

ADDENDUM TO THE July 24, 2014 MEETING of the HISTORIC PRESERVATION  
COMMISSION

Page 1 Mary Jo Lanphear was present

Page 3 5<sup>th</sup> line add coma after vegetation, except the front yard Beech,  
13 line French Road not Reed Road

Page 5 2<sup>nd</sup> line I am not I ma,  
Davis Kulwan

Page 6 Line 2 Bero Architects not Daryl Architects.  
Beiesch Surveyors not Velecci Surveyors

Proceedings held before the Historic Preservation Commission of Brighton, at 2300 Elmwood Avenue, Rochester New York on July 24, 2014, commencing at approximately 7:30.

PRESENT: Jerry Ludwig, Chairman  
John Page,  
Justin J. DelVecchio  
Wayne Goodman  
David Whitaker  
Arlene Vanderlinde

NOT PRESENT Diana Robinson  
Mary Jo Lanphear, Historian

Ramsey Boehner, Town Planner  
Kenneth W. Gordon, Town Attorney

FIRE ALARM PROCEDURES WERE GIVEN

MR. CHAIRMAN: I would like to call the July 24, 2014 meeting to order. We have the minutes from the June 26, 2014 meeting. Can I have a motion to approve the minutes of the June 26, 2014 meeting with corrections?

MR. WHITAKER : I move to approve the June 26, 2014 minutes of the Historic Preservation Commission as corrected.

MS. VANDERLINDE: Second.

UPON ROLL CALL VOTE	MOTION UNANIMOUSLY CARRIED
MR. LUDWIG YES	MS VANDERLINDE YES
MR. DELVECCHIO YES	MR. GOODMAN YES
MR. PAGE YES	MR. WHITAKER ES

MR. CHAIRMAN: Has the meeting been duly advertized.

MR. BOEHNER: Yes, it was properly advertised in the Brighton Pittsford Post of July 12, 2014.

MR. CHAIRMAN: That meeting as duly advertised will  
now be held

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DESIGNATION OF LANDMARKS

NONE

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CERTIFICATE OF APPROPRIATENESS

NONE

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HARDSHIP APPLICATIONS

NONE

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MR. CHAIRMAN: The public hearings are closed.

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NEW BUSINESS

NONE

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OLD BUSINESS

5H-02-14 Application of Mary Jo Lanphear, Town Historian, for property owned by Michael J. Schmidt and Kimberly A. Warner, located at 2 Greenfield Lane, tax number 122.20-3-16 for landmark designation pursuant to the Historic Preservation Local Law of the Town of Brighton. All as described on application and documents on file. POSTPONED TO THE JUNE 26, 2014 MEETING AT THE OWNER'S REQUEST – ADJOURNED TO THE JULY 24, 2013 MEETING – PUBLIC HEARING CLOSED

MR. GORDON: Maybe we should recap where we are in the process. So at the last meeting you held a duly noted public hearing. There was both testimony and documentation submitted during that public hearing on the application. The application itself and it's supporting materials were received and filed as part of that public record. Mr. Schmidt gave a presentation and his own documents were presented to the Commission as well. That public hearing is now closed and that constitutes the public record on which you are now asked to make a decision after deliberation regarding potential

designation of this property. So that now is the time for you to talk amongst your selves and to discuss whether this property should be designated, if it should be designated and whether there should be any conditions or exclusions regarding that designation. It is not the time now to gather new information, taking testimony or asking questions. So I would suggest that you take this matter up and we can have a discussion of this. I do have a resolution prepared and I am going to reserve on reading that resolution until the Commission decides what it's pleasure is.

MR. BOEHNER: Do we want the discussion on the record?

MR. GORDON: Yes, it might be helpful although it is not mandatory.

MR. PAGE: I want to suggest for consideration of this property and for consideration of most properties as part of this discussion last month there was something to the affect that designation would include the original house, garage and property to the extent permitted by the ordinance excluding the following; vegetation except the front yard, Beech, in ground pool, deck and fence and garage addition. We talked about the ordinance basically including the area that you described including the home and property up to a certain distance from the house. We had some discussion about whether this property in particular whether it was the best approach to include everything that is sort of one round or to exclude everything other than the house and I think I like the idea that we have property that goes along with it because it would have the potential for future additions and things. I think it should be reviewed by this Board rather than the Architectural Review Board on the other hand I don't feel the need as we had with Ridge Road to have somebody come in every time there is a question about a bush. So I offer that for consideration.

MS. VANDERLINDE: I think I agree with you unless it is a landscape that has been designed by a prominent architect that should be protected in its own right. To have every bush and scrub tree be part of that I agree that is not necessary to be part of the designation – although it has not been a burden in the past it is something that could be a burden unless it is a tree that is really a designation unto itself. It could be an old specimen that could add to the aesthetics of the house. I think it is time to take a look at that part of the ordinance and be specific about the vegetation in going forward.

MR. CHAIRMAN: Any other comments or

questions?

MR. GOODMAN: I am in favor of being flexible. I just think that during our last meeting I have been thinking about the potential burden that would entail for everybody involved and it really would.

MS. VANDERLINDE: The landscape should be able to be changed on their own unless it is something that was done by a prominent architect. Then I can understand having that potential to be designated but most of it is expendable.

MR. WHITAKER: The house is certainly worthy of designation and I think that is the point.

MR. GORDON: I am glad you have brought this up because I did want to hear what the Board had to say about the main issue which is should this property be designated. Does it meet the criteria, in the Board's opinion? The exceptions can certainly be incorporated.

MS. VANDERLINDE: That went without question, this particular house has more than one criteria. It is one of our rare examples that may meet four of our criteria beautifully and it is a very worthy house and the owners should be proud of it. It is one of the examples for the reason why this ordinance came into being to protect these important places so they don't change over time inappropriately. That is the whole point of the ordinance to keep the Town's treasures appropriate to their time, to their place in history and a tribute to the people that lived there. That is what the ordinance is about and why I am here volunteering my time for this.

MR. WHITAKER: That is what I said.

MR. CHAIRMAN: Any other comments? Do you have a motion prepared?

MR. GORDON: I do and I just have one additional matter and that is we heard in the open forum from the owner with regards to some financial concerns specifically as it related to insurance. And I just wanted to review with the Board legally the criteria under the code for designation and the criteria as listed in Section 224-3 for designation as a landmark includes all of the following: possesses historic value as part of the cultural, political, economic, architectural and social history of the locality's region, state or nation or is

identified as historic personages or embodies distinguishing characteristics of an architectural style or is the mark of a significant designer. You will note and I am certain that the home owner is disappointed here. You will note that there is no criteria as it relates to financial impact positive or negative that designation may have on the property. Having said that this Board certainly if it chooses to designate tonight can act as a resource to the home owner in making arrangements to help the home owner make sure that the property is continually and properly insured that would be in the interest of not only the home owner but also the Board in case there is some action legally they can be prepared by using the insurance that I am sure is available in the community.

We also as I am sure the Board is aware have hardship conditions so that if the property was damaged or needed repair the homeowner could come in and apply for a certificate of appropriateness that repairs were exceeding the expenses for perhaps insurance didn't cover it that would be an appropriate exercise by this Board to make a hardship exception. So I think there is a lot of flexibility to have the Board accomplish its needs while still protecting the property and certainly the Board has offered that as a resource on all sorts of things. The last thing I want to note is that I did hear the home owner state that his insurance agent was Parish Curran (phonetic) and that is also the insurance agent for the Town of Brighton and we have a very strong relationship with him and I am sure we could act as a liaison in that matter.

MR. CHAIRMAN: Any other comments? Would you like to put forth a motion?

MR. GORDON: Certainly

WHEREAS application 5H-02-14 has been submitted for designation for 2 Greenfield Lane in the Town of Brighton, County of Monroe and State of New York. Tax Parcel Number 122.20-3-16 has been designated as a landmark under the Town's Historic Preservation Law.

AND WHEREAS the Historic Preservation Commission duly called a Public Hearing to consider such matter, the Public Hearing was duly held on June 26, 2014 and all persons having an interest in such matter having had an opportunity to be heard therein,

AND WHEREAS based on the materials submitted at the testimony from the Public Hearing including December 17, 2013 application for designation submitted by Town Historian Mary Jo Lanphear, the 2004 cultural resources survey by Cynthia Howk of the Landmark Society of Western New York Inc., the

update to such survey consisting of the July 18, 2013 letter and attachments from Keaton Hagard's promo of Daryl Architecture LLC and memorandum dated June 17, 2014 from the Town Historian Mary Jo Lanphear to the Historic Preservation Commission and the photographs and news articles submitted by Michael Schmidt and the survey map submitted which was drawn by Velecci (phonetic) Surveyors dated June 15, 2012.

The Historic Preservation Commission finds that the subject property possesses such historic value based upon the fact that it was constructed originally in 1927. Is an outstanding example of a Tudor Revival Domestic Architecture. It is associated with important persons as part of the cultural, economic and social history of the community.

IT IS HEREBY RESOLVED, that the Town of Brighton application 5H-02-14 for designation as a landmark of 2 Greenfield Lane together with all of the materials and documents reference above and received and filed

AND BE IT FURTHER RESOLVED that the Town of Brighton Historic Preservation Commission hereby designates 2 Greenfield Lane, tax parcel 122.20-3-16 as an historic landmark per the Town's Historic Preservation Law based upon the Commission's finding the house constructed in 1927 is a house with an example of Tudor Revival Domestic Architecture and is associated with important persons and is part of the cultural, economic and social history in the community.

AND BE IT FURTHER RESOLVED that in recognition of the limited historic value with plantings, vegetation and the trees on the property other than the large Cooper Beech Tree in front of the structure designation adopted shall not apply to the plantings, vegetation and trees on the property other than the large Cooper Beech Tree in front of the structure.

AND BE IT FURTHER RESOLVED that in recognition of the limited historic value of the swimming pool, pool fence and garage addition on the property the designation hereby adopted shall not apply to said structures.

MR. PAGE: I so move.

MR. WHITAKER: Second.

UPON ROLL CALL VOTE	MOTION UNANIMOUSLY CARRIED
MR. LUDWIG YES	MS VANDERLINDE YES
MR. DELVECCHIO YES	MR. GOODMAN YES
MR. PAGE YES	MR. WHITAKER YES

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2530 Highland Avenue – HELD OVER

363 Penfield Road – HELD OVER

124 Summit Drive – HELD OVER

73 Washington Drive – HELD OVER

List of Properties to be Updated and Surveyed HELD OVER

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PRESENTATIONS

NONE

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COMMUNICATIONS

NONE

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MR. CHAIRMAN: Could I have a motion  
to adjourn?

MR. WHITAKER: So moved.

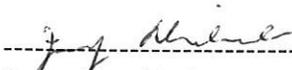
MR. PAGE: Second.

MR. CHAIRMAN: All in favor. The meeting  
stands adjourned. Thank you all.

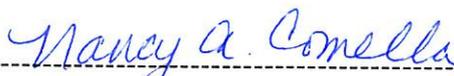
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CERTIFICATION

I, Judy Almekinder, 7633 Bauer Van Wickle Road,  
Lyons, New York 14489, do hereby state that the minutes of the July 24,  
2014 , meeting of the Brighton Historic Preservation Commission  
at 2300 Elmwood Avenue, is a true and accurate transcription of those notes to  
the best of my ability as recorded and transcribed by me.

  
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Judy Almekinder

On this <sup>5<sup>th</sup></sup>----- day of August, 2014 before me personally came Judy  
Almekinder to me known and known to me to be the person described herein and  
who executed the foregoing instrument, and she acknowledge to me that she  
executed the same.

  
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Notary Public

NANCY A COMELLA  
Notary Public-State of New York  
County of Wayne  
Commission Expires Mar 30, 2018  
No. 01CO4624987