should be kept on the list. Because there was
8 a settlement on Landing Road South for a long time and this
9 was one of the anchor houses. That and the house next door
10 across the glen that is a designated landmark.

11 That settlement at Allens Creek is kind of
12 important to the history of the town and I would not like to
13 see this one come down. I know there are provisions if it
14 ever did come up for a demolition that we would talk about it
15 then, but I think it should stay on the list just because of
16 its age. Early 19th century houses, we don't have a whole
17 bunch of them.

18 MR. GORDON: If I could frame it this way, if
19 it's your thoughts that you might want to take on the
20 potential designation of this property, may be not this month
21 but in some reasonable amount of time, then it should remain
22 on the list as something that you want to consider
23 designated. On the other hand, if it's a property that you
24 are fairly certain you're not going to ever want to designate
25 because of the changes or because there's other better

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3 examples, et cetera, then it shouldn't remain on the list as
4 a way of preserving the property. That's my opinion.

5 CHAIRPERSON PAGE: Any other discussion?

6 MR. WHITAKER: I think I spoke earlier, we
7 used to own this house and the other house behind it. A lot
8 of people remember it from the old days, it was a nursery
9 school. I think it's lost its grandfather designation. We
10 were the ones who put the vinyl siding on it a long, long
11 time ago. That was an excellent decision because the siding
12 was in terrible condition. But it's a neat place and the
13 department involved, quite modern and -- down below.

14 CHAIRPERSON PAGE: Any other discussion?

15 MR. GOODMAN: Only to say that for me it is a
16 conflict to some degree.

17 CHAIRPERSON PAGE: We didn't put anything on
18 there that didn't have some kernel of something.

19 MR. GOODMAN: I know.

20 CHAIRPERSON PAGE: You're here to remind us
21 about social importance. I think that particularly this old
22 architect here is a little less satisfied with only social.
23 I lean towards removing it.

24 MS. LANPHEAR: This is one I would probably
25 throw myself in front of a bulldozer for. That's my criteria

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3 for that.

4 MS. DREHER: Its use as a nursery school, to
5 me, almost poses a threat. At some point if someone takes
6 over I can see somebody thinking that it's a good idea to
7 make substantial changes to further that use, that would be
8 detrimental to the property.

9 CHAIRPERSON PAGE: It's possible. I think a
10 lot has already happened.

11 MR. WHITAKER: We made those changes to the
12 exterior of the house, but essentially so that there have
13 been more on the back, and added some stairs with the
14 interior pretty much the same.

15 CHAIRPERSON PAGE: Any more discussion?

16 MR. GOODMAN: I just feel keeping it on the
17 list allows for the possibility of designation in the future,
18 correct?

19 MR. GORDON: Removing it from the list does
20 not eliminate the possibility of future destination. The
21 only distinction is if somebody came along with a bulldozer
22 and they're going to knock down the whole property, it would
23 come back to this Board. If they were not going to knock
24 down the whole property, if it was on the list, then Mary Jo
25 wouldn't have to throw herself in front of it.

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MS. DREHER: Perhaps this is -- I'm kind of thinking this is in keeping on the list and as budget allows maybe getting an updated survey on this to get some additional information and then making a decision on designation. So I guess I would say keep it on the list for that purpose, would be my thought.

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MR. GOODMAN: I agree with that.

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MS. DREHER: I know we're restricted budget-wise as to how many surveys we can get. However, this is one I feel we would want to know any further -- I think that getting the information to the architectural historian would be helpful.

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MR. GORDON: And that or redate or new look on the property doesn't have to take place this year to keep it on the list. That was sort of my point, it could be when the budget allows.

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MS. ROBINSON: Except that we've had this same back and forth on other properties and come to an opposite conclusion about not keeping it on the list.

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MR. WHITAKER: We talked about the carriage house in the back, that's no longer part of this property. That belongs to 280 Landing Road South which is the house in the back. That's been converted to a garage.

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3 MS. DREHER: I think that's noted in the old
4 survey, because I remember reading that.

5 MR. WHITAKER: It talks about the carriage
6 house.

7 MS. DREHER: But it indicates that it's no
8 longer part of the property so I think it's been that way for
9 a while.

10 MR. GOODMAN: There's an awful lot of
11 modifications that have taken place on the property.

12 CHAIRPERSON PAGE: Ready for a vote?

13 MR. GORDON: So a yes vote would say remove it
14 from the list, a no vote says leave it on the list.

15 MR. BOEHNER: Ms. Dreher?

16 MS. DREHER: No.

17 MR. BOEHNER: Mr. Page?

18 MR. PAGE: Yes.

19 MR. BOEHNER: Mr. Whitaker?

20 MR. WHITAKER: Yes.

21 MR. BOEHNER: Mr. Goodman?

22 MR. GOODMAN: No.

23 MR. BOEHNER: Ms. Robinson?

24 MS. ROBINSON: Yes.

25 MR. BOEHNER: We do not have four votes.

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3 MR. GORDON: You have a quorum of five members
4 voting and you have a majority of that quorum voting.

5 MR. BOEHNER: I thought you would have to have
6 four members? A majority of the four -- a quorum for the
7 transaction of business shall consist of four of the
8 Commission members, but any action taken by the Commission
9 shall require not less than the majority of its full
10 authorized membership. I am reading from 224-2-F.

11 MR. GORDON: So it stays on the list, because
12 it did not have four members voting to take it off.

13 CHAIRPERSON PAGE: Okay. Now 2331 Westfall
14 Road. This is the Jalna house, a rare art barduhn-style
15 house. I like this one. I decided it is so unusual in
16 Brighton, I am in favor.

17 MS. LANPHEAR: This has a history to it also,
18 with the Jalna business. But also because it was built by
19 Walden Moore whose wife was Isabelle Herdle Moore of the art
20 gallery. That is their decision to build it. It was 1940s.
21 And another important owner was Virginia Jeffrey Smith who
22 chronicled life in the third war in Rochester. She then
23 moved to Westfall Road in the 1950s and then she went to
24 Valley Manor and her paintings are still hanging in the
25 gallery at Valley Manor.

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3 MS. DREHER: I think I did drive by it
4 recently, a month ago. I think I swear it was painted and
5 they painted over the Javama.*****

6 MS. LANPHEAR: Yeah, it's with three or four
7 other similar houses of that style in that area.

8 CHAIRPERSON PAGE: I will make a motion to
9 keep it on the list.

10 MR. BOEHNER: That would be no action.

11 MR. GORDON: If there's no motion, no interest
12 in removing it from the list, there's no reason to have a
13 motion.

14 CHAIRPERSON PAGE: All right. So then we go
15 on to old business.

16 MS. DREHER: In reading the minutes before I
17 think you had come to the opposite conclusion that you
18 thought --

19 MR. GORDON: Ramsey and I decided that it
20 confused the record more to have the -- if there's no action.
21 It was on the agenda, you considered it, there's a record of
22 it being on the agenda, it was not removed from the list, it
23 stays on the list, there's no action needed. And you are
24 right, Amanda, I had come to the opposite conclusion and then
25 leading back on the minutes and thinking about it, Ramsey and

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3 I said, yeah, I don't think so.

4 MS. ROBINSON: I'm going to vote the opposite
5 way.

6 MR. GORDON: If there's interest in removing
7 it from the list, someone should make a motion to remove it
8 from the list.

9 CHAIRPERSON PAGE: So let's say then based on
10 your current interpretation, we should only make a motion if
11 it is to remove it, and so I made a false motion.

12 MR. GORDON: Well, he withdrew his motion.

13 MS. ROBINSON: Do we have to make a motion to
14 remove? Okay. I make a motion to remove it from the list.

15 MR. GORDON: Is there a second to the motion?
16 Because if there's not then the motion dies without a second.
17 Which the chair will then declare.

18 CHAIRPERSON PAGE: The motion dies without a
19 second.

20 MR. GORDON: And now we actually in the
21 minutes that a motion was made and it died without a second.

22 CHAIRPERSON PAGE: Moving on to old business.

23 MR. GORDON: Before we move on, I will ask the
24 Board's indulgence to take up a matter of new business that
25 is not on the agenda, my apologizes. And it involves the

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3 scheduling of the next meeting of this Board which is
4 currently set for August 22nd, and Mr. Boehner nor I can
5 attend, we will both be out of town. I don't know what is
6 the pleasure of the Board with respect to the August meeting,
7 if we want to still hold it in August, if we want to push it
8 to August 29th, I would be able to attend, but Mr. Boehner
9 still will not be able to attend. I will leave it to you to
10 discuss. But I would like to have that discussion before you
11 move on to new business where we might be setting a Public
12 Hearing.

13 MS. DREHER: Is there someone else from your
14 office, Mr. Boehner, that can sit with the Commission?

15 MR. BOEHNER: They are not fluent with it. I
16 have some reservations. Mary Jo is probably the best person,
17 but I don't know if she would feel comfortable doing that.

18 CHAIRPERSON PAGE: I would have, to the best
19 of my knowledge, no difficulty with having it on the 29th.

20 MR. GOODMAN: I will be delivering my daughter
21 to college, so I will be in Wyoming.

22 MR. WHITAKER: What about the 15th?

23 MS. DREHER: Is that enough time to properly
24 advertise?

25 MR. BOEHNER: No, that is not enough time.

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MR. WHITAKER: Let's move for the 29th, and if we have to cancel, we have to cancel.

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CHAIRPERSON PAGE: Can somebody make a motion to that effect?

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MR. GOODMAN: I would make a motion to that effect that the meeting is postponed from August 22nd and hold it instead on August 29th.

10

CHAIRPERSON PAGE: Is there a second?

11

MR. WHITAKER: Second.

12

MR. BOEHNER: Ms. Dreher?

13

MS. DREHER: Yes.

14

MR. BOEHNER: Mr. Page?

15

MR. PAGE: Yes.

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MR. BOEHNER: Mr. Whitaker?

17

MR. WHITAKER: Yes.

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MR. BOEHNER: Mr. Goodman?

19

MR. GOODMAN: Yes.

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MR. BOEHNER: Ms. Robinson?

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MS. ROBINSON: No.

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MR. BOEHNER: Motion passes.

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CHAIRPERSON PAGE: We will move on to old business now, 30 Stoneham Road. And the purpose of this is to decide whether to bring this to a determination to set a

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3 Public Hearing.

4 MS. DREHER: I will move to set a Public
5 Hearing.

6 MR. WHITAKER: Second.

7 MR. GORDON: And the motion is to set a Public
8 Hearing to consider the designation of the property at
9 30 Stoneham Road, and hold the Public Hearing on August 29th,
10 at 7:15 p.m.

11 MR. BOEHNER: Ms. Robinson?

12 MS. ROBINSON: Yes.

13 MR. BOEHNER: Mr. Goodman?

14 MR. GOODMAN: Yes.

15 MR. BOEHNER: Mr. Whitaker?

16 MR. WHITAKER: Yes.

17 MR. BOEHNER: Mr. Page?

18 MR. PAGE: Yes.

19 MR. BOEHNER: Ms. Dreher?

20 MS. DREHER: Yes.

21 MR. BOEHNER: Motion passes.

22 CHAIRPERSON PAGE: And then 3225 East Avenue,
23 remind me what --

24 MS. DREHER: We didn't get an update yet.

25 MS. LANPHEAR: She did one, I have it. They

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3 did it on May 15th and she mailed it.

4 CHAIRPERSON PAGE: So this is the other
5 update.

6 MS. DREHER: I wasn't able to find that in my
7 e-mails, my files from Gretchen.

8 MR. GOODMAN: I don't know that I've seen the
9 update either.

10 CHAIRPERSON PAGE: I have seen it.

11 MS. LANPHEAR: Okay.

12 CHAIRPERSON PAGE: So we will just carry that.

13 MR. BOEHNER: Let me put that down.

14 MS. DREHER: For both the update and the
15 original.

16 MR. BOEHNER: We will keep it on the agenda.

17 CHAIRPERSON PAGE: Okay. Any other old
18 business?

19 MR. GORDON: So what is the conclusion?

20 MR. BOEHNER: I'm going to be circulating all
21 of the old and new surveys to the members for their review,
22 keeping it on the agenda.

23 CHAIRPERSON PAGE: Yes.

24 No other old business, no presentations, no
25 announcements listed. If there's nothing more, can I have a

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motion to finish the meeting?

MS. DREHER: I move.

MR. GOODMAN: Second.

CHAIRPERSON PAGE: All in favor?

ALL COUNCIL MEMBERS: Aye.

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REPORTER CERTIFICATE

I, Rhoda Collins, do hereby certify that I did report in stenotype machine shorthand the proceedings held in the above-entitled matter;

Further, that the foregoing transcript is a true and accurate transcription of my said stenographic notes taken at the time and place hereinbefore set forth.

Dated this 25th day of August, 2019.

At Rochester, New York


Rhoda Collins