

# HISTORIC PRESERVATION COMMISSION

## Minutes

Wednesday September 24, 2014

6:00 pm

City Hall, One Batavia City Centre, Batavia NY

**Members Present:** Joan Barton, Sharon Burkel, Paul Schulte, Ashley Bateman, Teresa Siverling,

**Others Present:** Todd Warfield, Cynthia Howk, Janice Smith – Recording Secretary

The meeting was opened at 6:00 pm by Chairperson, Joan Barton.

### I. Approval of Meeting minutes for August 2014:

#### **Motion by: Paul Schulte**

Motion was made to approve the meeting minutes for August 2014

Seconded by: Ashley Bateman

Vote for: 5

Abstained: 0

Vote against: 0

### II. Public Hearings:

**A. 222 West Main Street – East side fence at Planned Parenthood.** Todd Warfield was present to explain the project. Mr. Warfield explained that at Planned Parenthood there is a gynecological practice and a rape crisis center located in the building. The apartment building/ rooming house next door has had sex offenders living there and they have come over on the property. He feels to provide a better environment for the rape crisis center they should put up a privacy fence. The fence will head east from the building for 10' and be on the east property line for 90'. The fence will be made of vinyl and tan in color to match the siding. Mr. Warfield brought in some photos of the property as well as photos of what the new fence will look like (see attached).

#### **Motion by: Paul Schulte**

Motion was made to approve the fence for Planned Parenthood.

Seconded by: Teresa Siverling

Vote for: 5

Abstained: 0

Vote against: 0

**B. 21 Ross Street – Porch Railing.** Joan Barton spoke with Greg McAllister, the owner of 21 Ross Street, and Mr. McAllister stated he is not ready to discuss the railing at this time. Mr. McAllister recently replaced his steps and by New York State Building Code he is required to add a railing to his stairs. Cynthia Howk from The Landmark Society of Western New York mentioned that they also had a property that was originally built without a railing for the steps. The Landmark Society had recommended a simple metal railing that was a round metal rod. Since the profile was so slender, the home owner painted it the same color as the house and when you would look at the railing, it would blend into the building.

### III. Communications sent & received:

**A. 302 East Main Street – First Presbyterian Church digital reader sign.** Mrs. Barton received a thank you letter from The First Presbyterian Church. The Commission explained to Ms. Howk that at the last meeting The First Presbyterian Church of Batavia came in front of

the Historic Preservation Commission regarding a digital reader board. Sharon Burkel explained that she was concerned that it would set a precedent if they had passed it. Paul Schulte stated that he was concerned that others would follow suit. Mrs. Burkel stated that she saw a marquee in Maine that was a digital sign.

Mrs. Barton started talking about a friend of hers who is remodeling the cinema in Warsaw. One of the changes is that the marquee is now a digital reader sign. Ms. Howk explained that since there are two historic districts in Warsaw that there are some great programs for someone who is remodeling their business. One program would give him a 40% tax credit. The building needs to be on the national register and be an income producing property which includes but is not limited to residential use, commercial use, industrial use, or recreational use. Income producing means that it is not your private residence and that you make some type of income from that property. The repairs need to be as much as the assessed value. You can get a credit for 40% of your cost on your taxes. They receive 40% total which is made up of 20% state and 20% federal. The only catch is that you have to start talking to the state preservation office and put the paperwork in to be on the state historic registry before you start the work. Ms. Howk offered to Mrs. Barton that the owner of the cinema can call the Landmark Society of WNY for help.

Teresa Siverling brought up that this would be a good program for the current City of Batavia police headquarters, 10 West Main Street. If the City decides to sell the property and build a police headquarters somewhere else, the prospective buyer may be interested in this program.

#### **IV. New Business:**

- A. Steps at St. Mary's Church 20 Ellicott Street.** Mrs. Barton had been in contact with St. Mary's church and Mr. Donahue stated that the church recently redid the steps. They tinted the concrete a gray color. The steps blend into the stone of the church.
- B. 123-125 Jackson Street.** Tim Stoddard asked to meet with the HPC pertaining to 123-125 Jackson Street and his recent violation by the City of Batavia Inspection Bureau. Mr. Stoddard called Mrs. Barton and explained that he received a violation stating that he needs to take care of the peeling paint. Mr. Stoddard expressed that he would like to let the paint peel off naturally to have less damage to the brick. Mrs. Barton explained that they had no say over what the City would do but they would be willing to listen to him. Ron Panek, the City of Batavia Code Enforcement Officer, explained to Mrs. Barton that he has to cite the property because it is against the City of Batavia Code. And it wouldn't be fair to other properties that they have to follow the rules and he doesn't. Mr. Panek told Mrs. Barton that there are many ways to take that paint off the brick, ways that would not be harmful to the soft mortar or the brick. Ms. Howk said that first you need to find out is how resilient the brick is, because chemicals or sandblasting could ruin the brick. Ms. Howk stated that the brick may have had a stain on the building and having the paint peel off naturally could be the safest way or it could be peeling part of the brick off with it. Ms. Howk stated that there are many different ways to remove the paint. He could talk to Bero Architecture out of Rochester who has done this type of work. There are people who do know how to do this correctly. There are a lot of answers that are not always able to be looked up on Google. Ms. Howk stated that is why HPC should be a resource for individuals and help people know that there are other options for certain projects. This individual may be dragging his heels because he's not sure where to turn. Ms. Howk stated she would be willing to meet with Mr. Stoddard.
- C. Cynthia Howk from the Landmark Society of WNY.** Ms. Howk brought in the newest Landmark magazine. The magazine tells about the tours and what is happening in downtown Rochester, NY and highlights buildings over WNY, some that are endangered, and the

different towns that they are working with to help save their or market their buildings. They help communities write grants.

Ms. Howk went on to explain more about HPC and The Landmark Society of WNY. She stated that Historic Preservation Commission is actually a planning committee. There is a Historic Preservation Manual given out by New York State. This is a handbook tells you more about HPC and how to run successful meetings. The Landmark Society of WNY is a non-profit organization. All of the information that she handed out at the meeting is available through their website. The Landmark Society is willing to offer training for Historic Preservation Commission members. Ms. Howk showed some of the local training that is available. This is to give you help and reenergize you.

Ms. Howk continued with her presentation to the HPC. The Preservation Planning Services are eligible to be hired. You can hire them to conduct a survey to see what properties are the most important for the HPC and the city. The State of New York has a list of properties that are eligible for State Historic Registry. These historic properties have been reviewed when state projects are being done and they compile this list. The State Preservation Office has a list dozens of properties that have been officially reviewed for the historic register and have been found officially eligible. Every time NYSDOT spends money on roadway projects, it is required to find out who in the area is listed on the National Historic Register, and which properties are officially eligible for the historic register because both of them have equal protection under the preservation law. Some on this list have been reviewed but deemed ineligible. That would be clearly listed. They cannot use federal or state money that will harm historic properties. This would be incredibly valuable to any municipality.

The national registry is an honorary program. It does not have any control over homeowners altering, changing or diminishing their properties.

Tax credits that are available for historic properties (see attached page the Funding Resources for Historic Preservation Projects). Some houses can be listed on the National Historic Registry but not listed locally on the historic registry or vice versa. Here are some highlights and requirements for a tax credit program.

- The house has to be your principal or secondary residence, an owner occupied home.
- It has to be listed in the national historic register either on its own or in a historic district before you use the tax credit.
- The property has to be in a census tract that the census tract's medium income is lower than New York States medium income.
- It is an easy application.
- You have to spend a minimum of \$5,000 with a maximum of \$50,000.
- Rebate would be 20% of your expenses. You would get that back in the form of a check.
- There is a list of what is acceptable for reimbursement.
- Tax credit is 20% and the rebate is 20% of the total project.

The Sacred Site Program is another program which is available for churches (#5 on attached sheet). Houses of Worship are considered a community asset. This program will fund professional fees as well as restoration work of religious properties. Up to \$50,000 for grant money and you can receive it once every three years. House of worship is considered a community center because churches are gathering for boy and girl scouts, parties, community events etc... The people who attend these functions don't necessarily have to attend that church to still use it. Partners for your Sacred Place is a group that helps religious properties.

There are two other funding sources that should be mentioned. The Community Foundation (#6 on attached sheet) has resources for Genesee County which can be either a municipality or a non-profit organization can receive this grant. This is for preservation projects. You do not have to be listed on any historic registry; you only have to be 50 years old. Cemeteries are considered historic properties. This is not a matching grant, you ask for the whole amount of what you need.

Technical Grant (see #12 on attached sheet) is administered by The Landmark Society of Western New York. This is for technical assistance such as engineering or architect fees, for the restoration of historic buildings. This is a matching grant for experts or initial study. This is to help you know what needs to be done and what you can do about it.

**V. Old Business: None**

**VI. Adjournment:**

**Motion by: Ashley Bateman**

Motion was made to close the meeting.

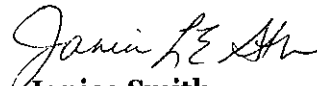
Seconded by: Paul Schulte

Vote for: 5

Vote against: 0

Meeting closed at 8:36 pm

**Respectfully Submitted,**

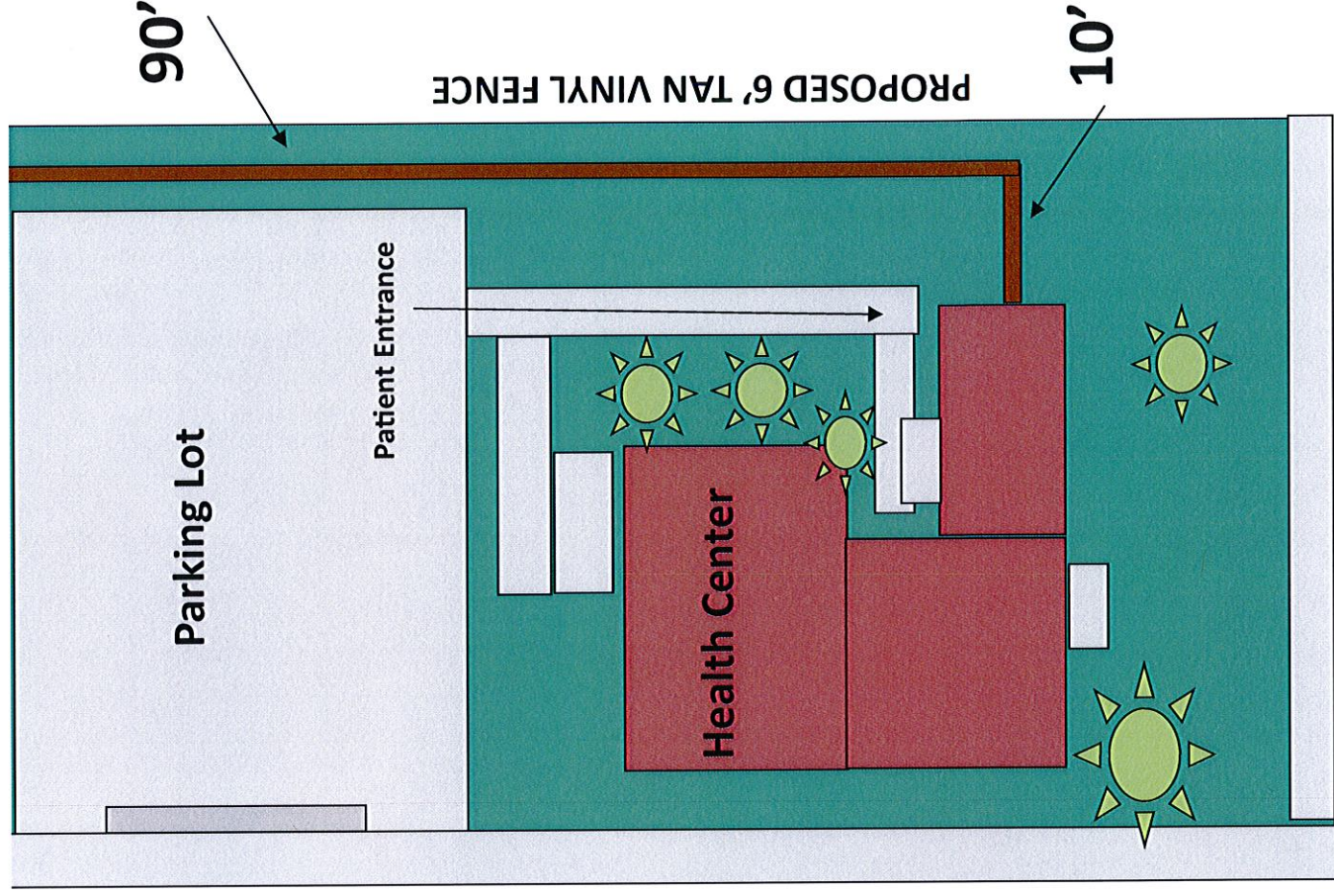
  
**Janice Smith**





# Planned Parenthood Proposed Vinyl Fence

222 West Main Street,  
Batavia NY 14020











**\$22/Ft X 120 ft = \$2640**  
**Misc Supplies- \$500**  
**Labor- \$1000**  
**Total- \$4100**

**Veranda 6 ft. x 6 ft. Somerset Tan Privacy Vinyl Fence Panel - Unassembled**

**Color/Finish**



Tan



**Actual Panel Width x Height**

67 x 68.5

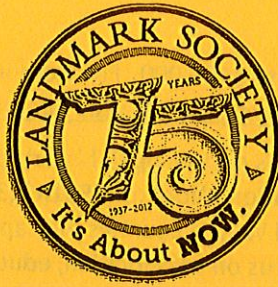
**Product Information**



**Reviews** ★★★★★ 13







## Funding Resources for Historic Preservation Projects

One of the most common questions we hear at The Landmark Society is "How can I get a grant to rehabilitate a historic building?" There are several programs that can assist municipalities, nonprofit entities, and congregations with some of the costs of historically appropriate rehabilitation projects. We advise homeowners and other private building owners to check with their municipality to see if any local programs, such as emergency repair funds, low-interest loans, or programs to assist first-time homeowners, are applicable.

Most historic preservation grants require that the property be listed or eligible for listing in the State and/or National Register of Historic Places, or designated a landmark under a local preservation ordinance at the time of application. For state or national programs, contact the NYS Office of Parks, Recreation and Historic Preservation (<http://www.nysparks.com/shpo/national-register/>); for local designation, contact your municipal clerk or historic preservation commission.

### *The following programs provide funds for historic preservation:*

1. The **Transportation Enhancements Program (TEP)**, a federal reimbursement program administered by the New York Department of Transportation (NYSDOT), enables funding for transportation projects of cultural, aesthetic, historic and environmental significance. Eligible projects must have a relationship with the surface transportation system and must be available for public access and use. Project applications may be developed by any municipality or nonprofit organization, but must be sponsored by a municipality, a state agency, or an Authority. For more information: <https://www.nysdot.gov/portal/page/portal/programs/tep> or (585) 272-3466.
2. The **NYS Environmental Protection Fund (EPF)** provides grants for projects to improve, protect, preserve, rehabilitate or restore properties on the State or National Register for use by all segments of the population for park, recreation, conservation or preservation purposes. This highly competitive program provides grants of up to 50% of eligible project costs, with funding caps, deadlines and priorities established each year. For more information: <http://www.nysparks.com/grants/historic-preservation/default.aspx> or (518) 237-8643.
3. The **Certified Local Government Program (CLG)** supports and strengthens local preservation activities by encouraging communities to develop an action plan in order to achieve their preservation goals. All certified CLGs are eligible to receive a variety of services from the SHPO, including grant money designated exclusively for CLG projects. To find out more about these annual awards or to request application information, see <http://www.nysparks.com/shpo/certified-local-governments/> or call (518) 237-8643.
4. **Preserve New York**, a grant program of the Preservation League of New York State and the New York State Council on the Arts, provides support for three types of projects: cultural resource surveys, historic structure reports, and historic landscape reports. An applicant must be a not-for-profit group with tax-exempt status or a unit of local government. State agencies and religious institutions are not eligible to apply. The program generally provides only partial support on a competitive basis. Grants are likely to range between \$3,000 and \$10,000. For more information: [http://www.preservenys.org/01\\_what\\_grants\\_presny.html](http://www.preservenys.org/01_what_grants_presny.html) or (518) 462-5658.
5. The **Sacred Sites Program**, administered by the New York Landmarks Conservancy in New York City, provides financial and technical assistance for the maintenance, repair, and restoration of religious properties of all denominations across the state. This program will fund professional fees as well as restoration work, with essential projects receiving the

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highest priority. Funding is available in amounts up to \$100,000. For more information:  
[http://www.nylandmarks.org/programs\\_services/grants/sacred\\_sites\\_program/](http://www.nylandmarks.org/programs_services/grants/sacred_sites_program/) or (212) 995-5260.

6. The **Community Foundation** administers two funds pertaining to historic preservation: the Lloyd E. Klos Fund and the Elizabeth Gibson Holahan Fund for Historic Preservation. Nonprofit 501(c) (3) organizations or government entities in Genesee, Livingston, Monroe, Ontario, Orleans, and Wayne counties may apply for these funds, which typically award between \$10,000 and \$20,000 for projects that "focus on preservation, education, and/or information efforts on unique historical assets of Rochester and the region." For more information: [www.racf.org](http://www.racf.org) or (585) 271-4271.

7. The **National Trust for Historic Preservation** administers the following funds and programs. For more information:  
<http://www.preservationnation.org/resources/find-funding/> or (617) 523-0885.

a. The **National Trust Preservation Fund** includes: 1) matching grants from \$500 to \$5,000 for preservation planning and educational efforts, and 2) intervention funds for preservation emergencies. Matching grant funds may be used to obtain professional expertise in areas such as architecture, archeology, engineering, preservation planning, land-use planning, fund raising, organizational development and law as well as to provide preservation education activities to educate the public.

b. The **Johanna Favrot Fund for Historic Preservation** provides nonprofit organizations and public agencies grants ranging from \$2,500 to \$10,000 for projects that contribute to the preservation or the recapture of an authentic sense of place. Funds may be used for professional advice, conferences, workshops and education programs.

c. The **Cynthia Woods Mitchell Fund for Historic Interiors** provides nonprofit organizations and public agencies grants ranging from \$2,500 to \$10,000 to assist in the preservation, restoration, and interpretation of historic interiors. Funds may be used for professional expertise, print and video communications materials, and education programs.

d. The **National Trust Loan Fund** offers predevelopment, acquisition, mini-permanent, bridge and rehabilitation loans for residential, commercial and public use projects. Eligible borrowers include not-for-profit organizations, revitalization organizations or developers working in certified Main Street communities, local, state or regional governments, and for-profit developers of historic buildings.

8. The **NY Main Street Grant Program** provides funds to business improvement districts and other not-for-profit organizations that are committed to revitalizing historic downtowns, mixed-use neighborhood commercial districts, and village centers; it funds building renovations, façade and streetscape improvements and, in limited cases, capital funding for projects intended to anchor downtown districts. The program also provides technical assistance and other resources to support community revitalization efforts. For more information: <http://www.nymainstreet.org/> or 1-866-275-3427.

9. The **Architecture, Planning and Design** program of the New York State Council on the Arts stimulates and promotes excellence in design and planning in the public realm for the benefit of all New Yorkers. The Program supports work in the fields of contemporary and restoration architecture, landscape architecture, urban and rural planning, urban design, historic preservation, graphic and industrial design, and architectural theory and history. For more information: <http://www.nysca.org/public/guidelines/architecture/index.htm> or (212) 741-7013.

10. **State and Federal Tax Credits.** The federal government provides a 20% tax credit for rehabilitating income-producing historic buildings, and a 10% tax credit for the rehabilitation of unregistered commercial, nonresidential buildings constructed before 1936. **Starting in January 2010, the state government offers a 20% tax credits for rehabilitating income-producing properties or owner-occupied housing in specific neighborhoods.** Buildings must be listed in the National Register to qualify; the state credit is further limited to certain census tracts. For more information: <http://www.nvsparks.com/shpo/tax-credit-programs/> or (518) 237-8643 (state credit) or <http://www.nps.gov/history/hps/tps/tax/index.htm> (federal credit).

11. **NYS Legislature (Member Items).** Requests should be sent to the State Senator and/or the Member of Assembly representing the district in which the project is located. Application is required.

10/09

12. **Technical Grant**, administered by The Landmark Society of Western New York, provides a modest grant for technical assistance for the maintenance, repair and restoration of historic buildings. This is 50/50 matching grant (applicant must provide funds totaling half of the total cost of a project). For more information, contact Caitlin Meives ([cmeives@landmarksociety.org](mailto:cmeives@landmarksociety.org)) or (585) 546-7029 ext. 27.