

The regular meeting of the Historic Preservation and Architectural Review Board (HPARB) of the Village of Cooperstown was held in the Village Office Building, 22 Main Street, Cooperstown, New York on September 9, 2014. Members in attendance were Chair – Teresa Drerup, Liz Callahan, Roger MacMillan, Ralph Snell, Wendell Tripp and alternate – David Sanford. Also in attendance was Zoning Enforcement Officer – Tavis Austin and Deputy Village Clerk – Jennifer Truax. Ten members of the public were present.

Ms. Drerup called the meeting to order at 5:09 PM.

Regular Agenda

10 Linden Avenue (Joseph Mikiewicz) – proposed window replacement

Ms. Drerup reviewed the application. She stated that the application was held over from the August meeting due to needing additional information. She stated that after reviewing the materials provided and looking online she was unable to determine what material the proposed windows are made of.

Mr. Mikiewicz stated that the proposed windows are vinyl composite.

Ms. Drerup stated that of the two windows the one on the front of the residence is specifically called out as being contributing in the Glimmerglass Historic District Nomination Form. She further explained that based on the law historic features should be repaired whenever possible and if replacement is necessary it should be of similar material and design. Ms. Drerup asked if the window is operable.

Mr. Mikiewicz stated that the window is not operable. He explained that it has been nailed shut but it does have the old pull tabs which indicate that it was operable at one point. He further stated that there is also a storm window so even if he was able to open the window it would not provide air flow.

Ms. Drerup asked if the window has a check rail or muntin.

Mr. Mikiewicz stated that it is a double hung. He stated that there are a total of nine windows in the home seven of which have already been replaced with a vinyl double hung window. He stated that he does not know why the remaining two were not replaced unless it had to do with the added cost. He stated that this front window is very wide and the other window is in the stairway and requires leaning over the banister to reach it.

Ms. Drerup asked what the light configuration for the windows would be.

Mr. Mikiewicz stated that they would be one over one.

Ms. Drerup asked Mr. Mikiewicz if he had considered a replacement with the same configuration as the existing window.

Mr. Mikiewicz stated that he feels that this would look out of place as it would be the only window in the residence that was not an equal one over one. He further stated that it would only open minimally and not provide for the air flow he would like.

Ms. Drerup asked for the details of the window trim.

Mr. Mikiewicz stated that the trim would remain. He explained that the windows would be installed from the interior of the home.

Ms. Callahan stated that this is a unique window design and it is important to the property. She continued to point out it is on the street side of the residence which the Secretary of Interior's guidelines say is the most important side of a structure. She further stated that she feels strongly that the window was never meant to operate and that with a good storm window would not only maintain the character but also provide energy efficiency. She further stated that changing the proportions of the window will detract from the historic character.

Ms. Drerup asked if the window was in a bedroom which requires egress.

Mr. Mikiewicz stated that neither of the windows are in bedrooms.

Mr. Snell stated that he feels that the window guidelines should be followed. He specifically cited the section on vinyl windows and stated that this home, circa 1895, should not have vinyl replacement windows installed.

Mr. Mikiewicz stated that he does not see any difference, just because something is old does not make it historic.

Ms. Callahan stated that she does not believe that the other replacement windows in the home are vinyl. She stated that she believes that they are aluminum. She further stated that this parlor window is not junk and that this board exists to retain historic features in this historic district. She further stated that although replacement might be feasible if done with the historic dimensions, she does not feel that this window is beyond repair.

Dr. Tripp stated that if seven out of nine windows are currently vinyl then he does not find that the replacement of the last two would be a problem. He explained that he does not feel that a person walking past the residence will notice that the windows are vinyl. He stated that the window guidelines are just guidelines, not all of the board members agree with them, and they are not the law.

Ms. Drerup stated that she would like to at least see a replacement window which matches the existing configuration. She explained that an equally proportioned one over one will look short and squat.

Ms. Callahan stated that this parlor window is a common feature of the era in which the residence was constructed. She further stated that there are several homes throughout the village which have the same style window.

Ms. Drerup stated that being a recurring feature of the district is probably why the window was specifically called out in the Glimmerglass Historic District Nominating Form.

Ms. Callahan pointed out a similar window design at 43 Walnut Street that appears to be a replacement window. She further stated that she believes it may have been replaced in the last 10 years.

Mr. Drerup stated that she is not opposed to the replacement of the window in the stairwell.

Dr. MacMillan stated that he concurs with Ms. Callahan and Mr. Snell. He explained that the guidelines exist for a reason and they are public knowledge. He stated that he believes they need to be adhered to.

Ms. Drerup asked Mr. Mikiewicz if he would be amenable to a replacement window with the same configurations as the existing window.

Mr. Mikiewicz stated that he guesses he has to be amenable to that option but he does not feel that the window configuration brings anything to the appearance of the home.

Dr. MacMillan stated that there are artisans who could restore the window.

Mr. Mikiewicz stated that the window is not adding any value to the home. He further stated that he has put in a lot of time and effort to clean up the property and is now trying to make the home energy efficient and easier to maintain. He explained that no one from the Village cared about the unsightly condition of the property prior to the purchase but now it is going to cost him significantly more to replace this window and it will only be able to open a little.

Ms. Drerup stated that this window is not just old it is historic.

Ms. Callahan stated that it is probably original to the structure. She stated that it dates back to the first quarter of the 21st century and is at least 100 years old.

Dr. Tripp stated that the home may have been built in the 1890s but that does not mean that is when the window was put in.

Mr. Mikiewicz stated that the real estate listing had the house dated at 1920s.

Ms. Drerup stated that the board uses a survey completed by a historian to help guide decisions about historic features and structures, she asked Mr. Snell to read the segment regarding this property.

Mr. Snell read the excerpt for this property.

Mr. Austin stated that the board could approve one replacement window if they did not want to approve the entire application.

Ms. Callahan stated that she would be okay with the replacement of the window in the stairwell. She further stated that aesthetically and historically it is the front window that is important to this structure. She further stated that she is not thrilled about the use of a vinyl replacement window but has a greater concern for the visual effect of the change in configuration. She stated that she feels the most appropriate choice is to repair the existing window and add a good wood storm. She explained that the wood storm would be a better investment than the replacement window and it has been proven that older windows with a good storm are just as energy efficient as a new replacement window.

Dr. Tripp stated that it is noted that the property at 10 Linden Avenue was part of the Standard Oil Company Complex. He explained that the house might have been considered historic when it was built as part of this complex. He continued to state that unrealistic burdens are placed on the home owner when this kind of precise repair or replacement is demanded. He further stated

that the owner could say to hell with it and allow the property to completely deteriorate and collapse like other properties in the Village.

Dr. MacMillan made a motion to adopt the following resolution for a Certificate of Appropriateness:

Action by the Village of Cooperstown, Historic Preservation and Architectural Review Board

Resolution date: September 9, 2014

A resolution to approve the proposed window replacement at 10 Linden Avenue, Cooperstown, NY

WHEREAS the Historic Preservation and Architectural Review Board has made the following findings of fact concerning the proposed application:

- *A public hearing is not required;*
- *The requirements of SEQRA have been met for this action;*
- *The structure is listed as contributing in the Glimmerglass Historic District Nomination Form;*
- *The proposed work meets the criteria under Section 300-26.E. (2)(b), (2)(c), (3)(a), (3)(b), and (3)(c).*

Section 300-26 of the Zoning Law having been met with regards to the proposed window replacement at 10 Linden Avenue;

NOW THEREFORE BE IT RESOLVED, that we, the duly appointed members of the Historic Preservation and Architectural Review Board of the Village of Cooperstown do this 9th day of September 2014, determine that the proposed work at 10 Linden Avenue, Cooperstown, NY meets the criteria for work within the Historic and Architectural Control Overlay District as set forth in the Zoning Law of the Village of Cooperstown.

Dr. Tripp seconded the motion and the following discussion was held.

The board reviewed the findings and Dr. MacMillan withdrew 300-26.E.(2)(b)

A vote had the following results:

AYES: Tripp

NAYES: Callahan, Drerup, MacMillan, Snell Motion failed.

The board discussed allowing the replacement of the window in the stairway and the possible replacement of the front parlor window given it matched the existing configuration.

Dr. MacMillan made a motion to adopt the following resolution for a Certificate of Appropriateness:

Action by the Village of Cooperstown, Historic Preservation and Architectural Review Board

Resolution date: September 9, 2014

A resolution to approve the proposed replacement of the window in the stairwell on the north façade at 10 Linden Avenue, Cooperstown, NY

WHEREAS the Historic Preservation and Architectural Review Board has made the following findings of fact concerning the proposed application:

- *A public hearing is not required;*

- *The requirements of SEQRA have been met for this action;*
- *The structure is listed as contributing in the Glimmerglass Historic District Nomination Form;*
- *The proposed work meets the criteria under Section 300-26.E. (2)(c), (3)(a), (3)(b), and (3)(c).*

Section 300-26 of the Zoning Law having been met with regards to the proposed replacement of the window in the stairwell on the north façade at 10 Linden Avenue;

NOW THEREFORE BE IT RESOLVED, that we, the duly appointed members of the Historic Preservation and Architectural Review Board of the Village of Cooperstown do this 9th day of September 2014, determine that the proposed replacement of the window in the stairwell on the north facade at 10 Linden Avenue, Cooperstown, NY meets the criteria for work within the Historic and Architectural Control Overlay District as set forth in the Zoning Law of the Village of Cooperstown.

Ms. Drerup seconded the motion and a vote had the following results:

AYES: Callahan, Drerup, MacMillan, Tripp

NAYES: Snell

Motion carried.

The board determined this project to be a minor alteration to the property.

20 Eagle Street (Doug & Barbara Luhmann) – Proposed new fence sections

Ms. Drerup reviewed the application and clarified that the fence would be constructed of wood and not vinyl as indicated on one photo.

Ms. Luhmann stated that wood would be used to construct the fence.

The board reviewed the placement of the fence, landscaping and gate locations.

Mr. Snell asked if the good side would face the neighbors.

Ms. Luhmann stated that the section of 4 foot fence the good side would face the neighbors but on the 6 foot sections both sides would be constructed the same.

Dr. MacMillan made a motion to adopt the following resolution for a Certificate of Appropriateness:

Action by the Village of Cooperstown, Historic Preservation and Architectural Review Board

Resolution date: September 9, 2014

A resolution to approve the proposed new fence at 20 Eagle Street, Cooperstown, NY

WHEREAS the Historic Preservation and Architectural Review Board has made the following findings of fact concerning the proposed application:

- *A public hearing is not required;*
- *The requirements of SEQRA have been met for this action;*
- *The residential and accessory structures on this property are listed in the Glimmerglass Historic District Nomination Form;*
- *The proposed work meets the criteria under Section 300-26.E. (2)(c), (3)(a), (3)(b), (3)(c) and (3)(d).*

Section 300-26 of the Zoning Law having been met with regards to the proposed fence at 20 Eagle Street;

NOW THEREFORE BE IT RESOLVED, that we, the duly appointed members of the Historic Preservation and Architectural Review Board of the Village of Cooperstown do this 9th day of September 2014, determine that the proposed work at 20 Eagle Street, Cooperstown, NY meets the criteria for work within the Historic and Architectural Control Overlay District as set forth in the Zoning Law of the Village of Cooperstown with the following condition:

- *The good side face the neighbor or that both sides of the fence are finished.*

Mr. Snell seconded the motion and a vote had the following results:

AYES: Callahan, Drerup, MacMillan, Snell, Tripp Motion carried.

The board determined this project to be new construction.

1 Westridge Road (Carol Taylor) – Proposed replacement fence

Ms. Drerup reviewed the application.

Ms. Taylor stated that the fence will be along the Lake Street Extension side of the property, past Dr. Ted Peters' property and neighboring Mr. Neil Weiller's property.

Mr. Austin stated that the fence will be replacing previously removed four foot high fence with the new six foot high fence.

Dr. McMillan questioned if it would be along the row of trees and myrtle.

Ms. Taylor clarified that the fence would be inside the tree line, toward the residence.

Ms. Drerup asked the purpose of the fence.

Ms. Taylor stated that she wants it for privacy.

Ms. Drerup asked where the fence is compared to the property line.

Ms. Taylor stated that the fence would be installed on the property line.

The board reviewed the fence location and design.

Ms. Taylor clarified that there would be eight 10' sections of fence that basically covers the width of the property. She continued to explain that the top of each section of fence is concave but the ends will have a curve that ends lower than the six foot height.

Ms. Drerup asked if the fence would be left to weather naturally.

Ms. Taylor stated that she would stain the fence.

Dr. MacMillan made a motion to adopt the following resolution for a Certificate of Appropriateness:

Action by the Village of Cooperstown, Historic Preservation and Architectural Review Board

Resolution date: September 9, 2014

A resolution to approve the proposed new fence at 1 Westridge Road, Cooperstown, NY

WHEREAS the Historic Preservation and Architectural Review Board has made the following findings of fact concerning the proposed application:

- *A public hearing is not required;*
- *The requirements of SEQRA have been met for this action;*
- *The property is not listed in the Glimmerglass Historic District Nomination Form;*
- *The proposed work meets the criteria under Section 300-26.E. (2)(c), (3)(a), (3)(b), and (3)(d).*

Section 300-26 of the Zoning Law having been met with regards to the proposed fence at 1 Westridge Road;

NOW THEREFORE BE IT RESOLVED, that we, the duly appointed members of the Historic Preservation and Architectural Review Board of the Village of Cooperstown do this 9th day of September 2014, determine that the proposed work at 1 Westridge Road, Cooperstown, NY meets the criteria for work within the Historic and Architectural Control Overlay District as set forth in the Zoning Law of the Village of Cooperstown with the following condition:

- *The good side face the neighbor.*

Ms. Callahan seconded the motion and a vote had the following results:

AYES: Callahan, Drerup, MacMillan, Snell, Tripp Motion carried.

The board determined this project to be new construction.

124 Main Street (Jon McManus for BTP Cooperstown) – Proposed hotel requiring a Special Use permit

Ms. Drerup asked Mr. McManus if any additional information has been added to the file.

Mr. McManus stated that no additional information has been added. He explained that they did not want to complicate the process by having multiple different plans floating around. He continued to state that after meeting will all of the boards he will provide new plans which incorporate the information being requested.

Dr. Tripp asked the height of the proposed structure.

Ms. Drerup stated that the plans indicate 43.6 feet plus.

Mr. McManus stated that they would be requesting four variances, including a height variance.

Mr. Austin stated that HPARB would be looking at the building fitting into neighborhood character as well as the building materials.

Ms. Drerup asked if the total number of units proposed is twenty-two.

Mr. McManus stated that to be correct, twenty-two two bedroom units.

Ms. Drerup stated that there does not seem to be enough windows on the elevations to accommodate that many rooms.

Mr. McManus stated that the plans are still subject to change. He shared a preliminary layout of the suites which indicated that each sleeping room would have a window but there would be no windows in the living area of the suites.

Ms. Drerup asked if it was proposed to have five units per floor.

Mr. McManus stated that the exact layout has not been determined.

Dr. MacMillan asked Mr. McManus what he hoped to gain from their meeting today.

Mr. McManus stated that he would like the board to review the plan and material list to determine areas where additional information is needed, board concerns, missing information and areas which may need modifications.

Dr. MacMillan asked what material is proposed for the exterior siding.

Mr. McManus stated that a cement board siding is proposed along with a spray stone for the bottom floor.

Ms. Drerup asked Mr. McManus to provide a sample of the proposed spray stone.

Dr. MacMillan pointed out that the majoring of the neighborhood buildings have stone and brick material for siding.

Mr. McManus stated that they have surveyed Main Street and tried to design a building similar in design and materials. He stated that the Stable's building, which is adjacent to 124 Main Street, has wood siding.

Ms. Drerup reviewed her emailed list of questions and concerns regarding the project which was provided to Mr. McManus.

Dr. MacMillan stated that he feels that a significant amount of information is still lacking. He requested that mockup photos, to scale, which include the proposed building in relation to the neighboring buildings is essential. He continued to state that although the Key Bank building is four stories in height, the proposed height of this building may not fit the character of the neighborhood. Dr. MacMillan stated that he has significant concerns regarding the compatibility of the proposed structure.

Mr. McManus stated that he can provide measurements of buildings on Main Street. He stated that the proposed building is only six to seven feet higher than the neighboring buildings. He explained that he does not feel that the proposed height is substantially taller than other buildings on Main Street. He further stated that there are large height changes as you look down Main Street.

Ms. Drerup asked that the height comparisons be provided visually.

Mr. McManus stated that he would provide this visually as it is a concern for ZBA and Planning Board as well.

Dr. Tripp stated that he concurs with Dr. MacMillan in that the proposed project is major and may be an intrusion. He further stated that HPARB sometimes "swings at gnats while it

swallows camels.” He explained that the board often focuses on the minor details while large issues are taken with ease. He further stated that HPARB does not give variances but the height could have a profound visual effect on Main Street.

Mr. Austin stated that although there is potential for the ZBA to grant a variance which allows the applicant to construct a building that is 50 feet in height, HPARB could determine that a building over 42 feet in height is not compatible with the neighborhood. Mr. Austin explained that this example just illustrates the potential for one board to place larger restrictions on the project than another board.

Ms. Drerup asked Mr. McManus if they still hoped to begin the project this month.

Mr. Ferrara stated that it does not appear that work will be able to begin this month as there are still a lot of issues to be resolved and board approvals to be received.

Dr. MacMillan asked how Willow Brook would be affected.

Ms. Drerup stated that the Planning Board will be handling the issues around Willow Brook.

Mr. McManus stated that both DEC and Army Corp of Engineers have signed off on the project. He stated that letters from both agencies are included in the file.

Ms. Drerup reviewed the letters from DEC and Army Corp of Engineers with the board.

Dr. MacMillan asked if a public hearing would be required.

Ms. Drerup stated that the Trustees have to hold a public hearing for the Special Use Permit. She continued to state that the ZBA would have to hold a public hearing for the requested variances, but she understood that the intention was to consolidate public hearings if possible.

Mr. Austin stated that a joint public hearing maybe unrealistic. He explained that the Planning Board will have nothing to go on until the ZBA makes decisions on some of the requested variances. He continued to state that there is really no way to look at the project holistically unless you can get all 15 plus board members in the same room and making decisions simultaneously.

The board discussed the possibility of combining public hearings.

Mr. McManus stated that they tried to keep the height down as much as possible but given they are constructing a high end boutique hotel and need to make a reasonable return there were certain elements, such as ceiling height, which needed to be maintained.

Ms. Drerup stated that the board needs to act on whether or not they would like to be SEQRA lead agency for this project and have a motion to such effect to provide to the Board of Trustees.

The board discussed the role of lead agency and that both the Planning Board and ZBA have declined the role of lead agency.

Ms. Drerup made a motion that HPARB not be lead agency for the purpose of SEQRA review. Dr. Tripp seconded the motion and a vote had the following results:

AYES: Callahan, Drerup, MacMillan, Snell, Tripp Motion carried.

Mr. Snell read prepared comments regarding architectural design and compatibility of the proposed structure to the board and provided a copy of the comments for the record and to the applicant.

Ms. Callahan stated that her concerns have been addressed by Mr. Snell and Ms. Drerup. She further stated that as the plans evolve visuals, beyond blueprints, will be very important.

Dr. Tripp stated that he is not a professional but as a citizen who regularly visits Main Street he believes that there is currently a large contrast of styles between Chestnut and Fair Streets. He explained that he does not see uniformity in style and that the buildings were constructed in different time periods. Dr. Tripp stated that the proposed project will be a major change to Main Street and it may be looked at as a contribution or as an intrusion depending on your view.

Ms. Callahan stated that the style of the building is a concern because the plans mix many different architectural styles and time periods into one building.

Ms. Drerup concurred and indicated that Mr. Snell has stated that the style was not carried though all elements of the structure.

Dr. MacMillan stated that Main Street is circa 1860 and has a certain ambiance. He explained that this building will make a huge statement and at this time he does not feel that the proposed structure is compatible with the ambiance of an upstate New York village.

Dr. Tripp stated that when the existing building at this address was constructed in 1986 it was thought to be problematic.

Mr. Ferrara stated that they are completely amenable to comments and welcome the board's recommendations.

Ms. Drerup stated that the current design makes the building look "pancaked."

Mr. McManus stated that the height is a catch 22. He explained that the ZBA does not want the building height to increase yet HPARB feels that the current design is squatty. He continued to state that he could propose wood siding or brick or match any building if the board felt that more compatible.

Ms. Drerup stated that the board is not looking for a building that mirrors something that already exists. She explained that the building should be unique but needs more integrity. She continued to state that the balconies are an area of concern for her. She stated that they provide "living space" which will allow things like beach towels to be hung on the railings to dry etc.

Mr. McManus stated that it was a feature added to provide additional light and air but it can be modified.

Ms. Callahan stated that it is not HPARB's role to design the building. She recommended that a period of style be chosen and the building designed with only that style or period in mind.

Ms. Drerup asked Mr. Austin if a demolition permit would be required.

Mr. Austin stated that the only items being demolished are the roof of the 1986 building and the sheds in the rear of the property which are younger than the main structure. He stated that none of the structures are contributing and he is not sure that a demolition permit is necessary.

Ms. Drerup asked what was on that lot prior to the 1986 building that is currently on the lot.

Mr. Sanford stated that there were two buildings in this location that were lost to fire.

The board discussed the requirements of SEQRA for demolition and the requirements for a demolition permit.

Ms. Drerup made a motion that no demolition permit is required for the property at 124 Main Street, due to the main structure being retained with the exception of the roof and the rear shed structures are not historic. Dr. MacMillan seconded the motion and the following discussion was held.

Mr. Snell stated that he does not feel that this determination can be made as the extent of the demolition has not been provided.

The board discussed the demolition and SEQRA requirement for a demolition permit.

Mr. McManus stated that he would rather obtain a demolition permit even if it requires a separate public hearing. He stated that he does not want to have any hiccups in the future.

Ms. Drerup suggested that HPARB ask the Board of Trustees to consider the demolition as part of their SEQRA review and public hearing, therefore, not requiring an additional public hearing for the partial demolition of the existing structure.

Ms. Drerup revised her motion to read a motion that no demolition permit is required for the sheds on the rear of the property at 124 Main Street as they have no historic significance Dr. MacMillan seconded the motion and a vote had the following results:

AYES: Callahan, Drerup, MacMillan, Snell, Tripp Motion carried.

Other Business – Lot 18 Lakeland Shores South (Ed Tietz) – Stop work order – unapproved field changes

Mr. Austin explained that after a visit to the site he placed a stop work order on the property due to the multiple differences between the plans that were submitted and approved and what has been built. Mr. Austin reviewed the plans which were submitted and approved and pointed out in photos the differences to as built.

Ms. Drerup asked if the contractor was given plans to build from that were different than what was submitted.

Mr. Tietz shared a set of stamped drawings that were submitted to the County Codes office.

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Mr. Austin pointed out that there is no link between the County and the Village when it comes to being able to know exactly what plans have received approval. Although the County requires applicants to provide a copy of their Village permit the permit does not provide plan details.

Mr. Snell asked when HPARB acted on the application.

Mr. Austin stated that the Certificate of Appropriateness was given on June 11, 2013. He pointed out that there is not only a difference between the Village plans and the stamped plans there is also a difference between the stamped plans and what was built. He stated that the as built does not match any available plans.

Ms. Drerup stated that it is her understanding that the Tietz are currently living in the home with a temporary Certificate of Occupancy. He further stated that the CO is nearly expired.

Mr. Austin stated that they are living there under a temporary CO which is about to expire and although the Tietz family would love the board to give a yes to all field changes that have been made they need to address the issues pertinent to continuing their CO.

Ms. Drerup stated that those items include the retaining wall, porch railing and parging the basement.

Mr. Snell suggested a provisional approval pending complete and up to date plans.

Ms. Drerup reviewed the plans for the deck as built and asked the distance from the deck to grade.

Mr. Tietz stated that it is approximately four feet.

Mr. Swatling stated that the final grade is not yet complete.

Ms. Drerup questioned the Trex decking and porch rails.

Mr. Swatling stated that approval for a temporary railing would be acceptable tonight and that they would be glad to return to the October meeting with all details for changes and materials.

Ms. Drerup asked that copy of the approved plans be submitted that have had all changes noted on it.

Ms. Callahan made a motion to accept the request to allow the contractor for Mr. Ed Tietz, Lakeland Shores South, Lot 18 to parge the foundation, install temporary railing on the porch and install terraced retaining walls to satisfy the County requirements for continuation of the certificate of occupancy. Dr. MacMillan seconded the motion and a vote had the following results:

AYES: Callahan, Drerup, MacMillan, Snell, Tripp Motion carried.

Mr. Tietz asked if the stop work order was lifted.

Mr. Austin stated that the stop work order is not lifted but it is suspended to allow the work as noted in the motion to occur.

14 Susquehanna Avenue (Michael Toulson) – Proposed replacement fence

Mr. Austin reviewed the application and explained that the proposed fence is a continuation of the previously approved fence to replace an existing chain link fence.

Dr. MacMillan made a motion to adopt the following resolution for a Certificate of Appropriateness:

Action by the Village of Cooperstown, Historic Preservation and Architectural Review Board

Resolution date: September 9, 2014

A resolution to approve the proposed fence at 14 Susquehanna Avenue, Cooperstown, NY

WHEREAS the Historic Preservation and Architectural Review Board has made the following findings of fact concerning the proposed application:

- *A public hearing is not required;*
- *The requirements of SEQRA have been met for this action;*
- *The residential structure on this property is listed as contributing in the Glimmerglass Historic District Nomination Form;*
- *The proposed work meets the criteria under Section 300-26.E. (2)(c), (3)(a), (3)(b), and (3)(c).*

Section 300-26 of the Zoning Law having been met with regards to the proposed fence at 14 Susquehanna Avenue;

NOW THEREFORE BE IT RESOLVED, that we, the duly appointed members of the Historic Preservation and Architectural Review Board of the Village of Cooperstown do this 9th day of September 2014, determine that the proposed work at 14 Susquehanna Avenue, Cooperstown, NY meets the criteria for work within the Historic and Architectural Control Overlay District as set forth in the Zoning Law of the Village of Cooperstown with the following condition:

- *The good side face the neighbor and the rail face in towards the applicant's property.*

Ms. Callahan seconded the motion and a vote had the following results:

AYES: Callahan, Drerup, MacMillan, Snell, Tripp Motion carried.

The board determined this project to be new construction.

52 Chestnut Street (Linda Flynn) – complaint regarding removal of shutters

Mr. Austin reviewed the application noting that the shutters have been disposed of. He stated that he was informed that there were not shutters on all of the windows and when removed for painting better than 50 percent of the remaining shutters fell apart.

Dr. McMillan stated that the home looks nice since it has been painted.

Mr. Austin stated that when 8 Susquehanna Avenue replaced windows without approval and had disposed of the old windows it ended in a stalemate. He explained that the board did not feel they had enough information to make a decision so the application was just left unapproved but the replacement windows remained in the structure.

Ms. Drerup asked if the shutters are specifically mentioned in the Glimmerglass Historic District Nominating Form.

Mr. Snell stated that they are not mentioned.

The board reviewed the criteria for removal and/or replacement of historic features, discussed what constitutes a historic feature, reviewed undated file photos of the structure (which shows historically appropriate shutters on most of the windows), and discussed possible resolutions to this application.

Ms. Drerup made a motion to deny the request for a Certificate of Appropriateness:

Action by the Village of Cooperstown, Historic Preservation and Architectural Review Board

Resolution date: September 9, 2014

A resolution to deny the shutter removal at 52 Chestnut Street, Cooperstown, NY

WHEREAS the Historic Preservation and Architectural Review Board has made the following findings of fact concerning the proposed application:

- A public hearing is not required;*
- The requirements of SEQRA have been met for this action;*
- A written complaint was received regarding the removal of the shutters;*
- The structure is listed as contributing in the Glimmerglass Historic District Nomination Form;*
- There is no way to determine the condition or the number of shutters and hardware as they have been disposed of;*
- The proposed work does not meet the criteria under Section 300-26.E. (4)(b).*

Section 300-26 of the Zoning Law not having been met with regards to the shutter removal at 52 Chestnut Street;

NOW THEREFORE BE IT RESOLVED, that we, the duly appointed members of the Historic Preservation and Architectural Review Board of the Village of Cooperstown do this 9th day of September 2014, determine that the proposed work at 52 Chestnut, Cooperstown, NY does not meet the criteria for work within the Historic and Architectural Control Overlay District as set forth in the Zoning Law of the Village of Cooperstown.

Ms. Callahan seconded the motion and the following discussion was held.

Dr. MacMillan stated that he feels it is inappropriate for the board to request an application, then turn around and deny the application and fine the applicant.

The board further discussed the options available for resolution of this situation.

Ms. Drerup withdrew her motion.

Dr. Tripp pointed out that there is no way to dispute the owner's statement.

The board continued to discuss the historical significance of shutters.

Ms. Drerup stated that considering the board always reviews and is concerned with the installation of shutters on new construction or adding them to existing structures it only seems appropriate that the board would need to consider the removal of historic shutters.

Ms. Drerup made a motion that no action be taken on the application, in consideration of the fact that, while original, properly sized and hung shutters are generally considered an important historic feature, no determination could be made regarding the state of deterioration of the existing shutters as they were removed and destroyed prior to the submission of an application. Dr. MacMillan seconded the motion and a vote had the following results:

AYES: Callahan, Drerup, MacMillan, Snell, Tripp Motion carried.

Minutes:

Dr. MacMillan made a motion to approve the minutes of the August 12, 2014 meeting as presented. Ms. Drerup seconded the motion and a vote had the following results:

AYES: Drerup, MacMillan, Snell, Tripp
ABSTAIN: Callahan, Sanford Motion carried.

Meeting adjourned at 8:18 PM.

Respectfully submitted,

Jennifer Truax
Deputy Village Clerk