MINUTES
TOWN OF AMHERST
HISTORIC PRESERVATION COMMISSION MEETING
March 21, 2023
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	
Mary Lou Mancuso	Town of Amherst	Member	Present	
Brian Swartz	Town of Amherst	Member	Present	
Norman J. Hirschey	Town of Amherst	Member	Present	
Deborah Bruch Bucki	Town of Amherst	Councilmember	Present	
Bryan Fadel	Town of Amherst	Sr. Clerk Typist	Present	
James Quinn	Town of Amherst	Assistant Planner	Present	
Ann Demopoulos	Town of Amherst	Deputy Town Attorney	Present	
Dan Howard	Town of Amherst	Planning Director	Present	

MINUTES APPROVAL

February 21, 2023 Minutes

RESULT:	**APPROVED [5 TO 0]**
MOVER:	Catherine Waterman-Kulpa, Vice Chairman
SECONDER:	Jennifer D. Kensy, Member
AYES:	Waterman-Kulpa, Kensy, Mancuso, Swartz, Hirschey
ABSTAIN:	Palmer

NEW BUSINESS

1. ST. MARY'S MOTHERHOUSE, 400 MILL STREET - CERTIFICATE OF APPROPRIATENESS

February 21, 2023

Julie Still, Whitney Management Corp., accompanied by Patrick Byrne, Weaver Metal & Roofing, presented the Application for Certificate of Appropriateness for a full roof replacement of St. Mary's Apartments at 400 Mill Street. The property was purchased in 2003, was redeveloped as affordable senior apartments, and has had numerous roofing repairs totaling roughly $75k to address leaks and deterioration issues. Last year, they began the process of determining long-term viability of the existing slate roof and had multiple professionals recommend a full replacement versus on-going repairs. Asphalt roofing material was selected to replace the existing slate for a number of reasons, including urgency to repair active leaks that were causing interior damage, falling slate, material availability due to supply chain issues, economic impact on property operations and long-term maintenance of selected materials. Ms. Still also cited several historic properties in Western New York with asphalt roofing. Work on the roof replacement began in November 2022 before it was stopped by the Town of Amherst in January of 2023 due to questions pertaining to work permits.

Ms. Waterman-Kulpa said that slate roofs can last for many years with proper care and maintenance, and inquired what specific repairs had been made over the years. Ms. Still said that they had been doing repairs that were necessary over time, but the amount of repairs intensified in over the last two years, leading them to look into other options. Mr. Byrne supported this, saying that they originally made various slate repairs and replacement in kind, but that it was determined that it was no longer an option. Ms. Waterman-Kulpa stated that the building is on the State and National Registers of Historic Places and that there are specific steps that should have been followed. However, since the proper steps were not taken and it was being brought to their attention after the full replacement of the roof has already begun, the Commission was playing catch-up. Ms. Still said that when the building was purchased, it was their understanding that there was only a 10-year period of compliance, and that based on the letter provided by Gary Browne, The Browne Company, the decision for a full replacement rather than repair would have been the same. She also mentioned that any delay in work or options besides a full replacement with asphalt materials would be a significant hardship for both the residents and the owners. The Commission decided to adjourn to the March 21st HPC meeting so that additional information could be provided, including a full existing conditions report, estimates for other materials considered, and photos of the interior damage, in order to determine what the next step should be. Ms. Still and Mr. Bryne also agreed to arrange a time in the coming weeks for Commission members to go out to the property to view the roof.

Ms. Waterman-Kulpa made a motion to adjourn the matter until the March 21 HPC meeting. The motion was seconded by Mr. Hirschey and carried. Ayes 5, Noes 0, Absent 1 (Palmer).

March 21, 2023

Thomas Granville, Whitney Capital Company, stated that they did not having anything additional to present besides what was previously submitted to the Commission. Ms. Waterman-Kulpa read a statement, which included a summary of the project scope, the recent timeline of developments, as well as the principles and factors the Commission considered in making their decision. She concluded that slate roofs are more durable and have longevity compared to synthetic roofing options, and that the Historic Preservation Commission would like to see the building protected for another 100 years with a new slate and copper roofing system.

Ms. Waterman-Kulpa made a motion to deny the Certificate of Appropriateness for the replacement of the existing slate roof system at St. Mary's Apartments with an architectural slate roof system. The motion was seconded by Ms. Palmer and carried. Ayes 6, Noes 0.

Ms. Palmer made a motion to request the Town Board to take action pursuant to Section 121-14(c) of Town Code to require restoration of the property as put forth by that section. The motion was seconded by Ms. Waterman-Kulpa and carried. Ayes 6, Noes 0.

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

2. 22 CHATEAU TERRACE - LANDMARK DESIGNATION APPLICATION

March 21, 2023

Jessica Black, 79 Fruehauf, presented the landmark designation application for 22 Chateau Terrace. She said that the property meets local landmark criterion (i) and (ii) due to its development by Suor & Suor, a key firm in developing first generation of suburban development in the region, and its distinctive early 20th century Craftsman-style characteristics. Ms. Black also presented an overview of the Chateau Terrace neighborhood, a cohesive residential enclave consisting of homes built between 1910 and 1920 featuring a variety of early twentieth-century architectural styles. She also presented a variety of photos, news clippings, maps and photographs.

Ms. Palmer reviewed the Commission's role of researching and making recommendations to the Town Board, who ultimately have the final say. Mr. Quinn clarified that the application was submitted as an individual landmark. Ms. Waterman-Kulpa made note that the application talks about the significance of the neighborhood, which was also mentioned in the Reconnaissance Survey, and that the applicant had mentioned she would ultimately like to see the neighborhood recognized as a local historic district.

Ms. Palmer made a motion to adjourn in order to further review materials and complete additional research. The motion was seconded by Ms. Waterman-Kulpa and carried. Ayes 6, Noes 0.

April 11, 2023

Ms. Palmer said Jessica Black's submitted a list of citations from the presentation she made at the March meeting. She also mentioned a Certificate of Designation for the Chateau Terrace Study Area from SHPO while also mentioning that it did not have anything specific to 22 Chateau Terrace itself. Ms. Palmer stated that she had reached out to SHPO with a couple questions and hopes to have a response before the May meeting. Ms. Palmer also mentioned that while the owner of the property is not required to appear, she believes they plan on presenting at the next HPC meeting and, if not, the Commission would continue the process without that presentation.

RESULT:	**ADJOURNED**	**Next: 4/11/2023 7:00 PM**

3. HPC MEMBERSHIP

The Commission held an executive session to discuss various candidates for the open seat and will review in April.

4. HARLEM ROAD COMMUNITY CENTER PLAQUE

Ms. Palmer presented that the Commission recently approved allocation of funds to have four plaques made for landmarks and would now be purchasing the plaques for Harlem Road Community Center and Street Furniture.

OLD BUSINESS

5. UPDATE ON CLG GRANT SUBMISSION/PRESERVATION DAY

Continuing to work on Preservation Day.

6. PROPOSAL FOR REVISION OF THE TOWN OF AMHERST HISTORIC PRESERVATION LAW
Ms. Palmer said that a small working group worked on the first draft and that some changes had been made based on feedback from Preservation Buffalo Niagara. Ms. Demopoulos explained that anything crossed out was old language being removed and anything underlined in red was going to be added. The Commission discussed adding language pertaining to defining scenic landmarks, which the members agreed could be beneficial. Ms. Bucki said she would like to retain references to cemeteries and ethnic and religious groups in §121-6. Ms. Palmer said that the changes would be made and the new draft would be circulated to members before being sent to SHPO for their review.

7. BNHV PROPERTIES - UPDATE ON RESEARCH FOR POSSIBLE LANDMARKING
No update.

8. EDUCATION PLAN - WEBSITE, PRESENTATIONS
Ms. Palmer said their second training of the year is this Thursday and mentioned that they had been invited to attend Explore Buffalo event on August 12th.

9. ST. PAULS & ST. BENEDICTS - POSSIBLE LANDMARK
No update.

MISCELLANEOUS

ADJOURNMENT

The Historic Preservation Commission meeting of March 21, 2023 was adjourned at 8:56pm.

MINUTES
TOWN OF AMHERST
HISTORIC PRESERVATION COMMISSION MEETING
February 21, 2023
7:00 PM

Attachment: HPC Minutes 022123 (27241 : February 21, 2023)

ROLL CALL

Attendee Name	Organization	Title	Status	Arrived
Susan M. Palmer	Town of Amherst	Chairman	Absent	
Catherine Waterman-Kulpa	Town of Amherst	Vice Chairman	Present	
Jennifer D. Kensy	Town of Amherst	Member	Present	
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	
Ann Demopoulos	Town of Amherst	Deputy Town Attorney	Present	
Deborah Bruch Bucki	Town of Amherst	Councilmember	Present	

MINUTES APPROVAL

January 10, 2023 Minutes

Ms. Kensy made a motion to approve the January 10, 2023 minutes. The motion was seconded by Mr. Hirschey and carried. Ayes 5, Noes 0, Absent 1 (Palmer).

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jennifer D. Kensy, Member
SECONDER:	Norman J. Hirschey, Member
AYES:	Waterman-Kulpa, Kensy, Mancuso, Swartz, Hirschey
ABSENT:	Palmer

NEW BUSINESS

1. 2023 HPC CALENDAR REVISION - SECOND DRAFT

Ms. Waterman-Kulpa made a motion to approve the June 6 meeting date. The motion was seconded by Ms. Kensy and carried. Ayes 5, Noes 0, Absent 1 (Palmer).

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

2. 88 SMALLWOOD DRIVE - DEMO APPROVAL

Bill Prenevau, Town of Amherst Building Department, presented the proposed demolition of 88 Smallwood Drive. Built in 1937, the property began having a multitude of issues in 2007. The Town has made many attempts to resolve the various issues over the years, and at this point the building is currently vacant, structurally compromised, insanitary, and poses a health and safety issue to the community. Mr. Prenevau also said the cost to make the home habitable again would be roughly $160,000, not including an electrical system upgrade, roof work, driveway and landscape upgrades to comply with local zoning, and the replacement of plumbing fixtures, interior finishing, windows and the kitchen. Ms. Waterman-Kulpa said she was not interested in landmarking the property due to the current condition of the home and the significant cost to salvage. She also mentioned that the structure is blue-rated as part of a district and was never meant to be an individual landmark.

Ms. Waterman-Kulpa made a motion to sign the application for demolition approval. The motion was seconded by Mr. Hirschey and carried. Ayes 5, Noes 0, Absent 1 (Palmer).

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Catherine Waterman-Kulpa, Vice Chairman
SECONDER:	Norman J. Hirschey, Member
AYES:	Waterman-Kulpa, Kensy, Mancuso, Swartz, Hirschey
ABSENT:	Palmer

3. ST. MARY'S MOTHERHOUSE, 400 MILL STREET - CERTIFICATE OF APPROPRIATENESS

Julie Still, Whitney Management Corp., accompanied by Patrick Byrne, Weaver Metal & Roofing, presented the Application for Certificate of Appropriateness for a full roof replacement of St. Mary's Apartments at 400 Mill Street. The property was purchased in 2003, was redeveloped as affordable senior apartments, and has had numerous roofing repairs totaling roughly $75k to address leaks and deterioration issues. Last year, they began the process of determining long-term viability of the existing slate roof and had multiple professionals recommend a full replacement versus on-going repairs. Asphalt roofing material was selected to replace the existing slate for a number of reasons, including urgency to repair active leaks that were causing interior damage, falling slate, material availability due to supply chain issues, economic impact on property operations and long-term maintenance of selected materials. Ms. Still also cited several historic properties in Western New York with asphalt roofing. Work on the roof replacement began in November 2022 before it was stopped by the Town of Amherst in January of 2023 due to questions pertaining to work permits.

Attachment: HPC Minutes 022123 (27241 : February 21, 2023)

Ms. Waterman-Kulpa said that slate roofs can last for many years with proper care and maintenance, and inquired what specific repairs had been made over the years. Ms. Still said that they had been doing repairs that were necessary over time, but the amount of repairs intensified in over the last two years, leading them to look into other options. Mr. Byrne supported this, saying that they originally made various slate repairs and replacement in kind, but that it was determined that it was no longer an option. Ms. Waterman-Kulpa stated that the building is on the State and National Registers of Historic Places and that there are specific steps that should have been followed. However, since the proper steps were not taken and it was being brought to their attention after the full replacement of the roof has already begun, the Commission was playing catch-up. Ms. Still said that when the building was purchased, it was their understanding that there was only a 10-year period of compliance, and that based on the letter provided by Gary Browne, The Browne Company, the decision for a full replacement rather than repair would have been the same. She also mentioned that any delay in work or options besides a full replacement with asphalt materials would be a significant hardship for both the residents and the owners. The Commission decided to adjourn to the March 21st HPC meeting so that additional information could be provided, including a full existing conditions report, estimates for other materials considered, and photos of the interior damage, in order to determine what the next step should be. Ms. Still and Mr. Bryne also agreed to arrange a time in the coming weeks for Commission members to go out to the property to view the roof.

Ms. Waterman-Kulpa made a motion to adjourn the matter until the March 21 HPC meeting. The motion was seconded by Mr. Hirschey and carried. Ayes 5, Noes 0, Absent 1 (Palmer).

RESULT:	**ADJOURNED**	**Next: 3/21/2023 7:00 PM**

OLD BUSINESS

4. UPDATE ON CLG GRANT SUBMISSION/PRESERVATION DAY
   No report.

5. PROPOSAL FOR REVISION OF THE TOWN OF AMHERST HISTORIC PRESERVATION LAW
   Ms. Demopoulos said she is continuing to work on the changes and would circulate the latest edits to the Commission members.

6. BNHV PROPERTIES - UPDATE ON RESEARCH FOR POSSIBLE LANDMARKING
   No update.

7. EDUCATION PLAN - WEBSITE, PRESENTATIONS
   Ms. Waterman-Kulpa noted that their first training is next Tuesday at 6pm and that it will be recorded for those who might not be able to attend.

8. ST. PAULS & ST. BENEDICTS - POSSIBLE LANDMARK
   No report.

MISCELLANEOUS

ADJOURNMENT

The Historic Preservation Commission meeting of February 21, 2023 was adjourned at 8:47pm.

Attachment: HPC Minutes 022123 (27241 : February 21, 2023)

OFFICIAL USE ONLY
Received By:_____
Date Received: _____
Date to AHPC: _____
Application Complete:_____
Date AHPC Approved:_____
Date AHPC Denied:_____

AMHERST HISTORIC PRESERVATION COMMISSION
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS - ARCHITECTURAL REVIEW

Pursuant to Chapter 121 of the Town of Amherst Code

SUBMITTAL PROCESS:
1. Apply for a Building or Demolition Permit and obtain zoning compliance approval from the Town Building Department.
2. Submit a complete Application for Certificate of Appropriateness with all required information from the checklist below to the Town Planning Department before the submittal deadline.

PROPERTY INFORMATION:

Address: St. Mary's Apartments, 400 Mill Street, Amherst NY 14221

BRIEF DESCRIPTION OF SCOPE OF WORK:

The existing roof system is failing and the roof is in desperate need of repair. We are proposing a full roof replacement

APPLICANT: Name/Company Name: St. Mary's Commons Apartments L.P.

Telephone Number:516-352-6100 Ext 2

Email Address: granvill@whitneycap.com

Street Address, City and Zip Code: 2001 Marcus Ave Suite N118, Lake Success, NY 11042, ATTN Thomas Granville

PROPERTY OWNER (IF DIFFERENT FROM APPLICANT):
Name/ Company Name: Same as above

ARCHITECT OR CONTRACTOR INFORMATION:
Name/ Company Name: Weaver Metal and Roofing Inc.

Telephone Number: 716-891-8844

Email Address: PByrne@weavermrinc.com, ATTN Patrick Byrne

Street Address, City and Zip: 40 Appenheimer Ave, Buffalo NY 14214

WHO IS COMPLETING THE WORK?
Owner: Yes/ **No**

Attachment: CoA_Application2.7.23 (27142 : St. Mary's Motherhouse)

Applicant (if different from Owner): Yes/ **No**
Contractor: Yes/ No

PROJECT DESCRIPTION CHECKLIST:
By attachment to this application, provide all of the following items:

- ❑ Detailed written description of all proposed work. This should include a description of all proposed additions, proposed demolition of a portion or the entire building, proposed removal of materials/design elements, proposed addition of materials/design elements, and/or a new building. Please include a description of how work will be conducted.
- ❑ Color Photographs: Photographs of the building and site. Include overall elevation views and close-ups of all affected areas being modified. Include historic photos (if available.) Digital images submitted electronically are preferred.
- ❑ Current Property Boundary Survey.
- ❑ Building Drawing Set: Including scaled and dimensioned elevations indicating all exterior building materials and finishes to be used, floor plans, and roof plan. For changes and additions, the drawing set must show existing and proposed conditions.
- ❑ Perspective Drawings/Color Rendering.
- ❑ Site Layout Plan: Where demolition of a portion or the entire building is proposed, and/or an addition is proposed, and/or new building is proposed.
- ❑ Samples and description of materials and colors being proposed. (Indicate by manufacturer's name/color/number.)
- ❑ Provide all other information which the Commission may deem necessary in order to visualize/understand the proposed scope of work.

By signing below, I attest that I have read and do understand the above Review Procedures for Certificates of Appropriateness. I also agree that all information submitted on this application is true and accurate to the best of my knowledge.

By: St. Mary's Commons Apartments L.P.

Feb 6 2023

Signature of Applicant **Date**

Thomas G. Granville

Print Name

FOUR (4) copies of this form and all supporting documents must arrive by 4:00 pm (end of day) two weeks prior to the monthly Historic Preservation Commission meeting. Upon submission of the complete application, one complete PDF shall be emailed to the Town of Amherst. Email address shall be provided at the time of submission.

Attachment: CoA_Application2.7.23 (27142 : St. Mary's Motherhouse)

DO NOT WRITE BELOW THIS LINE

The Town of Amherst Historic Preservation Commission has reviewed this application and has determined the following:

_____Approved

_____Approved with Conditions

_____Denial

Conditions/Comments:

_____

_____

_____

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_____

AHPC Chairperson's Signature:_____

Date:_____

Approval of the Certificate of Appropriateness shall be <u>in addition to and not in lieu of</u> any building permits that may be required.

_____

Town of Amherst Planning Department, 5583 Main Street Williamsville New York 14221
Phone (716) 631-7051 Fax (716) 631-7153 Web *www.amherst.ny.us*

Attachment: CoA_Application2.7.23 (27142 : St. Mary's Motherhouse)

granvill@whitneycap.com

FEB 6, 2023

Town of Amherst Planning Department
5583 Main Street
Williamsville, NY 14221

Re: St. Mary's Apartments-400 Mill Street
Amherst Historic Preservation Commission
Application For Certificate of Appropriateness-
Architectural Review

Dear Town of Amherst Planning Department

Enclosed please find an Application for Certificate of Appropriateness and the requested documents. By way of background, St. Mary's is an affordable senior housing community. In recent years, the roof system experienced a number of failures, including roof leaks. The roof is in desperate need of repairs and replacement.

We hired Gary Browne as our roof consultant and Weaver Roofing and Metal, Inc as our contractor.

Contact details for both entities are set forth below.

Roof Consultant

Gary Browne, Roof Consultant
The Browne Company
98 Forest Drive
Orchard Park, NY 14127
Office 716-667-0802
Cell 716-628-7922
browneco@verizon.net

Roof Contractor

Weaver Metal and Roofing, Inc.
c/o Patrick Byrne, President
40 Appenheimer Ave
Buffalo, NY 14214
Office 716-891-8844
Cell 716-316-6859
PByrne@weavermrinc.com

As requested, we have enclosed the following materials.

1) Detailed written description of all the proposed work. Please see the detailed scope in the attached bid package.
2) Color Photographs. Please see color photographs attached.
3) Current Property Boundary Survey-A survey is attached.
4) Building Drawing Set-Building Drawings are attached.

Attachment: CoA_Application2.7.23 (27142 : St. Mary's Motherhouse)

5) Perspective Drawings/Color Renderings-Building Drawings are attached.
6) Site Layout Plan-Please note we are only proposing a roof replacement so there is no demolition or additions to site.
7) Samples- We are proposing to use Shingle=Max Def Weatherwood-Landmark Pro Color Palette. Hardie=Cobblestone-Color Plus Technology. Gutters=keep existing copper when possible. When not possible, gutters=musket brown.

Should you have any questions, please feel free to reach out to Skip Cerio (Cell 716-864-6477) or Tom Granville (cell 516-659-9692.) Thank you in advance for your time in connection with this Application.

By: St. Mary's Commons Apartments, L.P.
By: St. Mary's Commons Associates, L.L.C.

By:
Thomas G. Granville
Its Manager
Date: Feb 6, 2023

Attachment: CoA_Application2.7.23 (27142 : St. Mary's Motherhouse)

THE BROWNE COMPANY
Roofing and Waterproofing Consultants, Inc.
98 Forest Drive
Orchard Park, New York 14127
Phone/Fax (716) 667-0802
email: browneco@verizon.net

INVITATION TO BID

ST. MARY'S COMMONS APARTMENTS
ROOF REHABILITATION PROJECT
400 Mill Street, Williamsville, NY
May 25, 2022

You are invited to bid on St. Mary's Commons Apartments Roof Rehabilitation Project, 400 Mill Street, Williamsville, NY. Bids shall be submitted as per the Bid Form.

Mr. Matthew Pollino, Whitney Management Corp. will receive bids until 3:00 P.M. local time on June 14, 2022 at his office, 9575 Katy Freeway, Suite 330, Houston, TX 77024. Bids may be emailed to Mr. Pollino at mpollino@whitneymgmt.com. Bids received after this time will not be accepted. Bids will be opened privately.

A pre-bid meeting and job walk will be held at 1:00 P.M. on June 1, 2022, at the project site, 400 Mill Street, Williamsville, NY. Bidders to meet at the west parking lot. All parties interested in bidding on this Project should attend!

Bidding Documents will be distributed at the pre-bid meeting.

Bidding Documents, in good condition, must be returned to the Owner within 10 days of the bid opening.

St. Mary's Commons Apartments reserves the right to waive irregularities and to reject any and all bids.

Respectfully submitted

THE BROWNE COMPANY

Mr. Gary Browne, Roof Consultant

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

TABLE OF CONTENTS

00010 PRE-BID INFORMATION
- Invitation to Bid

00100 INSTRUCTIONS TO BIDDERS
- Supplementary Instructions to Bidders
- Contract Time
- Pre-Bid Meeting and Job Walk
- Insurance Requirements
- Miscellaneous Previsions
- Applications for Payment
- Alternate Prices
- Allowances
- Coordination
- Quality Control
- Protection and Use of Facilities
- Regulations & Safety
- Contract Closeout

00300 BID FORMS
- Affidavit Regarding Collusion

DIVISION 7 - THERMAL & MOISTURE PROTECTION
- Section 07311 – Asphalt Shingles and Related Work
- Section 07460 – Fiber Cement Siding
- Section 07530 – Fully Adhered EPDM Roofing
- Section 07620 - Sheet Metal Flashing and Trim
- Section 07711 – Roof and Gutter Cable Deicing System

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

DOCUMENT 00100

INSTRUCTION TO BIDDERS

1.01 DOCUMENT INCLUDES

A. Related documents, bid submission, intent, contract time, definitions, contract documents identification, availability of documents, inquiries/addenda, product/assembly/system substitutions, site examination, qualifications, bid ineligibility, submission procedure, bid form signature, additional bid information, duration of offer, acceptance of offer.

1.02 RELATED DOCUMENTS

A. AIA Document A701 - Instructions to Bidders

B. Document 00800 - Supplementary Conditions

1.03 BID SUBMISSION

A. Offers signed, executed, and dated will be received Mr. Matthew Pollino, Whitney Management Corp. will receive bids until 3:00 P.M. local time on June 14, 2022 at his office, 9575 Katy Freeway, Suite 330, Houston, TX 77024. Bids may be emailed to Mr. Pollino at mpollino@whitneymgmt.com. Bids received after this time will not be accepted. Bids will be opened privately.

1.04 INTENT

A. The intent of this bid call is to obtain an offer for the St. Mary's Commons Apartments Roof Rehabilitation Project, 400 Mill Street, Williamsville, NY, for a Stipulated Sum contract in accordance with the Contract Documents.

1.05 CONTRACT TIME

A. Perform the Work in 90 calendar days. The bidder in submitting an offer, accepts the Contract Time period stated for performing the work.

B. The owner required that under the work of this contract be completed as quickly as possible. Consideration may be given to time of completion when reviewing the submitted Bids.

1.06 DEFINITIONS

A. Bid Documents: Contract Documents supplemented with Instructions to Bidders, Bid Form and Appendices, and Bid Securities identified.

B. Contract Documents: Defined in AIA A101 Article 7 including issued addenda.

C. Bid, Offer, or Bidding: Act of submitting an offer.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

D. Contract Sum: Monetary price identified by the bidder in the Bid Form.

E. Acceptable: Satisfactory to and approved by the Consultant and by the Owner.

F. Approved: Allowable and acceptable by the Consultant and by the Owner.

G. Directed: Instructed by the Consultant or the Owner.

H. Reviewed: Examined by the Consultant and by the Owner for purpose of approval.

I. Unacceptable: Not satisfactory to the Consultant or Owner.

J. Installer: A person, firm, or corporation who unloads, unpacks, assembles, erects, applies, places, finishes, cures, protects, adjusts, and cleans Products.

K. Manufacturer: A person, firm, or corporation who makes Products.

L. System: Products or assemblies that are fit together and integrated to function as a useful or operational apparatus.

M. Project Manual: Is the volume assembled for the Work, which includes the Bid Documents, Contract Documents, and Specifications.

1.07 CONTRACT DOCUMENT IDENTIFICATION

A. The Contract Documents are identified as St. Mary's Commons Apartments Roof Rehabilitation Project, 400 Mill Street, Williamsville, NY, as prepared by The Browne Company Roofing and Waterproofing Consultants, Inc., located at 98 Forest Drive, Orchard Park, NY.

1.08 AVAILABILITY OF DOCUMENTS

A. Bid Documents are attached herein.

B. Bid Documents must be returned complete and undamaged to the Owner, within 10 days of bid opening.

1.09 INQUIRIES/ADDENDA

A. Direct questions to the Consultant at (716) 667-0802.

B. Addenda may be issued during the bidding period. All Addenda become part of the Contract Documents. Include resultant costs in the Bid Price.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

1.10 PRODUCT/ASSEMBLY/SYSTEM SUBSTITUTIONS

A. Where the Bid Documents stipulate a particular Product, substitutions will be considered by the Consultant up to 5 days before receipt of bids. Bidders shall include in their substitution request any changes required in the Work to accommodate such substitutions.

1.11 SITE EXAMINATION

A. A pre-bid meeting and job walk will be held at 1:00 P.M. on June 1, 2020, at the project site, 400 Mill Street, Williamsville, NY. Bidders to meet at the west parking lot. Bidders wishing to submit offers should attend.

1.12 QUALIFICATIONS

A. To demonstrate qualifications for performing the Work of this contract, Bidders may be requested to submit written evidence of financial position, previous experience, current commitments, etc.

1.13 SUBMISSION PROCEDURE

A. Submit on copy of the executed offer on the Bid Forms provided, signed and sealed with the proper Bid Security in a closed opaque envelope, clearly identified with bidder's name, project name, and Owner's name on the outside.

1.14 BID INELIGIBILITY

A. Bids that contain irregularities of any kind, may be declared unacceptable at the discretion of the Owner.

1.15 BID SECURITY DEPOSIT

A. Not Required

1.16 PERFORMANCE BONDS

A. Not Required

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

1.17 BID FORM SIGNATURE

A. The Bid Form shall be signed by the bidder as follows:

1. Sole Proprietorship: Signature of sole proprietor in the presence of a witness who will also sign. Insert the words "Sole Proprietorship" under the signature.

2. Partnership: Signature of all partners in the presence of a witness who will also sign. Insert the word "Partner" under each signature.

3. Corporation: Signature of a duly authorized signing officer(s) in their normal signatures. Insert the officer's capacity in which the signing officer acts, under each signature. Affix the corporate seal. If the bid is signed by officials other than the president and secretary of the company, or the president / secretary / treasurer of the company, a copy of the by-law resolution of their board of directors authorizing them to do so, must also be submitted with the Bid Form in the bid envelope.

4. Joint Venture: Each party of the joint venture shall execute the Bid Form under their respective seals in a manner appropriate to such party as described above, similar to the requirements of a Partnership.

1.18 INSURANCE REQUIREMENTS

A. No work may commence prior to receipt of Certificate of Insurance from the Contractor showing St. Mary's Commons Apartments and The Browne Company as additional insureds with no less than a minimum comprehensive public liability amount of $1,000,000 and a minimum 30 days prior written notice of cancellation to the certificate holder. "Claims made" type policies are unacceptable.

B. Business Liability policy must list "Roofing" as the primary trade of the Contractor and/or Sub-Contractor on the declaration page of the policy.

C. Contractor shall carry New York State mandated workers' compensation insurance in statutory amounts covering all the contractor's and subcontractor's employees, and shall submit written evidence of compliance.

D. Contractor shall save harmless St. Mary's Commons Apartments and The Browne Company from all damage and claims for damage, demands, suits, costs, recoveries and judgments which may be recovered against St. Mary's Commons Apartments and The Browne Company or their officers, agents or employees caused by Contractor acts or omissions in performing a contract arising or growing out of the performance of this contract.

1.19 DURATION OF OFFER

A. Bids shall remain open to acceptance and shall be irrevocable for a period of thirty (30) calendar days after the bid closing date.

1.20 ACCEPTANCE OF OFFER

A. The owner reserves the right to accept or reject any or all bids.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

1.21 EXISTING CONSTRUCTION VERFICATION

A. Before submitting his bid, the Contractor shall visit the project site and verify conditions, locations, and dimensions of all existing equipment, the structure, and the site conditions that pertain to this installation.

B. The details shown and the information provided are not represented or guaranteed by the Owner or the Roof Consultant as being accurate as to the actual "as built" and present conditions. Bidding Contractor shall verify all conditions at the site and perform all work to complete the project under this contract, regardless of the variations that may be found, without additional cost to the Owner.

1.22 MISCELLANEOUS PROVISIONS

A. The buildings having work done to their roofs will not be occupied during the Work. Access to the Building Roofs will be from the exterior of the building.

B. Owner will not be supplying any materials or equipment to complete the Work.

C. Contractor to pay all applicable New York State Sales Tax.

D. Contractor's staging area, access areas, and parking areas will be determined, and approved, by the Owner prior to Contract award and before work commences.

E. Contractor may only work between the hours of 9:00 A.M. and 2:00 P.M, unless specific permission is granted to work later in the afternoon. Weekend work is not permissible.

F. Contractor to obtain and pay for all building, sidewalk, street permits, etc. that may be required by the Town of Amherst, NY.

1.23 APPLICATIONS FOR PAYMENT

A. Contractor shall use AIA Document G702, Application and Certificate for Payment, and AIA Document G703, Continuation Sheet for submitting applications for payment.

B. Contractor shall submit five (5) copies of application for payment, with original signatures and notarized, to the Consultant for review.

C. Contractor shall submit application for payment to the Consultant by the 20th of the month so he can review and submit to Owner by the end of the month.

D. Payments will be subject to the retainage of ten percent (10%) of the amount due for payment.

E. Retainage shall not be released until approval by Owner of final completion.

F. The Consultant will recommend the withholding of payments to protect the interest of the Owner if certain conditions are present, including:

1. Damaged or non-conforming work requiring repair or correction.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

2. Damaged property requiring repair or replacement.

3. Failure by the Contractor to meet specified Contract milestones or the Contractor's own approved schedule.

4. Claims made against the owner on account of the Contractor's failure to perform or furnish work without interference and damage to others.

1.24 ALTERNATE PRICES

A. The price of the Bid for each Alternate shall be filled-in in the appropriate space on the Bid Form. The price of the Bid for each Alternate will be the amount to be added or deducted from the Contract Sum of the Base Bid if the Owner selects the Alternate(s). The Owner may accept Alternates in any order, regardless of how they are listed, and determine the lowest responsible Bidder on the basis of the sum of the Base Bid plus any selected Alternates.

B. Alternates shall include all costs for material, delivery, installation, taxes, overhead, profit, etc.

C. There are no alternates on this project.

1.25 ALLOWANCES

A. Include in the Contract Sum all allowances stated in the Contract Documents. Allowances include specific cash amounts and quantities of work for certain scheduled items.

B. Include the cash amount of $10,000 in Base Bid No. 1for repairs to the existing structural roof deck, wind uplift analysis, and any other additional work that may be required. Reimbursement to be as per the Unit Costs on the Bid Form times the quantity.

C. Include the quantity allowance of 2,000 sq. ft. of wood deck replacement (match existing construction) in Base Bid No. 1.

1.26 COORDINATION

A. The responsibility for the coordination and completion of the work in accordance with Contract Documents is upon the primary awarded Contractor with whom the Owner enters into a contract for the work herein described. Such terms as "roofer", "applicator", "other contractors", "by others" and similar expressions shall be deemed to refer to the Contractor with whom the Owner entered into agreement.

B. Contractor must maintain a full-time supervisor/foreman on the job site during times that roofing work is in progress. This person shall have a minimum of ten years experience in roofing work similar in nature and scope to specified roofing. The person shall continue on the project through final acceptance, unless the person's performance on the project is not acceptably adequate or impedes project productivity.

C. The Contractor shall submit to the Consultant a detailed work schedule prior to beginning work.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

D. Site will be available to Contractor upon receipt of the Owner's Notice to Proceed, unless otherwise indicated in these specifications. ***Care, custody, and control*** of the site work area, equipment area, and material storage area are vested in the Contractor during the term of operations under the Contract.

E. Failure to examine the project building and the site and to become familiar with the existing conditions shall not constitute cause for complaint or claim for extra payment. Accept project site as it exists.

F. Entrances or exits to or from the buildings shall not be blocked for any reason or hamper the normal operation of the building in any way unless permission is first obtained from the Owner. If streets or sidewalks are to be blocked, all necessary permits must be obtained from the appropriate governmental agency. Fire protections and immediate access for fire equipment must be maintained at all times.

G. Equipment and material storage areas are limited to those designated by the Owner. Fencing of the ground work area will be required to keep unauthorized personnel out of the area, as well as an OSHA approved scaffold walkway protection system which must be erected underneath any roof hoisting equipment.

H. Work that might interfere with the use of the facilities by the Owner and its occupants shall be accomplished at a time approved beforehand by the Owner.

I. Contractor's staging area, access areas, and parking areas will be determined, and approved, by the Owner prior to Contract award and before work commences.

J. Contractor must provide Owner with 24-hour emergency telephone numbers, in the event of a problem on an evening or weekend. Due to the critical nature of the Owner's operations, Contractor must respond to such emergencies, with qualified roofers on site, within 3 hours.

1.27 QUALITY CONTROL

A. If, in the opinion of the Contractor, any work indicated on drawings or specified in such a manner as to make it impossible to produce work of highest quality, the contractor shall advise the Roofing Consultant before proceeding. Should discrepancies appear from one drawing to another or between Drawings and Specifications, Contractor is to conclude that the more stringent requirement applies.

B. Contractor shall possess/maintain, on site, a copy of specifications, MSDS sheets, related documents, all pertinent drawings, and any addendum information.

C. Nothing in the specifications shall be construed as relieving Contractor of responsibility for the waterproof quality, for the roofing work, or for compliance with other requirements.

D. The presence of an Owner representative or the Consultant's representative is not to relieve Contractor of his quality assurance, but to examine it.

E. Project quality control is the Contractor's responsibility and obligation. Nothing contained herein or stated shall imply any obligation by the Owner or his representatives to Contractor by monitoring the work, nor shall monitoring of the work relieve Contractor of any responsibility under the terms of the Contract.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

F. Upon completion of all specified work items, a final roof inspection shall be performed. Those required to attend will include the Roofing Contractor and his on-site foreman/supervisor, the Roof Consultant, and a representative of the Owner. The Roof Consultant will coordinate the date of the final inspection with the Contractor and the Owner.

G. Any deficiencies or incomplete work items will be noted at this time and documented. A punch list of all such items will be issued to the Contractor.

H. Repair or replace (as required) deteriorated or defective work found at time above inspection to a condition free of damage and deterioration at time of Substantial Completion and according to warranty requirements. The Contractor is to notify the Consultant's representative upon completion of corrections.

1.28 PROTECTION AND USE OF FACILITIES

A. **IT IS THE ROOFING CONTRACTORS ULTIMATE RESPONSIBILITY TO PROTECT THE BUILDING AND THE CONTENTS OF THE BUILDING FROM ALL RISKS RESULTING FROM THE WORK.** Contractor shall be sufficiently prepared to expediently install a temporary membrane to protect areas torn off or incomplete roofing in the event of precipitation.

B. Repair any damage that results from the work of this Contract to Owner's satisfaction. Clean all floors, walls, walkways, and other surfaces from asphalt and other stains, and protect all paving, landscaping, and other site work from damage.

C. Contractor shall build and maintain barriers as are necessary for the protection of person and property passing by the construction site. All barriers, etc. for this purpose shall comply will all federal, state, OSHA, and local ordinances.

D. Contractor must take every precaution to prevent interior leakage, materials from falling into the interior, or other such occurrences. Installation of materials shall be accomplished in such a manner that material drippage does not occur.

E. The Contractor shall prevent access by the public to materials, tools, equipment, or equipment. The Owner and the Consultant assume no liability or responsibility whatsoever for any damage, theft, or other acts that occur to the Contractor's material, tools, or equipment as a result of his negligence.

F. Contractor's usage of the ground areas shall be designated by the Owner. Other than immediate necessary trucks and equipment, all vehicles shall be parked in legal, appropriate, designated parking areas off site.

G. Coordinate all utility usage with the Owner. At no time shall utilities be wasted.

H. Contractor will not be allowed to use the toilet facilities in the building. Contractor must provide portable toilets for their employees.

I. Use of the Owner's telephones is prohibited, except for pay phones. Contractor shall provide his own telephone or use pay phones.

J. Contractor shall be prepared to provide his own power as needed.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

K. Any electrical tools in use on the roof shall be protected by an OSHA approved Ground Fault Interrupter (GFI). All extension cords and electrical equipment shall be GFI grounded.

L. Water needed for the execution of this contract will be furnished by the Owner. Contractor to supply all required hoses, pails, etc.

M. During the progress of the work, promptly remove any spills onto the exposed finished surfaces and do not allow the accumulation of scrap and debris resulting from the work. Upon completion of the work, remove all excess materials from the job site. All clean up work shall be performed to the satisfaction of the Owner at the sole expense of the Contractor.

N. Prior to final acceptance, the Contractor shall restore all areas affected by his work to their original state of cleanliness and repair all damage done to the premises, including the grounds, by his workmen and equipment.

O. The Contractor shall be responsible for patching of existing asphalt shingle, slate roofing, and EPDM roofing not scheduled for replacement or alteration, which is damaged during any sequence of the work. The Contractor is also responsible for any water damage to existing insulation and building interior that may result from damage to the existing roofing, and or any subsequent water damage due to inadequate repair work.

P. Existing materials designated to remain, which are damaged or defaced as a result of the work and are unsuitable for the use intended, shall be replaced at the Contractor's expense, to the satisfaction of the Owner.

Q. Repairs of existing roofs required by the Contract, or necessary because of damage from this work, shall use products equivalent to, and compatible with, existing materials and applied only to clean and dry surfaces.

1.29 REGULATIONS & SAFETY

A. All work shall meet the requirements of all governing codes, ordinances, laws, regulations, safety orders, and directives relating to the work, including any specific requirements of the city and state of jurisdiction. This shall include the handling and disposal of any hazardous or potentially hazardous materials. The latest editions of standards and specifications listed herein shall apply to all procedures and materials used.

B. Disturbing or disruptive noise that interferes with the normal building occupancy will not be permitted except when scheduled in advance with the Owner.

C. The residents, building interiors, project site, and adjoining property must be protected from objectionable dust and wind-blown or falling debris.

D. No accumulation of materials to be disposed will be permitted at any time. The Contractor is responsible for prompt removal from the site and disposal in a manner accepted by the local authorities. This shall include any required precautions or requirements related to disposal of hazardous or potentially hazardous materials.

E. No means or methods shall be utilized in this contract that jeopardize safety to employees, the public, or to the property. Contractor shall hold harmless and defend Owner, Consultant, and their representatives for any violations, claims, or citations.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

F. Contractor shall strictly comply will all Federal, State, OSHA, and local regulations and requirements.

G. Contractor shall provide for employee and public protection and be responsible for the erection, maintenance, supervision, and dismantling of such safety compliances.

H. Contractor must obtain from the Town of Amherst all necessary permits, including building permit, sidewalk permit, street permit, parking permit, etc., before construction may commence.

I. No torches, flame, or anything that can cause combustion shall be used where the possibility of combustion exists.

J. Where torch use is required, precautionary measures shall be taken to minimize the risk of accidental combustion. One fully charged, certified, and operable fire extinguisher shall be within 20 feet of each torch being used on the roof. A minimum of two fire extinguishers must be on the roof at all times.

K. Contractor's employees must wear shirts at all times and hard hats are required when work is being completed overhead.

L. The presence of an Owner's representative or Consultant's representative is not to relieve the Contractor of his compliance with safety regulations. Neither the Owner nor the Consultant engage in the practice of safety engineering. It is the Contractor's responsibility to make certain that all of his employees, equipment, tools, etc. are in full compliance with local, state, federal, and OSHA requirements.

1.29 CONTRACT CLOSE-OUT

A. Surplus materials and all equipment shall be promptly removed from the site upon completion of the work. In case of undue delay or dispute, Owner may remove rubbish, materials, and equipment and charge cost to Contractor, with such action permissible by Owner 48 hours after a written notice has been transmitted to Contractor.

B. Prior to final acceptance, Contractor shall restore all areas affected by his work to their original state of cleanliness and repair all damage done to the premises, including the grounds, by his workmen and equipment.

END OF SECTION

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

DOCUMENT 00300

BID FORM

To: Mr. Matthew Pollino
Whitney Management Corp.
9575 Katy Freeway, Suite 330
Houston, TX 77024

Project: St. Mary's Commons Apartments Roof Rehabilitation Project, 400 Mill Street, Williamsville, NY

Date: _____

Submitted by: _____

Address: _____

_____

_____

1. OFFER

Having examined the Place of the Work and all matters referred to in the Instructions to Bidders, Bid Documents, and Contract Documents prepared by THE BROWNE COMPANY ROOFING AND WATERPROOFING CONSULTANTS, INC., for the above referenced project, we the undersigned, hereby offer to enter into a Contract to perform the Work for the Contract Sum of:

BASE BID No. 1 – New Roof System

_____

($ _____) dollars, in lawful money of the United States of America.

(Contractor to include $10,000 cash allowance and a quantity allowance of 2,000 sq. ft. of wood deck replacement (match existing construction) as per Section - 1.25 Allowances)

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

UNIT PRICES

Unit Price No. 1 (Add) $_____ per sq. ft.

Price per square foot to replace the existing wood roof deck as directed by the Owner's representative.

Unit Price No. 2 (Add) $_____ per hour

Hourly labor rate for additional work, as directed by the Owner's representative, including all taxes, insurance, overhead, and profit.

2. ACCEPTANCE

This offer shall remain open to acceptance and shall be irrevocable for a period of thirty (30) calendar days from the bid closing date.

If the Owner accepts this bid within the time period stated above, we will:

- Execute the Agreement within seven days of receipt of acceptance of this bid.
- Furnish the required insurance certificates within seven days of receipt of acceptance of this bid in the form described in Supplementary Conditions.
- Commence work within seven days after written Notice to Proceed.

3. CONTRACT TIME

If this bid is accepted we will:

Complete the work in _____ calendar days from written Notice to Proceed, with

work to begin on _____.

(The number of calendar days must be less than or equal to 60 calendar days, the Contract Time stipulated in Document 00100 - Instructions to Bidders, Section 1.05 - Contract Time.)

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

4. ADDENDA

The following Addenda have been received. The modifications to the Contract Documents noted therein have been considered and all costs thereto are included in the Bid Sum.

Addendum No. _____ Dated _____ Addendum No. _____ Dated _____

Addendum No. ____ Dated _____ Addendum No. _____ Dated _____

5. BID FORM SIGNATURE(S)

By signing this Bid Form, the Contractor acknowledges that they have read and understand the Project Contract Documents, and their obligations thereunder as they pertain to the work, that they have inspected the Project site and are familiar with the existing conditions that affect that work, and that they will comply with all of the requirements outlined in the Contract Documents.

Sign Bid Here: _____ Date:_____

Print Name & Title: _____

_____
Legal Name of Person, Partnership, or Corporation

Legal Business Address: _____
Street

_____
City, State, and Zip

Phone No. _____ Fax No. _____

Email_____

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

AFFIDAVIT REGARDING COLLUSION

(If oath is taken outside of New York State, a County Clerk's Certificate as to the Authority of the officer administering the oath must be attached.)

EACH BIDDER IS REQUIRED TO EXECUTE THE FOLLOWING AFFIDAVIT:

STATE OF _____

COUNTY OF _____ SS:

CITY OF _____

_____ being duly sworn, deposes and says that

_____
(If Individual, his address)

_____
(If Partnership, names and address of Partners)

_____
(If Corporation, names and titles of officers authorized to execute contracts)

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best knowledge and belief:

1. The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor.

2. Unless required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor.

3. No attempt has been made or will be made by the bidder to induce any other person, partnership, or corporation to submit or not to submit a bid for the purpose of restricting competition.

_____
Signature of Contractor

Sworn to before me this

_____ day of _____, 20_____

_____
Signature of Notary Public/Commissioner of Deeds

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

SECTION 07311

ASPHALT SHINGLES & RELATED WORK

PART 1 GENERAL

1.1 SECTION INCLUDES

A. Granular surfaced asphalt shingle roofing, underlayment, eave, and ridge protection, metal flashings.

1.2 SUBMITTALS

A. Product Data: Provide data indicating material characteristics, and limitations.

B. Samples: Submit to the Owner a sample of all materials to be used on this project.

C. Sample copies of contractor's warranty and shingle manufacturer's warranty.

D. Certificates of insurance for general liability and worker's compensation must be submitted to the Owner before work is started.

1.3 QUALITY ASSURANCE

A. Perform Work in accordance with NRCA (National Roofing Contractors Association)Steep Roofing Manual, Asphalt Roofing Manufacturer's guidelines, and shingle manufacturer's installation instructions.

B. Shingles to have a UL Class "A" Fire Hazard Classification and a UL wind rating of up to 110 mph.

C. Shingles to have a 40-year, transferable, manufacturer's warranty.

D. New shingles shall only be applied by a manufacturer-approved contractor.

E. Contractor to supply a five-year watertight warranty.

1.4 PRODUCT DELIVERY, STORAGE, & HANDLING

A. All products delivered to the job site shall be in the original, unopened containers, with labels intact, legible, and bearing all seals and approvals.

B. Handle all materials to prevent damage. The contractor shall take all precautions necessary so that loading, storage, and/or application of materials, and/or equipment does not overload the building structure.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

1.5 JOB CONDITIONS

A. Do not apply roofing materials during inclement weather or to damp or frozen deck substrate.

B. Only as much of the new roofing as can be made weather tight each day, including all flashing and detail work, shall be installed.

C. All work shall be scheduled and executed without exposing the interior building areas to the effects of inclement weather. The existing building and its contents shall be protected against all risks.

D. Arrange work sequence to avoid use of newly installed shingles as a walking surface or for equipment storage.

E. Remove all dirt, dust, and debris from all surfaces to receive new materials.

F. Site clean up of both interior and exterior building areas which have been affected by construction shall be completed to the Owner's satisfaction.

G. Contractor shall not deviate from the manufacturer's printed application instructions.

H. Follow shingle manufacturer's specific installation instructions, when the outside temperature falls below 40°F, and when the roof slope is 4/12 (as this roof is.)

1.6 WARRANTIES

A. Lifetime, limited transferable warranty from the roofing system manufacturer

B. 10-year roofing system manufacturer's warranty (100% replacement and labor costs due to manufacturing defects)

C. 15-year roofing system manufacturer's warranty against streaking and discoloration caused by airborne algae

D. 15-year, 110-mph wind-resistance warranty

E. 2-year contractor guarantee.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

PART 2 PRODUCTS

2.1 ASPHALT SHINGLES

A. Manufacturer: Certainteed, or GAF.

1. Shingle: Lifetime, architectural type shingle, color to be selected by Owner.

2. Asphalt Shingles: ASTM D3462, Class A, Type I - Self Sealing; UL Rating of "A" and Wind Resistance Label, glass fiber mat base, mineral granule surface type; self sealing type.

B. Shingle to be either Certainteed Landmark Pro or GAF Timberline Ultra HD.

2.2 SHEET MATERIALS

A. Roll Roofing: Asphalt saturated roll roofing; surfaced on weather side with mineral granules of the same color and manufacturer as the new asphalt shingles.

B. Eave (Ice Dam) Protection: W.R. Grace "Ice & Water Shield", ASTM D1970, sheet barrier of self-adhering, rubberized asphalt bonded to sheet polyethylene, 58 mil total thickness, with strippable treated release paper. NO SUBSTITUTIONS PLEASE!

C. Underlayment: Equal to Titanium UDL Synthetic Roofing Underlayment.

2.3 ACCESSORIES

A. Nails: Hot dipped zinc coated steel, 11-12 gauge, barbed or deformed shank roofing nails with heads 3/8" to 7/16" in diameter, of sufficient length to penetrate roof sheathing.

B. Plastic Cement: Karnak, ASTM D4586, Type II, asbestos free, asphalt type with mineral fiber components.

C. Asphalt Primer: Equal to Karnak #100 Asbestos Free, Non-Fibered, Quick Drying Primer.

D. Fascia & Rake Board: Clear pine 1" x desired width.

E. Roof Decking: Equal to Georgia Pacific, Blue Ribbon, 7/16" Exterior Grade OSB Roof Sheathing

F. Roof Deck Panel Edge Clips ("H" Clips): Equal to TECO galvanized steel H-Clip

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

2.4 FLASHING MATERIALS

A. New Roof Edge Flashing: 20 oz. cold rolled copper.

B. New Valley Flashing: 20 oz. cold rolled copper.

C. Counterflashing and step flashings: 20 oz. cold rolled copper.

D. Bituminous Paint: Acid and alkali resistant type; black color.

E. Vent Pipe Flashing: Manufacturer approved, pre-fabricated pipe flashings

F. Gutters, Downspouts, and Trim Metal: 20 oz. cold rolled copper. Gutters to be a 6" gutter system and downspouts to be 3" x 4".

2.5 FLASHING FABRICATION

A. Form flashings (to profiles indicated on Drawings, and) to protect roofing materials from physical damage and to shed water.

B. Form sections square and accurate to profile, in maximum possible lengths, free from distortion or defects detrimental to appearance or performance.

C. Hem exposed edges of flashings minimum ¼" on underside.

D. Apply bituminous paint on concealed surfaces of flashings.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

PART 3 EXECUTION

3.1 EXAMINATION AND PREPARATION

A. Completely remove existing roofing down to the structural wood deck where called for on the Contract Drawings. (Note: Contractor must provide their own dumpsters.)

B. Remove the existing flashings.

C. Verify that plumbing stacks and roof penetrations are flashed to deck surface.

D. Verify deck surfaces are dry, free of ridges, warps, or voids. Broom clean surfaces.

E. Fill knot holes and surface cracks with latex filler at areas of bonded eave protection.

F. Remove all existing gutters and downspouts.

G. All roof deck replacement to be as per the Contract Drawings and the pre-determined unit price.

3.2 INSTALLATION – NEW OSB DECKING

A. Install new 7/16" OSB panels in the long direction, spacing the panels 1/8" on all sides and staggering the joints of upper rows of panels.

B. Textured side of new OSB panels should be facing up and join ends' of panels over framing members.

C. Secure new OSB panels using 8D common nails installed 6" o.c. at the perimeter of panels and 12" o.c. in the field of the panels.

D. Install "H-Clips at panel edges between adjacent panels and between framing members.

3.3 INSTALLATION – EAVE ICE DAM PROTECTION

A. Place eave [and gable] edge metal flashings tight with fascia boards. Weather lap joints and seal with plastic cement. Secure flange with nails.

B. Apply rubberized asphalt/polyethylene sheet ice dam protection membrane, in accordance with manufacturer's instructions, where called for on the Contract Drawings.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

3.4 INSTALLATION - VALLEY PROTECTION

A. Center first row of ice and water shield membrane (36") over the valleys. Install two more rows (68") on each side of the valley.

B. Place one ply of roll roofing, over ice dam membrane, centered over valleys. [Place with mineral surfaced side down.] Weather lap joints and nail in place.

3.5 INSTALLATION - METAL FLASHINGS

A. Install metal drip edge at all eaves and rakes. Weather lap joints and seal weather tight with plastic cement. Secure in place with concealed fastenings.

B. Flash and seal work projecting through or mounted on roofing with plastic cement, weather tight.

C. Install ice and water shield up the wall and down on to the roof surface.

D. Interweave new copper step flashings with the new shingles where the roofs' intersect with the higher walls.

E. Where the chimneys intersect with the shingle roofs, install copper counterflashings and apron flashing as required.

3.6 INSTALLATION - ASPHALT SHINGLES

A. Install shingles in accordance with manufacturer's printed instructions (on each bundle).

B. Sweep the surface clean of all debris. Since any irregularities may show through the new shingles, be sure the underlying shingles provide a smooth surface.

C. Install rake edge metal to match existing rake edges.

D. Install starter course of shingles, making certain that self-sealing adhesive is at the outside edge.

E. Install shingles as per the manufacturer's application instructions. Make certain that shingle exposures and nail locations are as instructed.

F. Extend shingles ½" beyond face of rake edge fascia boards.

G. Interweave step flashings with new shingles at all walls.

H. Complete installation to provide weather tight service.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

3.7 VALLEY FLASHING INSTALLATION

A. Open Valley: Install new minimum 18" wide, 20 oz. copper flashing over new valley protection (ice and water shield membrane and roll roofing.).

B. Hem flanges of new copper valley metal and secure with hidden cleats, 12" o.c.

C. Seal underneath ends' of shingles covering the outer edges of the new valley metal.

END OF SECTION

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

SECTION 07460

FIBER CEMENT SIDING

PART 1 GENERAL

1.1 SECTION INCLUDES

A. Siding of the following types:
   1. Fiber Cement Siding

1.2 RELATED SECTIONS

A. Section 07620 – Sheet Metal Flashing & Trim.

1.3 SUBMITTALS

A. Product Data: Provide data indicating material characteristics, limitations, and installation instructions.
B. Shop drawings illustrating synthetic shingle layout, flashings, conditions at built-in gutters, hips, ridges, and rakes.
C. Samples: Submit to the Owner a sample of all materials to be used on this project.
D. Sample copies of contractor's warranty and siding manufacturer's warranty.
E. Verification Samples: For each finish product specified, two samples, representing actual product and color.

1.4 QUALITY ASSURANCE

A. Installer Qualifications: Installer shall be licensed, registered or otherwise acceptable to authorities having jurisdiction to install exterior building products.

1.5 DELIVERY, STORAGE, AND HANDLING

A. Inspect the materials upon delivery to assure specified products have been received. Store products in a safe area, away from construction traffic. Store under cover and off the ground, protected from moisture.

1.6 PROJECT CONDITIONS

A. Maintain environmental conditions (temperature, humidity, and ventilation) within limits recommended by manufacturer for optimum results. Do not install products under environmental conditions outside manufacturer's recommended limits.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

1.7 WARRANTY

A. Material Warranty: Provide manufacturer's standard warranty and as follows:
   1. 50 year warranty against rot, delamination and excessive swelling for installation.

B. Coating Warranty: Provide manufacturer's standard warranty and as follows:
   1. Coatings: 15 year warranty on the coating when factory applied.

PART 2 PRODUCTS

2.1 MANUFACTURERS

A. Acceptable Manufacturer: James Hardie Building Products, Inc.

B. Acceptable Manufacturer: Woodtone, which is located at: 8007 Aitken Rd.; Chilliwack, BC, Canada V2R 4H5.
   1. Type: Horizontal Siding..
      a. Equal to Hardie Shingle Siding Individual Shingle.
   2. Finish: Factory applied finish, color to be selected by Owner.

C. Nails for Fiber Cement Wood Siding:
   1. 0.091" x 0.221 x 1-1/2" or 0.121 x 0.37" HD x 1-1/4" long corrosion resistant siding nails.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

PART 3 EXECUTION

3.1 PREPARATION

A. Clean surfaces thoroughly prior to installation.

B. Prepare surfaces using the methods recommended by the manufacturer for achieving the best result for the substrate under the project conditions.

3.2 INSTALLATION

A. Install in accordance with manufacturer's instructions including the following:
1. Coordinate work with related trades; scribe and cope siding boards for accurate fit. Allow for installation of related work to avoid cutting and patching.
2. Select siding boards of longest practical lengths. Discard boards that are warped, twisted, bowed, crooked or otherwise defective.
3. Comply with siding manufacturer's and substrate manufacturer's installation instructions. Comply with local building codes and regulations.
4. Apply touch up coating on surfaces and ends cut during installation.
5. As work proceeds, maintain premises free of unnecessary accumulation of tools, equipment, surplus materials, and debris related to this work.

B. Finish materials on all ends and sides and ends. Apply touch up coating on new cuts. Factory finishing is preferred.

3.3 PROTECTION

A. Protect installed products until completion of project.

B. Touch-up, repair or replace damaged products before Substantial Completion.

END OF SECTION

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

SECTION 07530

FULLY ADHERED EPDM ROOFING SYSTEM

PART 1 GENERAL

1.01 SECTION INCLUDES

A. Provide all labor, equipment, and materials to remove existing EPDM roof system and install new fully adhered EPDM roof system.

1.02 SYSTEM DESCRIPTION

A. Elastomeric Sheet Roofing System: Elastomeric sheet membrane roofing system fully adhered over new overlayment board and new roof insulation, on existing roof deck.

B. NRCA Specification Plate: 46-3 IESF

C. Related Work: The Work includes but is not necessarily limited to the installation of:
   1. Sheet metal flashings

D. Upon successful completion of the Work the following warranties will be obtained:
   1. Roofing Contractor (Applicator) Warranty
   2. Manufacturer's Warranty

1.03 QUALITY ASSURANCE

A. Perform Work in accordance with NRCA Roofing and Waterproofing Manual and Manufacturer's printed instructions.

B. UL: Class A Fire Hazard Classification.

C. FM: Roof Assembly Classification, wind uplift requirement of I90, in accordance with FM Construction Bulletin 1-28.

D. Only a Contractor authorized by the Manufacturer prior to bid shall apply the roofing system.

1.04 SUBMITTALS

A. Prior to the start of any roofing work, the Contractor shall submit the following to the Owner's representative:

   1. A list of materials intended for use on this project.
   2. Copies of Manufacturer's specifications and current product literature.
   3. Samples of each component to be used in the roof system.
   4. Sample copy of Contractor's Warranty.
   5. Sample copy of Manufacturer's Warranty.
   6. Certification that the Contractor is an approved Applicator of the system intended for use.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

7. Certification by the Manufacturer that all materials supplied comply with all requirements of the identified ASTM and industry standards or practices.
8. Technical acceptance by the Manufacturer of Contract Specifications and Drawings.
9. Certification from the Manufacturer that the system specified meets all identified code and insurance requirements.
10. Certification from the Manufacturer that all products used for the installation of the new roofing system are to be completely asbestos free.

1.05 PRODUCT DELIVERY, STORAGE, AND HANDLING

A. All products delivered to the job site shall be in the original unopened containers with labels intact, legible, and bearing all seals and approvals.

B. Handle all materials to prevent damage. Store roofing materials on raised platforms and cover with suitable waterproof coverings.

C. All materials, which are deemed to be damaged by the Owner's representative, are to be removed from the job site and replaced at no cost to the Owner.

1.06 JOB CONDITIONS

A. Do not apply roofing membrane during inclement weather or to damp or frozen deck substrate.

B. Only as much of the new roofing as can be made weather tight each day, including all flashing and detail work, shall be installed.

C. All work shall be scheduled and executed without exposing the interior building areas to the effects of inclement weather. The existing building and its contents shall be protected against all risks.

D. Uninterrupted water stops shall be installed at the end of each day's work and shall be completely removed before proceeding with the next day's work.

E. Arrange work sequence to avoid use of newly constructed roofing as a walking surface or for equipment moving and storage. Where such access is absolutely required, the Contractor shall provide the necessary protection to prevent damage to the new roofing.

F. Remove all dirt, dust, and debris from all surfaces to receive new materials.

G. The Contractor shall take precautions that storage and/or application of materials and/or equipment does not overload the roof deck or building structure.

H. The Contractor shall verify that all roof drain lines are functioning properly before starting work. Contractor shall report any blockages in writing to the Owner's representative for corrective action prior to installation of the new roofing system.

I. Contractor shall immediately stop work if any unusual or concealed condition is discovered that will preclude installation of the roof system as specified. Contractor shall make sure roof is weather tight and notify Owner in writing of such condition.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

J. Site clean up of both interior and exterior building areas, which have been affected by construction, shall be completed to the Owner's satisfaction.

K. The Contractor shall arrange to have fastener pullout tests conducted in accordance with industry standards to help verify condition of deck/substrate and to confirm expected pullout values.

L. Keep all primers, fuels, adhesives, sealants, and cleaning materials away from all ignition sources (i.e. torches, flames, sparks, etc.)

M. Consult container labels and Material Safety Data Sheets for specific safety requirements.

N. When outside temperature falls below 50 F, the fully adhered system may require additional precautions.

O. Fumes from adhesive solvents may be drawn into the building during installation through rooftop intakes. Appropriate measures must be taken to assure that fumes from adhesive solvents are not drawn into the building through air intakes.

1.07 WARRANTIES

A. Provide Contractors two (2) year watertight warranty.

B. Provide Manufacturer's twenty (20) year no dollar limit, system warranty with wind speed attachment to cover wind speeds up to and including 90 mph (regardless of building height) as measured at the National Weather Service Office at Greater Buffalo International Airport.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

PART 2 PRODUCTS

2.01 GENERAL

A. All components of the proposed roof system must be supplied by a single Manufacturer and included in their Warranty. Different Manufacturers may be used as long as their products are approved for use and included in the membrane Manufacturer's Warranty.

2.02 ACCEPTABLE MANUFACTURERS AND SYSTEMS

A. Carlisle Fully Adhered EPDM

B. Firestone Fully Adhered EPDM

C. Johns-Manville Fully Adhered EPDM

2.03 ELASTOMERIC SHEET ROOFING MATERIALS

A. EPDM Membrane: .090 FR EPDM

B. EPDM Flashing: .090 FR EPDM and uncured .060 EPDM at corners.

C. Reinforced Perimeter Securement Strip: 6" wide reinforced EPDM.

D. Bonding Adhesive: As recommended by the manufacturer.

E. Splice Adhesive: As recommend by the manufacturer.

F. Miscellaneous EPDM Accessories: As recommended by the manufacturer.

2.04 ROOF OVERLAYMENT

A. Overlayment: Equal to 5/8" Securock Gypsum Fiber Roof Board.

B. Mechanical Attachment:

1. Overlayment shall be mechanically attached (minimum of 1 fastener per 2 square feet) to the deck with fasteners and plates approved by Factory Mutual and the Manufacturer to meet their wind speed warranty requirements. (Note: Overlayment and attachment of overlayment must be covered under the membrane Manufacturer's warranty.)

2. The quantity and location of the insulation fasteners shall also cause the roof overlayment boards to rest evenly on the roof deck/substrate so that there are no large cavities or air spaces between the boards and the substrate.

3. **Pull-out tests must be performed and results submitted to the Owner's representative before any underlayment or roof insulation boards may be installed.**

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

4. Overlayment and attachment of overlayment must be covered under the membrane manufacturer's warranty.

2.05 ACCESSORY PRODUCTS

A. Roof Decking: Equal to Georgia Pacific, Blue Ribbon, 7/16" Exterior Grade OSB Roof Sheathing.

B. Treated Wood Blocking: Treated wood blocking shall be fire and rot resistant, #2 or better wolmanized or osmose treated. Creosote or asphaltic treated lumber is unacceptable.

C. Roof Drain Inserts: See Section 07620 – Sheet Metal Flashing and Trim.

PART III EXECUTION

3.01 GENERAL

A. The Contractor shall coordinate the installation so that each area is made watertight at the end of each work day.

3.02 SUBSTRATE PREPARATION

A. The substrate must be structurally sound and suitable to accept the new roofing system. Fastener pullout tests must be performed to verify deck condition and adequate fastener pullout resistance.

B. The substrate must be free of all debris, sharp edges, and other irregularities.

C. The substrate must be dry and free of snow or ice.

D. Preparation of existing roofing:

1. Remove existing EPDM membrane and underlayment board.

2. Remove all existing perimeter, wall, and roof flashings. Remove only that amount of flashing that can be made weather tight with new materials during a one-day period or onset of inclement weather.

3. All lead jacks, sleeves, and flashings shall be removed from vent pipes, stacks, roof drains, etc.

A. Remove existing roof drain clamping rings, strainers, sleeves, etc., and clean/prepare for re-use.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

3.03 INSTALLATION – NEW OSB DECKING

A. Install new 7/16" OSB panels in the long direction, spacing the panels 1/8" on all sides and staggering the joints of upper rows of panels.

B. Textured side of new OSB panels should be facing up and join ends' of panels over framing members.

C. Secure new OSB panels using 8D common nails installed 6" o.c. at the perimeter of panels and 12" o.c. in the field of the panels.

D. Install "H-Clips at panel edges between adjacent panels and between framing members.

3.04 OVERLAYMENT INSTALLATION

A. Overlayment shall be neatly cut to fit snugly around penetrations and projections.

B. All end joints shall be staggered and joints of top layer of insulation shall be offset a minimum of 6" over the joints of the bottom layer. No gaps greater than 1/4" will be permitted.

C. Overlayment board shall be mechanically attached (minimum of 1 fastener per 2 square feet) to the deck with fasteners and plates approved by Factory Mutual and the Manufacturer to meet their wind speed warranty requirements. (Note: Overlayment and attachment of Overlayment must be covered under the membrane Manufacturer's warranty.)

3.05 MEMBRANE APPLICATION

A. Install reinforced perimeter flashing strip with manufacturer's approved fasteners and plates at the perimeter of all walls, expansion joints, and curbs.

B. Place membrane panel, without stretching, over the acceptable substrate and allow to relax for a minimum of 30 minutes before applying bonding adhesive.

C. Apply bonding adhesive to the underlayment substrate and the exposed underside of the EPDM sheet so as to provide and even and uniform film thickness. Stop bonding adhesive short of splice area. Allow bonding adhesive to flash off until tacky. Flash off time will vary depending on ambient air temperature.

D. Roll the previously coated EPDM sheet into the coated underlayment substrate slowly and evenly so as to minimize wrinkles. Broom the membrane with a stiff broom to ensure proper contact.

E. Clean the lap splice area with the manufacturer's splice wash/cleaner/primer. Use splice tape to mate the two laps. Allow the top sheet to fall freely onto the bottom sheet so as not to stretch or wrinkle the membrane. Apply pressure and roll the splice with a steel roller.

F. Follow the manufacturer's instructions for installing and splicing the EPDM membrane.

G. Staging of the roof membrane application or temporary membrane is not acceptable. All exposed underlayment must be covered with the completed roof membrane system.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

H. Always install water cut-offs at the end of each day's work to prevent moisture from getting into and under the completed roof membrane and be sure to remove the water cut-offs prior to continuing the roofing application process.

I. Follow Manufacturer's specification guidelines for installing membrane in temperatures below 40 degrees Fahrenheit.

3.06 FLASHING INSTALLATION

A. Base flashing at walls and roof curbs.

1. Apply bonding adhesive to the flashing substrate and the exposed underside of the EPDM flashing sheet so as to provide and even, uniform film thickness. Stop bonding adhesive short of splice area. Allow bonding adhesive to flash off until tacky. Flash off time will vary depending on ambient air temperature.

2. Roll the previously coated EPDM flashing sheet into the coated flashing substrate slowly and evenly so as to minimize wrinkles. Apply pressure and roll the flashing sheet with a steel roller to ensure proper contact.

3. Clean the splice area between the EPDM flashing sheet and the EPDM membrane with the manufacturer's splice wash/cleaner/primer. Use splice adhesive to mate the two sheets. Allow the top sheet to fall freely onto the bottom sheet so as not to stretch or wrinkle the membrane. Apply pressure and roll the splice with a steel roller.

4. Apply uncured EPDM to the corners of the power ventilator curbs in a similar manner as above. Use two pieces of uncured EPDM at each corner as per the manufacturer's requirements.

5. Follow all Manufacturer's specification and warranty requirements for flashing installation.

B. Contractor shall flash all flanged metal components in the following manner:

1. Clean the EPDM membrane and the metal edge and apply manufacturer's primer/cleaner and allow to flash off.

2. Apply manufacturer's "peel and stick" type flashing tape and roll with a steel hand roller.

3. Lap adjacent pieces of flashing tape a minimum of 1".

4. Follow all Manufacturer's specification and warranty requirements for flashing installation.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

3.07 ROOF DRAIN FLASHING INSTALLATION

A. Run EPDM membrane into drain sump.

B. Install manufacturer's water block sealant underneath EPDM membrane, before installing clamping ring.

C. All bolts must be in place and properly secured. Tighten the clamping ring bolts to achieve constant compression.

D. Follow all manufacturer's specification requirements for flashing and installing roof drain inserts.

3.08 VENT PIPE FLASHING INSTALLATION

A. Clean and prime EPDM membrane around vent pipe.

B. Slip pre-fabricated EPDM pipe flashing over vent pipe, cut to proper height.

C. Remove release paper from underside of pre-fabricated pipe flashing and press on to EPDM membrane. Apply pressure and roll the splice with a steel roller.

D. Install a stainless steel clamping ring at the top of the pre-fabricated pipe flashing and seal with lap sealant.

E. Follow all manufacturer's specification requirements for flashing vent pipes.

3.09 CLEANING

A. Remove drippage of bitumen and adhesive from all walls, windows, floors, ladders, and finished surfaces.

B. In areas where finished surfaces are soiled by asphalt or any other sources of soiling caused by work of this section, consult manufacturer of surfaces for cleaning advice and conform to their instructions.

END OF SECTION

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

SECTION 07620

SHEET METAL FLASHING AND TRIM

PART 1 GENERAL

1.01 SECTION INCLUDES

A. Copper flashings.

B. Miscellaneous flashings (i.e, rain collars, chimney cap, etc.)

C. Pre-finished aluminum shingle repair panels.

1.02 QUALITY ASSURANCE

A. Perform Work in accordance with the following:

1. NRCA (National Roofing Contractors Association) Roofing and Waterproofing Manual.
2. Manufacturer's printed instructions.
3. SMACNA - Architectural Sheet Metal Manual.
4. SPRI (Single Ply Roofing Institute) Flexible Membrane Roofing: A Professional's Guide to Specifications.
5. Factory Mutual Loss Prevention Data Sheet 1-49, Perimeter Flashing.
6. Applicator shall be company specializing in sheet metal flashing work with at least 5 years experience.

1.03 SUBMITTALS

A. Prior to the start of any roofing work, the Contractor shall submit the following to the Owner's representative:

1. A list of materials intended for use on this project.
2. Copies of Manufacturer's specifications and current product literature.
3. Samples of each component to be used in the roof system.
4. Sample copy of Contractor's Warranty.
5. Sample copy of Manufacturer's Warranty.
6. Certification that the Contractor is an approved Applicator of the system intended for use.
7. Certification by the Manufacturer that all materials supplied comply with all requirements of the identified ASTM and industry standards or practices.
8. Technical acceptance by the Manufacturer of Contract Specifications and Drawings.
9. Certification from the Manufacturer that the system specified meets all identified code and insurance requirements.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

1.04 PRODUCT DELIVERY, STORAGE, AND HANDLING

A. Handle all materials to prevent damage. Stack pre-formed and pre-finished material to prevent twisting, bending, or abrasion, and to provide ventilation.

B. All materials which are deemed to be damaged by the Owner's representative are to be removed from the job site and replaced at no cost to the Owner.

1.06 JOB CONDITIONS

A. Do not apply sheet metal materials during inclement weather.

1.07 WARRANTIES

A. Work of this section shall be covered under Contractors warranty specified in Section 07311.

PART 2 PRODUCTS

2.01 SHEET MATERIALS

A. Copper: 20 oz. cold rolled copper, equal to ASTM B370, Copper Sheet and Strip for Building Construction.

2.02 ACCESSORIES

A. Fasteners

1. Sheet metal to wood (unexposed): 3/8" head, annual threaded, galvanized roofing nails, 11 gauge ring shank, sufficient to penetrate 1" minimum into wood.

2. Sheet metal to wood (exposed): Shall be minimum No. 8 screws and shall penetrate minimum 1-1/2" into wood. Screws shall have neoprene washers under head.

3. Metal to concrete or masonry: Buildex Tapcon or Rawl threaded anchors, 3/16" minimum diameter and shall penetrate minimum 1-1/2" through the concrete or masonry. Screws shall have a neoprene washer under head.

4. Sheet metal to sheet metal: Self-tapping sheet metal screws of minimum 1/2" length and #3 diameter. Exposed screws shall have a neoprene washer under head.

B. Metal Primer: ASTM D 41, asphalt primer.

C. Flashing Cement: ASTM D 4586 Type I - Asbestos free.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

D. Sealants:

1. Butyl Tape: Pre-formed polyisobutylene Cushion Lock CL-50 non hardening, self-adhering tape.

2. Elastomeric Sealant: Silicone sealant (masonry-to-masonry joints): Ultra-low-modulas, one part, neutral cure silicone sealant complying with ASTM C-920, Type S, Grade NS, Class 100/50, Use T, NT, M, G, A, and O, equal to Dow Corning 790 Silicone Building Sealant.

3. Elastomeric Sealant: Silicone Sealant (metal to metal): One part silicone sealant complying with Federal Specification No. TT-S-001543A, Type II, Class A; ASTM C-920, Type S, Class 25, Grade NS.

E. Solder and Flux: Solder ASTM B32 Type recommended for materials being used; flux Federal Specification O-F-506C, Type I, Form A or B, 50/50 or better.

F. Ice and Water Shield Membrane: W.R. Grace "Ice & Water Shield", ASTM D1970, sheet barrier of self-adhering, rubberized asphalt bonded to sheet polyethylene, 58 mil total thickness, with strippable treated release paper. *NO SUBSTITUTIONS PLEASE!*

G. Rosin paper: Standard red rosin building paper.

2.04 FABRICATION

A. Form components true to shape, accurate in size, square, and free from distortion or defects.

B. Custom fabricate all gutters, downspouts, gravel stop, etc. by obtaining field dimensions for accurate fit.

C. Form sections in 10' lengths. Make allowances for expansion at joints.

D. Fabricate continuous cleats of same material as fascia, gravel stop, or coping and of equal or greater thickness.

E. Hem exposed edges on underside 1/2"; miter and seam corners. Fabricate vertical faces with bottom edge formed outward 1/4" and hemmed to form drip.

F. Fabricate flanged flashings to allow flanges to extend at least 4" over roofing.

G. Fabricate, miter rivet, solder, etc. corners in one piece, 12" in each direction from a corner.

2.05 FINISH

A. Back-paint concealed metal surfaces with protective backing point where expected to be in contact with cementitious materials or dissimilar metals.

B. Copper will be supplied in the natural "salmon reddish brown" color as supplied by the mill. The copper surface will be free of all water staining and weather oxides.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

PART III EXECUTION

3.01 EXAMINATION AND PREPARATION

A. Field measure site conditions prior to fabricating work.

B. Verify membrane termination and base flashings are in place, sealed, and secured. Verify roof openings, curbs, pipes, etc. are in place and solidly set.

3.02 INSTALLATION - GENERAL

A. Conform to Drawing Details and SMACNA manual.

B. Install continuous cleats as required.

C. Secure sheet metal flashings in place using concealed fasteners whenever possible.

D. Set flanges of sheet metal flashings in a bed of roof cement over finished roof plies.

E. Fit components tight in place. Make corners square, surfaces true and straight in planes, and lines accurate to profiles.

F. All solder metal joints shall be soldered watertight for full metal surface contact. After soldering, wash metal clean with neutralizing solution and rinse with water.

G. Contractor shall clean/remove all bituminous or other markings form finished sheet metal surfaces.

END OF SECTION

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

SECTION 07711

ROOF AND GUTTER CABLE DEICING SYSTEM

PART 1 GENERAL

1.01 SCOPE OF WORK

A. Furnish and install a complete UL listed system of specified heater, components, and controls listed, specifically for roof, gutter, and downspout deicing applications.

1.02 QUALITY ASSURANCE

A. Perform Work in accordance with the following:

1. NRCA (National Roofing Contractors Association) Roofing and Waterproofing Manual.
2. Manufacturer's printed instructions.
3. SMACNA - Architectural Sheet Metal Manual.
4. Underwriters Laboratories.
5. Applicator shall be company specializing in heating cable installation work with at least 5 years experience.

1.02 SUBMITTALS

A. Prior to the start of any roofing work, the Contractor shall submit the following to the Owner's representative:

1. A list of materials intended for use on this project.
2. Copies of Manufacturer's specifications and current product literature.
3. Samples of each component to be used in the roof system.
4. Sample copy of Contractor's Warranty.
5. Sample copy of Manufacturer's Warranty.
6. Certification that the Contractor is an approved Applicator of the system intended for use.
7. Certification by the Manufacturer that all materials supplied comply with all requirements of the identified ASTM and industry standards or practices.
8. Technical acceptance by the Manufacturer of Contract Specifications and Drawings.
9. Certification from the Manufacturer that the system specified meets all identified code and insurance requirements.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

1.04 PRODUCT DELIVERY, STORAGE, AND HANDLING

C. Handle all materials to prevent damage. Stack pre-formed and pre-finished material to prevent twisting, bending, or abrasion.

D. All materials, which are deemed to be damaged by the Owner's representative, are to be removed from the job site and replaced at no cost to the Owner.

1.06 JOB CONDITIONS

A. Do not apply materials during inclement weather.

1.07 WARRANTIES

A. Provide Contractor's two-year workmanship guarantee.

PART 2 PRODUCTS

2.01 HEATING (DEICING) CABLE

A. The heating cables will be self-regulating heaters with a power output at 208 volts of 10 watts/foot when exposed to ice or snow at 32°F and a power output of no more than 5 watts per foot at 32°F when dry.

B. Standard pipe heating cable will not be acceptable unless it has a UL listing specifically for roof deicing applications.

C. The heating cable will by UL listed to operate at voltages from 208 to 277 volts.

2.02 ACCESSORIES

A. Thermostat: As recommended by the heating cable deicing system manufacturer.

B. Snow/Moisture Sensor: As recommended by the heating cable deicing system manufacturer

C. Ground Fault Circuit Breaker: Must have a 30-milliamp trip level.

D. Downspout Hangars: As recommended by the heating cable deicing system manufacturer.

E. Roof Clips: Must be slate specific and as recommended by the heating cable deicing system manufacturer.

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)

PART 3 EXECUTION

3.01 HEATING CABLE INSTALLATION

A. Heater shall be loose laid in gutters in a double pass. Cable shall be suspended in downspouts as a loop and held in place by system specific downspout hangars.

B. Heating cable shall be run 18" up on roof on 2'-6" spacing and secured to slate shingles with slate specific clips.

C. Install thermostat, snow/moisture sensors, and ground fault circuit breakers as required.

D. Follow all heating cable deicing system manufacturer's application instructions.

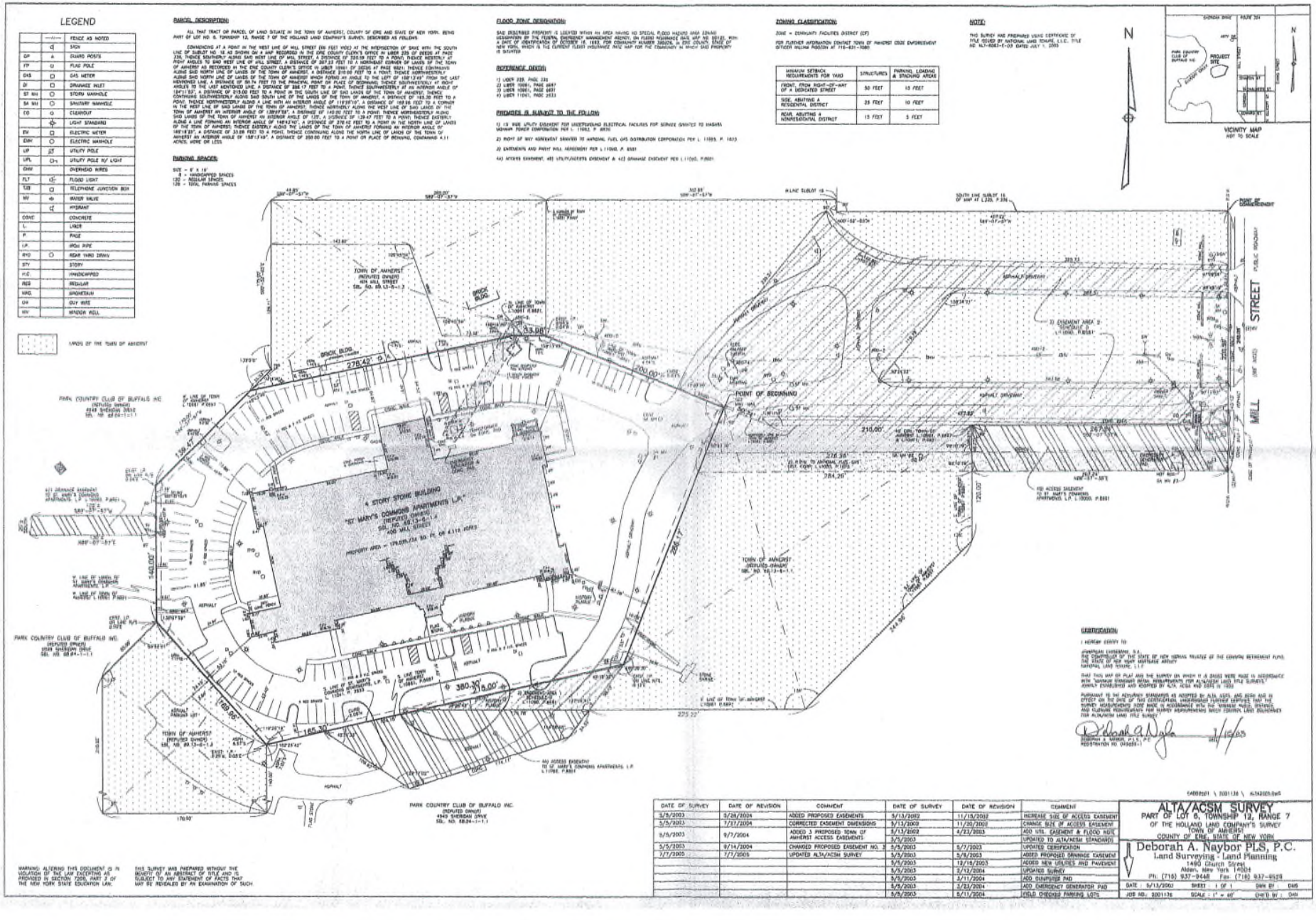
E. Hard wiring hooks up to be the responsibility of the Owner.

3.02 TESTING

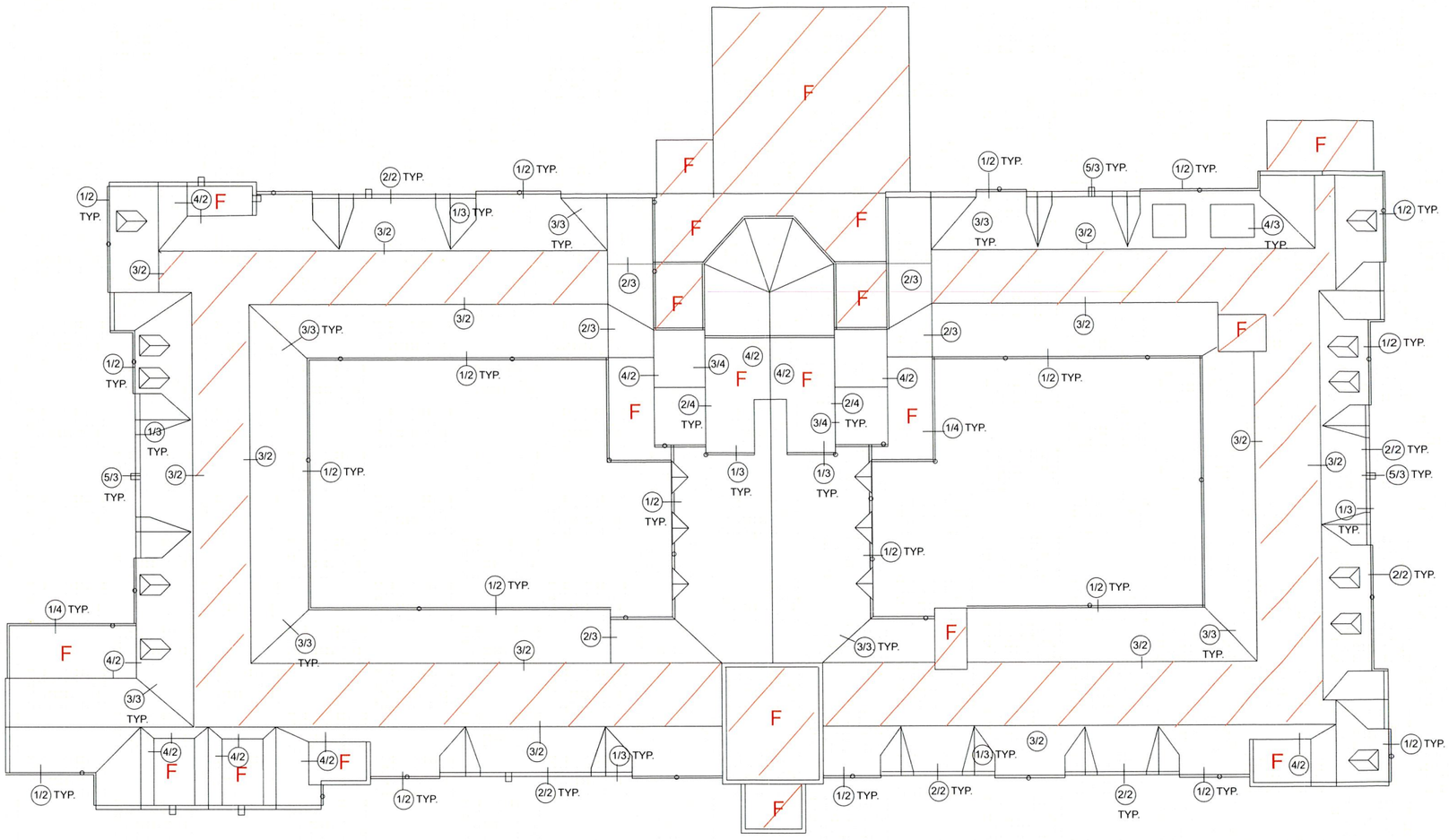
A. After installation, test the dielectric jacket's insulation resistance and continuity with a 2500 VDC megger. Insulation resistance from the conductors to the shield shall be between 20 and 1000 megohms.

END OF SECTION

Attachment: ProjectScope2.7.23 (27142 : St. Mary's Motherhouse)



Attachment: ProjectSurvey2.7.23 (27142 : St. Mary's Motherhouse)



ROOF REHABILITATION NOTES:

- REMOVE EXIST. SLATE & EPDM ROOFING DOWN TO WOOD DECK.
- OVERLAY ENTIRE ROOF WITH 7/16" EXTERIOR GRADE OSB.
- COVER ENTIRE SLOPED AREA WITH NEW W.R. GRACE ICE & WATER SHIELD.
- INSTALL NEW ARCHITECTURAL ASPHALT SHINGLES.
- INSTALL NEW 5/8" GYP OVERLAYMENT BOARD & .090 EPDM AT FLAT ROOF AREAS.
- INSTALL NEW COPPER GUTTERS, COUNTERFLASHINGS, FASCIA, STEP FLASHINGS, VALLEYS, ETC.
- REPLACE SLATE SIDING WITH NEW HARDIE BOARD CEMENT FIBER SIDING.
- CONNECT NEW DOWNSPOUTS TO EXIST. STORM SEWER RECEIVERS.
- INSTALL NEW HEATING CALBES AT ALL EAVES, GUTTERS, & DOWNSPOUTS, CONNECTION BY OTHERS.

KEY

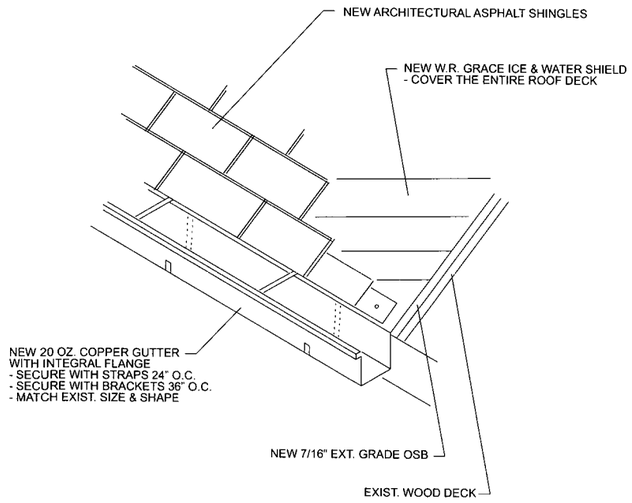
HVAC Unit	⊠	Pipe/Conduit	•	Not In Contract	///
Roof Drain	•	Roof Hatch	⊡	Flat Roof Area	F
Vent Pipe	○	Stack	⊗		

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PHONE: 716-667-0802
EMAIL: BROWNECO@AOL.COM

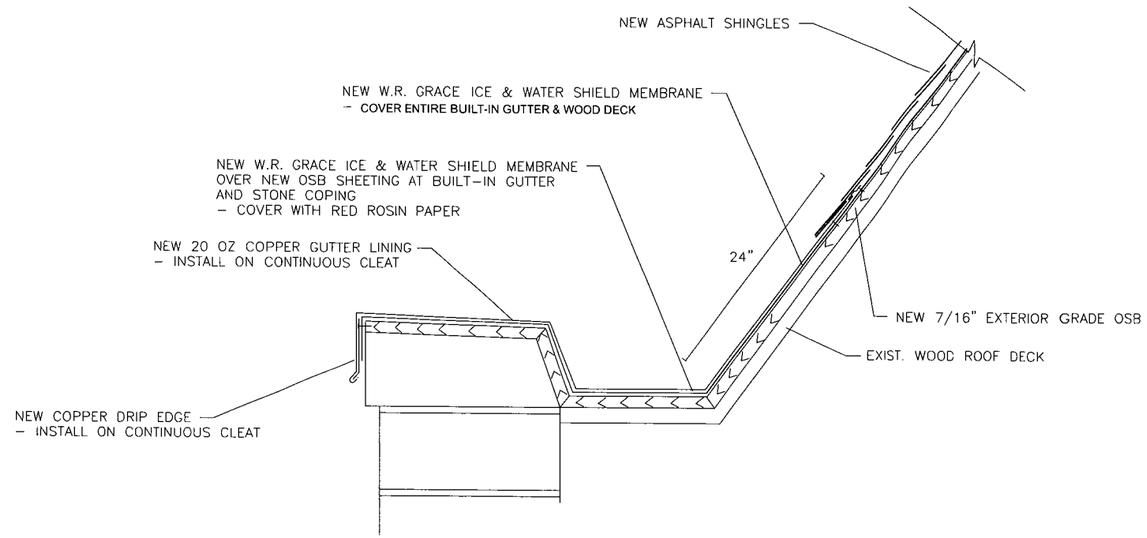
ST. MARY'S COMMONS APARTMENTS
ROOF REHABILITATION PROJECT
400 MILL STREET, WILLIAMSVILLE, NY

TITLE ROOF PLAN		
DRAWN BY GPB		
CHECKED		
CHK'D BY		
DATE: 05-15-22		
FILE NAME ST MARYS - 1		
SCALE	PROJECT NO.	DWG. NO.
1/32" = 1'-0"		SHEET 1 OF 4

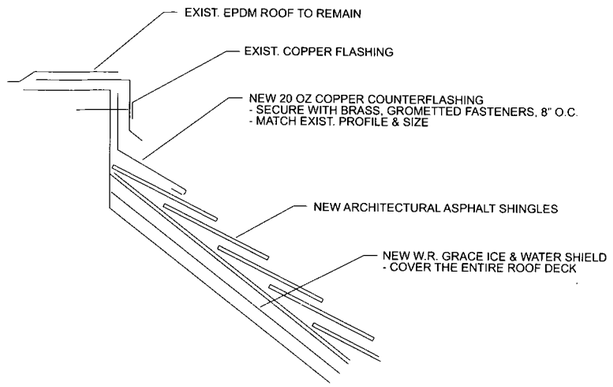
Attachment: ProjectDrawings2.7.23A (27142 : St. Mary's Motherhouse)



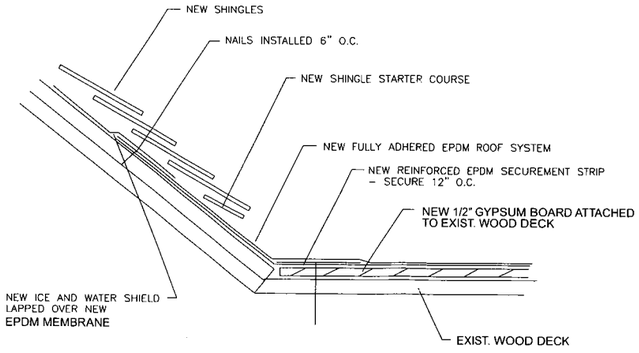
1/2 DETAIL AT EAVES/GUTTER



2/2 FLASHING AT BUILT-IN GUTTER



3/2 DETAIL AT FLAT-TO-SHINGLE TRANSITION



4/2 DETAIL AT SHINGLE-TO-FLAT ROOF INTERSECTION

NOTES:

– SHINGLES MUST LAP OVER EPDM MEMBRANE A MINIMUM OF 2 FULL COURSES.

– A PROPER STARTER COURSE (WITH ADHESIVE AT THE BOTTOM EDGE) MUST BE INSTALLED.

THE BROWNE COMPANY
Roofing and Waterproofing Consultants, Inc.
98 FOREST DRIVE, ORCHARD PARK, NEW YORK 14127
PHONE: 716-667-0802 EMAIL: BROWNECO@ADELPHIA.NET

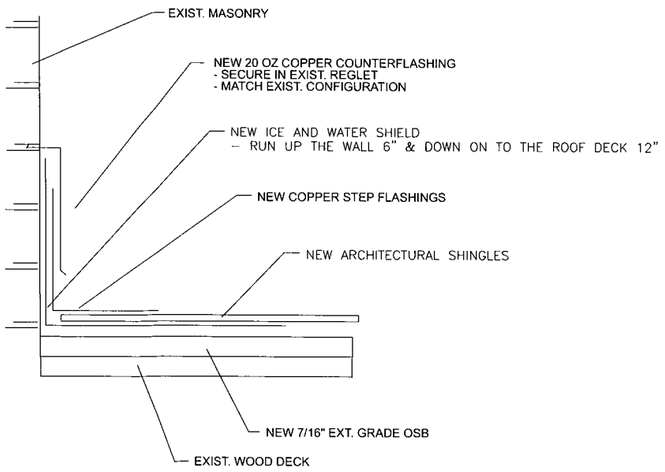
ST. MARY'S COMMONS APARTMENTS
ROOF REHABILITATION PROJECT
400 MILL STREET, WILLIAMSVILLE, NY

TITLE ROOF FLASHING DETAILS (1)

DRAWN BY GPB	
CHECKED	
CHK'D BY	
DATE 05-15-22	
FILE NAME ST.MARYS - 2	

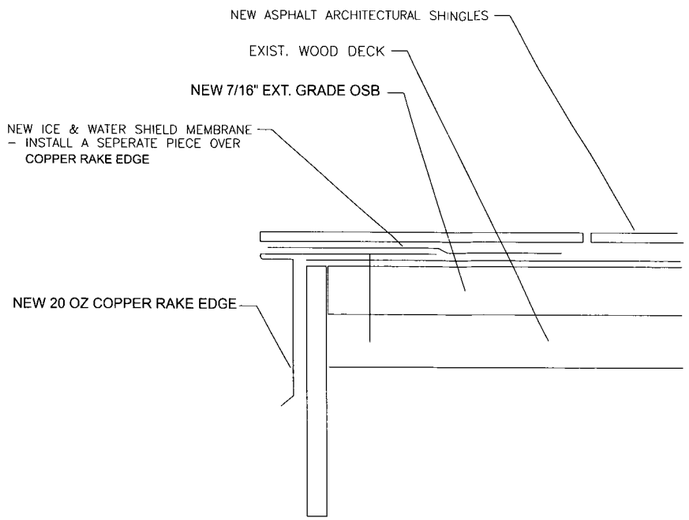
SCALE	PROJECT NO.	DWG. NO.
NOT TO SCALE		SHEET 2 OF 4

Attachment: ProjectDrawings2.7.23A (27142 : St. Mary's Motherhouse)

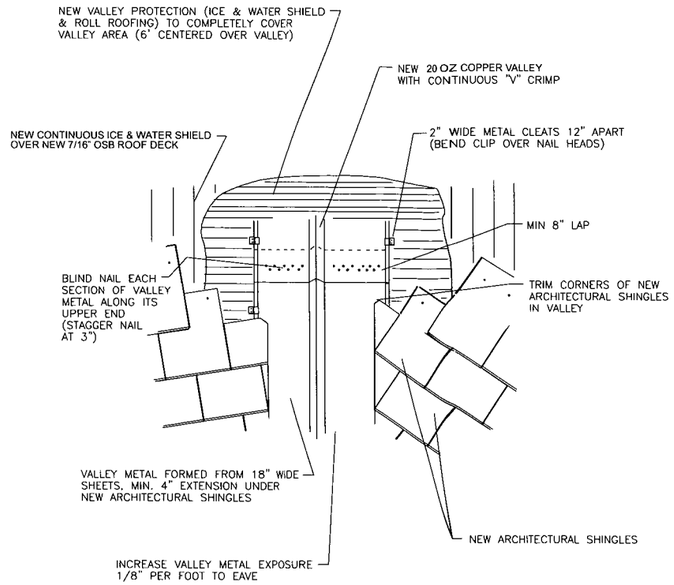


NOTE - REMOVE EXIST. COPPER COUNTERFLASHING

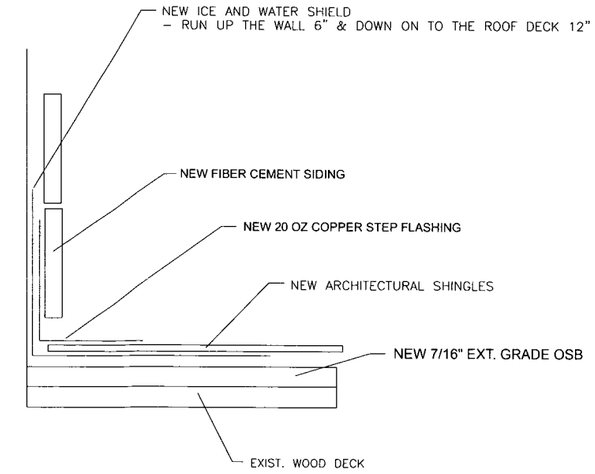
1/3 FLASHING DETAIL AT INTERSECTION WITH MASONRY



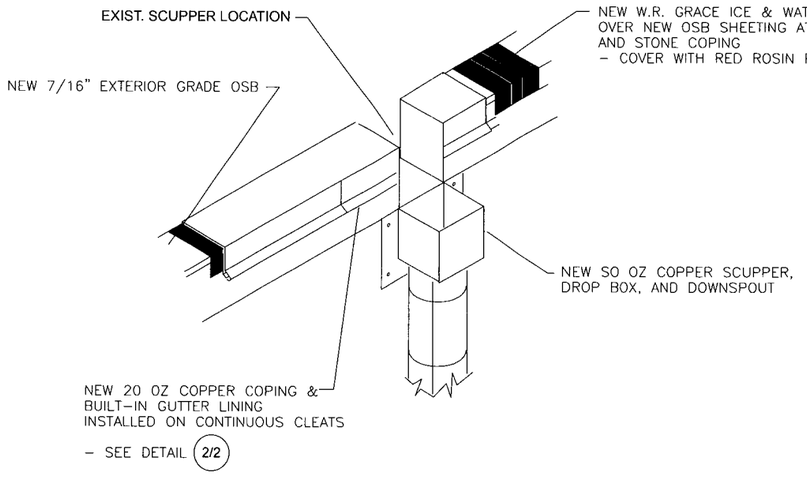
2/3 FLASHING DETAIL AT RAKE EDGES



3/3 FLASHING DETAIL AT VALLEYS



4/3 FLASHING DETAIL AT NEW SIDING



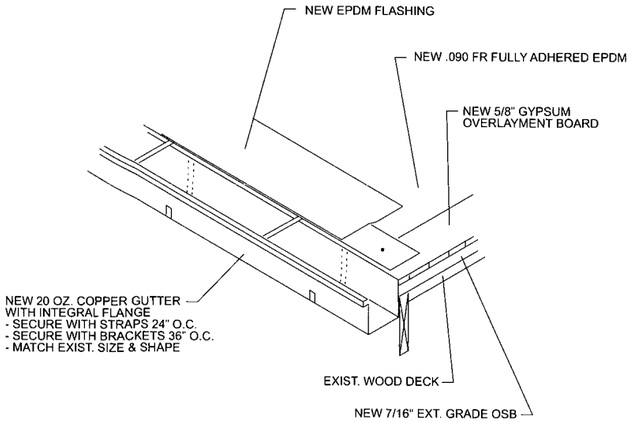
5/3 FLASHING DETAIL AT BUILT-IN GUTTER SCUPPERS

THE BROWNE COMPANY
Roofing and Waterproofing Consultants, Inc.
98 FOREST DRIVE, ORCHARD PARK, NEW YORK 14127
PHONE: 716-667-0802 EMAIL: BROWNECO@ADELPHIA.NET

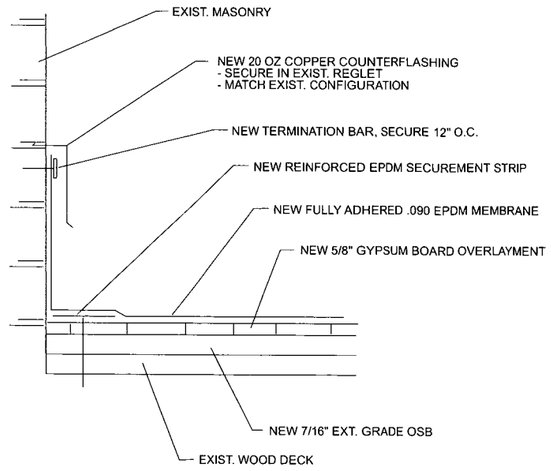
ST. MARY'S COMMONS APARTMENTS
ROOF REHABILITATION PROJECT
400 MILL STREET, WILLIAMSVILLE, NY

TITLE ROOF FLASHING DETAILS (2)		
DRAWN BY GPB		
CHECKED		
CHK'D BY		
DATE. 05-15-22		
FILE NAME ST MARYS - 3		
SCALE	PROJECT NO.	DWG. NO.
NOT TO SCALE		SHEET 3 OF 4

Attachment: ProjectDrawings2.7.23A (27142 : St. Mary's Motherhouse)

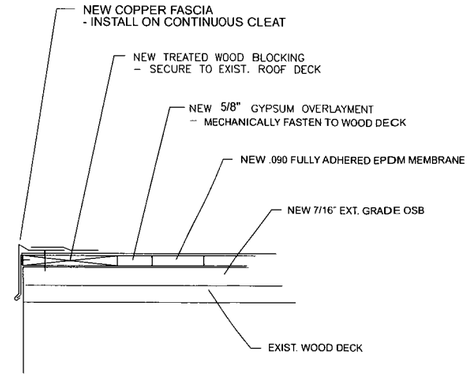


1/4 FLASHING DETAIL AT GUTTER

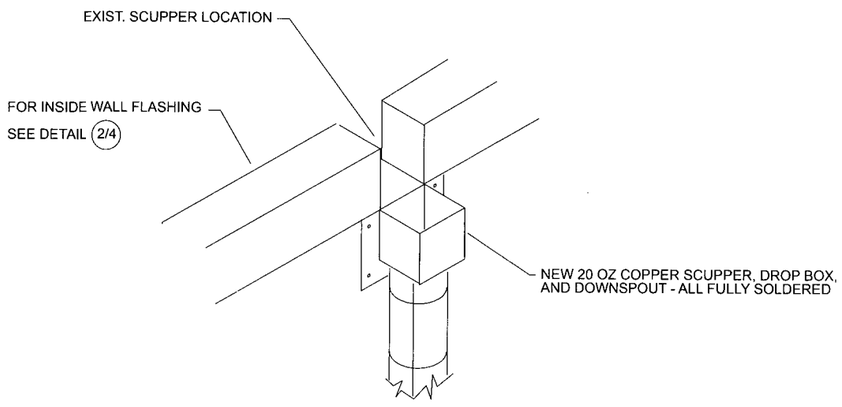


NOTE - REMOVE EXIST. COPPER COUNTERFLASHING

2/4 FLASHING DETAIL AT WALL



3/4 FLASHING DETAIL AT ROOF EDGE



4/4 FLASHING DETAIL AT SCUPPERS

THE BROWNE COMPANY
Roofing and Waterproofing Consultants, Inc.
98 FOREST DRIVE, ORCHARD PARK, NEW YORK 14127
PHONE: 716-667-0802 EMAIL: BROWNECO@ADELPHIA.NET

ST. MARY'S COMMONS APARTMENTS
ROOF REHABILITATION PROJECT
400 MILL STREET, WILLIAMSVILLE, NY

TITLE	ROOF FLASHING DETAILS (3)
DRAWN BY	GPB
CHECKED	
CHK'D BY	
DATE	05-15-22
FILE NAME	ST MARYS - 4

SCALE	PROJECT NO.	DWG. NO.
NOT TO SCALE		SHEET 4 OF 4

Attachment: ProjectDrawings2.7.23A (27142 : St. Mary's Motherhouse)

St. Mary's Commons Apartments L.P.
2001 Marcus Avenue, Suite N-118
Lake Success, NY 11042

VIA EMAIL & OVERNIGHT MAIL

March 6, 2023

Mr. James Quinn
Assistant Planner
Town of Amherst
Planning Department
5583 Main Street
Williamsville, N.Y. 14221

Re: **St. Mary's**

Dear Mr. Quinn,

In accordance with your February 24th email (correspondence attached), we have forwarded the following information.

1. Gary Browne made multiple site visits to inspect the conditions of all parts of the roof and multiple calls ensued as we determined the best course of action. Gary Browne has compiled a summary of those discussions and photographs taken during this inspection period. Both the summary and photographs are attached. A cost projection was provided by Gary Browne in April 2022 and a summary of those projected costs is included in Gary Browne's correspondence.

2. After reviewing all available information, we decided to issue a RFP that specified an architectural asphalt shingle, we bid the shingle roof work and received bids ranging from $1,490,760 to $2,267,444. Given the potential for additional building damage, we need to address the condition of the existing roof now and cannot afford completing repairs over a number of years. Emails from both Grove and Weaver are attached indicating the difficulty in completing any additional slate repairs. A cost comparison provided by Weaver Roofing is also attached.

3. Over the last 3 years, we have spent a sum of $46,344.25 on roof repairs as noted below:

2019: $15,964.50

2020: $13,184.78

2021: $17,194.97

For your review, we have enclosed photos of the interior building damage caused by the condition of the roof. Please note the costs above only include roof repairs and do not include the expenses associated with repairing the existing apartments. The photos were taken from 2019 to 2021 and the areas shown have been repaired.

Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)

4. As you may know, St. Mary's Apartments is a senior affordable housing community with rents as follows:

   Studio: $788
   1 Bedroom: $879
   2 Bedroom: $1,009

5. On Thursday, March 2nd, we sent an email (correspondence attached) indicating the days we would be available for a site visit. I believe there is a meeting now scheduled for Friday March 10th at noon.

If you or the committee require any additional information to fully consider our application, please let us know. Thank you in advance for your attention to this matter.

St. Mary's Commons Apartments L.P.

By: St. Mary's Commons Associates L.L.C., Its General Partner

By:

Thomas Granville

Its Manager

CC: Julie Still

Gary Browne

Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)

granvill@whitneycap.com

From: Quinn, James <jquinn@amherst.ny.us>
Sent: Friday, February 24, 2023 12:01 PM
To: 'Julie Still'; 'Patrick Byrne'; 'granvill@whitneycap.com'; 'SCerio'; 'Gary Browne'
Subject: St. Mary's CofA Application

Good afternoon,

I want to first say thank you all for your time and effort with this application process. I think it is clear that we all feel passionately about the property itself and will seek the best solution going forward. Second, I want to provide a brief recap of the meeting from last night and an itemized list to guide you in your next steps with your application. Please see below.

Recap:

The Certificate of Appropriateness for the roofing project at 400 Mill St has been adjourned to March 21st to allow the Petitioners time to supply the commissioned reports Julie Still mentioned were completed which assesses the existing slate roof and the justifications for the material change to an architectural shingle as well as a cost analysis which details the costs associated with preserving the existing slate roof. Additionally, the adjournment provides time for a site visit in which some of the Historic Preservation Commission members can meet with you to inspect the site and the existing slate conditions.

Next Steps:

1. Please provide the commissioned **conditions report** conducted by Gary Browne detailing the existing slate roof in its entirety. Julie Still stated this was an assessment of the roof materials and their integrity in addition to a detailed explanation as to why a material change is appropriate with data to support this claim
2. Provide the **cost analysis report mentioned to have been conducted** of preserving the existing slate roof which was said to have informed the decision to propose a materials change
3. Please provide your team's **availability for a site visit** with Commission members between now and March 21st. I will reach out to the Commission members and see what fits best based on your availability.

Please submit the reports mentioned in 1 and 2 by the **filing deadline on March 7th at 5pm** so that they may be reviewed by the Commission. As always, if there are any questions please feel free to contact me directly in the Planning Department.

Regards,
James Quinn
Assistant Planner
Town of Amherst
Planning Department
Jquinn@amherst.ny.us
716-631-7104

Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)

THE BROWNE COMPANY
Roofing and Waterproofing Consultants, Inc.
98 Forest Drive
Orchard Park, New York 14127
Phone/Fax (716) 667-0802
email: browneco@verizon.net

March 1, 2023

Mr. Tom Granville
Whitney Capital Company, LLC
2001 Marcus Avenue, Suite N118
Lake Success, NY 11042

Reference: St. Mary's Commons Apartments – Slate Roof Condition Assessment
400 Mill Street, Williamsville, NY

Dear Mr. Granville,

As per our telephone conversation, I did not complete a formal written report of my assessment of the slate roof at St. Mary's Commons Apartments because it was in such poor condition at the time of my site visits. The following is compiled from my notes, drawings, and photographs at the time of my site visits and our emails and conversations in March and April of 2022.

Slate is one of the most durable of all roofing materials. Slate roofs typically require very little maintenance and may last 60 to 100 years. The St. Mary's Commons Apartments building is almost 100 years old, and the slate roofs are original. In 2003, when the building was converted from St. Mary of the Angel's Motherhouse into affordable senior apartments, I was asked to assess the roofs. The flat roof areas were in poor condition and were replaced during your building rehab project. The slate roofs were in relatively good condition. A lot has changed in 20 years, as should be expected for this age of roof. There are many missing and cracked slate, despite your multiple repairs. There is evidence of many prior repairs to the slate roof, but leaks continue to occur. The faces of the slate shingles are scaling and delaminating due to climatic conditions. Also, with slate shingles that are nearly 100 years old, that means the copper flashings are 100 years old too. I'm certain that the failure of copper flashings, especially in valleys, is likely to blame for some of the on-going roof leaks.

"The natural weathering of slate manifests itself as a slow process of chipping and scaling along the cleavage planes. Paper thin laminations flake off the surface of the slate and the slate becomes soft and spongy as the inner layer begin to come apart. The chemical and physical changes which accompany slate weathering cause an increase in absorption and a decrease in both strength and toughness. The tendency of old weathered slates to absorb and hold moisture can lead to rot in underlying areas of wood sheathing (as well as destroying the felt underlayment and rusting of ferrous metal fasteners.) Such rot can go undetected for long periods of time since, often, there is no accompanying leak. Due to their loss of strength, weathered slates are more prone to breakage, loss of corners, and cracking."[1]

Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)

Repairing slate is difficult, expensive, and dangerous. Because of the brittle nature of older slate shingles, you end up breaking three or four slate shingles trying to replace one broken or missing slate shingle. In addition, matching the color of 100-year-old slate is next to impossible, resulting in an undesirable,
patchwork appearance. In addition, repairing old slate roofs becomes more expensive every year that the slate gets older. The design of this particular roof requires scaffolding in many areas, and the slope of the roofs makes repair difficult, at best. As discussed, repair companies who have provided service to this building in the past have declined to provide additional services due to the inherent dangers.

As with any old roof, at some point you are throwing money away when trying to repair it. In my professional opinion, I believe it is time to replace this roof. You have spent thousands of dollars on slate roof repairs and you still have leaks, due to the condition of the existing roofing materials. Every area of this slate roof is failing, which is expected at this age. Additionally, the appearance of repairs is not desirable, and you no longer have contractors willing to complete the work. Repairs provide no guarantees, as evidenced by the on-going issues at this building.

To your credit, when you have needed repairs to the slate roof, you have been using contractors (i.e, Grove Roofing Services, Weaver Metal & Roofing) that have skilled craftsman that know how to work with slate and have advanced sheet metal shops. In any article you read regarding slate, that is one of the items that is almost always brought forth. In my experience, I have found that there are many contactors who will tell you that they can install slate, but there are actually only a handful in Western New York that I would trust, especially when it comes to repairing slate.

My advice to you would be to replace this roof with an architectural asphalt shingle. Although the main reason may be the cost (about 1/3 the cost of slate), new architectural shingles will more closely mimic the look and color of the existing slate, especially if we use copper flashings. There are other reasons as well:

- Falling slate is and will be a safety hazard.
- The cost of repairing the existing slate, and the difficulty of getting to it to repair it, no longer makes economic sense, and contractors are declining the work.
- Future repairs to an architectural asphalt shingle roof will be much easier, safer, and subsequently less expensive.
- The existing roof is flat on the top with a slate "mansard" around the perimeter. The slate roofs are about 40' off the ground, making the difference between slate and asphalt shingles almost indiscernible to the naked eye.
- Snow guards would not be necessary with architectural asphalt shingles. They would be required over all entrances if we were to go back with slate.

Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)

COST PROJECTIONS:

Based on my prior experience with similar projects, the cost to install a new architectural, asphalt shingle roof system would be about $1.5 - $1.7 million and would include the following:

- Removing the existing slate and copper flashings.
- Repairing the existing wood deck as required and covering it with new 7/16" exterior grade OSB.
- Installing new ice and water shield membrane over the new exterior grade OSB.
- Securing new architectural asphalt shingles.
- Installing new copper valleys, step flashings, apron flashings, etc.
- Replacing slate siding with new fiber cement board siding (Hardie Board.)

The cost to install slate shingles in lieu of the architectural asphalt shingles would be about $3.5 - $4 million.

The cost to install synthetic slate (injection molded plastic shingles) would be about $3.0 - $3.5 million.

While standard 3-tab asphalt shingles could be considered, the savings from the architectural shingles would be less than $100,000, so I recommend the architectural asphalt shingles for appearance and durability purposes.

I have enclosed pictures taken at the time of my site visits, which have previously been supplied to you. While I have additional notes, this information provides a thorough depiction of discussions leading to the decision on the replacement scope of work and material selected. Please feel free to contact me if you have any questions concerning this information.

Sincerely

THE BROWNE COMPANY

Gary Browne

Gary Browne, IIBEC, CSI, CDT
Roof Consultant

Endnotes

1 Preservation Briefs, "The Repair, Replacement, and Maintenance of Historic Slate Roofs", Jeffrey S. Levine. U.S. Department of the Interior, National Park Service, Cultural Resources.

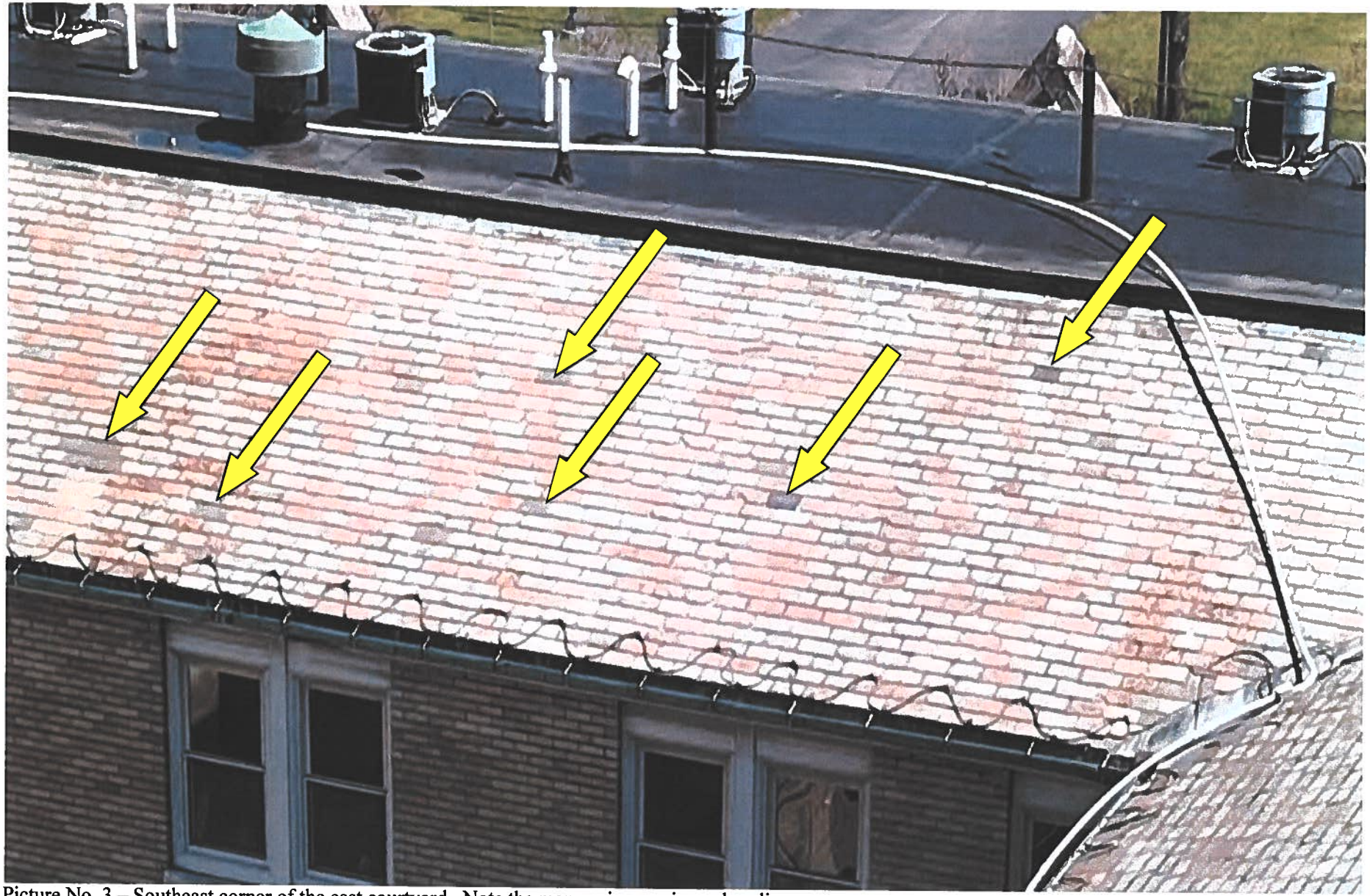
Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)



Picture No. 1 – Northwest corner of the west courtyard. Note the many missing slate, prior repairs, and scaling.



Picture No. 2 – Prior repair, south elevation, east side. Slate does not match.



Picture No. 3 – Southeast corner of the east courtyard. Note the many prior repairs and scaling.



Picture No. 4 – Note the broken slate and the wide spread scaling on west side dormer roof.



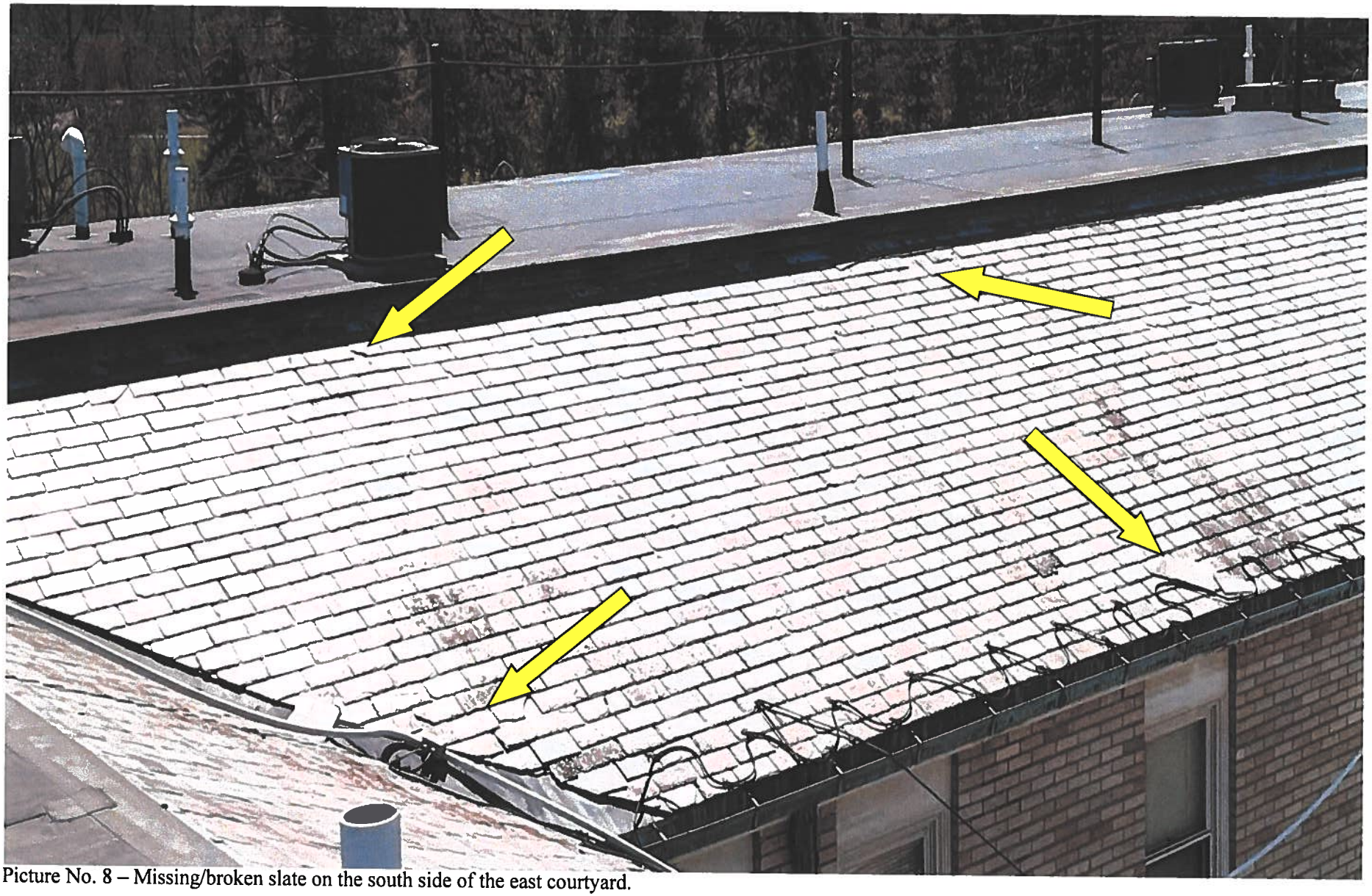
Picture No. 5 - Sloped/slate repair area on the west elevation has been covered with EPDM (rubber) membrane as a stop gap measure.



Picture No. 6 - Southwest corner of west elevation. Note the scaling, broken slate, and missing slate.



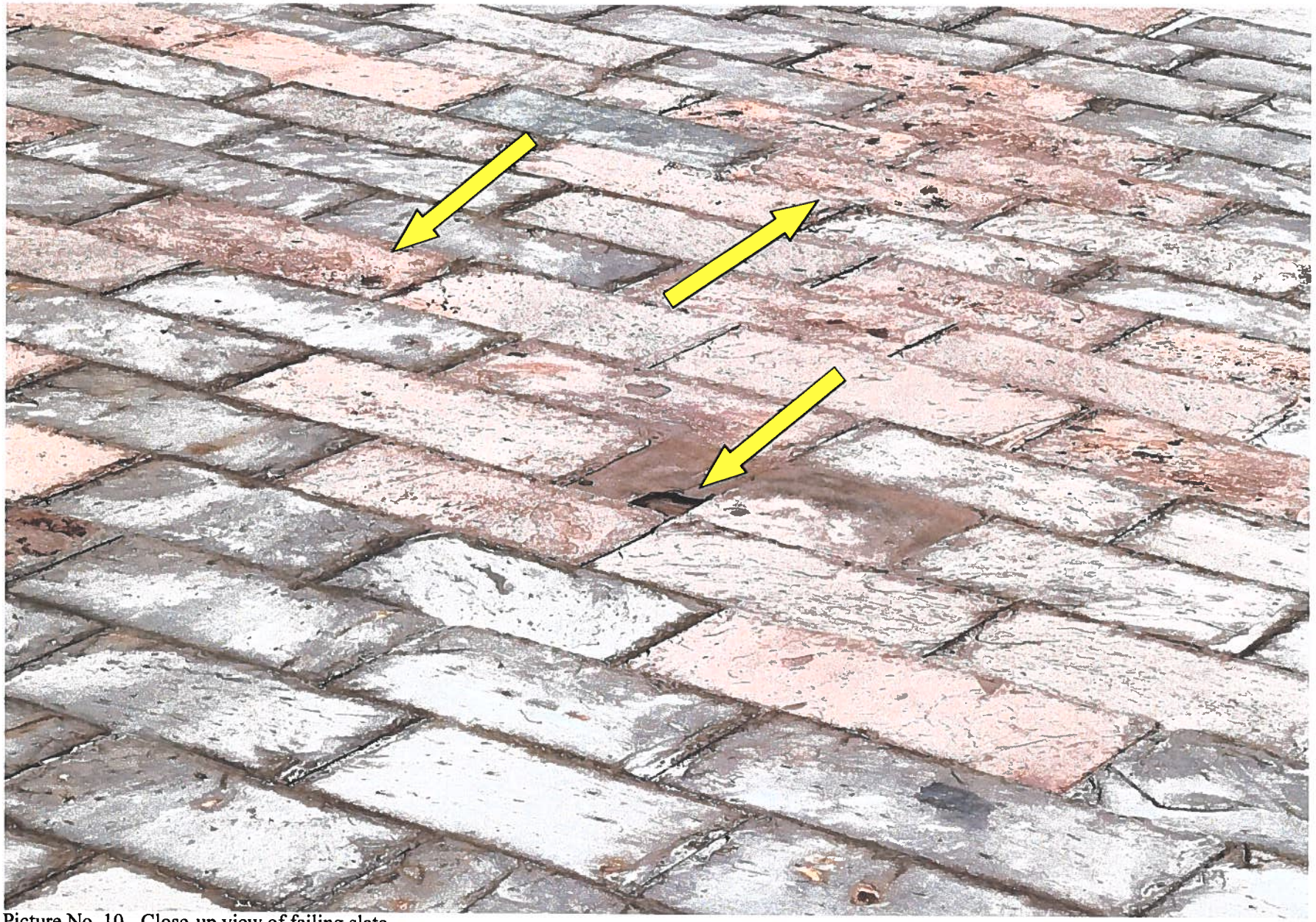
Picture No. 7 – Missing slate on west side of west courtyard.



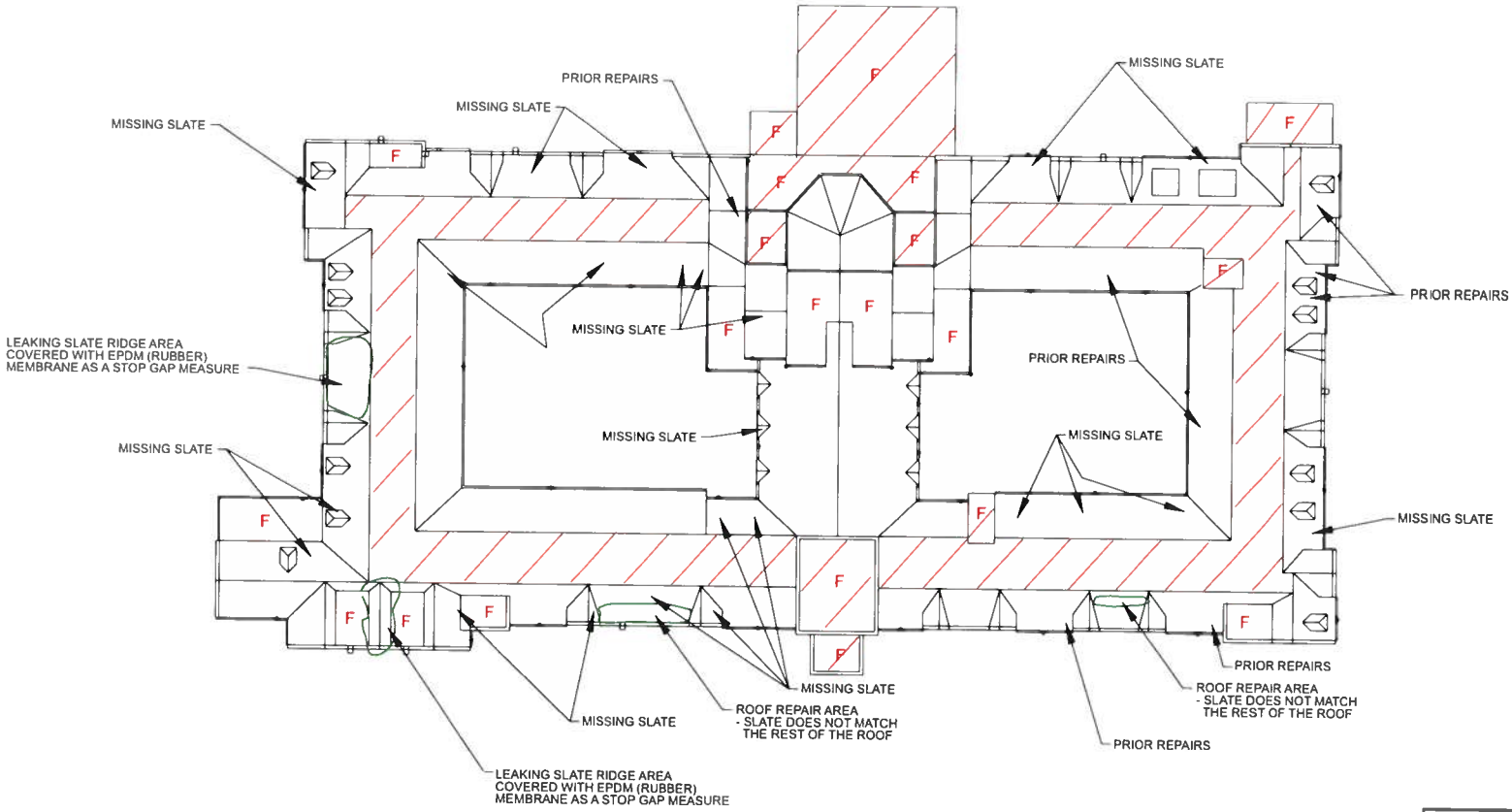
Picture No. 8 – Missing/broken slate on the south side of the east courtyard.



Picture No. 9 – Note how the slate is scaling and delaminating.



Picture No. 10 - Close-up view of failing slate.



KEY

HVAC Unit	⊠	Pipe/Conduit	•	Not In Contract	///
Roof Drain	•	Roof Hatch	⊡	Flat Roof Area	F
Vent Pipe	○	Stack	⊗		

THE BROWNE COMPANY
Roofing and Waterproofing Consultants, Inc.
98 FOREST DRIVE, ORCHARD PARK, NEW YORK 14127
PHONE: 716-667-0802 EMAIL: BROWNECO@AOL.COM

ST. MARY'S COMMONS APARTMENTS
ROOF INSPECTION
400 MILL STREET, WILLIAMSVILLE, NY

TITLE	ROOF PLAN
DRAWN BY	CPB
CHECKED	
CHK'D BY	
DATE	04-22-22
FILE NAME	ST MARYS - 1

SCALE	PROJECT NO	DWG. NO
1/32" = 1'-0"		SHEET 1 OF 1

Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)

St. Mary's Roof Bids - Architectural Asphalt Shingle
July 14th, 2022

Bid Number	Company Name	Total Bid Cost
1	Weaver Metal and Roofing	$ 1,490,760.00
2	Grove Roofing Services, Inc	$ 1,892,300.00
3	Jameson Roofing Company	$ 1,968,235.00
4	Joseph A Sanders and Sons	$ 2,267,444.00

Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)

granvill@whitneycap.com

From: Julie Still <jstill@whitneymgmt.com>
Sent: Friday, March 3, 2023 4:02 PM
To: Tom Granville
Subject: Fwd: Existing Conditions - Safety Concerns
Attachments: 20211004_132757.jpg; Existing Conditions Letter.pdf; Resized_20211004_132843.jpg

Tom,

This email string contains the email, letter and pictures from Weaver when they deemed the roof unsafe to work on for repairs. I would think you would want to include these items.

Julie

---------- Forwarded message ---------
From: **Shelly Schwartz** <sschwartz@whitneymgmt.com>
Date: Fri, Oct 22, 2021 at 9:50 AM
Subject: Fwd: Existing Conditions - Safety Concerns
To: Julie Still <jstill@whitneymgmt.com>

Julie,

Amy forwarded the attached letter from Brian Petersdorf from Weaver Roofing to me yesterday afternoon. Before I sent it to you, I asked Amy if they will be providing a bid to replace that section since they are stating it's no longer repairable. They had done everything they could to make a repair when the leak started at the beginning of October but we continue to have an issue. This is the reply I received from Amy this morning:

"35-38k- they will not come back out and bid. he knows exactly what needs to be done and if ok'd will give written scope of work. This is 3 weeks out unless they get cnc. It poured here last night, and I was on phone w Resident till 9pm about water coming in her ceiling. I would really like to be able to tell this Resident we are coming her Nov rent as she is going to have this thru the month maybe longer w a garbage bin in her living room.

Tarping after review, is not going to be a viable option due to safety concerns of material blowing off of roof, mechanical fastener that would further damage roof area. At this point we have nothing we can do but leave trash bin in her apt and keep checking and emptying it. Opening in Resident roof cannot be closed until roof is repaired....due to mold/continued damage ect."

Since this is a large expense and with the weather change, I'm concerned with timing. We may need to consider transferring the resident to a different apartment. Amy is requesting we give the resident a concession for one month's rent. She isn't able to use her living room due to the size of the room and location of the leak.

I am attaching a couple of pictures that show the deterioration of the slate.

Please let me know how to proceed.
Shelly

Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)

---------- Forwarded message ---------
From: <manager@stmarysny.com>
Date: Thu, Oct 21, 2021 at 2:19 PM
Subject: FWD: Existing Conditions - Safety Concerns
To: Sschwartz@whitneymgmt.com <Sschwartz@whitneymgmt.com>

Shelly,

And the hits just keep coming-please see attached.....I called after receipt-he does not have anyone to send out t tomorrow to tarp the roof area over the exposed Residents living section .. if something frees up he will send guys over- as he knows rain is forecast for the next 7 days.....I will have to keep the garbage can in her apt-

Please let me know any feedback- can I tell this woman her rent will be a concession for November...
Thanks Amy

--------- Original Message ---------
Subject: Existing Conditions - Safety Concerns
From: "Brian Petersdorf" <bpetersdorf@weavermrinc.com>
Date: 10/21/21 11:56 am
To: "Manager" <manager@stmarysny.com>

Hi Amy,

I wanted to get you guys this letter. After my last visit I am sorry to say that your roofing system is beyond repair and I have some major safety concerns that I want to get in front of you.

Let me know if you have any questions.

Thank you,

Brian Petersdorf

Weaver Metal & Roofing, Inc.

40 Appenheimer Ave, Buffalo, NY 14214

716.891.8844 | 716.880.0131 Cell | 716.891.9443 Fax

weavermrinc.com

Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)

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Whitney Management Corp.
9575 Katy Freeway, Suite 330
Houston, TX 77024
713-932-0005 x 111

Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)



WEAVER
METAL & ROOFING

A 40 Appenheimer Avenue
Buffalo NY 14214

P 716.891.8844
F 716.891.9443

W weavermrinc.com

November 21, 2021

Amy and Mark
St. Mary's Apartments
400 Mill Street
Williamsville, NY 14221

Re: Existing & Ongoing Conditions

Amy and Mark,

Thank you for the continued business, it has always been a pleasure working with your team on this truly unique building. As you know for the last several years, I have been a big part of your roof maintenance, with the challenge of chasing, locating and repairing leaks as necessary, usually on an emergency basis. At the beginning we were able to efficiently service the different roofing systems and provide patching to stop leaks. This enabled the interior of the building to stay dry and for repairs to be made. However, this is becoming an increasingly difficult task, as most recently seen in our latest round of repairs. This is due to the degradation of the roofing systems. The slate material has exceeded its life expectancy and should immediately be removed and replaced.

After my site visit on 10/18/2021 I have come to the conclusion that the current conditions are no longer able to accept repairs. On top of being in disrepair I have a general concern for the safety of the tenants as well as any contractors on-site. I have discovered multiple areas of roof deck that have been exposed to the elements for long periods of time. Slate has shifted, slid and/or broken and created exposed decking. The prolonged exposure has potentially created more issues with the structure of the deck and its supporting members. In addition to the deck and structure issues I am seeing major safety concerns with the slate roofing. Both roof (field) and vertical (wall) slates are missing and loose. Typically roofing slate can weight upwards of 2lbs each and have jagged and sharp edges. I have noticed multiple areas where this is a concern, specifically near tenants' balconies, building entrance ways and HVAC units in the court yards. I fear that slate will detach, fall and injure your tenants and contractors working on-site. The falling slate will also continue to damage the EPDM (rubber) roofs and copper gutters that are below, causing continued water damage. The longer these conditions persist the integrity of the building will be more and more compromised.

I can't stress enough the importance of coming up with a resolution to the roofing problems. If I can be of any assistance during this process, please let me know.

Sincerely,

Brian Petersdorf

Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)

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granvill@whitneycap.com

From: Julie Still <jstill@whitneymgmt.com>
Sent: Friday, March 3, 2023 3:47 PM
To: Tom Granville
Subject: SM Roof
Attachments: SMSlate and valley roofs.docx; SMScope of Work Areas.png

Tom,

My recollection is that the attached bid was that start of the overall discussion on an overall replacement project. It was $107K to replace a small section of the roof with slate, and it opened the topic. I talked to distributors and had input that Davinci would be a possible option, so we had that priced for this repair as well. Bottom line - I don't think this replacement happened, but it started the long-term strategy discussion.

Julie

--
Whitney Management Corp.
9575 Katy Freeway, Suite 330
Houston, TX 77024
713-932-0005 x 111

Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)

GROVE ROOFING
SINCE 1870

www.groveroofing.com

November 5, 2021

St. Mary's Apartments

RE: Roof Replacements, See Diagram

In accordance with your request, we wish to enclose the following **prices** for roof replacements at the above referenced location. Our proposed scope of work is as follows:

- Job mobilization, setup and work procedures in strict accordance with OSHA requirements
  - *Safety is our number one priority and our insurance rating is among the best in the industry*
  - *Safety meetings are conducted on a daily basis and the job will also be audited by our Safety Consultant*
- Provide a crane to reach the roofs
- Remove the slate areas and valley roofs down to the wood deck (any deck replacement would be on a T&M basis)
- Install ice and water over the slate areas
- Remove the copper valleys, step flashings, scuppers and downspouts
- Install new slate over the existing areas
- Install one layer of 2.5" ISO
- Install Sopraboard
- Install new Soprema roof, base and cap sheet, over the valley areas
- Provide 20 year warranty for the valleys

Note: These prices are based on the assumption the rear parking lot will be available for dumpsters, crane & staging. If not available, pricing is subject to change.

The following are not included in our quotation:

- Wood blocking replacement
- Deck repair, replacement or structural work
- Asbestos testing or removal
- Mechanical, electrical or plumbing work
- Wall assemblies behind roof flashings (insulation, gypsum board or similar)
- Fall protection for our workers only
- Unforeseen conditions | temporary protection or curb covers| phased construction | irregular work hours | snow removal or winter work
- Bonds
- Drainage evaluation (to include size of roof drains, drainage design, or adequacy of drainage)
  - *We recommend the Owner retain a licensed architect or mechanical engineer to determine and evaluate drainage design and compliance with applicable codes, including*

Mailing: 131 Reading Street, Buffalo, New York 14220
Phone (716) 828-1870 Fax (716) 828-9095

135 FedEx Way, Rochester, New York 14624
Phone (585) 254-1870 Fax (585) 283-70

Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)

potential need for additional drains, scuppers, or overflow drains. References available upon request.

- Delays, damages, or additional costs resulting from an inability to procure materials
- Due to price volatility with different products (to include adhesives and steel, among others), we cannot hold pricing out further than 14 days. All Suppliers are voicing serious concern over a looming material shortage. They are actively running out of certain key materials that is raising pricing and pushing back availability weeks & months

Please see map attached for work areas:

Our price for the work is: **$107,027.00**

Due to price volatility with different products (to include adhesives and steel, among others), our quotation remains valid for 14 days from the date of this letter.

Please feel free to contact us if you have any questions. We look forward to servicing your roofing needs.

Best regards,
GROVE ROOFING SERVICES, INC.

Jeff Embow

Jeff Embow

Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)

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GROVE ROOFING SERVICES, INC.
SINCE 1870

131 Reading Street Buffalo, NY 14220
Tel (716) 828-1870 Fax (716) 828-9095
www.groveroofing.com

INVOICE 10081
DATE 01/07/2022

JOB# R1-238
WO# 12433
CUST# 1999
PO#

Bill to:

St. Mary's Apartments
400 Mill Street
Williamsville, NY 14221

Service Location:

St. Mary's Apartments
400 Mill Street
Williamsville, NY 14221 USA

Description of Work Performed:

Secured the outside edge of the entrance roof as it was loosing and flapping in the wind. Stripped in the edge with a three course application of cement and fabric (this section needs to be replaced ASAP- see photos). Replaced missing slate and secured loose slate. Patched several holes on the EPDM roofs' where slate slid out and fell on the roof. Cleaned up broken slate off the roofs'.

Work Completed: 12/21/2021

Item	Description	UOM	QTY	Unit Cost	Total Cost
LBR	Technician	hrs	8.0	77.00	616.00
LBR	Technician	hrs	8.0	77.00	616.00
LBR	Technician	hrs	8.0	77.00	616.00
LBR	Technician	hrs	8.0	77.00	616.00
MAT	Fabric Asphalt 6"x150'	ft.	50.0	0.70	35.00
MAT	Karnak Roof Cement	1-gal	10.0	29.00	290.00
MAT	Slate	Ea.	11.0	15.00	165.00
MAT	EPDM Elastoform P/S 12"x50'	Ea.	3.0	7.00	21.00
MAT	EPDM TPO PVC Weathered Membrane Cleaner (gal.)	gal.	0.25	41.00	10.25
MAT	Rags	bag	1.0	6.00	6.00

Terms: Net 30 Days. *An invoice unpaid past the 10th of the month following Date of Billing will incur 1½% interest charge (A.P.R. 18%)*

Labor:	$2,464.00
Materials:	$527.25
Other:	$0.00
Subtotal:	$2,991.25
Tax:	$261.73
Balance Due	**$3,252.98**

Extend the life of your roof up to 30%. Ask us about our Preventative Maintenance Program
Thank you for your business

Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)

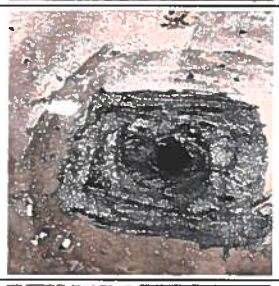
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SINCE 1870

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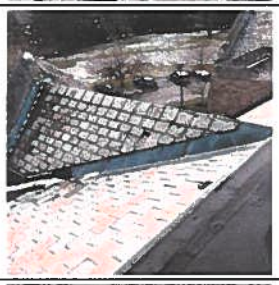
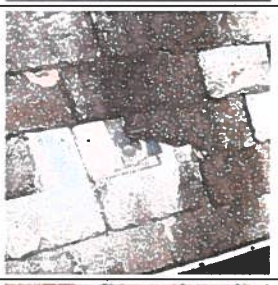
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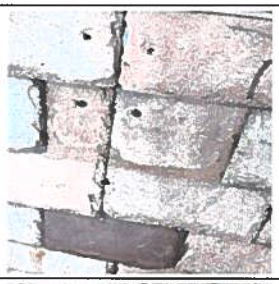
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A 40 Appenheimer Avenue
Buffalo NY 14214
P 716.891.8844
F 716.891.9443
W weavermrinc.com

Date: 2/9/2023 **Job Reference:**

Quotation For
St. Mary's Commons Apartments
400 Mill Street
Williamsville, NY

To

Attention: Gary Browne

Scope of Work

Certainteed Landmark Pro - Remove existing slate shingles, copper gutters/downspouts to remain and repaired or replaced where necessary. Certainteed Landmark Pro shingle to be used. Contracted work. **$1,490,760**

Certainteed Grand Manor - Remove existing slate shingles, copper gutters/downspouts to remain and repaired or replaced where necessary. Certainteed Grand Manor shingle to be used. Open copper valleys. **$1,770,000**

Ecostar Synthetic Slate - Remove existing slate shingles, copper gutters/downspouts to remain and repaired or replaced where necessary. Ecostart Synthetic Slate shingle to be used . Open copper valleys. **$2,100,000**

Slate Shingles - Remove existing slate shingles, copper gutters/downspouts to remain and repaired or replaced where necessary. Slate shingle to be used, color and isze to match existing . Open copper valleys. **$2,650,000**

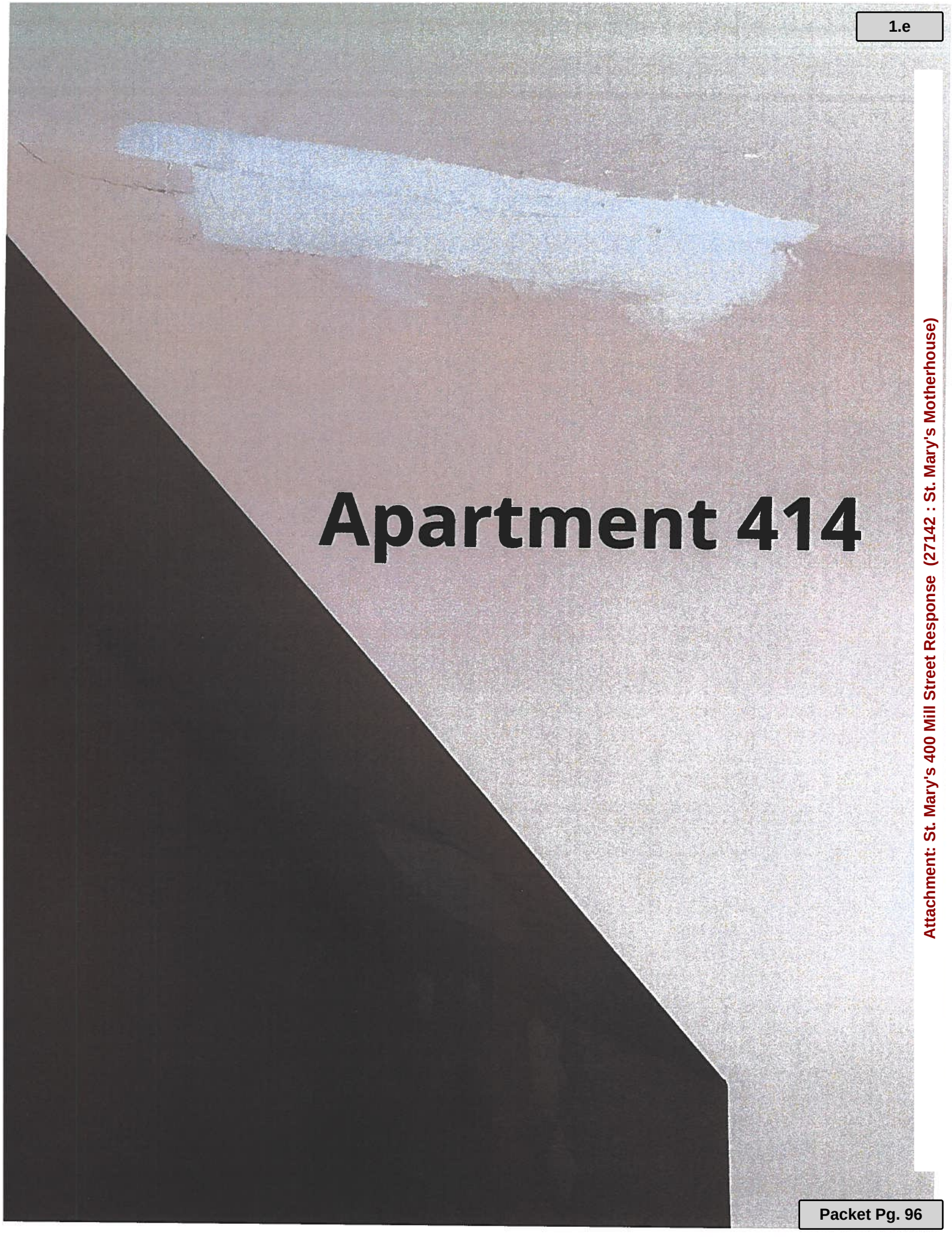
Notes

Quotation:

Thank you for considering Weaver Metal and Roofing, Inc. as a potential provider of roofing services for this project.

Authorized Signature	Acceptance of Proposal
This proposal may be withdrawn by us if not accepted within 30 days.	The above prices, specifications and conditions are hereby accepted.
(Contractor's Signature)	*(Authorizing Signature)*
(Date)	*(Date)*

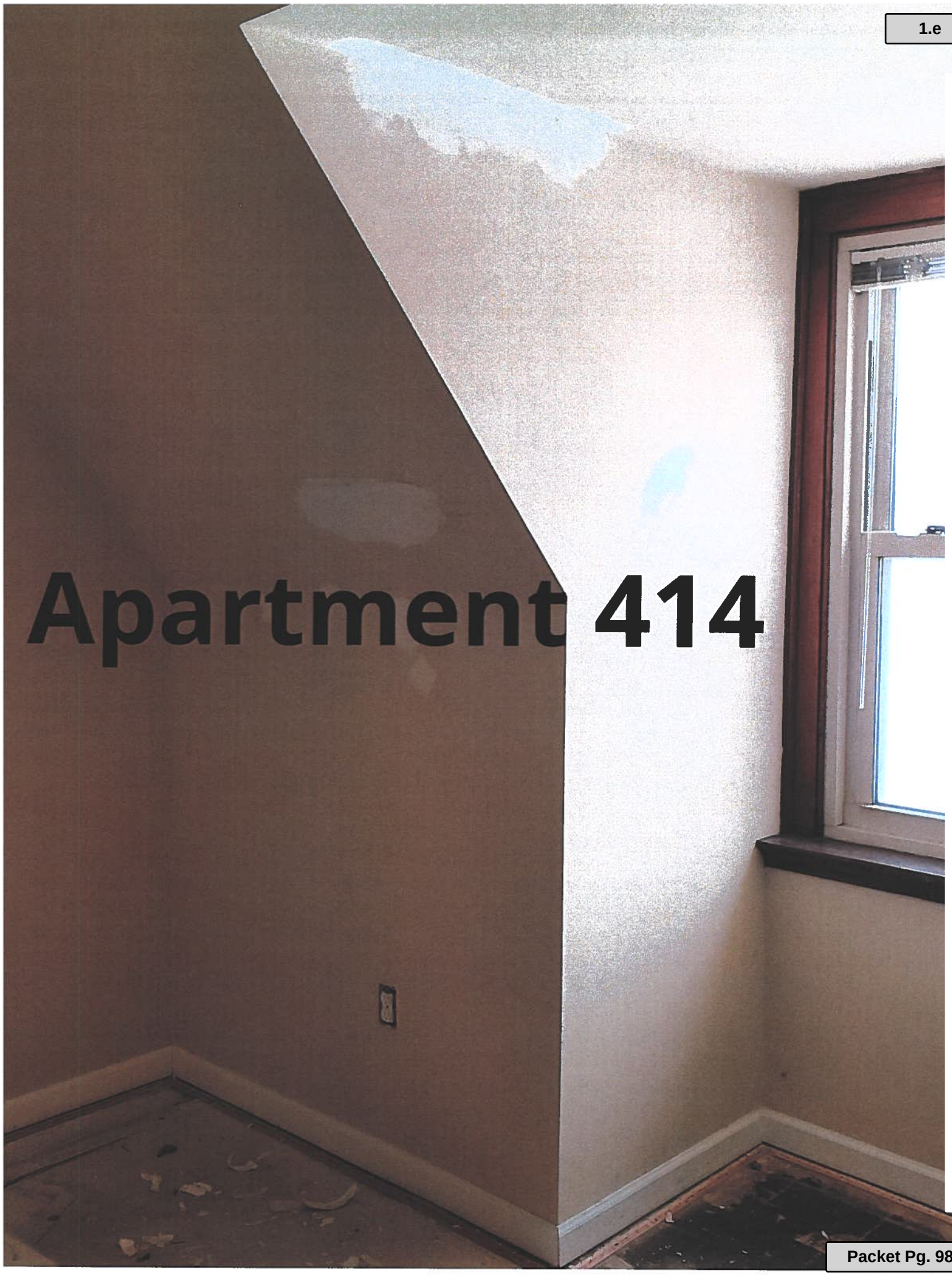
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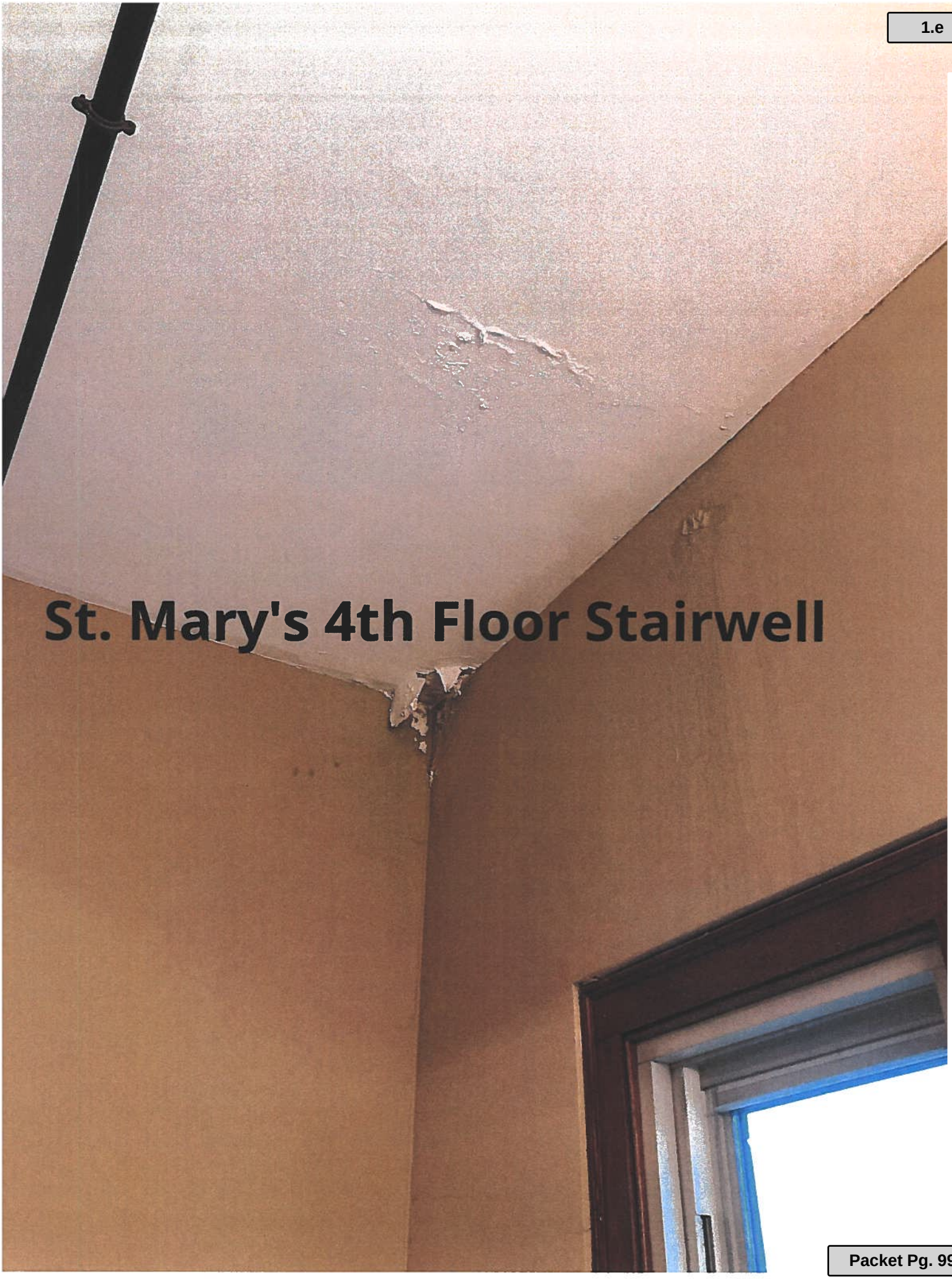
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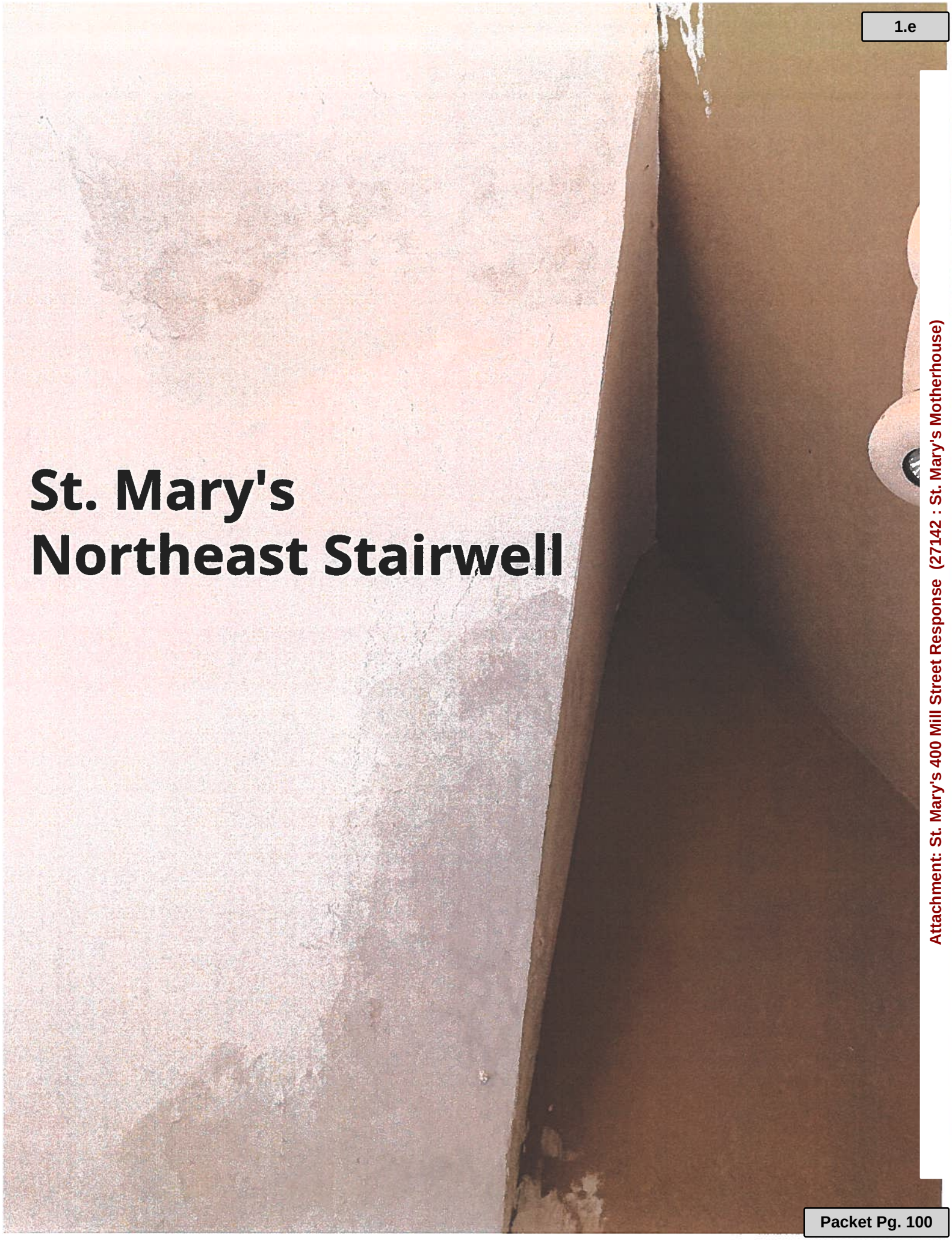


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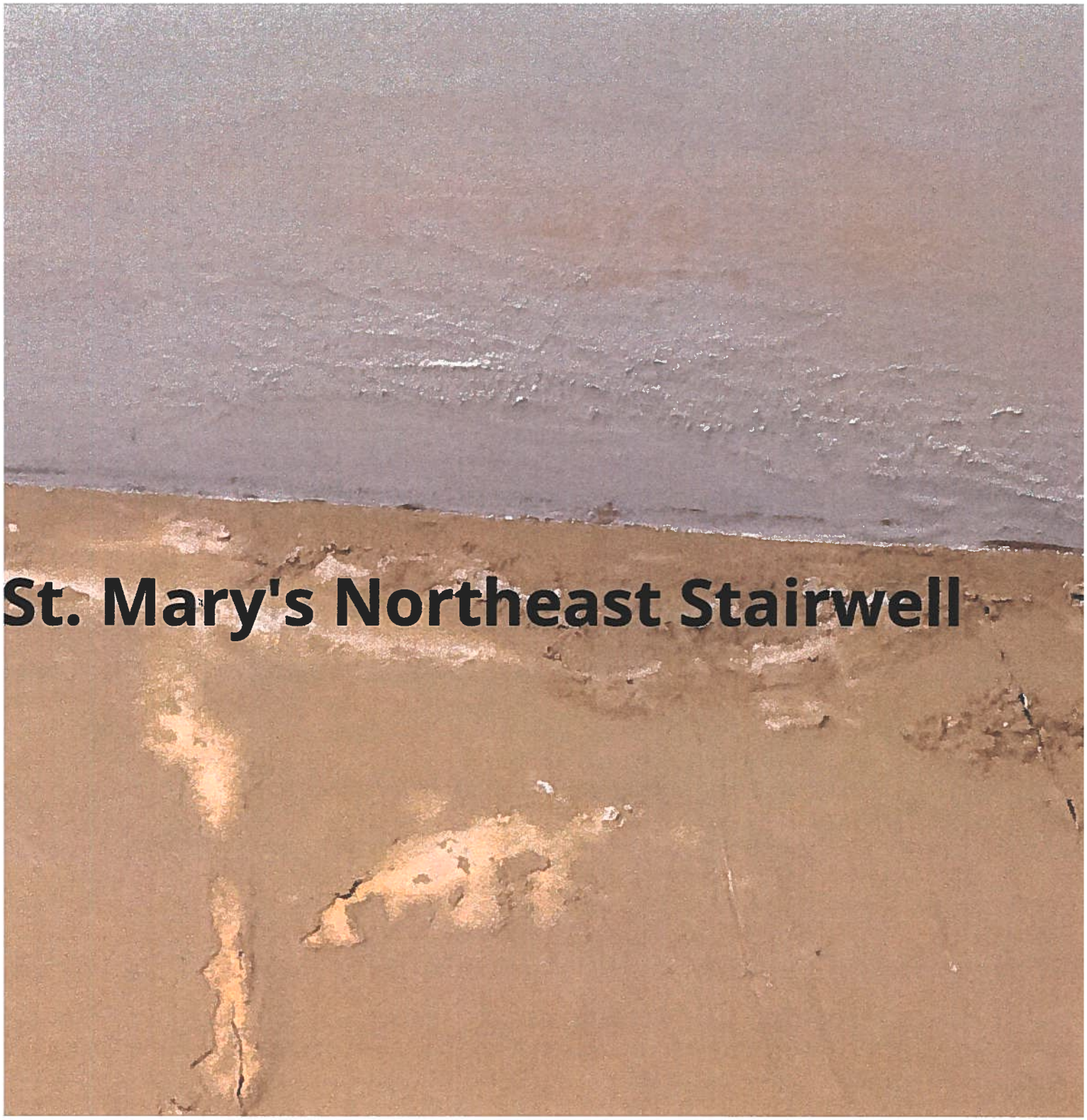


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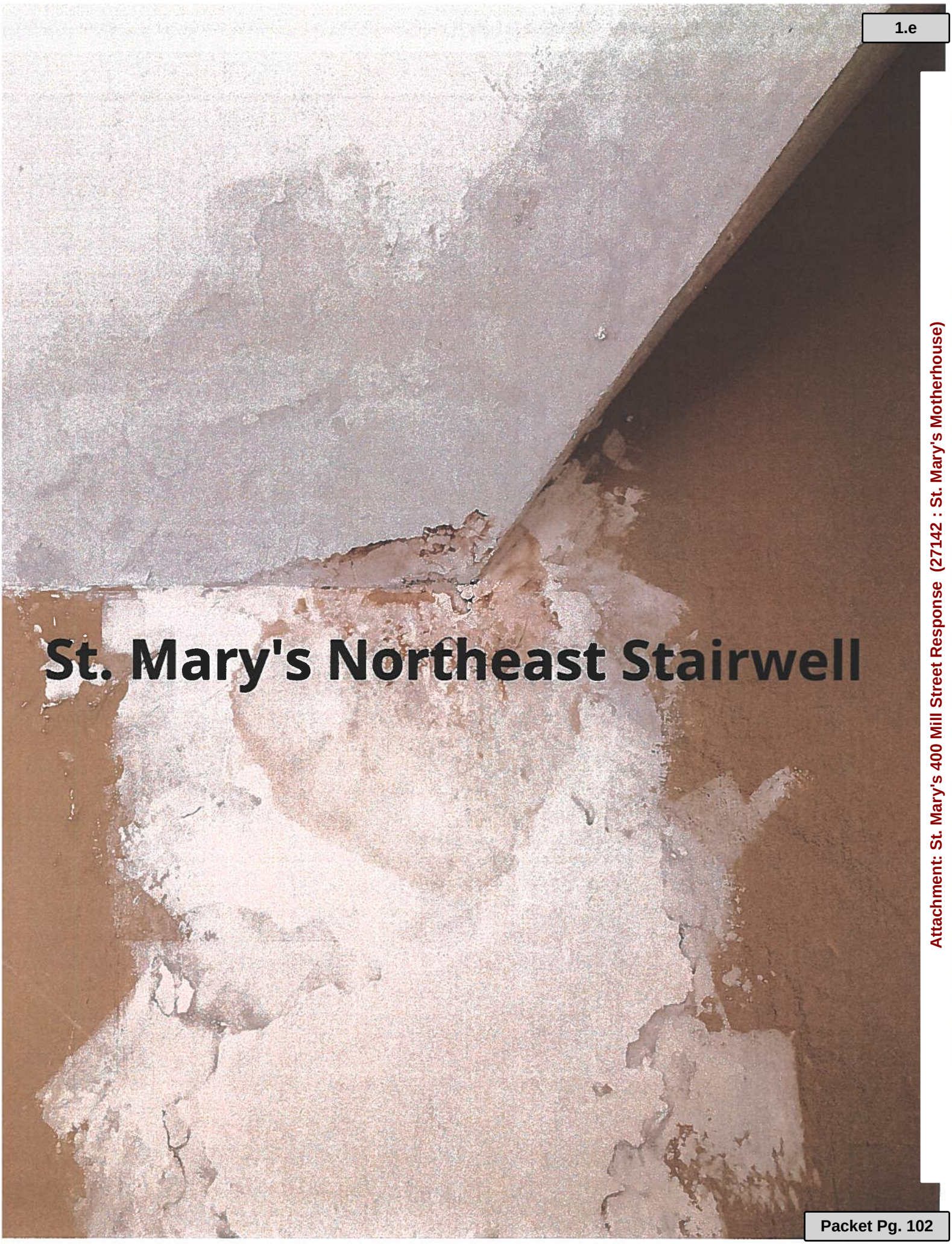
St. Mary's Northeast Stairwell



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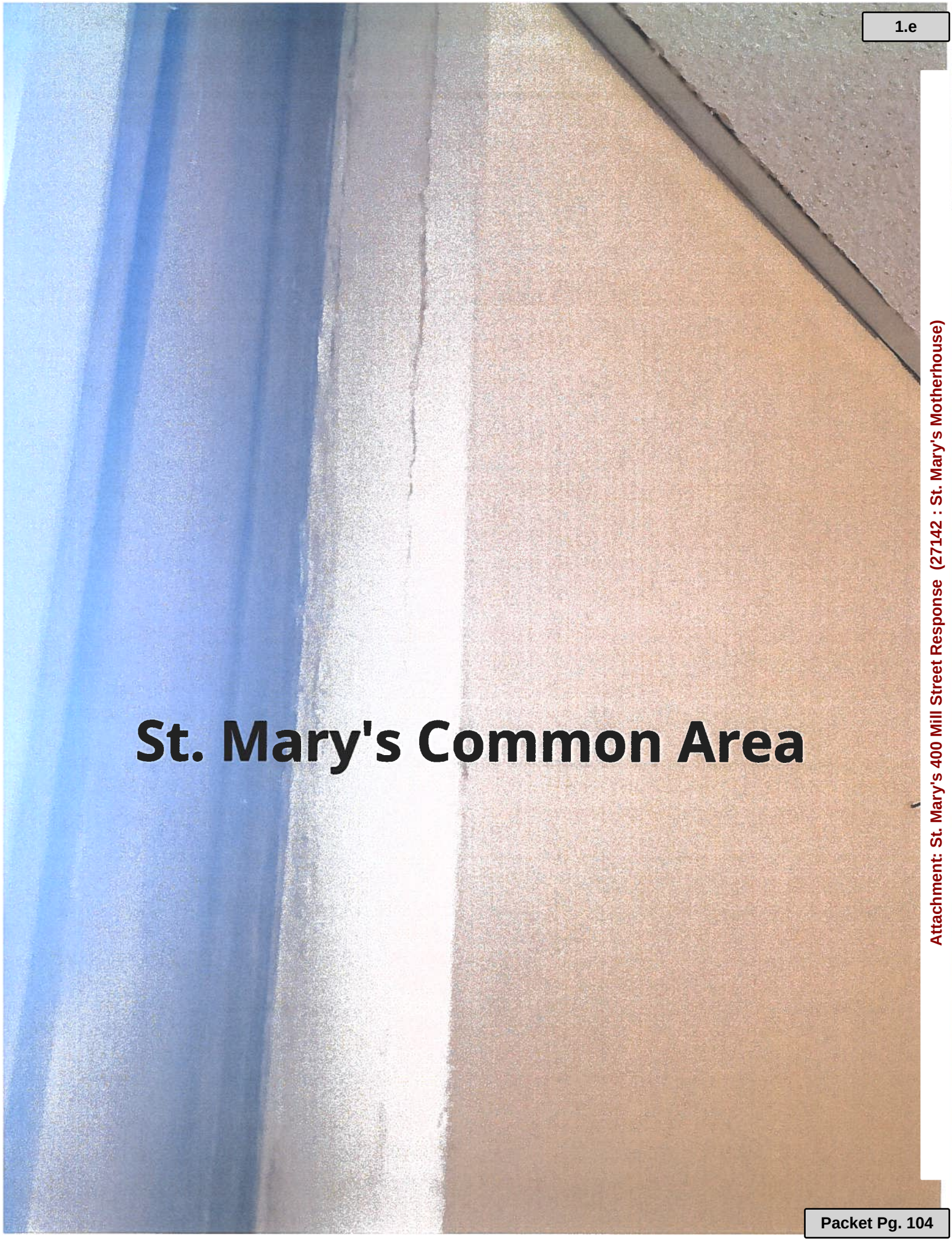


St. Mary's Northeast Stairwell

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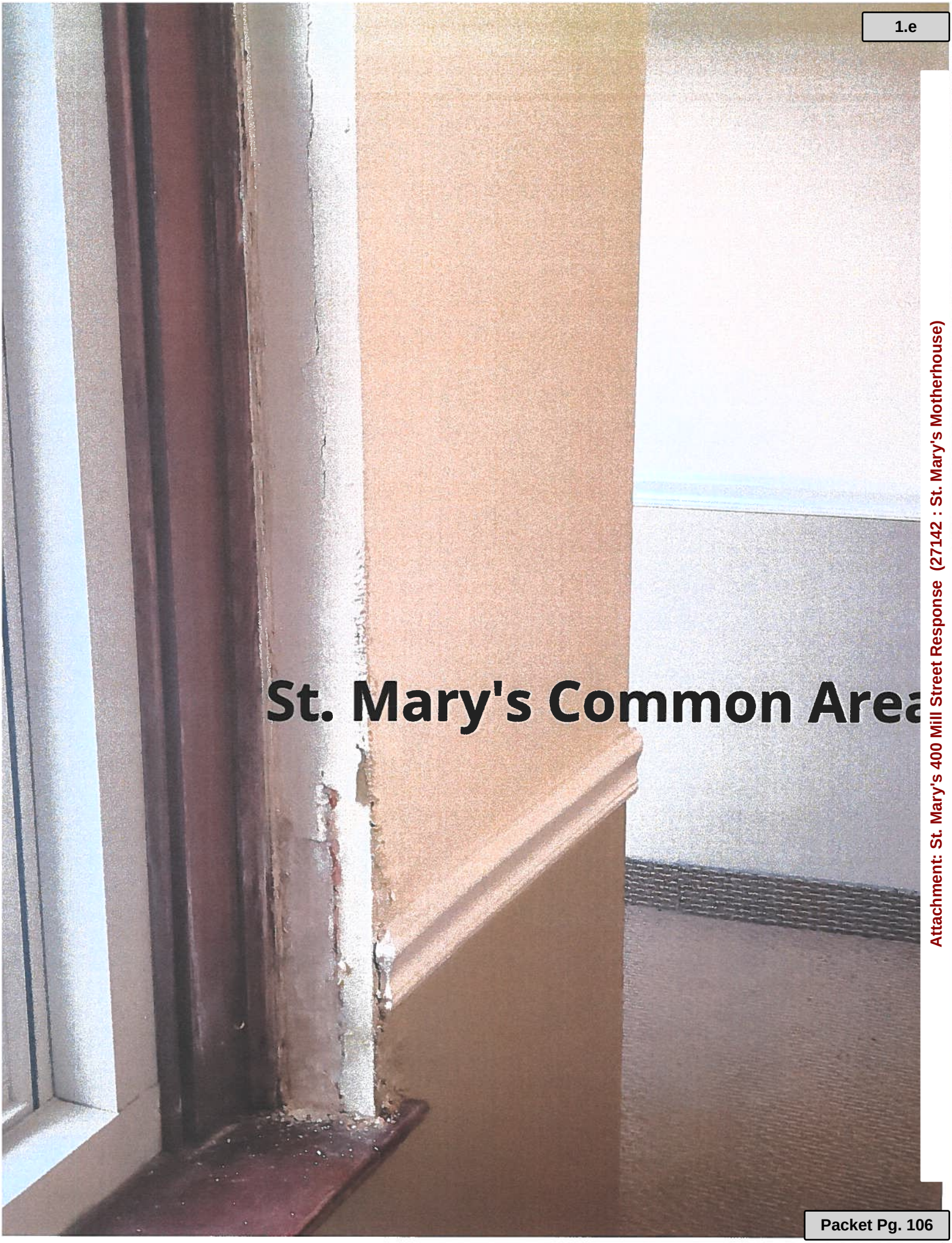


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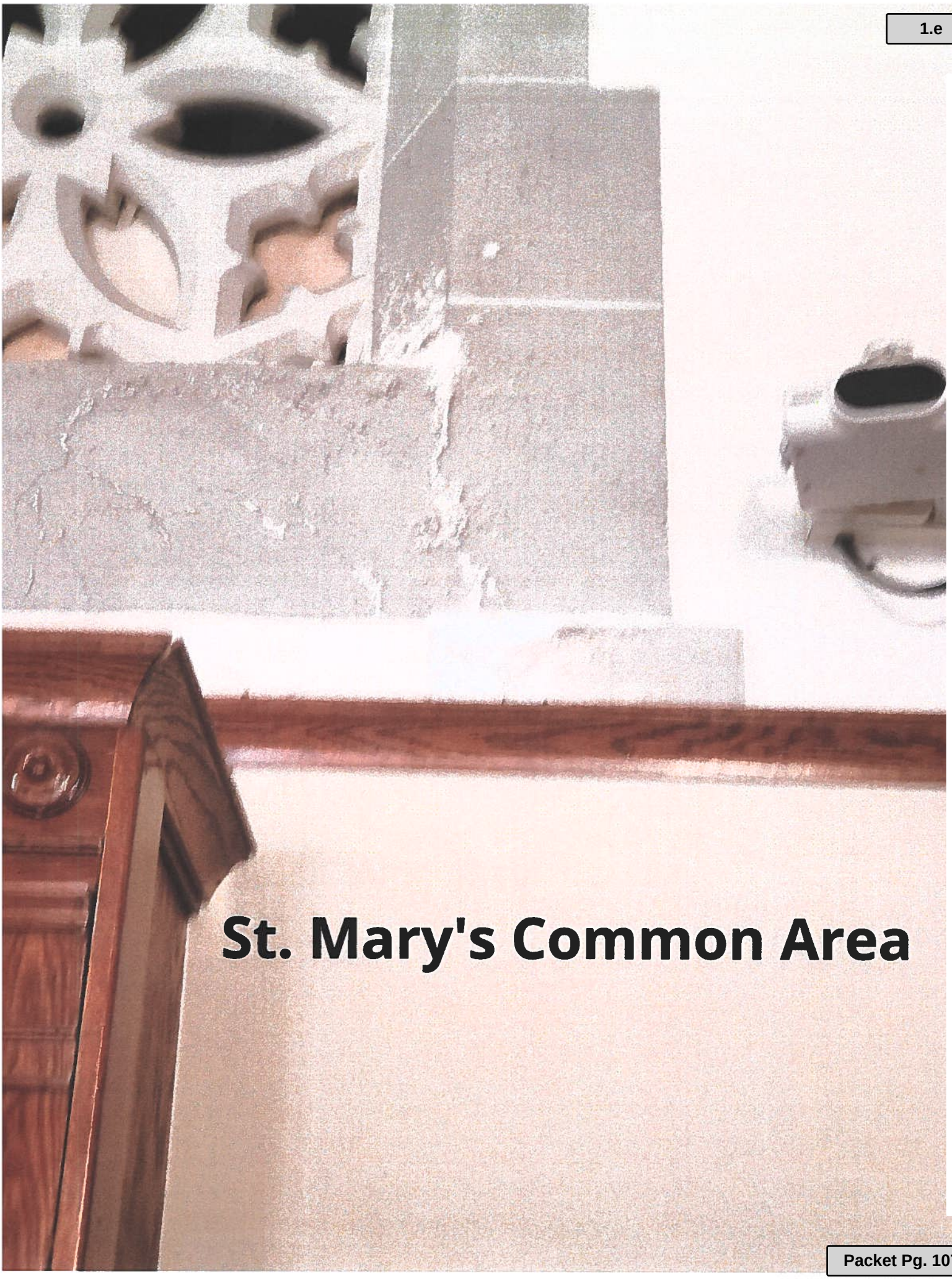
St. Mary's Common Area



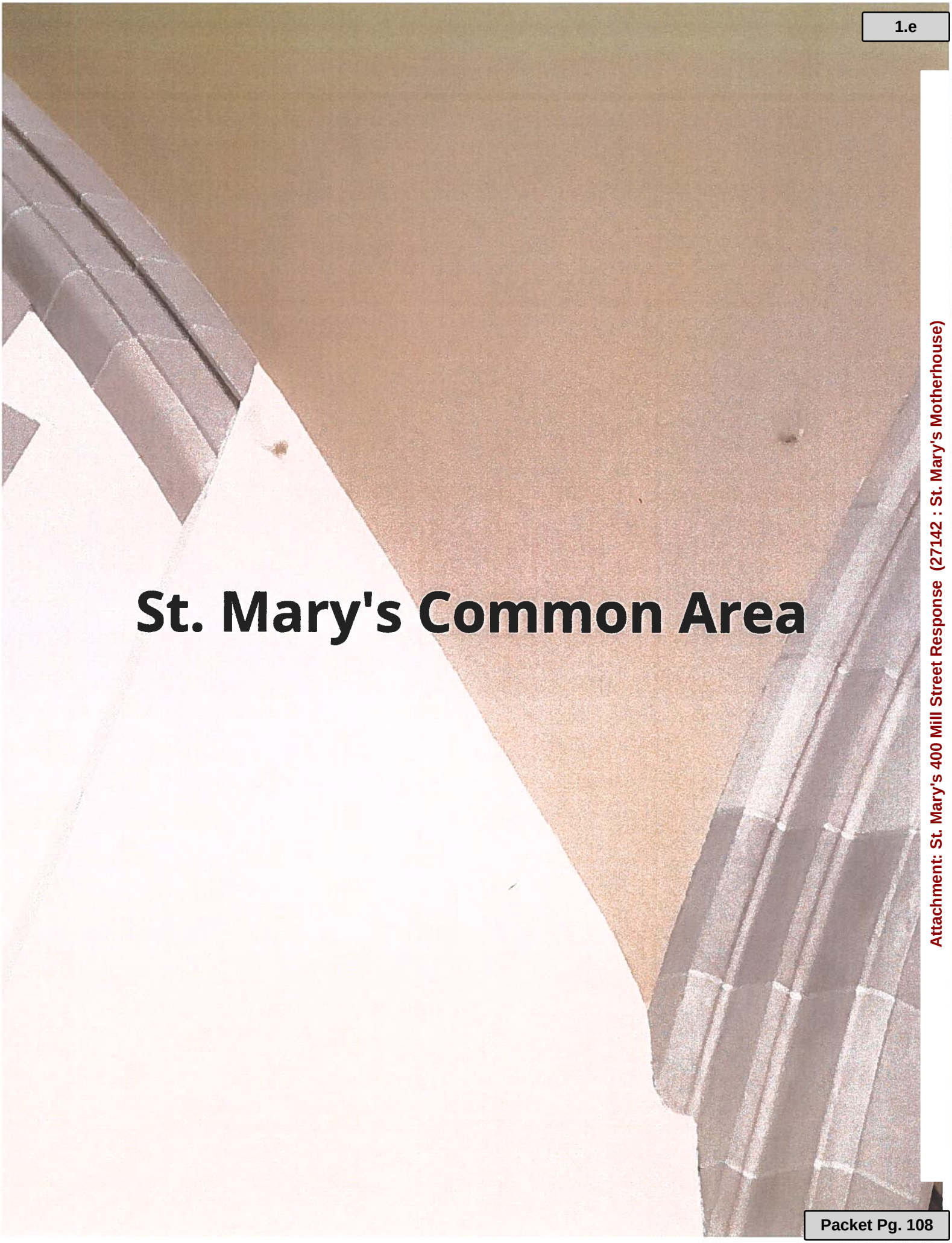
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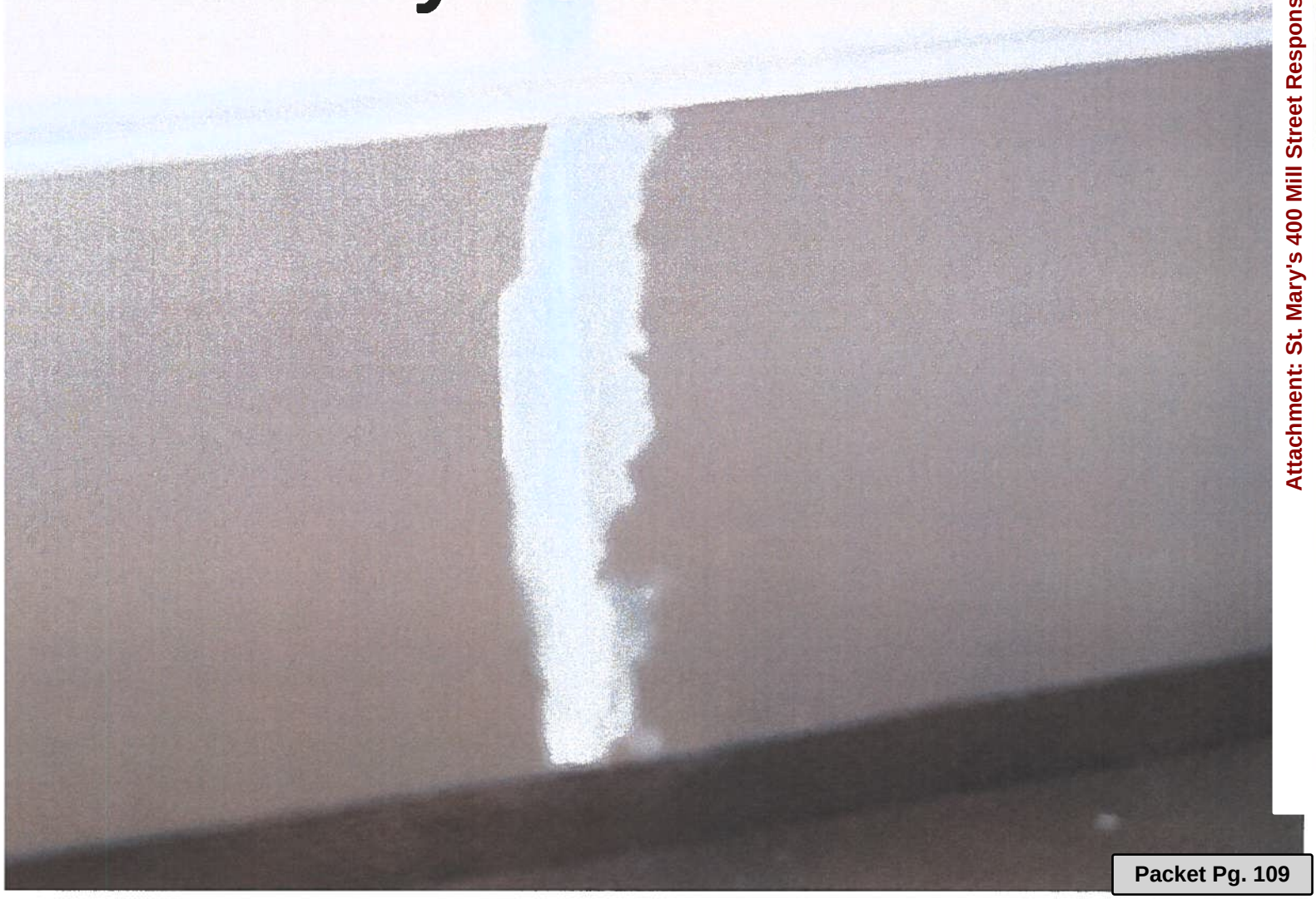
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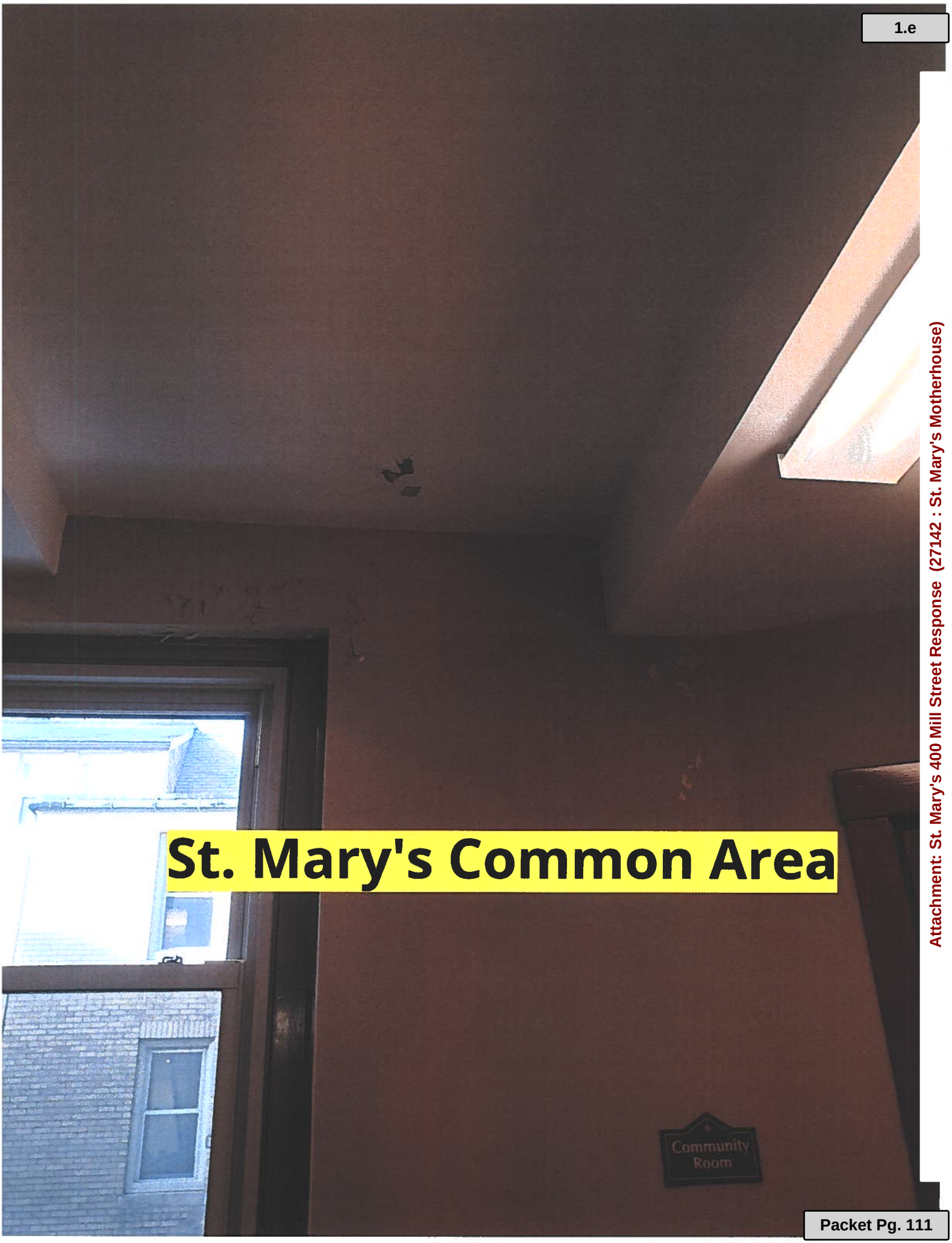
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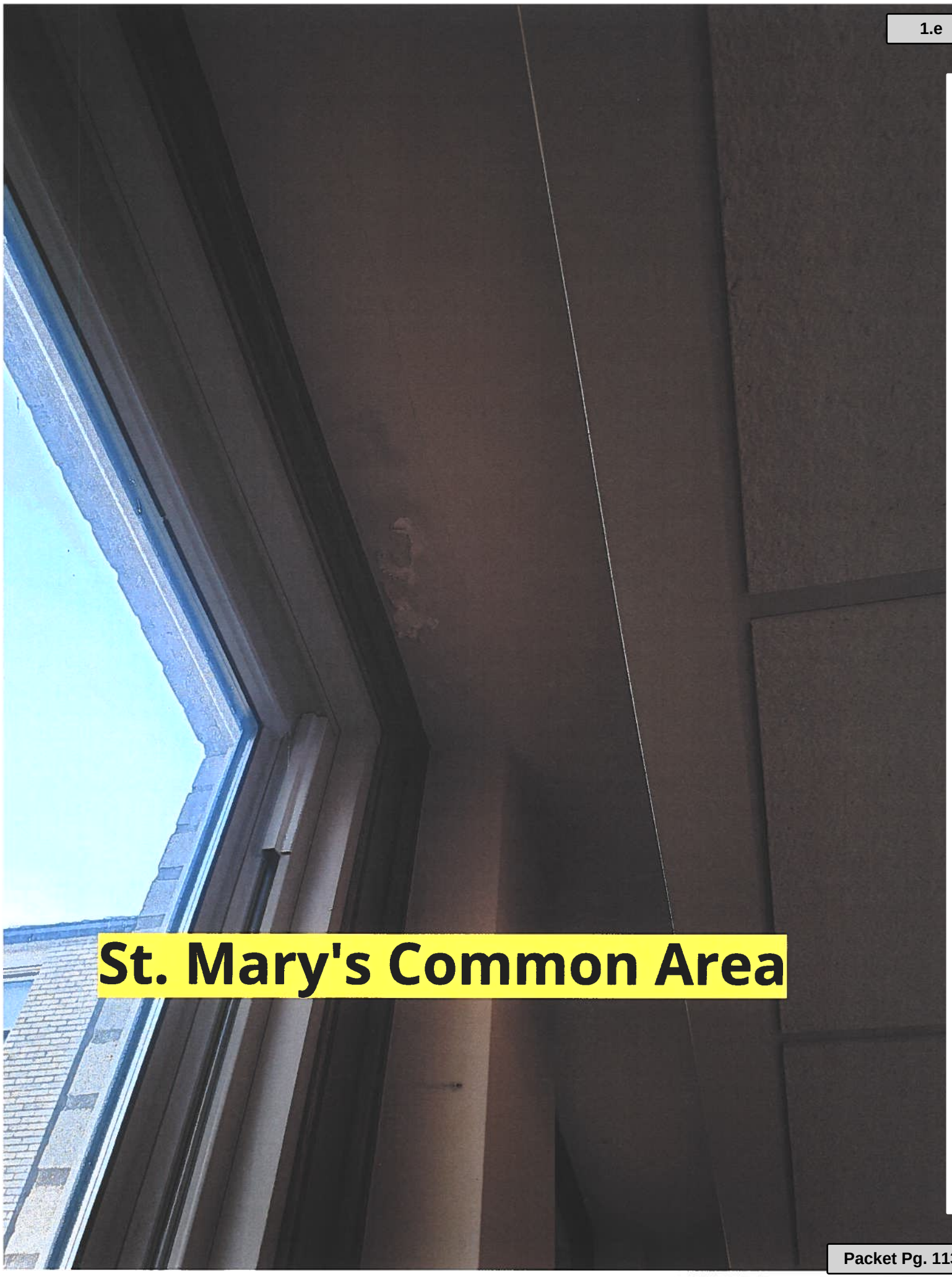


St. Mary's Common Area

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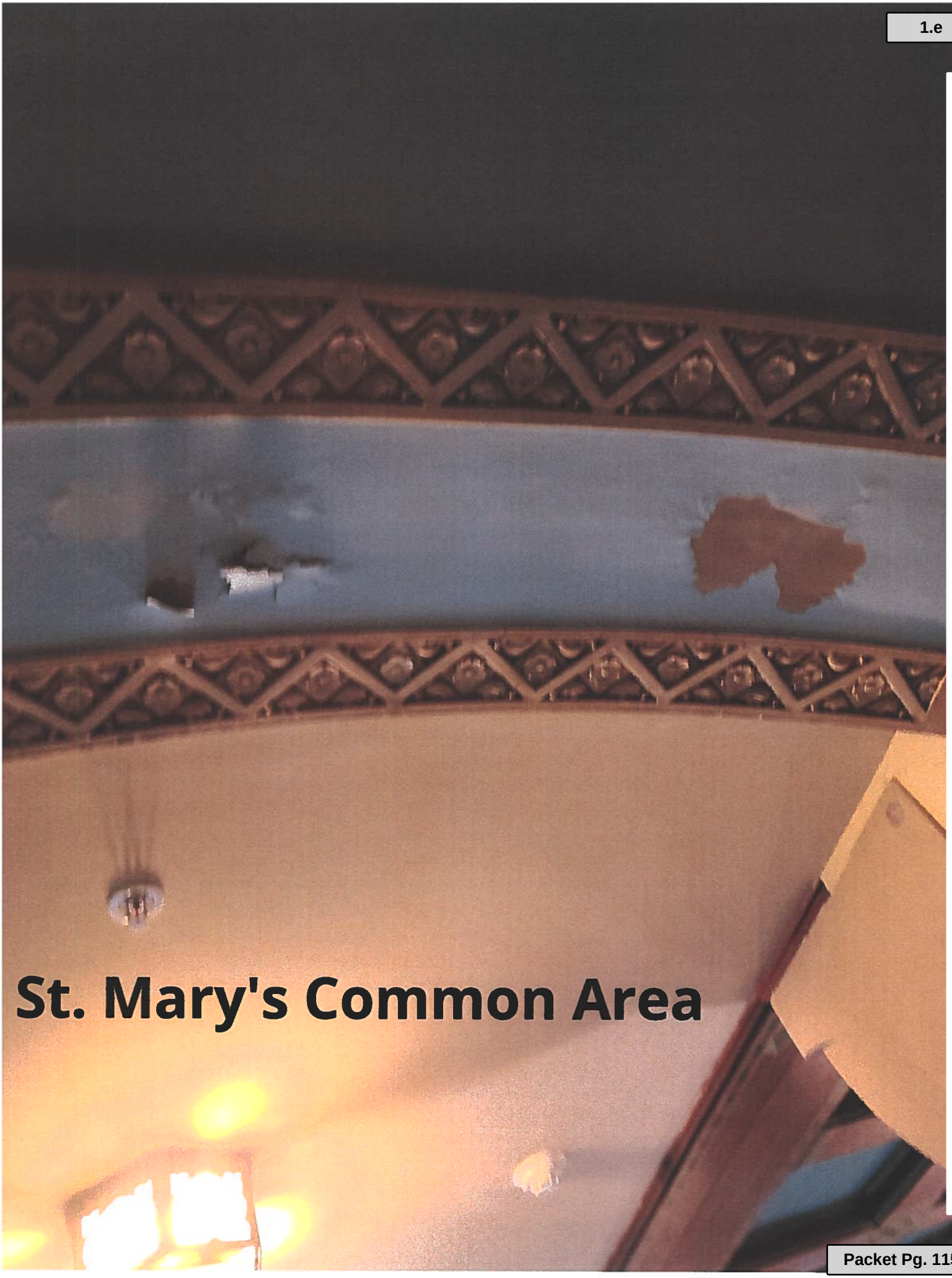
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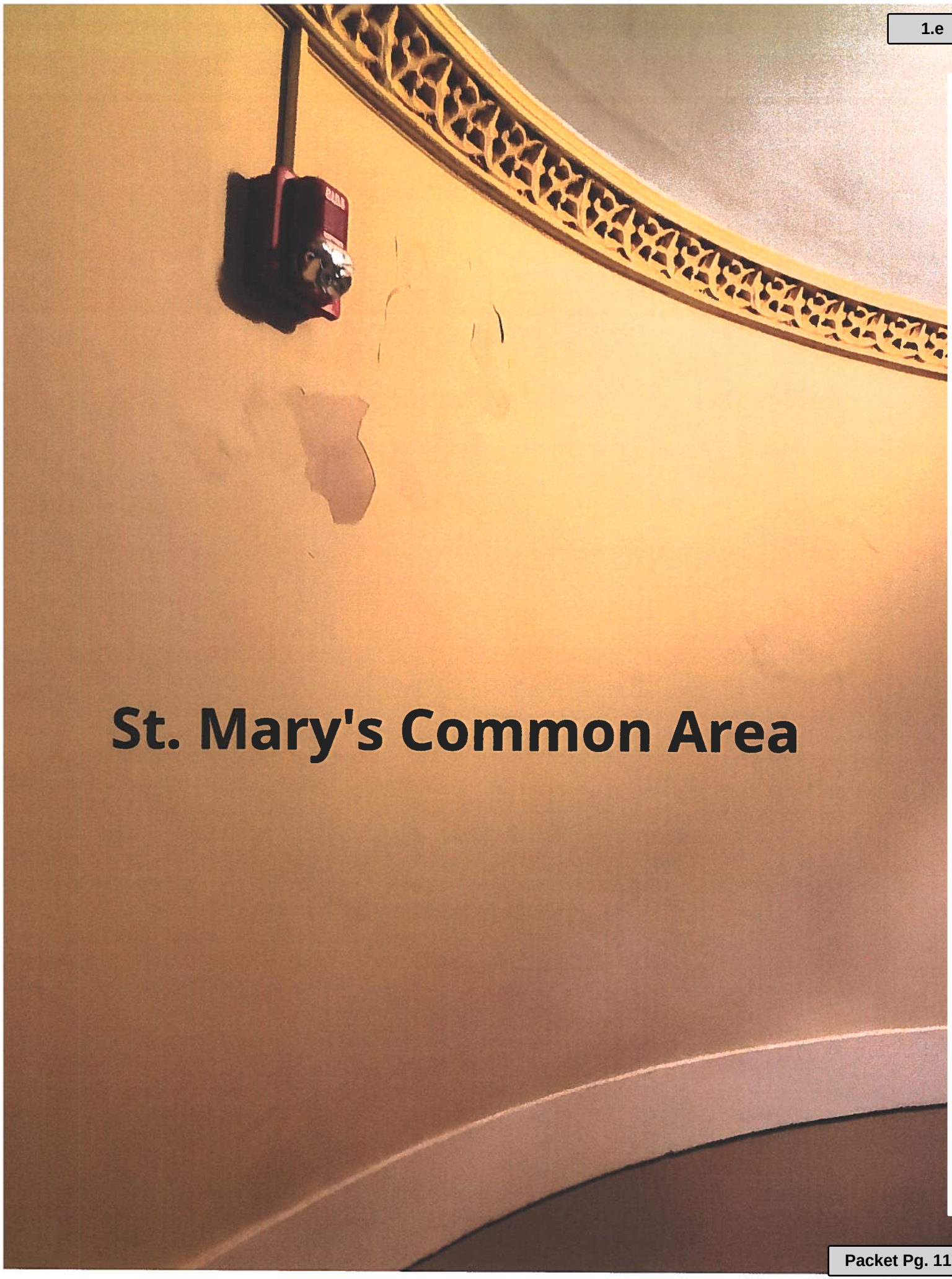
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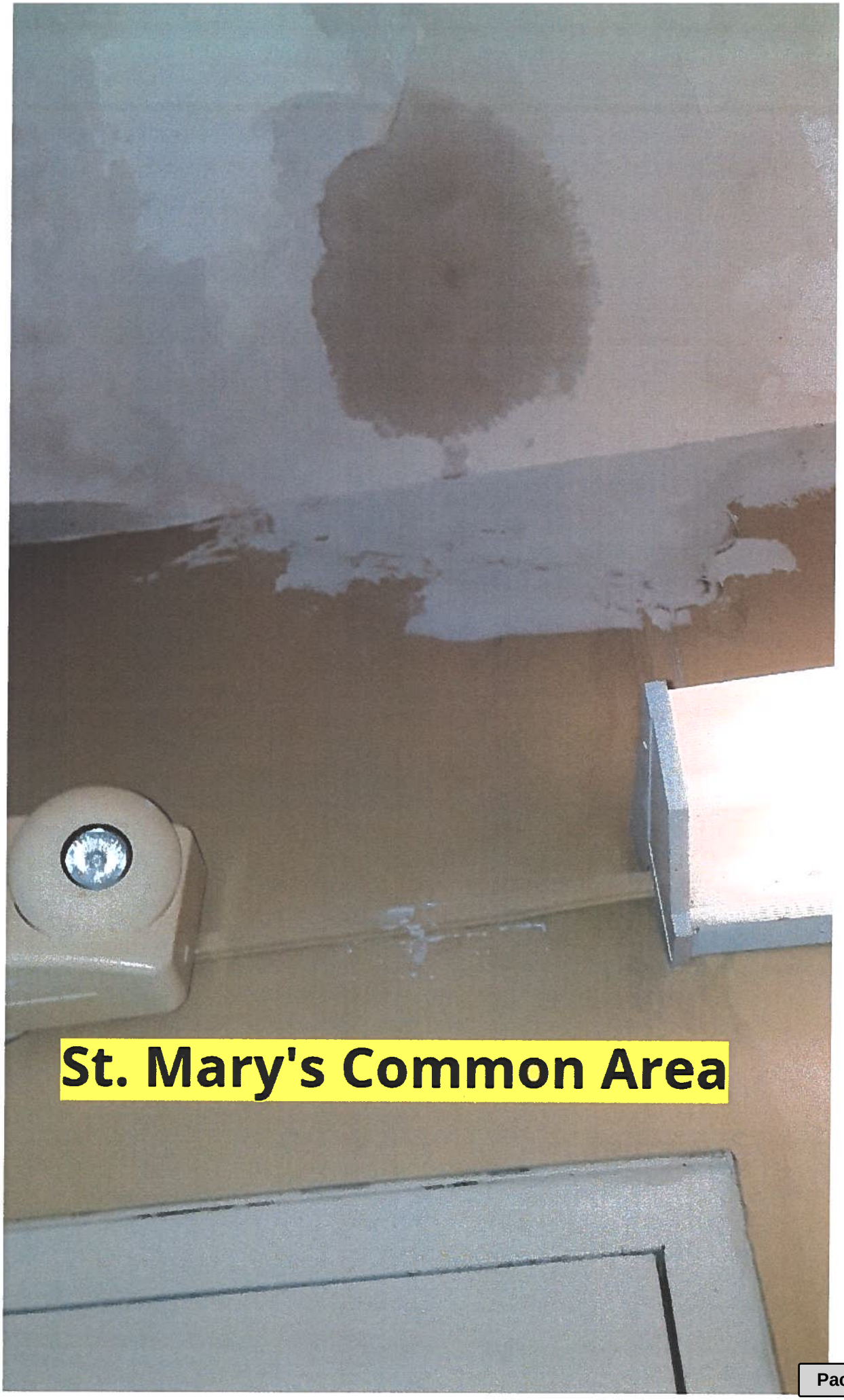
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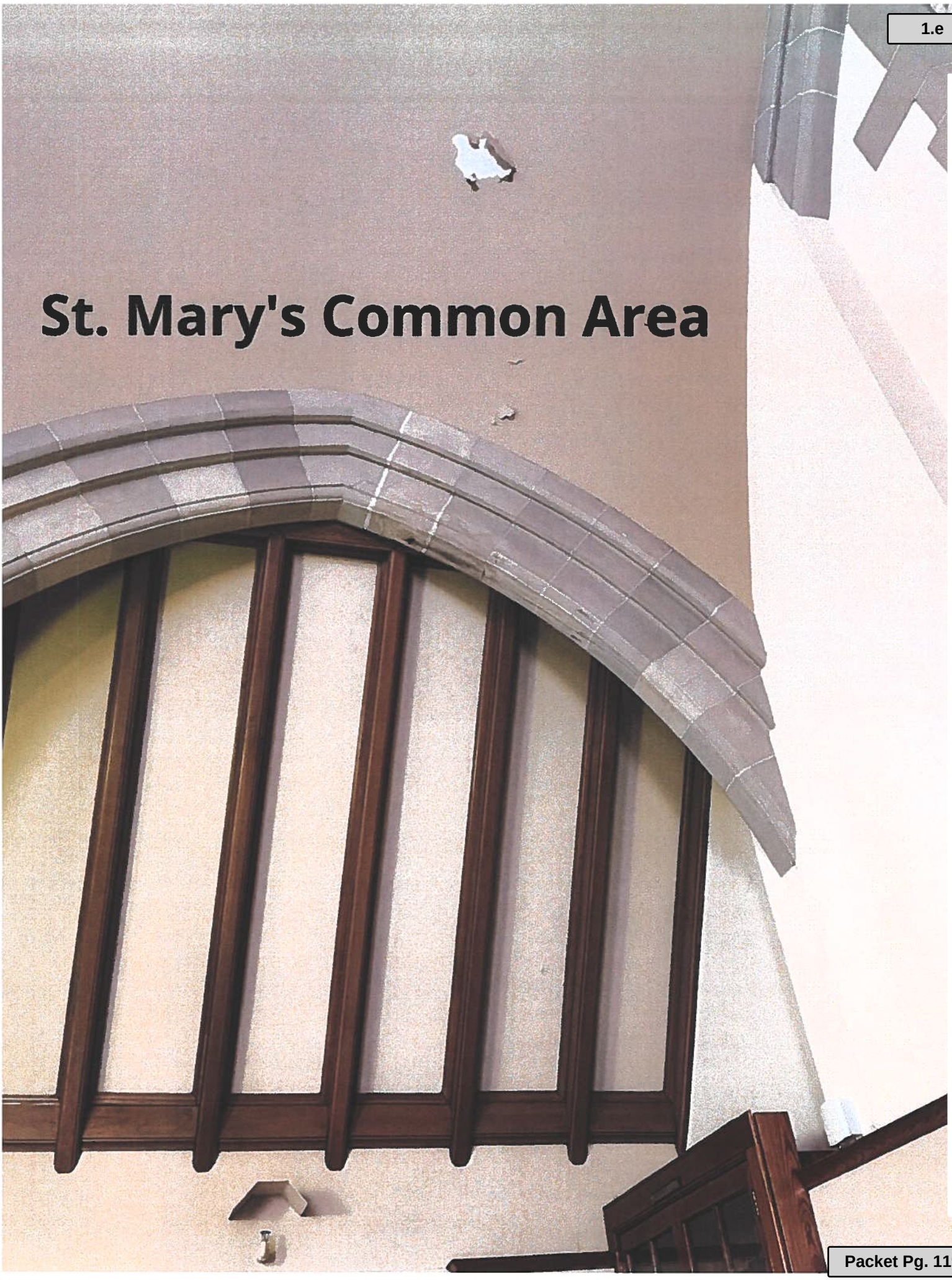
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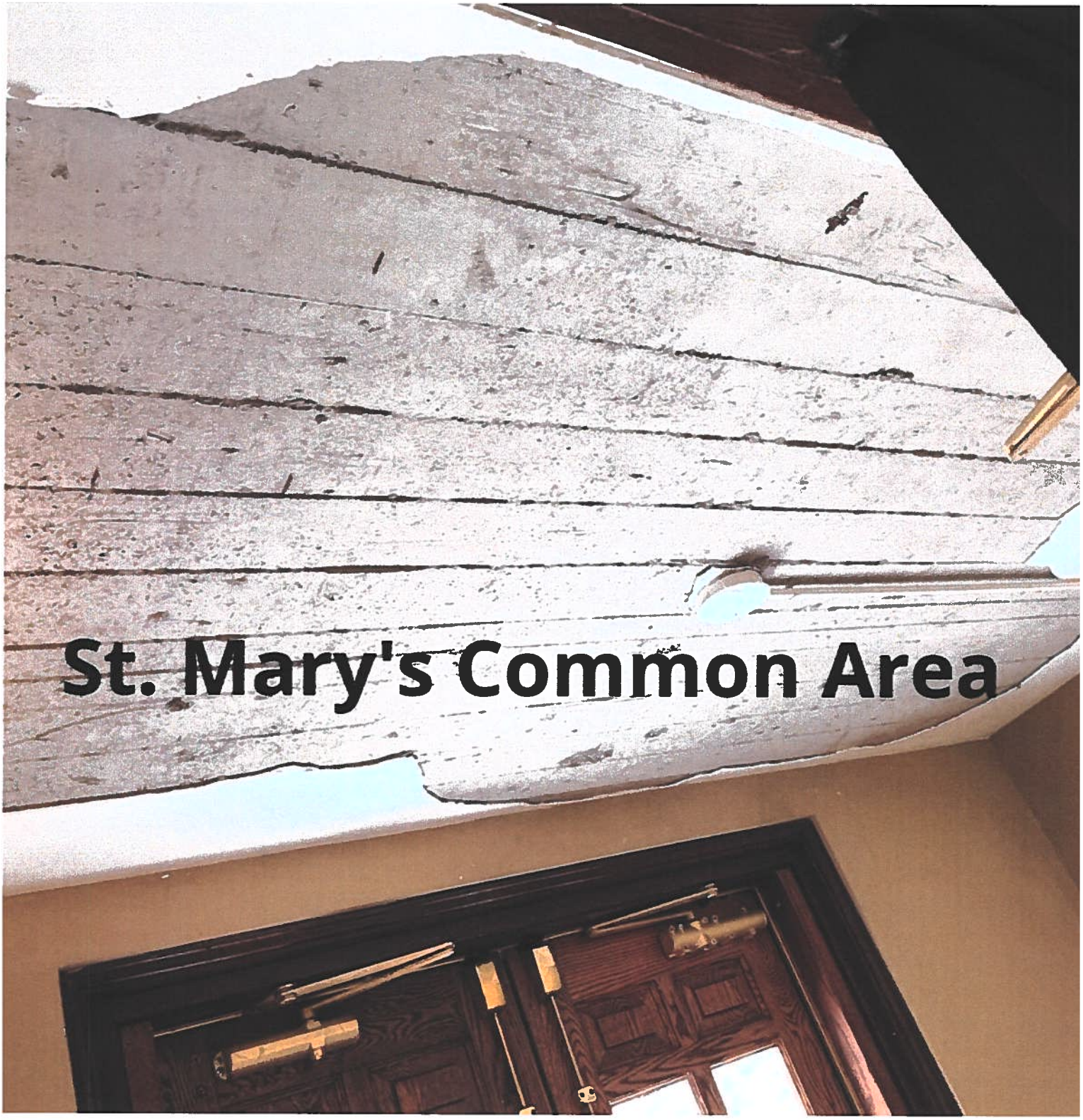
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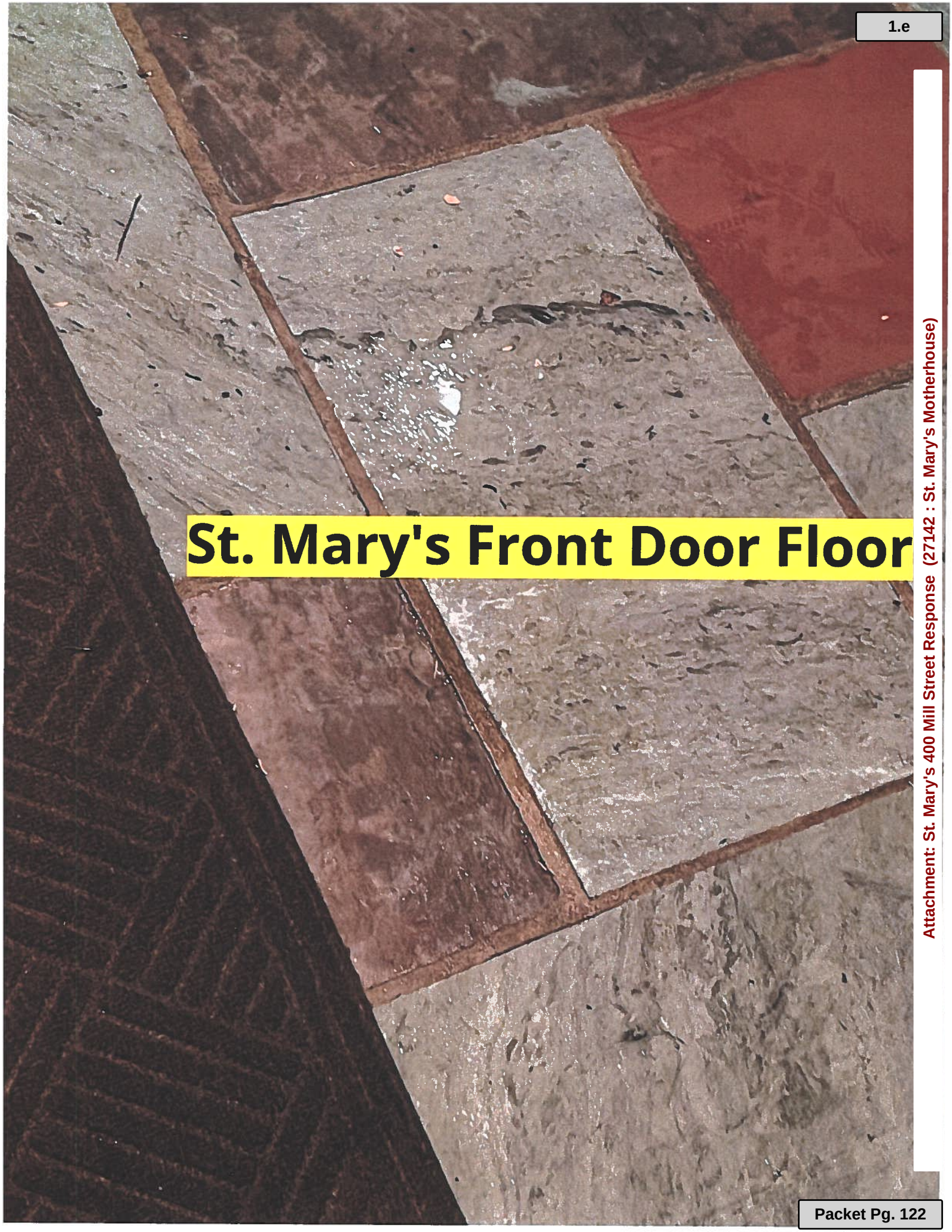
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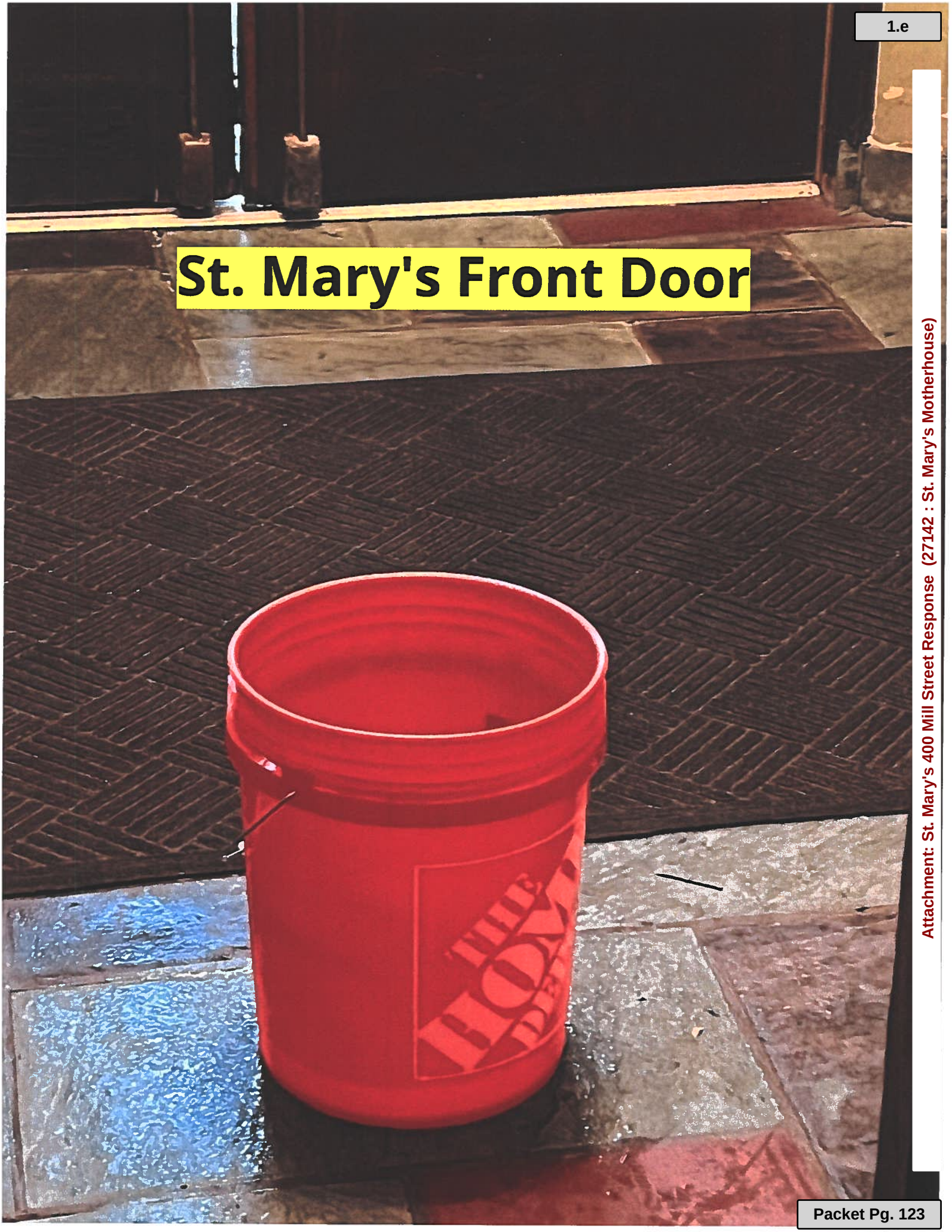


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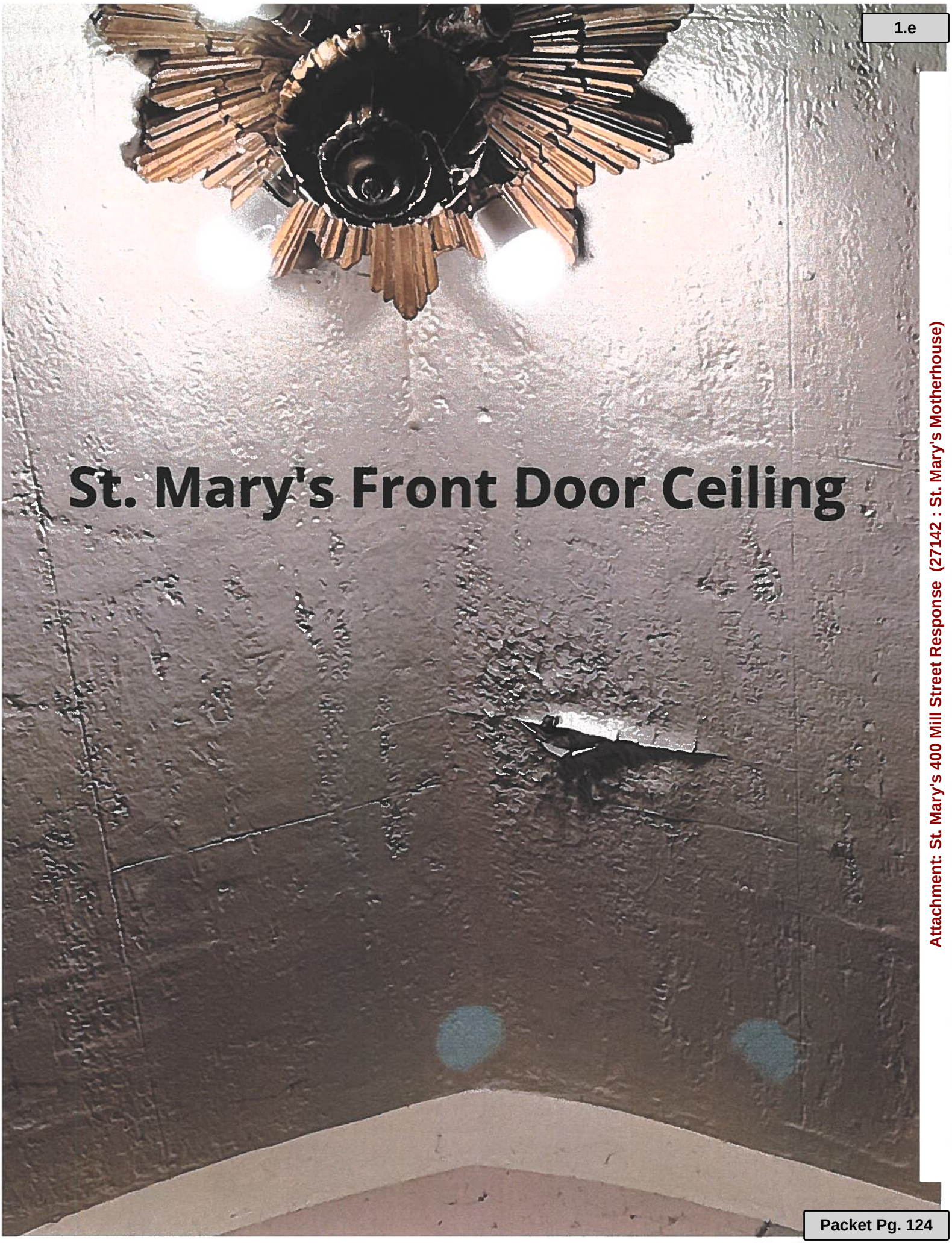


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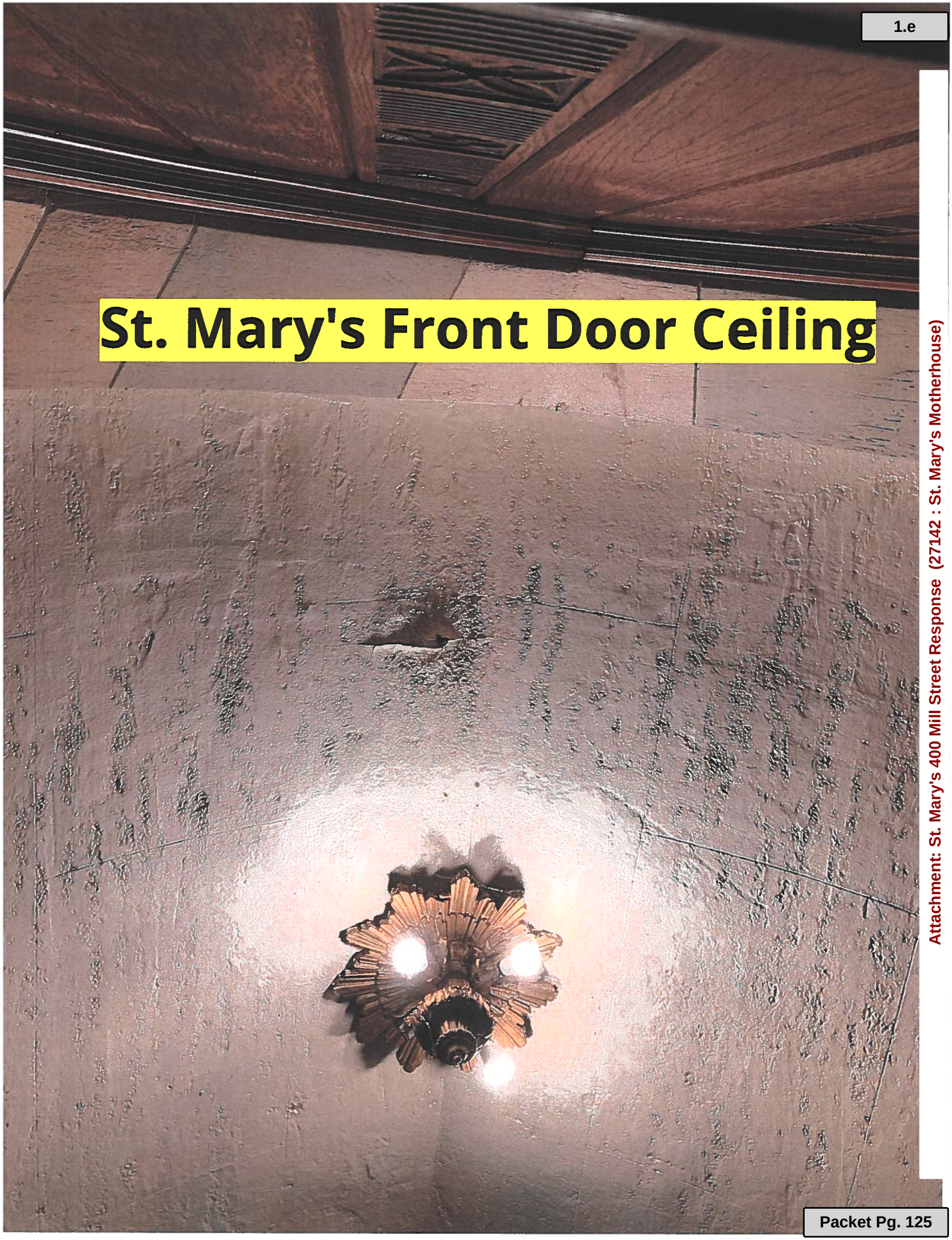

St. Mary's Front Door Floor



Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)



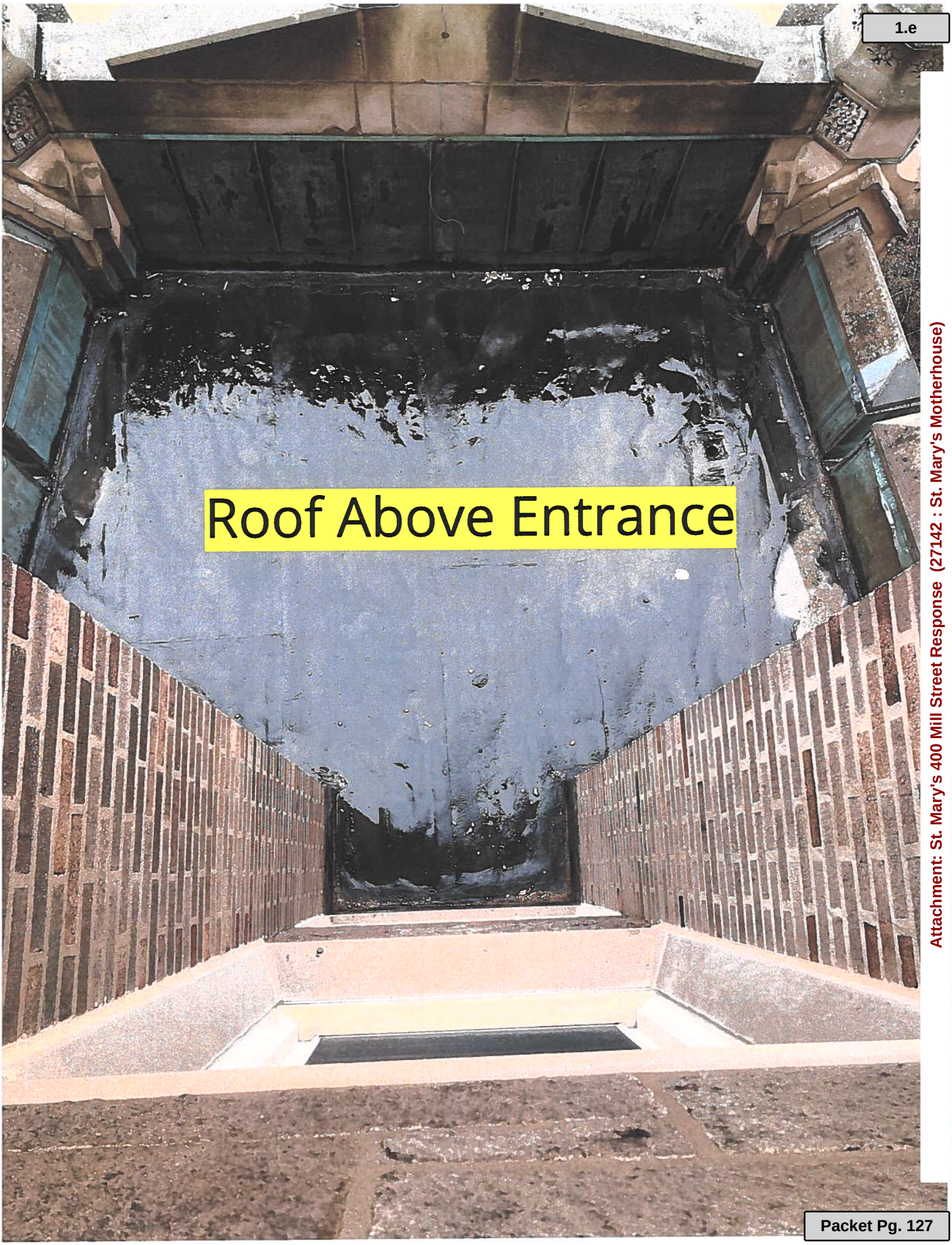
Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)

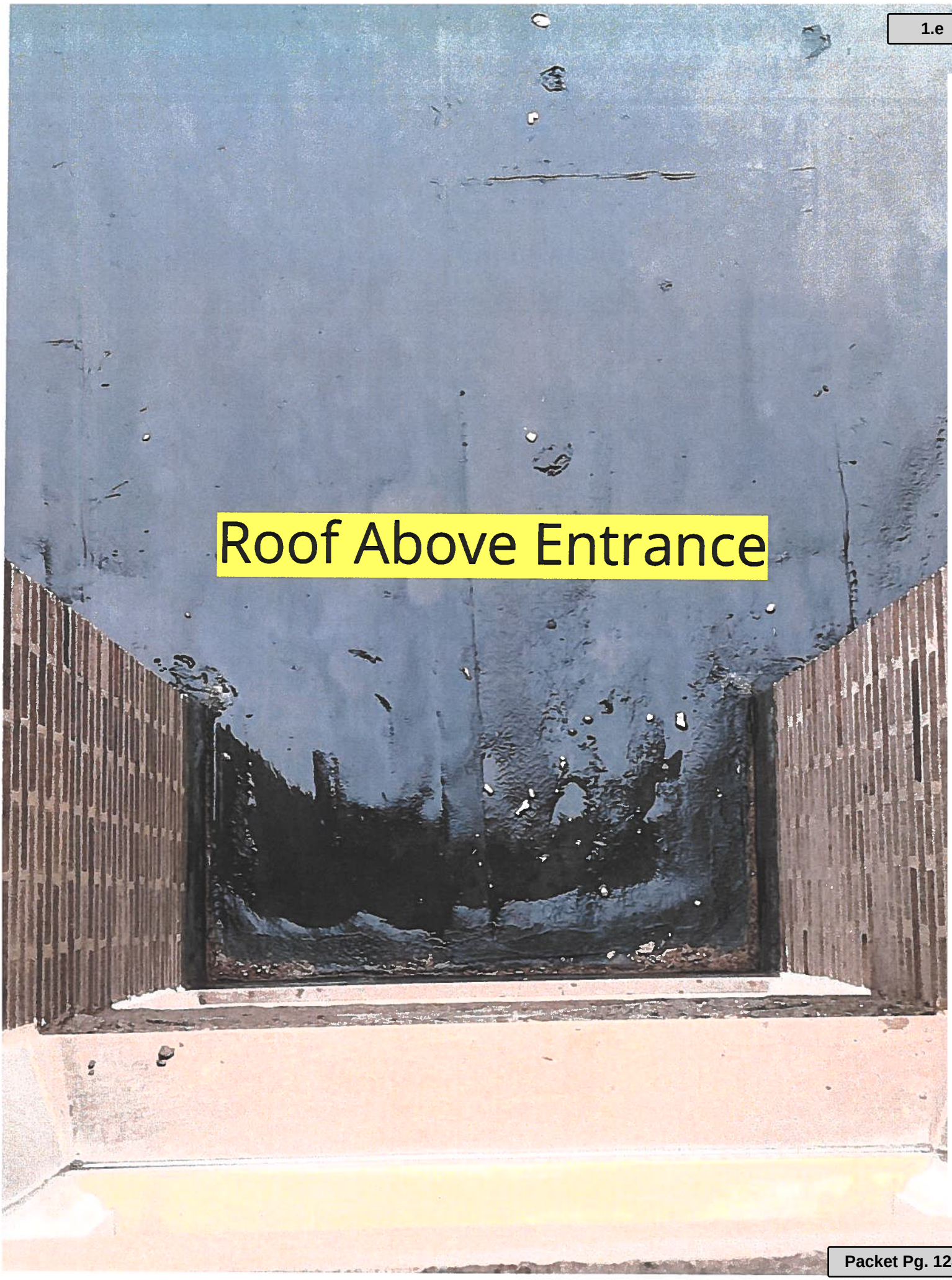


Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)



Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)


Roof Above Entrance



Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)

granvill@whitneycap.com

From: Quinn, James <jquinn@amherst.ny.us>
Sent: Friday, March 3, 2023 3:00 PM
To: 'granvill@whitneycap.com'; 'Julie Still'
Cc: 'Patrick Byrne'; 'SCerio'; 'Gary Browne'
Subject: RE: St. Mary's CofA Application

Lets confirm for a site visit at noon on March 10th. I will send out an email invitation shortly.

Regards,
James Quinn
Assistant Planner
Town of Amherst
Planning Department
Jquinn@amherst.ny.us
716-631-7104

From: granvill@whitneycap.com <granvill@whitneycap.com>
Sent: Friday, March 3, 2023 1:33 PM
To: Quinn, James <jquinn@amherst.ny.us>; 'Julie Still' <jstill@whitneymgmt.com>
Cc: 'Patrick Byrne' <PByrne@weavermrinc.com>; 'SCerio' <jecerio@thecrscompanies.com>; 'Gary Browne' <browneco@verizon.net>
Subject: RE: St. Mary's CofA Application

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.
Mr. Quinn

Let's confirm Friday March 10th at either noon or 1PM at St. Mary's.

Thank you.

Tom Granville
Cell 516-659-9692

From: Quinn, James <jquinn@amherst.ny.us>
Sent: Friday, March 3, 2023 12:26 PM
To: 'Julie Still' <jstill@whitneymgmt.com>
Cc: 'Patrick Byrne' <PByrne@weavermrinc.com>; 'granvill@whitneycap.com' <granvill@whitneycap.com>; 'SCerio' <jecerio@thecrscompanies.com>; 'Gary Browne' <browneco@verizon.net>
Subject: RE: St. Mary's CofA Application

Good afternoon,

Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)

I have confirmed with the Commission members and the following two days work best. Does anyone have a preferred time between the two?

March 10th between 10am and 1pm
&
March 15th between 1:30 and 4pm

Regards,
James Quinn
Assistant Planner
Town of Amherst
Planning Department
Jquinn@amherst.ny.us
716-631-7104

From: Quinn, James
Sent: Thursday, March 2, 2023 2:58 PM
To: 'Julie Still' <jstill@whitneymgmt.com>
Cc: Patrick Byrne <PByrne@weavermrinc.com>; granvill@whitneycap.com; SCerio <jecerio@thecrscompanies.com>; Gary Browne <browneco@verizon.net>
Subject: RE: St. Mary's CofA Application

Thank you, Julie.

I appreciate your cooperation and if you need any assistance with submitting the documents to me, please let me know. Our email can be limited in its ability to accept large data files. If that is the case, I can provide a link for you to upload them to.

I will check in with the Commission with on these site visit dates and get back to you to finalize a date.

Regards,
James Quinn
Assistant Planner
Town of Amherst
Planning Department
Jquinn@amherst.ny.us
716-631-7104

From: Julie Still <jstill@whitneymgmt.com>
Sent: Thursday, March 2, 2023 2:21 PM
To: Quinn, James <jquinn@amherst.ny.us>
Cc: Patrick Byrne <PByrne@weavermrinc.com>; granvill@whitneycap.com; SCerio <jecerio@thecrscompanies.com>;

Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)

Gary Browne <browneco@verizon.net>
Subject: Re: St. Mary's CofA Application

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi James,

I have talked with our group and the best days for meeting at the St. Mary's site would be 3/9, 3/10, 3/13, 3/14, 3/15 or 3/16. Gary Browne and Weaver will be present, as long as we have advance notice of the selected date/time. As discussed at the meeting, none of the committee members indicated that they wanted access to the scaffolding or roof. If that has changed, we will need to have an insurance certificate to evidence coverage protecting the ownership entity, so please let me know if they want that access and I can provide specifics on those requirements.

We will submit the requested documents prior to the deadline indicated.

Thanks for your assistance in this matter.

Julie

On Fri, Feb 24, 2023 at 12:00 PM Quinn, James <jquinn@amherst.ny.us> wrote:

Good afternoon,

I want to first say thank you all for your time and effort with this application process. I think it is clear that we all feel passionately about the property itself and will seek the best solution going forward. Second, I want to provide a brief recap of the meeting from last night and an itemized list to guide you in your next steps with your application. Please see below.

Recap:

The Certificate of Appropriateness for the roofing project at 400 Mill St has been adjourned to March 21st to allow the Petitioners time to supply the commissioned reports Julie Still mentioned were completed which assesses the existing slate roof and the justifications for the material change to an architectural shingle as well as a cost analysis which details the costs associated with preserving the existing slate roof. Additionally, the adjournment provides time for a site visit in which some of the Historic Preservation Commission members can meet with you to inspect the site and the existing slate conditions.

Next Steps:

1. Please provide the commissioned **conditions report** conducted by Gary Browne detailing the existing slate roof in its entirety. Julie Still stated this was an assessment of the roof materials and their integrity in addition to a detailed explanation as to why a material change is appropriate with data to support this claim
2. Provide the **cost analysis report mentioned to have been conducted** of preserving the existing slate roof which was said to have informed the decision to propose a materials change
3. Please provide your team's **availability for a site visit** with Commission members between now and March 21st. I will reach out to the Commission members and see what fits best based on your availability.

Please submit the reports mentioned in 1 and 2 by the **filing deadline on March 7th at 5pm** so that they may be reviewed by the Commission. As always, if there are any questions please feel free to contact me directly in the Planning Department.

Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)

Regards,

James Quinn

Assistant Planner

Town of Amherst

Planning Department

Jquinn@amherst.ny.us

716-631-7104

--

Whitney Management Corp.
9575 Katy Freeway, Suite 330
Houston, TX 77024
713-932-0005 x 111

Attachment: St. Mary's 400 Mill Street Response (27142 : St. Mary's Motherhouse)

The matter before the Town of Amherst Historic Preservation Commission is a Certificate of Appropriateness for the St. Mary's Apartments at 400 Mill Street. The project scope includes a full slate roofing system removal and replacement with an architectural asphalt shingle roof. The property was designated a Town of Amherst local landmark in 2000 and has been listed in the State and National Register of Historic Places since 2002.

Timeline of information:

January 1, 2020, The Town of Amherst, the Williamsville Central School District, and Erie County extended St. Mary's Commons Apartment's PILOT program until 2034. (The original PILOT began in 2005 and expired in 2019.)

On **October 21, 2021**, Weaver Metal & Roofing informed Whitney Management the slate roof was no longer repairable and they had safety concerns to discuss.

On **November 5, 2021**, Grove Roofing sent a proposal to Whitney Management with a scope of work which included a partial slate roof replacement for $107K.

Instead of the partial slate roof replacement proposed on November 5, 2021, Grove Roofing replaced missing slate and secured loose slate on **December 21, 2021**.

July 14, 2022, a full slate roof removal and replacement with asphalt shingle roofing project was bid by the owner's roofing consultant Gary Browne.

On **February 7, 2023** the HPC was notified demolition of slate roofs and replacement with asphalt shingle work began at St. Mary's Apartments. The Town of Amherst Code Enforcement Department stopped work. No permits were secured for the work. No Certificate of Appropriateness was requested prior to the commencement of the work.

On **February 9, 2023**, Weaver Metal & Roofing submitted a quote for an unspecified amount of roof to be demo'ed and priced out four (4) different roofing materials for a replacement. One of those prices was for the removal of existing slate/gutter/ downspouts and replace in-kind.

On **February 21, 2023**, the Town of Amherst Historic Preservation Commission began the review of the requested Certificate of Appropriateness for the St. Mary's Apartments roof replacement project. The item was tabled to allow the applicant to submit additional supporting material and host a site visit for the commission members.

The applicant submitted the requested documents on **March 6, 2023**. The additional materials documented select correspondence with roofing contractors and consultant since 2021 regarding the roof.

Four members of the Town of Amherst Historic Preservation Commission met on site with the owner's representatives and roofing contractors, along with the Town's Planning Department liaison to the HPC, on **March 10, 2023** for the purposes of collecting information for the review of the requested Certificate of Appropriateness.

Attachment: Statement Re Certificate of Appropriateness - St. Marys Apartments (27142 : St. Mary's Motherhouse)

At the site visit, roofing consultant Gary Browne said he has been involved with the project since it was purchased and renovated in the early 2000's. He said the slate roof was fine twenty years ago when the current owner purchased it, but the slate roof system failed quickly in the past few years causing water damage to the interior of the building.

According to the Town of Amherst code:

The Commission's decision shall be based upon the following principles:
(1) Features which contribute to the character of the historic landmark or district shall be retained with as little alteration as possible.
(2) Any alteration of existing features shall be compatible with its historic character as well as with the surrounding property.

In applying the principle of compatibility, the Commission shall consider the following factors:
(1) The general design, character and appropriateness to the property of the proposed alteration
(2) The scale of proposed alteration in relation to itself, surrounding properties and the neighborhood.
(3) Texture, materials and color and their relation to the property itself, surrounding properties and the neighborhood.
(4) Visual compatibility with surrounding properties, including proportion of the property's front facade, proportion and arrangement of windows and other openings within the facade, roof shape and the rhythm of spacing of properties on streets, including setback.
(5) The importance of historic, architectural or other features to the significance of the property.

The property is listed as an Amherst local landmark under criterion (i), (ii), and (iii). Criterion (ii) states the property embodies the distinctive characteristics of Late Gothic Revival style institutional design *and* criterion (iii) indicates the property possesses high artistic value as shown by materials and craftmanship. The Town listed this property under these two categories of criterion, demonstrating their commitment to the architectural integrity and value of St. Mary's of the Angels Motherhouse building.

The key visual focal point of the St. Mary's complex at 400 Mill Street, is the St. Mary's of the Angels Motherhouse which was converted to the St. Mary's Apartments in 2004 under the current ownership. Built in 1928, the Late Gothic Revival style, 3-1/2 story institutional building has steeply pitched slate roofs that are visible on all facades of the building, from Mill Street and the Amherst State Park. The slate shingle roofs are a character defining feature of the buff-colored brick and masonry institutional building. The Amherst Historic Preservation Commission feels that it is inappropriate to replace the slate roof with the proposed asphalt roof. According

Attachment: Statement Re Certificate of Appropriateness - St. Marys Apartments (27142 : St. Mary's Motherhouse)

to the Secretary of the Interior's Standards for Rehabilitation, the appropriate treatment for exterior building materials that are not repairable, is to replace the material in-kind. Architectural asphalt shingles have a different texture (physically and visually), color palate, and visual compatibility with the brick and stone on the building's exterior compared to the existing slate roofs. Pattern, detailing, and craftsmanship of the slate roofs are important design elements of the historic building and should be retained or replaced in-kind to retain the architectural integrity and appearance of the structure. The roof replacement work that has been started without approval, clearly shows the material change creates a drastic and detrimental visual change to the building. The detailing of the copper valleys and flashings have become hidden by the asphalt installation. The once muted tones of the existing slate color palate have dramatically changed and the asphalt is now the highlighted material of the building due to its dark color palate. We advise the owner to educate themselves about the appropriate treatment of slate roofs by reading the National Parks Service's Preservation Brief #29: the Repair, Replacement, and Maintenance of Historic Slate Roofs (https://www.nps.gov/orgs/1739/upload/preservation-brief-29-slate-roofs.pdf)

Slate roofs are more durable and have longevity compared to many synthetic roofing options. A properly installed natural slate roof with copper flashing will last three plus times as long as an asphalt roof. The Historic Preservation Commission would like to see this building protected for another 100 years with a new slate and copper roofing system.

At this time, I will make a motion to DENY the Certificate of Appropriateness for St. Mary's Apartments request for the replacement of an existing slate roof system with an architectural asphalt shingle roof system.

Attachment: Statement Re Certificate of Appropriateness - St. Marys Apartments (27142 : St. Mary's Motherhouse)

TOWN OF AMHERST
HISTORIC PRESERVATION COMMISSION

RESOLUTION NO. 1 OF 2023

Re: Certificate of Appropriateness Application at St. Mary Mother of the Angels Motherhouse located at 400 Mill Street

WHEREAS, on February 21, 2023 the Town of Amherst Historic Preservation Commission considered an application for a Certificate of Appropriateness for a roof replacement at St. Mary Mother of the Angels Motherhouse located at 400 Mill Street; and

WHEREAS, the property was built in 1928 to provide convent for the sisters of the order of St. Francis; and

WHEREAS, the property was designated as a Local Landmark in May 2000 under Criterion (i) associated with a 20th century religious and social service institution, (ii) embodies the distinctive characteristics of Late Gothic Revival style design, and (iii) possesses high artistic values and craftmanship; and

WHEREAS, on February 7, 2023 the Planning Department received an application for a Certificate of Appropriateness proposing to replace the distinctive slate roof with an architectural shingle; and

WHEREAS, the supporting materials and reports dated February 15, February 21, and March 6, 2023 was not found by the Historic Preservation Commission to adequately comply with the criteria set forth in Town Code §121-8B(1,2); and

RESOLVED, the Amherst Historic Preservation Commission denies the Application for a Certificate of Appropriateness submitted February 7, 2023 by the petitioner for the project located at 400 Mill Street Amherst, NY.

The foregoing resolution was adopted by the Town of Amherst Historic Preservation Commission, March 21, 2023; moved by – Waterman-Kuira; seconded by - Susan Polin ; ayes 6 , noes 0 , Absent 0 .

Susan Palmer 3/21/2023

Susan Palmer, Chair Date

Attachment: St_Marys_Signed_Resolution_1 (27142 : St. Mary's Motherhouse)

TOWN OF AMHERST
HISTORIC PRESERVATION COMMISSION

RESOLUTION NO. 2 OF 2023

Re: Motion to pursue §121-14(c) Penalties for offenses

WHEREAS, on February 21, 2023 the Town of Amherst Historic Preservation Commission considered an application for a Certificate of Appropriateness for a roof replacement at St. Mary Mother of the Angels Motherhouse located at 400 Mill Street; and

WHEREAS, the property was built in 1928 to provide convent for the sisters of the order of St. Francis; and

WHEREAS, the property was designated as a Local Landmark in May 2000 under Criterion (i) associated with a 20th century religious and social service institution, (ii) embodies the distinctive characteristics of Late Gothic Revival style design, and (iii) possesses high artistic values and craftmanship; and

WHEREAS, on February 7, 2023 the Planning Department received an application for a Certificate of Appropriateness proposing to replace the distinctive slate roof with an architectural shingle; and

WHEREAS, the supporting materials and reports dated February 15, February 21, and March 6, 2023 was not found by the Historic Preservation Commission to adequately comply with the criteria set forth in Town Code §121-8B(1,2); and

WHEREAS, the Amherst Historic Preservation Commission denies the Application for a Certificate of Appropriateness submitted February 7, 2023 by the petitioner for the project located at 400 Mill Street Amherst, NY.

RESOLVED, the Amherst Historic Preservation Commission requests the Town Board to take action pursuant to Town Code §121-14(c) to require restoration of the property pursuant there to.

The foregoing resolution was adopted by the Town of Amherst Historic Preservation Commission, March 21, 2023; moved by – ; seconded by - ; ayes 6 , noes 0 , Absent 0 .

Susan Palmer 3/21/2023

Susan Palmer, Chair Date

Attachment: St_Marys_Signed_Resolution_2 (27142 : St. Mary's Motherhouse)

LANDMARK DESIGNATION APPLICATON FORM
TOWN OF AMHERST, NEW YORK

FOR USE OF BLDG. DEPT. ONLY

REC'D BY _____
DATE _____
TIME _____

Town of Amherst Historic Preservation Commission
Town of Amherst Planning Department – (716) 631-7051

Your name: Jessica Black Telephone: (716) 713-4047 Date: _____

Your address: 79 Fruehauf Avenue Amherst NY 14226

Organization (if any): _____

A. PROPERTY IDENTIFICATION

1. Building's common or current name: 22 Chateau Terrace

2. Building's historic name, if known: _____

3. Street location: 22 Chateau Terrace SBL# 68.17-6-19

4. Present owner & address: [list all owners of record and their addresses – use additional sheet if necessary]

570 DAB 3 LLC Benderson Development
7978 COOPER CREEK BOULEVARD C/O JOSEPH P. KEIFFER
UNIVERSITY PARK FL 34201

B. DESCRIPTION OF CRITERIA FOR DESIGNATION OF HISTORIC LANDMARK, SITE, OR DISTRICT

Applicants must clearly and thoroughly identify the criteria which is the basis for designation of a historic landmark, site or district. Applications will not be considered by the Commission unless completed with all information deemed necessary by the Commission.

Applicants must:

- Indicate the criteria which is the basis of this application with a check box below
- Provide a supporting written narrative explaining how this property meets EACH criteria indicated.
- Attach supporting documentation for each criteria
- Provide such additional documentation required by the Commission

Attachment: Landmark Application - Jessica Black (27242 : 22 Chateau Terrace)

The HPC may recommend designation of an individual property as a HISTORIC LANDMARK if it:

_____1. Is associated with the lives of individuals, or of people, or of events significant in the national, state or local history.

_☑_2. Embodies the distinctive characteristics of a type. a period, or a method of construction.

_____3. Represents the work of a master architect or designer, or possesses high artistic values.

_____4. Represents a significant or distinguished entity whose components may lack individual or special distinction.

_____5. Because of a unique location or singular physical characteristic. it represents an established and familiar visual feature of the neighborhood.

The HPC may recommend designation of a property or a group of properties as a HISTORIC SITE if it/they:

_____1. Contain(s) significant historical or cultural sites where buildings or structures no longer exist such as a battlefield, cemetery, or former transportation facility; or sites which may yield information important to area history or prehistory.

The HPC may recommend designation of a group of properties as an HISTORIC DISTRICT if they:

_____1. Contain properties which meet one or more of the criteria for designation as a landmark; or

_☑_2. Are an area that represents several periods or styles of architecture typical of different areas of history; or

_____3. Are an area that has several buildings of the same architectural period or style, and thus constitute unified architectural streetscape consistency, or a significant community uniformity of style; or

_____4. Are an area connected with significant events or cultural happenings or developments involving ethnic, religious groups, or other groups of special historical interest; and

_____5. By reason of possessing such qualities, they constitute a distinct section of the Town of Amherst.

Attachment: Landmark Application - Jessica Black (27242 : 22 Chateau Terrace)

C. PROPERTY DESCRIPTION

5. **Building material(s):**
___ clapboard ☑ stone ☑ stucco
___ shingles ___ cobblestone ___ board and batten
___ brick ___ logs ___ other: _____

6. **Structural system:** (if known)
___ wood frame: heavy timber ___ plank
___ wood frame: light members ___ metal (explain): _____
___ masonry load-bearing walls _____
___ log ___ other: _____

7. **Condition/ Integrity:**
___ excellent ___ deteriorated Check one: Check one:
◎ good ___ ruins ◎ unaltered ◎ original site
___ fair ___ unexposed ___ altered ___ moved
date: _____

List major alterations and dates (if known):_____
Exterior alterations include a few replacement windows, a replacement wood rail on the front stoop, and asphalt roofing shingles.

Source of this information: Commonwealth Heritage Group Documentation Report, June 2022

8. **Threats to building:**
___ none known ☑ development ___ deterioration
___ zoning ___ roads ___ fire
___ other/comments: _____

9. **Related outbuildings and property:**
___ barn ___ carriage house ___ shop ___ well
☑ garage ___ greenhouse ___ gardens ___ other
___ shed ___ privy ___ stables _____
Landscape feature:_____
Other:_____

10. **Surroundings:** (check all that apply)
___ open land ___ densely build-up ☑ residential
___ woodland ___ commercial ___ other:_____
___ scattered buildings ___ industrial _____

11. Interrelationship of building and surroundings:_____

Attachment: Landmark Application - Jessica Black (27242 : 22 Chateau Terrace)

12. Other notable features of building and site (i.e. style, details, interior features if known):

Description of Exterior.

The residence at 22 Chateau Terrace is a frame, two-story Craftsman-style building with a front-gabled roof with asphalt shingles, stucco exterior, wood belt course, and stone foundation. It has a rectangular plan and measures approximately 24.20 ft wide by 40.66 ft deep. Window openings are single, paired, and triple groupings. These openings feature simple molded wood surrounds and wood double-hung sash (1/1 and 9/1). Original basement windows have two lights. The east façade has an enclosed entry porch with a wood stoop in the north bay, a one-story sunroom with a low-pitched gabled roof, and a triple window grouping with bracketed pent. The entrance door features six lights over two lights and two panels. It is flanked by sidelights of four over one, a wood panel, and a single corner pilaster. Six lights over one light windows are on the north side of the entry porch. Stylistic details include wide overhanging eaves with single triangular ...

Signed at:
2023-02-02 11:45:44

02/02/2023

Signature of Applicant **Date**

Print Name

Two (2) copies of this form and all supporting documents must arrive by 4:00 pm (end of day) two weeks prior to the monthly Historic Preservation Commission meeting. Upon submission of the complete application, one complete PDF shall be emailed to the Town of Amherst. Email address shall be provided at the time of submission.

Attachment: Landmark Application - Jessica Black (27242 : 22 Chateau Terrace)

DO NOT WRITE BELOW THIS LINE

The Town of Amherst Historic Preservation Commission action taken:

Motion:

_____

Chairpersons Signature_____

Date_____

CRITERIA NARRATIVES AND SUPPORTING DOCUMENTS MUST BE ATTACHED

Attachment: Landmark Application - Jessica Black (27242 : 22 Chateau Terrace)

Address: 22 Chateau Ter
Section, Block & Lot (SBL): 68.17-6-19
Owner Name: 570 DAB 3 LLC

Property Inventory

Bedrooms: 3
Baths (Full, Half): 1, 0
Fire Places: 0
Town or Village: Town of Amherst
School District: Amherst Central
NY State School Tax Code: 719
Fire District: Snyder
Frontage x Depth: 80.00 ft x 73.34 ft
Property Type: Residential

Description: One Family Year-Round Residence
Building Style: Old style
Year Built: 1920
Sq Footage: 1727 sqft
Exterior Wall Material: Stucco
Improvement(s):
RG4, Gar-1.0 det, 360 Sq FT
RP2, Porch-covered, 35 Sq FT



Figure 1. The property at 22 Chateau Terrace, Town of Amherst, Erie County, New York *(Commonwealth 2022).*

Attachment: 22Chateau.docx (27242 : 22 Chateau Terrace)

"When you strip away the rhetoric, preservation is simply having the good sense to hold on to things that are well designed, that link us with our past in a meaningful way, and that have plenty of good use left in them."

Richard Moe
President, National Trust for Historic Preservation
Delivered at the First Church of Christ, Scientist, Berkeley, CA March 27, 2008

Neighborhood Context & Overview

Amherst

European-American settlement of the Niagara Frontier dates from the end of the American Revolution in 1783. During the next decade large grants of land in western New York would be sold to private investors who attempted to open the land to settlement. The land's initial purchasers, a syndicate of speculators headed by Oliver Phelps and Nathaniel Gorham, forfeited their obligations, and the rights to the unsurveyed portion of the area were sold to Robert Morris in 1791. Reserving a portion of the land for his own purposes, Morris sold the remainder, including all of present-day Erie County, to a consortium of Dutch investors, called the Holland Land Company, in 1792-1793 (Turner 1974 [1850]; Silsby 1961).

Joseph Ellicott was contracted in July 1797 to survey the company's land in western New York and divide it into townships. The process began in the spring of the following year. The current path of Main Street (NY Route 5), completed in 1803, was known as the Buffalo-Batavia Road to the early settlers. This road and the future City of Buffalo were laid out by Ellicott (White 1898). Once townships had been surveyed and roads in the area cut, settlement and growth followed quickly. The first land sales in Amherst were made in the autumn of 1803 to Samuel Kelsey, Henry Lake, Benjamin Gardner, and William Lewis, among others. The earliest settlers arrived the following year and included Timothy and Orlando Hopkins, John Hershey, Samuel McConnell, Alexander Logan, Caleb Rogers, Stephen Colvin, John King, and Joel Chamberlain. By 1808 Ellicott Creek (then known as Eleven Mile Creek) had been dammed and a grist mill was operating in what was then called Williams Mill. Erected by Jonas Williams, the mill was joined by a sawmill and later a tannery (Glover 1972:2). Niagara County (consisting of what are now Erie and Niagara counties) was formed from Genesee County in 1808.

The War of 1812 stunted growth in Western New York which served as one of the primary theaters of that conflict, and areas near the border with Upper Canada (the current province of Ontario) were ravaged by attacks and counterattacks. After the war, Eleven Mile Creek (Ellicott Creek) offered a prime power source for nascent industrial growth, which in turn attracted settlers to the area. With increased population, new political divisions were made. The Town of Amherst was separated from the Town of Buffalo in April 1818 and named for Sir Jeffrey (or Geoffrey) Amherst, Commander of British forces in America in 1759 and 1760 and an early advocate of biological warfare (i.e., blankets infected with small-pox) against the Indians (White 1898: I:493-494; Fenn 2000:1573-1579). Erie County was created when all the land south of Tonawanda Creek was removed from Niagara County in 1821. The Town of Amherst achieved its present size in 1839 when the Town of Cheektowaga was created (White 1898: I:493-494).

The area received a tremendous economic boost when one terminus of the Erie Canal was located at the village of Buffalo. Begun in 1817, the Erie Canal linked Buffalo and Lake Erie with New York City when it opened on October 26, 1825. The completion of the canal attracted additional settlers to the region, including many German-speaking Alsatians, who began to populate the largely agricultural and unoccupied northern portions of

Attachment: 22Chateau.docx (27242 : 22 Chateau Terrace)

the Town of Amherst in the early 1830s (Young 1965:260). Progress was slow since Ellicott Creek flooded regularly, and the nearby land had to be drained before it could be cultivated (Smith 1884: I:400). Despite these endeavors, the center of settlement in the Town of Amherst remained at Williamsville near the creek. Homesteaders focused on growing grain, notably wheat, and grazing cattle. The town's numerous creeks supported a variety of rural industries, including grist mills, a carding mill, sawmills, a tannery, a shoe-and-boot factory, a broom factory, a slaughterhouse, and two furnaces for processing iron needed by area blacksmiths (Glover 1972:2-3; League of Women Voters 1985:6; Amherst Museum 1997). The Fogelsonger limestone quarry was located between Snyder and Williamsville near what is now the entrance to the New York State Thruway. The population of the town increased during the middle decades of the nineteenth century from 4,153 in 1850 to 4,807 in 1875 (Beers 1880:18-19).

First completed to Buffalo in the 1840s, railroads played an important part in the development of western New York as an economic power during the nineteenth and twentieth centuries. As part of the effort "to connect the Hudson River and Lake Erie with a 'ribbon of rails'" the Batavia branch of the New York Central Railroad passed through the central part of the Town of Amherst (Eberle and Grande 1987:52; Stone and Stewart 1866; Beers 1880). This line was abandoned in the twentieth century, and the tracks were pulled up. The New York West Shore & Buffalo Railroad ran passenger service along this route, stopping at Transit Station and Getzville beginning in 1884 (White 1898: I:539; USGS 1905). By 1896, a branch of the Lehigh Valley Railroad ran diagonally through the town, west and south of the project area (Young 1965: 264; USGS 1905, 1948).

During the late nineteenth century, the Town of Amherst underwent a period of infrastructure improvements, including the widening and paving of streets and roadways, and the erection of bridges. The first telephone was installed in 1879 (although dial service did not begin until 1949) and the first water system was created in 1895. After the turn of the nineteenth century, other public services began to improve living conditions in the town: water-power generated by Niagara Falls was used to provide the town's electricity as electric lights were erected along Main Street in 1901; a natural-gas franchise was granted in 1902; the first water meters were installed in 1919 (League of Women Voters 1985:7; Young 1965:264- 265).

Industry in the town at that time centered on processing grain. Large and active flour mills ground wheat grown in the town as well as grain brought to Williamsville from the docks of Buffalo. By the 1890s, however, "electric power from Niagara Falls became available in unlimited quantities. [As a result,] except for the Chalmers gelatine factory [in Williamsville], founded in the 1872, industry disappeared, and Amherst turned toward developing itself as a residential area" (Glover 1972:6-7; see also Young 1965:116- 117). Improvements and developments in transportation networks during the 1890s into the twentieth century, as well as the prosperity of the cities of Buffalo and Tonawanda facilitated the trend toward creating residential communities. In 1892, an electric trolley system connected Williamsville to Buffalo, which operated until 1930, when gasoline buses and cars proved more popular with commuters (Glover 1972: 6; Young 1965:263). These transportation improvements offered suburban living opportunities for urban workers.

Agriculture remained prominent in the town well into the twentieth century although the trend of subdividing former farms or unproductive areas into residential developments accelerated after World War I (Dunn 1972:212; Eberle and Grande 1987:202).

The town of Amherst was historically a farming community. From a marginal agricultural community at the end of the nineteenth-century, Amherst's population grew dramatically during the first three decades of the twentieth-century: 10% between 1900-1910, 36% between 1910-1920, and 110% between 1920-1930 (Bain 1974, 23). In the late decades of the nineteenth-century, and early decades of the twentieth-century the area north of the city of Buffalo was viewed as the prime location for suburban development, removed from, while remaining connected to the city. The development continued to move farther into the rural landscape of the town of Amherst, facilitated initially by the electronic trolley line along Main Street, which would connect residents in these newly developed neighborhoods to the city of Buffalo. Suburban growth in Amherst began in small

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speculative developments located off Main Street in the southern part of town. The movement of people out of the city to suburban neighborhoods defined, and continues to define attitudes toward architectural design and neighborhood planning. This movement can be traced through a study of historic maps, specifically in the planning of new roads, which in essence define suburban growth. In the early 1920s the town transferred the responsibility for road construction to commercial developers. This set the stage for speculative, residential suburban development. The buildings constructed on the existing, and newly constructed roads, resulted in the town of Amherst containing a selection of nineteenth- and early twentieth-century farm houses and farm complexes in areas to the north, and architecture representing recognizable American styles in areas close to Main Street, and the village of Williamsville. After World War II Amherst population growth and suburban expansion was typical of other areas in the country. Existing infrastructure directed intensive building adjacent to established arterial neighborhoods. The areas to the north of town that have been historically agricultural or wetlands have remained essentially undeveloped. As a result, the town of Amherst is composed of a diverse selection of early and mid-twentieth century residential properties, and a selection of rural agricultural farmhouses and complexes juxtaposed against commercial and residential growth that occurred primarily after World War II, and again after 1970. Other building types, including commercial, institutional, ecclesiastic and recreational, necessary to support these developing neighborhoods were also constructed. Amherst is a rich study in the development of a rural agricultural town into a suburban community characteristic of nineteenth-and twentieth-century America.

Snyder

The hamlet of Snyder appeared as "Snyderville" on the historic maps until at least 1901, at which point the name was shortened to Snyder. The hamlet is centered on the intersection of Main Street and Harlem Road, where Snyder's business district was historically located. *The intersection is devoid of any remnants of its nineteenth-century commercial built form.*

To the west of William's Mill, a small community formed in the future Snyder area when in 1804 Timothy Hopkins purchased a large farm on Main Street which extended west from Washington Highway (approximately three blocks west of Harlem Road) to Amherstdale Road (Fiddler-Woite 1998:11). Settlement progressed slowly in the Snyder area during the early nineteenth century. The Schenck family moved to the area from Pennsylvania in 1821. Two years later, Abraham Snyder and his family also moved from Pennsylvania and settled near their cousins, the Schencks.

Other early families include Schenck, Freuhauf, Helfer, LeBrun, Miller, Fisher, Schuler, Cable, Witmer, Beck, Crout, Harrison, Kern, Frick, and Fogelsanger (Fiddler-Woite 2009:63,65). In 1830, the Hopkins sold their property to the Schenk family (Fiddler-Woite 2009:14). Abraham Snyder, his wife Veronica, and their two sons (Michael and Jacob) lived in a log cabin on Main Street near Harlem Road. In 1832, Mr. Snyder mysteriously disappeared leaving the burden of supporting the family on young Michael (Fiddler- Woite 2009:20). Within 5 years, Michael Snyder moved the family into a plank house on the northeast corner of Main Street and Harlem Road. He opened a mercantile with John Schenk in the front room of the house. He later expanded the house and opened Snyder's Inn to cater to travelers on the Buffalo Road. He established a U.S. Post Office, according to Snyder family records, as early as the late 1840s (Fiddler-Woite 2009:23). The first post office stood on the northwest corner of Main Street and Harlem Road. However, Michael Snyder was not formally listed as the postmaster of the Snyderville Post Office until 1882 (Fiddler- Woite 2009:24).

An unnamed crossroads community centered on Main Street and Harlem Road is depicted on the 1855 atlas map of Erie County (Geil 1855). The area near Chateau Terrace along Main Street was lined with structures, one of which was a school house. One map-documented structure was a property owned by Mrs. Snyder, which would later be adjacent to the side of Chateau Terrace. A log and brick school house (District #18) was also located near the future site of the Chateau Terrace development (Grande 2000:51). In 1860, Michael Snyder acquired additional property to the east on Main Street near present Chateau Terrace. Snyderville is first identified on the 1866 map of Erie County (Stone & Stewart 1866). M. Snyder's Store and Post Office are

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depicted on the northeast corner of the intersection on Lot 13.

Tobias Witmer, surveyor, carried out the original survey of Farm Lot 13, the future location of Chateau Terrace, in 1852 (Holland Company Land Title & Abstract Company 2017). Mid-to late nineteenth-century land owners of the Chateau Terrace section of Lot 3 (east section) included Michael Shenk, Michael Shenk Jr., and Philip J. Ferkel. By 1880, Lot 13 had been further subdivided, and G. Demerest owned the largest tract with 61 acres on the east side of Lot 13. (Beers 1880; Figure 6). John and Jacob Snyder owned adjacent parcels on Lot 12, to the east. In 1896, a branch of Lehigh Valley Railroad was constructed through Amherst (Young 1965:264) to the north and east of Snyder. An 1898 map depicts the Lehigh Valley Railroad and the Buffalo & Williamsville Electric Railroad on Main Street extending through Snyder (The Matthews- Northrup Co. 1898). Lot 13, the future location of 22 Chateau Terrace, remained undeveloped. The first residential development in the Snyder vicinity was laid out along Getzville Road and Main Street by this time.

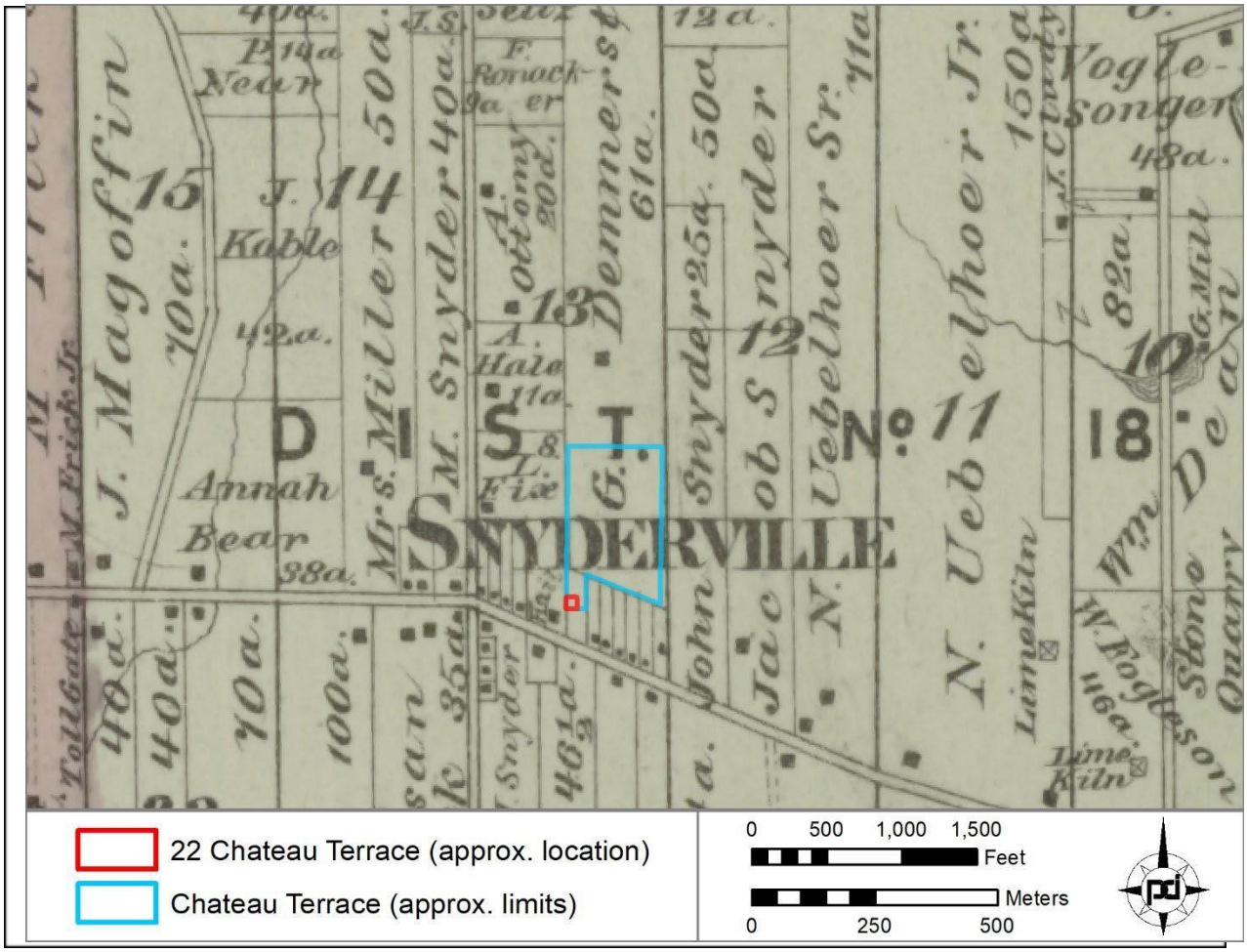


Figure 6. The general location of 22 Chateau Terrace on the 1880 map of the Town of Amherst (*Century Map Co. 1915).*

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Twentieth-Century Development in Snyder. Early twentieth-century growth of the Snyder area has been attributed to the opening of Buffalo & Williamsville Electronic Railway (aka Toonerville Trolley in 1893 and the advent of the automobile (Grande 200:145; Fiddler-Woite 2009:38). Running along the north side of Main Street, the trolley line connected Buffalo and Williamsville. Efficient and dependable transportation attracted the interest of future homebuyers in new housing developments (Fiddler-Woite 2009:93). In operation until 1930, the trolley provided access for middle class families to purchase a home in Snyder.

In 1911, brothers William Charles Taylor Suor (1873-1959) and Arthur M. Suor (1874-1936) purchased 99 acres of the Kabel family's farm for the College Hill neighborhood development, which they first called "Amherst Heights" (Grande 2000:149). Formed in 1894, Suor & Suor were initially engaged in real estate business development projects near the Central Park and Parkside neighborhoods of Buffalo (White 1898:439). The brothers developed a few one-block streets near some of the main thoroughfares of Central Park, including Starin and Vorhees Avenues (Moriarty 2017). Their developments on Revere Place, Taft Place, and Sagamore Terrace were speculatively built homes erected on modest lots (Moriarty 2017). Suor & Suor offered affordable single-family homes with modern amenities which appealed to middle class consumers (Moriarty 2017).

Suor & Suor had been previously involved in more traditional real estate interests of acquiring and selling farm houses (Grande 2000:149). Within a few years the firm would further expand development in Snyder with the College Hill - Chateau Terrace subdivision. A third brother, John Russell Suor (1882-1959), was also involved in the development of Snyder (Buffalo Evening News [BEN] 1953:25). He started his real estate career in Buffalo and later moved to Snyder. For roughly 25 years, John Suor was associated with the Erie County Real Estate Department and the county attorney's office as an appraiser (BEN 1953:25).

In Snyder, the Suors envisioned a new type of residential development on the south side of Main Street between Getzville and Harlem roads. Washington Highway formed the central point of what became known as the College Hill (Fiddler-Woite 2009:93). Suor & Suor's College Hill Office was erected on the southwest corner of Main Street (#4363) and Washington Highway (Fiddler-Woite 2009:94). The company built middle-class-sized homes which typically consisted of a two-story building with four bedrooms, a den, and a bathroom on each floor (Fiddler-Woite 2009:95). In February 1917, there were 40 homes in College Hill (BEN 1917). Suor & Suor advertised their new modern homes in local Buffalo newspapers to attract potential buyers to relocate to Snyder (Figures 7 and 8).

The brothers continued to acquire more tracts of land for their development in Snyder. Suor & Suor purchased an additional 65-acres of the Tobias Witmer farm south of College Hill by 1919 (Fiddler-Woite 2009:95). Named College Hill Terrace, the new 331-lot development extended toward Kensington Avenue. It was laid out with large lots for more upscale homes with landscaping and street furniture (Fiddler-Woite 2009:95). The Suors also endeavored in commercial development. In 1920, the Town of Amherst's population had increased by 36 percent from 4,629 in 1910 to 6,286 with much of the increase in the Snyder- Eggertsville area (Grande 2000:145). This rise in population included both new owners of large estates as well as an increased migration of middle-class commuters who purchased homes in the new subdivisions (Grande 2000:146).

By early 1920s, new residential neighborhoods were established west of Williamsville along Main Street which included the following: Rosedale Park, College Hill, Chateau Terrace, Audubon Terrace, and Amherst Estates. From 1923 to 1930, a town committee on building construction approved 73 major subdivisions (Grande 2000:189). The 1920s building boom in Amherst contributed to a 110 percent increase in population from 6,286 in 1920 to 13,181 in 1920 (Grande 2000:183). This growth is evident on a 1927 aerial photograph of the Snyder area (see Figure 14). The 1938 map of Snyder shows extensive residential subdivisions on the north and east sides of Main Street west of Harlem Road and on the south side of Main Street west of Harlem Road (Niagara Frontier Planning Board 1938a, 1938b).

Attachment: 22Chateau.docx (27242 : 22 Chateau Terrace)

Chateau Terrace Area

Chateau Terrace Study Area was first recommended as a potential historic district in the 1997 Reconnaissance Level Survey of Historic Resources, Town of Amherst (Bero 1997:Appendix F-6). ***The residence at 22 Chateau Terrace was identified as a contributing resource to a proposed historic district.*** In 1997, Chateau Terrace consisted of approximately 73 houses (52 contributing; 21 non-contributing). It included the following properties: 121 Chateau Terrace North; 7-65 and 10-42 Chateau Terrace South, 11-69 and 20-80 Chateau Terrace East 1-121 and 22-120 Chateau Terrace. In the 2011 Survey, 47 were contributing and 23 were non-contributing.

Chateau Terrace Historic District was characterized as a distinct, cohesive residential enclave featuring winding streets, early twentieth-century styles of modestly scaled homes in close proximity to the trolley line. Chateau Terrace residences were primarily built during the 1920s and 1930s. A variety of popular residential architectural styles are represented in the neighborhood including Bungalow, Craftsman, American Foursquare, Colonial Revival, and Dutch Colonial Revival (Figure 4). Other features of Chateau Terrace include a winding street pattern with mature street trees. The 1997 survey also noted Chateau Terrace's significance at the local level for its association with Amherst's early twentieth-century suburban development.

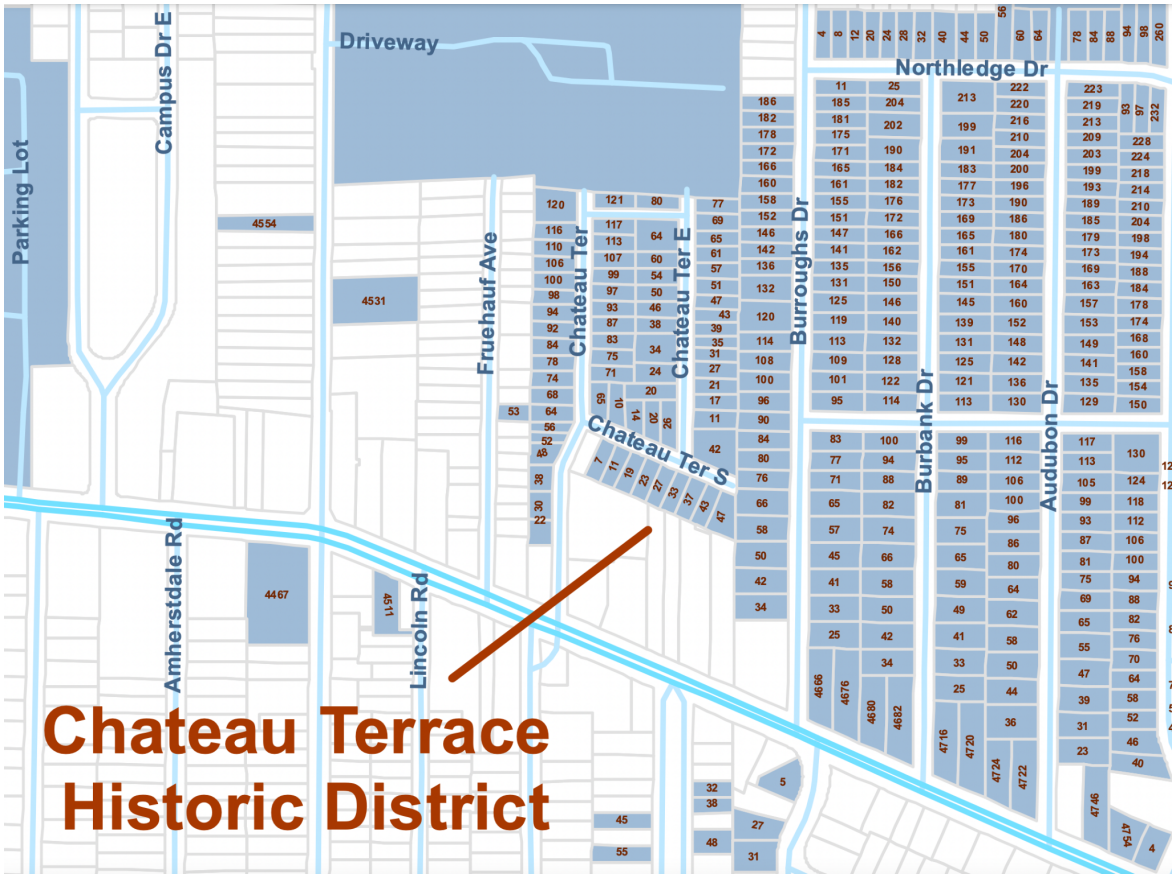
The Colonial Revival style was the dominant style for domestic architecture during the first half of the twentieth-century. It refers to a revival in the interest of early Dutch and English (Georgian and Adam styles) houses from the Atlantic seaboard The Centennial Exhibition of 1876, and the Chicago World's Fair in 1893 sparked a renewed interest in colonial architecture, and the colonial period in general. In the last two decades of the nineteenth century, the Colonial Revival influenced the Queen Anne style, producing classical details such as Palladian windows. A number of publications including The American Architect and Building News and Ladies Home Journal promoted the style to both the professional and private sector. Typically, the style tends to be eclectic with the free combination from two or more of these early precedents. Common elements associated with the style include regular massing, symmetrically balance façades, embellishment of front entrances with pedimented porches and classical surrounds, multi-light double-hung wood sash, brick or wood clapboard walls and gabled roof dormers. 22 Chateau Terrace is an example of the Colonial Revival style.

The 1997 survey assigned a "yellow" color code for Chateau Terrace, which is the third level of color coding for properties in the reconnaissance survey's Annotated List (Bero 1997: Appendix F-6). A "yellow" designation for a property represents a property with moderate architectural and/or historical significance (Bero 1997: 101). Chateau Terrace was one of nine historic districts in Amherst recommended for the intensive level survey. However, the historic districts were not included in the 1998 intensive level survey (Bero 1998:2).

In 2011, Chateau Terrace was reassessed in the Updated Reconnaissance Level Survey of Historic Resources, Town of Amherst (KTA 2011: Appendix 1-6). The 2011 survey determined Chateau Terrace Historic District met the criteria for a "blue rated" property. The definition of a "blue rated" property is presented below:

> **BLUE:** *Extremely high architectural and/or historic significance. These properties would likely also meet the criteria for it to be considered National Register eligible. A locally significant district. A resource that is rare and lacks individual distinction. All districts are considered Blue as are most farmsteads.*

Attachment: 22Chateau.docx (27242 : 22 Chateau Terrace)





Why Pay Rent?

Your rent money will buy a modern new home out North Main St., all improvements, high land, delightful surroundings.

Sign the Coupon below --mail it right now.

SUOR & SUOR

Main St., over Buffalo City Line—P. O., Snyder, N. Y.

COUPON.

Suor & Suor: Gentlemen, I would like to know more about your proposition of buying a modern home out North Main St. for the money I am paying for rent.

Name .....

Address .....



NEW HOMES OUT MAIN STREET.
College Hill and College Hill Terraces.

200 Washington Highway, large rooms, 4 bedrooms, 2d floor, one 3d floor; lot 50x155 ..... $12,500.00

30 Chateau Terrace, 4 bedrooms, wide lot 80 feet 9,000.00

65 Chateau Terrace, 3 bedrooms, lot 50x132 ..... 9,500.00

SUOR & SUOR, Main Street and Chateau Terrace. Call Crescent 1048. 31t10

Figures 7 and 8. Suor & Suor real estate advertisements in 1921 (left) and 1923 (right) *(Reproduced from The Buffalo Times 1921 and Buffalo Courier 1923b).*

Attachment: 22Chateau.docx (27242 : 22 Chateau Terrace)

The land east of Harlem Road, north of Main Street, remained as large tracts of privately owned land until after 1915. By 1923 the individual tracts had been sold, and developed as individual lots. Park School buffers the neighborhood to the north, as do residential lots lining Main Street to the south. In 1923 only the lots on Fruehauf Avenue show houses were constructed. By 1932 houses had been constructed on Chateau Terrace South, and Chateau Terrace East, with some construction on Chateau Terrace.

In 1909, G. Demert was identified with the east portion of Lot 13, which would become the future site of Chateau Terrace subdivision (Century Map Co.1909 [Figures 9 and 10]). The southern portion of Lot 13 consisted of a residential-width parcel consistent with the other lots along Main Street. It would later become the entrance road to Chateau Terrace. J. Freuhaut [sic] owned the adjacent properties on the west side of the southern portion of Lot 13. The south end of the street that became Fruehauf Avenue is shown between the two Frauhaut parcels fronting Main Street in 1909. A parcel owned by A. Snyder is adjacent to the east side of the south section of Lot 13, which became the Chateau Terrace entrance. Five other parcels on Main Street bordered the south boundary of Lot 13, one of which included the 1900 two-story brick school house (District 18). The rectangular-shaped north section of Lot 13 was bound to the west by residences on Harlem Road.

The 1915 Century Atlas map contains a discrepancy in property ownership of Lot 13. Chauncey Hamlin was identified on the Snyder sub plan as the owner of the G. Demert property on Lot 13, while the 1915 map of the Town of Amherst documents G. Demert as the owner of the 61-acre parcel (Century Map Co. 1915a, 1915b [Figures 11 and 12]). Hamlin's country estate stood on a separate parcel that fronted Harlem Road. Adjacent to the west side of the property was "J.C. Fruehaups Sub Div.," which consisted of 23 home sites with eleven frame buildings. Other subdivisions documented in Snyder at this time included Meadow Crest on the west side of Harlem Avenue north of Main Street and College Hill south side of Main Street along Washington Highway. According to the results of the title search, Chauncey Hamlin had the parcel surveyed in November 1917 (Holland Company Land Title & Abstract Company 2017: Table 1).

In 1920, The Park School of Buffalo purchased 100 acres on the east side of Harlem Road from the Hamlin Estate for the location of their new school campus which bordered the north boundary of the new Chateau Terrace subdivision (The Park School of Buffalo 2022; Fiddler-Woite 2009:126). In 1922, the Burkhardt Company purchased the Tobias Witmer farm on the east side of Chateau Terrace for the Audubon Terrace subdivision (Fiddler-Woite 2009:148).

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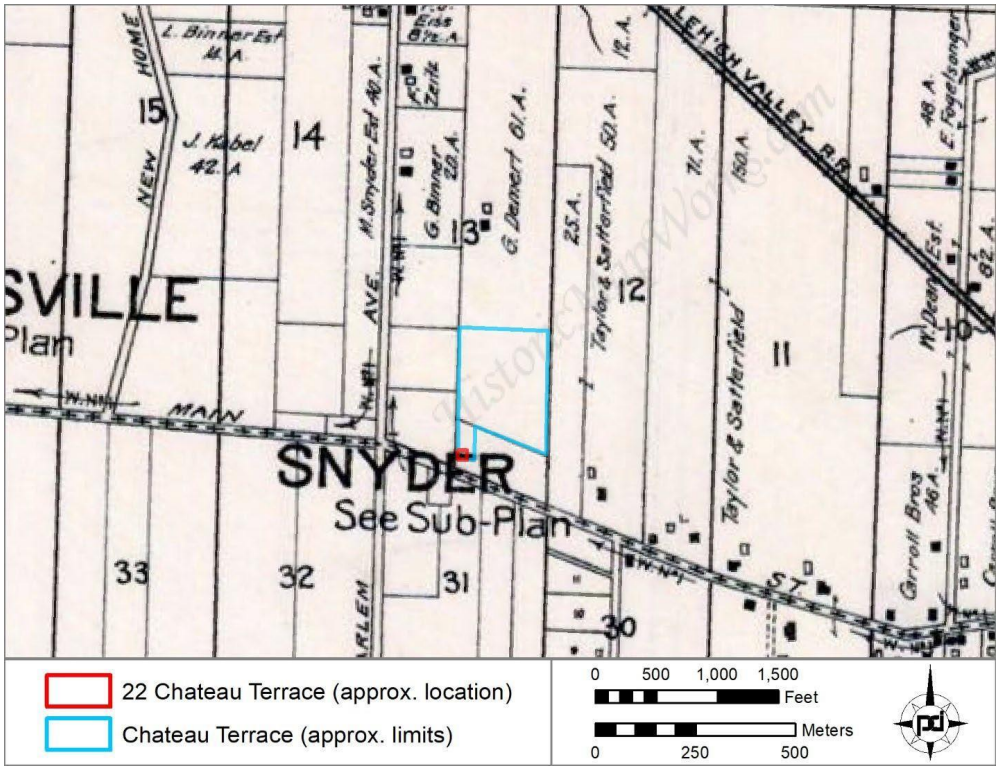


Figure 9. The general location of 22 Chateau Terrace on the 1909 map of the Town Amherst (*Century Map Co. 1909a).*

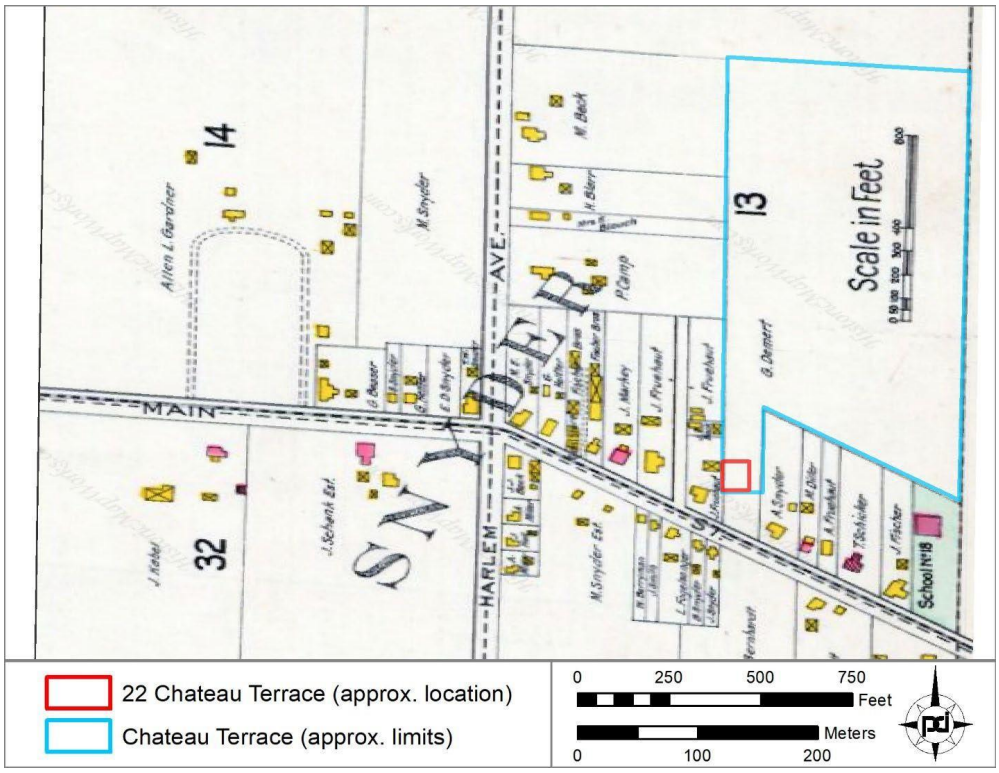


Figure 10. The general location of 22 Chateau Terrace on the 1909 sub-plan of Snyder *(Century Map Co. 1909b).*

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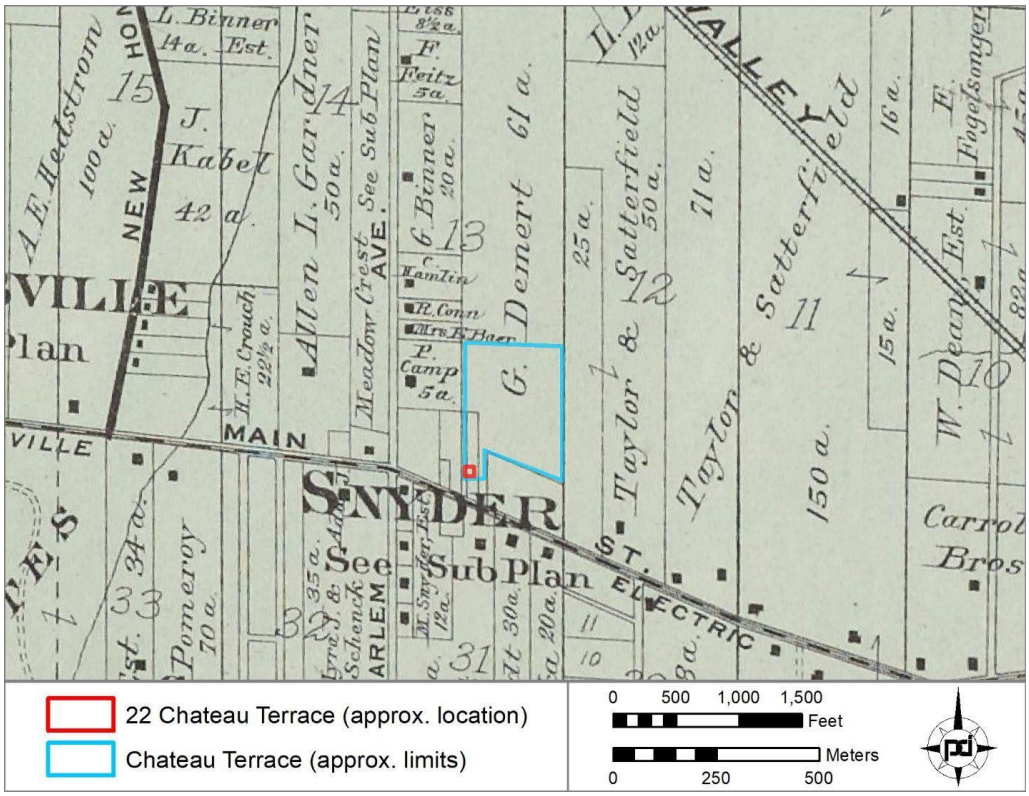


Figure 11. The general location of 22 Chateau Terrace on the 1915 Town of Amherst map *(Century 1915a)*

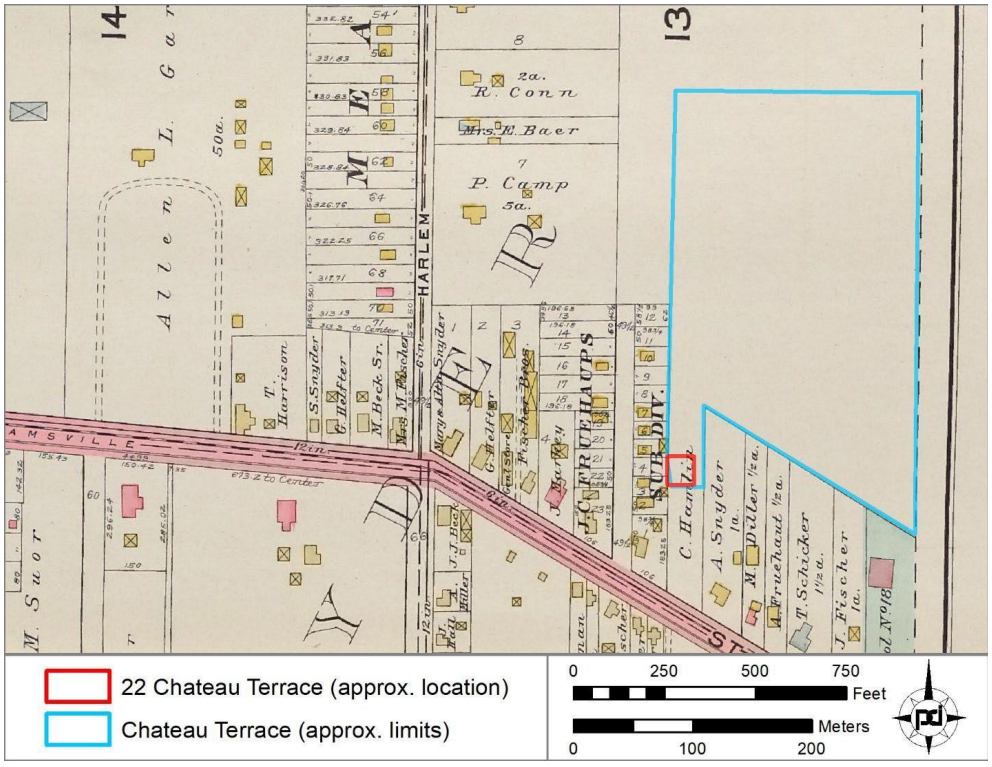


Figure 12. The general location of 22 Chateau Terrace on the 1915 sub-plan of Snyder *(Century 1915b).*

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In July 1919, William C.T. Suor and Arthur M. Suor purchased land from Chauncey J. and Emily G. Hamlin for their new College Hill-Chateau Terrace development (Liber 1423 of Deeds, page 240). Louis W. & Josephine E. Ball purchased the parcel at 22 Chateau Terrace on September 1, 1920 (Liber 1555 of Deeds, page 138). The lot was subject to building restriction for a period of 25 years from July 1, 1919. By March 1921, Suor & Suor were listing new homes in the Chateau Terrace development (Buffalo Courier 1921). The house at 30 Chateau Terrace, on the adjacent lot to the north of 22 Chateau Terrace, was advertised with four bedrooms on an 80-foot-wide lot at a list price of $9,000. At 65 Chateau Terrace, the company built a three-bedroom house on a 50-ft by 132-ft lot which listed for $9,500.

By 1923, Chateau Terrace subdivision was platted and sparsely developed with only 13 residences, three of which were on the west side of Chateau Terrace just north of Main Street (Sanborn 1923 [Figure 13]). Individual lot numbers in Chateau Terrace do not appear on the 1923 map. Nos. 22, 30, and 38 Chateau Terrace along the south entrance to the subdivision had been constructed by this time. The Craftsman-style detached garage at 22 Chateau Terrace had yet to be constructed. Roads within the subdivision were 50 ft wide. The Park School campus is documented on the north side of Chateau Terrace for the first time in 1923. By this time, Fruehauf subdivision had acquired additional land extending north to the school property. The properties south of Chateau Terrace South included four dwellings with detached garages and School House No. 18. In 1924, District #18 School moved from the two-story brick schoolhouse to a new location on Harlem Road (Fiddler-Woite 2009:110).

Charles S. Burkhardt Co., developer of the adjacent Audubon Subdivision, also built homes in Chateau Terrace. In April 1923, Burkhardt advertised two new homes in Chateau Terrace featuring all modern conveniences, garages, and large lots. Ranging in price between $14,000 and $14,500, each house included three bedrooms and tile baths (Buffalo Courier 1923a).

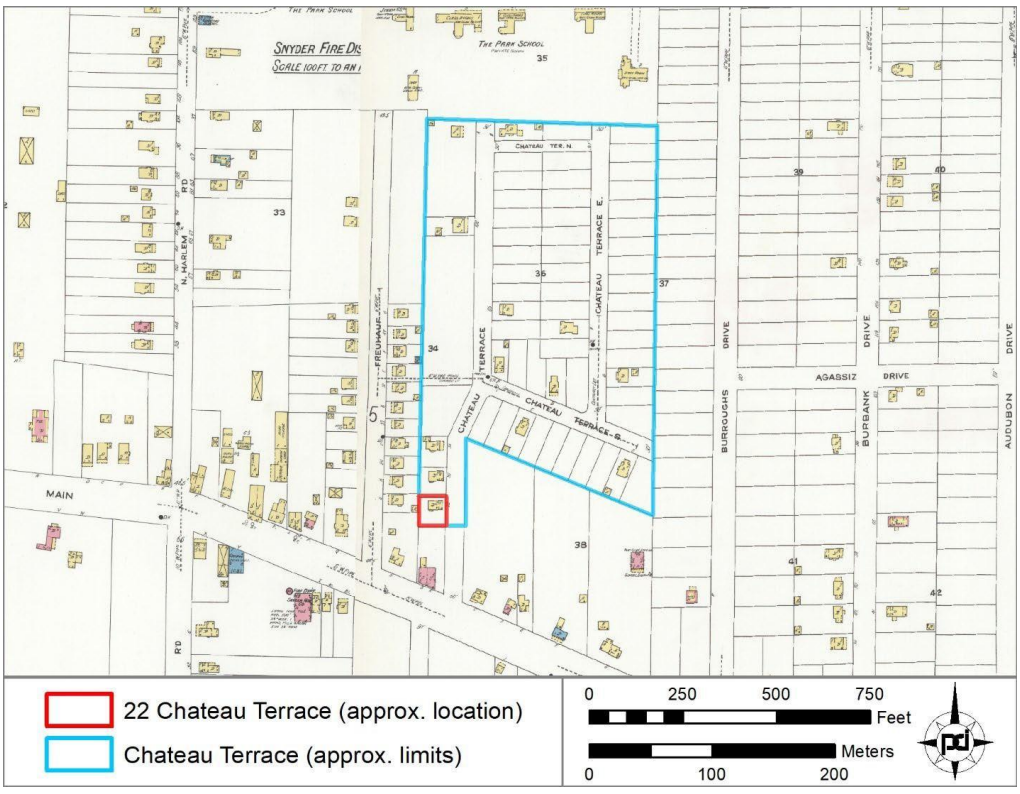


Figure 13. The location and footprint of the house at 22 Chateau Terrace as documented on the 1923 Sanborn Fire Insurance Map *(Sanborn 1923).*

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Chateau Terrace was laid out off Main Street serving as the only entrance road to the subdivision. In 1927, Chateau Terrace remained a partially developed subdivision (ECDPW 1927 [Figure 14]). The three residences depicted on the 1923 map on west side of Chateau Terrace, south of the where the road bends, are visible in the aerial photograph. The southernmost of which is 22 Chateau Terrace. By 1932, homes were erected on Chateau Terrace South and Chateau Terrace East along with some construction on Chateau Terrace (KTA 2011: Area 6-9).

On the 1938 map of Snyder, Chateau Terrace consisted of 74 numbered lots. The west side of Chateau Terrace was divided into 20 lots with the lots 1 through 4 located between Main Street and the bend south of Chateau Terrace South (Figure 15). **The residence at 22 Chateau Terrace was constructed on Lot #2.** The three houses noted on the 1927 aerial had 80 frontages on Chateau Terrace. The other parcels were laid out with 50-ft frontages along Chateau Terrace to the north, the south side Chateau Terrace East, and the south side of Chateau Terrace South. A 1951 aerial view shows additional development in Snyder (Figure 16).

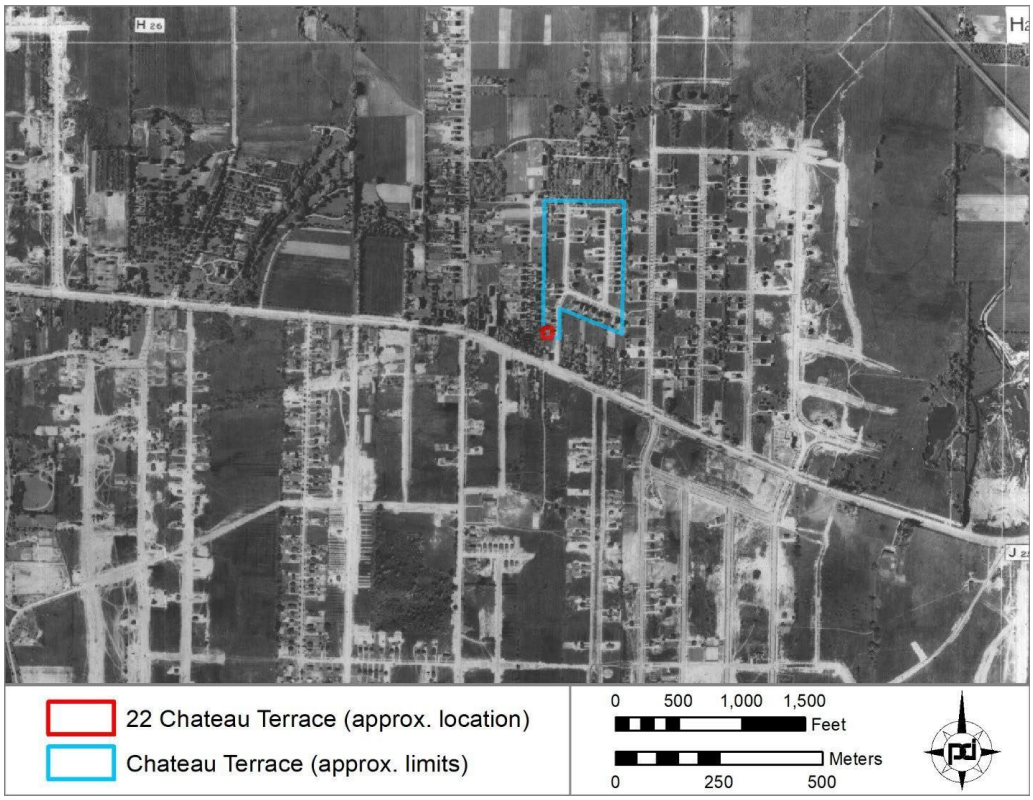


Figure 14. A 1927 aerial view of Chateau Terrace showing residential development in the subdivision and the surrounding area of Snyder *(Erie County Department of Public Works [ECDPW] 1927).*

The former Abram L. Snyder house on the northeast corner of Main Street and Chateau Terrace was demolished in 1957 (Fiddler-Woite 2009:148). A new U.S. Post Office branch (now occupied by the Bornhava school) was erected across the street from 22 Chateau Terrace on the site of the old homestead tract. Willliam C.T. Suor died at 85 years old in January 1959. An editorial on his passing credited the Suor brothers for beginning the trek to the North Buffalo suburbs with their Central Park development and continuing with the suburban development in Snyder (BEN 1959).

Lewis Ball died on August 20, 1968. His widow, Josephine E. Ball, sold the property in July 1971 to Edmund Karnofsky (Liber 7812 of Deeds, page 1). In 1975, the former school building on Main Street was demolished,

Attachment: 22Chateau.docx (27242 : 22 Chateau Terrace)

and the adjacent property to the south of Chateau Terrace was subdivided into parcels (Snyder- Eggertsville Library and Ascension Lutheran Church [Fiddler-Woite 2009:110]). Karnofsky owned the property for 15 years, later selling it to E/K Realty Group LLC in September 2008. The subsequent owner 570 DAB 3 LLC purchased the property in March 2018. Table 1 presents a summary of deed information for Subdivision Lot 2 (22 Chateau Terrace/Parcel B).



Figure 15. The property at 22 Chateau Terrace in 1938 *(Niagara Frontier Planning Board 1938).*

Attachment: 22Chateau.docx (27242 : 22 Chateau Terrace)

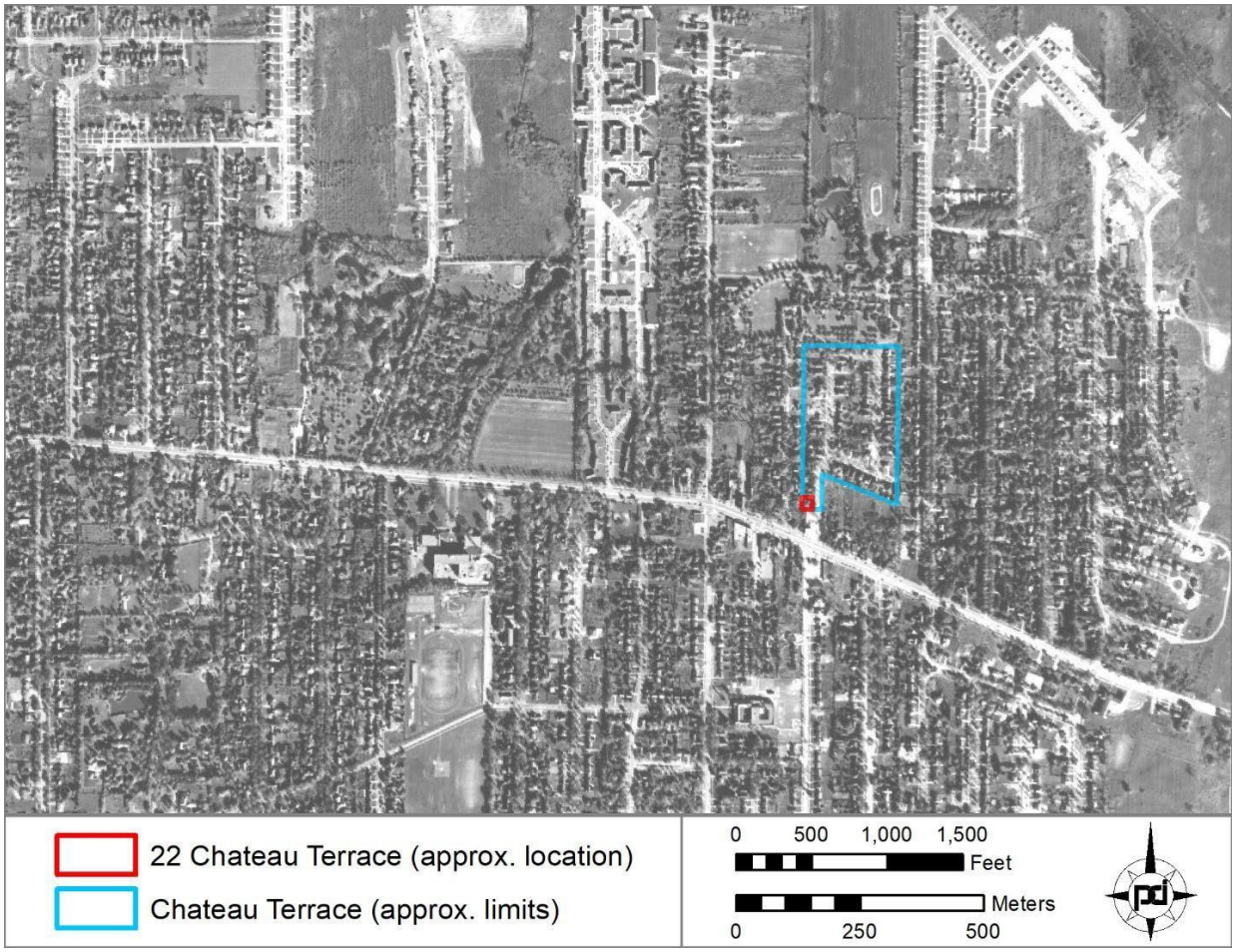


Figure 16. A 1951 aerial view of Chateau Terrace showing residential development in the subdivision and the surrounding area of Snyder *(ECDPW 1951).*

William Charles Taylor Suor and Arthur M. Suor. The Suor brothers were the sons of Charles and Anna (Taylor) Suor (White 1898:439). Their grandfather Joseph Suor was a native of Germany (White 1898:439). Charles Suor operated a wood turning establishment on the corner of Clinton and Oak streets in Buffalo and served as supervisor of the old Eleventh ward (White 1898:439). He died in 1887 when the boys were teenagers.

Arthur M. Suor was educated in public schools and the College of Commerce in Buffalo. He was first employed for three years with the T. C. Tanke's jewelry store and later in the Western Transit Company for a short time. In 1890, he accepted a position with the real estate firm of Thorne & Angell. He was associated with the firm until 1894, when he formed a partnership with his brother, William C. T. Suor (White 1898:439). In 1896, he married Ida Clare Heeb of Buffalo. They had one son, Arthur M., Jr. He was a member of Parish Lodge No. 292, F. & A. M., and of Trinity Lodge, I. O. O. F.

Attachment: 22Chateau.docx (27242 : 22 Chateau Terrace)

Table 1. Summary of Deed information: Subdivision Lot 2 (22 Chateau Terrace/Parcel B).

Date	Grantor	Grantee	Notes
n/a	Holland Land Company (Part of Lot #13, Township 12, Range 7)	Michael Shenk	Liber 7 of Deeds, page 48. Conveyed into two parcels East Parcel to Michael Shenk, Jr., Liber 53 of Deeds, page 103. West parcel to John Shenk, Liber 48 of Deeds, page 144.
1852	n/a	n/a	Original survey of Farm Lot 13 by Tobias Witmer, surveyors.
n/a	Michael Shenk, Jr (?)	Philip J. Ferkel	East side of Farm Lot No. 13. According to affidavit by Jacob W. Snyder.
n/a	Philip J. Ferkel	George Demert & Heirs	East side of Farm Lot No. 13. According to affidavit by Jacob W. Snyder.
n/a	George Demert & Heirs	Chauncey J. & Emily G. Hamlin	East side of Farm Lot No. 13. According to affidavit by Jacob W. Snyder.
November 12, 1917	n/a	n/a	Chauncey Hamlin had land surveyed.
July 12, 1919 REC. July 15, 1919	**Chauncey J. & Emily G. Hamlin**	**Wm. C.T. Suor & Arthur M. Suor**	Liber 1423 of Deeds, page 240. Subject to easement for water & sewer drainage.
September 1, 1920 Rec. October 7, 1920	Wm. C.T. and Jessie M. Suor & Arthur M. and Ida H. Suor	Louis W. & Josephine E. Ball	Liber 1555 of Deeds, page 138. Subject to building restriction for a period of 25 years from July 1, 1919.
July 1, 1971	Josephine E. Ball as survivor of Lewis W. Ball	Edmund Karnofsky	Liber 7812 of Deeds, page 1 Lewis died August 20, 1968
July 23, 1923 Rec. August 23, 1993	Edmund Karnofsky	New York Telephone Company	Easement. Liber 10727 of Deeds, page 240
August 9, 2008 Rec. Sept. 8, 2008	Edmund Karnofsky	E/K Realty Group LLC	Liber 11149 of Deeds, page 6267
March 16, 2018	E/K Realty Group LLC	570 DAB 3 LLC	Liber 11326 of Deeds, page 9012

Attachment: 22Chateau.docx (27242 : 22 Chateau Terrace)

Architectural Summary

Setting. Chateau Terrace on the north side of Main Street east of Harlem Road is nestled between two early-to-mid-twentieth-century residential subdivisions, Fruehauf to the west and Audubon Terrace to the east. Chateau Terrace was laid out to serve as the entrance road for the development. The subdivision was designed with four roads that form a near rectangular-shaped central plan. These include two north-south roads (Chateau Terrace & Chateau Terrace East), one northwest-southeast road (Chateau Terrace South), and one east-west road (Chateau Terrace North). The south end of Chateau Terrace has a bend to the northeast just south of Chateau Terrace South. Street trees were planted throughout Chateau Terrace. Trees lining the entrance road, and the road's winding alignment were designed to provide screening as well as privacy. Chateau Terrace was originally designed with three dead end roads. The north end of Chateau Terrace East is open for access to the Park School of Buffalo Campus. Commercial properties, a school, medical offices, and a public library border the south boundary of the subdivision.

Site. Located on the west side of the street, the single-family residence and detached garage at 22 Chateau Terrace is the first residential property in the subdivision north of Main Street. The parcel measures 80 ft wide by 73.34 ft deep. The house has a narrow 9.77-ft setback and a small, enclosed backyard measuring roughly 22 ft wide by 20 ft deep. A mature 24-inch green ash tree is centered in front of the house on the road verge. Other mature trees include are on the south side of the driveway and along west edge of the parcel. Concrete walkways (2.5 ft-2.6 ft) are on the north and west sides of the house. A low concrete retaining wall stretches across the south property line. Parking lots associated with commercial properties fronting Main Street (Nos. 4558-4560 & 4548) border the south, southwest, and west perimeters of the parcel. Residential properties are adjacent to the north (20 Chateau Terrace) and northwest (23 Fruehauf).

Description of Exterior. The residence at 22 Chateau Terrace is a frame, two-story Craftsman-style building with a front-gabled roof with asphalt shingles, stucco exterior, wood belt course, and stone foundation. It has a rectangular plan and measures approximately 24.20 ft wide by 40.66 ft deep. Window openings are single, paired, and triple groupings. These openings feature simple molded wood surrounds and wood double-hung sash (1/1 and 9/1). Original basement windows have two lights.

The east façade has an enclosed entry porch with a wood stoop in the north bay, a one-story sunroom with a low-pitched gabled roof, and a triple window grouping with bracketed pent. The entrance door features six lights over two lights and two panels. It is flanked by sidelights of four over one, a wood panel, and a single corner pilaster. Six lights over one light windows are on the north side of the entry porch. Stylistic details include wide overhanging eaves with single triangular knee brackets, beveled windows, and paneled and glazed doors.

Exterior alterations include a few replacement windows, a replacement wood rail on the front stoop, and asphalt roofing shingles.

Description of Interior. The open first-floor layout consists of a sunroom, dining room, living room, kitchen, and basement/side entrance hall. Three bedrooms, a bathroom, and a hall closet are on the second floor. It has an unfinished basement. The interior has painted plaster walls. Floor finishes include carpeting, hardwood, linoleum, and tile. Hardwood floors are covered on the first floor and primary bedroom. Interior windows are accented with simple wood trim. Extant interior doors are wood with six panels.

The living room has a central brick fireplace with a wood mantel supported by three brick corbels, built-in wood shelving, and Craftsman-style staircase (quarter turn stairs) with corner pier along the north wall. The Craftsman-type living room entrance door has a single panel and four lights. An original push button switch panel is on right side of front door. A Craftsman-type beveled glass window is in the north wall of the living room and west wall of the dining room. Original wooden baseboards and metal baseboard registers are

Attachment: 22Chateau.docx (27242 : 22 Chateau Terrace)

intact. The kitchen has built-in cabinets. Original cabinet doors have been removed from the upper cabinet shelves on the west wall and a new sink with cabinets has been installed on the east wall. The side entrance/ basement hall is on the north side of the house.

The primary bedroom on the second floor is in the upper front (east) of the house. It features two closets and window seat. The other two bedrooms have a single window and closet. The bathroom retains its white hexagonal floor tile, built-in closet, and built-in medicine cabinet.

The basement retains its original door and wood stairs. It has exposed stone walls and a row of built-in cabinets along the west wall. The chimney has a basement clean.

Interior alterations include the following: removal of portions of built-in kitchen cabinets and sink; removal of original light fixtures; drop ceiling in the dining room; new kitchen flooring; removal of a few original doors; and removal of original bathroom sink and tub.

Garage. A detached, frame, two-bay Craftsman-style garage is on the southwest side of the house. The 3.66.5 sq ft garage (18.35 ft wide by 20.15 ft deep) has a hipped roof with overhanging eaves, and asphalt roof shingles, and wood exterior siding. Garage doors feature multiple pane fixed windows and wood panels. The garage is presently structurally unstable. A section of the roof has partially collapsed on the south slope (Photograph 14 in Appendix A).

Conclusions

The ca. 1920 residence with garage at 22 Chateau Terrace retains much of its original materials and stylistic elements, it is a representative example of a modest single- family home type constructed in the first quarter of the twentieth century in Buffalo and suburban neighborhoods. Previous historic resources surveys have also identified the building at 22 Chateau Terrace as a contributing resource to a Chateau Terrace Historic District (Chateau Terrace Study Area in CRIS).

As previously recognized in the historic resources survey, Chateau Terrace Study Area is historically significant at the local level for its association with the suburban development of the Town of Amherst during the early to mid-twentieth century.

Attachment: 22Chateau.docx (27242 : 22 Chateau Terrace)

Annotated List of Potentially Significant Historic Resources Town of Amherst, NY

Name of Resource/Address	Photo Number	Area (ID Number)	Approx Date of Construction	Resource Type/Description	Reason for Inclusion	Color Code
Chateau Terrace Historic District Includes the following: 11 to 77 Chateau Terrace East and 20 to 80 Chateau Terrace East; 7 to 47 Chateau Terrace South and 10 to 42 Chateau Terrace South; 22 to 120 Chateau Terrace and 65 to 121 Chateau Terrace. 70 properties, 47 contributing; 23 noncontributing.	6-45	Area 6 (6DB45)	Majority of houses built ca. 1920s-30s	Early 20th century residential district featuring a variety of styles including Bungalow, Craftsman, American Foursquare, Colonial Revival, Dutch Colonial Revival. Modest scale houses. Winding street pattern with mature street trees.	Cohesive residential district; early 20th century styles. Association with history of suburban development. Proximity to trolley line.	Blue
53 Fruehauf Avenue	6-56	Area 6 (6BY56)	ca. 1930	2 1/2-story hip roof frame foursquare residence with Prairie style influences. Wood clapboard siding at first floor and wood shingled walls above. Broad overhanging eaves. Rafter tails have been removed. Tapered, paneled porch posts. Contributing garage.	Early 20th century American Foursquare residential architecture	Yellow +

Attachment: 22Chateau.docx (27242 : 22 Chateau Terrace)

Architectural Definitions

Colonial Revival

The Colonial Revival style was the dominant style for domestic architecture during the first half of the twentieth century. As it is used here it refers to a revival in the interest of early Dutch and English (Georgian and Adam styles) houses from the Atlantic seaboard The Centennial Exhibition of 1876, and the Chicago World's Fair in 1893 sparked a renewed interest in colonial architecture, and the colonial period in general. In the last two decades of the nineteenth century, the Colonial Revival influenced the Queen Anne style, producing classical details such as Palladian windows. A number of publications including The American Architect and Building News and Ladies Home Journal promoted the style to both the professional and private sector. Typically, the style tends to be eclectic with the free combination from two or more of these early precedents. Common elements associated with the style include regular massing, symmetrically balanced façades, embellishment of front entrances with pedimented porches and classical surrounds, multi-light double-hung wood sash, brick or wood clapboard walls and gabled roof dormers. Examples of the Colonial Revival style can be found in the Chateau Terrace Historic District (ca.1920s-30s; Photos 6-45).

American Foursquare

The American Foursquare style refers more to a massing typology than it does to a stylistic ornamental language. American Foursquare houses are defined by cubic massing, hipped roofs, overhanging eaves, dormers, and full-width front porches. The ornament can reference Craftsman, Prairie, or Colonial Revival styles. The style first appeared in ca. 1890, and was promoted by builder's magazines and catalogue companies who sold house "kits". The simplified ornamental language gave the buildings a clean, dignified appearance, which appealed to the budget and aesthetic sensibilities of the modern homeowner. The simple massing lent itself to a variety of cladding materials including brick, stucco, clapboard and shingle. Examples in Amherst include 53 Fruehauf Avenue (ca. 1930; Photo 6-56).

Attachment: 22Chateau.docx (27242 : 22 Chateau Terrace)



AREA 6

6-46. 21 Chateau Terrace East, Chateau Terrace Historic District



AREA 6

6-45. 120 Chateau Terrace, Chateau Terrace Historic District



AREA 6

6-56. 53 Fruehauf Avenue

Attachment: 22Chateau.docx (27242 : 22 Chateau Terrace)

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NAME OF RESOURCE, ADDRESS, & SBL #	APPROX. DATE	PROPERTY TYPE	APPLICABLE LOCAL LANDMARK CRITERIA	POTENTIAL THREATS
22 Chateau Terrace (68.17-6-19)	ca. 1920	Early 20th century suburban estate: Craftsman-style residence.	Criterion (i): association with the early history of suburban development in Amherst and representative house of one of Amherst's first major residential subdivisions, College Hill-Chateau Terrace, developed by Suor & Suor, as well as its association with the trolley line and Main Street. Local Landmark Criterion (ii): embodies the distinctive characteristics of the Craftsman style.	Developers

INTERRELATIONSHIP OF BUILDING AND SURROUNDINGS:
The Chateau Terrace neighborhood features many early twentieth-century houses (Bungalows, Craftsman, Colonial Revivals, American Foursquares), as well as some surviving nineteenth-century houses, and a few early 1940s and post World War II houses. Period architectural levels in the neighborhood are moderate.

Chateau Terrace on the northside of Main Street east of Harlem Road is nestled between two early-to-mid-twentieth-century residential subdivisions, Fruehauf to the west and Audubon Terrace to the east. Chateau Terrace was laid out to serve as the entrance road for the development. The subdivision was designed with four roads that form a near rectangular-shaped central plan. These include two north-south roads (Chateau Terrace & Chateau Terrace East), one northwest-southeast road (Chateau Terrace South), and one east-west road (Chateau Terrace North). The south end of Chateau Terrace has a bend to the northeast just south of Chateau Terrace South. Street trees were planted throughout Chateau Terrace. Trees lining the entrance road, and the road's winding alignment were designed to provide screening as well as privacy. Chateau Terrace was originally designed with three dead end roads. The north end of Chateau Terrace East is open for access to the Park School of Buffalo Campus. Commercial properties, a school, medical offices, and a public library border the south boundary of the subdivision.

Located on the west side of the street, the single-family residence and detached garage at 22 Chateau Terrace is the first residential property in the subdivision north of Main Street. The parcel measures 80 ft

Attachment: Landmark Criteria (27242 : 22 Chateau Terrace)

wide by 73.34 ft deep. The house has a narrow 9.77-ft setback and a small, enclosed backyard measuring roughly 22 ft wide by 20 ft deep. A mature 24-inch green ash tree is centered in front of the house on the road verge. Other mature trees included are on the south side of the driveway and along the west edge of the parcel. Concrete walkways (2.5 ft-2.6 ft) are on the north and west sides of the house. A low concrete retaining wall stretches across the south property line. Parking lots associated with commercial properties fronting Main Street (Nos. 4558-4560 & 4548) border the south, and west perimeters of the parcel. Residential properties are adjacent to the north (20 Chateau Terrace) and northwest (23 Fruehauf).

OTHER NOTABLE FEATURES OF BUILDING AND SITE *(including interior features if known)***:**

Description of Exterior

The residence at 22 Chateau Terrace is a frame, two-story Craftsman-style building with a front-gabled roof with asphalt shingles, smooth stucco exterior, wood belt course, and stone foundation. It has a rectangular plan and measures approximately 24.20 ft wide by 40.66 ft deep. Window openings are single, paired, and triple groupings. These openings feature simple molded wood surrounds and wood double-hung sash (1/1 and 9/1). Original basement windows have two lights.

The east façade has an enclosed entry porch with a wood stoop in the north bay, a one-story sunroom with a low-pitched gabled roof, and a triple window grouping with bracketed pent. The entrance door features six lights over two lights and two panels. It is flanked by sidelights of four over one, a wood panel, and a single corner pilaster. Six lights over one light windows are on the north side of the entry porch. Stylistic details include wide overhanging eaves with single triangular knee brackets, beveled windows, and paneled and glazed doors. The Craftsman character defining features it exhibits are exposed roof rafters, decorative bracing and bracing under gables.

Exterior alterations include a few replacement windows, a replacement wood rail on the front stoop, and asphalt roofing shingles.

Description of Interior

The open first-floor layout consists of a sunroom, dining room, living room, kitchen, and basement/side entrance hall. Three bedrooms, a bathroom, and a hall closet are on the second floor. It has an unfinished basement. The interior has painted plaster walls. Floor finishes include carpeting, hardwood, linoleum, and tile. Hardwood floors are covered on the first floor and primary bedroom. Interior windows are accented with simple wood trim. Extant interior doors are wood with six panels.

The living room has a central brick fireplace with a wood mantel supported by three brick corbels, built-in wood shelving, and Craftsman-style staircase (quarter turn stairs) with corner pier along the north wall. The Craftsman-type living room entrance door has a single panel and four lights. An original push button switch panel is on right side of front door. A Craftsman-type beveled leaded glass window is in the north wall of the living room and west wall of the dining room. Original wooden baseboards and metal baseboard registers are intact. The kitchen has a large portion of its original built-in cabinets. Original cabinet doors have been removed from the upper cabinet shelves on the west wall and a new sink with cabinets has been installed on the east wall. The side entrance/basement hall is on the north side of the house.

The primary bedroom on the second floor is in the upper front (east) of the house. It features two closets and window seat. The other two bedrooms have a single window and closet. The bathroom retains its white hexagonal floor tile, built-in closet, and built-in medicine cabinet.

The basement retains its original door and wood stairs. It has exposed stone walls and a row of built-in cabinets along the west wall. The chimney has a basement clean.

Attachment: Landmark Criteria (27242 : 22 Chateau Terrace)

Interior alterations include the following: removal of portions of built-in kitchen cabinets and sink; removal of original light fixtures; drop ceiling in the dining room; new kitchen flooring; removal of a few original doors; and removal of original bathroom sink and tub.

Garage

A detached, frame, two-bay Craftsman-style garage is on the southwest side of the house. The 3.66.5 sq ft garage (18.35 ft wide by 20.15 ft deep) has a hipped roof with overhanging eaves, and asphalt roof shingles, and wood exterior siding. Garage doors feature multiple pane fixed windows and wood panels. The garage is presently structurally unstable. A section of the roof has partially collapsed on the south slope.

SIGNIFICANCE:

DATE OF INITIAL CONSTRUCTION: ca. 1920
ARCHITECT: Unknown
BUILDER: Suor & Suor

HISTORICAL AND ARCHITECTURAL IMPORTANCE:

This house is architecturally significant as an example of the Craftsman style of the early twentieth century. It meets Local Landmark Criterion (ii) for embodying the distinctive characteristics of this style. The house retains a relatively high degree of integrity of design, materials, and craftsmanship. It also meets Local Landmark Criterion (i) for its association with early 20th century planned residential developments as well as its association with the trolley line and Main Street. The developer of this home was Suor & Suor who made their name originally in the City of Buffalo for building affordable homes for the middle class and contributed to upward mobility and local suburban development in the early 20th century.

Early twentieth-century growth of the Snyder area has been attributed to the opening of Buffalo & Williamsville Electronic Railway (aka Toonerville Trolley in 1893 and the advent of the automobile (Grande 200:145; Fiddler-Woite 2009:38). Running along the north side of Main Street, the trolley line connected Buffalo and Williamsville. Efficient and dependable transportation attracted the interest of future homebuyers in new housing developments (Fiddler-Woite 2009:93). In operation until 1930, the trolley provided access for middle class families to purchase a home in Snyder.

In 1911, brothers William Charles Taylor Suor (1873-1959) and Arthur M. Suor (1874-1936) purchased 99 acres of the Kabel family's farm for the College Hill neighborhood development, which they first called "Amherst Heights" (Grande 2000:149). Formed in 1894, Suor & Suor were initially engaged in real estate business development projects near the Central Park and Parkside neighborhoods of Buffalo (White 1898:439). The brothers developed a few one-block streets near some of the main thoroughfares of Central Park, including Starin and Vorhees Avenues (Moriarty 2017). Their developments on Revere Place, Taft Place, and Sagamore Terrace were speculatively built homes erected on modest lots (Moriarty 2017). Suor & Suor offered affordable single-family homes with modern amenities which appealed to middle class consumers (Moriarty 2017).

Suor & Suor had been previously involved in more traditional real estate interests of acquiring and selling farm houses (Grande 2000:149). Within a few years the firm would further expand development in Snyder with the College Hill - Chateau Terrace subdivision. A third brother, John Russell Suor (1882-1959), was also involved in the development of Snyder (Buffalo Evening News [BEN] 1953:25). He started his real estate career in Buffalo and later moved to Snyder. For roughly 25 years, John Suor was associated with the Erie County Real Estate Department and the county attorney's office as an appraiser (BEN 1953:25).

Attachment: Landmark Criteria (27242 : 22 Chateau Terrace)

In Snyder, the Suors envisioned a new type of residential development on the south side of Main Street between Getzville and Harlem roads. Washington Highway formed the central point of what became known as the College Hill (Fiddler-Woite 2009:93). Suor & Suor's College Hill Office was erected on the southwest corner of Main Street (#4363) and Washington Highway (Fiddler-Woite 2009:94). The company built middle-class-sized homes which typically consisted of a two-story building with four bedrooms, a den, and a bathroom on each floor (Fiddler-Woite 2009:95). In February 1917, there were 40 homes in College Hill (BEN 1917). Suor & Suor advertised their new modern homes in local Buffalo newspapers to attract potential buyers to relocate to Snyder.

The brothers continued to acquire more tracts of land for their development in Snyder. Suor & Suor purchased an additional 65-acres of the Tobias Witmer farm south of College Hill by 1919 (Fiddler-Woite 2009:95). Named College Hill Terrace, the new 331-lot development extended toward Kensington Avenue. It was laid out with large lots for more upscale homes with landscaping and street furniture (Fiddler-Woite 2009:95). The Suors also endeavored in commercial development. In 1920, the Town of Amherst's population had increased by 36 percent from 4,629 in 1910 to 6,286 with much of the increase in the Snyder- Eggertsville area (Grande 2000:145). This rise in population included both new owners of large estates as well as an increased migration of middle-class commuters who purchased homes in the new subdivisions (Grande 2000:146).

By early 1920s, new residential neighborhoods were established west of Williamsville along Main Street which included the following: Rosedale Park, College Hill, Chateau Terrace, Audubon Terrace, and Amherst Estates. From 1923 to 1930, a town committee on building construction approved 73 major subdivisions (Grande 2000:189). The 1920s building boom in Amherst contributed to a 110 percent increase in population from 6,286 in 1920 to 13,181 in 1920 (Grande 2000:183).

The craftsman style was popular between 1905 through the early 1920s. The style was inspired by the Greene brothers who designed simple Craftsman-style bungalows in Pasadena, California. Influences on this style include the English Arts and Crafts Movement (particularly in America the philosophy of Gustav Stickley) and an interest in oriental wooden structures. The style was promoted in periodicals such as *Western Architect, House Beautiful, Good Housekeeping, Architectural Record, Ladies Home Journal,* and *The Craftsman magazine*. Stickely promoted the "honest" expression of structure through the use of simple or rustic building materials. The Craftsman philosophy also emphasized high quality design and workmanship, with a special value placed on hand-crafted detailing. The "Craftsman Home Builder's Club" provided subscribers with free sets of blueprints for featured house designs, which could be customized to suit individual needs and tastes. The style is characterized by low-pitched, gabled roofs; hipped roofs; wide, unenclosed eave overhangs and exposed rafters; decorative beams or knee braces beneath overhangs; full or partial width porches with square-tapered columns that sometimes extend to the ground level. The exterior wall is sometimes broken up by the use of different materials. Dormers are common, with exposed rafters and braces.

The house is located in one of Amherst's first major suburban residential subdivision, College Hill-Chateau Terrace, developed by Suor and Suor in the 1920s. This local company had shifted from traditional real estate transactions to large-scale planned suburban development.

THEME: Residential: Craftsman

CONCLUSIONS:
The ca. 1920 residence with garage at 22 Chateau Terrace retains much of its original materials and

Attachment: Landmark Criteria (27242 : 22 Chateau Terrace)

stylistic elements, it is a representative example of a modest single-family home type constructed in the first quarter of the twentieth century in Buffalo and suburban neighborhoods. Previous historic resources surveys have also identified the building at 22 Chateau Terrace as a contributing resource to a Chateau Terrace Historic District (Chateau Terrace Study Area in CRIS).

As previously recognized in the historic resources survey, Chateau Terrace Study Area is historically significant at the local level for its association with the suburban development of the Town of Amherst during the early to mid-twentieth century.

Attachment: Landmark Criteria (27242 : 22 Chateau Terrace)

22 Chateau Terrace

Historic Preservation Commission

March 21, 2023



Attachment: 22 Chateau Terrace Presentation (27242 : 22

*"When you strip away the rhetoric, preservation is simply having the good sense to hold on to things that are **well designed**, that **link us with our past** in a meaningful way, and that have **plenty of good use left in them**."*

Richard Moe
President, National Trust for Historic Preservation
March 27, 2008

Attachment: 22 Chateau Terrace Presentation (27242 : 22

Year Built: 1920
Exterior Wall Material: Stucco, Wood
Developed by Suor & Suor

- Meets **Local Landmark Criterion (i)** for association with early 20th century planned residential developments – Suor & Suor known for major contribution to upward mobility and local suburban development in Amherst and Snyder in the early 20th century
    - Key firm developing first generation of suburban development in the greater Buffalo region, specifically Snyder

- Meets **Local Landmark Criterion (ii)** for embodying the distinctive characteristics of transitional Craftsman style – retains a high degree of integrity of design, materials, and craftsmanship
    - Features exposed roof rafters, and decorative bracing and bracing under gables
    - Smooth stucco exterior is a characteristic shared by many revival and eclectic styles of the early 20th century, especially in suburban developments

Attachment: 22 Chateau Terrace Presentation (27242 : 22

Chateau Terrace Neighborhood

- Cohesive residential enclave featuring early twentieth-century styles
- Close proximity to Buffalo & Williamsville Electronic Railway
- Winding street with mature street trees
- Built primarily during 1910-1930
- Architectural styles include: Bungalow, Craftsman, American Foursquare, Colonial Revival, Dutch Colonial Revival
- College Hill Chateau Terrace – Amherst's early suburban development
- Developed by Suor & Suor and Charles S. Burkhardt

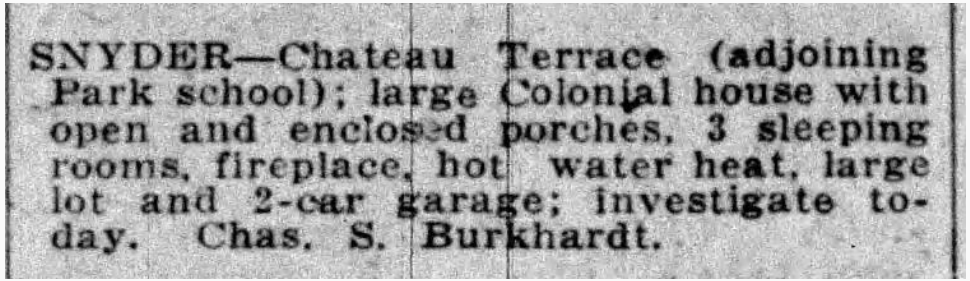




Attachment: 22 Chateau Terrace Presentation (27242 : 22

Suor & Suor

22 Chateau Terrace was constructed on Lot #2, the first home leading into the subdivision at a time when Snyder was mostly still undeveloped farmland



SNYDER—Chateau Terrace (adjoining Park school); large Colonial house with open and enclosed porches, 3 sleeping rooms, fireplace, hot water heat, large lot and 2-car garage; investigate today. Chas. S. Burkhardt.



NEW HOMES OUT MAIN STREET.
College Hill and College Hill Terraces.
200 Washington Highway, large rooms, 4 bedrooms, 2d floor, one 3d floor; lot 50x155 ..... $12,500.00
30 Chateau Terrace, 4 bedrooms, wide lot 80 feet 9,000.00
65 Chateau Terrace, 3 bedrooms, lot 50x132 ..... 9,500.00
SUOR & SUOR, Main Street and Chateau Terrace. Call Crescent 1048. 31t10



COLLEGE HILL

Add to the list of those houses you are going to inspect, No. 22 Chateau Terrace. It's plain, square and solid; built on rock—three bedrooms, tile bath, fine large attic, sunroom, fireplace, bookcases, etc.; 50 foot lot; twin garage. Most desirable location and the price is only $11,500. Now, don't miss this.

SUOR & SUOR
Realtors
4385 Main St. Crescent 5700

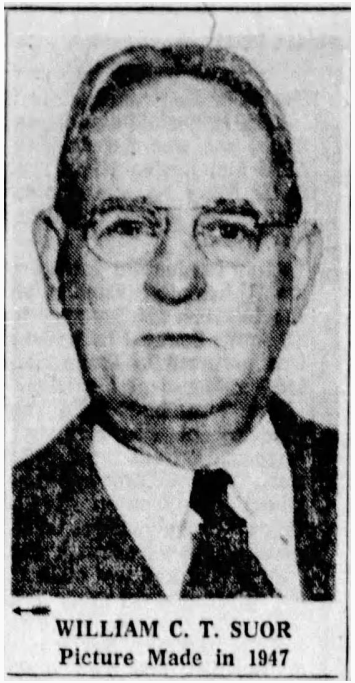


COLLEGE HILL IS IDEAL HOME SITE

The back-to-the-farm movement has taken a firm hold in Buffalo and rapid development of the Country Club and Williamsville districts has been the natural outcome. Many beautiful homes have been built along the Williamsvile road and improved street car service has attracted to this section a great number of people who wanted to live in the suburbs, but had been compelled to remain in the city beeause of the inaccessibility of the beauty spots along the Williamsville road.

One of the most attractive developments in that vicinity is College Hill, which was opened by Suor & Suor. The homes at College Hill have found great favor among men of moderate means who preferred the suburbs, and they seized this opportunity to acquire suburban homes, at the same time enjoying all the advantages of city life.

Attachment: 22 Chateau Terrace Presentation (27242 : 22



WILLIAM C. T. SUOR
Picture Made in 1947

William C. T. Suor Is Dead at Age 85; 67 Years a Realtor

William C. T. Suor, whose 67-year real estate career flowered with the development of the Snyder area, died Sunday (Jan. 4, 1959) in his home at 6 Washington Hwy., Snyder. He was 85. He had been ill several years.

Mr. Suor and his brother, the late Arthur M. Suor, opened up Charleston Rd., Chateau Ter., Concord Dr., Coolidge Dr., Hamilton Dr., Hancock Ter., Kings Hwy., Liberty Ter., Mt. Vernon Rd., Saratoga Rd., Westmoreland Rd. and Yorktown Rd. in Snyder. All streets were part of a 200-acre farm they had acquired.

Before that, the two brothers had opened Sagamore Ter., Taft Pl., Revere Pl., and Brewster St., in Buffalo's Central Park area.

William Suor was the last member of the Central Park Methodist Church's original Board of Trustees. He was a founding trustee of the Amherst Community Church.

Served in Fire Board

Born in Buffalo, his first job was with the old Third National Bank, but in 1892 he switched to the real estate. Suor & Suor was the name he and his brother adopted for their realty firm. After Arthur Suor's death in 1936, Mr. Suor organized the Suor Realty Corp., at 4361 Main St., Snyder.

He belonged to the Buffalo Real Estate Board and served as vice president and director. He also belonged to the National Association of Real Estate Dealers.

He was a president of Snyder's Board of Fire Commissioners and sat on the Amherst Zoning Board of Appeals for 20 years.

Mr. Suor helped found Amherst Lodge 981, F&AM, and was a member of the Buffalo Consistory and Ismailia Temple of the Shrine.

Long Active in Rotary

He also belonged to the Buffalo Trap & Field Club and the Buffalo Athletic Club. Mr. Suor served as a member of BAC's holding organization, the Ellicott Club.

For years Mr. Suor participated in Amherst Rotary affairs, first as a member of the Williamsville Club and later with the Eggertsville-Snyder unit.

Surviving are his wife, the former Jessie M. Smith; a son, William A., of Snyder; a daughter, Mrs. Thomas Butterworth of Reading, Pa., a stepson Walter T. Bull of Hollywood, Calif., and a sister, Mrs. Charles H. Thomas of Snyder.

Masonic services will be conducted tomorrow evening at 8 in the Leo Sauer Funeral Home, 1933 Kensington Ave.

The Rev. Carl Stoll, first pastor of Amherst Community Church, and the Rev. Olin B. Tracy, current pastor, will conduct the service Wednesday at 2 in the funeral home. Burial will be in Acacia Park.

Why Pay Rent?

Your rent money will buy a modern new home out North Main St., all improvements, high land, delightful surroundings.

Sign the Coupon below --mail it right now.

SUOR & SUOR

Main St., over Buffalo City Line—P. O., Snyder, N. Y.

COUPON.

Suor & Suor: Gentlemen, I would like to know more about your proposition of buying a modern home out North Main St. for the money I am paying for rent.

Name .....

Address .....

REGARDEZ VOUS
YE HOME SEEKERS

Hope the little touch of French you: attention because we want to you a little story about the homes are offering at

COLLEGE HILL TERRACES

52 CHATEAU TERRACE—A Colo type with hot water heat, a delight home, cleverly planned and beautifi executed. Price $11,700.00.

56 CHATEAU TERRACE—Center plan, with sun room and breakf room, Holland heating system thermostatic control. Also $11,700

110-116 CHATEAU TERRACE—T very commodious bungalows, with fireplaces, large sun rooms and 50 lots. Priced at $12,500.00 at pres

39 CHATEAU TERRACE EAST—Squ plan, fireplace, sun room, three bed rooms, tile bath and ample cl space.

17 CHATEAU TERRACE—Unique s bungalow type, something different unusually charming. Price $11,500

11 CHATEAU TERRACE—As swee bungalow as you ever saw, in a cha ing setting. Price $9,500.00.

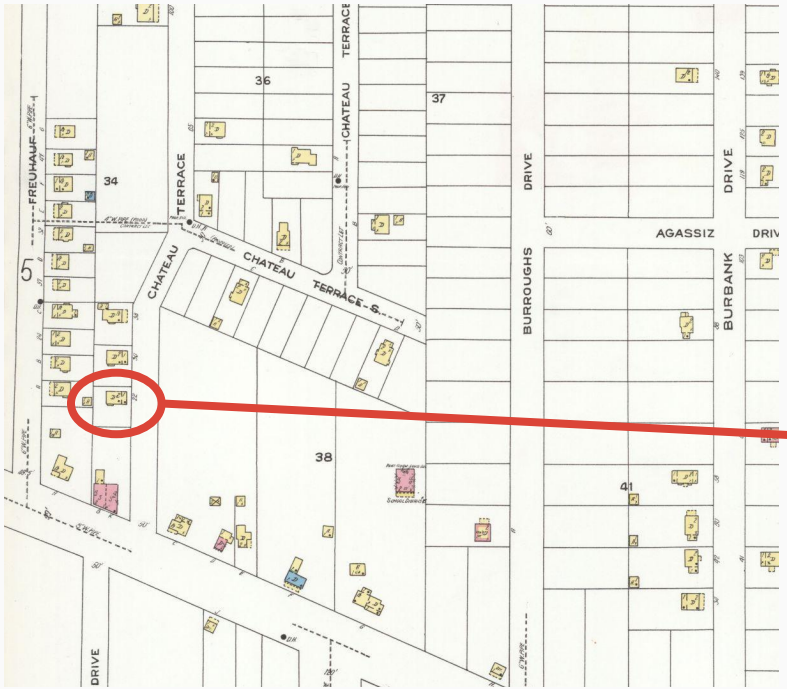
33 CHATEAU TERRACE SOUT Square shingled home on 50 foot rooms are all unusually large, tile b Price $11,500.00.

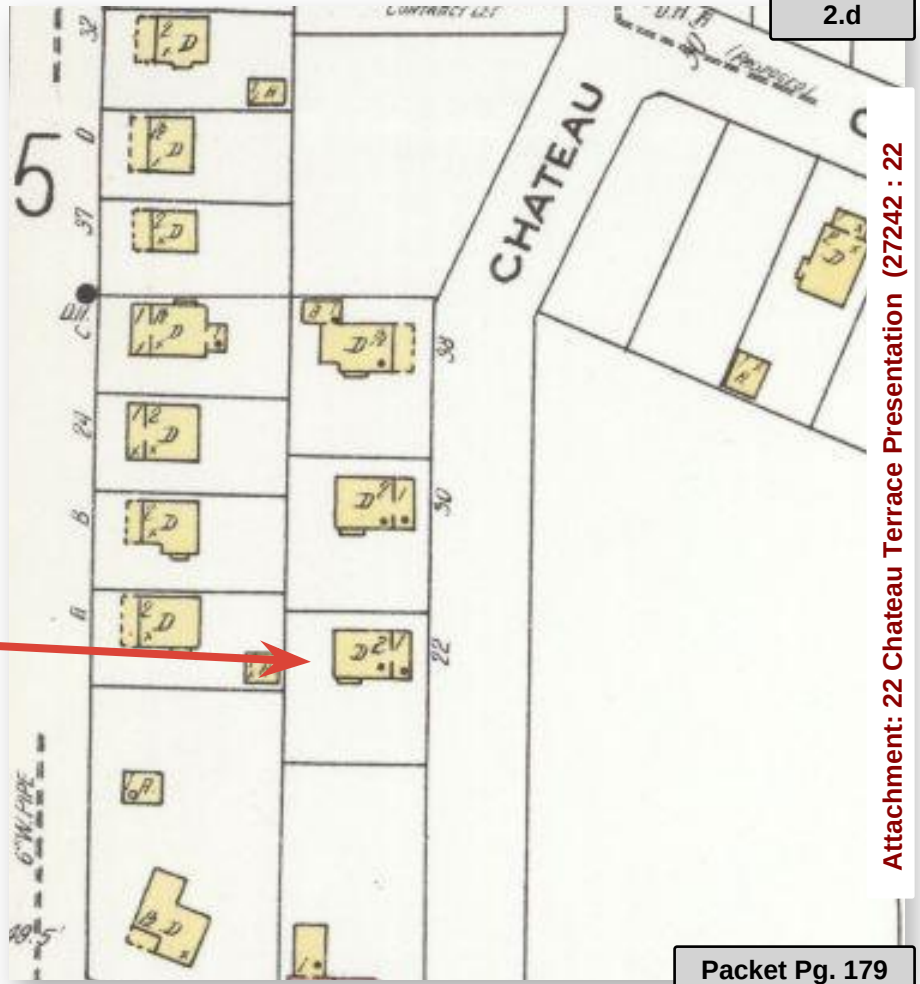
All these homes are within from o four minutes walk from Main St all have two-car garages. Call us Crescent 5700 if you wish us to se car for you, or stop at our office 4385 Main Street.

SUOR & SUOR,
COLLEGE HILL

Attachment: 22 Chateau Terrace Presentation (27242 : 22

1923 Sanborn Map





Attachment: 22 Chateau Terrace Presentation (27242 : 22



Attachment: 22 Chateau Terrace Presentation (27242 : 22

Attachment: 22 Chateau Terrace Presentation (27242 : 22



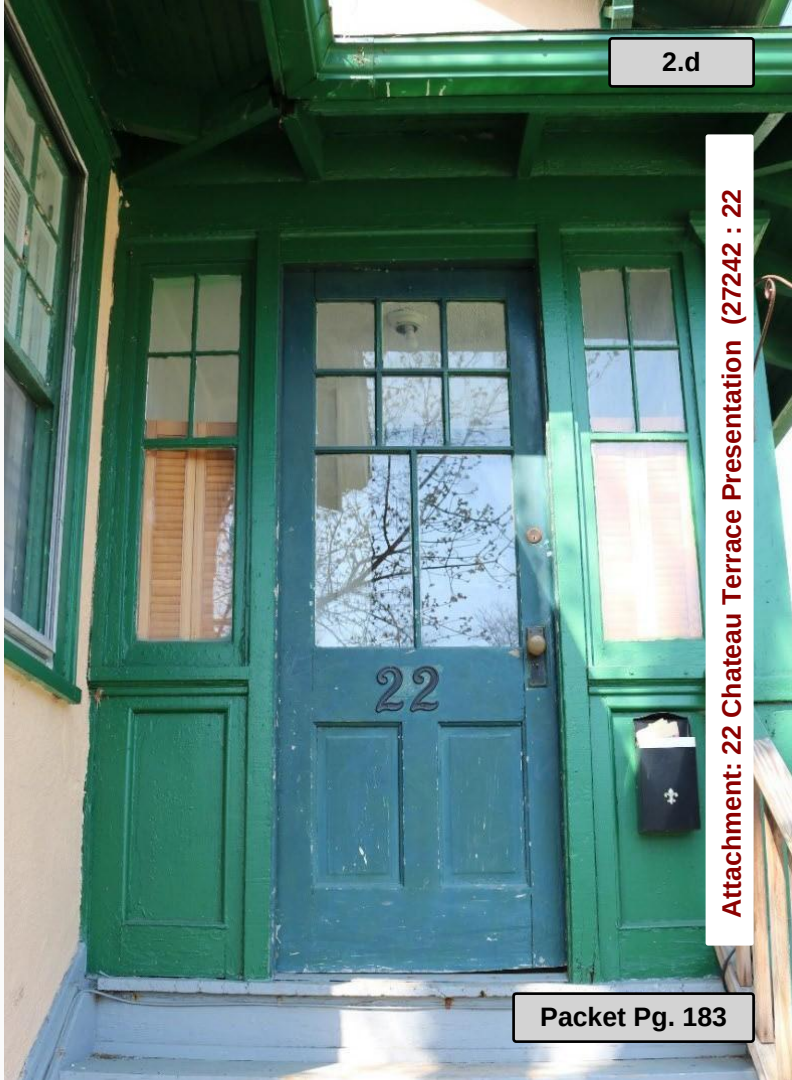






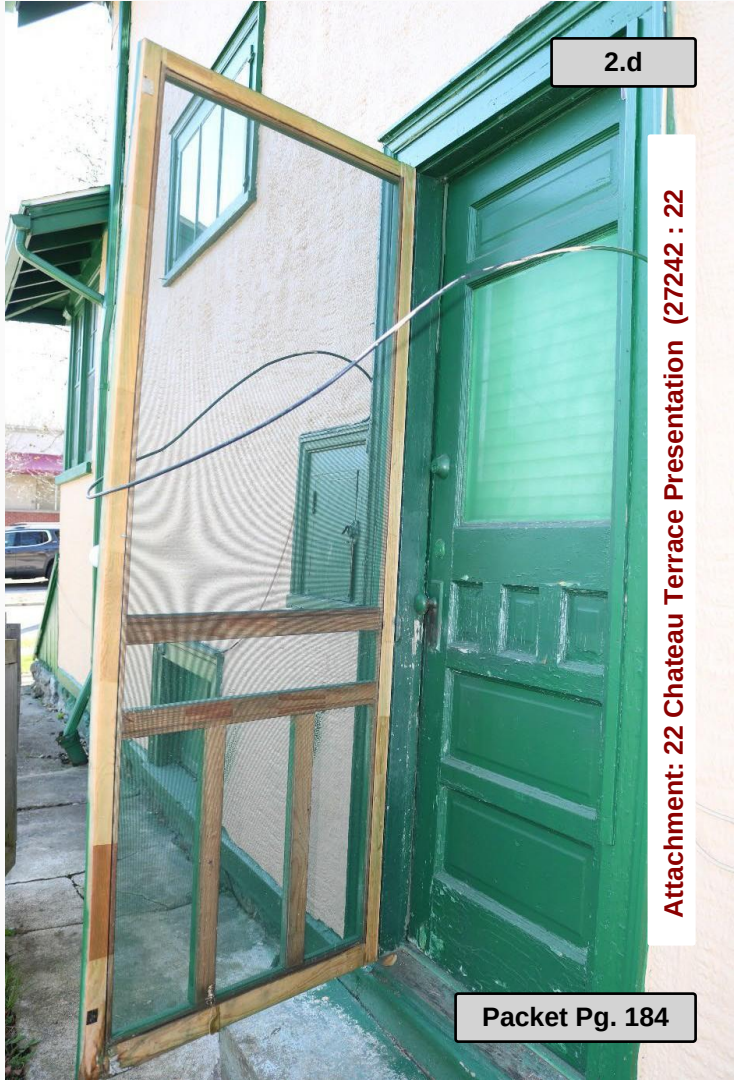
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22







Attachment: 22 Chateau Terrace Presentation (27242 : 22



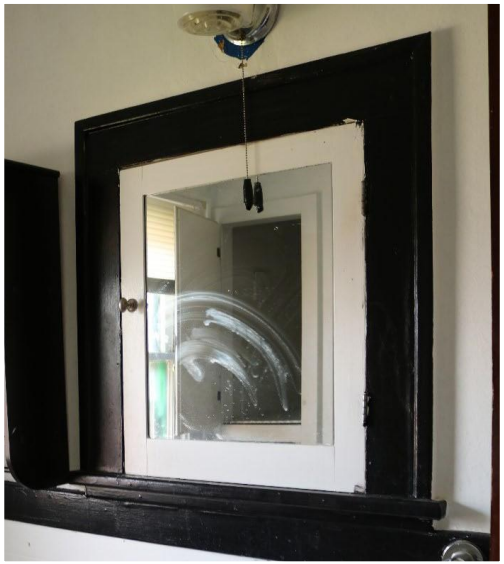
Attachment: 22 Chateau Terrace Presentation (27242 : 22





Attachment: 22 Chateau Terrace Presentation (27242 : 22







BENDERSON DEVELOPMENT

570 DELAWARE AVENUE
BUFFALO, NEW YORK 14202
716.886.0211.P : : 716.886.1026.F

March 15, 2023

Members of the Historic Preservation Commission
Amherst Town Hall
5583 Main Street
Williamsville, NY 14221

RE: 22 Chateau Terrace Amherst, NY 14226 (BDP # 5202)

Dear Members of the Historic Preservation Commission:

We have been advised that the Town of Amherst Historic Preservation Commission (HPC) has received a Landmark Designation application for the property located at 22 Chateau Terrace Amherst, NY 14226. The property is under the ownership of Benderson Development LLC. As the owner of the property, Benderson opposes designation of this property.

As the HPC is aware, the Town of Amherst, after undertaking a full review pursuant to the State Environmental Quality Review Act, as well as holding numerous public meetings and hearings, rezoned this property from residential zoning to TI -2.5 which allows, as-of-right a mixed-use development. The property is the subject of an active site plan application before the Town of Amherst Planning Board. As part of that application, Benderson retained Commonwealth Heritage Group to provide a report on 22 Chateau Terrace which we understand has been provided to the HPC. The report concludes "the ca. 1920 residence with garage at 22 Chateau Terrace does not appear to meet the State/National Register Places (S/NRHP) criteria for individual eligibility."

The request by the neighbors for designation of this property is nothing more than an effort to weaponize the HPC to otherwise stop a code-compliant mixed-use project that complies with the TI-2.5 zoning and has addressed all agency comments received to date.

Thank you in advance. We are unable to attend the HPC meeting on March 21, 2023 as we have other previously scheduled meetings that night. If you require our attendance we ask that you table this matter to your April meeting, If you have any questions please do not hesitate to contact me.

Thank you,
BENDERSON DEVELOPMENT COMPANY, LLC

James A. Boglioli

James A. Boglioli, Esq.
Director, Right to Build – Northeast US

Cc: Town of Amherst Planning Board
Town of Amherst Town Board

Attachment: 5202 - HPC letter 03-15-2023 (27242 : 22 Chateau Terrace)

COMMONWEALTH
HERITAGE GROUP

NEW YORK OFFICE
2390 Clinton Street
Buffalo, NY 14227
(716) 821-1650

HEADQUARTERS
3215 Central Street
Dexter, MI 48130
(517) 788-3550

Other locations
Alexandria, VA
Columbus, OH
Gainesville, FL
Littleton, MA
Memphis, TN
Milwaukee, WI
Minneapolis, MN
Ogden, UT
Tarboro, NC
Traverse City, MI
Tempe, AZ
Tucson, AZ
West Chester, PA

DOCUMENTATION REPORT:

22 CHATEAU TERRACE,

TOWN OF AMHERST,

ERIE COUNTY, NEW YORK

Prepared for:

BENDERSON DEVELOPMENT COMPANY, LLC
570 Delaware Avenue
Buffalo, New York 14202

Prepared by:

COMMONWEALTH HERITAGE GROUP, INC.
New York Regional Office
2390 Clinton Street
Buffalo, New York 14227-1735
(716) 821-1650

June 2022

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

COMMONWEALTH HERITAGE GROUP

DOCUMENTATION REPORT: 22 CHATEAU TERRACE, TOWN OF AMHERST, ERIE COUNTY, NY

Prepared for:

BENDERSON DEVELOPMENT, LLC
570 Delaware Avenue
Buffalo, NY 14202

Prepared by:

Christine M. Longiaru, M.A., Senior Architectural Historian
Mark A. Steinback, M.A., Project Director

CHG# NY-0179

COMMONWEALTH HERITAGE GROUP, INC.
New York Regional Office
2390 Clinton Street
Buffalo, New York 14227-1735
(716) 821-1650

June 2022

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

Management Summary

Involved Agencies: Town of Amherst, Historic Preservation Committee

Survey Type: Building documentation and S/NRHP eligibility assessment

Location Information:
Location: 22 Chateau Terrace, Snyder, Town of Amherst
County: Erie

Parcel: SBL: 68.7-6-19

USGS 7.5-Minute Quadrangle Maps: Buffalo NE, NY

Report Author(s): C. Longiaru, M. Steinback

Date of Report: June 2022

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

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28 View of east wall in kitchen, facing east

29 View of side entrance hall with basement door at right, facing north

30 View of staircase to second floor, facing west

31 View of 2nd floor hall from staircase landing with bathroom at left and closet at right, facing south

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

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Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

Project Summary

Commonwealth Heritage Group, Inc. (Commonwealth) prepared this documentation report for the property at 22 Chateau Terrace in the Snyder area of the Town of Amherst, Erie County, New York, under contract to Benderson Development Company, LLC (Figures 1 and 2).[1] This documentation report includes a State and National Registers of Historic Places (S/NRHPs) eligibility assessment of the ca. 1920 residence at 22 Chateau Terrace. It was prepared for submittal to the Town of Amherst Historic Preservation Commission to comply with the "Historic Preservation Law of the Town of Amherst." The study included exterior and interior photographic documentation (see Appendix A), historical research, and an architectural investigation of the building. On-site field investigation was conducted in April 2022. Christine M. Longiaru, M.A., served as Principal Investigator and Senior Architectural Historian. Mr. Mark A. Steinback, M.A., New York Regional Director/ Senior Historian, was the Project Director. Ms. Longiaru and Mr. Steinback exceed the professional qualifications requirements (36 CFR 61) for their respective disciplines.



Figure 1. The property at 22 Chateau Terrace, Town of Amherst, Erie County, New York *(Commonwealth 2022).*

[1] Note, Commonwealth's New York Regional Office in Buffalo was formerly Panamerican Consultants, Inc. The Buffalo office has conducted 50 cultural resources investigations in the Town of Amherst.

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

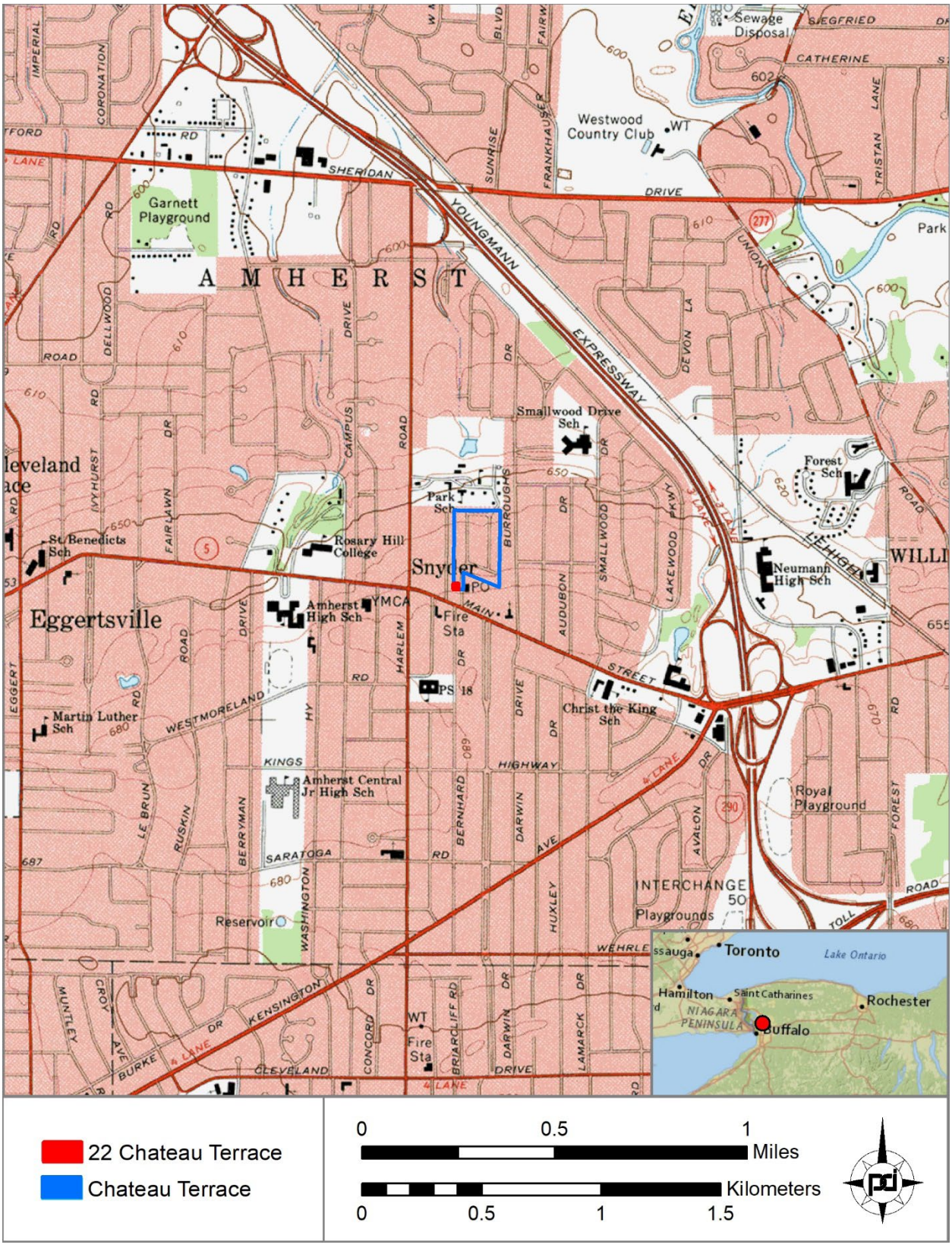


Figure 2 Location of the property at 22 Chateau Terrace, Town of Amherst, Erie County, New York *(USGS Buffalo Northeast, 1965).*

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Current State-level Inventory Status. The residence at 22 Chateau Terrace is in the Chateau Terrace Study Area (New York State Office of Parks, Recreation, and Historic Preservation [NYS OPRHP] Unique Site Number [USN] 02902.001453), which has not been formally evaluated for listing on the State and National Registers of Historic Places (New York State Cultural Resources Information System (CRIS 2022). A general boundary for the study area is delineated in CRIS, though individual residences in the Chateau Terrace Study Area have not been assigned USNs (Figure 3). Audubon Terrace Study Area adjacent to Chateau Terrace (USN 02902.001454) to the east is also a contemporary unevaluated subdivision.



Figure 3. Chateau Terrace Study Area at left as delineated by the NYS OPRHP. The general location of 22 Chateau Terrace is depicted by the red-shaded circle. Note, the adjacent Audubon Terrace Study Area boundary at right *(CRIS 2022).*

Previous Surveys

Local-level Historic Resources Survey Documentation. Chateau Terrace Study Area was first recommended as a potential historic district in the 1997 *Reconnaissance Level Survey of Historic Resources, Town of Amherst* (Bero 1997:Appendix F-6). The residence at 22 Chateau Terrace was identified as a contributing resource to a proposed historic district. In 1997, Chateau Terrace consisted of approximately 73 houses (52 contributing; 21 non-contributing). It included the following properties: 121 Chateau Terrace North; 7-65 and 10-42 Chateau Terrace South, 11-69 and 20-80 Chateau Terrace East 1-121 and 22-120 Chateau Terrace.

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As initially reported, Chateau Terrace Historic District was characterized as a cohesive early twentieth-century residential district consisting of modest scale houses. Chateau Terrace residences were primarily built during the 1920s and 1930s. A variety of popular residential architectural styles are represented in the neighborhood including Bungalow, Craftsman, American Foursquare, Colonial Revival, and Dutch Colonial Revival (Figure 4). Other features of Chateau Terrace include a winding street pattern with mature street trees. The 1997 survey also noted Chateau Terrace's significance at the local level for its association with Amherst's early twentieth-century suburban development.

The 1997 survey assigned a "yellow" color code for Chateau Terrace, which is the third level of color coding for properties in the reconnaissance survey's Annotated List (Bero 1997: Appendix F-6). A "yellow" designation for a property represents a property with moderate architectural and/or historical significance (Bero 1997: 101). Chateau Terrace was one of nine historic districts in Amherst recommended for the intensive level survey. However, the historic districts were not included in the 1998 intensive level survey (Bero 1998:2).



Figure 4. A representative view of 27, 23, and 19 Chateau Terrace in 1997 (*Reproduced from Bero 1997: Photo No. 52*).

In 2011, Chateau Terrace was reassessed in the *Updated Reconnaissance Level Survey of Historic Resources, Town of Amherst* (KTA 2011: Appendix 1-6). The 2011 survey determined Chateau Terrace Historic District met the criteria for a "blue rated" property. The definition of a "blue rated" property is presented below:

> **BLUE:** Extremely high architectural and/or historic significance. These properties would likely also meet the criteria for to be considered National Register eligible. A locally significant district. A resource that is rare and lacks individual distinction. All districts are considered Blue as are most farmsteads.

Seventy properties were identified in Chateau Terrace in 2011; 47 contributing and 23 noncontributing (KTA 2011:Appendix 1-6). The residence at 22 Chateau Terrace is included as a contributing resource (KTA 2011: Area 6-9). Chateau Terrace consists of the following properties: 11 to 77 Chateau Terrace East and 20 to 80 Chateau Terrace East; 7 to 47 Chateau Terrace South and 10 to 42 Chateau Terrace South; 22 to 120 Chateau Terrace and 65 to 121 Chateau Terrace (Figure 5).

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

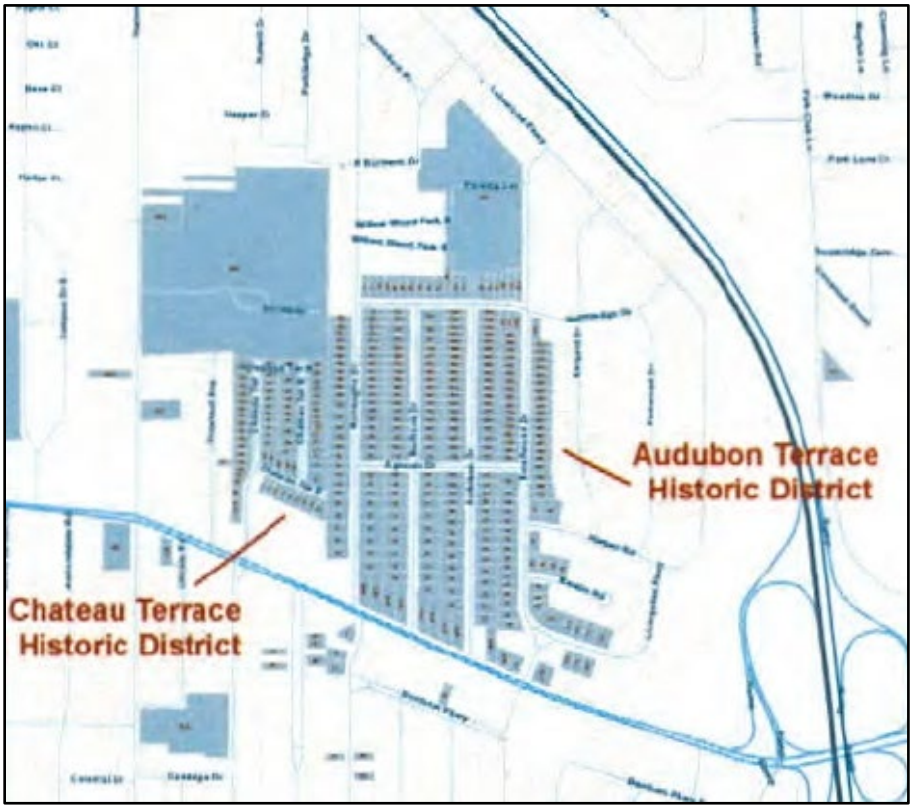


Figure 5. Chateau Terrace Historic District and the adjacent Audubon Terrace District in 2011 (*Reproduced from KTA 2011: Area 6*).

Methodology

Methodologies, historic overviews, and recommendations presented in previous historic resources surveys of the Town of Amherst informed this S/NRHP eligibility assessment for the individual subject property at 22 Chateau Terrace. To assess the historic significance of 22 Chateau Terrace further research was conducted on the development history of the Chateau Terrace Study Area and its surrounding area in the Snyder community. In April 2022, an online Freedom of Information Law (FOIL) request was made with the Town of Amherst Building Department and Planning Department for the following: 1) subdivision files for Chateau Terrace (Suor & Suor Building Company) and 2) building permit records for 22 Chateau Terrace (Online FOIL Request: 2134). The FOIL request did not yield any relevant historical information about the residence or the subdivision.[2]

A research inquiry for Chateau Terrace subdivision was also made with the The Niederlander Research Library of Buffalo Niagara Heritage Museum.[3] The library does not presently hold records specific to Chateau Terrace. Research was conducted at the Eggertsville-Snyder Branch Library and The Grosvenor Room-Special Collections department at the Central Library of the Buffalo & Erie County Public Library. Other research included online searches of relevant genealogical and newspaper web sites.

[2] Online FOIL Request #2134, Town of Amherst, NY (April 28, 2022). FOIL responses were received on May 4 and June 8, 2022.

[3] Rachel Ravago (Deputy Director for Collections and Interpretation, Buffalo Niagara Heritage Museum) in discussion with the author, May 2022.

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On-site documentation of the property was conducted on April 28, 2022. As noted above, the investigation included digital photography of the property's setting and the existing conditions of exterior and interior of the building (see Appendix A). Intact architectural details and the overall condition of the building were noted as were any changes to the building. A cursory drive through of the Chateau Terrace development was also carried out to support the S/NRHP eligibility assessment. The National Register Criteria for Evaluation was applied only to the individual property at 22 Chateau Terrace (National Park Service 2002).

> Criterion A: (Event) Properties that are associated with events that have made a significant contribution to the broad patterns of our history; or
>
> Criterion B: (Person) Properties that are associated with the lives of persons significant in our past; or
>
> Criterion C: (Design/Construction) Properties that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
>
> Criterion D: (Information Potential) Properties that have yielded, or may be likely to yield, information important in prehistory or history (*NPS Bulletin 15*, referencing 36 CFR 60).

A property is not eligible if it cannot be related to a particular time period or cultural group and thereby lacks any historic context with which to evaluate the importance of the cultural resource. The cultural property (e.g., historic structure or landscape) must also retain the historic integrity of those features necessary to convey its significance. Seven aspects or qualities of integrity recognized by the National Register are location, design, setting, materials, workmanship, feeling, and association. Actual determinations of eligibility for the S./NRHPs are made by the NYS OPRHP.

Historical Overview

Early Development of Town of Amherst. European-American settlement of the Niagara Frontier dates from the end of the American Revolution in 1783. During the next decade large grants of land in western New York would be sold to private investors who attempted to open the land to settlement. The land's initial purchasers, a syndicate of speculators headed by Oliver Phelps and Nathaniel Gorham, forfeited their obligations, and the rights to the unsurveyed portion of the area were sold to Robert Morris in 1791. Reserving a portion of the land for his own purposes, Morris sold the remainder, including all of present Erie County, to a consortium of Dutch investors, called the Holland Land Company, in 1792-1793 (Turner 1974 [1850]; Silsby 1961).

Joseph Ellicott was contracted in July 1797 to survey the company's land in western New York and divide it into townships. The process began in the spring of the following year. The current path of Main Street (NY Route 5), completed in 1803, was known as the Buffalo-Batavia Road to the early settlers. This road and the future City of Buffalo were laid out by Ellicott (White 1898). Once townships had been surveyed and roads in the area cut, settlement and growth followed quickly. The first land sales in Amherst were made in the autumn of 1803 to Samuel Kelsey, Henry Lake, Benjamin Gardner, and William Lewis, among others. The earliest settlers arrived the following year and included Timothy and Orlando Hopkins, John Hershey, Samuel McConnell, Alexander Logan, Caleb Rogers, Stephen Colvin, John King, and Joel Chamberlain. By 1808 Ellicott Creek (then known as Eleven Mile Creek) had been dammed and a grist mill was operating in what was then called Williams Mill. Erected by Jonas Williams, the mill was joined by a sawmill and later a tannery (Glover 1972:2). Niagara County (consisting of what are now Erie and Niagara counties) was formed from Genesee County in 1808.

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

The War of 1812 stunted growth in Western New York which served as one of the primary theaters of that conflict, and areas near the border with Upper Canada (the current province of Ontario) were ravaged by attacks and counterattacks. After the war, Eleven Mile Creek (Ellicott Creek) offered a prime power source for nascent industrial growth, which in turn attracted settlers to the area. With increased population, new political divisions were made. The Town of Amherst was separated from the Town of Buffalo in April 1818 and named for Sir Jeffrey (or Geoffrey) Amherst, Commander of British forces in America in 1759 and 1760 and an early advocate of biological warfare (i.e., blankets infected with small-pox) against the Indians (White 1898:I:493-494; Fenn 2000:1573-1579). Erie County was created when all the land south of Tonawanda Creek was removed from Niagara County in 1821. The Town of Amherst achieved its present size in 1839 when the Town of Cheektowaga was created (White 1898:I:493-494).

The area received a tremendous economic boost when one terminus of the Erie Canal was located at the village of Buffalo. Begun in 1817, the Erie Canal linked Buffalo and Lake Erie with New York City when it opened on October 26, 1825. The completion of the canal attracted additional settlers to the region, including many German-speaking Alsatians, who began to populate the largely agricultural and unoccupied northern portions of the Town of Amherst in the early 1830s (Young 1965:260). Progress was slow since Ellicott Creek flooded regularly, and the nearby land had to be drained before it could be cultivated (Smith 1884:I:400). Despite these endeavors, the center of settlement in the Town of Amherst remained at Williamsville near the creek. Homesteaders focused on growing grain, notably wheat, and grazing cattle. The town's numerous creeks supported a variety of rural industries, including grist mills, a carding mill, sawmills, a tannery, a shoe-and-boot factory, a broom factory, a slaughterhouse, and two furnaces for processing iron needed by area blacksmiths (Glover 1972:2-3; League of Women Voters 1985:6; Amherst Museum 1997). The Fogelsonger limestone quarry was located between Snyder and Williamsville near what is now the entrance to the New York State Thruway. The population of the town increased during the middle decades of the nineteenth century from 4,153 in 1850 to 4,807 in 1875 (Beers 1880:18-19).

First completed to Buffalo in the 1840s, railroads played an important part in the development of western New York as an economic power during the nineteenth and twentieth centuries. As part of the effort "to connect the Hudson River and Lake Erie with a 'ribbon of rails'" the Batavia branch of the New York Central Railroad passed through the central part of the Town of Amherst (Eberle and Grande 1987:52; Stone and Stewart 1866; Beers 1880). This line was abandoned in the twentieth century, and the tracks were pulled up. The New York West Shore & Buffalo Railroad ran passenger service along this route, stopping at Transit Station and Getzville beginning in 1884 (White 1898:I:539; USGS 1905). By 1896, a branch of the Lehigh Valley Railroad ran diagonally through the town, west and south of the project area (Young 1965:264; USGS 1905, 1948).

During the late nineteenth century, the Town of Amherst underwent a period of infrastructure improvements, including the widening and paving of streets and roadways, and the erection of bridges. The first telephone was installed in 1879 (although dial service did not begin until 1949) and the first water system was created in 1895. After the turn of the nineteenth century, other public services began to improve living conditions in the town: water power generated by Niagara Falls was used to provide the town's electricity as electric lights were erected along Main Street in 1901; a natural-gas franchise was granted in 1902; the first water meters were installed in 1919 (League of Women Voters 1985:7; Young 1965:264-265).

Industry in the town at that time centered on processing grain. Large and active flour mills ground wheat grown in the town as well as grain brought to Williamsville from the docks of Buffalo. By the 1890s, however, "electric power from Niagara Falls became available in unlimited quantities. [As a result,] except for the Chalmers gelatine factory [in Williamsville], founded in the 1872, industry disappeared, and Amherst turned toward developing itself as a residential area" (Glover 1972:6-7; see also Young 1965:116-117). Improvements and developments in transportation networks during the 1890s into the twentieth

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century, as well as the prosperity of the cities of Buffalo and Tonawanda facilitated the trend toward creating residential communities. In 1892, an electric trolley system connected Williamsville to Buffalo, which operated until 1930, when gasoline buses and cars proved more popular with commuters (Glover 1972:6; Young 1965:263). These transportation improvements offered suburban living opportunities for urban workers.

Agriculture remained prominent in the town well into the twentieth century although the trend of subdividing former farms or unproductive areas into residential developments accelerated after World War I (Dunn 1972:212; Eberle and Grande 1987:202).

Synderville. To the west of William's Mill, a small community formed in the future Snyder area when in 1804 Timothy Hopkins purchased a large farm on Main Street which extended west from Washington Highway (approximately three blocks west of Harlem Road) to Amherstdale Road (Fiddler-Woite 1998:11). Settlement progressed slowly in the Snyder area during the early nineteenth century. The Schenck family moved to the area from Pennsylvania in 1821. Two years later, Abraham Snyder and his family also moved from Pennsylvania and settled near their cousins, the Schencks.

Other early families include Schenck, Freuhauf, Helfer, LeBrun, Miller, Fisher, Schuler, Cable, Witmer, Beck, Crout, Harrison, Kern, Frick, and Fogelsanger (Fiddler-Woite 2009:63,65). In 1830, the Hopkins sold their property to the Schenk family (Fiddler-Woite 2009:14). Abraham Snyder, his wife Veronica, and their two sons (Michael and Jacob) lived in a log cabin on Main Street near Harlem Road. In 1832, Mr. Snyder mysteriously disappeared leaving the burden of supporting the family on young Michael (Fiddler-Woite 2009:20). Within 5 years, Michael Snyder moved the family into a plank house on the northeast corner of Main Street and Harlem Road. He opened a mercantile with John Schenk in the front room of the house. He later expanded the house and opened Snyder's Inn to cater to travelers on the Buffalo Road. He established a U.S. Post Office, according to Snyder family records, as early as the late 1840s (Fiddler-Woite 2009:23). The first post office stood on the northwest corner of Main Street and Harlem Road. However, Michael Snyder was not formally listed as the postmaster of the Snyderville Post Office until 1882 (Fiddler-Woite 2009:24).

An unnamed crossroads community centered on Main Street and Harlem Road is depicted on the 1855 atlas map of Erie County (Geil 1855). The area near Chateau Terrace along Main Street was lined with structures, one of which was a school house. One map-documented structure was a property owned by Mrs. Snyder, which would later be adjacent to the side of Chateau Terrace. A log and brick school house (District #18) was also located near the future site of the Chateau Terrace development (Grande 2000:51). In 1860, Michael Snyder acquired additional property to the east on Main Street near present Chateau Terrace. Snyderville is first identified on the 1866 map of Erie County (Stone & Stewart 1866). M. Snyder's Store and Post Office are depicted on the northeast corner of the intersection on Lot 13.

Tobias Witmer, surveyor, carried out the original survey of Farm Lot 13, the future location of Chateau Terrace, in 1852 (Holland Company Land Title & Abstract Company 2017). Mid-to late nineteenth-century land owners of the Chateau Terrace section of Lot 3 (east section) included Michael Shenk, Michael Shenk Jr., and Philip J. Ferkel. By 1880, Lot 13 had been further subdivided, and G. Demerest owned the largest tract with 61 acres on the east side of Lot 13. (Beers 1880; Figure 6). John and Jacob Snyder owned adjacent parcels on Lot 12, to the east. In 1896, a branch of Lehigh Valley Railroad was constructed through Amherst (Young 1965:264) to the north and east of Snyder. An 1898 map depicts the Lehigh Valley Railroad and the Buffalo & Williamsville Electric Railroad on Main Street extending through Snyder (The Matthews-Northrup Co. 1898). Lot 13, the future location of 22 Chateau Terrace, remained undeveloped. The first residential development in the Snyder vicinity was laid out along Getzville Road and Main Street by this time.

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

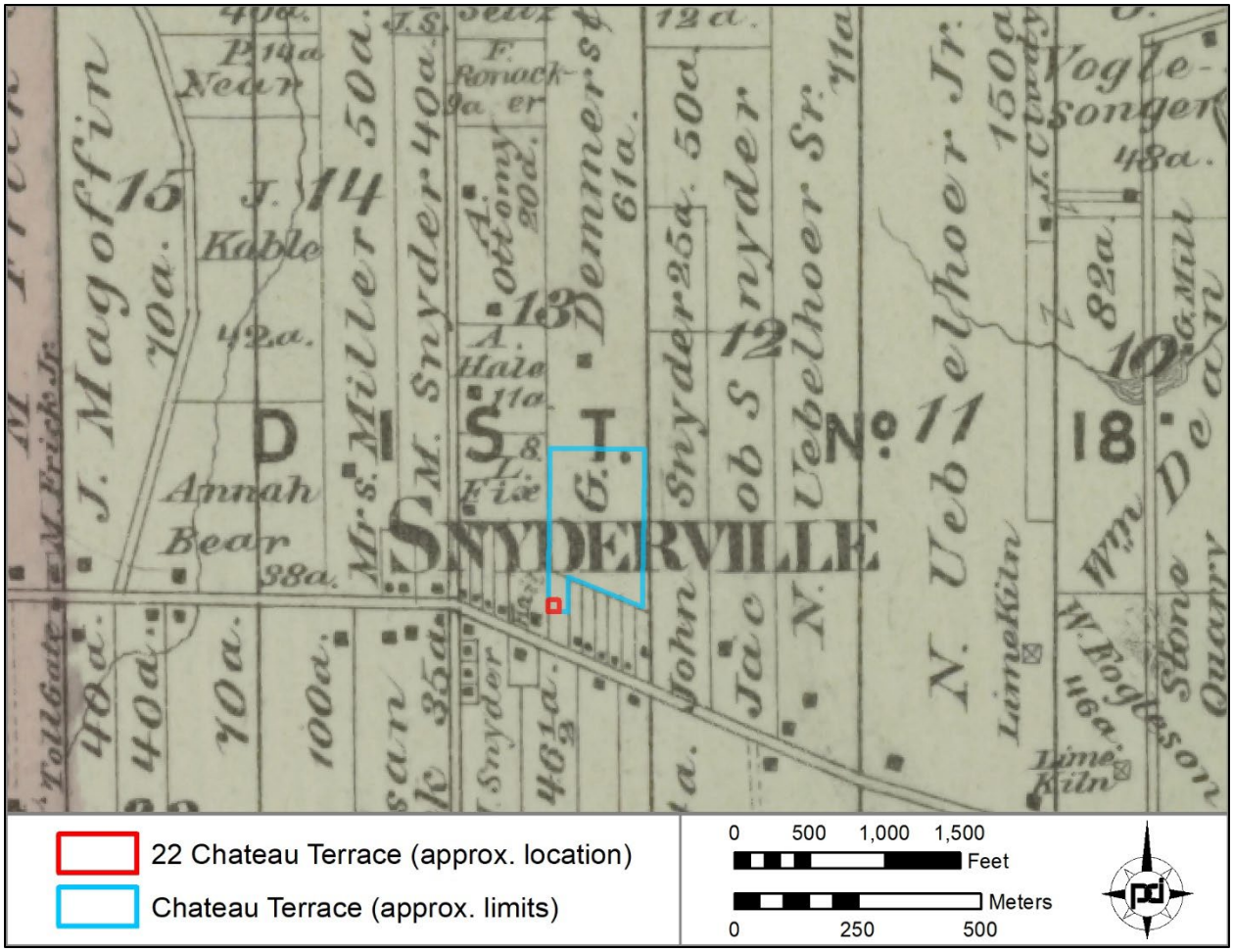


Figure 6. The general location of 22 Chateau Terrace on the 1880 map of the Town of Amherst (*Century Map Co. 1915).*

Twentieth-Century Development in Snyder. Early twentieth-century growth of the Snyder area has been attributed to the opening of Buffalo & Williamsville Electronic Railway (aka Toonerville Trolley in 1893 and the advent of the automobile (Grande 200:145; Fiddler-Woite 2009:38). Running along the north side of Main Street, the trolley line connected Buffalo and Williamsville. Efficient and dependable transportation attracted the interest of future homebuyers in new housing developments (Fiddler-Woite 2009:93). In operation until 1930, the trolley provided access for middle class families to purchase a home in Snyder.

In 1911, brothers William Charles Taylor Suor (1873-1959) and Arthur M. Suor (1874-1936) purchased 99 acres of the Kabel family's farm for the College Hill neighborhood development, which they first called "Amherst Heights" (Grande 2000:149). Formed in 1894, Suor & Suor were initially engaged in real estate business development projects near the Central Park and Parkside neighborhoods of Buffalo (White 1898:439). The brothers developed a few one-block streets near some of the main thoroughfares of Central Park, including Starin and Vorhees Avenues (Moriarty 2017). Their developments on Revere Place, Taft Place, and Sagamore Terrace were speculatively built homes erected on modest lots (Moriarty 2017). Suor & Suor offered affordable single-family homes with modern amenities which appealed to middle class consumers (Moriarty 2017).

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

Suor & Suor had been previously involved in more traditional real estate interests of acquiring and selling farm houses (Grande 2000:149). Within a few years the firm would further expand development in Snyder with the College Hill - Chateau Terrace subdivision. A third brother, John Russell Suor (1882-1959), was also involved in the development of Snyder (Buffalo Evening News [BEN] 1953:25). He started his real estate career in Buffalo and later moved to Snyder. For roughly 25 years, John Suor was associated with the Erie County Real Estate Department and the county attorney's office as an appraiser (BEN 1953:25).

In Snyder, the Suors envisioned a new type of residential development on the south side of Main Street between Getzville and Harlem roads. Washington Highway formed the central point of what became known as the College Hill (Fiddler-Woite 2009:93). Suor & Suor's College Hill Office was erected on the southwest corner of Main Street (#4363) and Washington Highway (Fiddler-Woite 2009:94). The company built middle-class-sized homes which typically consisted of a two-story building with four bedrooms, a den, and a bathroom on each floor (Fiddler-Woite 2009:95). In February 1917, there were 40 homes in College Hill (BEN 1917). Suor & Suor advertised their new modern homes in local Buffalo newspapers to attract potential buyers to relocate to Snyder (Figures 7 and 8).

The brothers continued to acquire more tracts of land for their development in Snyder. Suor & Suor purchased an additional 65-acres of the Tobias Witmer farm south of College Hill by 1919 (Fiddler-Woite 2009:95). Named College Hill Terrace, the new 331-lot development extended toward Kensington Avenue. It was laid out with large lots for more upscale homes with landscaping and street furniture (Fiddler-Woite 2009:95). The Suors also endeavored in commercial development. In 1920, the Town of Amherst's population had increased by 36 percent from 4,629 in 1910 to 6,286 with much of the increase in the Snyder-Eggertsville area (Grande 2000:145). This rise in population included both new owners of large estates as well as an increased migration of middle-class commuters who purchased homes in the new subdivisions (Grande 2000:146).

By early 1920s, new residential neighborhoods were established west of Williamsville along Main Street which included the following: Rosedale Park, College Hill, Chateau Terrace, Audubon Terrace, and Amherst Estates. From 1923 to 1930, a town committee on building construction approved 73 major subdivisions (Grande 2000:189). The 1920s building boom in Amherst contributed to a 110 percent increase in population from 6,286 in 1920 to 13,181 in 1920 (Grande 2000:183). This growth is evident on a 1927 aerial photograph of the Snyder area (see Figure 14). The 1938 map of Snyder shows extensive residential subdivisions on the north and east sides of Main Street west of Harlem Road and on the south side of Main Street west of Harlem Road (Niagara Frontier Planning Board 1938a, 1938b).

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



NEW HOMES OUT MAIN STREET.
College Hill and College Hill Terraces.
200 Washington Highway, large rooms, 4 bedrooms, 2d floor, one 3d floor; lot 50x155 ..... $12,500.00
30 Chateau Terrace, 4 bedrooms, wide lot 80 feet 9,000.00
65 Chateau Terrace, 3 bedrooms, lot 50x132 ..... 9,500.00
SUOR & SUOR, Main Street and Chateau Terrace. Call Crescent 1048. 31t10



Why Pay Rent?
Your rent money will buy a modern new home out North Main St., all improvements, high land, delightful surroundings.
Sign the Coupon below --mail it right now.
SUOR & SUOR
Main St., over Buffalo City Line—P. O., Snyder, N. Y.
COUPON.
Suor & Suor: Gentlemen, I would like to know more about your proposition of buying a modern home out North Main St. for the money I am paying for rent.
Name .....
Address .....

Figures 7 and 8. Suor & Suor real estate advertisements in 1921 (left) and 1923 (right) *(Reproduced from The Buffalo Times 1921 and Buffalo Courier 1923b).*

Chateau Terrace Area. In 1909, G. Demert is identified with the east portion of Lot 13, which would become the future site of Chateau Terrace subdivision (Century Map Co.1909 [Figures 9 and 10]). The southern portion of Lot 13 consisted of a residential-width parcel consistent with the other lots along Main Street. It would later become the entrance road to Chateau Terrace. J. Freuhaut [sic] owned the adjacent properties on the west side of the southern portion of Lot 13. The south end of the street that became Fruehauf Avenue is shown between the two Frauhaut parcels fronting Main Street in 1909. A parcel owned by A. Snyder is adjacent to the east side of the south section of Lot 13, which became the Chateau Terrace entrance. Five other parcels on Main Street bordered the south boundary of Lot 13, one of which included the 1900 two-story brick school house (District 18). The rectangular-shaped north section of Lot 13 was bound to the west by residences on Harlem Road.

The 1915 Century Atlas map contains a discrepancy in property ownership of Lot 13. Chauncey Hamlin was identified on the Snyder sub plan as the owner of the G. Demert property on Lot 13, while the 1915 map of the Town of Amherst documents G. Demert as the owner of the 61-acre parcel (Century Map Co. 1915a, 1915b [Figures 11 and 12]). Hamlin's country estate stood on a separate parcel that fronted Harlem Road. Adjacent to the west side of the property was "J.C. Fruehaups Sub Div.," which consisted of 23 home sites with eleven frame buildings. Other subdivisions documented in Snyder at this time included Meadow Crest on the west side of Harlem Avenue north of Main Street and College Hill south side of Main Street along Washington Highway. According to the results of the title search, Chauncey Hamlin had the parcel surveyed in November 1917 (Holland Company Land Title & Abstract Company 2017: Table 1).

In 1920, The Park School of Buffalo purchased 100 acres on the east side of Harlem Road from the Hamlin Estate for the location of their new school campus which bordered the north boundary of the new Chateau Terrace subdivision (The Park School of Buffalo 2022; Fiddler-Woite 2009:126). In 1922, the Burkhardt Company purchased the Tobias Witmer farm on the east side of Chateau Terrace for the Audubon Terrace subdivision (Fiddler-Woite 2009:148).

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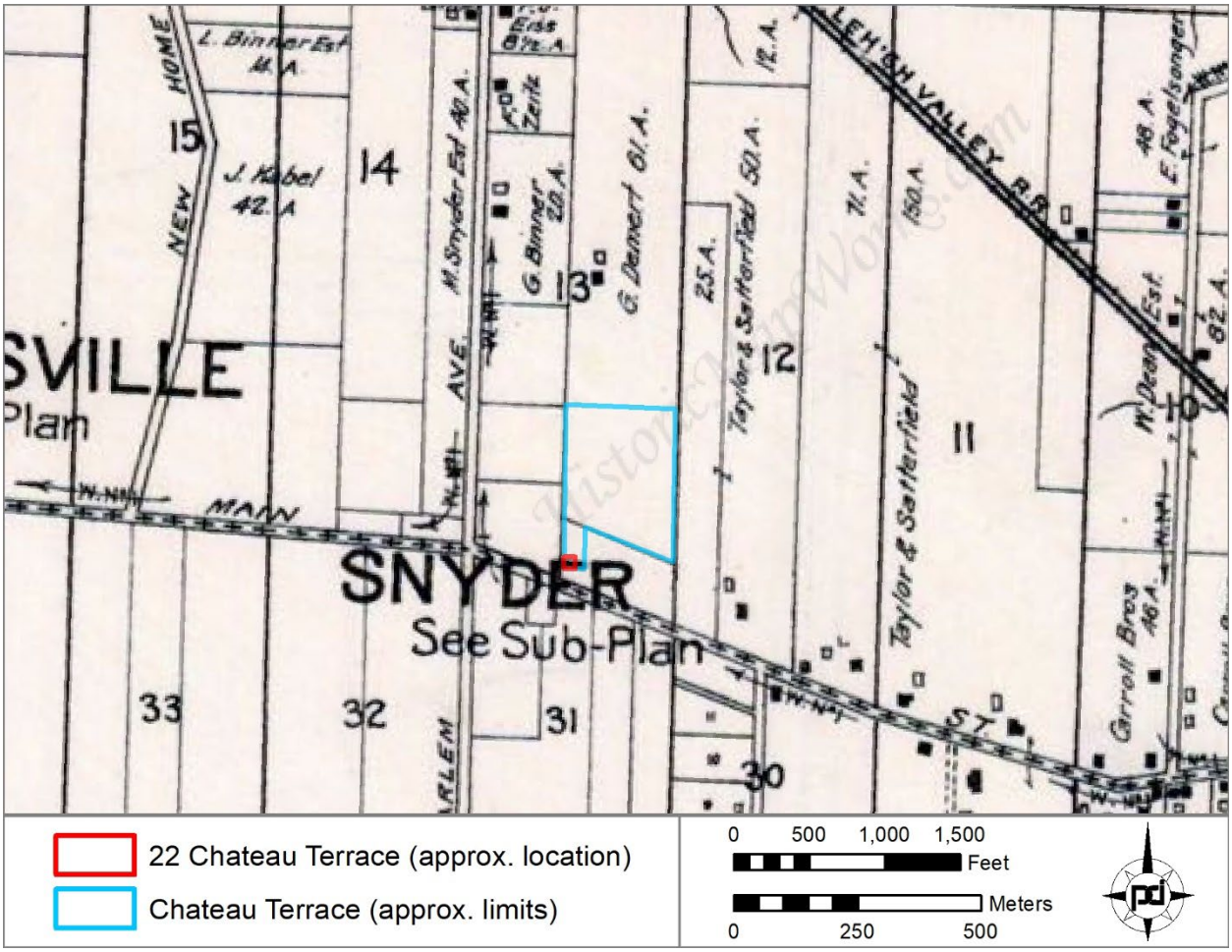


Figure 9. The general location of 22 Chateau Terrace on the 1909 map of the Town Amherst (*Century Map Co. 1909a).*

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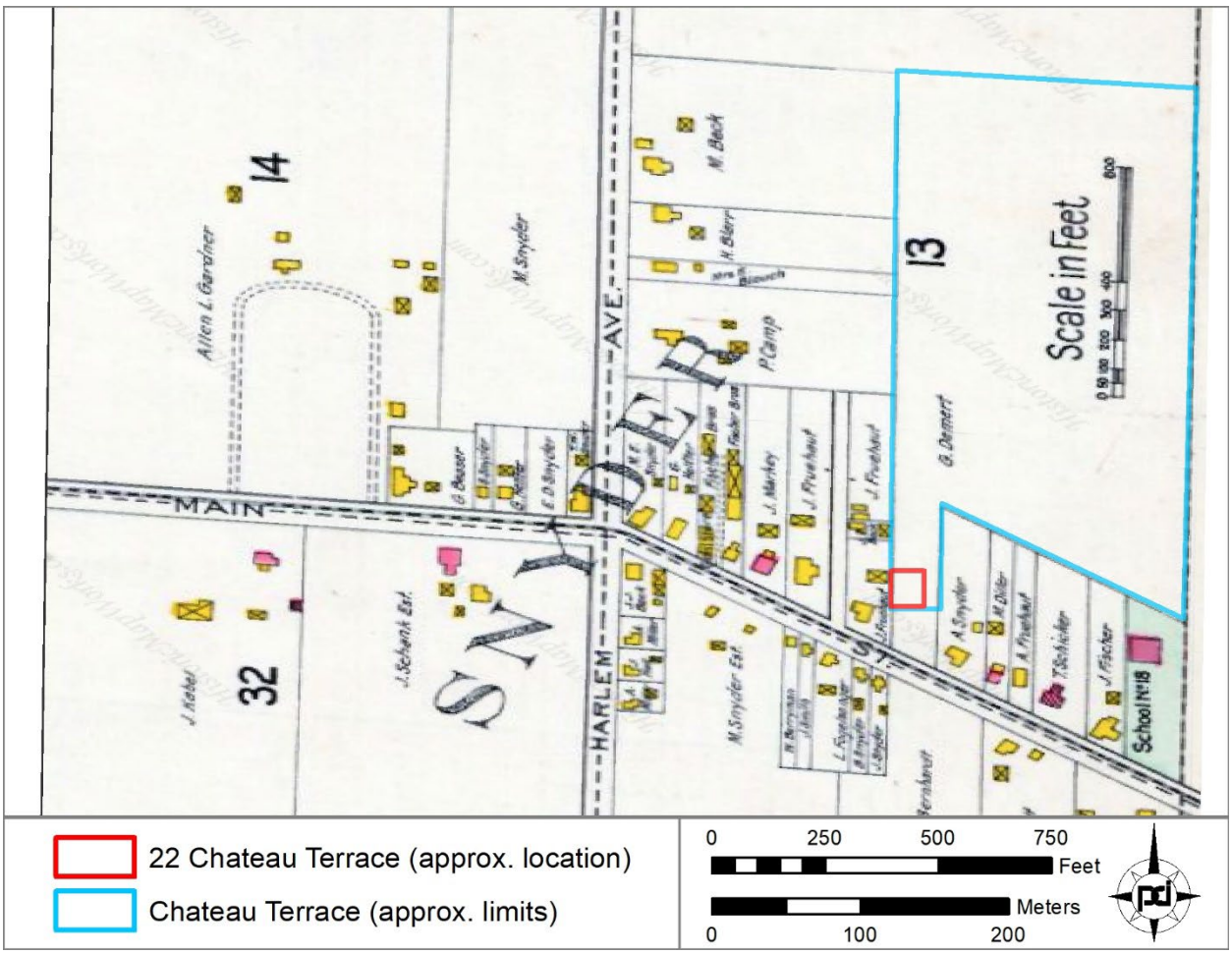


Figure 10. The general location of 22 Chateau Terrace on the 1909 sub-plan of Snyder *(Century Map Co. 1909b).*

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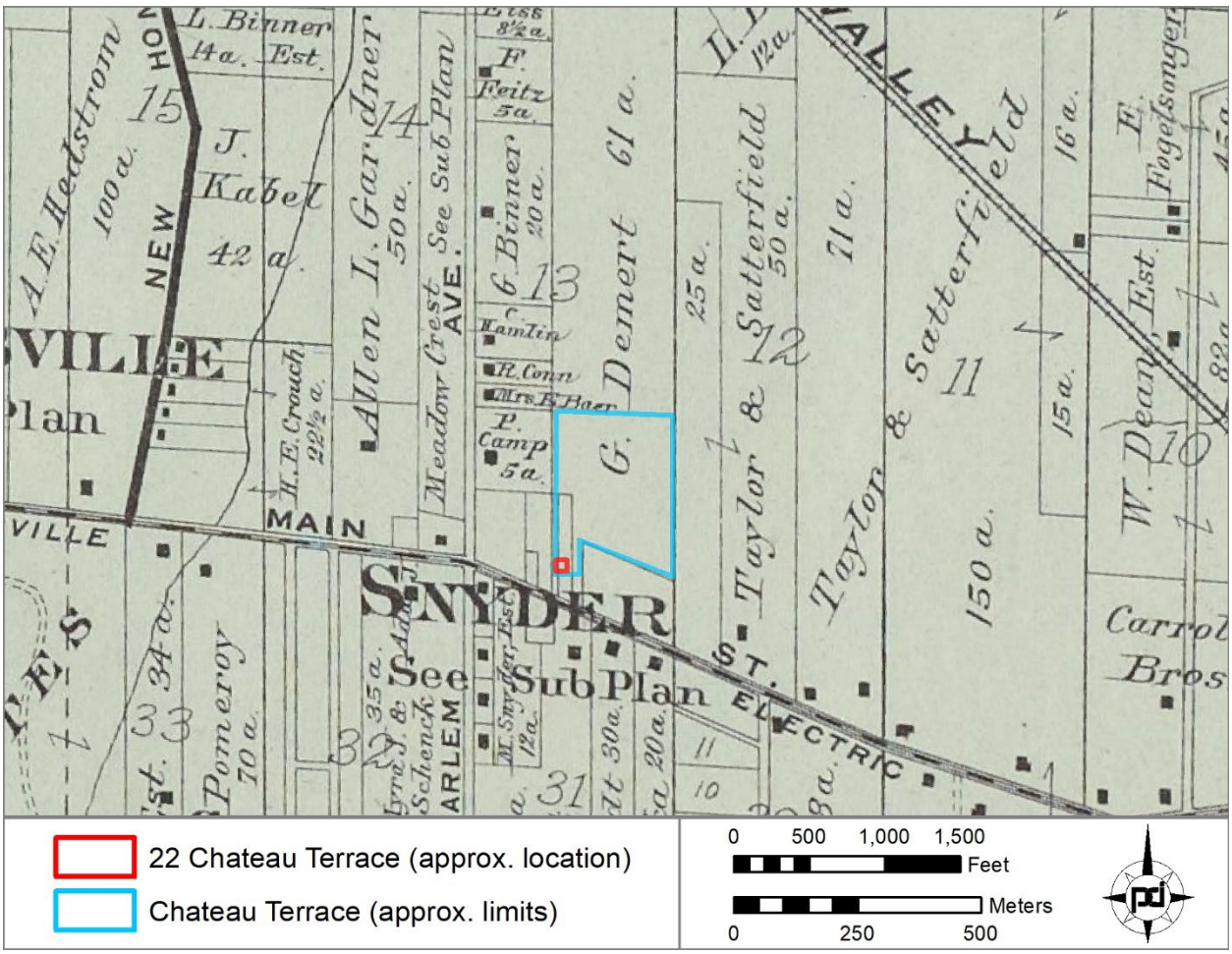


Figure 11. The general location of 22 Chateau Terrace on the 1915 Town of Amherst map *(Century 1915a).*

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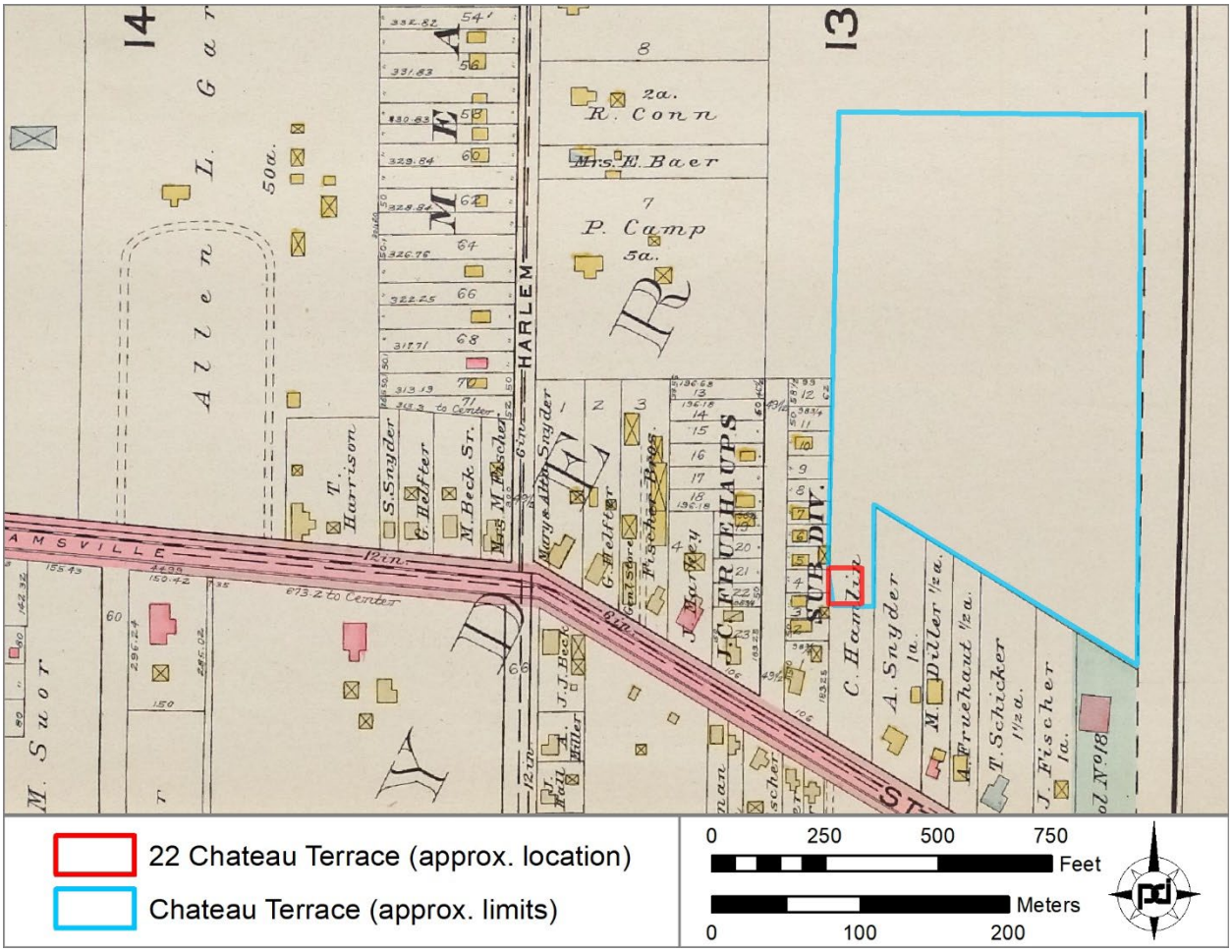


Figure 12. The general location of 22 Chateau Terrace on the 1915 sub-plan of Snyder *(Century 1915b).*

In July 1919, William C.T. Suor and Arthur M. Suor purchased land from Chauncey J. and Emily G. Hamlin for their new College Hill-Chateau Terrace development (Liber 1423 of Deeds, page 240). Louis W. & Josephine E. Ball purchased the parcel at 22 Chateau Terrace on September 1, 1920 (Liber 1555 of Deeds, page 138). The lot was subject to building restriction for a period of 25 years from July 1, 1919. By March 1921, Suor & Suor were listing new homes in the Chateau Terrace development (Buffalo Courier 1921). The house at 30 Chateau Terrace, on the adjacent lot to the north of 22 Chateau Terrace, was advertised with four bedrooms on an 80-foot-wide lot at a list price of $9,000. At 65 Chateau Terrace, the company built a three-bedroom house on a 50-ft by 132-ft lot which listed for $9,500.

By 1923, Chateau Terrace subdivision was platted and sparsely developed with only 13 residences, three of which were on the west side of Chateau Terrace just north of Main Street (Sanborn 1923 [Figure 13]). Individual lot numbers in Chateau Terrace do not appear on the 1923 map. Nos. 22, 30, and 38 Chateau Terrace along the south entrance to the subdivision had been constructed by this time. The Craftsman-style detached garage at 22 Chateau Terrace had yet to be constructed. Roads within the subdivision were 50 ft wide. The Park School campus is documented on the north side of Chateau Terrace for the first time in 1923. By this time, Freuhauf subdivision had acquired additional land extending north to the school property. The properties south of Chateau Terrace South included four dwellings with detached garages and School House No. 18. In 1924, District #18 School moved from the two-story brick schoolhouse to a new location on Harlem Road (Fiddler-Woite 2009:110).

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

Charles S. Burkhardt Co., developer of the adjacent Audubon Subdivision, also built homes in Chateau Terrace. In April 1923, Burkhardt advertised two new homes in Chateau Terrace featuring all modern conveniences, garages, and large lots. Ranging in price between $14,000 and $14,500, each house included three bedrooms and tile baths (Buffalo Courier 1923a).

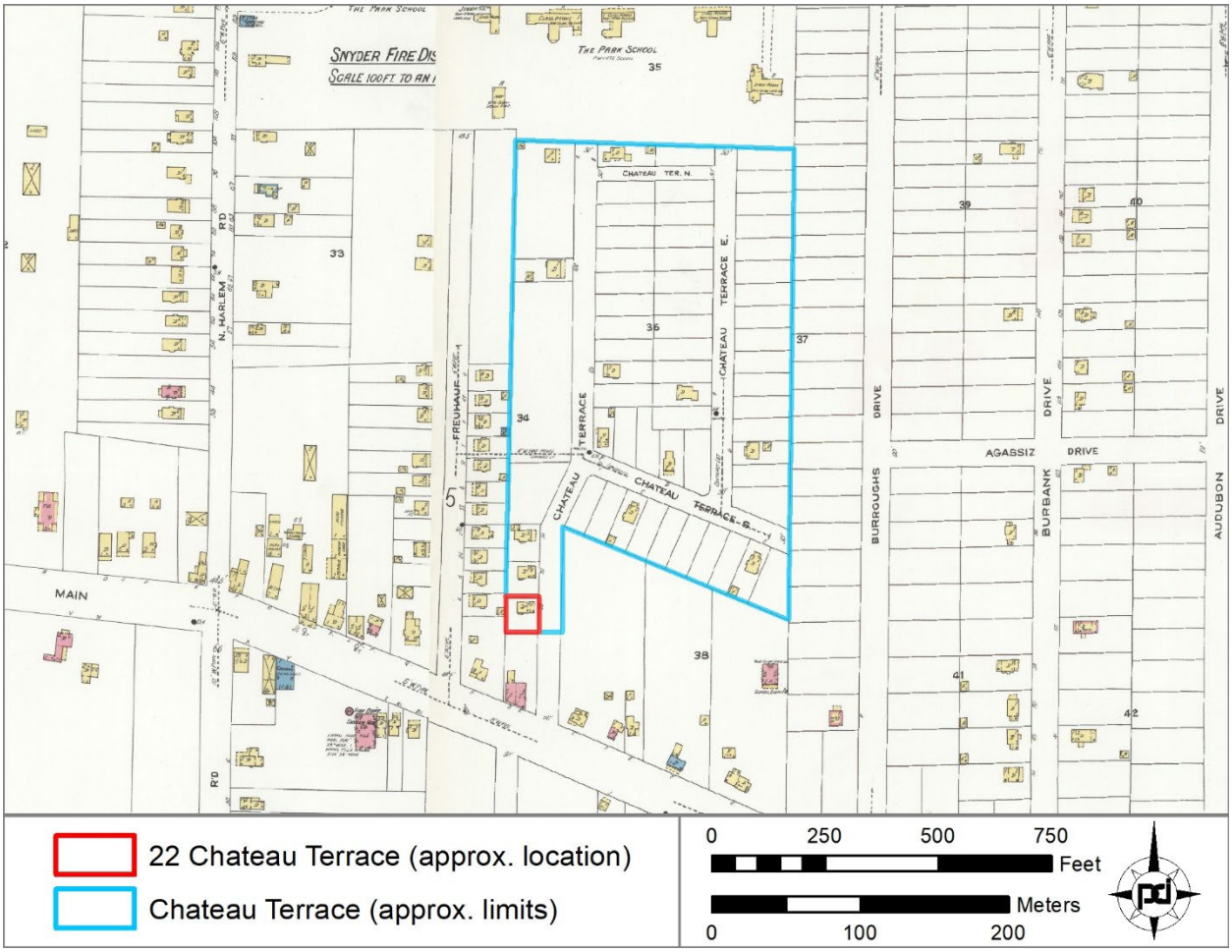


Figure 13. The location and footprint of the house at 22 Chateau Terrace as documented on the 1923 Sanborn Fire Insurance Map *(Sanborn 1923).*

Chateau Terrace was laid out off Main Street serving as the only entrance road to the subdivision. In 1927, Chateau Terrace remained a partially developed subdivision (ECDPW 1927 [Figure 14]). The three residences depicted on the 1923 map on west side of Chateau Terrace, south of the where the road bends, are visible in the aerial photograph. The southernmost of which is 22 Chateau Terrace. By 1932, homes were erected on Chateau Terrace South and Chateau Terrace East along with some construction on Chateau Terrace (KTA 2011: Area 6-9).

On the 1938 map of Snyder, Chateau Terrace consisted of 74 numbered lots. The west side of Chateau Terrace was divided into 20 lots with the lots 1 through 4 located between Main Street and the bend south of Chateau Terrace South (Figure 15). The residence at 22 Chateau Terrace was constructed on Lot #2. The three houses noted on the 1927 aerial had 80 frontages on Chateau Terrace. The other parcels were laid out with 50-ft frontages along Chateau Terrace to the north, the south side Chateau Terrace East, and the south side of Chateau Terrace South. A 1951 aerial view shows additional development in Snyder (Figure 16).

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

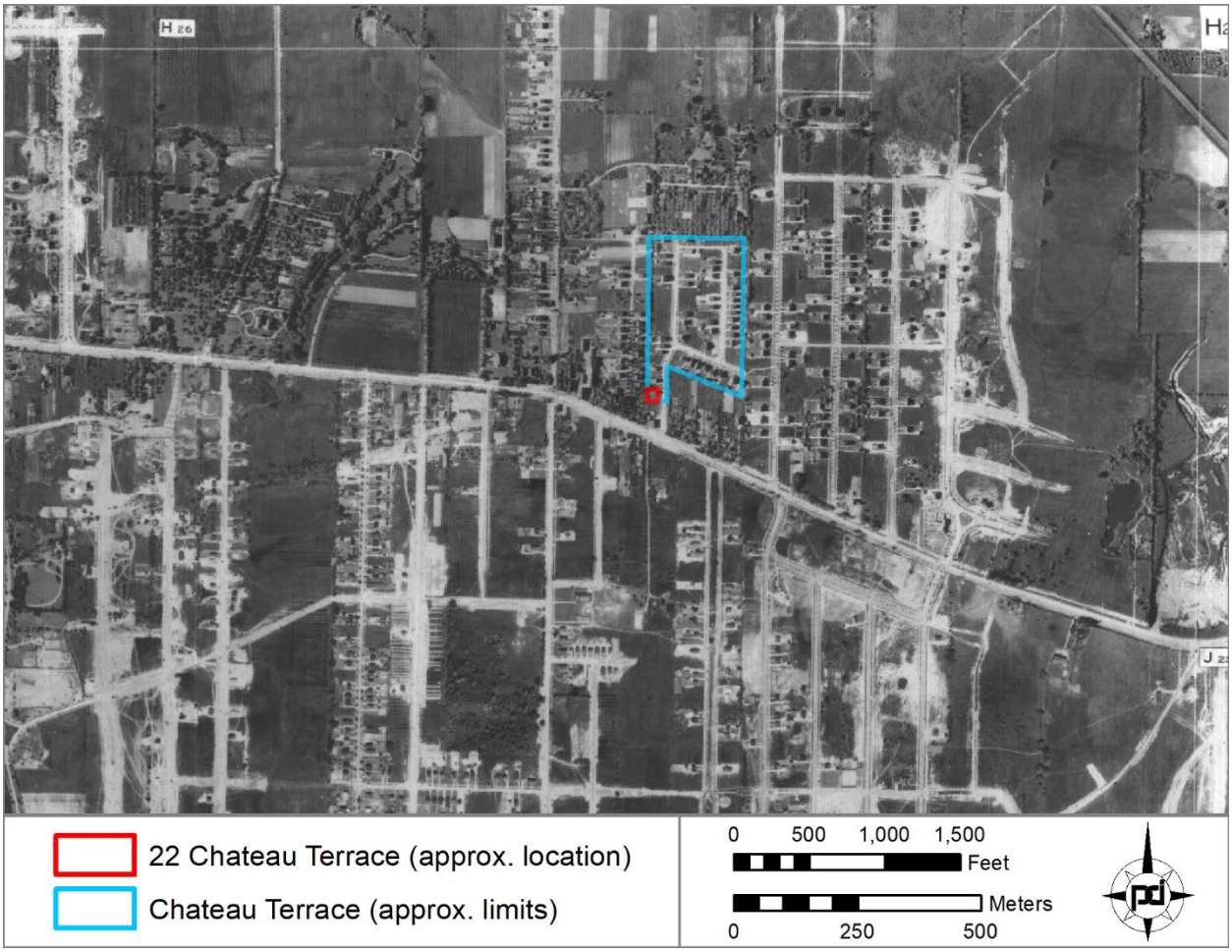


Figure 14. A 1927 aerial view of Chateau Terrace showing residential development in the subdivision and the surrounding area of Snyder *(Erie County Department of Public Works [ECDPW] 1927).*

The former Abram L. Snyder house on the northeast corner of Main Street and Chateau Terrace was demolished in 1957 (Fiddler-Woite 2009:148). A new U.S. Post Office branch (now occupied by the Bornhava school) was erected across the street from 22 Chateau Terrace on the site of the old homestead tract. Willliam C.T. Suor died at 85 years old in January 1959. An editorial on his passing credited the Suor brothers for beginning the trek to the North Buffalo suburbs with their Central Park development and continuing with the suburban development in Snyder (BEN 1959).

Lewis Ball died on August 20, 1968. His widow, Josephine E. Ball, sold the property in July 1971 to Edmund Karnofsky (Liber 7812 of Deeds, page 1). In 1975, the former school building on Main Street was demolished, and the adjacent property to the south of Chateau Terrace was subdivided into parcels (Snyder-Eggertsville Library and Ascension Lutheran Church [Fiddler-Woite 2009:110]). Karnofsky owned the property for 15 years, later selling it to E/K Realty Group LLC in September 2008. The subsequent owner 570 DAB 3 LLC purchased the property in March 2018. Table 1 presents a summary of deed information for Subdivision Lot 2 (22 Chateau Terrace/Parcel B).

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



Figure 15. The property at 22 Chateau Terrace in 1938 *(Niagara Frontier Planning Board 1938)*.

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

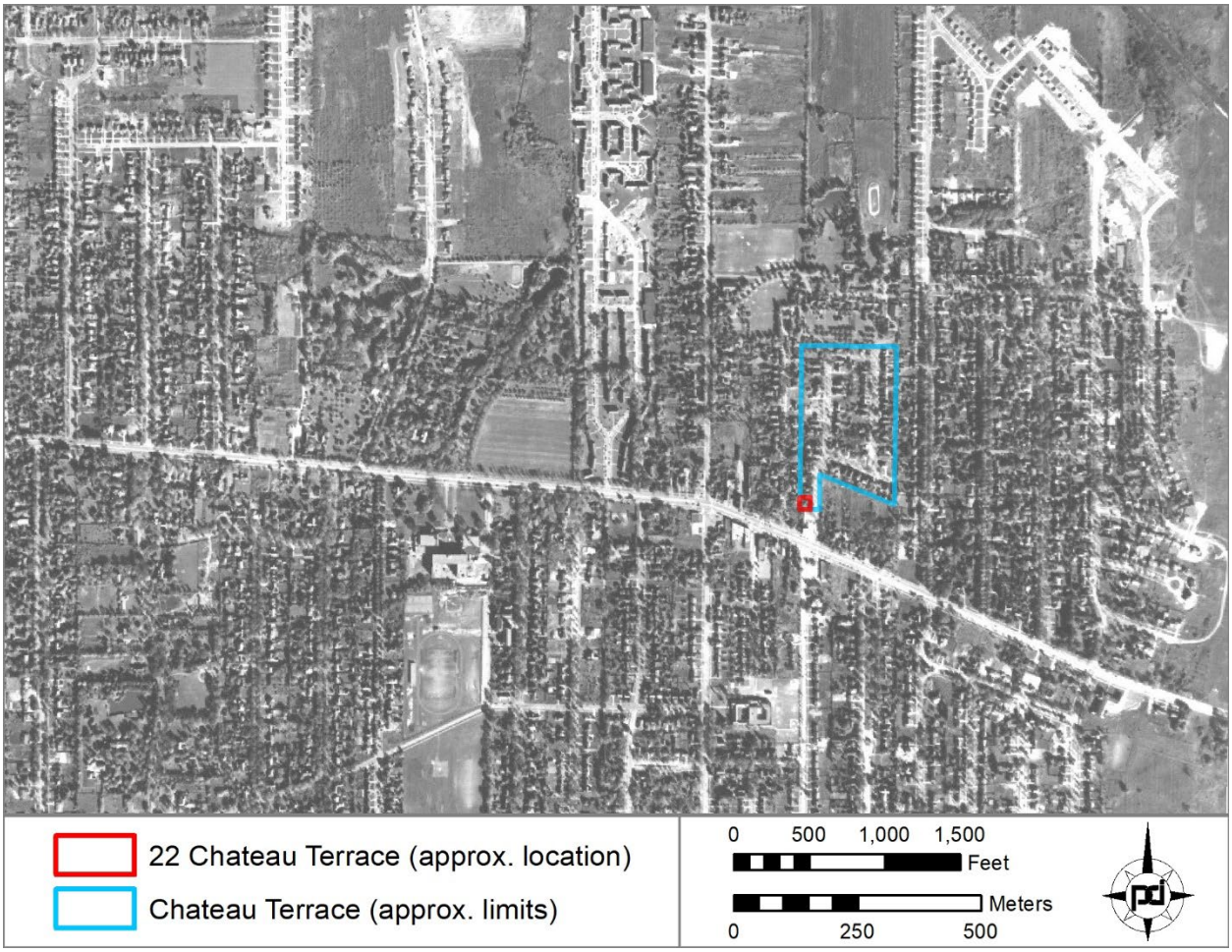


Figure 16. A 1951 aerial view of Chateau Terrace showing residential development in the subdivision and the surrounding area of Snyder *(ECDPW 1951).*

William Charles Taylor Suor and Arthur M. Suor. The Suor brothers were the sons of Charles and Anna (Taylor) Suor (White 1898:439). Their grandfather Joseph Suor was a native of Germany (White 1898:439). Charles Suor operated a wood turning establishment on the corner of Clinton and Oak streets in Buffalo and served as supervisor of the old Eleventh ward (White 1898:439). He died in 1887 when the boys were teenagers.

Arthur M. Suor was educated in public schools and the College of Commerce in Buffalo. He was first employed for three years with the T. C. Tanke's jewelry store and later in the Western Transit Company for a short time. In 1890, he accepted a position with the real estate firm of Thorne & Angell. He was associated with the firm until 1894, when he formed a partnership with his brother, William C. T. Suor (White 1898:439). In 1896, he married Ida Clare Heeb of Buffalo. They had one son, Arthur M., Jr. He was a member of Parish Lodge No. 292, F. & A. M., and of Trinity Lodge, I. O. O. F.

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

Table 1. Summary of Deed information: Subdivision Lot 2 (22 Chateau Terrace/Parcel B).

Date	Grantor	Grantee	Notes
n/a	Holland Land Company (Part of Lot #13, Township 12, Range 7)	Michael Shenk	Liber 7 of Deeds, page 48. Conveyed into two parcels East Parcel to Michael Shenk, Jr., Liber 53 of Deeds, page 103. West parcel to John Shenk, Liber 48 of Deeds, page 144.
1852	n/a	n/a	Original survey of Farm Lot 13 by Tobias Witmer, surveyors.
n/a	Michael Shenk, Jr (?)	Philip J. Ferkel	East side of Farm Lot No. 13. According to affidavit by Jacob W. Snyder.
n/a	Philip J. Ferkel	George Demert & Heirs	East side of Farm Lot No. 13. According to affidavit by Jacob W. Snyder.
n/a	George Demert & Heirs	Chauncey J. & Emily G. Hamlin	East side of Farm Lot No. 13. According to affidavit by Jacob W. Snyder.
November 12, 1917	n/a	n/a	Chauncey Hamlin had land surveyed.
July 12, 1919 REC. July 15, 1919	Chauncey J. & Emily G. Hamlin	Wm. C.T. Suor & Arthur M. Suor	Liber 1423 of Deeds, page 240. Subject to easement for water & sewer drainage.
September 1, 1920 Rec. October 7, 1920	Wm. C.T. and Jessie M. Suor & Arthur M. and Ida H. Suor	Louis W. & Josephine E. Ball	Liber 1555 of Deeds, page 138. Subject to building restriction for a period of 25 years from July 1, 1919.
July 1, 1971	Josephine E. Ball as survivor of Lewis W. Ball	Edmund Karnofsky	Liber 7812 of Deeds, page 1 Lewis died August 20, 1968
July 23, 1923 Rec. August 23, 1993	Edmund Karnofsky	New York Telephone Company	Easement. Liber 10727 of Deeds, page 240
August 9, 2008 Rec. Sept. 8, 2008	Edmund Karnofsky	E/K Realty Group LLC	Liber 11149 of Deeds, page 6267
March 16, 2018	E/K Realty Group LLC	570 DAB 3 LLC	Liber 11326 of Deeds, page 9012

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

Architectural Summary

Setting. Chateau Terrace on the north side of Main Street east of Harlem Road is nestled between two early-to-mid-twentieth-century residential subdivisions, Freuhauf to the west and Audubon Terrace to the east. Chateau Terrace was laid out to serve as the entrance road for the development. The subdivision was designed with four roads that form a near rectangular-shaped central plan. These include two north-south roads (Chateau Terrace & Chateau Terrace East), one northwest-southeast road (Chateau Terrace South), and one east-west road (Chateau Terrace North). The south end of Chateau Terrace has a bend to the northeast just south of Chateau Terrace South. Street trees were planted throughout Chateau Terrace. Trees lining the entrance road, and the road's winding alignment were designed to provide screening as well as privacy. Chateau Terrace was originally designed with three dead end roads. The north end of Chateau Terrace East is open for access to the Park School of Buffalo Campus. Commercial properties, a school, medical offices, and a public library border the south boundary of the subdivision.

Site. Located on the west side of the street, the single-family residence and detached garage at 22 Chateau Terrace is the first residential property in the subdivision north of Main Street. The parcel measures 80 ft wide by 73.34 ft deep. The house has a narrow 9.77-ft setback and a small, enclosed backyard measuring roughly 22 ft wide by 20 ft deep. A mature 24-inch green ash tree is centered in front of the house on the road verge. Other mature trees include are on the south side of the driveway and along west edge of the parcel. Concrete walkways (2.5 ft-2.6 ft) are on the north and west sides of the house. A low concrete retaining wall stretches across the south property line. Parking lots associated with commercial properties fronting Main Street (Nos. 4558-4560 & 4548) border the south, southwest, and west perimeters of the parcel. Residential properties are adjacent to the north (20 Chateau Terrace) and northwest (23 Fruehauf).

Description of Exterior. The residence at 22 Chateau Terrace is a frame, two-story Craftsman-style building with a front-gabled roof with asphalt shingles, stucco exterior, wood belt course, and stone foundation. It has a rectangular plan and measures approximately 24.20 ft wide by 40.66 ft deep. Window openings are single, paired, and triple groupings. These openings feature simple molded wood surrounds and wood double-hung sash (1/1 and 9/1). Original basement windows have two lights.

The east façade has an enclosed entry porch with a wood stoop in the north bay, a one-story sunroom with a low-pitched gabled roof, and a triple window grouping with bracketed pent. The entrance door features six lights over two lights and two panels. It is flanked by sidelights of four over one, a wood panel, and a single corner pilaster. Six lights over one light windows are on the north side of the entry porch. Stylistic details include wide overhanging eaves with single triangular knee brackets, beveled windows, and paneled and glazed doors.

Exterior alterations include a few replacement windows, a replacement wood rail on the front stoop, and asphalt roofing shingles.

Description of Interior. The open first-floor layout consists of a sunroom, dining room, living room, kitchen, and basement/side entrance hall. Three bedrooms, a bathroom, and a hall closet are on the second floor. It has an unfinished basement. The interior has painted plaster walls. Floor finishes include carpeting, hardwood, linoleum, and tile. Hardwood floors are covered on the first floor and primary bedroom. Interior windows are accented with simple wood trim. Extant interior doors are wood with six panels.

The living room has a central brick fireplace with a wood mantel supported by three brick corbels, built-in wood shelving, and Craftsman-style staircase (quarter turn stairs) with corner pier along the north wall. The Craftsman-type living room entrance door has a single panel and four lights. An original push button switch panel is on right side of front door. A Craftsman-type beveled glass window is in the north wall of the living room and west wall of the dining room. Original wooden baseboards and metal baseboard registers are

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

intact. The kitchen has built-in cabinets. Original cabinet doors have been removed from the upper cabinet shelves on the west wall and a new sink with cabinets has been installed on the east wall. The side entrance/ basement hall is on the north side of the house.

The primary bedroom on the second floor is in the upper front (east) of the house. It features two closets and window seat. The other two bedrooms have a single window and closet. The bathroom retains its white hexagonal floor tile, built-in closet, and built-in medicine cabinet.

The basement retains its original door and wood stairs. It has exposed stone walls and a row of built-in cabinets along the west wall. The chimney has a basement clean.

Interior alterations include the following: removal of portions of built-in kitchen cabinets and sink; removal of original light fixtures; drop ceiling in the dining room; new kitchen flooring; removal of a few original doors; and removal of original bathroom sink and tub.

Garage. A detached, frame, two-bay Craftsman-style garage is on the southwest side of the house. The 3.66.5 sq ft garage (18.35 ft wide by 20.15 ft deep) has a hipped roof with overhanging eaves, and asphalt roof shingles, and wood exterior siding. Garage doors feature multiple pane fixed windows and wood panels. The garage is presently structurally unstable. A section of the roof has partially collapsed on the south slope (Photograph 14 in Appendix A).

Conclusions

The ca. 1920 residence with garage at 22 Chateau Terrace does not appear to meet the State/National Register of Historic Places (S/NRHP) criteria for individual eligibility. Though the building retains much of its original materials and stylistic elements, it is a representative example of a modest single-family home type constructed in the first quarter of the twentieth century in Buffalo and suburban neighborhoods. Previous historic resources surveys have also identified the building at 22 Chateau Terrace as not individually eligible for listing on the S/NRHP (Bero 1997; KTA 2011), but instead they recommended the property as a contributing resource to a Chateau Terrace Historic District (Chateau Terrace Study Area in CRIS). Note, Chateau Terrace was not included in the NRHP Multiple Documentation Form for Multiple Resources Associated with the Suburban Development of Buffalo.

As previously recognized in the historic resources survey, Chateau Terrace Study Area is historically significant at the local level for its association with the suburban development of the Town of Amherst during the early to mid-twentieth century. A S/NRHP eligibility assessment for the entire Chateau Terrace Study Area is beyond the scope of this documentation report. Further survey work and documentation of the neighborhood, as well as additional research, would be required to provide an informed S/NRHP recommendation for Chateau Terrace Study Area. The NRHP Multiple Documentation Form for *Multiple Resources Associated with the Suburban Development of Buffalo, New York* (2015) and guidance provided in *Historic Residential Suburbs Guidelines For Evaluation And Documentation For The National Register Of Historic Places* (Ames and Flint 2002) would also need to be applied for an NRHP eligibility recommendation.

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

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Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

Appendix A

Photographs

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

22 CHATEAU TERRACE: EXTERIOR VIEWS



1. **Setting view of 22 Chateau Terrace, facing northwest** *(Commonwealth 2022).*



2. **Setting view along Chateau Terrace (Nos. 22, 30, and 38) looking toward Main Street, facing southwest** *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



3. Oblique view of south and east elevations, facing west-northwest *(Commonwealth 2022).*



4. Direct view of east elevation, facing west *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



5. Oblique view of east and north elevations, facing southwest *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



6. Detail view of front entrance, facing west *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



7. Detail view of brackets and eaves, facing northwest *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



8. Detail view of entrance on north elevation, facing southeast *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



9. Direct view of west elevations of the house and garage, facing southeast *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



10. Oblique, partial view of the west elevation facing northeast *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



11. View of backyard and north elevation of the garage, facing south *(Commonwealth 2022).*



12. Direct view of south elevation, facing north *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



13. Direct view of north elevation of garage, facing west *(Commonwealth 2022).*



14. Direct view of south elevation of garage, facing west *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

22 CHATEAU TERRACE: INTERIOR VIEWS



15. Detail of vestibule showing original front door, facing northeast *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



16. View of first floor living room, facing southeast *(Commonwealth 2022).*



17. View of living room looking toward the dining room at left and kitchen at right, facing west *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

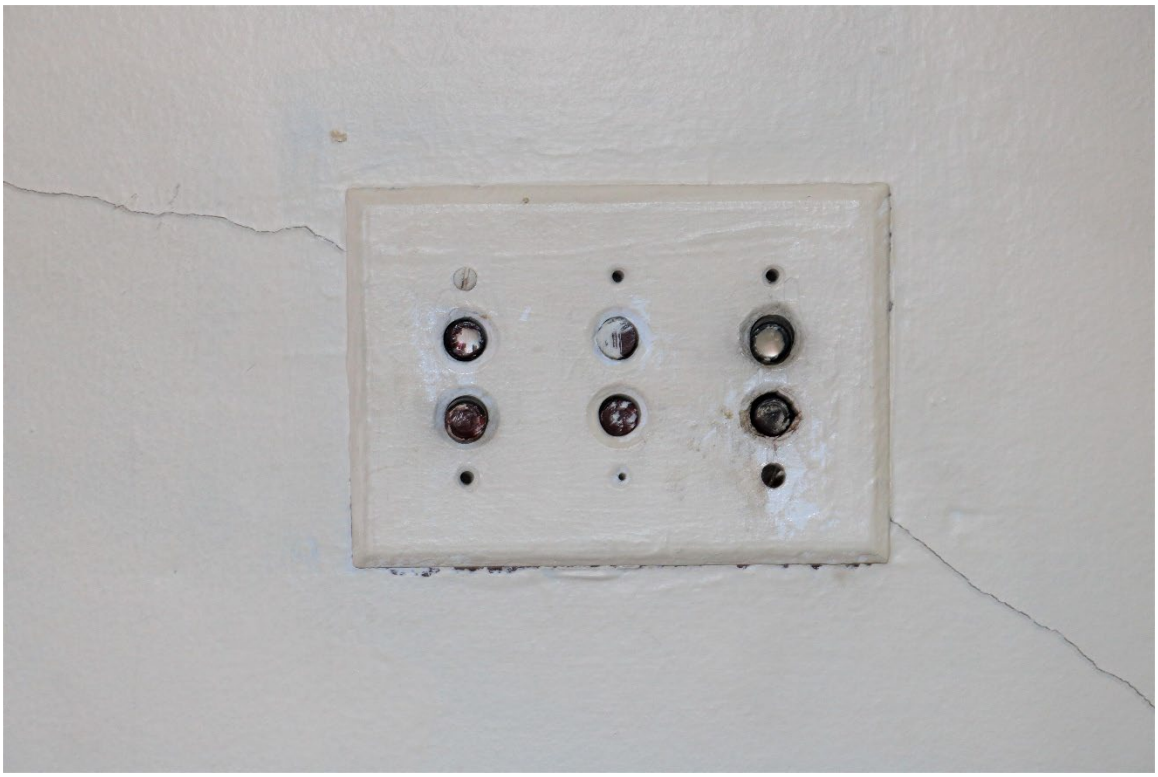


18. View of living room looking toward built-in shelves and stairs, facing northwest *(Commonwealth 2022).*



19. View of living room looking toward front entrance, sunroom, and metal baseboard register, facing northeast *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



20. Detail of push button switches on right side of front door, facing east *(Commonwealth 2022).*



21. View of first floor sunroom, facing south *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



22. View of dining room, facing west *(Commonwealth 2022).*



23. View of dining room with living room and sunroom in background, facing east-northeast *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



24. View of east wall of first floor from dining room, facing southeast

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



25. View of kitchen doorway from dining room, facing north *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



26. View of west wall in kitchen, facing northeast *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



27. View of built-in kitchen cabinets on west wall of kitchen, facing northeast *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



28. View of east wall in kitchen, facing east *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



29. **View of side entrance hall with basement door at right, facing north** *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



30. View of staircase to second floor, facing west *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



31. **View of 2nd floor hall from staircase landing with bathroom at left and closet at right, facing south** *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



32. View of master bedroom on second floor, facing southeast *(Commonwealth 2022).*



33. View of master bedroom on second floor, facing southwest *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



34. View of west wall in master bedroom on second floor, facing west *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



35. View of second floor bathroom, facing southeast *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



36. View of second floor bathroom, facing southwest *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



37. View of southwest bedroom on second floor, facing west *(Commonwealth 2022).*



38.Detail of wood floor in southwest bedroom on second floor *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



39. View of northwest bedroom on second floor, facing northwest *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



40. View of northwest bedroom on second floor, facing southeast *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



41. Detail of basement stairs, facing northwest *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



42. View of basement, facing south *(Commonwealth 2022).*



43. Detail of west basement wall, facing southwest *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



44. View of basement, facing north *(Commonwealth 2022).*

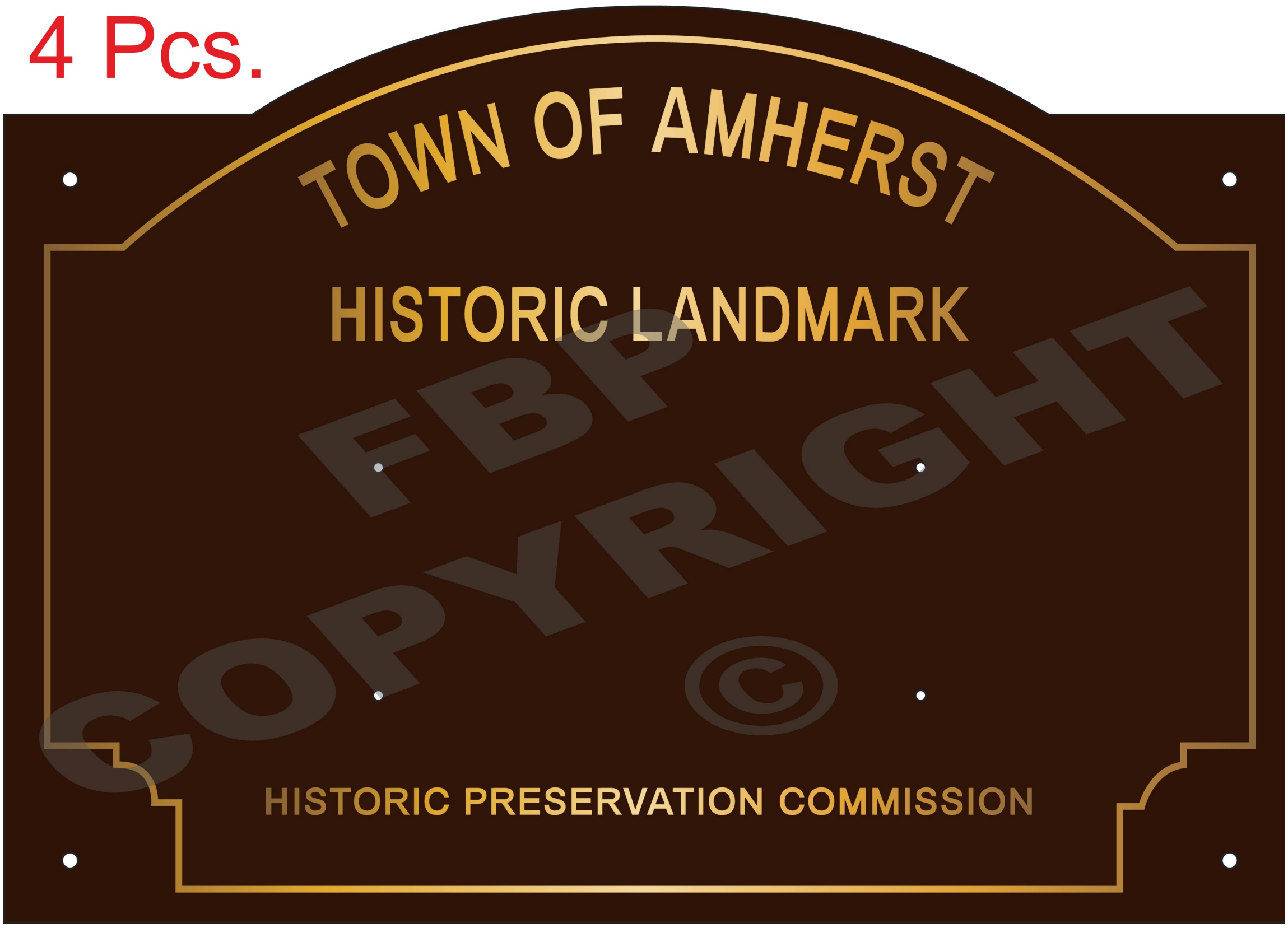
Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)



45. View of basement, facing west-northwest *(Commonwealth 2022).*

Attachment: 22 Chateau Terrace structure documentation (27242 : 22 Chateau Terrace)

4 Pcs.



33056 12x8.5 Straight Edge Bronze Color: Dark Oxide Mounting:Front 12/19/22





33056 6x3 Single Line Bronze Color: Dark Oxide Mounting:Front 12/19/22

FBP COPYRIGHT ©

Attachment: 33056 - Multiple Pieces - Amherst Historic Program (27249 : Harlem Rd Community Center Plaque)

Town of Amherst – Town Code
Chapter 121 Historic Preservation

[HISTORY: Adopted by the Town Board of the Town of Amherst 10-3-1994 by L.L. No. 5-1994. Amendments noted where applicable. For additional information regarding 2010, 2011 and 2012 state local law numbers, refer to the Disposition List at the end of this volume.]

GENERAL REFERENCES

Zoning — See Ch. **203**.

§ 121-1. Designation; title.

This chapter shall be Chapter **121** of the Code of the Town of Amherst and may be cited as the "Historic Preservation Law of the Town of Amherst."

§ 121-2. Authority.

[Amended 5-16-2018 by L.L. No. 10-2018]

In accordance with Section 96-a of the General Municipal Law of the State of New York entitled "Protection of historical places, buildings and works of art," and Article 5-K of the General Municipal Law of the State of New York, entitled "Historic Preservation," the Town Board of the Town of Amherst has the authority to provide, by local law, regulations, special conditions and restrictions for the protection, enhancement, perpetuation and the use of places, districts, sites, buildings, structures, works of art and other objects having special character or special historical or other aesthetic interest or value. Pursuant to that authority, the Town Board has prepared and adopted this Chapter setting forth standards to be followed in historic preservation.

§ 121-3. Purpose.

It is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of landmarks and historic districts is necessary to promote the economic, cultural, educational and general welfare of the public. Inasmuch as the identity of a people is founded in its past and inasmuch as Amherst has many significant historic, architectural and cultural resources which constitute its heritage, this chapter is intended to:

Attachment: Chapter 121.Historic Preservation--2023 (27245 : Revision of Law)

A. Protect and enhance the landmarks and historic districts which represent distinctive elements of Amherst's historic, architectural and cultural heritage.

B. Foster civic pride in the accomplishments of the past.

C. Protect and enhance Amherst's attractiveness to visitors and support and stimulate the Town's economy.

D. Ensure the harmonious, orderly and efficient growth and development of the Town.

§ 121-4. **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

ADAPTIVE REUSE

Conversion of a building originally designed for a certain purpose to a different purpose.

ALTER

To change one or more exterior architectural features of a landmark, an improvement on a landmark site or a structure within an historic district.

BUILDING

Any structure or part thereof having a roof supported by columns or walls for the shelter or enclosure of persons or property.

BUILDING COMMISSIONER

The Commissioner of Building of the Town of Amherst.

~~**CERTIFICATE OF APPROPRIATENESS**~~

~~A certificate issued by the Preservation Commission approving plans for the alteration, construction, removal, or demolition of a landmark, an improvement to a landmark site or a structure within an historic district.~~

CERTIFICATE OF APPROPRIATENESS

A certificate issued by the Preservation Commission approving plans for the alteration, construction, removal, improvement or demolition of all or

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part of the exterior of a landmark, a landmark site or a structure within an historic district.

CONSTRUCTION

Building an addition or making an alteration to an existing structure or building a new principal or accessory structure.

DEMOLITION

Destruction of a building, structure or improvement.

DEMOLITION PERMIT

A permit issued by the Building Commissioner allowing the applicant to demolish and remove all or part of a building, structure or improvement.

EXTERIOR

Architectural style, design, general arrangement and components of the outer surfaces of an improvement, building or structure as distinguished from the interior surfaces, including but not limited to the kind and texture of building material and the type and style of windows, doors, signs and other such exterior fixtures.

FACADE

The exterior of a building or structure that can be viewed.

HISTORIC DISTRICT

A geographically definable area so designated pursuant to this code.

IMPROVEMENT

Any building, structure, place, parking facility, fence, gate, wall, work of art or other object constituting a physical betterment or any part thereof.

LANDMARK

Property, object, structure or natural feature or any part thereof so designated pursuant to this code.

LANDMARK SITE

A significant historical or cultural site(s) where buildings or structures no longer exist, so designated pursuant to this code.

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OWNER

A person, firm or corporation which owns the fee of property or a lessor state therein, a mortgage or vendee in possession, a receiver, an administrator, an executor, a trustee or any other person, firm or corporation in control of property.

PRESERVATION

Retention of essential character of an improvement, object, building, natural feature or structure as embodied in its existing form, integrity and material. This term includes the retention of trees, landscaping and vegetative cover of a site. This term may include temporary stabilization work, as well as ongoing maintenance of historic building materials.

PRESERVATION COMMISSION or COMMISSION

The Town of Amherst Historic Preservation Commission.

PROPERTY

Land and improvements thereon.

RECONSTRUCTION

Reproduction of the exact form and detail of a vanished building, structure, improvement or part thereof as it appeared at a specific time.

REHABILITATION

Repair or alteration that enables buildings, structures or improvements to be efficiently utilized while preserving those features of buildings, structures or improvements that are significant to their historic, architectural or cultural values.

RESTORATION

Recovery of the form and details of a building, structure or improvement and its site during a particular time.

SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES

Principles developed by the National Park Service (36 CFR 68.3, as may be amended) to help protect historic properties by promoting consistent preservation practices and providing guidance to the historic building

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owners and building managers, preservation consultants, architects, contractors, and project reviewers on how to approach the treatment of historic properties. The Secretary of the Interior Standards for the Treatment of Historic Properties may also be referred to in this local law as “Secretary of the Interior Standards”.

SITE

A plot or parcel of land.

STRUCTURE

Anything constructed or erected which requires permanent or temporary location on the ground. This term shall include but not be limited to buildings, walls, fences, signs, billboards, lighting fixtures, screen enclosures and works of art.

TOWN

The Town of Amherst, County of Erie, State of New York.

TOWN BOARD

The Town Board of the Town of Amherst, Erie County, New York.

TOWN CLERK

The Town of Amherst Town Clerk.

§ 121-5. **Historic Preservation Commission.**

[Amended 5-16-2018 by L.L. No. 10-2018]

A. There is hereby created a commission to be known as the "Town of Amherst Historic Preservation Commission."

B. The Commission shall consist of seven (7) members. The Town of Amherst shall be the primary residence of each Commission member. Commission members shall serve terms of four years, with the exception of the initial term, in which four (4) members shall serve terms of four (4) years and three (3) members shall serve terms of two (2) years.

C. Appointment of Commissioners shall be made by the Town Board.

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D. To the extent available in the Town of Amherst, the Commission should consist of the following:

(1) At least one (1) shall be an architect.

(2) At least one (1) shall be an historian.

(3) At least one (1) shall be a licensed real estate broker.

(4) At least one (1) shall be a licensed professional engineer.

(5) All members shall have demonstrated significant interest and commitment to the field of historic preservation.

(6) The Director of the Buffalo Niagara Heritage Village, or his/her designee shall be a nonvoting, *ex officio* member of the Commission and the designee shall be a resident of the Town of Amherst.

E. The Chairperson and the Vice Chairperson shall be elected by and from voting members of the Commission. The terms of office shall be two (2) years. If the Chairperson or Vice Chairperson cannot fulfill his or her term of office, a Chairperson or Vice Chairperson shall be elected by and from the membership to fulfill the remainder of the term until the next regular election.

F. If any Commissioner resigns or otherwise cannot fulfill his or her term of office, the Town Board shall appoint an interim member to serve the remainder of the term.

G. The Vice Chairperson shall ensure that minutes of all Commission meetings are suitably recorded, prepared and distributed.

H. The powers and duties of the Commission shall include:

(1) To designation of historic landmarks, sites and districts for its consideration.

(2) To advise and recommend to the Town Board on matters of employment of staff and professional consultants as necessary to carry out the duties of the Commission.

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(3) To promulgate rules and regulations as necessary for the conduct of its business.

(4) To adopt criteria for the identification of significant historic architectural and cultural landmarks and or for the delineation of historic districts.

(5) To conduct surveys of significant historic, architectural and cultural landmarks within the Town.

(6) To make recommendations to the Town Board on the acceptance or donation of facade easements and development rights, the acquisition of facade easements and development rights or other interests in real property as necessary to carry out the purposes of this chapter.

(7) To increase public awareness of the value of historic, cultural and architectural preservation and the understanding of the value of historic preservation, the history and resources of the town by developing and participating in education programs.

(8) To make recommendations to the Town Board concerning the utilization of state, federal or private funds to promote the preservation of landmarks and historic districts within the Town.

(9) To recommend acquisition of a landmark or structure by the Town where its preservation is essential to the purposes of this chapter and where private preservation is not feasible.

(10) To approve or disapprove applications for certificates of appropriateness, subject to review by the Building Commissioner pursuant to this Chapter.

(11) To maintain an inventory of locally-designated historic resources or districts within the Town and publicize the inventory.

I. The Commission shall meet at least monthly if any business is pending. Meetings may be held at any time on the written request of any two Commission members.

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J. A quorum for the transaction of business shall consist of a majority of the Commission members, but not less than a majority of the full authorized membership may grant or deny a certificate of appropriateness.

§ 121-6. **Designation of historic landmarks, sites and districts.**

[Amended 5-16-2018 by L.L. No. 10-2018]

A. The Commission may recommend designation of an individual property as a landmark, subject to Town Board approval, if it:

(1) Is associated with the lives of individuals or of people or of events significant in the national, state or local history.

(2) Embodies the distinctive characteristics of a type, a period or a method of construction.

(3) Represents the work of a master architect or designer or possesses high artistic values.

(4) Represents a significant or distinguished entity whose components may lack individual or special distinction.

(5) Because of a unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood.

B. The Commission may recommend designation of a property or a group of properties as an historic site, subject to Town Board approval, if it:

(1) Contains significant historical or cultural sites where buildings or structures no longer exist, such as a battlefield, a cemetery or a former transportation facility; or sites which may yield information important to area history or prehistory.

C. The Commission may recommend designation of a group of properties as an historic district, subject to Town Board approval, if it:

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~~**(1)** Contains properties which meet one or more of the criteria for designation as a landmark; or~~

~~**(2)** Is an area that represents several periods or styles of architecture typical of different areas of history; or~~

~~**(3)** Is an area that has several buildings of the same architectural period or style and thus constitutes unified architectural streetscape consistency or a significant community uniformity of style; or~~

~~**(4)** Is an area connected with significant events or cultural happenings or development its involving ethnic, religious groups or other groups of special historical interest; and~~

~~**(5)** By reason of possessing such qualities, constitutes a distinct section of the Town of Amherst.~~

~~**D.** The boundaries of each proposed historic district designated henceforth shall be specified in detail and shall be filed, in writing, in the Town Clerk's office for public inspection.~~

~~**E.** Notice of a proposed designation shall be sent by the Town Clerk thirty (30) days prior to a public hearing to the owner(s) of any property(ies) proposed for historic designation. The notice shall describe the property proposed for designation, summarize the proposed action and announce the date, time and location of the public hearing. A copy of the notice of proposed designation shall also be sent to the Town Board.~~

~~**F.** Once the Historic Preservation Commission has issued a notice of a proposed designation, no building permits shall be issued by the Building Commissioner except for emergency repairs until a final determination on the proposed designation has been reached. The Historic Preservation Commission shall provide a copy of any notice of proposed designation to the Building Commissioner.~~

~~**G.** The notice of proposed designation shall also be sent to the Town of Amherst Highway Department, the Town of Amherst Engineering Department, the Town of Amherst Planning Department, the Town of Amherst Assessor's Department, the Buffalo Niagara Heritage Village and any other Town~~

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~~department and/or county or state agency as appropriate. Each department/agency shall be given thirty (30) days from the date of transmission to provide comments on the proposed designation to the Historic Preservation Commission.~~

~~**H.** The Commission shall hold a public hearing prior to recommending designation of any landmark, historic site or historic district. The Commission, the property owner and any interested parties may present testimony or documentary evidence at the hearing which will become part of a record regarding the historic, architectural or cultural importance of the proposed landmark or historic district. The record may also contain staff reports, public comments or other evidence offered outside of the hearing. A public hearing notice must be published by the Town Clerk in the Town's designated official newspaper at least fifteen (15) days prior to the hearing date.~~

~~**I.** The Commission will recommend to the Town Board the designation of an historic landmark, site or district. The Town Board will also conduct a public hearing prior to acting on the recommendation.~~

~~**J.** The Commission shall file notice of each property designated as a landmark and of the boundaries of each designated historic district with the Erie County Clerk's office, the Town of Amherst Clerk's office, the Town of Amherst Building Department, the Town of Amherst Planning Department, the Town of Amherst Highway Department, the Town of Amherst Engineering Department and the Town of Amherst Assessor's Department.~~

~~**K.** Minutes of any business conducted by the Historic Preservation Commission shall be placed on file in the Town of Amherst Clerk's office and will be posted to the Town's website.~~

§ 121-6. Criteria and Designation of Landmarks, Sites or Historic Districts.

The commission shall delineate landmarks or historic districts and recommend them to the Town governing board for designation under local law.

A. Individual Landmark: The commission may delineate an individual property as an individual landmark if it:

(1) exemplifies or possesses special character, or historic or aesthetic interest of value as part of the political, economic, or social history of the Town;

(2) is identified with persons or events significant in local, state, or national history;

(3) embodies the distinguishing characteristics of a type, period or method of construction or design style, or is a valuable example of the use of indigenous materials or craftsmanship; or is representative of the work of a designer, architect or builder;

(4) represents an established and familiar visual feature of the community by virtue of its unique location or singular physical characteristic, represents an established and familiar visual feature of the community; or

(5) has yielded or may be likely to yield information important in prehistory or history.

B. Historic District: The commission may delineate a group of properties within the Town as an historic district if it:

(1) contains properties which meet one or more of the criteria for designation as a landmark and which may have within its boundaries other properties or structures that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the landmark or landmarks located within the historic district; and

(2) constitutes a unique section of the Town by reason of possessing those qualities that would satisfy such criteria.

C. Interior Landmark: The commission may delineate the interior of a property as an interior landmark if such interior has special historical or aesthetic interest or value as part of the development, heritage or cultural characteristics of the town, and:

(1) it is customarily open or accessible to the public; or

(2) it is an interior into which the public is customarily invited.

D. Scenic Landmark

E. The boundaries of each proposed historic district designated henceforth shall be specified in detail and shall be filed, in writing, in the Town Clerk's office for public inspection.

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F.Notice of a proposed designation shall be sent by the Town Clerk thirty (30) days prior to a public hearing to the owner(s) of any property(ies) proposed for historic designation. The notice shall describe the property proposed for designation, summarize the proposed action and announce the date, time and location of the public hearing. A copy of the notice of proposed designation shall also be sent to the Town Board.

G.Once the Historic Preservation Commission has issued a notice of a proposed designation, no building permits shall be issued by the Building Commissioner except for emergency repairs until a final determination on the proposed designation has been reached. The Historic Preservation Commission shall provide a copy of any notice of proposed designation to the Building Commissioner.

H.The notice of proposed designation shall also be sent to the Town of Amherst Highway Department, the Town of Amherst Engineering Department, the Town of Amherst Planning Department, the Town of Amherst Assessor's Department, the Buffalo Niagara Heritage Village and any other Town department and/or county or state agency as appropriate. Each department/agency shall be given thirty (30) days from the date of transmission to provide comments on the proposed designation to the Historic Preservation Commission.

I.The Commission shall hold a public hearing prior to recommending designation of any landmark, historic site or historic district. The Commission, the property owner and any interested parties may present testimony or documentary evidence at the hearing which will become part of a record regarding the historic, architectural or cultural importance of the proposed landmark or historic district. The record may also contain staff reports, public comments or other evidence offered outside of the hearing. A public hearing notice must be published by the Town Clerk in the Town's designated official newspaper at least fifteen (15) days prior to the hearing date.

J.The Commission will recommend to the Town Board the designation of an historic landmark, site or district. The Town Board will also conduct a public hearing prior to acting on the recommendation.

K.The Commission shall file notice of each property designated as a landmark and of the boundaries of each designated historic district with the Erie County Clerk's office, the Town of Amherst Clerk's office, the Town of Amherst Building

Department, the Town of Amherst Planning Department, the Town of Amherst Highway Department, the Town of Amherst Engineering Department and the Town of Amherst Assessor's Department.

L.Minutes of any business conducted by the Historic Preservation Commission shall be placed on file in the Town of Amherst Clerk's office and will be posted to the Town's website.

~~§ 121-7. **Certificates of appropriateness required.**~~

~~No person shall carry out any exterior alteration, restoration, reconstruction, excavation, grading, demolition, new construction or moving of a designated landmark or property within an historic district, nor shall any person make any material change to such property, its light fixtures, signs, sidewalks, fences, steps, paving or other exterior elements which affect the appearance or cohesiveness of the landmark or historic district without first obtaining a certificate of appropriateness from the Historic Preservation Commission.~~

§ 121-7. Certificate of Appropriateness for Alteration, Demolition, or New Construction Affecting Individual Landmarks or Historic Districts.

(a) The Town of Amherst Historic Preservation Commission is responsible for the approval or disapproval of proposals for exterior changes to a historic property designated under this local law. No person shall carry out any exterior alteration, excavation, grading, restoration, reconstruction, demolition, new construction, or move of a designated historic landmark or property, within a historical district nor shall any person make any change within such property, it's light fixtures, signs, sidewalks, fences, steps, paving or other exterior elements which affect the appearance or cohesiveness of the landmark or historic district within a designated historic district without first obtaining a Certificate of Appropriateness that authorizes such work from the Town of Amherst Historic Preservation Commission.

(b) All changes to Town owned property affecting an individual landmark or within a historic district shall be subject to the provisions of this local law.

(c) The building department shall receive and file all applications issued for any individual landmark, or landmarks or historic district to which this local law

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applies. The building department shall transmit a copy of any such application to the Planning Department which shall review same, and when the application is complete, forward said application to the Historic Preservation Commission.

(d) The commission may require that the application for certificate of appropriateness be supplemented by such additional information and/or materials as may be necessary for a complete review by the commission. The commission may impose such conditions or restrictions as it deems necessary or appropriate on a case-by-case basis to promote or achieve the purpose of this local law.

~~§ 121-8. **Criteria for approval of certificate of appropriateness.**~~

~~**A.** In passing upon an application for a certificate of appropriateness, the Historic Preservation Commission shall not consider changes to the interior of buildings.~~

~~**B.** The Commission's decision shall be based upon the following principles:~~

~~**(1)** Features which contribute to the character of the historic landmark or district shall be retained with as little alteration as possible.~~

~~**(2)** Any alteration of existing features shall be compatible with its historic character as well as with the surrounding property.~~

~~**(3)** New construction shall be compatible with the property in which it is located and/or surrounding historic district.~~

~~**C.** In applying the principle of compatibility, the Commission shall consider the following factors:~~

~~**(1)** The general design, character and appropriateness to the property of the proposed alteration or new construction.~~

~~**(2)** The scale of proposed alteration or new construction in relation to itself, surrounding properties and the neighborhood.~~

~~**(3)** Texture, materials and color and their relation to the property itself, surrounding properties and the neighborhood.~~

~~**(4)** Visual compatibility with surrounding properties, including proportion of the property's front facade, proportion and arrangement of windows and other openings within the facade, roof shape and the rhythm of spacing of properties on streets, including setback.~~

~~**(5)** The importance of historic, architectural or other features to the significance of the property.~~

§ 121-8. Criteria for Issuing a Certificate of Appropriateness.

A. Certificate of appropriateness; general criteria: The commission shall approve the issuance of a certificate of appropriateness only if it determines that the proposed work will not have any adverse impact on the aesthetic, historical, or architectural significance and value of the individual landmark or if the proposed work is within a historic district, proposed work will not have a substantial adverse effect on the aesthetic, historical, or architectural significance of the property itself, the district or neighboring properties in such district.

B. In making this determination, the commission's decision to approve, approve with modification(s) or deny an application for a certificate of appropriateness for an individual landmark, interior landmark, and scenic landmark will be guided by the current edition of the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as general criteria. In addition, the Commission's decision shall encompass the following principals:

(1) the commission's decision to approve, approve with modification(s), or deny an application for a certificate of appropriateness for an improvement to property located within a historic district shall be based on the following principles:

i. properties which contribute to the character of the historic district shall be retained, with their historic features altered as little as possible;
ii. any alteration of existing properties shall be compatible with the surrounding historic district; and
iii. new construction shall be compatible with the historic district in which it is located;

C. In applying the principle of compatibility set forth in paragraph (b) of this Section, the commission shall consider the following factors:

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(1) the general design and character of the proposed alteration or new construction relative to existing features of the property or improvement;

(2) the scale and visual compatibility of the proposed alteration or new construction in relation to the property itself, surrounding properties, and the neighborhood;

(3) texture, materials and color and their relation to similar features of the property and other properties in the neighborhood;

(4) visual compatibility with surrounding properties, including proportion of the property's facade, proportion and arrangement of windows and other openings within the facade, roof shape, and the rhythm of spacing of properties on streets, including setback, and;

(5) the importance of historic physical and visual features to the significance of the property.

D. In approving an application for a certificate of appropriateness, the commission shall find that the building or structure for which the permit was requested, if erected or altered in accordance with the submitted plan or with stated modifications, would be consistent with the spirit and intent of this local law, would not be visually offensive or inappropriate by reason of poor quality of exterior design, monotonous similarity or visual discord in relation to the sites or surroundings, would not mar the appearance of the area, would not impair the use, enjoyment and desirability or reduce the values of properties in the area, would not be detrimental to the character of the neighborhood, would not prevent an appropriate development and utilization of the site or of adjacent lands and would not adversely affect the functioning, economic stability, prosperity, health, safety and general welfare of the community. In addition the Commission’s decision shall be guided by the current edition of the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as general criteria.

E. Where the commission grants a certificate of appropriateness under circumstances where the permitted activity is likely to uncover or affect archaeological resources, the commission shall require reasonable efforts to protect and preserve such resources. Where such protection and preservation is not feasible, the commission shall nonetheless impose appropriate and reasonable conditions to insure that the archaeological resource is made accessible for a reasonable period to qualified persons. In cases where the

owner is a government entity and thereby the lead agency, the New York State SEQR regulations shall apply.

F. The liason in the Planning Department for the Commission will forward a draft of the application of the certificate of appropriateness to the Commission. The commission may require that the application for certificate of appropriateness be supplemented by such additional information or materials as may be necessary for a complete review by the Commission. The Commission may impose reasonable conditions or restrictions as it deems necessary or appropriate on a case-by-case basis to promote or achies the purposes of this chapter.

§ 121-9. **Application for certificate of appropriateness.**

A. Prior to the commencement of any work requiring a certificate of appropriateness, the owner shall file an application for such certificate with the Historic Preservation Commission. The application shall contain, but not be limited to:

(1) The name, address, ~~and~~ telephone number and/or email of the applicant.

(2) The location and photographs of the property.

(3) Elevation drawings of proposed changes, if available.

(4) Perspective drawings of proposed changes, if available.

(5) Samples of color and/or materials to be used.

(6) Where the proposal includes signs or lettering, a scale drawing showing the type(s) of lettering to be used, all dimensions and colors, a description of materials to be used, the method of illumination and a plan showing the sign's proposed location on the property.

(7) Any other information which the Commission may deem necessary in order to visualize the proposed work.

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B. No building permit shall be issued for such proposed work until a certificate of appropriateness has first been issued by the Historic Preservation Commission. The Commission shall act to approve or deny a certificate of appropriateness within 65 days of the date upon which a completed application is filed with the Historic Preservation Commission. If the application is not acted upon within 65 days, the application shall be deemed approved. The applicant may request an extension of the decision deadline date if so desired. The certificate of appropriateness required by this chapter shall be in addition to and not in lieu of any building permit that may be required by any other ordinance of the Town of Amherst.

§ 121-10. **Hardship criteria.**

A. An applicant whose certificate of appropriateness for a proposed demolition has been denied may apply for relief on the grounds of hardship. In order to prove the existence of hardship, the applicant shall establish that:

(1) The property is incapable of earning a reasonable return regardless of whether that return represents the most profitable return possible.

(2) The property cannot be adapted for any other use permitted by Chapter **203**, Zoning, which would result in a reasonable return.

(3) Efforts to find a purchaser interested in acquiring the property and preserving it have failed.

B. An applicant whose certificate of appropriateness for a proposed alteration has been denied may apply for relief on the grounds of hardship. In order to prove the existence of hardship, the applicant shall establish that:

(1) T~~t~~he property is incapable of earning a reasonable return regardless of whether that return represents the most profitable return possible:.

(2) The alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or the neighborhood;

(3) The requested relief, if granted, will not alter the essential character of the neighborhood; and

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(4) The alleged hardship has not been self-created.

§ 121-11. **Hardship application procedure.**

A. After receiving written notification from the Commission of the denial of a certificate of appropriateness, an applicant may commence the hardship application process.

B. The Commission shall hold a public hearing on the hardship application, at which time an opportunity will be provided for proponents and opponents of the application to present their views.

C. The applicant shall consult in good faith with the Commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property.

D. All decisions of the Commission shall be in writing. A copy shall be sent to the applicant by registered mail, and a copy shall be filed with both the Town Clerk's office and with the Building Department. The Commission's decision shall state the reasons for granting or denying the hardship application.

E. No building permit or demolition permit shall be issued while the hardship application is pending. The Commission shall make a determination on whether a hardship exists. Building and demolition permits shall be issued in accordance with that determination.

§ 121-12. **Affirmative Maintenance and repair required.**

A. Nothing in this chapter shall be construed to prevent the ordinary maintenance and repair of any architectural feature of a landmark or property within an historic district which does not involve a change in design, material, color or outward appearance.

B. No owner or person with an interest in real property designated as a landmark or included within an historic district shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of any architectural feature which would, in the judgment of the Historic Preservation Commission, produce a detrimental effect upon the character of the historic

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district as a whole or the life and character of the property itself. Examples of such deterioration include:

(1) Deterioration of exterior walls or other vertical supports.

(2) Deterioration of roof or other horizontal members.

(3) Deterioration of exterior chimneys.

(4) Deterioration or crumbling of exterior stucco or mortar.

(5) Ineffective waterproofing of exterior walls, roofs or foundations, including broken windows or doors.

(6) Deterioration of any feature so as to create a hazardous condition which could lead to the claim that demolition is necessary for public safety.

§ 121-13. **Administration and enforcement; display of certificate.**

A. Administration. The Building Commissioner shall administer and enforce the provisions of this chapter. In connection with overseeing this responsibility, the Building Commissioner shall provide a permit procedure coordinated with the established building permit procedure.

B. Enforcement. All work performed pursuant to this chapter shall conform to any requirements included herein. It shall be the duty of the Building Commissioner to inspect periodically any such work to assure compliance. In the event that work is found that is not being performed in accordance with the certificate of appropriateness, the Building Commissioner shall issue a stop-work order, and all work shall immediately cease. No further work shall be undertaken on the project as long as the stop-work order is in effect.

C. The certificate of appropriateness shall be displayed on the building in a location conspicuously visible to the public while work pursuant to the certificate is being done.

§ 121-14. **Penalties for offenses.**

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A. Any person who violates any provision of this chapter or any regulation adopted hereunder is guilty of an offense punishable by a fine not exceeding $250 or imprisonment for a period not to exceed 15 days, or both. Each week's continued violation shall constitute a separate violation.

B. Failure to comply with any of the provisions of this chapter shall result in the termination of any permits issued or any proceedings commenced under provisions of this chapter.

C. Any person(s) who demolishes, alters, constructs or permits a landmark to fall into a serious state of disrepair which results in a violation of this chapter shall be required to restore the property and its site to an appearance acceptable to the Historic Preservation Commission. Any action to enforce this subsection shall be brought by the Town Attorney upon authorization by the Town Board. This civil remedy shall be in addition to and not in lieu of any criminal prosecution and penalty.

D. Failure to comply with any of the provisions of this chapter m**ay result in the application of penalties and/or fines issued by the Building Commisioner of the Town of Amherst as** provided for in Chapter 151 of the Town Code, Property Maintenance.

§ 121-15. **Appeals.**

[Amended 6-20-2011 by L.L. No. 18-2011; 5-16-2018 by L.L. No. 10-2018]

Any person aggrieved by a decision of the Historic Preservation Commission relating to designation, hardship, demolition permit application (see Chapter **151**, Section 56 for related regulations) or a certificate of appropriateness may, within thirty (30) days of the filing of the decision in the Town Clerk's office, file a written application with the Town Board for review of the decision. The Town Board shall schedule a public hearing on the matter without unnecessary delay. The appeal of the Commission's decision may be based only upon the record and criteria utilized by the Commission to render its decision. If new information becomes available subsequent to the Commission's decision, a new application must be submitted to the Commission. The Town Board's decision on the appeal shall be considered final.

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§ 121-16. **Conflict with other provisions.**

Where this chapter imposes greater restrictions than are imposed by the provisions of any law, ordinance or regulation, the provisions of this chapter shall apply. Where greater restrictions are imposed by any law, ordinance or regulation, such greater restrictions shall apply.

§ 121-17. **Compliance required prior to action.**

No decision to carry out or approve an action subject to the provisions of this chapter shall be rendered by any department, board, commission, officer or employee of the Town of Amherst until there has been full compliance with all requirements of this chapter. This shall not prohibit environmental, engineering, economic feasibility or other studies, preliminary planning or budgetary processes, nor the granting of an application relating only to technical specifications and requirements, but not authorizing commencement of action until full compliance with this chapter has been met.

§ 121-18. **Applicability.**

This chapter shall apply to the entire area of the Town of Amherst, excluding that area within the corporate limits of the Village of Williamsville.

§ 121-19. **Severability.**

If any section, clause or provision of this chapter or the application thereof to any persons is adjudged invalid, the adjudication shall not affect other sections, clauses or provisions or the application thereof which can be sustained or given effect without the invalid section, clause or provision or application, and, to this end, the various sections, clauses or provisions of this chapter are declared to be severable.

§ 121-20. **When effective.**

This chapter shall take effect immediately.

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