

Minutes of the Village of Williamsville Historic Preservation Commission meeting held in person at Williamsville Village Hall, 5565 Main Street, Williamsville, NY, on Tuesday, February 22, 2022, at 7:00 p.m.

Present: Mary Lowther, Chairperson/Member
Kathleen DeLaney, Vice-Chairperson/Member
James Tammaro, Member
Charles Akers, Member
Susan Fenster, Member

Also Present: Deborah A. Habes, P/T Clerk
Christine Hunt, Trustee Liaison to HPC

Excused: Anthony Bannon, Member
Susan Palmer, Resource Officer
Wes Stone, Resource Officer
Thomas Barrett, Resource Officer
Jeffrey Stroud, Resource Officer

Guests: David Sutton, Sutton Architects, 5409 Main St.
Mr. and Mr. Johnson, owners of 152 S. Cayuga Rd.

Chairman Lowther opened the meeting at 7:06 p.m.

ON MOTION by Mr. Akers, seconded by Mr. Tammaro, it was moved to approve the minutes of the HPC meeting of February 8, 2022, as submitted.

Motion carried. 5 – 0.

Certificate(s) of Appropriateness – *Update - Application for Calvary Episcopal Church, 20 Milton St.*

Ms. Lowther reported that at this time no further submissions have been received by the Code Enforcement Officer regarding requested details for this application.

Old Business

Update - Bank of America Interior Mural of the Village Map

Ms. Delaney reported that she received the Examination Report, dated 2/9/22, from Aurora Art Conservation. HPC is trying to establish the historic nature of the mural located on the interior of the building's main hall, to protect the mural. No appraisal was done. The art conservator believes that the mural can be restored. This report will be attached to the nomination application to designate the mural an interior historic landmark on an already designated landmarked building (the bank). The canvas mural is attached to a frame with malleable glue. There is concern about the ability to move it off site. The mural was previously restored in 1985.

Minutes of the Village of Williamsville Historic Preservation Commission meeting held in person at Williamsville Village Hall, 5565 Main Street, Williamsville, NY, on Tuesday, February 22, 2022, at 7:00 p.m.

Questions were raised by HPC members regarding where it would be placed if it were to be successfully restored and removed. It is too large for Village Hall. Maybe the Meeting House? The Mill? Ms. Delaney stated it was a very well-done report. The best-case scenario would be for the mural to be able to remain in place inside the building. Ms. Lowther confirmed she will begin the nomination application process for the mural's eventual designation as an historic local landmark and report back to the Commission in March. She will submit the bill for the Examination Report to the Village Clerk's Office for timely payment.

Status of the Meeting House pews

Trustee Hunt reported that no further action has been taken by the Village Board on this matter and no action is planned. Ms. Lowther expressed concern about how the pews could suffer damage if they were ever to be removed and stored.

New Business

Demolition Permit Review – 152 S. Cayuga Rd.

David Sutton, Sutton Architects, 5409 Main St., and Mr. and Mrs. Bill Johnson, owners of 152 S. Cayuga Rd., were present.

Mr. Sutton stated they are present to answer any questions the members may have about his clients' proposal to demolish the residential home on their property which they purchased in 2021. He distributed to the HPC members copies of color photos and descriptions of the condition of the structure. The Village Code requires all demo permits for structures 50 years old and older to be reviewed by HPC before being reviewed and approved by the other required Village entities. Mr. Sutton gave a brief background on the Johnson family and their initial intent to modify the house when they first bought it, but since then, they have found so many roadblocks to a successful renovation, that they now wish to proceed to demolish the house and build a new one. Mr. Sutton explained that the house was built in the 1850s and over the many decades since, many additions and alterations have been made to the structure. It is vinyl clad, with vinyl replacement windows; the roof is sagging; nothing is plumb; the front porch is pressure treated and not stable; the brick is not original; the front wall is compromised; glass block windows have been installed; many ceilings are only 5' high; the foundation is unstable. The owners are willing to invest in this project and build a solid and respectful new home in its place. They are fully aware of the historic nature of the neighborhood. This structure is not a designated landmark. They wish to build anew in the same footprint. The new house would be taller than it is now, but so too are many of the other homes on the street. They would like to add a front porch so they could interact with their neighbors and engage in Village life, which they love. They are ready to start. They would build a detached garage. This property is very narrow (40').

Minutes of the Village of Williamsville Historic Preservation Commission meeting held in person at Williamsville Village Hall, 5565 Main Street, Williamsville, NY, on Tuesday, February 22, 2022, at 7:00 p.m.

Trustee Hunt asked if they would be interested in re-using materials and, also donating usable items to Habitat, and or Reuse. They confirmed they would.

Mr. Tamaro agreed that the condition of the structure is in a sad state. Nothing about it is left to suggest it is worthy of saving.

Mr. Akers agreed with Mr. Tamaro about the poor condition of the structure and how there is nothing left worth redeeming.

ON MOTION by Mr. Tamaro, seconded by Mr. Akers, it was moved to approve the demolition of 152 S. Cayuga Rd.

On the question:

Ms. Lowther and Ms. Fenster shared their concern about approving the demo of this house. Ms. Fenster stated she did not believe the applicants' intentions rang true. She cited this is an historic district. Mr. Akers responded that there is no designated historic district in the Village of Williamsville. The issue was discussed in the past by HPC but was not adopted by the Village Board. Mr. Akers acknowledged that this house is terribly run down, based on the photos and discussion presented by Mr. Sutton tonight.

Ms. Fenster - Found it hard to believe anyone would purchase a house in this condition with the intent of renovating it and not demolishing it entirely and building new.

Property owner Mr. Johnson - Responded that they knew they would have to renovate the house when they purchased it, but after much investigation with their architect and contractor over the past many months, it has become evident that there is nothing worth renovating, since the house has so much wrong with it. They would prefer to build a new sturdy, beautiful and safe house to raise their family in. They love the Village of Williamsville and want to live here. His wife grew up on Los Robles.

Mr. Sutton – The Johnsons would look forward to sharing with HPC their house plans for style and materials and get the input from HPC for ideas.

Ms. Lowther – Cannot in good conscience support tearing down a house built in the 1850s.

Mr. Tamaro – Asked what there was about this house that showed current evidence of its worth to save as a house built in the mid-1800s. It has had so many additions/renovations made to it.

Mr. Akers – The place is in bad shape. Asked if the new house would blend into the character of the street. The house is almost unsafe.

Mr. Sutton – They will build a very respectfully designed house. The Johnsons are being held up and suffering because of this.

Minutes of the Village of Williamsville Historic Preservation Commission meeting held in person at Williamsville Village Hall, 5565 Main Street, Williamsville, NY, on Tuesday, February 22, 2022, at 7:00 p.m.

Ms. Lowther – Any demo permit for a building 50 years old or older must come before HPC for approval. We need to think about what we want to do in the future. She has real concerns. There have been instances where people have purchased properties in the Village then demolished the existing houses to build new houses. This impacts the Village's historic fabric.

Ms. Fenster – It's an 1850s era house and it should be preserved.

Mr. Johnson – What can they do to move forward?

Ms. Delaney – Shared the problems that she faced when renovating the 1800s Village house she purchased many years ago. She is conflicted on this. She would like to see a rendering of the proposed new house. Sees both sides of the issue. Wishes to abstain from voting on this motion.

Mr. Sutton – His clients would be willing to share renderings of the new house with HPC, but HPC should not penalize the Johnsons for the actions of others in the past.

Mr. Johnson – Shared his family's story of how they want to be part of the fabric of Village life. They want a house that will blend in with the Village. Renovation of the house has been deemed economically unfeasible. He does not want to lose his contractor's timeline. Wants to be part of the Village, not on the wrong side of this.

Ms. Lowther – Knows there are contractors out there that do not want to delve into rehabbing when it is much easier to build new.

Mr. Tamaro – This is a decent family.

Mr. Akers – This is an economic hardship for this family as it states in the code.

Ms. Lowther – That pertains to the Zoning Board of Appeals not HPC. Asked what they should do? Table this for a month? Wait until Mr. Bannon is present to vote? We have 2 – 2 with one abstention right now.

Mr. Sutton – Would be willing to invite the HPC for a walk-thru.

Ms. Fenster – Would like a walk-thru. She is the owner of an old house on Evans and Eagle.

Mr. Sutton – Reminded all present that historic designation does not pertain to the interior, so this would be irrelevant. This is a vinyl box with vinyl windows with many additions over the years and the structure is not contributing anything to the neighborhood or the Village. It has no style and no history attached to it.

Mr. Johnson – Asked what is the next step here?

There was discussion regarding the demo code changes. What is the threshold for demo? To preserve the front wall and then build all new to the rear of it?

Minutes of the Village of Williamsville Historic Preservation Commission meeting held in person at Williamsville Village Hall, 5565 Main Street, Williamsville, NY, on Tuesday, February 22, 2022, at 7:00 p.m.

Trustee Hunt – Suggested getting clarification of the code and maybe have a special meeting to consider the item.

ON MOTION by Ms. Fenster, seconded by Mr. Akers, it was moved to **TABLE** this Demo application.

Motion carried. 5 – 0.

Mr. Sutton asked if the process could be accelerated.

Ms. Lowther - Yes. Will clarify the code.

Mr. Sutton and the Johnsons left the meeting.

Trustee Hunt confirmed she will speak to CEO Masters about this. She clarified that there is no historic district in the Village of Williamsville and this house is not a designated historic landmark.

There was further discussion regarding the demo code and how HPC fits into it. Trustee Hunt read aloud the code to the group. Ms. Delaney would like to hear from Mr. Masters about this. The 40' width of the lot and how could a new house be built on it according to the code was questioned.

CLG Grant for 2022

Ms. Lowther - To develop residential guidelines – Would cost \$14,000 which is more than what we have. April 1 is the deadline to submit the application. There was discussion about the recent annual reports and the application. It's a 40 % match. Who is going to write the grant? Ms. Lowther indicated she does not have the time nor the expertise to do so. Does not think it is the responsibility of HPC. Bernie Rotella? HPC members are not grant writers. When Ms. Waterman-Kulpa was an HPC member, she would write the grants because that was her area of professional expertise. Now, it should be the Village Board that does it.

ON MOTION by Ms. Lowther, seconded by Mr. Akers, it proposed to leave tonight's agenda to entertain a new motion.

Motion carried. 5 – 0.

ON MOTION by Ms. Lowther, seconded by Mr. Akers, it was moved to recommend to the Village Board that they apply for the FFY2022 CLG Grant as per the Flynn Battaglia Proposal to Develop Residential Guidelines, dated July 12, 2021 (revised January 13, 2022) and that the Village grant writer, Bernie Rotella, write the grant application.

Motion carried. 5 – 0.

Minutes of the Village of Williamsville Historic Preservation Commission meeting held in person at Williamsville Village Hall, 5565 Main Street, Williamsville, NY, on Tuesday, February 22, 2022, at 7:00 p.m.

ON MOTION by Ms. Lowther, seconded by Ms. Fenster, it was moved to return to the regular agenda.

Motion carried. 5 – 0.

Update - Photos of Historic Main Street Properties Project

Mr. Tamaro reported he will go to Office Depot and get the job done using the Village credit card. They will be framed and ready before the presentation date of May 21, 2022.

Wm. G. Pomeroy Foundation/Historic marker signs

Mr. Akers reported he has been doing research on obtaining one of these historic markers for the Williamsville Cemetery to commemorate the burial of an individual who is reported to have fought in the revolution, but he is having a hard time with the lack of cooperation from the owners of the cemetery. There was further discussion on the requirements for obtaining one of these historic markers. They need primary evidence to be provided as documentation to warrant the granting of one of these historic markers, and there is no cost. The deadline is four days away and he is unable to devote the time to finishing the application. It was decided to add this item to HPC's agenda for 2022-2023.

CLG Annual Report

Ms. Lowther share with the members the information she will add to the CLG Annual Report for 2021. The members agreed with her assessment. She will complete the report and submit it to Administrator Kindron.

Returning to 152 S. Cayuga Rd. demo permit:

At this point, Trustee Hunt announced that after searching the code on her phone during the meeting, she had found the specific section of Chapter 47 of the code as it pertains to HPC's role in demo permits. She read aloud the pertinent section to the members present as it pertains to the issue of a proposed demolition of the structure at 152 S. Cayuga Road and they agreed that now with this clarification, they fully understood their proper role as per the code regarding demolition permits.

A new motion was brought forward:

Minutes of the Village of Williamsville Historic Preservation Commission meeting held in person at Williamsville Village Hall, 5565 Main Street, Williamsville, NY, on Tuesday, February 22, 2022, at 7:00 p.m.

ON MOTION by Mr. Tamaro, seconded by Mr. Akers, after considering the information presented by the applicants and their architect at tonight’s meeting, and after further discussion and clarification of Chapter 47 of the Village Code as it pertains to the role of the Historic Preservation Commission and demolition permits for structures 50 years old and older, the HPC hereby **DECLINES** to recommend to the Village Board that 152 S. Cayuga Road be nominated as an historic landmark.

Motion carried. 5 – 0.

Ms. Lowther stated she would contact Mr. Masters in the Building Dept. first thing in the morning to inform him of HPC’s ultimate decision not to nominate the structure at 152 S. Cayuga Rd. as an historic landmark, so that Mr. Masters could contact Mr. Sutton and the Johnsons immediately to inform them of the reversal of their initial decision to table this application and so they can proceed with the procedure for demolition permits as stated in the code.

Ms. Lowther announced she will ask Mr. Masters from now on to send HPC members the agenda and all attachments at least one week before each month’s HPC meeting so that the members have ample opportunity to review the applications and proposals should there be any.

Trustee Hunt stated she would print up copies of Chapter 47 and distribute to each member for future reference.

Without any further business, Ms. Lowther asked for a motion to adjourn.

ON MOTION by Mr. Akers, seconded by Ms. Delaney, it was moved to adjourn the meeting at 9:55 p.m.

Motion carried. 5 – 0.

Submitted by: *Deborah A. Habes*, P/T Clerk

Next scheduled HPC meeting is planned to be held on March 22, at 7:00 p.m.
Check the Village website www.walkablewilliamsville.com for agenda.