

**Village of Williamsville
Historic Preservation Commission
Meeting Minutes
June 27, 2017, 7:00 p.m.**

Present: Wes Stone, Chairman
Susan Palmer, Member (arrived at 7:45 p.m.)
Chuck Akers, Member
Mary Lowther, Member
Kate Waterman-Kulpa, Member

Also present: Deborah A. Habes, Deputy Clerk
Basil J. Piazza, Trustee Liaison, Trustee Co-Liaison
Charles Grieco, Village Attorney

Excused: Dr. Stephen Dyson, Member
Anthony Bannon, Member
Al Yates, Trustee Co-Liaison

Mr. Stone opened the meeting at 7:07 p.m.

ON MOTION by Mr. Akers, seconded by Ms. Lowther, it was moved to approve the minutes of the April 25, 2017 meeting, as submitted.

Motion carried. 4 – 0.

ON MOTION by Ms. Waterman-Kulpa, seconded by Mr. Akers, it was moved to approve the minutes of the May 23, 2017 meeting, as submitted.

Motion carried. 4 – 0.

Mr. Stone announced that the Village received a certificate from the National Parks Service in recognition of its 5 years as a Certified Local Government (CLG) and its commitment to historic preservation on a local level.

PUBLIC HEARINGS

For the purpose of recommending the following properties for local landmark designation:

- 5429 Main Street (Starbucks/Alex and Ani)
- 34 & 42 W. Spring Street (Brewery Hill)
- 80 E. Spring Street (Zent House)
- 150 Milton Street (Lehigh Valley Section House)

5429 Main Street (Starbucks/Alex and Ani)

ON MOTION by Mr. Stone, seconded by Mr. Akers, it was moved at 7:10 p.m. to open the public hearing for **5429 Main Street (Starbucks/Alex and Ani Building)**.

Motion carried. 4 – 0.

Mr. Stone asked if there was anyone in the audience who wished to speak either in favor of or in opposition to the nomination of this property.

Chloe MacDonald of the law firm of Harter, Secrest & Emery LLC, spoke in opposition. Her firm represents the property owner, Main-Cali Williamsville, LLC. Ms. MacDonald referred to a letter dated June 22, 2017 from Patrick J. Quigley, Jr. stating their opposition to the nomination of this property. The letter stated that the nomination of the property as an historic landmark would result in an “Event of Default” under their client’s loan documents. They are requesting that the Commission not recommend landmark designation of 5429 Main Street.

Mr. Greico asked for a copy of the loan documents to review and was given a copy by Ms. MacDonald.

Ms. Waterman-Kulpa stated that this was for recommendation for local landmark designation only. Local landmark designation eliminates the requirement of properties to go before the Planning/Zoning Boards for review and approvals for any exterior changes. The property owner is only required to go to the Historic Preservation Commission for approvals for a Certificate of Appropriateness.

No one else addressed the Board.

ON MOTION by Mr. Stone, seconded by Mr. Akers, it was moved to close this public hearing at 7:15 p.m.

Motion carried. 4 – 0.

34 & 42 W. Spring Street (Brewery Hill)

ON MOTION by Mr. Stone, seconded by Mr. Akers, it was moved at 7:17 p.m. to open the public hearing for **34 & 42 W. Spring Street (Brewery Hill)**.

Motion carried. 4 – 0.

Mr. Stone asked if there was anyone in the audience who wished to speak either in favor of or in opposition to the nomination of this property.

There was no one in the audience who spoke for or against the proposal.

Mr. Stone entered into the record a letter dated June 27, 2017 from Richard T. Lohr, (RTL PIA Properties LLC) record property owner in opposition to the recommendation of nomination as a local landmark. His letter stated that the landmark designation would have an adverse effect on

the overall value of the property and suggested a limited designation for preservation of one of the caves which would result in considerably less encumbrance of this property.

ON MOTION by Mr. Stone, seconded by Ms. Waterman-Kulpa, it was moved to close this public hearing at 7:19 p.m.

Motion carried. 4 – 0.

150 Milton Street (Lehigh Valley Section House)

ON MOTION by Mr. Stone, seconded by Ms. Waterman-Kulpa, it was moved at 7:21 p.m. to open the public hearing for **150 Milton Street (Lehigh Valley Section House)**.

Motion carried. 4 – 0.

Mr. Stone asked if there was anyone in the audience who wished to speak either in favor of or in opposition to the nomination of this property.

There was no one in the audience who spoke for or against the proposal.

Mr. Stone entered into the record an email dated June 27, 2017 from Bobby Corrao, President of Natale Development, the owner of the subject property, explaining that the interior of the building was no longer intact and that the entire structure itself was in very poor shape. He offered to take the HPC members on a tour of the building at a later date.

ON MOTION by Mr. Stone, seconded by Mr. Akers, it was moved to close this public hearing at 7:24 p.m.

Motion carried. 4 – 0.

80 E. Spring Street (Zent House)

ON MOTION by Mr. Stone, seconded by Ms. Lowther, it was moved at 7:21 p.m. to open the public hearing for **80 E. Spring Street (Zent House)**.

Motion carried. 4 – 0.

Mr. Stone asked if there was anyone in the audience who wished to speak either in favor of or in opposition to the nomination of this property.

There was no one in the audience who spoke for or against the proposal.

ON MOTION by Mr. Stone, seconded by Ms. Waterman-Kulpa, it was moved to close this public hearing at 7:25 p.m.

Motion carried. 4 – 0.

Motions to Recommend Local Landmark Designation:

- **5429 Main Street (Alex and Ani)**

ON MOTION by Ms. Waterman-Kulpa, seconded by Mr. Akers, it was moved to recommend the nomination of the property at 5429 Main Street as a local landmark, based upon the review of information related to the Subject Property and a public hearing which was held today, June 27, 2017.

On the question, Ms. Waterman-Kulpa added that this property was originally on the list for nomination a couple of years ago, but was removed at that time at the request of the owner, who had the property on the market.

Mr. Grieco stated that he will call the attorney who submitted the letter on behalf of the property owner in opposition to the nomination to explain the effects of local landmark designation on a property.

Motion carried. 4 – 0.

(Ms. Palmer arrived at 7:40 p.m.)

- **34 & 42 W. Spring Street (Brewery Hill)**

There was discussion about the correct addresses for this property. The intent is to nominate any building or buildings that are over the caves. Ms. Lowther stated her research showed that local mason Ignatz Oeschner dug out the stone from this location to use as the material for building his castle home on Dream Island.

ON MOTION by Ms. Lowther, seconded by Mr. Akers, it was moved to nominate **34 & 42 W. Spring Street (Brewery Hill)** as a local landmark, based upon the review of information related to the Subject Property and a public hearing which was held today, June 27, 2017, and subject to the Village Administrator verifying the exact addresses.

Motion carried. 5 – 0.

- **150 Milton Street (Lehigh Valley Section House)**

ON MOTION by Ms. Waterman-Kulpa, seconded by Ms. Lowther, it was moved to nominate **150 Milton Street (Lehigh Valley Section House)** as a local landmark, based upon the review of information related to the Subject Property and a public hearing which was held today, June 27, 2017.

On the question, Ms. Waterman-Kulpa referred to the email from Mr. Carraro and clarified that the nomination as a local landmark does not include the interior of a structure. The HPC members would appreciate a tour of the property.

Motion carried. 5 – 0.

- **80 E. Spring Street (Zent House)**

ON MOTION by Ms. Waterman-Kulpa, seconded by Ms. Lowther, it was moved to nominate **80 E. Spring Street (Zent House)** as a local landmark, based upon the review of information related to the Subject Property and a public hearing which was held today, June 27, 2017.

On the question, Ms. Lowther added that about ten years ago, this property was nominated but it was not designated due to the fact the Mill parcel was for sale at that time.

Motion carried. 5 – 0.

OTHER BUSINESS

Ms. Waterman-Kulpa reported she and Mr. Stone met with Administrator Juul and the Intensive Level Survey consultant regarding the S. Cayuga Historic District. Things are moving along on target. They will be adding 8 more properties to the list.

The public hearing could be called for by the Village Board at their July meeting, with the public hearing being held possibly at the end of August.

Ms. Waterman-Kulpa indicated she is concerned about the status of the Section House (150 Milton St.). Mr. Grieco stated that the owner shared 2 options for the Asher Crossing proposal at last night's Village Board meeting. One option included the Section House and one did not.

James Finelli from SHPO will be attending the HPC meeting in July to conduct the 4-year audit.

There was discussion of the recent demolition of an old house on Eagle Street. The members fear that more houses that should be landmarked could be demolished in the future.

There was discussion regarding the residence at 19 S. Long St. It is a potential property for nomination as a landmark. The property immediately adjacent to the north of it, 15 S. Long Street, is before the Planning Board for various exterior alterations/additions/parking. The HPC members are concerned with these types of situations and how they can affect landmarked properties.

There was discussion regarding whether HPC can make recommendations to the Planning Board about properties that are adjacent to local landmarked properties. Mr. Grieco stated they could do

so. Ms. Waterman-Kulpa would like to see this added to the Village Code, as HPC are the experts in this field. Mr. Grieco stated it would go in the Zoning Code.

ON MOTION by Ms. Waterman-Kulpa, seconded by Mr. Stone, it was moved to recommend to the Village Board that the Zoning Code be amended to add the Historic Preservation Commission as an advisory board, in addition to Traffic & Safety Committee and Environmental Committee, when an application for Planning Board or Zoning Board of Appeals concerns a property that is contiguous to a landmarked property.

Motion carried. 5 – 0.

The Mill District is moving forward. Members would like to add the former KeyBank property to the list. There was a question as to if the property has been sub-divided or not, since the bank drive-thru is still in operation at the rear of the property.

At the next meeting, the members decided on the following items to discuss (Ms. Palmer indicated she will not be able to attend the July meeting.):

1. Speak with SHPO's James Finelli regarding the claim of any purported impact on property loans/mortgages if a property is nominated to landmark status.
2. Mill District/E. Spring District – Is there grant money available?
3. Need a master plan of historic districts. Mr. Stone will make copies available to the members of a 1916 Village map.
4. Asked Ms. Juul to touch base with Lalice Mitchell of Flynn Battaglia regarding the status of the Intensive Level Survey.
5. Ms. Palmer reported she is working on the local landmark public education piece.
6. Arrange a joint meeting with other municipalities.
7. Add 19 S. Long St. to the list of properties to nominate for local landmark designation.

From the audience:

Tom Frank, 5403 Main St. – Imagine Amherst; Historic Districts.

ON MOTION by Ms. Lowther, seconded by Mr. Akers, it was moved to adjourn the meeting at 8:32 p.m.

Unanimously carried.

Deborah A. Habes,
Deputy Clerk

Next HPC meeting will be held on July 25, 2017 @7:00 p.m.