

LANCASTER, NEW YORK  
HISTORIC DISTRICT COMMISSION  
Minutes of October 12, 2005

**Attendance:**

James Keysa  
Jean Brunea  
Jan Pecqueur  
William Harnack  
Michael Meyer  
Tina Preston  
Ann Karb, Secretary  
Jeff Stribing, Liaison

**Excused:**

Joseph Giallanza

**HEARINGS:**

**A. 8:00 p.m. – Sign Replacement – Faith Methodist Church, 5505 Broadway.**

This evening's meeting was called to order by Jim Keysa at 7:30 p.m. and board members were informed that Mr. Grant Amey, Chairperson of Trustees of the Faith United Methodist Church, would be in attendance this evening to present a petition for approval of a replacement sign. Prior to Mr. Amey's arrival, board members were provided with a copy of the church's Petition for Certificate of Appropriateness with accompanying sketches. A discussion ensued and Mike Meyer pointed out that the dimensions appeared to be too large. The total sign is nine feet tall x ten feet across including the brick on the sides and the top pediment. The sign itself would be four feet high x six feet wide. There is an opening on the lower portion below the signage to allow for accumulation of plowed snow. In order that the size could be more easily visualized, an area on the wall of our meeting room was measured. Mike Meyer suggested a cap could be put on the top of the bricks similar to what was done on the Opera House sign, with a smaller pediment on the sign itself to decrease the total mass. Also it was suggested the sign could be lowered to decrease the open area underneath. Will Harnack felt that we should not be reviewing this proposal until it had gone through the Building Inspector's office; however, Jim Keysa pointed out that we are looking at a "conceptual" plan, not what is definitely going to be built.

Jeff Stribing reviewed the signage section of the Lancaster Village Code and the portion relevant to signage of this type stated, "The height of a ground sign shall not exceed eight feet. No freestanding sign shall be erected or maintained nearer the building façade than three feet, or nearer the sidewalk surface than eight feet, and must be placed so as not to obstruct pedestrian passage on the sidewalk." The opinion of board members was that the sign as proposed is aesthetically too large for the area in front of the church and will have a "billboard" appearance. It would also appear that there is not enough room between the church building and the sidewalk to meet the requirement of an eight-foot space between the sign and the sidewalk.

Will Harnack made a motion that petitions such as this should be sent to the Building Inspector before coming to our committee. Second by Mike Meyer. Jim Keysa did not agree. Jean Brunea abstained from voting. The motion was voted on and accepted.

At 8:00 p.m., Mr. Amey appeared before our board to provide additional information about the church's petition. In addition to the information described above, he noted that the sign would have no back lighting and would use the existing lighting from the ground up. However, he did mention that when snow builds up beneath the sign, the lighting is obscured by the snow. He stated it would be a two-sided sign facing east and west on Broadway in the same location as the existing smaller sign. It has an aluminum tubing frame, and the brick pillars would match the church.

Mr. Amey was advised of the Village Code requirements detailed above and that the sign is one foot too high. Reducing the space at the bottom by one foot would meet the height requirement and still provide clearance for snow. Jim Keysa also stated that the sign appeared too massive for the site and advised Mr. Amey to talk to Santoro Signs about capping the sign on the sides and reducing the center pediment similar to the Town Hall sign, which would make it appear less massive. Mr. Amey confirmed that there is not enough space between the sidewalk and the building to meet the three feet and eight feet requirements described in the Code. Mr. Amey was advised to contact the Code Enforcement Officer for further information on code restrictions.

Will Harnack made a motion to send the church's petition to Jeff Simme, Code Enforcement Officer, for review and recommendations. Second by Mike Meyer. The motion was approved by board members.

Mr. Amey was provided with a copy of the signage section of the Code for his information, and he agreed to return to our meeting in November for further action on the petition. His original petition will be retained in our file until that time.

#### **Minutes of Previous Meeting:**

The minutes from the meeting of September 14, 2005, were distributed and read. Tina Preston raised a question concerning the subject of trees needing replacement which was discussed at that meeting. She noted this was not on this evening's agenda although we had requested an action be taken by Jeff Stribing to contact the DOT representative. Jim Keysa agreed to add this item to this evening's agenda under Old Business. A motion to accept the minutes as submitted was made by Will Harnack. Second by Tina Preston. Board members voted to accept the minutes.

#### **Treasurer's Report:**

Jim Keysa reported that the only expenditure for the month, as well as for the entire fiscal year, was for secretarial services. Tina Preston inquired about budget provisions and procedures and Jim Keysa informed her of the various line item breakdowns and submission procedures.

#### **OLD BUSINESS:**

##### **A. Broadway/Central Avenue/Municipal Building Parking Lot, Trees.**

Jim Keysa noted that the Municipal Building parking lot has had directional arrows painted on it; however, nothing has been done regarding the hazardous guy wires. Jeff Stribing said he will follow up on this and inform Jim of the outcome. Also, regarding the trees needing replacement on Broadway, Jeff was asked if he had any further information on this from the DOT. He stated he has heard nothing since September and will follow up before our November meeting.

Jim also noted that there are some street lights out on Broadway and also there is a light standard down on the south side of the bridge on Central Avenue. This prompted discussion about the lighting in general in the area. Jeff Stribing said that coming from the north the high-standard lighting is not aesthetically pleasing and there is a possibility that these could be replaced with lower pedestrian style lights. The current lights might possibly be moved to Broadway where additional lighting of the historic area is needed. Jim said that wiring is in place at least to Lake Avenue. Tina Preston inquired if there was any action we could take at this time on the lighting; however, Jim felt that having Jeff look into it further is all that could be done currently.

##### **B. Rite Aid Drug Store – Plans, Status Report.**

Jim Keysa reported that the plans for this project are moving along; however, he has not spoken with the developers further since our last meeting. The most recent plan showed a

rounded front to the building and Jim had told them this would not fit in with the character of the area. They were also indicating that the building be set back about 73 feet from the street, whereas we had considered a building located closer to the street when we talked to Rite Aid in the past. Jeff Stribing stated that negotiations between the owner of Eddie Ryan's and the developers are ongoing. The developers want to grade the three current elevations of the property to one level and construct a retaining wall along Pleasant Avenue with a knee wall wrapping around to Central Avenue. It is also proposed to construct an enclosure behind Eddie Ryan's to centralize trash collection in one location. Jeff Stribing stated that he showed Mr. Bill Paladino the second plan that had previously been presented by the developer and told him this was more acceptable to us. Jeff felt they will be contacting us once the planning is completed.

Will Harnack questioned at what point our board would be involved in the planning and expressed concern about negotiations which may be ongoing without our knowledge. He asked what the next step would be. Jeff said the next step would be for them to sign a lease with the Community Development Corporation. Will asked, "Don't they need to know whether or not they are going to get what they want from us and everybody in the Village before they start signing leases?" Jeff said all they are asking for is moving the building back from the sidewalk. Will asked, "What if they can't do that?" "Are they going to sign a lease even though we are saying no?" It was Jim Keysa's feeling that they probably will be going to the Planning Board first and then coming to us after the Planning Board has seen it, at which time we can vote on the aesthetics, etc.

**C. M&T Bank Building – Moving 11/10/2005.**

Jim Keysa asked Jeff Stribing if he had any information on a new occupant for the M&T bank building. Jeff said he talked to Bob Nucherino, who is the owner, and there are negotiations going on for the drive-through. Jeff questioned why they would want a drive-through when they can't put a bank there, per the agreement with M&T? He also stated that when the Master Plan was shown to the Army Corps of Engineers, they asked what that spot was, and when told it was a drive-through, they said it cannot be there. Jeff told Mr. Nucherino there is more demand for a good restaurant; however, he responded that there is no way a restaurant would go there, indicating there is no parking and also it would be too expensive to install an elevator. He said it could only be used for a bank. Jeff told him one of the reasons M&T was leaving was because of lack of parking. Also, they were constantly having problems with the drive-through. He suggested something different would be more advisable. Jeff told Mr. Nucherino to send a letter to the Village Board informing them of what he wants.

Jeff said on Monday night at the Village Board meeting Bill Natalzia was asking the Board if, rather than knocking down the drive-through, they could maintain it for the time being as storage. He doesn't know if any conclusion was reached on this, but he does know that it was talked about.

**D. Sign Ordinance – Central Business District Zoning - Design Standards.**

Jim Keysa informed our board members of a hearing on Monday before the Village Board concerning the Central Business District Zoning. He handed out copies of a Buffalo News article on the subject, which he said contained inaccuracies. He said he had indicated to the Board that the Historic District Commission was anxious to have some legislation enacted as a basis for our rulings.

Jeff Stribing provided our board with information about a meeting he attended on Monday on the Main Street Program, which is a HUD program administered by the State. One of the strong points made at the meeting is that zoning should be administered by the Planning Board. Jeff said there is \$200,000 in grants available for any landowner who wants to do façade work or interior renovations, as long as it is a building that also provides residential use. In order to apply for grants, we need to have a design standards committee and a design standard in place. Jeff said there are several downtown property owners who are

interested thus far. The applications will be available on November 30. Jim asked if this just covered the Central Business District and Jeff said this is correct. Jeff said the Main Street Program is HUD money administered by the State. Will Harnack questioned whether, in order to be eligible, it was necessary for each building to have residents. He said it was his understanding that only a certain ratio of commercial to residential was required. Jim Keysa said this should be followed up on and clarified. If Will's understanding is correct, this would open up the money to more buildings.

Will stated that he had brought the subject of the grant money to the Mayor's attention in July because we missed out on grant money last year when Lockport and Lackawanna were among communities to receive this funding. Jeff Stribing stated we actually had applied last year but we were in line behind other communities. He said that a year ago HUD sponsored a meeting that he attended and he obtained pertinent information at that time. He then called Sue Barnes, the grant writer for the Village. She indicated that our points were too low to qualify and one reason for that was that we didn't have a design standard in place.

Jeff Stribing informed our board that a committee has recently been formed and has been reviewing the eighteen subjects within the Peter J. Smith plan to be used as the design standard. Members of this committee are Jim Keysa, Ken Delzer, Chairman of the Zoning Board, Dick Bulman, Chairman of the Planning Board, Mark Aquino, Executive Director, and himself. Jim Keysa mentioned that Roofs and Landscaping had been left off that plan and should be included. Jeff said he asked Sue Barnes if it was necessary to have the design standard in the Village Code. She informed him that extra points are awarded if the design standard is enforceable. If it is not in the Code, it would not be enforceable.

Jeff also mentioned to our board that some years ago, communities were allowed to create consortiums to obtain funds and that Lancaster joined a consortium. He said Erie County, the City of Buffalo, the City of Lackawanna and the Town of Cheektowaga are not a part of this consortium. Now we have found that the Governor has a Small Cities Program and we could probably obtain funding through this. The Village Board was not sure which way to go since it is not known if the Small Cities Program might be limited to the Pataki era. Jeff felt that we stood a very good chance of obtaining a \$200,000 grant from the Main Street Program.

Jeff also talked about a new terminology called tracknetting. This is where a requirement would be put in the code, but use words such as "shall", or "may". This, however, is unenforceable and Jim said there is no point in it. Jeff stated some communities want it that way because it provides more flexibility in negotiating with property owners. Jeff said Saratoga and Fairport are two communities that use tracknetting.

**E. Rotary Park.**

Jim Keysa stated that the park project in recognition of Rotary's one hundred year anniversary is progressing. He said that he spoke with Walt Szyzmanski who does not know if the commemorative blocks will be installed this fall or if they will have to wait until next spring.

**F. Book Project.**

The book project is moving along. Most of the pictures have been assigned to artists; about ten have not been assigned as yet. In addition to Karl Kipp, Andrea Harnack will be doing about six pictures, and several other artists will also be involved. The next meeting on the book project will be held at 7:30 p.m., October 19, at Jim Keysa's office. Jan Pecqueur had a conversation with Karl Kipp recently and he stated he is having an open house from 1:00 to 5:00 p.m. on Sunday, October 23, at 22 Ronald Drive in Lancaster. He has a number of pictures that will be on display.

**NEW BUSINESS:**

Jan Pecqueur stated she recently called the Old Orchard to confirm the Christmas party, but apparently there had been a mix-up in scheduling. As a result, our dinner previously scheduled for Wednesday, December 7, has been changed to Monday, December 12 at 6:30 p.m.

Tina Preston presented the Board with an enlarged map of the Lancaster Historic District which she had prepared showing individual parcels, and which can be used in the future as a tool for educating the public about the Historic District and our role in maintaining and improving the District. This map was very much appreciated by board members and will be stored in Jeff Stribing's office when not in use.

**CORRESPONDENCE/ARTICLES:**

Jim Keysa provided board members with materials for the Doors Open Niagara to be held on Saturday and Sunday, October 15 and 16. This year Lancaster has seven sites which will be open including St. Mary's Church, Lancaster Presbyterian Church, Sassafras Bed and Breakfast, Lancaster Opera House, the Clark Street museum, the Schoolhouse museum and the Hull House. Doors Open Niagara covers many sites in Erie County as well as Southern Ontario, and sites that normally have an admission fee will waive their fee during this event.

**UPCOMING MEETINGS:**

- (A) Wednesday, November 9, 2005.
- (B) Christmas party, Monday, December 12, 2005.
- (C) Wednesday, December 14, 2005.
- (D) Wednesday, January 11, 2006.

The meeting was adjourned at 9:15 p.m.