
BRIGHTON
HISTORIC PRESERVATION COMMISSION
MEETING

August 28, 2025
At approximately 7:15 p.m.
680 Westfall Road
Rochester, New York 14620

PRESENT:

JASON HAREMZA, EXECUTIVE SECRETARY

JERRY LUDWIG, CHAIRPERSON

AMANDA DREHER) BOARD MEMBERS
JUSTIN DelVECCHIO)
JOHN PAGE)

MARY JO LANPHEAR, TOWN HISTORIAN

LAUREN BARON, ESQ.
Attorney for the Town

ABSENT:

DAVID WHITAKER
WAYNE GOODMAN
DIANA ROBINSON

REPORTED BY:

KIMBERLY A. BONSIGNORE, Court Reporter
FORBES COURT REPORTING SERVICES, LLC
21 Woodcrest Drive
Batavia, New York 14020

1 CHAIRPERSON LUDWIG: All right. I would
2 like to call the meeting to order.

3 Mr. Secretary, would you call the roll,
4 please?

5 (Whereupon, the roll was called.)

6 MR. HAREMZA: Goodman is absent. Robinson
7 is absent. Whitaker is absent.

8 CHAIRPERSON LUDWIG: May I have a motion to
9 approve the agenda, please?

10 MS. DREHER: I move.

11 MR. PAGE: I'll second.

12 CHAIRPERSON LUDWIG: Okay. Thank you.

13 All in favor?

14 ALL BOARD MEMBERS: Aye.

15 CHAIRPERSON LUDWIG: Thank you.

16 We have no minutes.

17 Was this meeting duly advertised?

18 MR. HAREMZA: This meeting was advertised in
19 the *Daily Record* of August 27, 2025. It is a
20 continuation of the public hearing that was advertised
21 in the *Daily Record* of July 18, 2025.

22 CHAIRPERSON LUDWIG: Very good. That
23 meeting will now be held.

24 We have no communications, no designation of
25 landmarks, no certificates of appropriateness.

1 We do have -- or we do have a certificate of
2 appropriateness. Excuse me.

3 **Application HP-25-7**

4 Application of Rebecca Barone, agent, for a
5 certificate of appropriateness to modify the
6 gardens/landscaping on the property located at
7 125 Old Mill Road, Tax No. 137.20-1-3.11. All as
8 described on application and documents on file.

9 **Tabled at 7-24-2025 meeting, public hearing remains**
10 **open.**

11 MS. BARONE: I have extra copies.

12 CHAIRPERSON LUDWIG: Are you here to speak?

13 MS. BARONE: I am.

14 These are the same as what you have.

15 CHAIRPERSON LUDWIG: Pardon?

16 MS. BARONE: These are the same that have
17 been --

18 CHAIRPERSON LUDWIG: This is the older one,
19 the first round?

20 MS. BARONE: No. The new round.

21 CHAIRPERSON LUDWIG: Okay. Very good.

22 MR. HAREMZA: You've only seen them
23 digitally.

24 MS. BARONE: These are the hard copies.

25 MR. HAREMZA: Thank you.

1 CHAIRPERSON LUDWIG: Very good.

2 MS. BARONE: Hello. My name is Rebecca
3 Barone. I am the architect speaking on behalf of the
4 owners of 125 Mill Road. Thank you for having us here
5 again.

6 We took into account the comments from the
7 last time, and we toured the site again, and would
8 like to propose a new siting orientation that we
9 believe addresses the historic items appropriately.

10 What we have done is rotated the structure
11 so that it has more of a parallel relationship to the
12 larger items: the west terrace, the brick patio.

13 And what we believe is important to the site
14 currently is addressing not only the historical
15 elements, but also the site elements, the views, and
16 the -- taking advantage of the views to the long side
17 of the house, north-south orientation.

18 We've reduced the driveway area. And what
19 we have done is created a link with the current gravel
20 driveway to a new driveway court that would reduce the
21 driveway area quite a bit, staying away from that
22 front yard completely. And one of the more powerful
23 things, I think, is using the forecourt fence as an
24 actual gateway to the parking court that we've
25 created.

1 The garage doors are oriented inward so,
2 therefore, they're not visible from the street or any
3 of the neighbors. We feel that is very advantageous
4 to the neighborhood.

5 We think siting the house to take advantage
6 of both the historical Fletcher elements as well as
7 the existing natural site elements are beneficial to
8 the property.

9 As we stated last time, the owner is willing
10 to restore the items on the site in kind. He's been
11 doing a lot of research about materials. The
12 forecourt fence is rotted and needs to be restored
13 completely. The brick patio also needs a lot of
14 restoration.

15 The other item I didn't mention is the brick
16 sidewalk, which will maintain its current starting
17 point, but because of the new orientation of the
18 house, we would just be removing a few of the existing
19 bricks. We are open to using them if they are not too
20 degraded throughout the site for other landscape
21 elements.

22 And you can sort of see the area on P-1A how
23 much the new home kind of sits on the brick walkway.
24 So if we can, we will try and reuse those to connect
25 to the new door. And then there's also the diagram of

1 how the forecourt fence can be used as a gateway to
2 the driveway court.

3 Are there any questions? Comments?

4 MR. PAGE: So I appreciate the
5 reorientation. I think the reorientation remakes, you
6 know, a vast improvement. It's also good, I believe,
7 that the additional driveway is reduced and less of an
8 element than it was before.

9 I think that one of the things that we
10 talked about was that -- in working with the design,
11 you know, we talked about this before, that you were
12 working primarily to miss everything. That the
13 reorientation and the minimal intrusion on the
14 historical elements was something that could be and I
15 believe is a good thing for the project.

16 The only thing I would say is that -- and I
17 don't think it's essential, but it would be nice if a
18 short portion of fencing and balustrade be added on
19 the other side above the -- just so that one element
20 is not so lonely out there. Other than that, I
21 appreciate the reorientation of it.

22 CHAIRPERSON LUDWIG: John, you're talking
23 about where the fence crosses the driveway?

24 MR. PAGE: Yes.

25 CHAIRPERSON LUDWIG: So you're talking about

1 on the --

2 MR. PAGE: East side.

3 CHAIRPERSON LUDWIG: East side, yes.

4 Other thoughts? Comments?

5 MR. DELVECCHIO: Uh-uh.

6 MR. HAREMZA: Just a clarification, Rebecca.

7 The structure outlined -- or the structure in white is
8 the existing house. It says garage and elevation
9 461.3. Just to clarify, that will all be demolished,
10 correct?

11 MS. BARONE: Correct.

12 MR. HAREMZA: And the new structure is what
13 is shown in the charcoal gray shaded --

14 MS. BARONE: Correct. That's correct.

15 MR. HAREMZA: Thank you.

16 MS. BARONE: I mean, it's noted to be said
17 that if -- the existing home, you know, its
18 orientation has long views towards both neighbors,
19 which I think is sort of a disadvantage, instead of
20 taking into account the current views that are there
21 that should be taken advantage of.

22 CHAIRPERSON LUDWIG: Okay.

23 MR. PAGE: So I have a clarification
24 question for this specific application. Anytime it is
25 related to landscaping, hardscape, et cetera, and

1 existing elements, we've been -- you know, it's been
2 stated that there will be a restoration of existing
3 elements that have been identified on this property.

4 There's a few areas of walkway and driveway,
5 and I'm not sure that we have, you know, a definition
6 of what those materials specifically are, or do we and
7 I missed it?

8 MS. BARONE: The walkway to the new entry?

9 MR. PAGE: Well, for instance, the expanded
10 driveway.

11 MS. BARONE: That would be asphalt, yes.

12 MR. PAGE: Okay. And the walkway to the
13 existing brick piece?

14 MS. BARONE: Sure. So the little purple
15 items on that P-1A I believe would be reused or
16 salvaged brick from the existing sidewalk, if we can
17 salvage enough. If not, we will try to match it.

18 MR. PAGE: And do we have any purview over
19 landscaping?

20 MS. BARON: In terms of what they choose as
21 additional trees and shrubs and everything like that?

22 MR. PAGE: Right.

23 MS. BARON: So that's a good question. My
24 answer to that would be only if they're planning on
25 removing the landscaping features that were

1 specifically identified in the ZBA's findings as ones
2 that Fletcher Steele specifically planted.

3 So, for example -- and I believe they've
4 outlined those on their plans -- specific trees and
5 plantings that were originally planted, and they were
6 planning on removing and replacing those with
7 something else, then I think you would have
8 jurisdiction over those.

9 But in terms of planting additional
10 plantings or new plantings on the property, I don't
11 believe so.

12 MR. PAGE: Okay.

13 CHAIRPERSON LUDWIG: Any other questions for
14 the Commission?

15 Is there anyone here to speak on this, other
16 than -- okay. Why don't you come up, please, and
17 state your name, please, for the record.

18 MS. SPENCER: I'm Suzanne Spencer. I used
19 to live at 125 Old Mill Road. And my feeling, having
20 seen the property recently, is -- already many, many,
21 many things that were planted there originally are
22 gone, so that -- I mean, you should take that -- I
23 mean, really amazingly what's happened.

24 They've cleaned it up a little bit, which is
25 great, but it's just not like it was at all. The

1 fence is really the only thing that is sort of left
2 there that was there.

3 Thank you.

4 MR. PAGE: Thank you.

5 CHAIRPERSON LUDWIG: Thank you.

6 MR. FLAUM: Hello. Loren Flaum, a resident
7 of 141 Old Mill Road, directly next-door neighbor.

8 Just for a point of clarification, us as
9 neighbors were not properly noticed about this
10 hearing. There was no notice put in the lawn of the
11 property. For the previous hearing, there was, but
12 not for this hearing.

13 Also, as a point of clarification, the
14 notice that was sent in the mail for the previous
15 hearing was not received by the neighbors until after
16 the hearing. Luckily we found it and were able to
17 come -- we were not able to be there, but -- the
18 residences of the neighbors were not properly informed
19 on either the first or the second hearings that were
20 held here.

21 CHAIRPERSON LUDWIG: Interesting. Any
22 comments about that?

23 MR. HAREMZA: No.

24 CHAIRPERSON LUDWIG: Okay.

25 MR. FLAUM: So I just wanted to talk a

1 little bit about the historic preservation of the
2 property.

3 We live next door and walk by the property
4 every single day, drive by it, and it is in a definite
5 state of disrepair. I believe that -- the restoration
6 of the property I don't believe will be fully done as
7 promised with the materials as promised. We don't
8 even know what they are.

9 I think prior to doing anything, I think you
10 guys -- the whole Board and the community should know
11 what materials they are going to be using to restore
12 the property.

13 It is a landmark and part of Fletcher
14 Steele's heritage to have these things preserved, and
15 I don't believe that they will be preserved in the
16 right way unless they're documented as far as what
17 materials are actually going to be used.

18 CHAIRPERSON LUDWIG: Now, you're talking
19 about what materials where?

20 MR. FLAUM: Restoring the walls --

21 CHAIRPERSON LUDWIG: Okay.

22 MR. FLAUM: -- the driveways. A lot of the
23 plantings, like Mrs. Spencer said, have been
24 destroyed. The property is in a state of disrepair,
25 to the point where it will be difficult to salvage it.

1 I think also the current layout, even though
2 it is better than what it was, I still -- I don't
3 believe, in my opinion, really preserves the landscape
4 as Fletcher Steele laid it out, as the Zoning Board's
5 intention was. You know, creating another structure
6 in the middle of the yard doesn't really preserve the
7 landscape, in my opinion.

8 As far as the location of the driveway,
9 adding more driveway and adding a garage also does not
10 preserve the landscape of Fletcher Steele's original
11 design.

12 So, in my opinion, I think that you should
13 relook at that and think about how to best preserve
14 the landscape as part of what the Zoning Board
15 decided.

16 So thank you very much.

17 CHAIRPERSON LUDWIG: Thank you.

18 MR. PAGE: Thank you.

19 MS. DORRITIE: Good evening. Megan Dorritie
20 of Harter Secrest & Emery, here on behalf of Loren and
21 Jamie Flaum, who live at 141 Old Mill Road.

22 I'll be brief, but I wanted to just
23 emphasize some procedural and substantive concerns
24 that the Flaums have with this particular application,
25 even as revised, and Mr. Flaum had mentioned the

1 procedural concern that we have about notice.

2 So it does not appear that the provisions of
3 Town Code 224-6(c) have been followed. That
4 specifically requires that the applicant post a sign
5 provided by the Town, notifying the public of the
6 application, in the front yard of the property that is
7 the subject of the application for a period of 15 days
8 prior to the scheduled hearing, and it does not appear
9 that has been followed.

10 The substantive concerns that we have, Town
11 Code 224-6(a)(5) in fact requires that samples of
12 materials that are going to be used for any sort of
13 renovations or restorations that are done pursuant to
14 a certificate of appropriateness, that samples
15 actually be provided -- be identified so that you can
16 pass on whether that in fact is an in kind type of
17 restoration. And here we don't have any samples of
18 the materials that will be used.

19 We've got both the fence and the brick
20 pathway that will be restored, we're told, in kind,
21 but we don't have any type of information about what
22 the materials currently are, whether those materials
23 in fact are still available, if in fact they can't be
24 salvaged, and what alternatives exist for replacement.
25 So that's not available for you to review as part of

1 this application.

2 So, in sum, this part of the code that in
3 fact requires samples has not been satisfied with the
4 revised application.

5 Finally, I would just like to echo a comment
6 that I made at the previous public hearing, and that's
7 that Fletcher Steele's vision was for the landscape to
8 be experienced as a whole and the pieces interact with
9 each other and the open spaces interact with those
10 pieces. How the elements work together is what made
11 Fletcher Steele's designs in fact so important and
12 historic and worthy of landmark status.

13 This design -- the revised design interrupts
14 Mr. Steele's design through expanded driveways and
15 additional buildings that weren't there before.

16 The ZBA, when they issued their ruling on
17 the appeal, had said that -- "To ensure the
18 construction" -- this is if there's any sort of
19 changes made to it and the demolition is compatible
20 with and will not negatively impact the landscape
21 architecture that has been designated as a landmark.

22 So that's from the ZBA's appeal, paragraph
23 37.

24 And here, with the expansion of the driveway
25 and in fact the addition of a second building, those

1 are not compatible with the original vision that
2 Fletcher Steele had with this property and that this
3 body and the ZBA thought was absolutely worth
4 protecting through landmark status.

5 So if you have any questions, I'd be happy
6 to address them.

7 CHAIRPERSON LUDWIG: Well, I'll refer some
8 of them to our attorney.

9 Lauren?

10 MS. BARON: Sure. Okay.

11 So I would like to talk about a couple of
12 things. This came up during the last meeting
13 regarding your oversight over materials and having the
14 applicants come back in when they actually finalized
15 materials, because really this application -- the
16 reason they're coming before you at this point was
17 because this is the Board that's going to really
18 dictate where the house is located on the property
19 based on the historic designated landscaping
20 architecture, right?

21 So I think this application is about that.
22 This Board can certainly make a determination that
23 requires the applicants to come back in the future
24 with material samples when they are ready to actually
25 do repairs and replacement of some of the designated

1 landscaping architectural features. You can make that
2 a condition of this approval tonight, if you want to.

3 And what was the second question?

4 I think that answers the question regarding
5 issues with the code regarding materials.

6 And then a question regarding posting of the
7 signage. My understanding is that the applicant did
8 post a sign prior to the previous public hearing. The
9 public hearing was held open from the previous
10 meeting, which was properly noticed, and this meeting
11 was also properly noticed.

12 So in terms of -- and I believe a mailing
13 went out prior to the last meeting and a mailing went
14 out prior to this meeting as well. So I don't foresee
15 any issue regarding notice regarding this public
16 hearing. In fact, many members of the public have
17 shown up to the public hearing already. So...

18 MS. DORRITIE: Sure. You know, certainly,
19 if the Commission is amenable to adding a condition,
20 that would be better than not adding a condition with
21 regard to approval of materials prior to any actual
22 work on the restoration. That definitely is a
23 preferable situation.

24 As for the posting, I would just like to
25 point out that for the July public hearing, while they

1 may have been mailed before the hearing, they weren't
2 actually received by the residents, the neighbors,
3 until -- I think it was two days after.

4 MR. FLAUM: It was postmarked the day of.

5 MS. BARONE: It was postmarked the day of
6 the hearing.

7 And then with regard to this one, you know,
8 had there not been involvement in watching the website
9 to make sure that the agenda was posted -- in fact, my
10 office had communicated with the secretary for the
11 Commission about this particular application.

12 I'm not certain that any of the neighbors
13 would have known about it, because there was no sign
14 in the yard, and it's not usual for there to be a
15 continuation of a public hearing if there's not some
16 sort of notice about that on the property itself.

17 So that's all I have.

18 CHAIRPERSON LUDWIG: That's strictly between
19 administrative.

20 MS. DORRITIE: It is a requirement of the
21 law.

22 CHAIRPERSON LUDWIG: Right. Well, that's --

23 MS. BARON: So if the Board is concerned
24 regarding public notice issues, you can certainly
25 table it again and -- we can move it to the next

1 meeting and renotice and make sure that all mailings
2 go out so that they are received prior to the public
3 hearing, and renotice the public hearing and push it
4 until the next month. That's certainly an option.
5 It's always an option to table.

6 CHAIRPERSON LUDWIG: Well, do you feel
7 that's appropriate?

8 MS. BARON: I feel that's appropriate --
9 well, it depends.

10 CHAIRPERSON LUDWIG: Well, I mean, if it's
11 appropriate, then let's do it.

12 MS. BARON: Okay.

13 MS. DREHER: Does anyone happen to have the
14 envelope where you said it was postmarked the day of?

15 MR. FLAUM: It was last month, so we threw
16 it out. Literally, the whole neighborhood didn't
17 receive it until after -- two days after the hearing.

18 CHAIRPERSON LUDWIG: Now, as far as
19 materials go, we've got the fence, we've got the
20 patio, we've got the driveway, and we've got some
21 stonework. I think that's pretty much it as far as
22 materials go.

23 Is that correct?

24 MS. DORRITIE: I think that's right, yes.

25 MR. PAGE: And we are intending to do that,

1 so...

2 MS. DORRITIE: Okay.

3 MR. PAGE: I think the goal here for the
4 owners is to be able to proceed with their planning so
5 that whatever improvements that are going to be made,
6 you know, can be started and also, you know, complete
7 the planning process.

8 You're talking to folks who were satisfied
9 to designate the building. And so once the building
10 was removed from the situation, the -- this is a new
11 situation for us to deal with the landscape only on a
12 property that, you know, deserves to have a building.

13 And I think we want to be sensitive to the
14 programming needs of the owners as well as the design
15 that Fletcher Steele did to a particular building that
16 won't exist anymore. It's a very difficult situation
17 to try to handle that, I think, in this situation.

18 CHAIRPERSON LUDWIG: I think that's well
19 put.

20 MR. PAGE: And so I think -- certainly we
21 have struggled with this, but I do appreciate that
22 there have been modifications -- reduction in the
23 amount of additional driveway and reorientation of the
24 building -- to work better with the remaining elements
25 that are there. But thank you for your, you know,

1 input.

2 I'm sorry if there's a lack of communication
3 timing-wise on things. We certainly don't try to do
4 that.

5 MS. BARON: One other thing I would also
6 like to put everyone on notice is the mailings are
7 actually a courtesy. There is no legal requirement
8 that we provide a mail notice regarding any public
9 hearing for this Board. So that's --

10 MR. PAGE: But we certainly do want to
11 get --

12 MS. BARON: Yes, of course, you want public
13 participation. You want the public to know about it,
14 which is why it's in the paper. There's certainly
15 improvements to notice laws and regulations that could
16 be made.

17 CHAIRPERSON LUDWIG: I think, as maybe a
18 compromise, we could approve the basic plan, and then
19 as far as -- certainly put a clause in as far as
20 materials and things like that.

21 How do you feel about that?

22 MS. BARON: I think at this point, since
23 there's been several issues raised with the notice for
24 the meeting, I would recommend tabling and waiting
25 until next month.

1 CHAIRPERSON LUDWIG: All right.

2 MR. PAGE: Do we want to have a discussion
3 about how we feel about the project, sort of similar
4 to what somebody might do if they come in early?

5 CHAIRPERSON LUDWIG: Well, I think certainly
6 the -- you've done a good job of shifting it. And as
7 John has mentioned, it's like deciding on the tires,
8 but you don't care about the car, you know. And I'm
9 comfortable with the changes that have been made, but
10 I think due to the administrative issues we should
11 table it and then maybe also put in certainly a clause
12 about approval of materials.

13 How do you all feel about that?

14 MR. DELVECCHIO: I think that's reasonable.

15 I'll also add, though, the precedent that we
16 have set on materials often is brick -- let's say
17 brick and a wood fence. We want to make sure it's not
18 going to be a vinyl fence. But if someone commits to
19 it being wood and -- I also expressed the preference
20 that it not be pressure-treated, if it wasn't
21 originally pressure-treated, which if that is the
22 original fence dating way, way back, it would not have
23 been pressure-treated.

24 I don't know that the intent is there to
25 actually have to bring in a piece of, you know,

1 balustrade wood that's going to be painted white or
2 something. We're not -- I just want to make a point
3 that that's not a bar that we're setting.

4 And also with brick -- I mean, there are
5 different types of brick. But if it's -- if the owner
6 commits to a red brick that's substantially similar to
7 what's there, often we will consider that -- take that
8 at their word and not have to require you to bring in
9 a brick.

10 For the sake of efficiency and expediency,
11 that's standard. That's usually without neighbors and
12 other interested parties expressing interest in the
13 project.

14 So given the context of the interest here, I
15 do agree we would like to see samples, but I wanted to
16 delineate and -- I think that's based on -- based on,
17 you know, what's being asked for, that's not
18 necessarily our standard.

19 So I just want that on the record.

20 MR. PAGE: I'll supplement that just to say
21 that we do look at materials in terms of samples on
22 occasion and in terms of specification in other
23 instances.

24 So, for instance, if they were going to use
25 a brick and it was going to be outside and it was

1 going to be for traffic-bearing, that's a different
2 kind of brick than would go on the facade of a house.
3 And so we would be interested in that and how it's
4 going to be put together.

5 The type of wood that's going to be used and
6 type of the mortar that's going to be used, we would
7 be interested to know they're using the standards that
8 are appropriate for the type of materials that were
9 used originally.

10 CHAIRPERSON LUDWIG: Typically that means a
11 lime-based mortar for the brick and the stonework, as
12 opposed to a cement -- I mean, there would be some
13 cement in it, but a lime-based mortar is softer and
14 it's less apt to break the brick apart or the stone.

15 We're more used to doing that when someone
16 comes in with a house and they're talking about
17 windows and doors. But if there is a change in
18 materials, certainly we need to know about that.

19 MS. DORRITIE: I'll just close by thanking
20 you all for your attention to this. Certainly we
21 agree with Mr. Page's statement earlier. This is a
22 very difficult needle to thread given the posture that
23 we find this in, so thank you.

24 CHAIRPERSON LUDWIG: So do we have --

25 MR. SALAFIA: May I? Can I talk too?

1 CHAIRPERSON LUDWIG: Yes, go ahead.

2 MR. SALAFIA: All right. This is a sample
3 of the --

4 CHAIRPERSON LUDWIG: Please state your name
5 for the record.

6 MR. SALAFIA: Yes, Nunzio Salafia. The
7 owner of the house.

8 CHAIRPERSON LUDWIG: Thank you.

9 MR. SALAFIA: These are some of the samples
10 that are falling apart because they have been there
11 for a long time and have deteriorated. I went to
12 Pittsford Lumber, and I spoke to a lady that was very
13 kind, telling her the application that I wanted to do.
14 She suggested to go with oak because of the strength
15 the oak has.

16 Once this is removed, it's going to have a
17 round hole. So it's not going to be a square piece
18 that is going to go in there because it wouldn't fit.
19 It would be an identical, inch and a quarter, and then
20 it would be painted white.

21 The bricks, I already went and tried to find
22 some bricks, and I have found things -- they are
23 similar. They are red. They are probably
24 manufactured in a way you wouldn't be able to tell
25 that some restoration was done.

1 The other thing, in the last meeting, I was
2 given a sign -- I've got a picture of the sign, and I
3 was given instruction to put it in the front on a
4 certain date -- before a certain date, which I did. I
5 took a picture and sent it over to my architect.

6 I never removed the sign. The sign was left
7 over there all along until -- now it's down to the
8 ground, and I don't know who took it down, somebody,
9 or the wind might have taken it down.

10 You've been asked to postpone this meeting
11 over here because of a technicality that is not even a
12 necessary technicality, because the attorney, on your
13 behalf, just said that it's not required to send the
14 letters.

15 I've done everything that I'm supposed to be
16 doing, and I am the only person that is paying the
17 price of keeping a house another month and another
18 month without getting -- what I'm doing -- and we're
19 doing everything that at the last meeting you guys
20 decided you wanted us to do.

21 We rearranged the house. We redesigned the
22 house, redesigned the parking lot and everything else,
23 and now for a non-technicality you want to postpone it
24 another month.

25 The people that have spoken over here, they

1 know the whole neighborhood. They know the whole
2 neighborhood. The whole neighborhood knows what's
3 going on with this place over here, and I'm sure
4 they've spoken about it. And if they wanted to be
5 here, for whatever reason it is, they could have been
6 here, as they were here the last time because they
7 knew about it. So they're just delaying it for no
8 reason.

9 Thank you.

10 CHAIRPERSON LUDWIG: Thank you.

11 Lauren, any thoughts?

12 MS. BARON: If we could take a five-minute
13 break while I evaluate that, his question of notice, I
14 would appreciate it, and then I think I would have a
15 better answer to some of these questions.

16 CHAIRPERSON LUDWIG: I won't close the
17 hearings until you're ready to go.

18 (Recess taken.)

19 MS. BARON: So one thing that I would like
20 to pose for the Board is a question. Would you be
21 willing to go into an attorney-client session for one
22 second to discuss the legal ramifications of
23 potentially making a determination tonight in the back
24 room where Boards usually have executive sessions?

25 CHAIRPERSON LUDWIG: (Indicating

1 nonverbally.)

2 MS. BARON: So if we could take just five
3 minutes to have an attorney-client privilege session,
4 which is not considered an executive session, it's
5 where I'm going to give you legal advice in the back
6 room regarding this, and then we can talk about it out
7 here afterwards regarding what you're going to do
8 next.

9 Is that okay?

10 CHAIRPERSON LUDWIG: Yes, that's fine.

11 MS. DREHER: Yes.

12 (Recess taken.)

13 MS. BARON: So we're back on the record.

14 It's my recommendation that the Board table
15 tonight and renotice the public hearing for the
16 October meeting and require the property owner to post
17 the sign again regarding the public hearing and
18 renotice the public hearing in the publications.

19 And although it's not required to provide
20 mailing notice, as a courtesy, the Town will also
21 provide mail notice to residents in the area
22 surrounding the property.

23 So that's my recommendation for the Board
24 tonight.

25 MR. DelVECCHIO: I heard you say October.

1 You meant September?

2 MS. BARON: I'm sorry. It is the end of
3 August. Yes, I meant the September meeting.

4 CHAIRPERSON LUDWIG: Okay.

5 MR. PAGE: So just for my clarification,
6 when we table something, is it basically still on the
7 agenda?

8 MS. BARON: Yep. So you're going to --
9 somebody needs to make a motion to table -- again
10 similar to what you did last time, and table it until
11 the September meeting, and then it remains on the
12 agenda and can be publicly noticed again.

13 CHAIRPERSON LUDWIG: Okay. Would you call
14 the --

15 MS. BARON: Somebody has to make the motion.

16 MS. DREHER: I'll make the motion that we
17 table this until the September meeting.

18 CHAIRPERSON LUDWIG: Do you want me to close
19 the public hearings?

20 MS. BARON: Yes, you can close the public
21 hearings.

22 CHAIRPERSON LUDWIG: Let's close the public
23 hearings.

24 MS. BARON: Actually, I'm sorry. I
25 misspoke. Don't close the public hearing. Leave it

1 open for the next meeting, until September.

2 CHAIRPERSON LUDWIG: All right. So I need
3 someone to make the motion.

4 MS. DREHER: I move that we table this
5 matter until the September 2025 meeting.

6 MS. BARON: And leave the public hearing
7 open.

8 MS. DREHER: And leave the public hearing
9 open.

10 CHAIRPERSON LUDWIG: May I have a second?

11 MR. DELVECCHIO: I second.

12 CHAIRPERSON LUDWIG: Thank you.

13 MR. HAREMZA: DelVecchio.

14 MR. DELVECCHIO: Yes.

15 MR. HAREMZA: Dreher.

16 MS. DREHER: Yes.

17 MR. HAREMZA: Ludwig.

18 CHAIRPERSON LUDWIG: Yes.

19 MR. HAREMZA: Page.

20 MR. PAGE: Yes.

21 MR. HAREMZA: Item tabled. Public hearing
22 remains open.

23 The next meeting is September 18, 2025.

24 Please note that is the third Thursday of September,
25 not the typical fourth Thursday of September. So that

1 is in three weeks.

2 CHAIRPERSON LUDWIG: Why is that?

3 MR. HAREMZA: Scheduling conflict with Town
4 Board.

5 CHAIRPERSON LUDWIG: We might as well just
6 stay here, then.

7 Okay. Thank you.

8 We have no hardship applications.

9 Any new business?

10 Old business?

11 Presentations?

12 Announcements?

13 Motion to adjourn.

14 MS. DREHER: I'll move.

15 MR. PAGE: I second it.

16 CHAIRPERSON LUDWIG: All in favor.

17 ALL BOARD MEMBERS: Aye.

18 CHAIRPERSON LUDWIG: Meeting stands
19 adjourned. See you in three weeks.

20 (Proceedings concluded at 8:13 p.m.)

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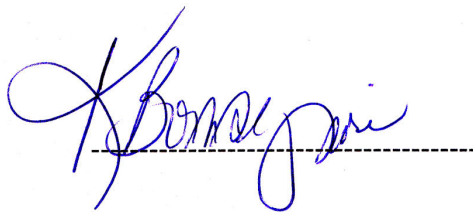
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REPORTER CERTIFICATE

I, Kimberly A. Bonsignore, do hereby
certify that I did report the foregoing proceedings,
which was taken down by me in a verbatim manner by
means of machine shorthand.

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

Dated this 17th day of September 2024
at Brighton, New York



KIMBERLY A. BONSIGNORE
Court Reporter and
Notary Public No. 01B06032396
in and for Monroe County, New York