

Proceedings held before the Historic Preservation Commission of Brighton, at 2300 Elmwood Avenue, Rochester New York On February 26, 2015 commencing at approximately 7:30.

PRESENT: Jerry Ludwig, Chairman
Diane Robinson
David Whitaker
John Page
Jason DelVecchio

NOT PRESENT Arlene Vanderlinde
Wayne Goodman

Mary Jo Lanphear, Town Historian
Ramsey Boehner, Town Planner
Kenneth W. Gordon, Town Attorney

FIRE ALARM PROCEDURES WERE GIVEN

MR. CHAIRMAN: I would like to call the February 26, 2015 meeting to order.

MR. BOEHNER: We have minutes from December 18 and January 22 and I will give them to the stenographer.

MR. CHAIRMAN: Does anyone else have any corrections to the minutes? Hearing none can I have a motion to approve the minutes for the December 18 and January 22, 2015 meetings with corrections?

MR. WHITAKER: I will move the approval of the minutes from December 18 and January 22, 2015 as corrected.

MR. DELVECCHIO: Second.

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

MR. CHAIRMAN: Was the meeting duly advertised?

MR. BOEHNER: Yes, it was properly advertised in the Brighton Pittsford Post of February 12, 2015.

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

DESIGNATION OF LANDMARKS

2H-01-15 Application of Mary Jo Lanphear, Town Historian, for property owned by Marjorie B. Searl, located at 124 Summit Drive, tax number 136.07-1-5.11 for landmark designation pursuant to the Historic Preservation Local Law of the Town of Brighton. All as described on application and documents on file.

MR. CHAIRMAN: Would anyone like to speak or ask questions for that designation?

MR. SEARL: I am Scott Searl and I am married to the owner of the house. I would like a little bit of clarification of what is involved with the site in terms of what it restricts us from doing and whether there are any detriments and whether it affects taxes.

MR. CHAIRMAN: I will start out and anyone can chip in as they wish. Basically if you are historically designated you are to come to us for exterior modifications to the house. Right now you have to go to the Architectural Review Board so we take the place of that commission.

MR. SEARL: Does that mean changing any of the lines of the house or building an addition or what?

MR. CHAIRMAN: Yes, and addition you would come to us as opposed to the Architectural Review Board. In other words if you have to change something and you do it in kind you don't have to come to us. Anything on the inside is not covered. Paint colors are not covered. Ramsey will hand you a brochure that kind of explains that.

MR. SEARL: So basic repairs and things of that sort don't have to be approved?

MR. CHAIRMAN: No, as long as you are doing it in kind materials.

MR. SEARL: What if you wanted to change the windows?

MR. CHAIRMAN: You would want to come to us.

MS. SEARL: How much of the gardens would be covered by the designation?

MR. CHAIRMAN: Typically we go to the property line or 250 linear feet which ever is larger from the house out.

MR. GORDON: It would be 250 feet from the wall of the house exterior wall.

MR. CHAIRMAN: Now that's typical we have wrestled with this before and that is we do not plan to have you come in for every shrub you trim or anything like that. I guess we are more concerned with a auxiliary structure say a pool for instance, some significant change like that. We don't want you to come in every time you plow the driveway.

MR. SEARL: How about trees?

MR. CHAIRMAN: There was one house on East Avenue where we designated one particular tree because it was a Copper Beach and it was huge. Generally we don't want to be too restrictive if there are any trees that are significant to the property it would be nice just to know.

MR. SEARL: We have some pines that will die pretty soon.

MR. CHAIRMAN: On things like that it would just be nice for us to know I don't think we have a problem with that.

MR. WHITAKER: When your house was first built up on the Summit you looked out on the City of Rochester and now everything has grown up.

MR. SEARL: When the house was built I don't think there were any trees up there at all. When we moved in, in 1985 there were a whole bunch of junk trees so you couldn't see the City that is all gone. We have changed all that so we now we can see the city and occasionally a tree will grow up it will start to block the view and my preference is just to trim it but every

once in a while it makes more sense to take it down. I don't think there are any relative at this time.

MR. CHAIRMAN: I don't think that would be an issue.

MR. GORDON: It maybe helpful to give a couple of sections of the Preservation Law which I think would better define what the limitations are. Section 224-4 says once the property is designated no person shall carry out exterior alterations , restorations, reconstruction or new construction before demolition without getting a Certificate of Appropriateness. Exterior painting shall not require a Certificate of Appropriateness unless it is to be done on bricks, stone, ceramic or some other component. Also under 224-12 nothing is being construed to prevent you from ordinary maintenance and repair, any architectural feature that is not involved in actual change in design or material or outward appearance. So if you are replacing something with like kind materials there is no problem, or simply performing maintenance there is no problem. As the chairman said anything on the inside of the property is completely your business. Really the expertise on this Board is to assist residents who own landmark properties in place of the Architectural Review Board that serves to preserve the character of the property. So really in a sense it is a resource as well as a regulatory body to make sure that you know there is a depth and breadth of knowledge on this Board of ways to help maintain and preserve the property and it is consistent with the historic character.

MS. SEARL: What about the tax situation?

MR. CHAIRMAN: If you were to add on and the improvements were approved by this Commission there is a 10 year phase in of any town taxes.

MR. GORDON: It is a very small tax amendment. You can have partial taxes up to ten years, town taxes for the portion of the increase, but fire taxes, school taxes are not covered. It is for what would otherwise increase the value of your property.

MR. CHAIRMAN: Also historic designation alone does not mean your taxes are going to go up or down.

MR. SEARL: That is all I have. Thank you.

MR. CHAIRMAN: I would like to close the public hearing. Any questions or discussion? Do we have a motion?

MR; GORDON: I have a proposed resolution?

WHEREAS application 2H-01-15 has been submitted for designation for 124 Summit Drive in the Town of Brighton, County of Monroe and State of New York tax parcel 136.07-1-5.11 as a landmark under the Town's Historic Preservation Law

AND WHEREAS the Historic Preservation Commission duly held and appropriately held a public hearing to consider such application and a public hearing was held on February 26, 2015 and all persons having an interest in such application had an opportunity to be heard therein

AND WHEREAS based upon the application prepared by Town Historian Mary Jo Lanphear and the cultural resource surveyed of said property and prepared by Cynthia Howk of the Landmark Society of Western New York in 2004 and updated such said survey prepared by Katty Eggersconeau Promo of Ferrel Architecture on August 13, 2013 and the testimony and other materials submitted to the Historic Preservation Commission in regard to the public hearing. The Historic Preservation Commission hereby finds that in reference to the property it possesses such historic value based upon the fact that it was a distinctive and example of early 20th Century international style of residential architecture and is associated with persons of historic significance including Ernest Wildhader, a mechanical engineer for Gleason Works, who was granted over 300 patens in his career.

WE THEREFORE RESOLVE, that the Town of Brighton application number 2H-01-15 for designation of a landmark at 124 Summit Drive in the Town of Brighton together with the additional referenced materials all being received and filed by the Historic Preservation Commission

AND IT IS FURTHER RESOLVED, that the Town of Brighton Historic Preservation Commission hereby designates the property located at 124 Summit Drive in the Town of Brighton, County of Monroe, State of New York for Tax parcel 136.07-1-5.11 as a historic landmark under the Town's Historic Preservation Law based upon the noted significant factors.

MR. PAGE: I will make the motion.

MS. ROBINSON: Second.

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

CERTIFICATE OF APPROPRIATENESS

NONE

HARDSHIP APPLICATIONS

NONE

MR. CHAIRMAN: Public hearings are now closed.

NEW BUSINESS

MR. CHAIRMAN: I received a call from Bruce Williamson who owns the school house on French Road and he wants to put up a small dish and I said he didn't need to come in for that. If that is okay that I made that call.

OLD BUSINESS

2150 Clover held over

2530 Highland Avenue

MR. BOEHNER: We sent a letter and we met and they were unsure if they were going to come. We met with both the husband and wife. They had a lot of questions . They understand how we would have interest in designating it. They didn't ask for any delays. We can send out a letter for designation.

MR. WHITAKER: I will move to set a public hearing.

MR. PAGE: Seconds.

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

363 Penfield Road held over

73 Washington Drive

MR. PAGE: I will move that we send a letter for designation.

MR. DELVECCHIO: Second.

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

List of Properties to be updated and surveyed held over

PRESENTATIONS:

NONE

COMMUNICATIONS

NONE

MR. CHAIRMAN: Motion to adjourn?

MR. WHITAKER: So moved.

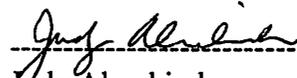
MR. DELVECCHIO Second.

MR. CHAIRMAN: So adjourned.

* * * * *

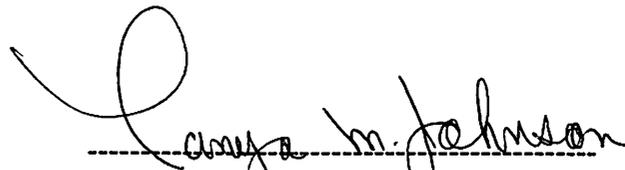
CERTIFICATION

I, Judy Almekinder, 7633 Bauer Van Wickle Road,
Lyons, New York 14489, do hereby state that the minutes of the February 26,
2015 , meeting of the Historic Preservation Commission of the Town of Brighton
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.

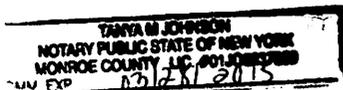


Judy Almekinder

On this ----- day of March 2015 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.



Notary Public



[Faint, illegible text covering the majority of the page]

ROBERT M. BAYNE
NOTARY PUBLIC STATE OF NEW YORK
MONROE COUNTY, NEW YORK