

B R I G H T O N  
H I S T O R I C  
P R E S E R V A T I O N  
C O M M I S S I O N

June 22nd, 2021

At approximately 7:15 p.m.  
Brighton Town Hall Zoom  
2300 Elmwood Avenue  
Rochester, New York 14618

## PRESENT:

JERRY LUDWIG, CHAIRPERSON

JUSTIN DELVECCHIO )  
AMANDA L. DREHER )  
WAYNE GOODMAN )  
JOHN PAGE )  
DIANA ROBINSON )

#### BOARD MEMBERS

MARY JO LANPHEAR  
Town Historian

KEN GORDON, ESQ.  
Town Attorney

RAMSEY A. BOEHNER  
Town Planner

NOT PRESENT:

DAVID WHITAKER

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

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JEFF FRISCH: Starting the recording.

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MR. BOEHNER: Thank you, Jeff.

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CHAIRPERSON LUDWIG: Okay. Anyone here to speak in open forum?

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MR. BOEHNER: If there's anyone that wants to speak to the open forum, please raise your hand.

9

JEFF FRISCH: Please turn on your video too.

10

11

MR. GORDON: You can use the -- I don't know if we have the raise your hand function active, do we?

12

JEFF FRISCH: It's in there.

13

14

MR. GORDON: Turn your video on, or come off of mute and say, I'd like to speak, any of those would work. We have a couple folks there who are not on the Board.

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CHAIRPERSON LUDWIG: Okay. I'd like to call the meeting to order. Ramsey, would you call the roll please?

19

MR. BOEHNER: Member Ludwig?

20

CHAIRPERSON LUDWIG: Here.

21

MR. BOEHNER: Mr. Goodman?

22

MR. GOODMAN: Here.

23

MR. BOEHNER: Mr. Page.

24

MR. PAGE: Here.

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MR. BOEHNER: Ms. Dreher?

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MS. DREHER: Here.

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MR. BOEHNER: Absent is Robinson, Delvecchio,  
and Whitaker.

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CHAIRPERSON LUDWIG: Okay. Motion to approve  
the agenda please?

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MS. DREHER: I will move to approve the  
agenda, Amanda Dreher.

10

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MR. PAGE: I will second, John Page.

CHAIRPERSON LUDWIG: Thank you, John and

Amanda.

13

14

MR. BOEHNER: Do you have any changes or  
corrections to the agenda?

15

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CHAIRPERSON LUDWIG: No, I will bring  
something up in old business, but --

17

18

MR. BOEHNER: And, you would like under old  
business to bring up the discussion of generators?

19

20

CHAIRPERSON LUDWIG: And air conditioners,  
yes. Well, I don't know if it should be old business or new  
business, Ramsey.

22

23

MR. BOEHNER: We talked about it before, it  
can be old business.

24

25

CHAIRPERSON LUDWIG: Very good.

MR. BOEHNER: Add it to the agenda.

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3 CHAIRPERSON LUDWIG: Other than that, I have  
4 no additions.

5 MR. BOEHNER: So, will someone make the motion  
6 to approve the agenda, to add in an agenda item, generator  
7 and AC units?

8 MR. GORDON: John and Amanda, is that  
9 acceptable to both of you?

10 MS. DREHER: Yes, I'll make the amended  
11 motion.

12 MR. PAGE: Yes.

13 CHAIRPERSON LUDWIG: Okay. We have a motion,  
14 it's been amended and seconded, I believe. All in favor?

15 ALL COUNCIL MEMBERS: Aye.

16 CHAIRPERSON LUDWIG: Very good. The minutes,  
17 any addition or corrections? Quite a lot of minutes this  
18 time, almost an hour's worth, the minutes.

19 MS. DREHER: I didn't have any changes to the  
20 May minutes, but I did have a few changes to the April  
21 minutes. I don't know which one you want to address first.

22 CHAIRPERSON LUDWIG: Let's do April please.

23 MS. DREHER: So, I have a few substantive  
24 changes, on Page 12, Line 15, it says the speaker is  
25 Mr. Fader, I believe that's Mr. Boehner.

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3 On Page 28, Line 11, REM should be JEM and  
4 landhold should be landlord.

5 And on Page 43, Line 5, insulation should be  
6 installation. That's all I have.

7 CHAIRPERSON LUDWIG: Very good, thank you.

8 MS. LANPHEAR: On Page 65, there's a whole  
9 phrase at the end of Line 21, it doesn't make sense. It's  
10 attributed to Jerry.

11 CHAIRPERSON LUDWIG: What does it say?

12 MS. LANPHEAR: It says, then you mentioned  
13 also updating Landing Road, mare hair the guilt.

14 CHAIRPERSON LUDWIG: I don't know, let's  
15 just --

16 MS. LANPHEAR: I can't make sense of the  
17 phrase out of that.

18 CHAIRPERSON LUDWIG: Let's just eliminate  
19 that. Just say, updating Landing Road.

20 MS. LANPHEAR: Okay. And further up on that  
21 page on Line 5, Chris Brant, there's a D before the T in his  
22 name, and Tracy's name on Line 7 is spelled T-R-A-S-E-Y  
23 instead of T-R-A-C-Y.

24 CHAIRPERSON LUDWIG: Very good. Any other  
25 additions, corrections? Motion to approve as amended.

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MS. DREHER: I'll move to approve minutes as amended.

5

CHAIRPERSON LUDWIG: Thank you. Second?

6

MR. PAGE: I'll second, John Page.

7

8

CHAIRPERSON LUDWIG: Thanks, John. All in favor say aye.

9

ALL COUNCIL MEMBERS: Aye.

10

11

CHAIRPERSON LUDWIG: Thank you. Ramsey, was this meeting duly advertised?

12

13

MR. BOEHNER: Yes, it was advertised in the Brighton-Pittsford Post of June 10, 2021.

14

15

MS. DREHER: Jerry, I think we were going to do the approval of the May minutes as well.

16

CHAIRPERSON LUDWIG: Oh, I'm sorry.

17

MR. BOEHNER: That's right.

18

19

CHAIRPERSON LUDWIG: Thank you, Amanda. May minutes, any additions or corrections?

20

21

MS. LANPHEAR: Again, I'm listed on the not present part of the front page there and I was present.

22

23

CHAIRPERSON LUDWIG: Okay, sorry about that. Any other additions or corrections? Motion to approve as amended.

24

MR. PAGE: I will make a motion, John Page.

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3 CHAIRPERSON LUDWIG: Thank you, John. Second?

4 MS. DREHER: I will second.

5 CHAIRPERSON LUDWIG: Thank you, Amanda. All  
6 in favor.

7 ALL COUNCIL MEMBERS: Aye.

8 CHAIRPERSON LUDWIG: Minutes stand approved.  
9 Ramsey, was this meeting duly advertised?

10 MR. BOEHNER: Yes, it was properly advertised  
11 in the Brighton-Pittsford Post of June 10, 2021.

12 CHAIRPERSON LUDWIG: Meeting as duly  
13 advertised will now be held.

14 We have no communications, no designation of  
15 landmarks, no Certificates of Appropriateness, no hardship  
16 applications, Public Hearings are closed, new business.

17 (Whereupon Justin Delvecchio joined the meeting.)

18 MR. BOEHNER: I would like the record to note  
19 that Jason Delvecchio has joined the meeting. The minutes  
20 should reflect that.

21 MR. GORDON: Or Justin Delvecchio, we call him  
22 Justin too.

23 MR. BOEHNER: Oh, I'm sorry, I called him  
24 Justin, I'm sorry.

25 MR. GORDON: No problem, Ronald.

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3 MR. BOEHNER: No, it's Randy, especially when  
4 I was a little kid.

5 MR. GORDON: This is helping Rhoda  
6 tremendously, I'm sure.

7 MR. BOEHNER: My mother was a Sunday school  
8 teacher and she heard this terrible story about Randy not  
9 behaving in Sunday school and it turned out to be Ramsey.  
10 For a long time she just heard about Randy, so anyhow.

11 CHAIRPERSON LUDWIG: Okay, Randy. Public  
12 Hearings are now closed. New business, demolition review  
13 2253 South Clinton Avenue.

14 MR. BOEHNER: Jeff, if you could pop up a  
15 picture of that building on South Clinton Avenue?

16 CHAIRPERSON LUDWIG: Oh, that's a pretty one.

17 MR. BOEHNER: The building is being torn down  
18 to raise up the roof. It's a 1960's style building. Jeff,  
19 could you show the letter from the architect, just to give a  
20 little summary of what he knows about the building. It's a  
21 wood-framed building, typical of 1960's low rise office  
22 building. There's not much to it, nothing very notable about  
23 it from what I can see. I believe you have this in your  
24 packet of information.

25 CHAIRPERSON LUDWIG: Yes, we did.



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3 need a motion.

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MR. BOEHNER: Yeah, I would like a motion.

5

CHAIRPERSON LUDWIG: Very good.

6

MR. GORDON: Well, yeah, I would --

7

MR. BOEHNER: -- having the property to be  
8 considered as a local landmark.

9

MR. GORDON: Would you read that again,  
10 Ramsey, I spoke over you.

11

MR. BOEHNER: I'm sorry, speaking over you.

12

That you direct the secretary to advise the  
13 Planning Board that the Historic Preservation Commission has  
14 no interest in having a Public Hearing to consider the  
15 property as a landmark, local landmark.

16

CHAIRPERSON LUDWIG: So, a yes vote will  
17 direct Ramsey to send a letter saying, we have no interest in  
18 designating.

19

MR. BOEHNER: That is correct. Thank you,  
20 Jerry.

21

MS. DREHER: I will make that motion.

22

CHAIRPERSON LUDWIG: Thank you, Amanda.  
23 Second please?

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MR. PAGE: I'll second the motion, John Page.

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MR. BOEHNER: Thank you, John.

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CHAIRPERSON LUDWIG: Any discussion? Okay,  
Ramsey, would you call the vote?

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MR. BOEHNER: Member Ludwig?

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CHAIRPERSON LUDWIG: Yes.

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MR. BOEHNER: Mr. Goodman?

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MR. GOODMAN: Yes.

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MR. BOEHNER: Mr. Page?

10

MR. PAGE: Yes.

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MR. BOEHNER: Mr. DelVecchio?

12

MR. DELVECCHIO: Yes.

13

MR. BOEHNER: Ms. Dreher?

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MS. DREHER: Yes.

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MR. BOEHNER: Motion passes.

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CHAIRPERSON LUDWIG: Very good, thank you.

17

Any other new business?

18

Okay, old business. The issue of last month we talked about the tree issue, and I thought it appropriate, and I know we brought this up before but I think we need to also include air conditioning compressors and generators as the items that do not need a Certificate of Appropriateness because they are covered under the building code needing a permit, which does govern their location, et cetera.

25

Ken, would you speak to this please?

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4 MR. GORDON: Thank you, Jerry. So, the  
5 Historic Preservation Code, specifically Section 224-4 allows  
6 the Commission as we did at our last meeting, to adopt rules  
7 or policies after a Public Hearing to determine when repairs  
8 and maintenance of landmarks will not require a Certificate  
9 of Appropriateness.

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So, we determined that the issue of getting rid of a dead tree is a maintenance or repair issue, and you as the Board determined that you wanted to put into place that policy that said that if you are removing a dead tree, you need not come in for a Certificate of Appropriateness.

Installing a generator, Ramsey and I have talked about this a bit, does not seem to constitute either maintenance or repair, and so it would not be within the Commission's purview to simply adopt a policy or procedure that would allow generators to be installed without getting a C of A.

However, the right process for making that happen would be for the Commission, if it was so inclined, to direct Ramsey to send a letter to the Town Board on behalf of the Commission requesting that the code be amended so that the installation of generators pursuant to Town Code would not require a Certificate of Appropriateness, and then the

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Town Board could take that up, draft a local law -- actually, I would be drafting the local law, amend the code to provide for that exception. It would have to be a code amendment that only the Town Board could enact, not a policy or procedure that the Commission could accomplish.

8 CHAIRPERSON LUDWIG: Thank you, Ken. Now in  
9 addition to this, I guess I would ask the Commission, is  
10 there anything else along this line that we should include?

16 MR. GORDON: Interesting. Let me ask Ramsey  
17 this question, Is the -- does the removal of a compressor  
18 or --

19 MR. BOEHNER: It would require a building  
20 permit, so I would not be setting it up to get a C of A.

21 MR. GORDON: There you go, that's what I  
22 thought the answer was, but I know you know that better than  
23 I.

24 MR. BOEHNER: Yeah. I was just waiting my  
25 turn.

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4 need to address, John, I guess because they would never have  
5 to come in for that anyway.

MR. PAGE: Thank you.

7 MR. GORDON: So, what I hear is an interest  
8 possibly, although I heard Jerry say, and maybe John as well  
9 say that there's an interest of the two of them in asking the  
10 Town Board to amend the code to accept from the requirement  
11 of the C of A, both the installation of a generator and the  
12 installation of an air conditioning compressor, and as long  
13 as it's done in compliance with the other provisions of Town  
14 Code, obviously.

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MR. GOODMAN: This is Wayne. You know, I

20 got -- I think it's a good idea. I think, you know, I think  
21 it's something to focus on really, and the most pertinent  
22 topics, so I would be supportive of this.

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4 MR. GOODMAN: No, I think those are the two.  
5 I think Jerry mentioned at the previous meetings in the  
6 minutes. So, you know, I think those two items I think cover  
7 it, at least from my standpoint.

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9 MR. GORDON: Amanda, Justin, your thoughts?

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MS. DREHER: I agree, as far as generators and air compressors go. One thing I was thinking about would be, because I've been looking at my own house, is the situation with, like, ductless mini-splits. I think we would want to talk about placements, and for something like that the compressor would be fine, but those units take up quite a lot of wall space and when you would be, you know, removing a portion of the original cedar siding to do that, and would not be able to put it back into its original condition as readily.

So, I think if we draw it narrowly as we're

discussing, I think a situation with that sort of, that would be different, because it would, it would -- it was all part of the same system, but it would be requiring alterations to the siding of the house, installation, something into the house as opposed to something on the ground next to the house with just a connection going in.

CHAIRPERSON LUDWIG: Amanda, I'm not sure what

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you're referring here to.

MS. DREHER: So, since a lot of the old houses in the area do have, you know, boiler, radiant heat, they don't have the duct work in, or, you know, one of the options is to do ductless units, the mini-split units.

CHAIRPERSON LUDWIG: Oh, you mean like a  
Mr. Slim, Mitsubishi unit?

MS. DREHER: Yes.

CHAIRPERSON LUDWIG: Well, we have one in our house.

MS. DREHER: So, what do other folks think about, like, do we want to see, do we want to talk to those homeowners before they do something like install, you know, six of those units on the side of their house?

CHAIRPERSON LUDWIG: Well, normally the unit goes into the house and the compressor is outside on the ground.

MS. DREHER: Is there nothing on the outside?  
But, there is something on the outside of the house, isn't  
there?

CHAIRPERSON LUDWIG: Not that I see. And, often times there are, because the unit's typically installed up on the wall, what most contractors will do is run a piece

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of downspout, gutter downspout to conceal the refrigerant lines. But, other than that there's no big unit that I'm aware of that fits on the outside of the house.

6 MS. DREHER: Okay. I think that what I'm  
7 thinking of is an older model method of doing that. If that  
8 is the current, the upgrade, you know, the current method of  
9 doing that. It's just a matter of, of the line coming down,  
10 I think that's fine.

CHAIRPERSON LUDWIG: I believe so.

12 MR. DELVECCHIO: Amanda, I share a little bit  
13 of your concerns in that, if not that someone with a landmark  
14 contract with a, someone who wouldn't do it right, but I  
15 think what we don't want to have is a house that doesn't have  
16 any duct work and it's large, let's say stone or some sort of  
17 hard application. And, you have what we might call -- like,  
18 I work at Trane -- condensing unit parts outside. So, you  
19 might have two on one side, the other side of the house has  
20 two more, you know, have power running, you have the  
21 disconnect on the side of the house, power runs out to the  
22 line. Then, you can conceal everything, no doubt.

23 I don't know the likelihood, so if someone  
24 asks me, well, where would someone really do that? I mean,  
25 it kind of depends, it might happen if you had a kind of low

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3 budget contractor. Or, you know, they put stuff you know,  
4 like after five years the stuff's tilted and sunk into the  
5 ground in Brighton clay.

6 So, whether that's really, I mean, the town  
7 engineering side, you know, review, the code review, is going  
8 to look into that stuff. I have to be honest, I have not  
9 been paying attention to that side. I do have confidence in  
10 them, but, so, if that satisfies, if that does truly satisfy  
11 that it will be done correctly, and in proportion to the  
12 application, then I'm okay with that.

20                           But, if it was a larger home, you can have  
21 something like that and it kind of looks, might look like,  
22 like a Monroe Avenue application if it wasn't, you know, if  
23 it wasn't planned right.

24 MS. DREHER: Yeah, Wayne, you have these at  
25 Warner Castle, correct? Do you have any concerns about the

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3 source of systems talking to owners ahead of time?

4

5 MR. GOODMAN: I agree with Justin, I think  
6 that, you know, sitting here and sort of thinking through, I  
7 think that Justin's right. I don't believe there would be  
8 much of an issue. However, there could be with the placement  
9 of the exterior unit, because at Warner Castle here we just  
had these installed and we had a number of these installed.

10

(Whereupon Diana Robinson joined the meeting.)

11

12 MR. GOODMAN: So, it doesn't really, at least  
13 at Warner Castle and the Mitsubishi units that we installed,  
14 it didn't really impact, you know, the building as far as the  
15 walls go. But, we do have precisely what Justin was  
16 describing, which is these units that sort of sit on a sort  
17 of scaffolding. And, we have, like, plants that sort of  
obscure it to some degree at Warner Castle.

18

19 So, I don't have a huge concern with the split  
20 systems impacting, sort of a wall of the building or the  
siding necessarily, but I could see it, you know, is it  
21 possible that someone would do what Justin is describing? It  
22 is possible, and I agree with Justin, the likelihood's not  
23 there, but it's still possible.

24

25 CHAIRPERSON LUDWIG: Ramsey, is any of this  
governed by the permit process?

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4 MR. BOEHNER: Yes. It would be a building  
5 permit required. Unless they were exempt, I would make them  
6 come in.

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8 CHAIRPERSON LUDWIG: All right. So, if they  
9 came in for a building permit, would you have any input as to  
10 what Justin and Amanda were talking about?

11

12 MR. BOEHNER: No, not really.

13

14 MR. GORDON: Not as an effect, the historic  
15 character of the house, remember that's what your Board has  
16 special jurisdiction over.

17

18 CHAIRPERSON LUDWIG: I understand.

19

20 MR. BOEHNER: That's right, Ken. Because I  
21 couldn't be telling them, you got to run your lines through a  
22 gutter, or you got to hide things, you know. I am just  
23 issuing the permit, does it meet code? You're good to go.

24

25 MS. DREHER: And, I'm less concerned with how  
something may look while the unit is there, even if it is  
going to be for a long time. I am more concerned with making  
alterations to the house that cannot be undone. But, I think  
if a unit is placed outside and the alteration to the house  
is minimal, then I am comfortable with the permit process  
covering, like, the safety issues and we would nod. I don't  
think we would need to approve that ahead of time.

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CHAIRPERSON LUDWIG: Well, regardless of how it's fastened to the house, nothing, really, as far as I can think. It may not look the best, but certainly it would not have irreparable -- it wouldn't do irreparable damage to the house, even if you did have a, you raised it up some.

MR. BOEHNER: Well, I think what you are saying is that normally none of these units are actually attached to the structure. They're sitting on a platform with lines running to the house, up the side, up the corners, through the gutters, running cool air. So, I think that's probably the key. I think you guys are all comfortable, as long as they do not attach it to the structure and start damaging the wall of the historic structure.

MR. GOODMAN: I guess, I had a question and maybe Justin, given his experience knows this, but would probably have to, you know, it's going to be right, Justin? The holes drilled in there, right? I mean, you're going to have to impact the structure to some degree just to get lines, right?

MR. DELVECCHIO: Yes. The line sets are not, it's not significant, not to where -- it's like if you are running power, if you ran a new power service. Yeah, you have to punch through, like, you could patch it over, you

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3 could make it, if it's done right, it could be done right.

4 My main concern is the platform thing. I was  
5 actually trying to find a picture to show people what it  
6 could like. And then you could decide, well, if that's --

7 Oh, Jeff, excellent. Yeah, that's a very  
8 standard on the right, because there's an electrification and  
9 decarbonation initiative going on right now. Where there --  
10 you guys will be seeing more and more incentives where they  
11 actually want to have some of these systems rather than  
12 burning fossil fuel, like natural gas and stuff. There's  
13 going to be a big push to switch over to full electric heat.

14 Now, I'm not saying that you would do that for  
15 a whole house, but if you had, you know, a -- just an area  
16 that needed some extra heat or something, you could put one  
17 of these up. And, if it just went through, like they get  
18 permitted easily by the town code, and it would -- the reason  
19 they lift them up like that, is because they have to be above  
20 snow line to generate heat in the wintertime.

21 That's what is the standard, like, that's the  
22 highest quality grade Mitsubishi product. They all come on  
23 those platform, those stilt things.

24 So, I don't know. What's the likelihood? I  
25 mean, that we would see a, like, maybe once a year, you might

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3 drive by and see someone who added this, so.

4 MR. BOEHNER: Do you see some of the pictures

5 that Jeff has pulled up? You'll see some of them being

6 mounted on the side of a wall of a house, and I have seen

7 that. I have seen that.

8 MS. DREHER: I think these are, they're

9 impacting that, the house, less than I originally thought.

10 So, I think I'm kind of confusing the modern systems which

11 I've seen from the inside, and started to look at, with old

12 systems where people would cut a bigger hole in their house,

13 or some kind of old version of this, or maybe something else.

14 JEFF FRISCH: Kind of like having me go

15 through this, Amanda, it's kind of like a hotel, but in a

16 hotel, big --

17 (Whereupon crosstalk occurred.)

18 MS. DREHER: And it sounds like it's not

19 something we have to worry about. So, I'm okay with the set

20 up of the pictures here, whether it's attached to the side of

21 the house, or whether it's on a platform. Because, I mean, I

22 think it's limited as it can be and we want homeowners to be

23 able to add things like air conditioning because that means

24 they are going to stay in their house and they're going to

25 take care of it, they have an investment in it. And, I think

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3 that's a reasonable thing for us to want, you know, folks to  
4 be able to do.

5

6 MR. DELVECCHIO: The question that I have is,  
7 if they are actually asking their contract questions, their  
8 guy might say, oh, yeah, well, let's just do these right up  
against the house; and, okay.

9

10 CHAIRPERSON LUDWIG: Well, then --

11

12 MR. DELVECCHIO: That's why we look at stuff.

13

14 CHAIRPERSON LUDWIG: Right, but most of these,  
15 the ones that are raised up are more of a heat pump  
16 situation, I would think. Right, Justin?

17

18 MR. DELVECCHIO: Not always.

19

20 CHAIRPERSON LUDWIG: Just for air  
21 conditioning --

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23 MR. DELVECCHIO: Those AC, those are AC.  
24 They're bigger applications, which some of our homes are  
25 significant where you can see, like, you know, like a 1500  
square feet, 2000 square feet off of it and have multiple  
runs off of it. It's called VRV technology.

26

27 I know, Jeff, there's like a city multi from  
28 Mitsubishi like a C-I-T-Y space M-U-L-T-I, City Multi  
29 Mitsubishi. Yeah. You go to that, like, you could have a  
30 home that might want to add. I'm not saying you would not do

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it, I'm just saying the installation can be significant.

CHAIRPERSON LUDWIG: But, Justin, you wouldn't need to raise it up to get it out of the snow if it's just for air, would you? There's no snow.

MR. DELVECCHIO: I don't know. Those are the conversations -- no, like I said, Jerry, I thought it would be rare.

CHAIRPERSON LUDWIG: Yeah.

MR. DELVECCHIO: Just trying to build awareness.

CHAIRPERSON LUDWIG: Yeah. I think that's not, a splendid nonpossibility for an older house, I mean, most people that have an older house would -- that have forced air heat will just combine it with the furnace. And, if it was radiator, hot water heat, or steam heat, then they would have a compressor on the ground, because obviously you're not going to use air conditioning in the middle of winter. Now, if you did have a heat pocket, that's a little bit different.

MR. GOODMAN: But, even the house across the street from me that has, you know, they have forced air in an addition and they cool their addition with one of these units. Now, theirs is attached to the side of their house

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though, so it's certainly possible and I have seen these around.

5 MR. DELVECCHIO: You're going to see a lot  
6 more of them, and I think, Jerry, I am not talking about  
7 heating applications. I was explaining why they might be up.  
8 But, they may, if the specs, if it's a bad -- if it's not a  
9 bad contractor, but if the kit comes with the stand, and they  
10 have a, you know, labor is very tight and, you know, they  
11 will put it up, a guy will just put it up on a stand. I  
12 mean, that can definitely happen.

CHAIRPERSON LUDWIG: Okay.

14 MR. DELVECCHIO: So, *hey*, if we're okay with  
15 that chance, it may be rare, but --

CHAIRPERSON LUDWIG: Well, yeah, even if it --

MR. DELVECCHIO: We would vote or whatever.

18 CHAIRPERSON LUDWIG: Even if it's up on a  
19 stand, it's not going to do irreparable damage to the house.

20 MR. DELVECCHIO: No, but I would be concerned  
21 with the appropriateness of the application. That's my only  
22 concern.

23 MR. GOODMAN: My concern, I guess I should  
24 just voice, after going through the discussion, I would have,  
25 I guess -- I don't know that I would be that comfortable if

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3 someone took one of these units that I'm staring at and  
4 placed it, you know, on the front elevation of, you know, a  
5 historic property that was sort of --

6

CHAIRPERSON LUDWIG: But, since they can't do that because of the code.

8

MR. GOODMAN: No, they could do it though, right?

10

CHAIRPERSON LUDWIG: No, no. Because the code --

12

MR. BOEHNER: They could if they applied for a variance.

14

MR. GORDON: So, I just, and thanks, Ramsey.

I just wanted to step in here and say, understand what you're doing. What you're doing is, you're saying to the Town Board, amend the code so we don't see any of these, no matter what. You don't see any generator installations, you don't see any air conditioning compressor insulations, you don't see any of these --

21

MR. BOEHNER: Split systems.

22

23

And, so, yeah, if somebody, if they came in and they said they want to put a monster generator in our front yard, they would have to go to the Zoning Board. They would never have

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to go to the Historic Preservation Commission, and it would be the Zoning Board that would tell them, yeah, we'll allow you to do that. And they may or may not appreciate the impact on the historic character of the building, but that's not really their criteria for their determination.

8 So, that's what you're doing by asking the  
9 Town Board to amend the code, whether it's these or air  
10 conditioning units, or generators, so keep that in mind.

11 I will also tell you that if you are asking  
12 the Town Board to amend the code, the more simple you can  
13 make it and the clearer you can make your request, more  
14 likely that it will be acted upon in the way that you wish.  
15 So, clarity is important if you are going to communicate this  
16 message.

17 CHAIRPERSON LUDWIG: Well, we could say air  
18 conditioning compressors are exempt if they are placed on at  
19 ground level or something like that.

20 MR. PAGE: We don't want any building mounted  
21 equipment and we don't want anything on the front of the  
22 house either. So, to me, if they would have to -- the  
23 language would have to include that it would have to be  
24 behind the front line of the house and not mounted to the  
25 house.

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3 MR. DELVECCHIO: I agree.

4

MR. GOODMAN: I agree too.

5

6 MR. DELVECCHIO: I like, Jerry, build at the  
7 ground level, I like that. Maybe those are the three

criteria?

8

9 MR. PAGE: Yeah, ground mounted, not mounted

to the house and the front facade.

10

11 CHAIRPERSON LUDWIG: Is that possible, Ken?

12

13 MR. GORDON: Yes. Sorry, I think --

14

15 MR. BOEHNER: I think that's being clear,  
16 being specific, which will help. I don't think you're going  
17 to get that many, if you do have to deal with someone in the  
18 front, it's not going to be that many. It's going to be, you  
want to do it though, they have to realize there's going to  
be some lifting they're going to have to do -- because more  
than the town or anyone else.

19

20 MS. DREHER: And, I would think that they  
21 would be coming for that, because they felt they didn't have  
22 another option. There was a specific reason that it needs to  
be, or they want it in the front or something like that. And  
23 then, we would get to weigh in.

24

25 MR. BOEHNER: Usually, yeah.

MR. GORDON: I don't want to drag the

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3 conversation out more than it needs to be. But, while we're  
4 thinking about these things, is there anything along the  
5 lines of geothermal insulations that we would want to accept?

6

MR. DELVECCHIO: Exempt?

7

MS. DREHER: Like solar panels?

8

MR. GORDON: Not solar, geothermal.

9

MS. DREHER: Okay. I don't know what that

10 looks like.

11 MR. DELVECCHIO: And, my input would be, if  
12 you do geothermal, yes, the construction will -- you have,  
13 like, site work, and then it's clean, and then it's piped to,  
14 you might have an outdoor unit like -- or maybe we should  
15 just mention air conditioning slash compressor units. Like,  
16 use that terminology, because a geothermal system might have  
17 a heat pump application that, I don't know if you want to  
18 catch that. It all ties back to the same idea of the unit,  
19 the boxes, you know, like at ground level and such.

20 MR. GORDON: So, again, back to our town  
21 planner, if somebody wanted to install a geothermal system in  
22 the Town of Brighton for their home, would they need to come  
23 in and get a building permit and would you if it was a  
24 designated property refer them over to the Historic --

25 MR. BOEHNER: I've never had it come across my

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3 desk, but my general reaction, my first reaction is, yes.

4 MR. GORDON: There are geothermal units in the  
5 Town of Brighton.

6 MR. BOEHNER: Yes, but not one with a  
7 historical designation attached to it. They're digging down  
8 and they are disturbing the soil, but you don't see anything  
9 for the most part.

10 MR. GORDON: Right, but it's considered an  
11 exterior renovation to the property.

12 MR. BOEHNER: Yes, it would need a building  
13 permit.

14 MR. GORDON: It would need a building permit  
15 and without this exception or exemption, whatever you want to  
16 call it, it would need a C of A, unless we say otherwise.

17 So, all I'm suggesting is that we should  
18 probably include that. And I did not suggest solar because  
19 you're slapping panels on a roof, I think you guys want to  
20 see that.

21 CHAIRPERSON LUDWIG: Right.

22 MR. DELVECCHIO: I do.

23 CHAIRPERSON LUDWIG: Diana brought her  
24 application to us, so that's fine.

25 MR. BOEHNER: Diana Robinson is part of the

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3 meeting, if the record could reflect that.

4

5 MS. ROBINSON: We actually have been talking

about geothermal in the far future, considering it.

6

7 MR. DELVECCHIO: So, I would exempt it. So,  
other than the unit, you know, the compressor unit that goes  
8 along with the geothermal, that's the same concern as if you  
9 are adding cooling only. But, I have no concern over the  
10 site work, because really, they're going to put it in a spot  
11 where they can get at it, and maybe it will, I guess needs to  
12 dig up the whole garden, but. Diana, thoughts?

13

14 MS. ROBINSON: I have a question, maybe for  
15 Justin, but the geothermal system has to have an outside  
16 contraption or does it go right into the basement and then  
start from there?

17

18 MR. DELVECCHIO: Well, could be, I must say  
19 I'm not an expert, but there are -- it could be both, for  
sure.

20

21 MR. BOEHNER: What I have seen so far, at  
22 least for residential applications, it seems to go in a  
basement.

23

MR. DELVECCHIO: Okay.

24

25 MR. BOEHNER: And they are set up in the  
basement, they go through the wall.

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MR. DELVECCHIO: Well, there I have, yeah, I  
mean, it seems pretty low impact.

5

6

7

MR. GORDON: So, I've got to take a shot at  
suggesting what I have heard so far as a potential motion.  
That would be to direct the secretary of the Historic  
Preservation Commission to send a letter to the Town Board  
recommending that the Town Code be amended so that the  
installation of generators, air conditioning units,  
geothermal systems and equipment, and ductless mini-split  
units would not require a Certificate of Appropriateness.  
If, and only if, those installations are installed in  
compliance with the Town Code at ground level, not attached  
to the house, and behind the front facade.

16

17

18

MS. DREHER: Well, let me ask -- I'm sorry,  
can I ask a question before we -- someone makes a motion, or  
do you need to finish?

19

20

MR. GORDON: I was going to say, if somebody  
would make the motion and second it, then you can discuss it.

21

MS. DREHER: Okay. I will make the motion.

22

23

CHAIRPERSON LUDWIG: Thank you, Amanda. Can I  
have a second?

24

MR. DELVECCHIO: I will second.

25

CHAIRPERSON LUDWIG: Thank you, Justin. Any

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3 discussion?

4 MS. DREHER: Well, I was just thinking, so you  
5 were talking about the mini-splits, are there any  
6 circumstances when they would not either be on, lifted up, as  
7 Wayne was describing, or attached to the house? I mean, are  
8 there some circumstances when they would be on ground level  
9 or is that not done anymore?

10 MR. PAGE: Yes, they can be on ground level.

11 MS. DREHER: Okay. That was my only question.

12 MR. DELVECCHIO: Jerry's probably yes, right,  
13 Jer?

14 CHAIRPERSON LUDWIG: Yeah.

15 MS. DREHER: Okay. I just wanted to make sure  
16 that was the -- before we put it in there, that that made  
17 sense. Okay.

18 CHAIRPERSON LUDWIG: Any other discussion?

19 Okay. Sounds like you have it, Ken.

20 MR. GORDON: I hope so.

21 MR. BOEHNER: Member Ludwig?

22 CHAIRPERSON LUDWIG: Yes.

23 MR. BOEHNER: Ms. Robinson?

24 MS. ROBINSON: Yes.

25 MR. BOEHNER: Mr. DelVecchio.

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3 MR. DELVECCHIO: Yes.

4 MR. BOEHNER: Mr. Goodman?

5 MR. GOODMAN: Yes.

6 MR. BOEHNER: Mr. Page.

7 MR. PAGE: Yes.

8 MR. BOEHNER: Ms. Dreher?

9 MS. DREHER: Yes.

10 MR. BOEHNER: Motion passes. I will address  
11 the letter and send it to the Town Board.

12 CHAIRPERSON LUDWIG: Thank you, all. Any  
13 other old business?

14 MR. PAGE: So, I have a question, Ramsey.  
15 Where do we stand on the, getting money for and/or a person  
16 for doing more research for us?

17 MR. BOEHNER: I sent out the RFPs yesterday.

18 MR. PAGE: Okay.

19 MR. BOEHNER: There's money in the budget, by  
20 the way, is the last I understood.

21 CHAIRPERSON LUDWIG: Any other concerns with  
22 the church? If not, may I have a motion to adjourn.

23 MR. DELVECCHIO: I move.

24 MR. GOODMAN: I second.

25 CHAIRPERSON LUDWIG: All in favor?

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3 ALL COUNCIL MEMBERS: Aye.

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3                   REPORTER CERTIFICATE  
4  
56                   I, Rhoda Collins, do hereby certify that I did  
7 report in stenotype machine shorthand the proceedings held in  
the above-entitled matter;8                   Further, that the foregoing transcript is a true and  
9 accurate transcription of my said stenographic notes taken at  
10 the time and place hereinbefore set forth.11  
12                   Dated this 14th day of August, 2021.13                   At Rochester, New York  
14  
1516                   Rhoda Collins  
17                   Rhoda Collins  
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