



**Village of Williamsville
Historic Preservation Commission
Meeting Minutes --- February 25, 2020 at 7:00 p.m.**

Present: Kate Waterman-Kulpa, Chairman
Wes Stone, Vice-Chairman
Mary Lowther, Member
Chuck Akers, Member
Jim Tammaro, Member
Susan Palmer, Ex-officio

Also present: Deborah A. Habes, Clerk-P/T
Matthew Etu, Trustee Liaison

Excused: Anthony Bannon, Member
Emily Garrett, Ex-officio
Charles Grieco, Village Attorney

Ms. Waterman-Kulpa opened the Historic Preservation Commission (HPC) meeting with the Pledge of Allegiance at 7:03 p. m.

On the agenda were twelve public hearings. Ms. Waterman-Kulpa read aloud the legal notice as published in the February 5, 2020 issue of the newspaper of record, the Amherst Bee.

Public Hearings for Nomination of certain stone landscape features as Local Landmarks:

- Stone Wall in front of 79 N. Ellicott Street
- Stone Wall in front of 71 N. Ellicott Street
- Stone Hitching Post in front of 78 Evans Street
- Stone Wall in front of 127 Garrison Rd.
- Stone Wall in front of 72 N. Long Street.
- Stone Wall fragment on East Side of Grove Street (5480 Main St.)
- Stone Wall in Front of 95 Mill Street
- Stone Wall in Front of 87 Mill Street
- Stone Wall at Cambria Castle in front of 175 Oakgrove Drive
- Stone Wall and Landscape elements in front of 97 Reist Street
- Stone Wall and Landscape element in front of 121 Reist Street
- Stone Wall in front of and Stone Garden House in rear of 5672 Main Street

PUBLIC HEARING
79 North Ellicott Street
Stone wall at front of property

ON MOTION by Mr. Tamaro, seconded by Mr. Akers, it was moved to open the public hearing for the property at 79 N. Ellicott Street at 7:06 p.m.

Motion carried. 5 – 0.

Ms. Waterman-Kulpa referred to the Nomination Application for a brief description of the stone wall. It was built by the original owner of the property Ana Maeder circa 1923.

Those present who addressed the Commission and the topics of their comments. [*HPC comments are italicized*]:

Mr. and Mrs. Andrew Kaufman - 79 N. Ellicott St. - Expressed concern about stone wall maintenance issues, their responsibilities and whether or not the stone wall had to be restored to how it looked when it was originally built. [*Ms. Kulpa stated that the nomination referred to how it appears today. The HOC is not asking that they restore it to how it looked when it was first built.*] Do they have to ask for HPC permission to repair/replace mortar? [*Ms. Waterman-Kulpa suggested that if it were done inappropriately then yes, they would have to. She cited an instance in her professional career when a repair was done incorrectly and the contractor had to remove it and do it historically correct. HPC would work with the property owner.*] Does contractor need to be licensed and approved by the HPC? [*No. However, HC would be happy to supply the owners with a list of stone masons that have good reputations for repairs of historically landmarked sites/structures.*]

ON MOTION by Mr. Tamaro, seconded by Mr. Stone, it was moved to close this public hearing at 7:14 p.m.

Motion carried. 5 – 0.

PUBLIC HEARING
71 North Ellicott Street
Stone wall at front of property

ON MOTION by Ms. Lowther, seconded by Mr. Stone, it was moved to open the public hearing for the property at 71 N. Ellicott Street at 7:14 p.m.

Motion carried. 5 – 0.

Those present who addressed the Commission and the topics of their comments. *[HPC comments are italicized]*:

Ethelyn Rusnak, 71 N. Ellicott St. (and John Rusnak) – Can she keep her landscaping along the stone wall intact? *[Yes.]* She has some vines growing along the wall, is that a problem? *[Some types of vines could be detrimental to the masonry/mortar. HPC could advise the property owner on what vines to avoid.]*

ON MOTION by Mr. Tammaro, seconded by Mr. Stone, it was moved to close this public hearing at 7:16 p.m.

Motion carried. 5 – 0.

<p style="text-align: center;">PUBLIC HEARING 127 Garrison Road Stone wall at front of property</p>
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ON MOTION by Ms. Lowther, seconded by Mr. Tammaro, it was moved to open the public hearing for the property at 127 Garrison Rd. at 7:16 p.m.

Motion carried. 5 – 0.

Those present who addressed the Commission and the topics of their comments. *[HPC comments are italicized]*:

Mr. and Mrs. John Rubino, 127 Garrison Rd. – Opposed. Asked what is in this for them. *[Ms. Waterman-Kulpa referred to the Nomination Application and read it aloud.]* They are opposed to the nomination of their stone wall and want no restrictions on their property. *[Ms. Waterman-Kulpa - Referred to the nomination form stating that the wall was believed to have been built by noted Village resident and German-born stonemason, Ignatz Oechsner, who also built the historic stone castle on Dream Island.]* Is there proof that it was built by that person? What are the benefits to them of designation of the stone wall? *[Ms. Waterman-Kulpa – To preserve a piece of the Village’s history for future generations. If designated, it could not be demolished. Can look into the wall’s background further.]* If it were hit by a Village snowplow, who would be responsible for repair. *[Trustee Etu- it would be a Village insurance issue.]* They value the wall and would not take it down, however, they are opposed to the nomination.

ON MOTION by Mr. Akers, seconded by Mr. Tammaro, it was moved to close this public hearing at 7:25 p.m.

Motion carried. 5 – 0.

PUBLIC HEARING
95 Mill Street
Stone wall at front of property

ON MOTION by Ms. Lowther, seconded by Mr. Tammaro, it was moved to open the public hearing for the property at 95 Mill St. at 7:25 p.m.

Motion carried. 5 – 0.

Those present who addressed the Commission and the topics of their comments. *[HPC comments are italicized]*:

Rachel Rzayev, 95 Mill St. (also owner of 87 Mill St.) – Concerned about liability. She likes the wall which spans both properties, but it is not in good condition and needs repair. Opposed to the designation of the wall as a landmark. As an attorney, she believes that the Village Code is geared more towards commercial property owners with regard to historic designation rather than residential property owners. It is too much of a financial burden to place on residents. *[Mr. Tammaro – If designated, it makes sure that in the future the wall could not be demolished, thus preserving it for future generations.]* She did not purchase the property knowing that the wall would be designated. Also, there are no tax credits for residents for repairs of historic structures so she would not be helped financially to repair the wall. *[Ms. Kulpa – Referred to the Village maintenance code which would still require the wall to be repaired. Referred to the nomination application which shows that Ignatz Oechsner originally built the house and the wall.]*

ON MOTION by Ms. Lowther, seconded by Mr. Tammaro, it was moved to close this public hearing at 7:34 p.m.

Motion carried. 5 – 0.

PUBLIC HEARING
87 Mill Street
Stone wall at front of property

ON MOTION by Ms. Lowther, seconded by Mr. Tammaro, it was moved to open the public hearing for the property at 87 Mill St. at 7:35 p.m.

Motion carried. 5 – 0.

Those present who addressed the Commission and the topics of their comments. *[HPC comments are italicized]*:

Rachel Rzayev, (also owner of 95 Mill St.) – Requests that the stone wall on this property be removed from the nomination list. A building permit had already been issued by the Building Inspector for this new house before the wall was nominated as a historic landmark feature. Recounted the recent history of the property and the problem with the wall. Wants the issue tabled until she can sit down with the building inspector. There is confusion. *[Ms. Waterman-Kulpa – This property was split. At the time of listing it for nomination, it was still known to be 95 Mill St. HPC will move forward and request more information from the building inspector.]* The wall is falling apart. Has consulted stone masons and it would not be cheap to repair. Still believes the nomination is a burden to residential property owners. *[Mr. Tammaro – Has been a life-long Village resident and lives on N. Long Street. He has grown up treasuring these various stone walls in the Village and values their importance to the Village’s history for future generations. Ms. Lowther – Noted that HPC is not asking her to rebuild the portion of the stone wall that fell down during the construction of the new house at 87 Mill St.]* Debra Cambria, a member of the audience, spoke out saying she lives at 87 N. Ellicott St. She also has a stone wall and loves it for its historic value. Offered Ms. Rzayev a list of stone masons she has used to repair her wall in the past.

Ms. Rzayev understands but wants to retain the authority to remove the wall in the future if she decided to for any reason. All construction work on the new house is under permit from the Village Building Dept. and permits were secured before the proposed nomination occurred. Would like to sit down with the Building Inspector to iron out any misunderstandings.

ON MOTION by Mr. Tammaro, seconded by Mr. Stone, it was moved to close this public hearing at 7:44 p.m.

Motion carried. 5 – 0.

<p style="text-align: center;">PUBLIC HEARING 87 N. Ellicott Street Stone wall at front of property</p>
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ON MOTION by Mr. Tammaro, seconded by Mr. Stone, it was moved to open the public hearing for the property at 87 N. Ellicott St. at 7:44 p.m.

Motion carried. 5 – 0.

Those present who addressed the Commission and the topics of their comments. *[HPC comments are italicized]*:

Debra Cambria, 87 N. Ellicott St. – In favor of designation of the stone wall feature that runs across the front of her property. Has owned the property for many years and has

repaired the wall twice. She is not a rich person. She loves the historic character of the Village and believes these stone walls should be preserved as they add to the Village's historic charm and value.

ON MOTION by Mr. Tammaro, seconded by Mr. Stone, it was moved to close this public hearing at 7:46 p.m.

Motion carried. 5 – 0.

<p style="text-align: center;">PUBLIC HEARING 175 Oakgrove Drive Stone walls on property</p>

ON MOTION by Mr. Stone, seconded by Mr. Tammaro, it was moved to open the public hearing for the property at 175 Oakgrove Dr. at 7:46 p.m.

Motion carried. 5 – 0.

Those present who addressed the Commission and the topics of their comments. *[HPC comments are italicized]*:

Sheryl Davies, owner of 175 Oakgrove Dr. – Asked how this nomination differs from the already existing designation the property has. *[Ms. Waterman-Kulpa – It doesn't differ except for the actual landscape features of the stone wall in particular.]* Some sections of the wall are crumbling. She has several millions of dollars' worth of repairs to do on the whole property and must therefore prioritize these repairs from a financial standpoint. Erosion is inevitably affecting a small section of the walls along the creek. She will do everything possible to address this. *[Ms. Waterman-Kulpa – The HPC appreciates all she is doing at the castle and property. She is keeping the work of Mr. Oeschner alive and of value to the whold Village and its residents. Mr. Akers – Mr. Oeschner's great grandson lives on Oakgrove. Ms. Waterman-Kulpa – Would love to have some additional information about Ignatz Oechsner if Ms. Davies would like to share the research she has completed on him.]*

ON MOTION by Mr. Tammaro, seconded by Mr. Stone, it was moved to close this public hearing at 7:53 p.m.

Motion carried. 5 – 0.

PUBLIC HEARING

97 Reist Street

Stone wall and stone landscape elements at front of property

ON MOTION by Mr. Stone, seconded by Mr. Tammaro, it was moved to open the public hearing for the property at 97 Reist St. at 7:46 p.m.

Motion carried. 5 – 0.

Those present who addressed the Commission and the topics of their comments. [*HPC comments are italicized*]:

Mr. Daniel McCue, 97 Reist St. – Declines nomination. Wants no restrictions on his property.

ON MOTION by Mr. Tammaro, seconded by Mr. Stone, it was moved to close this public hearing at 7:54 p.m.

Motion carried. 5 – 0.

PUBLIC HEARING

121 Reist Street

Stone wall and landscape element at front of property

ON MOTION by Ms. Lowther, seconded by Mr. Tammaro, it was moved to open the public hearing for the property at 121 Reist St. at 7:54 p.m.

Motion carried. 5 – 0.

Those present who addressed the Commission and the topics of their comments. [*HPC comments are italicized*]:

Mr. Christopher Malof, 121 Reist St. – Has no plans to remove the wall, but he does have problems getting in and out of his driveway. This is caused by a parking issue on the street in this area. He has blocked sightlines due to vehicles parked too close to his driveway. He has sent a letter to the Village Board listing the issues. [*Ms. Waterman-Kulpa – The Village Board will send the issue to the Traffic and Safety Committee for discussion and review. They are well aware of parking issues in that area. Mr. Etu - the Village Board discussed the letter last night at the Village Board Work session and will send it to the Traffic and Safety Committee to be added to their agenda for their March 5th meeting at 7:30pm.*] Wanted to know what constitutes “landscaping”. [*Ms. Waterman-Kulpa – Just the stone walls in this case.*]

ON MOTION by Mr. Akers, seconded by Ms. Lowther, it was moved to close this public hearing at 8:00 p.m.

Motion carried. 5 – 0.

<p style="text-align: center;">PUBLIC HEARING 5672 Main Street Stone wall at front and stone garden house at rear of property</p>
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ON MOTION by Ms. Lowther, seconded by Mr. Stone, it was moved to open the public hearing for the property at 121 Reist St. at 8:00 p.m.

Motion carried. 5 – 0.

Those present who addressed the Commission and the topics of their comments. *[HPC comments are italicized]*:

No one addressed the Commission.

ON MOTION by Mr. Akers, seconded by Mr. Stone, it was moved to close this public hearing at 8:01 p.m.

Motion carried. 5 – 0.

<p style="text-align: center;">PUBLIC HEARING 78 Evans Street Stone hitching post in front of home</p>

ON MOTION by Ms. Lowther, seconded by Mr. Akers, it was moved to open the public hearing for the property at 78 Evans St. at 8:01 p.m.

Motion carried. 5 – 0.

Those present who addressed the Commission and the topics of their comments. *[HPC comments are italicized]*:

No one from the audience addressed the Commission.

ON MOTION by Mr. Akers, seconded by Mr. Stone, it was moved to close this public hearing at 8:01 p.m.

Motion carried. 5 – 0.

PUBLIC HEARING
72 N. Long Street
Stone wall in front of property

ON MOTION by Ms. Lowther, seconded by Mr. Akers, it was moved to open the public hearing for the property at 78 Evans St. at 8:01 p.m.

Motion carried. 5 – 0.

Those present who addressed the Commission and the topics of their comments. [*HPC comments are italicized*]:

No one from the audience addressed the Commission.

ON MOTION by Mr. Akers, seconded by Mr. Stone, it was moved to close this public hearing at 8:02 p.m.

Motion carried. 5 – 0.

PUBLIC HEARING
5480 Main Street – Saints Peter and Paul Church
Stone wall fragment along east side of Grove Street

ON MOTION by Mr. Tammaro, seconded by Ms. Lowther, it was moved to open the public hearing for the property at 5480 Main St. at 8:02 p.m.

Motion carried. 5 – 0.

Those present who addressed the Commission and the topics of their comments. [*HPC comments are italicized*]:

No one from the audience addressed the Commission.

ON MOTION by Mr. Akers, seconded by Mr. Stone, it was moved to close this public hearing at 8:02 p.m.

Motion carried. 5 – 0.

HPC Member Mary Lowther made a statement to the audience saying that what the commission is doing here tonight is for the sake of future generations. These stone features add to the charm and historic value of our Village. She appreciates that most of the property owners here tonight love these stone walls and other stone landscape features on their properties. They have stated they do not plan to demolish the stone wall/features on their properties and she heartily thanks them for this, but designation as local landmarks would preserve these historic stone features from demolition by future owners of these properties.

There being no other public hearings tonight, Ms. Waterman-Kulpa closed this portion of the meeting at 8:05 p.m. and continued the rest of the meeting's agenda items in the conference room. The meeting remained open to the public.

ON MOTION by Mr. Tammaro, seconded by Ms. Lowther, it was moved to approve the minutes of the January 28, 2020 HPC meeting.

Motion carried. 4 – 0. Mr. Stone abstained.

Old Business

***5429 Main Street, (Newbury Salads) –
Application for Certificate of Appropriateness (Lighting and signage)***

There being no one present to represent the application, the item was **TABLED**.

***5590 Main Street – Share Kitchen and Bar –
Proposed exterior patio cover (discussion only)***

Project architect David Sutton and owner of Share Kitchen and Bar Joel Schrek were present.

Mr. Schrek and Mr. Sutton had previously come before the HPC in January 2020 with a proposal for coverage of the existing patio.

They presented a new colored rendering dated 2/14/20 of a proposed roof for the existing patio.

This proposed new patio covering would consist of a vibrant red standing-seam SIP panel roof/awning that would cover the existing concrete patio space on the west side of the building, thus complimenting the black and white color scheme of the building. New street lamp-style pole lights would penetrate the western edge of the awning and protrude

through the awning, acting as structural supports as well as enhancing streetscape lighting. A new black aluminum railing would be installed all along the edge of the patio. This will have a minimum impact on the building itself. It will abut the top of the black trim board on the building. They are also proposing to extend the outdoor use to the north – a few steps down. This area would feature a lounge area consisting of comfortable outdoor sofas and chairs and would not be covered by the awning. This concrete area already exists but is not usable so this would make an improvement and also create usable, profitable space to enhance the outdoor seating area of the business.

Lighting - The underside of the awning would be natural wood with recessed can lights.

Drainage – Painted red aluminum gutter system. This is not engineered yet but would have a c-channel connection. There was further discussion of where rainwater could drain to. Still has to be engineered.

Hanging Baskets - There will be hanging baskets of flowers along the west side of the awning. They will hang over the railing.

Clear vinyl roll-up/down style “windows” will be installed on the underside edge of the awning to be used for rain/wind protection of the patio patrons. Hanging baskets will be removed during rainy weather.

HPC was comfortable with the direction this covered patio plan is going. HPC requested that Mr. Sutton return to them in March (HPC meeting date 3/24/20) with engineering plans; shop drawing of the railing; lighting on the SIPs; light standards specs; engineering for water runoff. They will discuss all with the Building Inspector first.

Share will be placed first on the March HPC agenda under old business, then Newbury Salads.

South Cayuga Historic District

TABLED. No new information.

Historic Plaques

Trustee Etu – The Village Board wants to know what will happen in the event the plaques being purchased by the Village, presented to the recipients and then one or some or all of the recipients do not install the plaques. There was discussion on how best to approach this possible issue. It was decided that Trustee Etu will draft a letter to each recipient telling them why they are being presented with a historic plaque for the exterior of their landmarked building. The recipient would be asked to sign and return a confirmation form agreeing to install or declining to install the plaque and given 30 days to return it to Village Hall.

CLG Grant

Town of Clarence is doing one for regional training.

ON MOTION by Mr. Stone, seconded by Ms. Lowther, it was moved to apply for a CLG grant for 2020 for regional training

Motion carried. 5 – 0.

CLG Report for 2019

Ms. Waterman-Kulpa did a draft. Asked for HPC members to update and re-send her their updated resumes so she can attach to the report. There was discussion regarding where the HPC files were kept and archived. Also, there was discussion on the need for the Village website to be updated on HPC. There are some designated properties that are missing.

Education/Community Awareness

Ms. Palmer distributed some handouts highlighting suggestions for various means of community outreach for HPC.

There was discussion regarding which items were doable and meaningful: Host a tent at Glen Park Art Festival table; Farmers Market – 2x during the season (Ms. Lowther will contact them and arrange); have a HPC standing banner designed and manufactured for use at various events. Ms. Palmer indicated her son will design the banner at no charge. They would like to have it for the April meeting.

Add Education to March HPC agenda under old business.

HPC Budget

Trustee Etu asked the members to consider their upcoming budget for 2020-2021. The Village Board will be having their budget meeting on 2/29/2020. He indicated the rise in cost of the village attorney the past 6 months and if it was necessary to have the attorney at each HPC meeting. After some discussion, it was decided by the members that they could back off of having the village attorney at each HPC meeting, since HPC hours are billed separately from Village Board, Planning Board and Zoning Board hours, which are a package. HPC members vowed to be very mindful from now on of the hours they use the attorney.

Proposed 2020-2021 HPC Budget:

\$2,500	Purchase of historic plaques
\$300	Regional training
\$2,000	Education and Community Outreach (includes fee for PBN speaker x 2 presentations, brochures, banner, etc.

Model Law Adoption

HPC has previously resolved to send the Model Law to the Village Board for adoption.

Other Business

Trustee Etu informed the members that he has been working on a proposed definition for the word “structure”, as the term needed clarification in the code to avoid confusion.

Ms. Waterman-Kulpa stated she would try to find a date for a special meeting of the HPC sometime in March so they can finish discussing the design standards. She will poll the members for a date and let everyone know so it can be posted.

ON MOTION by Ms. Waterman-Kulpa, seconded by Mr. Stone, it was moved to adjourn the meeting at 9:58 p.m.

Motion carried. 4 – 0.

Submitted by:

Deborah A. Habes
PT/Clerk

***The next regularly scheduled HPC meeting will be held on March 24, 2020 at 7:00 p.m. at Village Hall 5565 Main Street.**

NOTE: A special meeting in addition to the regular 3/24 meeting *may* be scheduled in March. Once the date is chosen by the HPC it will be posted.