

Lancaster, New York

MEETING MINUTES

May 13, 2009

I. Attendance / Call to Order

The meeting was called to order at 7:34 P.M. by Chairman Meyer.

Brunea, J.	<u>ex.</u>	Alternates:
Giallanza, J.	<u>x</u>	1. Kwiatek, R. <u>x</u>
Harnack, W.	<u>ex.</u>	2. Hassett, J. <u>x</u>
Meyer, M., Chair	<u>x</u>	
Pecqueur, J.	<u>x</u>	Simme, J. _____ (Bldg. Dept.)
Preston, T.	<u>ex.</u>	Stribing, J.* <u>x</u> (Village Bd. Liason)
		*left at 8:05 P.M.
Miller, G., Secretary	<u>x</u>	

Roll call indicated that a quorum of six (6) existed.

II. Public Hearings:

The following Petitions for Certificates of Appropriateness were reviewed at public hearings by the NYMS Architectural Review Committee meeting on April 29, 2009. The committee consisted of James Allein of the planning commission, who served as Chairman, Linda Parzynski of the Planning Commission, Jason Hassett of this board, and Grace Miller of this board, who served as secretary. The applicants all attended the hearings and the projects were approved for the façade program. Each project also requires a Petition for Certificates of Appropriateness to be reviewed and approved by this board before the project can proceed.

A.) 27 Central Avenue / Craig Lindaur / Façade

MOTION: Miller: To approve Petition for Certificate of Appropriateness as presented. Seconded by Giallanza.

MOTION APPROVED: In a vote of five (5) to zero (0), with Meyer abstaining.
Carried.

B.) 31 Central Avenue / Vincent Mangione / Façade

MOTION: Miller: To approve Petition for Certificate of Appropriateness as presented. Seconded by Hassett.

MOTION APPROVED: In a vote of five (5) to zero (0), with Meyer abstaining.
Carried.

C.) 33-35 Central Avenue / Gary Schaff / Façade

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MOTION: Miller: To approve Petition for Certificate of Appropriateness as presented. Seconded by Kwiatek.

MOTION APPROVED: In a vote of five (5) to zero (0), with Meyer abstaining. Carried.

D.) 39-41 Central Avenue / Gary Schaff / Facade

MOTION: Miller: To approve Petition for Certificate of Appropriateness as presented. Seconded by Pecqueur.

MOTION APPROVED: In a vote of five (5) to zero (0), with Meyer abstaining. Carried.

E.) 5429 Broadway / Dr. Robert Rudewicz / Facade

MOTION: Miller: To approve Petition for Certificate of Appropriateness as presented. Seconded by Kwiatek.

MOTION APPROVED: In a vote of six (6) to zero (0). Carried.

III. Administrative Matters:

A.) Approval of meeting minutes: April 8, 2009

MOTION: Meyer: To accept minutes from April 8, 2009 meeting as amended. Seconded by Miller.

MOTION APPROVED: In a vote of six (6) to zero (0). Carried.

B.) Communications/Reports:

1. Treasurer's Report: Miller: Vouchers are due asap because the fiscal year ends May 31st

C.) Public Comment on Matters of Interest

1. Calvary Chapel (5575 Broadway): No longer sold. No further information is available.

2. Petals to Please (63 Central Ave): Miller: New metal awning installed; it looks nice but it is not in keeping with the Certificate of Appropriateness previously issued.

ACTION: Miller will send letter requesting the owner to appear and amend the Certificate of Appropriateness.

3. Commercial Vehicles: Commercial vehicles with excessive signage are being

parked in driveways in the district. This is believed to violate code.

ACTION: Miller will contact Mr. Simme regarding enforcement.

IV. Old Business

- A.) Town Hall Expansion:** Mr. Herdzik agrees that NY State Court of Appeals 72 N.Y.2d (1988) requires the Town to obtain a building permit and Certificate of Appropriateness, contrary to Mr. Simme's assertion regarding the Town's immunity from zoning ordinances due to NYCRR Title 19 1201.2(b). He is working with the Mayor to draft a letter to the Town so stating. The revised expansion project will be presented at the June 10th meeting.
- B.) Temporary signage:** Miller and Hassett attended the planning board meeting and progress was made toward formulating the wording for a temporary signage ordinance. The planning board will forward examples of signage ordinances from other historic districts for consideration.
- C.) SHPO meeting results:** Small but diverse audience included residents, college students, village officials, and representatives from many surrounding municipalities. Because of the small number of attendees, the event was expensive on a per-person basis. Although more expensive, holding the event in the Opera house did lead to the discovery that the building is eligible for National Register listing, contrary to our earlier understanding from SHPO. A few problems included missed dinner plans with Mr. Adams and malfunctioning AV equipment. Minutes and contact info will be forwarded to all attendees.
- For the next such event: possible collaboration with Preservation Buffalo Niagara and/or the Landmark Society of Western New York. RSVPs indicated that the event should take place on a Saturday in the future.
- D.) Landmark Society Conference:** Hassett, Miller, Meyer, Stribing attended. Meyer: attended a session about economic development/funding sources in the morning and the national register workshop in the afternoon, which featured the Opera House nomination. Hassett and Miller: attended the same session, with Mr. Julian Adams all day. Hassett learned about the importance of educating people in the district, and knowing the neighborhood and the code. Miller learned that there are new/improved best practices for applications and rulings. She will email Mr. Adams for models.

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E.) Tree Ordinance: Tabled

V. New Business

A.) Elks sign proposal: Stribing presented the Elk's preliminary design for a proposed new sign: A 13 ft. pole sign with changing LED text box below.

The Board indicated that the changing LED box would not be appropriate, It was noted that the proximity of the sign to the stoplight intersection would likely make an LED sign a hazard. Gooseneck lighting was recommended. Pole signs are permissible as indicated in the code. Giallanza also suggested boxing in the pole with fypon. Stribing will take the suggestions back to the Elks.

B.) GLG grant project proposals: Three project proposals were received and distributed to the board for evaluation of each firm's qualifications via a rubric form. The submissions were received from Clinton Brown Architecture, pc; Taylor & Taylor Associates, Inc.; and a collaboration between Mr. Francis R. Kowsky and Mr. Martin Wachaldo. Following a tally of the points, the board determined to recommend to the Village Board that the firm Taylor & Taylor Associates, Inc. be engaged for the project.

MOTION: Giallanza: To recommend to the Village Board that Taylor & Taylor Associates, Inc. be selected as the consultant for the CLG Grant Historic Preservation Re-survey/Survey Update Project. Seconded by Pecqueur.

MOTION APPROVED: In a vote of six (6) to zero (0). Carried.

The Village Board must authorize the contract.

Meyer requested Mr. Stribing to check on the status of the funding to determine how soon the project may proceed. Since the full amount is budgeted, the project can proceed if the Village Board will front the funds.

C.) Frosty's: The owner, Dave DeCarlo is falsely stating to all his patrons that he will not have the grill trailer this year because the "Historical Society," meaning the Historic Preservation Commission, will not allow it. However, he told the property owner that the trailer will not be utilized because it was not profitable enough, and the building department was notified of this. The Commission's actual request was that the trailer be replaced to either side or behind the building, following its removal from its current location for paving, to avoid blocking site lines of the historic

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National Register building that houses his business. On opening day of his business, he had an informal petition labeled "Petition for trailer," along with a letter from the building department from which he had removed the drawings created by the Commission which indicated the various appropriate locations for the trailer. Meyer attended the Village Board meeting on Monday the 11th of May, read the letters that were sent to Mr. DeCarlo by the Commission, and together with the Village Board emphasized to the public that the Village is not preventing him from having the trailer.

- D.) Alternate Member:** Dr. Ronald Batt was approached at the Preservation Night at the Opera House event about filling the final alternate position and expressed interest. ACTION: Miller will send a letter formally inviting him.

VI. Correspondence/Articles:

A positive letter was received from Mr. Steven Weiss, an attorney and member of Preservation Buffalo Niagara, regarding the Preservation Night at the Opera House event.

VII. Next Meetings:

June 10, 2009

July 8, 2009

August 12, 2009

VIII. Adjourn:

MOTION: Pecqueur: To adjourn at 9:15. Seconded by Meyer.

MOTION APPROVED: In a vote of six (6) to zero (0). Carried.

