

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

January 26th, 2023
At approximately 7:15 p.m.
Brighton Town Hall
2300 Elmwood Avenue
Rochester, New York 14618

PRESENT:

JERRY LUDWIG, CHAIRPERSON

JUSTIN DELVECCHIO)
AMANDA L. DREHER)
JOHN PAGE)
DAVID WHITAKER)

BOARD MEMBERS)

MARY JO LANPHEAR
Town Historian

KEN GORDON, ESQ.
Town Attorney

JASON HAREMZA
Town Planner

NOT PRESENT:

DIANA ROBINSON
WAYNE GOODMAN

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

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3 CHAIRPERSON LUDWIG: I'd like to call this
4 meeting to order. Would you call the roll please?

5 MR. HAREMZA: DelVecchio?

6 MR. DELVECCHIO: Here.

7 MR. HAREMZA: Dreher?

8 MS. DREHER: Here.

9 MR. HAREMZA: Goodman? He's absent.

10 Ludwig?

11 CHAIRPERSON LUDWIG: Here.

12 MR. HAREMZA: Page?

13 MR. PAGE: Here.

14 MR. HAREMZA: Robinson? Is absent.

15 Whitaker?

16 MR. WHITAKER: Here.

17 CHAIRPERSON LUDWIG: Thank you.

18 Motion to approve the agenda. There is one
19 change on the agenda, it says no designation of landmarks and
20 on the back page under Certificate of Appropriateness is
21 1H-02-23 and that should go under designation of landmarks
22 and not Certificate of Appropriateness. Other than that, a
23 motion to approve the agenda.

24 MR. WHITAKER: I make that motion.

25 MS. DREHER: I will second the motion.

2

3

CHAIRPERSON LUDWIG: All in favor?

4

ALL COUNCIL MEMBERS: Aye.

5

CHAIRPERSON LUDWIG: Motion stands approved.

6

Minutes from November 17th, it took a long time to get through them. Any additions or corrections?

7

MS. DREHER: I don't have any.

8

CHAIRPERSON LUDWIG: Anyone else?

9

Motion to approve.

10

MR. PAGE: I'll make the motion to approve.

11

MR. WHITAKER: Second.

12

CHAIRPERSON LUDWIG: All in favor.

13

ALL COUNCIL MEMBERS: Aye.

14

CHAIRPERSON LUDWIG: Minutes stand approved.

15

Was this meeting duly advertised?

16

MR. HAREMZA: This meeting was duly advertised in the Daily Record of January 12, 2023.

17

CHAIRPERSON LUDWIG: That meeting as duly

advertised will now be held.

18

We received some communications, an e-mail from Christopher Brandt, letter from Mary Ward-Boyde and an e-mail from Robert Murphy. I believe there's one more communication that you have, Jason?

19

MR. HAREMZA: Yes. We received an additional

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communication late this afternoon from Linda Stevenson.

4

CHAIRPERSON LUDWIG: Would you distribute that please?

6

The first item on the agenda is designation of landmark.

8

APPLICATION 1H-02-23

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1H-02-23 Application Mary Jo Lanphear, Town
Historian, for property owned by Debra Corea, at 69 Glen
Road, tax number 138.10-1-3, for landmark designation. All
as described on application and documents on file
application.

14

CHAIRPERSON LUDWIG: Is there anyone to speak on this? Come up and introduce yourself for the record.

16

DEBRA COREA: Hi, I'm Debra Corea, 69 Glen Road. I took some notes, but I just wanted to speak from my heart. I'm really happy that people appreciate the uniqueness of my house. And, you know, they all went through it and that --

21

So, I've been stewarding this house since 1989, and I had done my best to maintain the integrity of the house and the unique style of the house. But doing so has been really costly and upkeep of this house has always exceeded the average cost of upkeep for most normal homes.

3 And so, the repairs and the renovations have
4 always sort of hit us pretty hard. And over the last
5 30 years I have been asking all the contractors we've dealt
6 with to recommend somebody to help with the unique bark
7 siding of the house.

8 And again, recommendation from Jerry, and
9 Martin came out and he also did not know anybody that could
10 work on the house. He suggested maybe someone who built log
11 homes. I have actually had somebody who built log homes come
12 to the house -- and again, this is not a log home, it is a
13 slab with bark home that you just -- it would have to be,
14 like, custom built and custom done.

15 And I am concerned about moving forward with a
16 designation before I have a really clear idea of what would
17 be entailed in maintaining the house as it is.

18 I just really don't think there's any skilled
19 craftsperson who works in this material anymore that lives
20 anywhere near here. And the people that might have a skill
21 set are the ones that would be, like, super high priced.

22 So at this point in my life I think
23 unintentional consequences of designation would actually be
24 counter productive to the goal of the designation, you know,
25 because I'm feeling like the hurdles I would have to and the

3 requirements I would have to meet, would -- I would not have
4 the financial or psychological or other resources to meet
5 them and it might put me out of the house sooner than I hope.

7 I'm ageing and I was -- I know I don't have a
8 vote in the designation, but I don't know if I have any
9 influence. I would prefer that designation be delayed until
10 I am able to sell the house and get a good price for it and
11 the people don't feel like they're going to have to jump
12 through hurdles to have the house.

14 So I don't want to move out of the house
15 sooner than I anticipate, but at some point I think I can't
16 afford to live there anymore.

18 So my concern is personal and I'm not going to
19 do anything to the house to damage its historic nature or
20 design a stamp to put into the house. So I think that's it.
21 Any questions, thoughts about that?

22 MS. DREHER: I have a question. Is there a
23 particular issue right now with the siding that you are
24 dealing with?

DEBRA COREA: Yeah.

MS. DREHER: Could you elaborate?

24 DEBRA COREA: It's a log-like, but it's really
25 just slabs with bark. And Gustam who designed and built the

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3 house in 1938, for a couple years it took, one whole surface
4 of one whole wing of the house, he already replaced all the
5 bark with brick before I even bought the house.

6

7 And the bark, even at that time there was
8 places he had put, like, tar over the bark or some sort of
black gooey stuff. So that goes way back.

9

10 But the bark has been coming off. I heard,
11 like, from a lot of the neighborhood that he never intended
12 that siding to be permanent. He wanted clavert. But he was,
13 well, this is a thing that makes the house so wonderful and
14 unique, is that the house was basically made out of recycled
15 materials. So maybe he had a relationship with the people,
16 you know, doing their train tracks or something and getting
17 slabs off of that, those ties or, you know, the brick is all
18 recycled, the studs in the house were recycled wood. It was
a lot of recycled stuff.

19

20 So as that bark has been deteriorating over
21 the years, I have been asking everybody. I am asking people
22 that really, anybody that has worked on the house and I have
23 never, ever gotten a name for anybody who would look at it
and give me a quote.

24

MS. DREHER: To repair the bark?

25

DEBRA COREA: To keep it as it is. I'm

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23 concerned about the cost of doing that and the ease of doing
4 that. I just don't have much of a bandwidth to be like, it's
5 not my top priority to do the research on that.6 But I been asking more recently, so this
7 inquiry or this process has actually -- I was already in the
8 inquiry. I mean, this is just like a side thing that, was
9 like, oh yeah, I can see why you'd be interested in doing
10 this.11 I really have done a lot to maintain the
12 quality of the house. Put the windows in with all the models
13 and replaced the windows, did all that stuff. I will
14 continue, of course, because I like the aesthetic of the
15 house.16 And I understand that we don't want to lose
17 the house. It's unique. But I don't -- I have so much of a
18 personal concern, but it's a pretty high concern of mine
19 that, just as the whole process and the cost of it would make
20 me have to leave the house sooner than I would want to.

21 MS. DREHER: Thank you.

22 CHAIRPERSON LUDWIG: Part of the problem has
23 been that, I talked to Mr. Neighbor after he visited your
24 house, that when the roof was done 20 years ago the flashing
25 wasn't replaced, and so that's created a lot of the water

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23 problems, which is part of the reason that the wood has
4 deteriorated. Now --5 DEBRA COREA: Well, it's a different location
6 from that.7 CHAIRPERSON LUDWIG: Let me finish. As far as
8 the clad siding, certainly I believe probably a sawmill
9 could, when they take trees and they saw them they always cut
10 off the outsides and that's probably where this stuff came
11 from. But certainly, obviously, if the material is not
12 available, then we take that into consideration.13 But I would think the first priority would be
14 to do some work on the flashing so that the problem doesn't
15 continue.16 DEBRA COREA: Well, the issue with the
17 flashing is it's underneath the log, it's underneath the
18 wood, so all that would have to come off --19 CHAIRPERSON LUDWIG: This is the roof flashing
20 too.21 DEBRA COREA: Yeah, I talked to him about it.
22 I could see why roofers would not want to take off the siding
23 to get under there with it, because it is actually the bark.
24 It's where the dormer came in, right? So there'd be the log
25 and the bark and chinking, and the flashing went under that.

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23 So I could see any roofer who is under 70 years old would not
4 know how to deal with taking off that wood.5 CHAIRPERSON LUDWIG: I think you are incorrect
6 in that, but we won't dwell on that.7 DEBRA COREA: Well, I asked Mr. Neighbor, you
8 know, I said, would they have to saw the bark? And he said,
9 yeah, they would have to cut into that.10 CHAIRPERSON LUDWIG: Well, like I said, we are
11 not here to -- we are here to try to help you find practical
12 solutions to maintain the house. You and the next
13 generation.14 DEBRA COREA: Yes. So I would ask for a delay
15 to, until we actually know there's somebody that exists in
16 Monroe County or the surrounding counties that actually could
17 address my problem in the way that would meet everybody's
18 requirements.

19 CHAIRPERSON LUDWIG: Any --

20 MR. PAGE: Ken, I have a question.

21 MR. GORDON: Yes.

22 MR. PAGE: So if I understand our purpose this
23 evening, you could help clarify that for me, is we are
24 considering the suitability of this property for designation.
25 And not a separate issue is, how do you properly maintain it.

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3 CHAIRPERSON LUDWIG: That is correct.

4 MR. PAGE: Not to diminish your concern or
5 anything, but there's a process when it comes time to
6 maintain or rehabilitate or put an addition on, to something
7 that has been deemed historic, that takes into account what
8 can and can't be done. And then there's a process if there
9 is a hardship after that.

10 Anyway, could you clarify for me, Ken, what we
11 should be focusing on in regards to this application?

12 MR. GORDON: Sure. Thank you, John. Those
13 thoughts were coming to my mind too as I was listening to
14 this discussion.

15 So what is before the Board this evening is,
16 the designation of 69 Glenn Road as a historic landmark.
17 Your focus ought to be on whether this property has
18 characteristics that would lead to you finding that it is
19 historic in nature and deserving of landmark status under the
20 town's Historic Preservation Law.

21 What is not before the Board tonight is a
22 determination as to what would or would not be appropriate
23 for a Certificate of Appropriateness relative to
24 modifications or maintenance or replacement of elements of
25 that structure. And it may well be if this property is

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designated that the owner -- I think you are hearing her say this tonight -- may need to seek approval for some unique and economically viable means of managing and maintaining this property.

And I know from my experience that the Board is sensitive to those issues and does not want to harshly impose criteria in such a way that the property cannot be maintained, because that doesn't bode well for the preservation of that property.

So we had discussions with Ms. Corea, and her expression and concerns tonight reflect what we discussed with her as staff. But those issues really do go to the issue of a future project to rehabilitate, maintain, manage the property.

So I hope that -- and by the way, you mentioned the hardship elements, there are hardship criteria that an owner of a historic home can ask the Board to consider in determination of what could or should be done for management or maintenance of the home in the future. Not at this time, but when you get there, if you get there.

And so, I hope that was what you were looking for, John.

MR. PAGE: All set.

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3 MR. GORDON: I actually have a question or two
4 for you, Ms. Corea. I heard you say, I think, that you are
5 committed to the historic character of the property and you
6 would not want to see -- you personally, would not want to
7 see it altered, yes?

8 DEBRA COREA: Yes.

9 MR. GORDON: Okay. And I think that is the
10 idea of designation of properties is to make sure that the
11 Board's wishes and your wishes, which seems to be harmonious,
12 are followed by not just you, but some future owner.

13 I thought I also heard you say that you were
14 considering putting the property up for sale?

15 DEBRA COREA: I am thinking because of my
16 limited assets and my age that at some point it is going to
17 be probably not -- I might not be able to stay in the house.
18 And I feel like the reason I am asking for a delay in
19 designation is kind of like, let me take care of the repairs
20 without having to jump through hoops and go through an
21 appropriateness hearing.

22 And this is what kind of -- they merge in my
23 mind, I know it is a separate issue, but I just want to --
24 I'm concerned about, like, what I have to take on by myself
25 around this.

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3 MR. GORDON: I just want to explain that one
4 of the reasons that sometimes the Board will want to
5 designate a property is in advance of its sale to a new
6 owner, that we might have somebody who now owns the property
7 who is a wonderful steward of the historic character of the
8 property. We don't know who the new owner might be or what
9 their attitude or approach might be.

10 DEBRA COREA: I think that's what I should
11 come in to tell you that I'm going to sell the house, let's
12 do it now, so to protect it.

13 MR. GORDON: And I think that the Board
14 understands that, but may wish to take action now to make
15 sure that whoever that new owner is, is already on notice
16 that the property is, in fact, designated and they need to
17 take that into consideration and not do what, for example,
18 the gentleman who was in here for Old Mill Road is going to
19 be doing, knocking down the building that's on there.

20 DEBRA COREA: Right, I get that. I also am
21 concerned about how much money I can get for the house when
22 it is designated, and it probably goes both ways, right?

23 CHAIRPERSON LUDWIG: Well, we, just funny you
24 should bring that up. We did a study a while ago and of
25 houses that were designated and every single house that had

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23 been designated sold for more than it was assessed for, even
4 though it was designated. So I don't think that should be a
5 concern.6 DEBRA COREA: All right, thank you. I know I
7 wasn't going to get very far, but I had to say my thing.
8 Could you tell me what the e-mail from Murph said?9 MR. GORDON: We should make as part of the
10 Public Hearing record the e-mail that was received from
11 Robert A. Murphy of 7 Glenn Road, dated January 25, 2023,
12 regarding this application for designation of 69 Glenn Road
13 in opposition to designation.

14 In sum and substance, the concern was --

15 I believe it was sent out electronically to
16 the members.

17 CHAIRPERSON LUDWIG: Yes.

18 MR. HAREMZA: It was in the folder.

19 MS. DREHER: We did get it electronically as
20 well.21 MR. GORDON: In sum and substance, without
22 reading the entire thing, the concern is that designating
23 this property will open Pandora's box for the rest of the
24 neighborhood.

25 DEBRA COREA: Okay, thank you.

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3 CHAIRPERSON LUDWIG: Thank you, Deb.

4 Is there anyone here to speak on this
5 particular application -- or designation?

6 Okay. I would like to close the Public
7 Hearing.

8 Any discussion?

9 MR. PAGE: It's a fine house. It seems like
10 it has a good owner that likes the house for the house, which
11 everybody should live in a house they like.

12 CHAIRPERSON LUDWIG: It's a unique house.

13 MR. PAGE: Yes. It is a unique house. And I
14 don't doubt the one particular aspect of the siding, which is
15 a distinctive feature, would find a little bit difficult to
16 get people to work on it or even have a good idea on how to
17 work on it.

18 And we often help people find folks that can
19 work on things and assist with detailing questions, and it's
20 not out of the question that something that's a unique,
21 historic element, but is actually not done much anymore, if
22 at all, that a consideration in the future for an acceptable
23 alternative under the right circumstances, which would
24 certainly be considered.

25 CHAIRPERSON LUDWIG: Any other comments,

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3 questions?

4 MS. DREHER: I would add, my question was just
5 trying to determine, in your viewpoint, what the condition of
6 the siding was. We did have the survey that didn't seem to
7 indicate there was an immediate need or immediate concern.

8 I am correct in that, right?

9 CHAIRPERSON LUDWIG: Well, I think there's
10 some work that probably can be done, and if anyone can come
11 up with a solution, it is probably this group.12 MS. DREHER: I am thinking it's for the
13 purpose of just that we have a complete picture going in.
14 There's an element that we already know is severally damaged,
15 we are not in the business of telling people, you must
16 recreate this element, you know. So that was really what I
17 was getting at.18 CHAIRPERSON LUDWIG: We will help find an
19 equitable solution. That's not what we're going to focus on
20 right now. I think just basically is, I guess, if there are
21 any other issues or comments about the designation itself
22 right now?23 Do you have a motion that you are going to put
24 forward?

25 MR. GORDON: If you would like me to.

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CHAIRPERSON LUDWIG: I would, thank you.

4 MR. GORDON: I would propose the following
5 resolution:

6 Whereas, Applicant 1H-02-23 has been submitted
7 for the designation of 69 Glenn Road in the Town of Brighton,
8 County of Monroe, State of New York, tax parcel number
9 138.10-1-3 as a landmark under the Town's Historic
10 Preservation Law.

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3 and crafts style home which was hand built by a master
4 carpenter and builder.

5 It is hereby resolved that the Application
6 1H-02-23 for designation as a landmark of 69 Glenn Road
7 together with the referenced cultural resources survey and
8 the update thereto and all materials and documented presented
9 at the Public Hearing be received and filed by the Historic
10 Preservation Commission.

11 And we have further resolved that the Historic
12 Preservation Commission hereby designates the above
13 referenced subject property located at 69 Glenn Road as a
14 historic landmark pursuant to Chapter 224 of the Town Code
15 based upon the Commission's above articulated findings
16 regarding the historic value of the subject property.

17 CHAIRPERSON LUDWIG: Would someone like to put
18 forth a motion please?

19 MR. WHITAKER: I will do that.

20 CHAIRPERSON LUDWIG: Thank you, David. May I
21 have a second?

22 MR. DELVECCHIO: I'll second.

23 CHAIRPERSON LUDWIG: Okay. Discussion?

24 MS. DREHER: Nothing further.

25 CHAIRPERSON LUDWIG: Anyone else?

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3 Jason, would you call the roll?

4 MR. HAREMZA: DelVecchio?

5 MR. DELVECCHIO: Yes.

6 MR. HAREMZA: Dreher?

7 MS. DREHER: Yes.

8 MR. HAREMZA: Ludwig?

9 CHAIRPERSON LUDWIG: Yes.

10 MR. HAREMZA: Page?

11 MR. PAGE: Yes.

12 MR. HAREMZA: Whitaker?

13 MR. WHITAKER: Yes.

14 CHAIRPERSON LUDWIG: Motion passes.

15 The next item is a Certificate of
16 Appropriateness.

17 APPLICATION 11H-01-22

18 11H-01-22 Application of John Guiggey, owner
19 of property at 234 South Landing Road, tax number
20 138.05-2-71, for a certificate of appropriateness to
21 construct a 12' x 16' shed. All as described on application
22 and documents on file. Postponed at the November Meeting.

23 CHAIRPERSON LUDWIG: You're John?

24 JOHN GUIGGEY: I'm John Guiggey and I live at
25 234 South Landing Road. I'd like to build a 12 by 16 foot

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3 storage shed in my backyard. My lot is 80 feet wide, but it
4 is very deep and it backs up to 490 and a sound barrier. And
5 the location where I want to put the shed is about 230 feet
6 back from the road. And it is an area that's is trees and
7 shrubs and a lot of overgrown wild stuff. And really can't
8 see the shed -- or the proposed location of the shed from the
9 road and the neighbors would even have difficulty seeing it.

10 CHAIRPERSON LUDWIG: There's a great -- in
11 your folder is a great presentation here.

12 Any questions?

13 MR. PAGE: I thank you for your application,
14 how well it's put together and the amount of information it
15 has helps us to understand what you are proposing to do and
16 how it's pretty independent of everything we are interested
17 in.

18 JOHN GUIGGEY: I wanted to show off that map
19 that I had in 85, the old surveyor draw it for you.

20 CHAIRPERSON LUDWIG: It's great.

21 Any questions at all? Comments?

22 Anyone in the audience to speak of this?

23 I'd like to close the Public Hearing.

24 Could you prepare a motion please?

25 MR. GORDON: Thank you, Jerry.

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23 I would propose the following motion:
45 Whereas, Application Number 11H-01-22 has been
6 submitted for a Certificate of Appropriateness under the
7 Town's Historic Preservation Law for improving to property
8 located at 234 South Landing Road, tax account number
9 138.5-2-71 for a Certificate of Appropriateness under the
10 Town's Historic Preservation Law to perform work described as
11 the construction of a 12-foot by 16-foot shed on the subject
12 property.13 And whereas, the Historic Preservation
14 Commission duly called a Public Hearing to consider the
15 matter on January 26, 2023.16 And whereas, the necessary legal notice was
17 published and the required sign posted pursuant to town code.18 And whereas, the Public Hearing was held and
19 all persons having an interest in such matter having had an
opportunity to be heard therein.20 And whereas, the Historic Preservation
21 Commission hereby determines pursuant to the factors set
22 forth in Section 224-5 of the town code that the proposed
23 above described work to subject property is consistent with
24 the purposes of the Town's Historic Preservation Law and
25 compatible with the property's historic character based upon

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3 the Commission's review of the application and documents on
4 file and received at the Public Hearing, and the testimony
5 presented at the Public Hearing.

6 It is hereby resolved that the Historic
7 Preservation Commission hereby receives and files the above
8 described application and all supporting documents and it is
9 further resolved that the Historic Preservation Commission
10 hereby approves Application Number 11H-01-22 for a
11 Certificate of Appropriateness for the above described work
12 to be performed on the property located at 234 South Landing
13 Road in the Town of Brighton subject to the condition that
14 the above described work be completed within one year from
15 the date of approval.

16 And be it further resolved that pursuant to
17 Chapter 224 of the Town Code that the above described work
18 qualifies for the exemptions set forth in New York Real
19 Property Tax Law Section 444-A.

20 I did not hear any other conditions that the
21 Board had on this particular project.

22 CHAIRPERSON LUDWIG: May I have someone put
23 forth the motion?

24 MS. DREHER: I will make that motion.

25 CHAIRPERSON LUDWIG: Thank you, Amanda. May I

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3 have a second?

4 MR. PAGE: I will second.

5 CHAIRPERSON LUDWIG: Thank you, John.

6 Any discussion?

7 MR. WHITAKER: It was a very thorough
8 application.

9 CHAIRPERSON LUDWIG: Yes, it is.

10 Jason, call the roll.

11 MR. HAREMZA: Delvecchio?

12 MR. DELVECCHIO: Yes.

13 MR. HAREMZA: Dreher?

14 MS. DREHER: Yes.

15 MR. HAREMZA: Ludwig?

16 CHAIRPERSON LUDWIG: Yes.

17 MR. HAREMZA: Page?

18 MR. PAGE: Yes.

19 MR. HAREMZA: Whitaker?

20 MR. WHITAKER: Yes.

21 CHAIRPERSON LUDWIG: Okay, you are all set.

22 JOHN GUIGGEY: Thank you.

23 CHAIRPERSON LUDWIG: Next item.

24 MS. DREHER: Mr. Chairman, may I ask for a
25 moment to read the communication before we move to the next

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3 item?

4 CHAIRPERSON LUDWIG: Sure.

5 MS. DREHER: The communication we just got
6 tonight in relation to the next item. I'd just like a few
7 minutes to read it because it is lengthy.

8 CHAIRPERSON LUDWIG: Sure.

9 (There is a short pause in the proceedings.)

10 APPLICATION 1H-01-23

11 1H-01-23 Application of Bristol Valley Homes, LLC, owner
12 of property and PEMM, LLC, contract vendee at 3108 East
13 Avenue, tax number 138.09-2-2, for a certificate of
14 appropriateness to construct a canopy, gas pumps, island and
15 other site modifications. All as described on application
16 and documents on file.17 CHAIRPERSON LUDWIG: Okay. I think before we
18 start, I think it is important to stress that we are not here
19 to debate the idea of a gas station or convenience store. We
20 are here to strictly talk about the Certificate of
21 Appropriateness of the plans that are being submitted.22 MR. GORDON: And, Jerry, if I could provide a
23 little bit of information both for the Board and for the
24 public who is here and interested in this project, mostly I
25 think consisting of neighbors and they have been very

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3 involved with the application from its inception, and have
4 had a presence at the Zoning Board meetings and other
5 meetings regarding this project.

6 So the Zoning Board of Appeals has already
7 granted the applicant the variances that were sought,
8 including the use variance. The issues regarding use of this
9 property as a gas station and convenience store is not before
10 this Board tonight. Your Board cannot change or alter the
11 decision of the Zoning Board of Appeals for this property to
12 be used as a gas station and convenience store.

13 What is before this Board is an application
14 for a Certificate of Appropriateness. And as you know, as
15 you heard me say many times, that issue is, are the
16 modifications or changes to the property, whether they be
17 modifications of the existing structure or new construction.
18 In this case the new construction of a canopy in the front of
19 the property, are those modifications or new construction
20 elements compatible with the historic character of the
21 property.

22 For the information of both the Board and the
23 public, the code provides that applying the principle
24 compatibility, the Commission shall consider the following
25 factors:

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3 One, the generally designed character and

4 appropriateness to the landmark or the proposed alteration or

5 new construction.

6 Two, the scale of the proposed alteration or

7 new construction in relation to the landmark, surrounding

8 properties and neighborhood.

9 Three, visual compatibility with the existing

10 structure and with the surrounding properties including the

11 portion of the property front facade, proportioned and

12 arrangement of windows and other openings within the facade,

13 roof shape, and the rhythm of spacing of properties on

14 streets including setback.

15 And four, the importance of historic,

16 architectural or other features to the significance of the

17 landmark.

18 Let me repeat that these factors are going to

19 the issue of the compatibility of the proposed new

20 construction and modifications with the historic character of

21 the designated property.

22 That's what is before the Board.

23 CHAIRPERSON LUDWIG: Thank you. First of all,

24 I guess we would like the gentleman presenting the project to

25 come up and do your presentation please.

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3 LOU TARRINOLI: Good evening, everyone. My
4 name is Lou Tarrinoli, I'm the director of real estate at
5 Quicklee's. We are a family-owned business headquartered in
6 Avon, New York, and are exited to present our ideas of the
7 restoration of this property on East Avenue.

8 As you are aware, back in the summer of 2021,
9 we had some discussions regarding the property and the fact
10 that it is our intent to put this back to its original
11 historic use in every way, shape and form as physically
12 possible. So based on what we talked about back then, and
13 what I am presenting today -- and I appreciate all of the
14 other conversations about the use variances and all that,
15 which I was prepared to get into, but since it's already been
16 said, I won't repeat it and be respectful of everyone's time.

17 What I am showing you tonight will have two
18 differences of what we talked about when we were together
19 back in 2021. The first difference is, there was discussion
20 around the canopy and at that point we had three dispensers
21 shown on the site plan. And then through discussion with the
22 Board we went back to two dispensers on the site and took
23 away the third dispenser.

24 There was also --

25 CHAIRPERSON LUDWIG: By dispenser you mean

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3 fuel pump?

4 LOU TARRINOLI: Yes. Back then the canopy,

5 the total square footage of the canopy itself is it was

6 968-square feet. We have analyzed it and gotten it down to

7 720-square feet, so we reduced the size of the canopy by

8 25 percent.

9 Another way to look at it, each dispenser, gas

10 pump, has 360 feet allocated to that pump which would be the

11 smallest canopy we have in our chain of 30 stores right now,

12 per pump. For example, we have a property which just opened

13 in Batavia that is 625-square feet per pump, and again, this

14 one is 360-square feet per pump.

15 Again, we are going to be reducing the lot

16 coverage which right now is 74 percent to 63 percent, code

17 allows for a maximum of 65 percent.

18 The second change that we added fairly

19 recently, we did talk about a wall in the front of the

20 property when we were all together. So we went out and

21 canvassed the area and we found that there were walls within

22 a stone's throw, for lack of a better phrase, of this

23 property. So we're going to, what we've put on this

24 rendering is, we're going to match the walls, stone walls, in

25 the area as far as what their appearance is.

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3 Now, some of them have circular, or a half
4 moon shape, which we can't do that at the site, as this is
5 straight across, but as far as the stone matching we're doing
6 everything we can to make sure the stone matches 100 percent.

7 A couple other items, I'd just like to go over
8 a letter we have from our architect and I do have a copy of
9 the letter that I can leave with everyone tonight. Just to
10 go over, the roof of the building will be restored to its
11 original design including use of slate roof tiles. I have a
12 physical sample here of what the slate roof would look like
13 and also with the canopy itself. The roof part of it is
14 about two and a half feet, that will be a matching slate also
15 to the building.

16 The stucco exterior walls will be repaired and
17 restored to their original appearance, including the use of
18 traditional techniques, it will be a Sherwin Williams
19 alabaster, that color is a sample with me that I can give to
20 the Board.

21 There's timber around the building, as you
22 know on the eaves and in trim. That will be restored to its
23 original design. Certain areas will need to be reconstructed
24 and we will do that. And then, all of the timber will be
25 stripped and repainted and there will be a Rockwood dark

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3 brown on it. I also have sample of that, that will be used.

4 All windows and doors on the project will be
5 replaced with high efficiency thermal and aluminum frames,
6 dual pane, low key glass, and the replaced windows and doors
7 all will be fabricated to match the original designs of that
8 building.9 So if you like, I can provide everyone on the
10 Commission a copy of this letter.

11 MR. GORDON: Do you have copies of the letter?

12 LOU TARRINOLI: Yes. I have copies for
13 everyone.14 Then here I can give the Chairman and let him
15 pass it around, the physical sample of what the slate roof
16 material we found for that, both the building roof and canopy
17 roof.18 CHAIRPERSON LUDWIG: Just a question on this
19 slate. You're hopefully not going to take off all the slate
20 on the existing building?21 LOU TARRINOLI: No, just where it needs to be
22 replaced.23 CHAIRPERSON LUDWIG: So you will match it with
24 this material?

25 LOU TARRINOLI: Yes.

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CHAIRPERSON LUDWIG: Very good.

4

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LOU TARRINOLI: We are going to leave as much of the building as we can, just refurbish, restore. And like I mentioned, some of the wood pieces need to be replaced, but that's very minor. Everything else we're going to clean and buff or whatever needs to be done from a professional standpoint to have it get back to its original appearance.

10

11

I'm happy to answer any questions, take any direction that the Commission might have.

12

13

14

15

16

CHAIRPERSON LUDWIG: Members of the Commission, I -- there is a photo that I took, a picture of this Mobil station in Pittsford. It's in a little different shape of the canopy and it's opened up underneath, which is a little lighter looking. It's just for your consideration.

17

18

19

MR. PAGE: So the existing storefront and the infill at the repair bays, can you describe what's going on in those locations?

20

21

22

23

LOU TARRINOLI: Yeah. For the repair bays on the exterior, what you see here is what we will be restoring it to. On the interior, that will be part of the convenience store sales floor.

24

25

MR. PAGE: Now I meant just the infill part, so could you describe --

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3 LOU TARRINOLI: Around the windows themselves?

4 MR. PAGE: No, no, the glass and the frame and
5 so on, is that -- how is that constructed?

6 CHAIRPERSON LUDWIG: You said it was going to
7 be aluminum, a bronze aluminum?

8 LOU TARRINOLI: They'll only be aluminum
9 frames.

10 CHAIRPERSON LUDWIG: Okay.

11 LOU TARRINOLI: It will be the same aluminum
12 glass framing as what's there now. Keep going back to what
13 was originally there.

14 MR. DELVECCHIO: What's the height of the
15 existing structure, at the gable at the highest point?

16 LOU TARRINOLI: I believe it's 28 feet.

17 MR. DELVECCHIO: Roughly?

18 LOU TARRINOLI: The canopy, the top of the
19 canopy is 17 feet.

20 MR. DELVECCHIO: Okay, thank you. So that
21 rendering generally reflects to proportion?

22 LOU TARRINOLI: Oh, yes. At the bottom of the
23 canopy it would be about 14 and a half feet, that two and a
24 half feet where you see this, which will be the slate shingle
25 roof.

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MR. DELVECCHIO: Can you help clarify, so I have the signage is of concern. I see this submission it is dated 12/19/22 and has some dimensions on it. As I look at this package, I see a sign there that seems smaller, more in proportion --

8

9

LOU TARRINOLI: I had an update to what you have that would answer your question specifically.

10

MR. DELVECCHIO: Okay.

11

12

13

14

LOU TARRINOLI: So in looking at the signage we did speak with town officials and we wanted to make sure that the sign that we were proposing would be within code, which what I am about to show you is an update to that.

15

Can I approach and --

16

MR. DELVECCHIO: Yes, please.

17

18

19

20

LOU TARRINOLI: So what you see on the rendering, that's Quickee's, we took that off. Just needed a Quickee's sign. Again, this would meet the sign codes, I think it's a tad smaller.

21

MR. DELVECCHIO: This is to scale?

22

LOU TARRINOLI: Yes.

23

24

MR. DELVECCHIO: So this dimension on here has been updated. It's not a ten-foot wide sign?

25

LOU TARRINOLI: Correct. It's -- the sign is

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3 19 and a half inches tall, 70 inches wide, so it's smaller.

4 MR. DELVECCHIO: Quite a bit, yes.

5 LOU TARRINOLI: Yes. We want it to work
6 within that existing framework that's there on the front of
7 the building. That's why when we took a harder look at it,
8 the size of the sign came down.

9 MR. GORDON: Mr. Tarrinoli, is your
10 application tonight for a Certificate of Appropriateness,
11 including your application for approval of this sign?

12 LOU TARRINOLI: Well, is that something the
13 Planning Board would do typically or this Commission?

14 MR. GORDON: So, both. Typically signage
15 is --

16 LOU TARRINOLI: Then that's a yes?

17 MR. GORDON: Typically signage is approved by
18 the Planning Board based on recommendations made by the
19 Architectural Review Board. But with a historically
20 designated property, this Commission sits as the
21 Architectural Review Board for all purposes that the
22 Architectural Review Board would normally sit for.

23 My concern is that, I don't see this rendering
24 in the application materials. I know you just handed it out.

25 LOU TARRINOLI: Yes.

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3 MR. GORDON: And the concern of course would
4 be, while you provided details of the changes and articulated
5 in your presentation including the reduction in the canopy
6 and the addition of the stone wall, I don't believe that the
7 Board, or for that matter the public, had any information
8 specifically with respect to the signage.

9

10 So I'm not sure that the Board could
11 appropriately consider the sign at this meeting tonight.

12

13 LOU TARRINOLI: Okay.

14

15 MS. DREHER: I would just add that there is a
16 discrepancy between what you've given us and the concept
17 design we have, as far as the sign goes. The timbering is in
18 a different place.

19

20 LOU TARRINOLI: The timbering there now,
21 actually it's not really there.

22

23 MS. DREHER: We don't have a picture of it.

24

25 So you've got a sign placed in the concept
26 designs, but obviously we do not have dimensions or anything
27 like that. But then in this drawing where you have the sign
28 placed, that inner box is different than the inner box of the
29 concept design.

30

31 LOU TARRINOLI: The signage was measured more
32 than the rendering, so the handout is the sign you asked --

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3 the --

4

5 FRANK ROMEO: Hi, good evening. Frank Romeo,
6 I'm the owner of the property. I was just chatting with Lou
7 a little bit about the signage. I've got a recommendation
8 for the Board of what we'd like to do.

9

10 Number one, we will clearly stipulate the size
11 of the sign will be in compliance with the zoning code. Not
12 that is a big deal here with this Board, but I'd like to know
13 the size, but we will come back with that.

14

15 Number two, even though we have historical
16 photos of the building for that gable that's up there, in
17 front of the building, we don't really know what's underneath
18 there, so at some point in time we're going to need your
19 permission to --

20

21 CHAIRPERSON LUDWIG: Well, you do now.

22

23 FRANK ROMEO: I understand what the picture
24 says, but I'm not willing to tell you that that's underneath
25 there in case somebody else changed it or did something.
That's all. I don't want to come back again and again and
again. We would like to be able to at some point in time,
and I don't know if we can do it tonight, remove that textual
111 and other siding that's up there. So we would need your
permission to do that.

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3 And I'm not quite sure, but we may have goofed
4 up a little bit here on some of the drawings because we have
5 been talking with planning and zoning departments trying to
6 hone in a little bit on this, so we apologize for that. So I
7 will leave that to you and the town attorney to tell us when
8 to take that down.

9

10 We'd certainly like to move forward with the
11 rest of the application and answer any questions you have
12 regarding the canopy and other building materials.

13

14 CHAIRPERSON LUDWIG: Okay.

15

16 FRANK ROMEO: Thank you very much.

17

18 CHAIRPERSON LUDWIG: Did you have any
19 comments?

20

21 MR. GORDON: The Board members might have
22 questions.

23

24 CHAIRPERSON LUDWIG: Do you have any questions
25 right now before we -- I mean, we're not closing the hearing.

26

27 MR. GORDON: We might have some questions.

28

29 CHAIRPERSON LUDWIG: Do you have any questions
30 of these gentlemen right now?

31

32 MR. PAGE: Well, I just wanted to say that
33 this is a vast improvement from the original meetings we had
34 and it's consistent and moved in the right direction on a few

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3 of the items that are here.

4 The application for me is sufficient for me to
5 to make a general judgment on the way you are headed, but
6 it's incomplete in terms of the information that I would want
7 to see that's in addition to what's here. Those things would
8 be product data and a description of -- and you provided some
9 of that this evening -- and a little narrative blurb on the
10 stucco and half timber.

11 And then in our discussion, it's also come up
12 that our expectation is that there's going to be a
13 rehabilitation here that respects the exterior stucco,
14 tempering, the coins on the corners and the openings and
15 filling them in an appropriate way.

16 We just need something that's a little bit
17 more concrete than the narrative description that you've
18 given for those elements that are going to especially be new
19 for windows, for the infill.

20 I think that it is appropriate that we have as
21 a condition if we consider this, that the half timbering be
22 exposed and the elevations updated and the signage
23 coordinated for specific removal.

24 MR. GORDON: I was going to ask a similar
25 question of the applicant as to whether they would be

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3 receptive to the Board imposing, if it was willing to grant
4 the Certificate of Appropriateness, and I'm not prejudging
5 that certainly, but if the applicant would be willing to
6 accept conditions that would require it to come back to this
7 Board with more material descriptions and samples. And with,
8 subject to, I would say, a further inspection of what is
9 revealed once the timbers are exposed and get this Board's
10 further approval and authorization to go forward with further
11 modifications or restorations of the building.

12 MR. PAGE: So, Ken, what they were asking
13 about, can they take the T-111 down? Is there anything
14 preventing the removal of the T-111?

15 MR. GORDON: Yes. They can't get a building
16 permit to do anything without this Board granting a C of A.
17 So we could grant the C of A --

18 MR. PAGE: Remove a panel that was not
19 structural that was applied over something it is
20 considered --

21 MR. GORDON: A modification of the exterior,
22 absolutely. I don't believe they would be planning to
23 replace it with like-kind material, I hope not. So, yeah, it
24 is a modifications of the exterior of the structure and that
25 would require a C of A.

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6

7 thing --

8

8 FRANK ROMEO: Happy to accept a condition to
9 submit samples and we'll get all of the appropriate cut
10 sheets on all of the materials. It would be my
11 recommendation that if it's possible the town attorney can
12 allow it to figure it out, to remove the texture 111, not
13 replace it with anything, only a limited scope so we can
14 investigate what's up there, confirm that it matches the
15 picture, and have our architect update the drawing for you.

16

CHAIRPERSON LUDWIG: Well --

17

FRANK ROMEO: And not do anything structural.

18

18 CHAIRPERSON LUDWIG: Okay. Let's file that
19 for a minute. Any -- what I -- a couple things. One, I
20 would like you to take a look at this. This is the --

21

MR. GORDON: I sent a copy of that.

22

22 CHAIRPERSON LUDWIG: You have a copy of this?
23 This is the Exxon station in the Village of Pittsford.
24 Pittsford has an ordinance as well as we do, and I took a
25 picture of this the other day. A couple of things, it seems

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23 less massive in one way and it is open underneath, which
4 seems a little airier than the one that we have seen.5 And if there's to be a canopy, I just wanted
6 to get the Commission's input on, this is another option.7 FRANK ROMEO: We are not saying yes, we are
8 not saying no, we do want to be in agreement with what this
9 Commission wants us to do. We would need your input. If
10 you're telling us that's what you want to do, I will give you
11 an answer.12 MR. GORDON: Why don't we hold off on that
13 discussion by the Commission. I know, Jerry, you were
14 interested in hearing from the public.15 CHAIRPERSON LUDWIG: Yes. Why don't you step
16 aside and the people have been patiently waiting to speak,
17 just please come up and state your name for the record and
18 we'll listen.19 KAREN BENTLEY: Hello, I'm Karen Bentley, my
20 husband and I live across the street from 3108 East Avenue at
21 the property address of 3939 Elmwood Avenue. I would like to
22 hand out to the Board members some pictures.

23 MR. GORDON: I will distribute them.

24 KAREN BENTLEY: The purpose of this power
25 point slide is to allow you to visualize an original picture

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3 from the 1970s which shows the fully gabled slanted roof line
4 of the original property as it would have been for probably
5 decades.

6 Below that is a picture of the rendering from
7 the Quickle's designed aspect, and they're showing here the
8 canopy in front of the building, and if you look at the
9 picture on the first page the lower one which is a cartoon
10 version of the design, in the yellow box you can see most of
11 the building is obscured by the canopy so that you can't
12 appreciate the historical design. And also, the gable is
13 significantly obstructed by the canopy.

14 On the second page, I'd like to draw your
15 attention to the fact that not only designs that were
16 presented by Quickle's have ever included the blue house,
17 which is on the south side of the property of 3108 East
18 Avenue.

19 You can see a bunch of trees in the upper
20 rendering that have been placed in that design. But if you
21 look at the actual picture taken from Google maps, one can
22 see in the lower picture that the building on the left is
23 significantly higher than the house adjacent to it on the
24 south side of the property.

25 There's a significant drop in elevation, and I

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3 put a -- postulated that perhaps there should be a privacy
4 fence, discussed among the Commission members. Because I
5 know for a fact that the bedrooms are on the north side of
6 the blue house, which would directly get all of the light
7 from the canopy shining into the bedrooms and the area
8 surrounding it.

9 So I wanted to bring these two power point
10 slides to your attention giving you a visual of what I
11 perceive as a design issue that if the canopy would
12 significantly obstruct the historical viewing of this
13 beautiful little building across the street from where I
14 live.

15 I am happy to answer any questions or I will
16 just go sit down.

17 Also, the owner of the property in the blue
18 house is here tonight and he is right here. And he was glad
19 to see the picture that I presented in this particular set of
20 slides.

21 CHAIRPERSON LUDWIG: Thank you.

22 MR. PAGE: Thank you.

23 STEVEN WARNER: Good evening. My name is
24 Steven Warner, I do own the blue, I do own the house right
25 next door, it's a blue house. I have no problem with this

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23 being Quickele's. I'm glad it's being renovated into
4 something useful.5 I do have the same concerns that I think she
6 voiced, which is, one, the lights. And I can confirm that
7 there are two bedrooms right there on that side of the house.
8 A privacy fence or something would be very well received. It
9 is not where I live, it is a rental unit. I do have renters
10 in there, I think it would be helpful to have some sort of
11 privacy fence. That's what I'm concerned about.12 And then the drainage, if redoing the driveway
13 changes the topography and all of the water comes rushing
14 down the driveway that is next to me or into my yard, these
15 are the things I am concerned about.16 Otherwise, I like the drawing and the
17 rendering. I think they are good.

18 CHAIRPERSON LUDWIG: Thank you.

19 DAVE DRISCOL: Dave Driscol, 285 East Avenue,
20 a Kingston house, is our property. We are about two blocks
21 west of the proposed gas station.22 I am just here maybe not relevant to the
23 status of this proposal, but I am just came by to give a
24 thousand percent support to doing something productive and
25 beautiful with that property. It has been sitting there for

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23 an awful long time and I think it needs to be done
4 tastefully.5 On the other hand, if you stand at the
6 intersection of 441 and East Avenue, you have about two miles
7 to the west to get gas and a cup of coffee, and two miles to
8 the east, or two miles to the north and two miles to the
9 south. You're talking about Pittsford village, Monroe
10 Avenue, Panorama, East Rochester.11 It is the end of the neighborhood, there are
12 sidewalks all over the place, a lot of beautiful properties
13 and you literally have to get in your car to get a cup of
14 coffee. I think those conversations are already probably
15 been resolved by previous applications.16 But myself and my wife and a lot of the silent
17 neighbors are really looking forward to having something
18 useful and hopefully fitting with the expectations of the
19 Historic Preservation review Board.

20 CHAIRPERSON LUDWIG: Thank you.

21 DAVE DRISCOL: And I came here on my own.
22 Thank you.23 CHAIRPERSON LUDWIG: Is there someone else to
24 speak?

25 MR. GORDON: John had a question and I silence

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3 him before. Go ahead.

4

5 MR. PAGE: So fencing and lighting are both
6 issues that are typically of interest to the Zoning Board --
7 no, Planning Board?

8

9 MR. GORDON: Yes.

10

11 MR. PAGE: And I would expect that a cut off
12 type of light fixture would be likely required for a canopy,
13 but it's not our deal, per se. Although I'm interested in
14 lighting they are proposing for the building to be further
15 identified.

16

17 The fence, we would be interested in if a
18 fence was going to be proposed, because it's on the property,
19 and then but there's since requirements that would have to be
20 met in terms of the size and so on.

21

22 MR. GORDON: So the town already has a dark
23 skies and zero spill policy and code. You are absolutely
24 right, issues on screening and lighting and spillage of the
25 lighting are Planning Board issues. What I wanted to take a
moment and check with Jason is where this project stands with
the Planning Board and they are currently on the February 15,
2023 agenda. So that if there is anyone who has an interest
in commenting on lighting and/or screening, it would be
appropriate to provide those comments to the Planning Board

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3 do whatever the town engineer, the Planning Board tells us to
4 do those things.

5

6 The other issue with the fence, it was
7 adjacent to the property owner. When we come back for the
8 sign we will talk to you about that and see what they want to
9 do. It's not a big deal.

10

11 MR. GORDON: It's also something, however,
12 that you should be talking to the Planning Board about.

13

14 FRANK ROMEO: Absolutely. I didn't mean to
15 overstep the Planning Board, it certainly is. But we still
16 have to have the type of fence. I assume they are going to
17 want to approve it, this Board.

18

19 MR. GORDON: And if what I think is envisioned
20 is a screening fence that would be high enough to block
21 lighting. I think that would probably need to be over the
22 permissible three and a half foot height, which is for a
23 front yard. So you might also need to go back to Zoning
24 Board of Appeals to get a variance for a high fence. So I
25 don't know what you want to do about all of that.

26

27 FRANK ROMEO: Let's talk about that a little
28 bit. How high do you want to put this fence? You have to
29 put the fence higher than the lights if you want it to get
30 rid of that. That's not going to happen.

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3 When we get the photometrics to the Planning
4 Board and we talk about it, we will talk about the spillage.
5 I think the real issue of the fence on these types of
6 properties is, trying to shield the headlights from the cars
7 flashing into the windows. It's not so much the down
8 lighting that's coming down and that, you know, one foot
9 candle or whatever, it is at the property line.

10

11 better word, or a boarded fence, vinyl fence, whatever, would
12 stop the cars coming, headlights going through.

13

14 would review with you the elevational differences between
15 your property and this property, and what will be required.

16

17 will address. Until you get to the point of saying, yes,
18 this is something we want to put on the property, then in
19 addition to the Planning Board approval that would be HBC
20 approval for a Certificate of Appropriateness if you want to
21 add a fence.

22

23 have to come back for the signs anyway. The one -- and I
24 forget her name, but she came up and gave us this photo --

25

MR. GORDON: Just one minute. So typically,

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3 Jerry, we don't want to encourage a back and forth between
4 comments from the public and the developer, unless the Board
5 has questions that it has, because we have in experience that
6 when they have an opportunity to present, they are to present
7 everything, and the public has the opportunity to comment.
8 And we don't want to end up in sort of this diatribe argument
9 back and forth. So I would just encourage the Chair --

10 CHAIRPERSON LUDWIG: Right. I just had one
11 question and I don't know whether anyone on the Commission
12 can answer this, but in the option "B" for the canopy, if it
13 is open and lights are up into the structure rather than
14 being flush with the bottom of it, will that reduce the
15 amount of the light spillage and so forth? I don't know
16 whether anyone here can answer that or not. But that was
17 another potential advantage to the option we gave.

18 MR. PAGE: Will it be the design, the light
19 fixture that controls the spillage? Clearly it is up and
20 would make a difference, but --

21 CHAIRPERSON LUDWIG: So should we close the
22 Public Hearing right now?

23 MR. GORDON: If there's no further comments
24 from the public.

25 CHAIRPERSON LUDWIG: Is there any other

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3 comments from the public?

4 Okay.

5 MR. GORDON: I see Mr. Romeo standing here
6 without -- I mean, is the supplemental information that you
7 have been presented, which is not simply to try to refute
8 something?

9

10 FRANK ROMEO: No, I'm not trying to refute
11 anything with the neighbors. It was not my intention at all.
12 I just wanted to make sure -- you had mentioned that we
13 received a variance for the height of that. I was going to
14 ask you to reexplain that again. It seems to be bringing
15 that up all of the time. I was not getting into it.16 The photometrics in answer to your questions,
17 Mr. Chairman, will show no matter whether the light is up in
18 into the canopy or at the bottom, the cold doesn't change,
19 right? So the foot candle or the zero off the property line
20 is less than one, so that is up to us to prove that to the
21 Planning Board.

22 CHAIRPERSON LUDWIG: Okay. Anything else?

23 Any comments?

24 Then let's close the Public Hearings.

25 MR. GORDON: Do you want to have a discussion

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23 among the Board members? If you are looking to me to draft a
4 resolution --

5 CHAIRPERSON LUDWIG: We can't do that yet.

6 MR. GORDON: -- I don't know what I am
7 drafting.8 MS. DREHER: I'd like to just take a moment.
9 The picture that you shared of the gas station in Pittsford,
10 I mean, to me -- I'm not an architect -- but this is a
11 completely different design. It's got a hinge roof, as you
12 mentioned it is open, and I guess, is there -- other than
13 pure style choices, is there a reason that this would be more
14 historically accurate, is the question for John. As far
15 as --16 CHAIRPERSON LUDWIG: I guess and being a gear
17 head, I looked at every conceivable old gas station I could
18 come up with. And it wasn't until probably the late 40s or
19 50s, that the basic pancake type island was created. And
20 this seemed to be a little more historically compatible with
21 the style of the building. That's --22 MS. DREHER: Okay. That's what I was
23 wondering.24 CHAIRPERSON LUDWIG: That was the fact that
25 it's -- it seems a little airier. Now, whether it would

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3 block more of the building or less of the building, I don't
4 know. But it looks like it would blend in with the existing
5 structure, maybe better than just the pancake type.

6

7 MS. DREHER: Okay. I guess my thought is, I
8 am fine with the current design, given that it is a new
9 structure. But I would also be fine with this design.
10 Although I think the two and a half feet that is currently
11 the width of this, you know, the height has been approved.

12

13 I think that going higher obviously is not
14 going to be we're talking about here. I don't know how that
15 would work design wise, but given what's been said, I'm fine
16 with the current rendering the way it is.

17

18 MR. DELVECCHIO: I agree, although I
19 appreciate Jerry bringing this forward as an option for the
20 applicant. It's not our job to instruct. We make
21 suggestions, but obviously the applicant has to come to us
22 with revisions if they're going to intend to do something.

23

24 So I feel comfortable on the basis of adequate
25 compatibility with the historic nature and purpose in
functionality. It is a gas station.

26

27 A lot of the criteria has been met, I think I
28 agree though, John, you articulated well the number of items
29 that we are looking for information on that would make the

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23 application adequate for a full approval or whatever that
4 concept is, or even a conditional.5 And I am looking at Mr. Gordon here in terms
6 of maybe more than a question of what is the procedural, what
7 elements are there for conditional COA's. I think we have
8 done that type of thing before, but could you remind the
9 prior clarification for me there?10 MR. GORDON: So we have, I think on several
11 occasions granted conditional Certificates of Appropriateness
12 requiring the applicant to come back with material samples
13 before they can install those materials or complete their
14 construction.15 We have also on occasion tabled applications
16 to have somebody come back with that information.17 The difficulty with this one is that I believe
18 I heard both the Board and the applicant express a desire to
19 expose those beams to see what's there before finalizing the
20 design, and that is something unique. I don't know that
21 we've done it before, at least in the time I have been on
22 this Board. So what's that, ten or twelve years?23 So what I have got in mind is a condition that
24 would allow the applicant to proceed so far but not further
25 with work and then return to the Board with some additional

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3 information before their allowed to proceed with the
4 remainder of the work. So it would be a conditional
5 approval.

6 There is a clock on these applications of
7 60 days. This application was submitted on December 21st,
8 and our clock runs out on February 19th, which is prior to
9 our next meeting, unless the applicant will consent to an
10 extension of that time.

11 So it would be appropriate at this meeting to
12 make some determination. The other possibility, of course,
13 and I don't want to leave this off the table, is to deny the
14 application because it is incomplete and let them start the
15 process over again with a new application at a new meeting
16 when they have a complete application.

17 CHAIRPERSON LUDWIG: What if we gave them a
18 Certificate of Appropriateness tonight to remove the texture
19 111, can we do that?

20 MR. GORDON: Absolutely.

21 MR. WHITAKER: I think we should do that.

22 CHAIRPERSON LUDWIG: And also, just for grins,
23 maybe you could do an elevation with plan B of the canopy
24 just to see how that would affect the street view.

25 FRANK ROMEO: May I ask a question?

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3 MR. GORDON: We are having a Board discussion
4 now.

5 CHAIRPERSON LUDWIG: Yes, this is for the
6 Board.

7 So we could --

8 MR. GORDON: So, I heard what was said and I
9 heard David say, yeah, we should do that. My concern is, and
10 what are we doing with the rest of the application, are we
11 denying the rest of the application? Are we tabling the rest
12 of the application?

13 CHAIRPERSON LUDWIG: We give a Certificate of
14 Appropriateness to remove the texture 111 and we table the
15 rest of the application.

16 MS. DREHER: Would that mean the applicant has
17 to consent to an extension?

18 MR. GORDON: Yes. We would need the
19 applicant's consent to extend beyond February 19th, and still
20 beyond the deadline.

21 MR. DELVECCHIO: We are requesting a complete
22 submission.

23 MR. GORDON: I think it would very helpful for
24 the applicant to know the details and specifics of what the
25 Board would like to see, and it would help me because I would

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23 like to put that in a resolution. And although I have heard
4 some, it would be wonderful if somebody would articulate all
5 of those details for me, even if it took more than one of
6 you, I can take some notes and we can proceed that way.7 CHAIRPERSON LUDWIG: I think we need, as John
8 mentioned, the specifics in cut sheets on materials, or
9 provided slate. We need obviously, once the texture -- if we
10 give the Certificate of Appropriateness now, to remove the
11 texture 111, that will be -- then we will have a better idea
12 of exactly, sign, what's available as far as sign space.13 And I would like a rendition of plans in
14 elevation of how this canopy would appear versus the other
15 one.16 MS. DREHER: Would we be able to do that as
17 part of the extension, because then they would have to amend
18 the application?19 MR. GORDON: Right. We would be tabling for
20 further submission, that's fine.

21 MS. DREHER: All right.

22 MR. DELVECCHIO: The size would remain the
23 same, just detail underneath, whether it's open or to pancake
24 or to see the materials.

25 CHAIRPERSON LUDWIG: So we could get a better

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23 idea how, A, how much would block and, B, how it would blend
4 in to the existing architecture. I think that's an
5 appropriate thing.6 MR. WHITAKER: And, Jerry, you were talking
7 about the lighting under the canopy. In looking at that
8 rendering right there, it is a flat surface.9 CHAIRPERSON LUDWIG: I would like to see it
10 open under there.

11 MR. WHITAKER: Yes.

12 MR. HAREMZA: May I suggest going with one
13 word and to your suggestion on the canopy, use the word
14 elevation. And I would suggest visualization, a flat out
15 evaluation may give -- that's not the view somebody is going
16 to see in the street.

17 CHAIRPERSON LUDWIG: Yeah, a couple of views.

18 MR. HAREMZA: Okay.

19 CHAIRPERSON LUDWIG: But the canopy would
20 remain the same size. It is going to have the hip roof, so
21 it is going to taper --22 MR. DELVECCHIO: It's up to you guys to
23 propose. If you come back with what you have proposed now
24 with more detail on what you proposed, that's up to you. We
25 are giving you -- we're making a request, but again, it's

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3 your choice to propose. We're giving guidance.

4 MR. GORDON: The highest point of the canopy

5 cannot exceed what Zoning Board of Appeals has already

6 allowed.

7 CHAIRPERSON LUDWIG: Oh, really, well, then

8 we're screwed there.

9 MS. DREHER: I think in given the comments of

10 the public, I don't think we're looking to have it any higher

11 or further obstruction. I think Jerry is looking at what

12 that would look like, open underneath, and how it would

13 impact views. But I think it -- we're not trying to make it

14 taller.

15 CHAIRPERSON LUDWIG: Well, I think it would be

16 awkward probably, I don't --

17 MR. DELVECCHIO: I don't know if you want to,

18 if this is the right way to articulate it, but we need gable

19 details. So, timbering, where the sign in relation to the

20 gable details is really important. Because when I look at

21 this, if we're understanding this sign size, just for

22 discussion, that the width that you might want may not fit

23 really appropriate or be balanced inside of the existing

24 timbering that is there.

25 Obviously, safe to say we want that existing

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23 timbering to stay. We're all very interested to see what is
4 there.5 But the proportions to remain as is, or the
6 lines, whatever. Obviously, got to do som repair and paint.7 CHAIRPERSON LUDWIG: Yes. But I think we say
8 restore, that basically means --9 MR. GORDON: The detail, the timbering, yes.
10 Remember, the sign is not part of this application.11 MR. DELVECCHIO: To me, the sign is embody on
12 the structure and put onto a, probably the number one feature
13 of the historic building.

14 MR. GORDON: Right, but that --

15 MR. DELVECCHIO: A broad context of signage,
16 the sign over here --

17 MR. GORDON: Well, let me just point out.

18 When they come in for that signage approval, you will be able
19 to approve, disapprove, move the location of that sign on
20 that gable. Do you see what I'm saying?

21 MR. DELVECCHIO: Understood.

22 MR. GORDON: So you will have that opportunity
23 to say, nice timbering, now don't screw it up by putting the
24 sign across the timbering, or whatever. Or in a spot that is
25 less attractive.

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MR. DELVECCHIO: The fence, if proposed, we all know you guys heard us, I got to know if that's part of it.

6

7

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9

MR. GORDON: There's not a fence that is proposed, so that's not something we would seek additional information. That would be a new application, the sign would be a new application, so.

10

11

12

13

14

And I'm sort of curious what you are thinking on this. So if we take this up at the February 23rd, Historic Preservation Commission meeting, which is your next meeting, we can deal with what application has been made with the additional submissions.

15

16

17

18

But, if the applicant is seeking permission to do a sign or do a fence, they can't get it before you in time for that February 23rd, meeting because the cutoff was January 24th. We are past that date.

19

20

21

So application for approval of a sign, for example, would -- could only be at the earliest on the March 23rd, agenda, which has a February 28th, cutoff date.

22

23

24

25

And we might want to ask the applicant what they would prefer. Would they prefer to have this Board grant the C of A of a limited extent to remove texture 111, tonight, and then come back next month with further details

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3 for the rest of this application. And then come back the
4 next month for the sign --

5 CHAIRPERSON LUDWIG: Well, the sign and the
6 fence are going to hold them up.

7 MR. GORDON: I just don't know what they would
8 prefer, or if they would prefer to just come back and do
9 everything at the March meeting. So can we ask them that?

10 CHAIRPERSON LUDWIG: Gentlemen, did you hear?

11 FRANK ROMEO: We want to keep moving. We will
12 make the application for the sign and the fence, we will come
13 in March for that. So if you give us the C of A, we will
14 come back at the next meeting and get you all the cut sheets
15 and stuff.

16 MR. DELVECCHIO: Was it T-111, we're talking
17 about both gables not just one?

18 CHAIRPERSON LUDWIG: All gables.

19 FRANK ROMEO: Recommend removing the existing
20 materials covering the gables.

21 MR. GORDON: So Mr. Romeo, you made the
22 comment that he recommended that the Board authorize removal
23 of all materials covering the timbering on all of the gables.
24 That might be a cleaner approval.

25 So that, you know, if there's something other

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3 than T-111 up there, can't go, oh, it's not T-111, we can't
4 touch it, right? We don't want that to happen.

5 I need one more detail. So, you said you need
6 detail and cut sheets on materials. You already gave us some
7 samples of the slate roof, et cetera. So what specific
8 materials do you need details and cut sheets on please?

9 CHAIRPERSON LUDWIG: Windows, infill,
0 basically the windows and doors, storefront, stone wall.

11 MR. GORDON: Windows, I heard you say the word
12 infills.

13 CHAIRPERSON LUDWIG: That's basically the
14 storefront.

15 MR. GORDON: Infills in the storefront, is
16 that an accurate way of phrasing it?

17 MR. PAGE: It would be better just to say
18 windows, doors, and storefront.

19 CHAIRPERSON LUDWIG: Because they are adding
20 some windows to the side where they used to be. And are
21 there any other doors you are adding to the sides?

22 FRANK ROMEO: If you just said windows, doors,
23 trim accessories, I know you got to make it, but I get it.

24 CHAIRPERSON LUDWIG: Lighting.

25 MS. DREHER: You have lighting on the

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23 building. I think there was -- I saw mention of lighting on
4 the building, but not the specifics.

5 MR. DELVECCHIO: Nor exterior.

6 CHAIRPERSON LUDWIG: The side, the canopy is
7 going to be this as well and whatever is underneath the
8 canopy, and columns. Just so, you know, there's...

9 MR. GORDON: Anyone else? Okay.

10 CHAIRPERSON LUDWIG: Are there going to be
11 gutters on the canopy or on the building that aren't there
12 now?13 FRANK ROMEO: No. The building will have
14 gutters, but the canopy doesn't have them.15 CHAIRPERSON LUDWIG: Details of those. If
16 they're -- I assume there's gutters on the building now, but
17 they're to change?

18 FRANK ROMEO: We'll address it for you.

19 MR. DELVECCHIO: Just any clarification, for
20 instance there's probably the wrong term, but mill work
21 detail on the facade, trim.22 FRANK ROMEO: We mentioned we were going to
23 replace that. We will get you spec on what that is going to
24 be replaced with.

25 MR. DELVECCHIO: Okay.

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3 MR. GORDON: I would propose the following
4 resolution. Whereas, Application Number 1H-01-23 has been
5 submitted for a Certificate of Appropriateness under the
6 town's Historic Preservation Law for improvement to property
7 located at 3108 East Avenue in the Town of Brighton, tax
8 parcel number 138.09-2-2 to perform work described as the
9 construction of a canopy, gas pumps, island and other site
0 modifications all as described --

11

Rhoda, I'm going to start again.

12

13 town's Historic Preservation Law for improvement to property
14 located at 3108 East Avenue, tax parcel number 138.09-2-2 to
15 perform work described as the construction of a canopy, gas
16 pump -- make that gas pumps plural, island and other site and
17 building modifications all as described on the application
18 and documents submitted to the Historic Preservation
19 Commission as part of the application.

20

21 Commission duly called a Public Hearing to consider the
22 matter on January 26, 2023.

23

24 published and the require sign posted pursuant to Town Code.

25

And whereas, the Public Hearing was held and

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3 all persons having an interest in such matter having had an
4 opportunity to be heard therein.

5

6 And whereas, the Historic Preservation
7 Commission hereby declares that the Public Hearing shall
8 remain open for purposes of receiving and discussing
9 additional information to be presented to the Historic
Preservation Commission by the applicant and the public.

10

11 And whereas, the Historic Preservation
12 Commission determines pursuant to the factors set forth in
13 the Section 224-5 of the Town Code that the removal of all
14 materials from all gables on the subject property to expose
15 the timber work underlying those materials and only such work
16 is consistent with the purposes of town's Historic
17 Preservation Law and compatible with the property's historic
18 character. Based on its review of the application and
19 documents on file and received at the Public Hearing, and the
testimony presented at the Public Hearing.

20

21 And it is hereby resolved that the Historic
22 Preservation Commission hereby receives and files the above
described application and all materials submitted.

23

24 And it is further resolved that the Historic
Preservation Commission hereby approves Application Number
25 1H-01-23 for a Certificate of Appropriateness with a limited

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3 purpose of removing all materials from all gables on the
4 subject property to expose the timber work lying thereunder,
5 and only to do such work.

6 And that the Historic Preservation Commission
7 with the consent of the applicant hereby tables the remainder
8 of the application for a Certificate of Appropriateness for
9 the remainder of the work to allow the applicant to present
10 additional information and documentation to the Historic
11 Preservation Commission including details and cut sheets on
12 materials, including the windows, doors, storefront, stone
13 wall, final design and detailing of all timbering work in the
14 gables, details of all mill work on the facade, details of
15 all building gutters, all trim accessories, all lighting on
16 the building and canopy and site, details of the canopy and
17 canopy column materials.

18 MR DELVECCHIO: And fencing around the
19 garbage?

20 MR. GORDON: And the screening materials
21 around the Dumpster or garbage areas depicted on the
22 renderings provided. And such detailed information shall be
23 provided to the Board including architectural renderings and
24 visualizations of these elements.

25 And in addition, the developer and applicant

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23 shall provide details and architectural renderings and
4 visualization of an optional canopy design similar to the one
5 in front of the Exxon station in the Village of Pittsford --6 CHAIRPERSON LUDWIG: We can't do that because
7 of the height, right? We can't. You said -- Zoning Board of
8 Appeals said it can only be this high, that would --

9 MR. DELVECCHIO: It's up to them.

10 MR. GORDON: Hold on. Just, we're in the
11 middle of a resolution, which is fine for what I have edited,
12 but let me finish it and then we can chop it up after.

13 CHAIRPERSON LUDWIG: Sorry.

14 MR. GORDON: Such materials and additional
15 submissions to be presented to the secretary of the Historic
16 Preservation Commission no later than February 9, 2023, and
17 the matter shall be taken up for consideration of approval of
18 the remainder of the application at the Board's February 23,
19 2023, meeting of the Commission.20 Mr. Ludwig, you had a suggested amendment to
21 that by deleting the requirement to have the detail of the
22 canopy that would be present or similar to the one at the
23 Exxon station in the Village of Pittsford?24 CHAIRPERSON LUDWIG: If we are limited to the
25 prescribed height, I thought he said the Zoning Board of

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3 Appeals limited the height of the canopy.

4 MR. GORDON: My recollection is that the
5 Zoning Board of Appeals gave a specific height variance for
6 the height of the canopy and that this Board cannot grant a
7 higher canopy than that. However, they could design -- I
8 don't know enough about the design of the canopy that is the
9 alternative, to say that it cannot be done within the limits
10 set by the Zoning Board of Appeals. I don't know if the
11 applicant knows.12 FRANK ROMEO: Just put the onerous on us to
13 come up with an alternative design that is similar to the one
14 in Pittsford.

15

16 MR. GORDON: I think that's what I sort of
17 already said. I will leave it as is. That's my proposed
18 resolution.19 CHAIRPERSON LUDWIG: Would someone put forth
20 that motion please?

21 MR. PAGE: Do we have a discussion?

22 MR. GORDON: not until the motion is made.

23 MS. DREHER: I can make the motion.

24 MR. DELVECCHIO: Second.

25 CHAIRPERSON LUDWIG: Okay. Discussion please.

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MR. PAGE: Okay. I would like to thank Jason for getting together the information for us, from the previous visits on this to help understand it.

6

7

8

9

Also like to thank Mary Boyde for expressing an interest in this and going to the trouble of getting into the weeds of the National Parks Service and including their tech notes.

10

11

12

13

14

15

I do want to say on a project like this, that the best use from a preservation standpoint of this property is the continuation as a gas station. That gas stations have the distinct characteristic of being very flexible over time because of the changes of needs that came about from the beginning.

16

17

18

19

20

And that reasonable modifications for modern use, such as changing the use of the garage areas from repair to something else, and providing a canopy that has become ambiguities with the use of gas station are reasonable considerations.

21

22

23

24

25

I agree that the introduction of a canopy it interrupts the full appreciation of the building as it was originally visible, but I take some satisfaction in knowing that in a good portion of the time that one traverses the area in any particular way, you will still get to see the

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23 building in its entirety, if not everywhere that you used to
4 be able to see it.

5 Thank you.

6 CHAIRPERSON LUDWIG: Any other comments?

7 Jason, call for a vote please.

8 MR. HAREMZA: Delvecchio?

9 MR. DELVECCHIO: Yes.

10 MR. HAREMZA: Dreher?

11 MS. DREHER: Yes.

12 MR. HAREMZA: Ludwig?

13 CHAIRPERSON LUDWIG: Yes.

14 MR. HAREMZA: Page?

15 MR PAGE: Yes.

16 MR. HAREMZA: Whitaker?

17 MR. WHITAKER: Yes.

18 MR. GORDON: I assume, Lou, that you have been
19 taking careful notes as to what the Board is looking for and
20 will be in a position to submit those requirements by
21 February 9th?22 LOU TARRINOLI: Yes. First thing in the
23 morning, I will look at the resolution to make sure I haven't
24 missed anything.

25 MR. GORDON: That was why I was asking that

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23 question. How quickly can we get a transcript of that
4 resolution?5 THE COURT REPORTER: I can have it to you by
6 Monday.

7 MR. GORDON: Monday is great.

8 CHAIRPERSON LUDWIG: Thank you, everyone.

9 I am going to suggest that we discuss 3250
10 East Avenue and 240 Thackery next month.11 We do have two demolition reviews which we
12 need to address tonight.13 And Jason, you just want to lead us through
14 2735?15 MR. HAREMZA: Sure. This is a fairly straight
16 forward, 2735 Monroe Avenue is a former Pizza Hut location,
17 across from the new Whole Foods and Starbucks. It is
18 proposed to be demolished and replaced with a new Chipotle
19 with a drive-up window, which differs from a drive-thru
20 operation slightly in that you will not be able to order food
21 at the drive-up. You have to order food on your device first
22 and pick up at the window.23 But the demolition itself is, I believe,
24 straight forward, but we leave it up to your comments and
25 discussion.

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3 MR. GORDON: And again, I will remind the
4 Board, the sole issue is: Do you have an interest in pursing
5 designation of this last remaining Pizza Hut building in the
6 Town of Brighton?

7

8 CHAIRPERSON LUDWIG: So, a yes vote will
9 indicate that we have no desire to designate it. And a yes
10 vote will be sent to the Planning Commission that it is okay
as far as we are concerned that it be demolished.

11

12 MR. GORDON: I propose the following motion:
13 That the Board direct the secretary of the Historic
14 Preservation Commission to notify the Planning Board that the
15 Historic Preservation Commission has no interest in pursuing
16 historic preservation of the property located at 2735 Monroe
Avenue.

17

MR. WHITAKER: I'll make the motion.

18

MR. PAGE: I will second it.

19

CHAIRPERSON LUDWIG: Any discussion? Okay.

20

MR. HAREMZA: Delvecchio?

21

MR. DELVECCHIO: Yes.

22

MR. HAREMZA: Dreher?

23

MS. DREHER: Yes.

24

MR. HAREMZA: Ludwig?

25

CHAIRPERSON LUDWIG: Yes.

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3 MR. HAREMZA: Page?

4 MR. PAGE: Yes.

5 MR. HAREMZA: Whitaker?

6 MR. WHITAKER: Yes.

7 CHAIRPERSON LUDWIG: Okay. The next one is
8 57 Eldridge Avenue and the same that this has irreplaceable
9 asbestos siding on it, and the same caveat voting
10 instructions as the other one, so.11 MR. GORDON: I would propose the following
12 resolution: That the Historic Preservation Commission
13 authorize the secretary to send a letter to the Planning
14 Board indicating that the Historic Preservation Commission
15 has no interest in pursuing designation of the property
16 located at 57 Eldridge Avenue.17 CHAIRPERSON LUDWIG: May I have someone put
18 forth that motion?

19 MR. WHITAKER: I will make the motion.

20 CHAIRPERSON LUDWIG: Thank you, David.

21 MR. DELVECCHIO: I'll second.

22 CHAIRPERSON LUDWIG: Any discussion? Okay.

23 MR. HAREMZA: Delvecchio?

24 MR. DELVECCHIO: Yes.

25 MR. HAREMZA: Dreher?

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3 MS. DREHER: Yes.

4 MR. HAREMZA: Ludwig?

5 CHAIRPERSON LUDWIG: Yes.

6 MR. HAREMZA: Page?

7 MR. PAGE: Yes.

8 MR. HAREMZA: Whitaker?

9 MR. WHITAKER: Yes.

10 CHAIRPERSON LUDWIG: Thank you. Now on one of
11 the communications from Chris Brandt was about the two
12 properties on, well, one on Thackery and one on 321 Council
13 Rock. And apparently the owners never received a letter from
14 us and Christopher Brandt went up and knocked on the door and
15 they didn't know what was going on. So we had to pause that
16 and Jason is going to send a letter to the owners, and then
17 we can proceed with it.18 MS. DREHER: This is both the Council Rock and
19 Thackery?20 CHAIRPERSON LUDWIG: Yes. So unless anyone
21 has any other items tonight, I will entertain a motion to
22 adjourn.23 MR. HAREMZA: Sorry, Mr. Chair, 960 North
24 Landing, is that something we want to postpone?

25 CHAIRPERSON LUDWIG: You can leave it on the

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3 agenda to discuss that next month.

4 MR. HAREMZA: Okay, thank you.

5 CHAIRPERSON LUDWIG: Motion to adjourn?

6 MR. WHITAKER: I will make that motion.

7 MS. DREHER: I will second.

8 CHAIRPERSON LUDWIG: All in favor?

9 ALL COUNCIL MEMBERS: Aye.

10 Thank you very much for your patience.

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3 REPORTER CERTIFICATE
45 I, Rhoda Collins, do hereby certify that I did
6 report in stenotype machine shorthand the proceedings held in
7 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 19th day of February, 2023.13 At Rochester, New York
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1516 *Rhoda Collins*
17 Rhoda Collins
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