



**MINUTES
TOWN OF AMHERST
HISTORIC PRESERVATION COMMISSION MEETING
June 14, 2022
7:00 PM**

ROLL CALL

Attendee Name	Organization	Title	Status	Arrived
Susan M. Palmer	Town of Amherst	Chairman	Present	
Catherine Waterman-Kulpa	Town of Amherst	Vice Chairman	Present	
Jennifer D. Kensy	Town of Amherst	Member	Present	
Paul F. Redding	Town of Amherst	Member	Absent	
Mary Lou Mancuso	Town of Amherst	Member	Present	
Brian Swartz	Town of Amherst	Member	Present	
Norman J. Hirschey	Town of Amherst	Member	Present	
James Quinn	Town of Amherst	Assistant Planner	Present	
Bryan Fadel	Town of Amherst	Sr. Clerk Typist	Present	
Dan Howard	Town of Amherst	Planning Director	Present	
Ann Demopoulos	Town of Amherst	Deputy Town Attorney	Present	
Deborah Bucki	Town of Amherst	Councilmember	Present	
Carrie Stiver	Town of Amherst	Resource Personnel	Present	

MINUTES APPROVAL

May 10, 2022

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Norman J. Hirschey, Member
SECONDER:	Mary Lou Mancuso, Member
AYES:	Palmer, Waterman-Kulpa, Kensy, Mancuso, Swartz, Hirschey
ABSENT:	Redding

May 31, 2022

RESULT:	APPROVED [5 TO 0]
MOVER:	Norman J. Hirschey, Member
SECONDER:	Mary Lou Mancuso, Member
AYES:	Waterman-Kulpa, Kensy, Mancuso, Swartz, Hirschey
ABSTAIN:	Palmer
ABSENT:	Redding

NEW BUSINESS

1. **725 LEBRUN – PUBLIC HEARING - PROPOSED LOCAL LANDMARK DESIGNATION**
David Sutton, Sutton Architecture, presented, highlighting additional documents submitted to the public record, including an email from Mary Bacon (former homeowner of 725 Lebrun Road), a letter from Howard Zubin (Zubin Homes), and a letter from Kathleen Howe (Director, Community Preservation Service Bureau). He also summarized points made at the Special HPC Meeting on May 31, 2022, and requested that the Commission not recommend a local landmark designation for 725 Lebrun Road and instead recommend the Town Board remove the “Blue-Rated” classification for the property.

Scott Friedman, 725 Lebrun Road, said that their contractor, Howard Zubin of Zubin Homes, had reviewed town records and found that the original garage at the corner of the lot was demolished in 1999. He also said that the garage proposed for demolition is not original to the property, was built in 1935, and should not be considered historic.

Ms. Palmer made a motion to close the public hearing. The motion was seconded by Mr. Swartz and carried. Ayes 6, Noes 0, Absent 1 (Redding).

Ms. Palmer addressed the Commission, summarizing the process of demolition permit review for blue rated properties identified in the August 2011 Updated Reconnaissance Level Survey of Historic Resources as provided by Amherst Town Code §83-5-1-2.9. She then summarized the specific history of the review process for 725 Lebrun, including the Commission reaching out to the NYS Historic Preservation Office (SHPO), seeking their opinion regarding the impact of the proposed demolition and renovation. Due to the information gathered during the review process, including advice from SHPO indicating that the proposed changes to 725 Lebrun would not adversely impact the creation of a future National Registry Historic District, she suggested that the Commission make no further action to move the landmark nomination to the Town Board for the time being. Ms. Palmer noted that the decision does not preclude this or future Commissions from taking future action to designate the property as a local landmark, part of a local landmark district or seek National Registry status as part of the Amherst Estates Historic District. She suggested that the proposed landmark designation be withdrawn, a motion to reconsider the demolition permit be made, and the demolition permit be approved with the condition that the garage placement and addition be constructed in accordance with the plans submitted by the applicant during the proceedings. In closing, Ms. Palmer said that, in her opinion, the process worked as intended, giving the Town an opportunity to review and determine if action was needed to protect a historic asset.

Ms. Palmer made a motion to close the public hearing. The motion was seconded by Mr. Swartz and carried. Ayes 6, Noes 0, Absent 1 (Redding).

Ms. Palmer made a motion to withdraw the landmark designation for 725 Lebrun Road. The motion was seconded by Ms. Waterman-Kulpa and carried. Ayes 6, Noes 0, Absent 1 (Redding).

Ms. Waterman-Kulpa made a motion to reconsider the demolition permit for 725 Lebrun Road. The motion was seconded by Mr. Swartz and carried. Ayes 6, Noes 0, Absent 1 (Redding).

Mr. Friedman stated that they are and have been prepared to proceed in accordance with the Town's permitting process and objected to any conditions being added regarding the property having historical significance. Ms. Demopoulos and the Commission said that the condition would only be for the garage replacement and construction of the addition be made in accordance to the plans that were submitted during the proceedings.

Ms. Waterman-Kulpa made a motion to approve the demolition permit for 725 Lebrun Road. The motion was seconded by Ms. Mancuso and carried. Ayes 6, Noes 0, Absent 1 (Redding).

RESULT:	WITHDRAWN [UNANIMOUS]
MOVER:	Susan M. Palmer, Chairman
SECONDER:	Catherine Waterman-Kulpa, Vice Chairman
AYES:	Palmer, Waterman-Kulpa, Kensy, Mancuso, Swartz, Hirschey
ABSENT:	Redding

2. 58 BRANTWOOD – DEMOLITION APPROVAL APPLICATION
 Michael Anderson, Abstract Architecture, presented on behalf of Stephen and Nora Rich of 58 Brantwood Road. Proposal involved the demolition of a roughly 400 sq. ft. garage due to structural issues relating to age and rot. He said that they are proposing the construction of a slightly larger garage design and details that go along with the design of the house, including a height that matches the roof pitches of the home which were granted through a variance. Mr. Anderson noted a modification to the application; that he believed the garage was constructed in the late 1970s/early 1980s based on the materials used for the garage as well as other structures in the area. He also said that the garage is mostly obscured from view from the street.

Answering question from the Commission, Mr. Anderson said that he spoke to Historic Preservation architects regarding the age of the garage based on the materials used and that the Building Department believed that it is original due to no records of it being built. He also noted that he believes the foundation is original and that the new garage would only be slightly more visible from the street due to the increase in size.

Ms. Palmer made a motion to approve the application for demolition permit. The motion was seconded by Ms. Kensy and carried. Ayes 6, Noes 0, Absent 1 (Redding).

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Susan M. Palmer, Chairman
SECONDER:	Jennifer D. Kensy, Member
AYES:	Palmer, Waterman-Kulpa, Kensy, Mancuso, Swartz, Hirschey
ABSENT:	Redding

3. MESSAGE CENTER SIGNS IN EGGERTSVILLE / SNYDER

Dan Howard, Planning Director, presented St. Paul's Lutheran Church (4007 Main Street) and St. Benedicts R.C. Church (1317 Eggert Road), both blue rated properties, seeking the approval of area variances to permit the addition of LED message center signs, which are a prohibited sign type within the Traditional Neighborhood Business zoning overlay district. The Planning Department requested the Commission's opinion on the suitability for adding the LED signs prior to the Zoning Board of Appeals (ZBA) meeting scheduled for June 21, 2022. Mr. Howard said that they are not asking the Commission to speak on the zoning issue, but rather on the appropriateness of adding the electronic signs to an area identified as having some historical value.

Mr. Swartz questioned whether the Historic Preservation Commission should make any suggestion since the signs are not allowed under Town Code. Mr. Hirschey said that an exception for LED signs would affect a lot of buildings down the road and would be a major change from what has been enforced in the past. Ms. Waterman-Kulpa said that while they were not commenting on any specific projects, they would provide the Planning Department with relevant documents regarding historic properties and the appropriate treatment for signage prior to the next ZBA meeting.

Ginna Kelly, 40 Westfield Road, said she and her husband oppose the area variances for the LED message signs since current Town Code prohibits them. She also noted that approving the variances would set a poor precedent and have a negative impact on the historic area.

4. HPC MEMBERSHIP

Ms. Waterman-Kulpa asked members to start thinking about possible candidates for the Commission.

OLD BUSINESS

5. HISTORIC DESIGNATION NOTIFICATION – CPI

James Quinn, Assistant Planner, presented an example of how to make the identification of blue rated properties more accessible to the public by including it on the Comprehensive Property Information section of the Town website. There was discussion regarding differentiating between different types of landmark properties and possibly including additional information. It was also suggested that the website identification be kept fairly simple and suggest that people contact the appropriate department for more information.

6. UPDATE ON CLG GRANT SUBMISSION / PRESERVATION DAY

Ms. Waterman-Kulpa said that Preservation Day is fully funded as a part of the grant. She also stated that they have been having small group meetings regarding Preservation Day details and that it will be held August 6, 2022.

7. MAIN STREET & SMALLWOOD DRIVE HISTORIC GATEWAY REPAIRS

James Quinn, Assistant Planner, presented three quotes from contractors for the repairs from an automobile accident. Morris Masonry had the lowest quote for the accident repair and also offered alternative prices for preservation repairs for each gateway. He said that the legal department was working with the insurance company to cover the accident repairs and that the additional preservation work would need to be funded from another source. Mr. Swartz said he would adjust the scope of work in accordance to the preservation repairs for each location.

8. PROPOSAL FOR REVISION OF THE HISTORIC PRESERVATION LAW OF THE TOWN OF AMHERST

Ms. Demopoulos said that she expects to have the revisions completed for the August meeting.

9. BNHV PROPERTIES - UPDATE ON RESEARCH FOR POSSIBLE LANDMARKING

No update.

10. WESTWOOD - POSSIBLE LANDMARK

No update.

11. HARLEM ROAD COMMUNITY CENTER - POSSIBLE LANDMARK

Ms. Palmer said that she plans to have everything ready for the Commission for September meeting.

12. EDUCATION PLAN - WEBSITE PLAN, PRESENTATIONS

Ms. Palmer said she is waiting to receive revised dates for training.

13. ST. PAULS & ST. BENEDICTS - POSSIBLE LANDMARK
No update.
14. HISTORIC ENTRANCEWAY AT MAIN AND LAMARCK
No update.

ADJOURNMENT

The Historic Preservation Commission meeting of June 14, 2022 was adjourned at 8:30 pm.