



**Village of Williamsville
Historic Preservation Commission
Special Meeting Minutes --- September 30, 2019 at 7:00 p.m.**

Present: Kate Waterman-Kulpa, Chairman
Wes Stone, Vice-Chairman
Mary Lowther, Member
Chuck Akers, Member
Anthony Bannon, Member
Jim Tammaro, Member

Also present: Deborah A. Habes, Clerk-P/T
Matthew Etu, Trustee Liaison
Charles Grieco, Village Attorney
Keaton DePriest, Community Development Director

Excused: Dr. Stephen Dyson, Member

Ms. Waterman-Kulpa opened the special Historic Preservation Commission (HPC) meeting at 7:30 p. m.

On the agenda:

- Nomination of the South Cayuga Road Corridor as a Historic District.
- Nomination of the 1850s George and Catherine Zent Farmhouse at 211-215 S. Cayuga Rd. as a local landmark.

Ms. Waterman-Kulpa began the special meeting by explaining the process for the two items on the agenda. This is for approving the application for the nomination of S. Cayuga Road Corridor as a designated Historic District and the application for the nomination of the property at 211-215 S. Cayuga Rd. to be designated a local landmark.

She gave a brief overview of the history of the Village's Historic Preservation Commission and an approximate timeline of its accomplishments and pending nominations:

- Began in 1984 by designating 13 local landmarks
- In 1997 the Village hired a firm to do a Reconnaissance Survey of the entire village to identify potential historic landmarks.

- Historic landmark design standards were adopted by the Village Board in 2014.
- Many commercial property landmarks have been nominated by HPC and eventually designated by the Village Board.
- The Village hired architectural and planning firm of Flynn Battaglia to do an Intensive Level Survey specifically of the S. Cayuga Road Corridor.
- 20 Milton St (Calvary Episcopal Church) and 72 S. Cayuga Rd. (Hopkins Schoolhouse) are already designated landmarks.
- HPC presented several public information sessions which were attended by a few residents.
- Recently, HPC's attention was diverted by the more immediate issue of successfully landmarking the Lehigh Valley Railroad Section House and the Starbucks/Alex and Ani Building on Main St.
- HPC has now returned its attention to the nomination process of the S. Cayuga Road Corridor as a Historic District, as well as the nomination of the 1850s Zent farmhouse property at 211-215 S. Cayuga Rd. as a local landmark. The Commission wishes to move forward now with the process.
- The HPC has placed on tonight's agenda the proposed nomination of both the Historic District and 211-215 S. Cayuga Rd. a local landmark. If adopted, the next step would be for the HPC to schedule public hearings over the next few months for the 32 contributing and 7 of the non-contributing proposed resources.
- It is likely that HPC's public hearings for the individual properties would be grouped over several evenings during the next few months.
- Once HPC's public hearing process was completed, the nominations would be sent to the Village Board for their public hearing process and eventual consideration as to whether to approve or deny the HPC's recommendations to designate as a local landmark the Zent Farmhouse at 211-215 S. Cayuga Rd. and the S. Cayuga Road Historic District.
- As per the New York State Historic Preservation Office, the process of local landmarking does NOT allow for asking the permission of the property owner. Property owners' opinions can be heard but their consent is not required or allowed.

Mr. Akers - Suggested that much more information about the reasons for and the process of the nominations should be presented by HPC to the public and in particular to the property owners directly affected by any nomination as a designated landmark or historic district. He indicated he has spoken to many of his neighbors and they are very concerned about the process and feel ill-informed. Many are concerned that contracts that they have signed for work to be done on their properties would be stopped by a moratorium on issuance of building permits if the nominations are approved. He would like to see perhaps a panel discussion held with participants who have gone through the designation process. This would help answer the public's questions. What are the pros and cons of being designated a historic district or a landmark? How does this affect the owners of properties so designated? There are a lot of questions. What does it mean to save the fabric of our village? What does it mean to live in a historic district? What are the consequences for the property owners?

Ms. Waterman-Kulpa – Considers HPC to be a resource for advisement to owners of designated properties. HPC can help them protect their properties. HPC has a good record working with owners of designated properties. The proposed nomination of a historic district is a first for the Village of Williamsville. Hopes the public goes to the Village’s official website to read and learn about the historic preservation code in the Village and the process for designation. There is a lot of information there. Cited HPC’s successful work with the owner of the Castle and the owner of the Ronecker Building, both designated local landmarks. She went on further to state that our community does not qualify for tax credits for historic designated landmarks. But historic designation does give a property honorary status, although HPC cannot promise to property owners that historic designation will affect the value of their properties. S. Cayuga Road Corridor is a gateway to the Village; a threshold to the Village. It is important.

Ms. Waterman-Kulpa - Suggested she would like to see HPC hold one more informational meeting before starting the public hearing process, if the nominations are adopted. She would suggest a public informational presentation be given by Preservation Buffalo Niagara’s Director of Preservation Services, Christina Limniatis.

Several unidentified members of the audience shared with HPC their concerns about the nominations:

- Lack of notice from the Village regarding the possible nominations.
- Lack of information about the process and the consequences of nomination and designation as historic local landmarks.
- The speed of the process. What’s the hurry? Slow it down and offer more information to the public before moving forward.
- Moratorium on issuance of building permits once a nomination is approved.
- What physical changes can be made or not made to a designated property?
- What are the pros and cons of designation?
- Need community engagement.
- HPC’s actions have an immediate impact on property owners.

Mr. Bannon – Wants HPC to first adopt a resolution to offer more public information sessions to the property owners that would be affected by these nominations. They need more practical and tactical information about the process than what they have been given so far. HPC has to deliver to the public the information so they can be educated as to the reasons why HPC is considering moving forward with the nomination process.

Village Attorney Grieco – Advised HPC of the required timelines for publication of notices of public hearings as per Chapter 47 of the Village Code (Historic Preservation). He indicated that most WNY communities are consistent with our Model Law in that there is no requirement for “notice” to owners of properties that are being recommended for nomination by HPC as historic local landmarks. He found the only exception was the Town of Clarence’s law which requires their HPC to send notice of proposed nomination to affected property owners. Explained the many steps these nominations take according to the code, both from the HPC standpoint and that of the Village Board. It is a multi-step process, with the Village Board making the final decision to nominate/designate.

Mr. Etu, Trustee Liaison to HPC – There was discussion regarding the consequences of a moratorium on the issuance of building permits once a property has been nominated. What requires a building permit and what does not require a building permit? Does HPC wish to recommend amending the design standards? What does HPC wish to reserve and not preserve? He stressed there appears to be disagreement within the HPC that bleeds up to the Village Board. According to the code it is the Village Board’s responsibility to ultimately either designate or not designate HPC recommended nominations.

Mr. Tammaro – Would like to see HPC first set up and schedule an informational public session to allow the public to ask questions before any nominations are approved or public hearings held.

ON MOTION by Mr. Tammaro, seconded by Mr. Stone, it was moved that HPC hold an informational presentation at Village Hall on October 23, 2019 at 7:00 p.m. for the purpose of informing the public on the HPC nomination process and its consequences. HPC will work on an agenda, invite public input and affected residents shall be notified of such informational presentation.

Motion carried. 6 – 0.

Ms. Waterman-Kulpa – Discussion re HPC having considered these nominations since 2017 and what kinds of alterations she suggested were the triggers that recently sparked the proposed nominations on tonight’s agenda of the S. Cayuga Road Historic District and that of 211-215 S. Cayuga Rd. HPC’s job is to protect the Village’s historic resources lest they be lost.

Christiana Limniatis, Director of Preservation Services, Preservation Buffalo Niagara (www.preservationbuffaloniagara.org) – In the audience. Responded to Ms. Waterman-Kulpa’s questions about the triggers requiring owners of nominated/designated properties to apply for Certificates of Appropriateness. The Village of Williamsville’s HPC law is standard. Regarding concerns about choice of paint colors, she stated the HPC law only gives *guidelines* as to paint color. HPC does not have the authority to dictate colors, but guide and suggest. The design standards apply to all structures and buildings, regardless of whether they are residential or commercial.

Trustee Etu – What is the standard? What are residents being asked to do? Residents not being given adequate information before the nomination process starts concerns him.

Mr. Akers and Mr. Tammaro - They were not ready to move forward to nominate the two items on tonight’s agenda. They believe the public needs more information about the process and the consequences before moving forward with any nominations.

There was discussion whether HPC should still meet on their regularly scheduled meeting date of the 4th Tuesday of the month. It was decided to hold their regular HPC monthly meeting on Tuesday, October 22, 2019 in order to work on the agenda and format for the October 22nd public information session. It was suggested that the public consider either emailing or dropping off their questions to the Building Inspector, Tim Masters (tmasters@village.williamsville.ny.us) or Keaton DePriest (kdepriest@village.williamsville.ny.us) ASAP and they would see that HPC members received the questions before the October 23rd informational session.

Ms. Limniatis stated she would be happy to give the presentation on October 23rd. She will give the ins and outs of historic designation, do a walk-thru of the process, give real-life examples of residents who have gone thru the process, etc. It will be about a 30 – 45 minute presentation, followed by questions from the public. She will start to make an outline of the presentation this week and share it with HCP before the October 22nd so they are well prepared.

In other business:

Ms. Waterman-Kulpa asked that Village Hall staff include Susan Palmer in all HPC notices, agendas, minutes, etc.

ON MOTION by Mr. Stone, seconded by Mr. Tammaro, it was moved to adjourn the meeting at 8:48 p.m.

Motion carried. 6 – 0.

Submitted by:

Deborah A. Habes
PT/Clerk

- **The next regular HPC meeting will be held on October 22, 2019 at 7:00 p.m. at Village Hall, 5565 Main Street.**
- **A public information presentation regarding the HPC historic landmark/district nomination and designation process will be held on October 23, 2019 at 7:00 p.m. in the Village Hall Auditorium, 5565 Main Street.**