

HISTORIC PRESERVATION COMMISSION

Official Minutes

Wednesday, August 29, 2018

5:00 pm

City Hall, One Batavia City Centre, Batavia New York

Members Present: *Sharon Burkel, Caroline Hosek, Connie Boyd, and Ryan Duffy*

Others Present: Janice Smith – Recording Secretary, Ron Panek—Code Enforcement Officer

I. Call to order:

The meeting was opened at 5:01 pm by Chairman Sharon Burkel.

II. Approval of minutes:

Motion by: Connie Boyd

Motion was made to approve the meeting minutes for June 8, 2018.

Seconded by: Caroline Hosek

Vote for: 4

Abstained: 0

Vote against: 0

III. Public Hearings: none

IV. Communications Sent and Received:

Support letter for Genesee County grant application. Ms. Burkel asked if anyone had received an update from the county regarding the grant application. No one had.

V. Old Business:

A. Redfield Pillars. Ms. Burkel stated that she spoke with the State Historic Preservation Office (SHPO) regarding putting the pillars into a Historic District. SHPO stated that the City could put the pillars into a historic district but you would have to hire a Land Management Attorney because there is no one that works for the City that could write a description of the properties. The City does not have a surveyor on staff. Mr. Panek explained that a surveyor would be needed to delineate the space and an attorney to write up the description of the space. Ms. Burkel explained that HPC can designate the pillars, if the owners are willing to do so. When HPC designates the property, it would be the whole property, pillars, house and all.

Ms. Burkel stated that the Council is looking at adding the restoration of the pillars into next budget year. Mr. and Ms. Owens attended the meeting who own 2 Redfield Parkway where one of the pillars reside. She asked Ms. Owens if there are residents that are also trying to add additional private funding. Ms. Owens stated that the residents don't feel that they should have to pay for something that the City owns. Ms. Burkel brought up the point that there are two parts of the pillars that are not City owned and are on private property. Ms. Owens did not concede to that. She stated that it is difficult to think that these pillars are privately owned when they were built before the houses were built on the street. Ms. Owens said that she looked into what the Village of Oakfield did for their pillars that are on public and private property. Per Ms. Owens the Village of Oakfield paid and hired the contractors to repair the pillars.

Ms. Burkel explained to the group that Mr. Worth said that if they could raise private money it would help the City Council to contribute the remaining funds through the budget process. That way the City does not have to contribute as much because there is private money included. Ms. Burkel said that they will need to keep an eye on budget discussions. Ms. Burkel also said that the HPC is willing to write a support letter. Ms. Burkel asked who would be the best person to keep up on the budget discussions regarding the pillars. Mr. Panek said they should talk to their Council person. It is believed that Al McGinnis is their Council person.

Mr. Owen asked if the HPC was going to dedicate the pillars. Ms. Burkel said that the HPC would be more than willing to designate his and Mr. Riggi's pillars that are on their property because HPC has jurisdiction over private property. For the part of the pillars that are in the Right of Way they would have to be in a Historic District. Ms. Burkel stated to be able to make the Redfield Pillars a designated Historic District they would need to hire a Land Management Attorney to look at it and write descriptions. "Since we are at a good place right now, I'm not sure that it is necessary" stated Ms. Burkel. If we come to the point where the Pillars are endangered we can revisit it at that time. Mr. Owen asked what the cost to designate the pillars. Ms. Burkel said there is no cost but any of the exterior projects to the outside of a property would need to come in front of the commission, but not the interior. The house at 2 Redfield would qualify to be designated.

- B. Leaton Signs.** The commission discussed what they liked out of each design that Leaton signs sent. Ms. Burkel will be contacting Leaton Signs regarding the changes.

VI. New Business:

- A. Welcome new member Ryan Duffy.** The commission welcomed Mr. Duffy on his first official meeting.
- B. 314 East Main Street and 10 Ellicott Street Update.** Ms. Burkel asked Mr. Panek what was happening with these properties and also 33 Ross Street. Mr. Panek explained that they are all doing repairs. At 33 Ross Street there was a permit issued for window replacement and new roof. Mr. Panek explained that the Code Enforcement Officer issued the permit without the Certificate of Appropriateness because the Commission was unable to have a quorum for their public hearing. At 314 East Main and 10 Ellicott there were just repairs and they did need a permit.
- C. Require projects to come in front of the Commission.** Mr. Panek explained that these properties do not have to be require to come in front of the Commission when they are just repairing. He read City code 100-11 A. Nothing in the Chapter shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature of a landmark or property within the Historic District which does not involve a change in design, material, color or outward appearance. He explained that these are ordinary maintenance and do not require a building permit. Ms. Burkel suggested that the Commission should send out a reminder letter to the home owners stating that any exterior projects need to come in front of the Commission.

Ms. Boyd asked Mr. Panek what is the recourse for someone doing work without a permit. Mr. Panek explained that the Code Enforcement Officers are able to stop the work and even put the property owner into court. NY State Code states that an individual has 30 days to fix the issue.

Ms. Boyd also asked, where you can find a record of the City historic properties. Ms. Burkel explained that it is on the City's website.

- D. Website.** Ms. Burkel asked if there are files on the historic properties. Ms. Smith answered that there are. Ms. Burkel said that she would like to go through them and update the website to have the characteristics listed for each property. Ms. Smith stated that they once talked about having pictures of the homes on there as well.

VII. Adjournment

Motion by: Ryan Duffy

Motion was made to adjourn the meeting at 5:49 pm.

Seconded by: Caroline Hosek

Vote for: 4

Vote against: 0

Janice Smith

Recording Secretary