



Schenectady Historic District Commission

**Meeting Minutes
January 19, 2016**

I. CALL TO ORDER

Commissioner Sassi called the meeting to order at 7:00 PM.

II. ROLL CALL

PRESENT: Marilyn Sassi, Vice-Chair; Carrie Britt; Ben Wiles; Frank Donegan; Mark Meigher; Patricia Yager

EXCUSED: Jackie Craven

STAFF: Rima Shamieh, Assistant Planner; Ryan Bailey, Assistant Corporation Counsel; Jennifer Mills, Secretary

III. CONFLICT OF INTEREST

None.

IV. ADOPTION OF MEETING MINUTES

Motion by Commissioner Donegan, seconded by Commissioner Wiles, to adopt the December 14, 2015 Meeting Minutes as submitted.

Motion carried unanimously.

V. OLD BUSINESS

A. Consideration for approval submitted by James Plowman, on behalf of Robin White, to rebuild the deck and replace windows. The premise is located at 1 Cucumber Alley.

Jim Plowman, contractor for the project, and Joe Fava, property manager for Mr. White, appeared before the Commission. Mr. Plowman explained that since the last time he appeared before the Commission regarding this property in February 2015 the plans for window installation and the design of the deck had changed. He stated that the new proposal is to remove the bank of three windows on the west side of the building and replace them with a large French door, and to rebuild the deck and extend it around a portion of the west side of the building so that the French door will open onto the deck. At Commissioner Wiles' request Mr. Plowman explained the proposed changes using the photographs submitted. Commissioner Donegan asked Mr. Plowman if this design for the deck is similar to what the Commissioners had previously considered. Mr. Plowman replied that the new design is larger and wraps around the west side of the building in a way that the original deck did not.

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The discussion next turned to the age of the building and how it should be considered by the Commission in relation to other surrounding historic structures. Commissioner Britt stated that she was confused as to why this building had been listed as a contributing structure. She stated that she approves of the new window design, but is not certain as to what historic standards the windows should be measured against since she does not consider the building to be historic. Commissioner Donegan commented that he does not think that the new window design is appropriate. Commissioner Britt asked if the Commission could support whatever decision they make by stating that they feel that the structure is non-contributing, and whether or not it is within the purview of the Commission to make that determination. A determination of that sort should be made based on a resurvey of the district. Commissioner Britt then stated that she wonders if considering the building strictly as mid-century modern is in fact implying that it does have historic significance. Commissioner Wiles stated that he does not believe that the Commission has the authority to deem structures non-contributing. He explained that he believes that it is within the Commission's purview to argue that a structure is historic, but not to determine that it is not.

Ms. Shamieh stated that because of the many questions regarding the contributing role of structures, SHPO has recommended that the buildings within the Stockade be re-surveyed to determine whether or not they are contributing or non-contributing, and that the city ordinance regarding the Commission's role in the consideration of both of these types of structures be clarified. Until then, SHPO recommended that the Commission relies on the most recent Nomination Form to the National Register, which does list non-contributing buildings. She stated that the original Stockade building survey cannot be found, nor can the original District Nomination Form. 16A Washington Ave, which is the old address of 1 Cucumber Alley, is listed as a contributing building on the Nomination Form to the National Register for the expansion of the Stockade District, submitted in 1984. Commissioner Wiles noted that just because the original survey cannot be located at this point does not mean that it has been lost. He also stated that in his opinion given the current state of the survey and the ordinance it is in the Commission's best interest to treat all buildings within the Historic District as contributing in order to best protect and preserve them individually, and as a part of the district as a whole. Ms. Shamieh stated that re-surveying the district would give the opportunity to consider each building and make an determination as to whether or not it is a contributing structure. Commissioner Wiles noted that in some cases a non-historic building contributes to the other contributing structures by not threatening them. Commissioner Britt commented that a non-historic structure could then be treated as non-contributing as long as it does not distract from historic buildings or hamper the enjoyment of the historic structure. Commissioner Wiles agreed.

Commissioner Donegan stated that he believes that the city ordinance clarifying the scope of the Historic District Commission's powers should be reviewed and clarified before any new surveying of properties takes place, as he believes that the ordinance is the higher priority issue. Commissioner Wiles noted that even without a new survey or

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ordinance there are many changes to a non-historic structure within an historic district of which the Commission would disapprove, such as a perimeter fence that would be considered offensive to the surrounding buildings. Commissioner Britt agreed, and offered the additional example of an addition being made to a non-historic structure that would negatively impact the surrounding historic structures. Commissioner Wiles agreed and commented that a vertical addition would definitely be an issue.

Commissioner Donegan noted that during the previous (February 2015) discussion of the windows on this structure it was decided that the building should be considered not as mid-century modern but as a Modern building of the Art Deco period. He explained that he believes that the new proposed windows and doors will definitely change that look. Commissioner Britt stated that she believes that the new design takes a thoughtful approach to the exterior look of the building. Commissioner Donegan stated that in order to approve the new doors he would need to see a cut sheet of the product to be used. Commissioner Britt stated that she approved of the new design conceptually but that she also would need to see a cut sheet. Commissioner Donegan noted that the applicant should submit cut sheets of the proposed windows as well. The Commissioners concurred. Mr. Plowman agreed that he would return to the February meeting with the details of the specific products proposed.

The Commissioners and the applicant agreed to consider the application at the February 2016 meeting. No further action was taken at this time.

VI. NEW BUSINESS: Applications

A. Consideration for approval submitted by James Plowman, on behalf of Robin White, to landscape. The premise is located at 1 Cucumber Alley.

Jim Plowman, contractor for Mr. White, and Joe Fava, property manager, appeared before the Commission. Mr. Plowman stated that he had not installed the new landscaping and cobblestones along the riverbank, but that he is aware of the details of why and how the work had been done by Faddegon's Nursery. He explained that the cobblestones along the riverbank were installed as a means of erosion control. He also explained that initially he believed that installing the brick pavers on the driveway would not require the Historic District Commission's review, since when the asphalt was removed brick pavers had been found underneath, but that Ms. Shamieh had explained to him that an in-kind replacement (not requiring review) would have been repaving with asphalt. Commissioner Wiles asked Mr. Plowman where the brick pavers had been found. Mr. Plowman replied that they had been present under the driveway area in front of both garage doors and extending approximately twenty-five feet out from the building. Commissioner Sassi asked for confirmation that there had most recently been asphalt in that area, and that the brick was not discovered until the asphalt was removed. Mr. Plowman confirmed that this was the case.

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Commissioner Donegan noted that the photo of the property on the City Tax Assessor's form showed the asphalt driveway and possibly the original landscaping and that he believed that it was this look of the driveway and surrounding area that gave the property a charming, period appearance. He stated that in his opinion the new landscaping and brick paver treatment did not seem to be what the architect intended and was not appropriate for the building style or period. Commissioner Sassi asked the applicants if the red brick would have been the surface that originally led from the driveway to the home. Mr. Fava stated that he believed so, as in many other places in the Stockade there is evidence of brick-paved driveways. Commissioner Wiles stated that he believes that the Commission needs to see a photograph of the property taken from the street and looking towards the house, so that they can see what the transition from asphalt to brick looks like. He noted that what concerns him about the brick is that it will look too new and perfect and will thus immediately draw the eye right to it. He explained that this would be creating an effect that was not the original intent. Mr. Fava commented that a few years ago brick pavers were installed in the utility strip in various locations in the Stockade. He explained that when they were initially installed they looked too new and did not blend with the surroundings, but that now that they have weathered and aged a few years they appeared far less out of place.

Commissioner Donegan asked Mr. Plowman how long the portion of the driveway is that will be paved with asphalt – extending from the end of the brick pavers to the street. Mr. Plowman replied that it will be approximately forty feet. Commissioner Wiles stated that the Commission should see photos of this transition, as it is not apparent in the photos initially submitted with the application. Mr. Plowman stated that he would supply those photographs when returning to the Commission for further consideration in February.

Commissioner Sassi stated that more than the brick pavers or new windows on the property she is bothered by the stones that have been installed on the riverbank without prior approval. She explained that she feels that they stand out as an eyesore on the river bank and do not fit in with the surrounding properties. Mr. Plowman noted that the stones are almost identical to what is across the river (as noted in the photos provided) but that they are new and have not weathered yet. Commissioner Sassi said that she did not realize that the photo was of the facing riverbank and that it was a similar material.

Commissioner Donegan stated that he disagrees that stones of this size will be effective for erosion control. Commissioner Wiles stated that he believes that whether or not the stones will work for the intended purpose is the judgment of the property owner, and should not be the decision of the Commission. He noted that if the stones do not prove effective for the intended purpose the onus is on the property owner to return to the Commission for review and approval of a different solution. Commissioner Wiles reiterated that he believes the Commission needs to see more photographs of the driveway from the street looking toward the house and from the house looking to the

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street, so as to better judge the scale and transition of the driveway. The Commissioners concurred.

The applicant agreed to return to the February 2016 meeting of the Commission with the requested materials. No further action was taken at this time.

B. Consideration for approval submitted by Shenetta Griffith to install a sign on the front of the building. The premise is located at 234 Union Street.

Cope and Donna Thomas, owners of the business, appeared before the Commission. They explained that they are opening a small boutique hotel and would like to install a projecting sign for the business. Mr. Thomas stated that the dimensions for the proposed sign were noted incorrectly on the picture submitted with the application; it should read 18.5 by 14.5 inches. Commissioner Sassi commented that she noticed that the other businesses in this group of row houses have their name stenciled or applied to the glass in the door. She stated that the only projecting signs in the area are in the next block, and not in this row of attached buildings. She noted that she is not in support of a projecting sign for this property, because she feels that it will break the continuity of the row of buildings, which were intended to have a strong characteristic of uniformity. She also stated that she does not feel that the proposed bracket is appropriate for the sign, as it appears to be an 18th century design and the building is of a later period. Commissioner Yager noted that from the research that she had done she believed the bracket design to be appropriate to the period, but that the proposed sign colors of black writing on a white sign is too much of a contrast with the dark masonry of the building. She suggested perhaps using a darker background color with gold gilt lettering would be a better choice. Mrs. Thomas replied that the white sign is in keeping with her personal design aesthetic, which is more light and airy. Commissioner Yager commented that it is her opinion that the dark sign would be more appropriate, but that it is just one opinion. She urged the applicant to take care to attach the bracket only in the mortar joints and not drill into the masonry.

Commissioner Donegan stated that he agreed with Commissioner Sassi in that he does not feel that a projecting sign is appropriate for the building. He stated that except for some unfortunate electrical wiring, this row of buildings offers a constant and uninterrupted look to the eye that will be broken by a projecting sign. He noted that none of the buildings have any other intrusion into the brick facades, and explained that he is not opposed to the sign design but would not support the bracket being attached to the building, both because of the breaking up of the look of the row and also due to the potential for water infiltration through the drilled holes. He suggested the use of a pole sign, which could be installed near the front stoop. The applicant replied that she did not want to install a pole sign, and that she could take care to make sure that the bracket installation would not damage the brick by attaching it to the mortar only and making sure that the holes are water-tight. Commissioner Sassi stated that she would support the idea of the pole installation, as had been approved a few months prior for

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an exterior light on a structure where sconces on the building were not appropriate. Mrs. Thomas responded that she feels that a pole sign would be unattractive. Commissioner Sassi replied that she believes that the goal should be to allow for signage for the business while maintaining the continuous look of the row of buildings, and a projecting sign will break up the look of the row. Mrs. Thomas responded that she is allowed to have a projecting sign and that she prefers that style. Commissioner Sassi replied that the goal of the Commission is to make every attempt to protect the historic integrity of the structure.

Commissioner Britt stated that because the neighbors support the idea of a sign so as to eliminate guests coming to their doors in error, and she does not feel that the size of the sign is a problem, she would be in support of it. Commissioner Donegan noted that at the beginning of the discussion Mr. Thomas had described the building as “indistinguishable” but that in fact what makes the building special is that it is a part of this unique group of buildings. Commissioner Donegan stated that he would not be in support of a projecting sign because it would cause the building to stand apart from the others. Commissioner Britt agreed that the continuity is important but disagreed that the sign would be such a significant intrusion on the continuity. Commissioner Donegan stated that he believes that the issue is not what would be offensive, but what would be historically appropriate. Mrs. Thomas reiterated that she feels that clear signage is necessary to ensure that hotel guests are not erroneously going to the neighbor’s doors.

Commissioner Wiles explained that the use of the white sign with black writing creates the greatest possible contrast and thus strongly draws the eye and prevents it from looking elsewhere. He stated that the color preference of the applicants is in contrast to the goal of the Commission, which is to allow clear and effective signage that is also as unobtrusive as possible. Mrs. Thomas commented that the other nearby projecting signs have white backgrounds. Commissioner Yager noted that those signs are on lighter clapboard buildings and not darker masonry buildings, and thus do not suggest the same strong contrast. Commissioner Sassi commented that she believes the best solution to be a sign in the window such as those used by the neighboring businesses. Mrs. Thomas stated that a window sign would block light coming into the building, which already gets limited light.

The Commissioners and the applicants discussed alternatives to the sign design and looked at some photos of historic signs for similar businesses. Mrs. Thomas suggested that she would be amenable to a black sign with white lettering. Commissioners Wiles, Britt, and Yager concurred that this would be an acceptable alternative.

Motion by Commissioner Britt, seconded by Commissioner Wiles, to approve the application as submitted with the following conditions:

1. Once commenced, the project will be completed in one year.
2. The sign will have white lettering on a black background.

ADOPTED

Motion carried, with Commissioners Sassi and Donegan opposed.

Findings:

1. This is a Type II SEQRA.
2. The building is part of a series of buildings in a row which are very close to identical. The historical significance of the buildings lies greatly in their sameness. The Commission supports the commercial reuse of this building by allowing the signage for the business.
3. All of the structures in the row are a dark brick material. The original proposal of a white sign with black writing would be too great a contrast with the color of the building. Reversing the design to a black background with white writing will mitigate the contrast and thus the obtrusiveness of the sign.
4. The approved bracket will be the only protrusion in this row of identical buildings.

V. MISCELLANEOUS

The Commissioners agreed to an informal discussion with the new property owners of 1037-1039 Gillespie Street. Ms. Chaya Tal and Ms. Judy Miller requested more information and guidance from the Commissioners regarding how to proceed with possible restoration projects on the property. They stated that they would like to rent the property to Union College students and rehabilitate it to be suitable for such a purpose. Discussion surrounded the restoration of the front doors, the repair or removal of the garage and side porch, and the replacement of the existing wood windows. The Commissioners explained what they would look for in an application and which issues could be potentially problematic (i.e. as a rule they would not allow the replacement of wood windows with vinyl replacement windows). Assistant Planner Shamieh explained the application process and provided the relevant materials to Ms. Tal and Ms. Miller.

Assistant Planner Shamieh asked the Commissioners if they would like to schedule an additional training session with Julian Adams of SHPO. The Commissioners agreed that they would be amenable to this. Commissioner Yager suggested a Saturday workshop training. Commissioner Britt noted that she would not be available on a Saturday due to family obligations, but that if the rest of the Commissioners preferred a Saturday she would understand.

Commissioner Donegan asked Ms. Shamieh and Counsel Bailey to explain why the Law Department failed to inform the Commissioners that the Law Department was not supporting the Commission's decision regarding 26 North College Street. He stated that Krystina Smith had issued an opinion that the HDC had decided wrongly regarding the property, but the Law Department failed to inform the Commissioners of this opinion. He also noted that he feels that the Commission's time was wasted

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considering the project, as well as his own personal time in appearing before the Board of Zoning Appeals explaining his opinion on the decision. Counsel Bailey replied that it was not the Law Department's intent to waste anyone's time and that he is working on formulating a definitive decision regarding the treatment of contributing and non-contributing structures.

Commissioner Britt commented that she could understand Commissioner Donegan's point, and that the issue could have been defused if the Law Department had sent an email to the Commissioners prior to the BZA meeting explaining their decision on the subject. Ms. Shamieh noted that it was an oversight that she had failed to mention to the Commissioners at the December meeting that the appeal had been submitted to the BZA. Commissioner Wiles commented that there needs to be further discussion of what can be classified as a non-contributing structure, such as a vacant lot or new construction, and what the protocols should be for consideration of these cases. Ms. Shamieh noted that new construction in the Historic Districts is covered under the current zoning code. Commissioner Donegan agreed that there should be a definitive way of dealing with a non-contributing structure. Commissioner Britt suggested a working meeting with members of city staff to discuss these questions and procedures. Counsel Bailey stated that he is reviewing the SHPO suggestions and gathering information at this time. Commissioner Donegan stated that he believes that the Commission should have some authority over non-contributing structures, or they could be altered in a way that could damage the historic integrity of a neighboring contributing structure. The Commissioners concurred. He noted that while SHPO offers suggestions on how to deal with these questions the City should still be able to move forward with their own discussion and considerations.

VII. ADJOURNMENT

Motion by Commissioner Wiles, seconded by Commissioner Donegan, to adjourn the meeting.

Motion carried unanimously.

The meeting was adjourned at 9:05 pm.