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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 Tuesday, December 8, 2015. Members in attendance were Chair – Teresa Drerup, Liz Callahan, Roger MacMillan, David Sanford, and Ralph Snell. Alternates Brian Alexander and Ann Stewart were absent. Also in attendance was Zoning Enforcement Officer – Tavis Austin and Deputy Village Clerk – Jennifer Truax. Five members of the public were present.

Ms. Drerup called the meeting to order at 5:00 PM.

Regular Agenda

14 Delaware Street (Sheila Serbay) – Proposed fence, garage door and new shed

Ms. Drerup reviewed the application and asked Ms. Serbay if she obtained a letter of acquiescence from the adjoining neighbor.

Ms. Serbay provided a printed email from the neighbor at 16 Delaware Street.

The board reviewed the location of the proposed fence with Ms. Serbay.

Ms. Drerup asked Ms. Serbay why she would like a fence in the front yard.

Ms. Serbay explained that her husband is disabled and that they have small dogs. She further stated that they will be spending time enjoying their front porch and does not want to worry about the dogs coming out the front door with her husband and being able to get loose. She stated that the proposed fence is fairly low.

Mr. Snell stated that the proposed fence, in the front yard, is out of character with the neighborhood and the village as a whole.

Ms. Serbay stated that there are other residences in the village with fences in the front yard. She stated that there is one on Beaver Street.

Ms. Drerup stated that generally those homes are on corner lots.

Ms. Serbay stated that she originally had thought that a wrought iron fence would be the best look but decided that it would not fit with the fence proposed for the rear yard.

Mr. Snell stated that the Waller's home, 66 Beaver Street, installed the fence prior to the development of the Historic Preservation and Architectural Review Board.

Ms. Drerup asked if the proposed vinyl fence was glossy or matte in finish.

Ms. Serbay stated that she did not notice the fence being shiny.

Mr. Snell stated that he feels that the proposed fence for the side and rear yard is appropriate but not the fence in the front yard.

Ms. Drerup asked Mr. Snell if he is opposed to the fence style and design for the front yard or if he was opposed to any fence in the front yard.

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Mr. Snell stated that he is opposed to virtually any fence in the front yard as it is not in keeping with the character of the neighborhood or village.

Dr. MacMillan stated that he does not object to the fence, especially given the circumstances.

Ms. Callahan stated that she has concerns with the fence location and materials for the fence in the front yard. She continued to state that she would like Ms. Serbay to provide clearer drawings indicating the exact location of the fence and more details on the specific materials to be used. She further stated that the board often requires more detail than what has been provided.

Ms. Serbay stated that she does not know what other information is necessary and that she feels she has been as clear as she can be. She clarified that the fence in the front yard would be on the grass to the inside of the sidewalk, towards the residence.

Ms. Callahan asked exactly how far the fence would be from the sidewalk.

Mr. Austin stated that, by law, it would need to be placed twenty-five feet from the center line of the street.

Ms. Callahan stated that she is still uncomfortable with the materials and unsure if they are compatible with the neighborhood.

Ms. Serbay stated that if the board would prefer wood she will be happy to install a wood fence. She stated that wood is cheaper to install but she feels the use of wood would be foolish as it requires continual maintenance and will not look as nice as the vinyl. She further stated that she does not want to mix materials and therefore does not want to use a wrought iron look for the front yard and switch to vinyl for the side and rear.

Ms. Drerup reviewed the fence style.

Mr. Snell asked if the fence was scalloped.

Ms. Serbay explained that the front fence will be 2.5 feet high and will be higher at the posts and curve down from there.

The board reviewed with Ms. Serbay the fence design.

Mr. Snell stated that he does not understand what is being proposed.

Ms. Serbay explained that the fence style that she would like was available for purchase at Lowes but she was unable to find the exact fence on their website so printed the closest representation.

Ms. Drerup asked Ms. Serbay to take and submit a photo of the actual proposed fence for their review.

Ms. Callahan asked Ms. Serbay to provide a more specific drawing that accurately articulates the location of the fence.

Mr. Snell asked Ms. Serbay if she would be open to some advice.

Ms. Serbay agreed.

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Mr. Snell stated that he recommends that she hire an expert installer. He explained that vinyl is not forgiving and it will be obvious and not as appealing if installed poorly.

Ms. Serbay assured Mr. Snell that it will be installed by a professional.

Ms. Austin provided the board with a web page indicating the desired fence design.

Ms. Serbay indicated that the web page Mr. Austin provided was the design she would like for the fence in the front yard.

Mr. Sanford stated that he is concerned with the distance the fence will be setback from the sidewalk.

Ms. Serbay stated that she is not sure how far the fence should be setback but she would not encroach on the sidewalk.

Mr. Sanford pointed out that there are factors such as snow removal and people passing each other when placing a fence in the front yard.

Dr. MacMillan asked what the board recommends.

Mr. Sanford stated that he would recommend that it be placed at least one foot or more from the sidewalk.

Mr. Snell stated that the only fence in the "front" yard on Delaware Street is the through lot from Chestnut Street, owned by the Katz family. He stated that this fence is split rail and four feet from the sidewalk which is significantly different from the proposal.

Ms. Drerup reviewed the proposed shed, stating that she does not feel it will be seen from a public way. She asked if the proposed location was tight against the garage.

Ms. Serbay stated that the shed would be tight against the garage. She explained that the garage is only large enough for a single car and the shed is needed for additional storage.

Ms. Drerup reviewed the proposed garage door which will access the rear yard.

Ms. Serbay clarified that the overhead door will allow additional access to the rear yard. She stated that the driveway is shared and the door will allow them to pull through the garage and park in the rear yard.

Ms. Drerup asked if an area in the rear yard would be paved for parking.

Ms. Serbay stated that she would not pave any of the rear yard but they may install gravel to reduce mud.

Ms. Drerup stated that she does not have an issue with the proposed garage door as it will not be seen from a public way. She continued to review the details of the replacement door for the existing garage door.

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

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

Resolution date: December 8, 2015

A resolution to approve the proposed fence, shed and garage doors at 14 Delaware 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 structure at this address is listed as contributing in the Glimmerglass Historic District Nomination Form;*
- *The proposed work meets the criteria under Section 300-26.E. (3)(a), (3)(b), and (3)(c).*

Section 300-26 of the Zoning Law having been met with regards to proposed work at 14 Delaware 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 8th day of December 2015, determine that the proposed work at 14 Delaware 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 conditions:

- *The fence be installed at least 18 inches from the inside of the sidewalk;*
- *The fence panels for the front yard will be Pro-Series 3.5' X 8' vinyl white Westchester scalloped spaced picket fence.*

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

AYES: Drerup, MacMillan, Sanford

NAYES: Callahan, Snell

Motion carried.

The board determined this action to be a minor alteration for reporting purposes.

76 Fair Street (Altonview Architects for the Schwartz Family) – proposed demolition and reconstruction

Ms. Drerup recused herself at 5:31 PM.

Dr. MacMillan asked Mr. Ofer to review the application.

Mr. Ofer explained that they are proposing the demolition of the structure based on multiple factors that make a traditional remodel unrealistic. He stated that the house is deficient in many areas. He explained that the residence has low ceilings, the floor elevations are not consistent, the front part of the structure is framed on the flat, creating an inability to insulate the walls without rebuilding the walls, the existing windows are vinyl, there is no crawl space and one would have to be installed to allow for ventilation and appropriate drainage if the residence was retained, there are dips in ridge which may indicate problems with the rafter requiring complete reframing of the roof, and there are two brick chimneys which are supported on the interior of the structure by bookcases. Mr. Ofer stated that although all structures are salvageable he believes the level and magnitude of the deficiencies of this structure warrant demolition.

Mr. Ofer reviewed the proposed structures which would replace the existing structure if a demolition is granted. He stated that the easternmost element will be replicated and placed on the lot slightly farther from the front property line. He stated that this would open up lighting and

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appeal for the neighboring properties. He continued to state that the footprint will not be larger than the existing structure. He shared and reviewed a site plan and elevation drawings for the proposed structure.

Dr. MacMillan stated that the demolition requires that the board hold a public hearing.

Mr. Ofer stated that he understands that and the goal for tonight is to set the public hearing and determine if the board requires any additional information.

Dr. MacMillan asked if it is possible to relocate the existing structure.

Mr. Ofer stated that nothing is impossible. He continued to state that the eastern portion of the residence which is the older part of the structure is post and beam making it easier to relocate.

Ms. Drerup asked Dr. MacMillan if he was looking to have the structure saved on site.

Dr. MacMillan stated that he was thinking that the structure might be able to be restored off site by an interested party.

Mr. Austin stated that even if relocated it would be a demolition by Village Zoning definition.

Mr. Ofer stated that in addition to retaining the historic significance of the village the village also seems to be working towards energy efficiency. He stated that in order to provide appropriate energy efficiency to this structure it would have to be taken down to post and beam only leaving about 6 sticks of the original structure standing. He stated that although the main structure would still stand on its own, all siding, windows, trim, chimneys, etc would be removed. He explained that this process would be a very expensive process. He stated that many of the elements are out of square with each other but anything can be renovated at a cost. Mr. Ofer stated that at some point it becomes silly to renovate and that is why he is recommending demolition.

Mr. Sanford stated that he lived in a home with similar construction and issue and in the winter there was sometimes three inches of frost on the inside of the exterior walls. He continued to state that given his height he could not comfortably live in the home as currently constructed.

Mr. Ofer stated that the second story windows are not egress compliant. He stated that there is simply not enough workable features in the structure to warrant remodeling of the existing structure.

Mr. Austin asked if the residence would have to meet code for egress.

Mr. Ofer stated that it would, due to the extent of work which would be done to the residence.

Dr. MacMillan stated that NYSHA files indicated that there was a residence and doctors office in this structure at one time. He asked if there was any further information on this and why the structure has two front doors.

Mr. Sanford stated that it was a duplex at one point.

Mr. Ofer provided a photo from NYSHA. He stated that this photo was the only one they were able to locate.

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Dr. MacMillan stated that the original structure was built in the 1840s and is the oldest standing on Fair Street.

Ms. Callahan made a motion to set a public hearing for January 12, 2016 at 5 PM or as soon thereafter as possible for the demolition of the residence at 76 Fair Street. Mr. Sanford seconded the motion and a vote had the following results:

AYES: Callahan, MacMillan, Sanford, Snell Motion carried.

16 Lakeview Drive North (Cheryl Wright) – Proposed fence

Ms. Drerup returned to the board at 5:46 PM.

Ms. Wright reviewed the proposed fence. She stated that for the front and side yards she is proposing a red cedar horizontal wood fence with natural finish, to match the soffits and doors of the residence, with the supporting posts painted to match the residence and placed on the inside of the fence.

Ms. Drerup stated that the plans are difficult to read due to the small size of the print. She asked Ms. Wright to clarify the design details.

Ms. Wright stated that the 1" x 6" wood planks will be run horizontally and placed on posts installed every 5'. She stated that the distance from the ground and between the first two planks will be 2", the next two open spaces will be 2.5" each and the last two open spaces will be 3" each.

Ms. Drerup asked what the posts would be.

Mr. Foster stated that the posts will be 4" X 4" pressure treated posts with the gates being supported by 6" X 6" posts.

Ms. Wright stated that there would be two gates, one on each side of the residence, with the gate on the north side being the larger gate.

Ms. Drerup stated that the gates need to be drawn on the elevation drawings in the appropriate location.

Ms. Wright stated that the gates are indicated on the drawings.

Mr. Austin enlarged the drawing provided on the copy machine and Mr. Foster added measurements not included.

Ms. Wright continued to explain that the rear yard will have a galvanized wire field fence on t-posts.

Ms. Drerup asked if the fence will follow the contour of the land.

Mr. Foster stated that the planks will be angled as necessary. He further explained that the center of the fence on the front façade will be level, the next section on each side will be angled, to allow for the sections with gates to be level.

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Mr. Snell stated that the project was started without a permit. He explained that posts have already been installed.

Ms. Wright stated that on the day the post digger arrived the contractor asked her if she had obtained a permit. She explained that until that point she did not realize a permit was necessary for the fence. She further explained that she could not stop the post digger but stopped any additional work while she took the appropriate steps to apply for a permit.

Ms. Drerup reviewed the gates.

Ms. Foster stated that the gates are 7' and 3.5'.

Ms. Drerup asked if any part of the fence is over 4' in height.

Mr. Foster stated that the fence is not over 4' in height and that the posts will not exceed the height of the top rail.

Mr. Sanford stated that he feels that the fence will complement the residence.

Mr. Snell stated that the applicant has not provided a complete application and work was begun prior to the approval of a permit, therefore, the minutes have to be detailed to provide an accurate record of the project.

Ms. Wright stated that she did not realize a permit was necessary for the fence and that she had relied on the contractor. She continued to state that she tries to work diligently with the board and during the renovations to the residence it took three months for the board to approve the roofing materials including a conference call with her daughter 12 hours post-delivery of a new baby to finalize the details.

Mr. Snell stated that he is just clarifying that Ms. Truax has to take accurate and detailed minutes as public record due to the extent of verbal details provided not already accounted for in the application of many applicants.

Ms. Drerup asked Ms. Wright to provide copies of the photos she shared on her phone this evening for the record.

Ms. Wright stated that she had emailed those to Mr. Austin.

Mr. Austin stated that he has not received them.

Ms. Drerup asked Ms. Wright to either get them to Mr. Austin to print or provide a printed copy.

Ms. Wright stated that she would.

Mr. Snell stated that the design of the fence is lovely but they need additional details for the record.

Ms. Callahan 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: December 8, 2015

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Dr. MacMillan made a motion to set a public hearing for January 12, 2016 at 5 PM or as soon thereafter as possible for the demolition of the shed at 18 Cooper Place. Mr. Sanford seconded the motion and a vote had the following results:

AYES: Callahan, MacMillan, Sanford, Snell Motion carried.

The board reviewed the materials list and plans for renovations to the entryway.

Mr. Snell 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: December 8, 2015

A resolution to approve the proposed renovations of the entryway at 18 Cooper Place, 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. (3)(a), (3)(b), (3)(d), and (4)(b).*

Section 300-26 of the Zoning Law having been met with regards to the proposed renovations at 18 Cooper Place;

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 8th day of December 2015, determine that the work at 18 Cooper Place, 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. MacMillan seconded the motion a vote had the following results:

AYES: Callahan, MacMillan, Sanford, Snell Motion carried.

The board determined this action to be a minor alteration for reporting purposes.

Other Business:

Ms. Drerup returned to the board.

The board reviewed the proposed changes to the law regarding demolition as presented by Dr. MacMillan.

Mr. Austin stated that he feels that Dr. MacMillan's proposed amendment is clear and concise. He asked whether or not the board feels that a public hearing should be quantified with a percentage of structure to be demolished.

Mr. Snell stated that it is difficult to quantify a demolition. He stated that he proposes a law change as Dr. MacMillan has proposed with a set of demolition guidelines developed by the board similar to the window guidelines.

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Dr. MacMillan stated that the trouble with guideline are they are not law and do not have to be adhered to.

Mr. Austin suggested that the 2015 Glimmerglass Historic District Survey could be used as a guideline. He stated that findings, similar to when a variance is granted, could be stated as part of the decision to hold a public hearing.

Dr. MacMillan made a motion to recommend the proposed amendment to the section 300-26:D as submitted to the Planning Board. Mr. Snell seconded the motion and a vote had the following results:

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

The board reviewed the law regarding rooftop buffering.

Mr. Snell stated that without time to review the information prior to the meeting he is not prepared to take any action.

The board agreed to add this section of the law to the January meeting agenda for further discussion and review.

Minutes:

Ms. Drerup made a motion to approve the minutes of the November 10, 2015 with clarification to page 4, paragraph 4 as discussing siding materials. Mr. Sanford seconded the motion and a vote had the following results:

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

Meeting adjourned at 6:59 PM.

Respectfully submitted,

Jennifer Truax
Deputy Village Clerk