

APPROVED



Schenectady Historic District Commission

**Meeting Minutes
March 14, 2016**

I. CALL TO ORDER

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

Commissioner Wiles noted that due to the recent expiration of the terms of several Commissioners the Commission is currently without a Chair or Vice Chair. The Commissioners decided that for the three meetings the members with the most seniority (Commissioners Britt, Craven, and Wiles) will each take a turn as temporary Chair, thus allowing the new Commissioners to get to know each other and the workings of the Commission before voting on a new Chair and Vice Chair. Commissioner Wiles then acknowledged and welcomed the two newest Commissioners, Dr. Dean Bennett and David F. Lowry.

II. ROLL CALL

PRESENT: Dr. Dean Bennett; Jackie Craven; David F. Lowry; Patricia Yager; Ben Wiles

EXCUSED: Carrie Britt-Narcavage; Mark Meigher

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

Commissioner Wiles noted that although two Commissioners were excused from the meeting, the Commission is made up of seven members and a majority vote of the whole membership (i.e. four Commissioners) is required to pass any actions proposed, regardless of how many Commissioners are present at the meeting. He also noted that four Commissioners are necessary to have a quorum.

III. CONFLICT OF INTEREST

None.

IV. ADOPTION OF MEETING MINUTES

Motion by Commissioner Yager, seconded by Commissioner Lowry, to adopt the February 16, 2016 Meeting Minutes as submitted.

Motion carried unanimously.

V. NEW BUSINESS – Applications

APPROVED

Commissioner Wiles noted that after the Agenda for the meeting was printed and disseminated to the Commissioners a third application had been added at the request of the applicant, NYS Federation of Processors and Growers. The application involves a tree on the applicants' property that they feel is in imminent danger of falling down and possibly causing injury to a person or property. The Commissioners agreed that they would offer the courtesy of hearing the application.

A. Consideration for approval submitted by Craig Warner, to replace existing windows with new ones. The premise is located at 251-257 Green Street, also known as 103 North College Street.

Craig Warner appeared before the Commission. Mr. Warner explained that he is renovating and updating this 13-unit apartment building, and would like to replace all of the existing windows with new wood windows. He stated that some of the current windows are old vinyl replacement windows, most likely dating from the 1970s, and some are old wood windows which are in very serious disrepair. Mr. Warner stated that he had consulted with several contractors who repair wood windows, all of whom concluded that the windows would be prohibitively costly to repair. He explained that he received an estimate of \$1,200 per window to do the repairs, which with 48 windows would be a significant expense. He noted that the cost of new wood windows will be approximately half of that total expense. Mr. Warner stated that he has chosen windows from the Liberty Wood Series Collection by Trimline, for which he provided cut sheets and details. He explained that he ordered a sample window to bring to show the Commission, but that it had not arrived in time. Mr. Warner noted that he is also the owner of 5 North College Street, which he received an award for historically renovating, and that when he had come before the Commission for consideration of that renovation he had brought an actual window with him for the Commissioners to evaluate.

Commissioner Wiles asked the applicant if the current windows have exterior storm windows and if he plans on keeping them. Mr. Warner responded that there are currently storm windows on the building, and that he will not be using them with the new windows as they will not be needed with the newer window style. He explained that they will be replacement window units, similar in design to vinyl replacement windows, but constructed with wood exteriors and interiors. Commissioner Wiles asked Mr. Warner if the windows will be primed. Mr. Warner responded that they will be, and that they will need to be painted, but he has not yet decided on the color he would like to use. He explained that the current windows and trim are dark brown, but that they are difficult to see behind the white storm windows.

Commissioner Yager commented that since there are such a large number of windows on the building she wondered if perhaps the Commissioners might consider allowing a clad window to be used in this case, as she believes is allowed under the code. Commissioner Wiles stated that he does not necessarily believe

APPROVED

that to be the case. Commissioner Yager responded that she believed that it was discussed in the recent SHPO training. Commissioner Wiles stated that it is his belief that the non-wood alternatives might be allowed in extreme circumstances, for instance where excessive wetness might be an issue. Commissioner Yager stated that she believes that in many cases the clad windows could have a longer lifespan than recently constructed wood windows. Commissioner Wiles disagreed, stating that if they are properly maintained newly constructed wood windows can have a very long life. Assistant Planner Shamieh stated that she has not seen anything in the zoning code or Secretary of the Interior's Standards and Guidelines that would disallow the use of non-wood windows. Commissioner Wiles responded that it has been the practice of the Commission to require wood windows. Ms. Shamieh responded that the Commission is not bound by their practice. Commissioner Wiles disagreed.

Commissioner Craven commented that she assumes that Mr. Warner will be eligible for tax credits for installing the new windows, which might help mitigate the cost. She also noted that she believes that the use of windows of any material other than wood would devalue the building. Commissioner Yager commented that she had suggested the alternate material due to the overwhelming cost of wood windows and the fact that newly constructed wood windows do not have as long a lifespan as historic ones. The applicant stated that he is willing to use the wood windows, except where they are not visible from the street. He explained that where the windows are not visible from the street, and thus not under the purview of the Commission, he will be using vinyl windows. He stated that all of the wood windows will be of a matching design.

Commissioner Craven asked Mr. Warner if the vertical wood panels between some of the windows are original to the building, as they look different in the historic photo. Mr. Warner stated that he believes that they are, and that they have not been visibly altered on the interior. Commissioner Craven asked the applicant if the windows will be the same configuration as they are now, regarding the size of the upper and lower panes. Mr. Warner stated that the plan is to replace the windows with exactly the same designs, but that he will confirm that they are indeed available. Ms. Shamieh asked whether the smaller upper panes visible in some of the photos are bump out or sliding windows. Mr. Warner replied that he believes that they are all double-hung windows with sliding panes. Commissioner Craven asked if the larger windows with the arched tops and sidelights by the fire escape will also be replaced in kind. Mr. Warner responded that the replacement of those windows is not a part of this application.

Commissioner Yager asked Mr. Warner how long the project will take to complete. Mr. Warner replied that three of the thirteen apartments are vacant, so they will be done first, and then they will replace the windows in the occupied apartments over the next several months, hopefully finishing by next fall.

APPROVED

Motion by Commissioner Wiles, seconded by Commissioner Craven, to approve the application as submitted with the following condition:

Once commenced, the project will be completed within one year.

Motion carried unanimously.

Findings:

1. This is a Type II SEQRA.
2. The building is a large, thirteen-unit apartment building. Replacing the windows will represent a significant investment for the owner. After investigating the option of repairing the current windows it was evident that this would not be an economical alternative and thus the 48 windows on the Eastern and Southern side of the building will be replaced with new wood windows, specifically the Trimline design as detailed on the cut sheet and submitted for the record.
3. Some of the current windows are not divided in upper and lower portions of equal size. The new windows will exactly duplicate the design and proportion of the current windows.
4. The windows in the stairwell portion of the building, as discussed at the meeting, are not a part of this application and thus are neither approved nor disapproved for replacement.
5. The windows will be primed. The applicant is required to paint the windows, and will return to the Commission for approval of the paint color when it is chosen, and prior to painting the windows. The paint color is not approved as part of this application.

B. Consideration for approval submitted by Kimberley Banker Jefferson, on behalf of Sven Paul, to replace the existing sign with a new sign of similar design. The premise is located at 1334 Union Street.

Kimberley Banker Jefferson appeared before the Commission. Ms. Jefferson explained that she is a speech language pathologist and is in the process of acquiring the building for use for her practice and a variety of other pediatric services offered by different providers. Ms. Jefferson noted that she will be closing on the property soon, pending the approval of a Special Use Permit by the City Planning Commission. She stated that she would like to use the existing sign structure, and simply replace the small name plaques and change the larger letters on the sign, which she stated can be removed. Commissioner Wiles asked the applicant if the sign will be staying in its current location. Ms. Jefferson stated that it is. Commissioner Wiles noted that should the applicant decide to construct a new sign or change the existing structure or location in any way, she will need to return to the Commission for approval. Ms. Jefferson stated that she understood.

APPROVED

Commissioner Wiles noted that there has been an issue on Union Street as to where signs should be placed in the front yards, in relation to other businesses on the same block. He stated that the location and scale of this sign fits well with the neighboring properties. The Commissioners concurred.

Commissioner Lowry inquired as to why wood signs are preferred within a historic district, as opposed to signs constructed of other materials. Commissioner Wiles explained that according to the federal standards for historic districts, the introduction of new materials is strongly discouraged. Commissioner Yager noted that wood is also less susceptible to damage than many other materials.

Motion by Commissioner Wiles, seconded by Commissioner Craven, to approve the application as submitted with the following condition:

1. Once commenced, the project will be completed within one year.

Motion carried unanimously.

Findings:

1. This is a Type II SEQRA.
2. This approval is for the change in text on the existing sign. Should the applicant decide to relocate or reconstruct the sign at anytime in the future, she is required to return to the Historic District Commission for further review.

C. Consideration for approval submitted by NYS Federation of Processors and Growers dba Agri-Business Child Development (ABCD), to remove a maple tree. The premise is located at 847 Union Street.

Rona J. Lee, Executive Director and CEO of the NYS Federation of Processors and Growers, doing business as Agri-Business Child Development, appeared before the Commission. Ms. Lee thanked the Commissioners for reviewing the application, which was a late addition to the agenda. She explained that this very large maple tree appears to be diseased and is growing very close to the building, which she fears could cause imminent danger to people or the property. She stated that the tree was clearly cut off at the top at one time, as if it was perhaps meant to be removed, but then there had been significant new growth from the top of the cut-off trunk. Commissioner Wiles asked Ms. Lee if she knows the age of the tree or the building and if there are other trees on the site. She stated that she does not know the age and that there are other trees on the site. Commissioner Wiles asked if the tree has been examined to identify if it is in fact diseased, and how large it is. Ms. Lee responded that they have not had the tree examined, but believe that its condition, as evidenced in the photographs, is not good and in fact could lead to part or the entire tree coming down on its own. She stated that they had attempted

APPROVED

to measure the tree but did not have a long enough instrument; however they estimate that it is approximately 20 feet in circumference.

Commissioner Wiles asked if the removal of the tree would add more parking spaces to the property. Ms. Lee stated that it would not. Commissioner Wiles asked if the applicants had considered planting a new tree in this location. Ms. Lee stated that they would prefer not to as the tree is very close to the adjacent buildings, including the garage which she explained is currently in a state of disrepair. Commissioner Craven asked if the applicants might consider planting a tree on another part of the property, as she stated that it is a heavily black-topped site. Ms. Lee stated that they would be happy to consider planting another tree. She explained that in the past they had been hesitant to plant another tree as they have used available space for snow storage, but that with the removal of this tree they could use the newly cleared space for snow storage.

Commissioner Bennett asked the Commissioners if they would require the planting of a new tree. Commissioner Wiles responded that they would not necessarily require it in this case, but that it is often a practice of the Commission to do so and that it is within their purview. Commissioner Craven commented that if a tree is removed it is usually required that a new one be planted, so as to maintain the green space on the property and the tree population within the city. Commissioner Bennett commented that he does not feel that trees are always a positive addition to a property. He explained that when planted improperly or in the wrong location they can obscure, or even damage, buildings and that the roots can be invasive and destructive. Commissioner Wiles commented that serious thought and consideration goes into the question of whether or not planting a new tree should be required. Commissioner Yager asked Ms. Lee where she would propose to plant a new tree. Ms. Lee stated that they could plant one to the right of the parking lot, when facing the building, in a space that is currently used for snow storage in the winter. Assistant Planner Shamieh noted that in her conversations with ABCD it seemed that a tree along the property on Gillespie St may also have to be removed.

Commissioner Yager asked Ms. Lee whether or not she preferred to commit to planting a new tree. Ms. Lee stated that she is not opposed to the idea, but that she is slightly hesitant due to the issue of snow storage. She stated that the space where the maple is being removed can certainly be used for snow storage, but that because this would be a new practice she has no evidence of how well it will work, and thus is unsure if they will continue to need the space currently being used for this purpose. Commissioner Bennett showed the Commissioners an aerial view of the site, stating that there appears to be a very extensive canopy of trees in the area, even if the tree in question is removed. Commissioner Wiles stated that while this is the case when viewing the site from above, often the street view appears very different.

APPROVED

Commissioner Wiles asked the applicant if when the tree is taken down they would be willing to count the rings if possible, in order to ascertain an approximate age of the tree. Ms. Lee stated that they would. Commissioner Wiles stated that he suspects that the tree is the same age as the building, or at least very close.

Commissioner Yager asked if the applicants have future plans for the garage, as Ms. Lee had stated that it is in disrepair. Ms. Lee stated that the applicants plan to eventually repair it so that it may be used for the storage of the company cars that are stored on site. She explained that because they are a not-for-profit organization their funds are limited. Ms. Shamieh offered to look into financial assistance for non-profits in historic districts.

Motion by Commissioner Bennett, seconded by Commissioner Lowry, to approve the application as submitted with the following condition:

1. Once commenced, the project will be completed within one year.

Motion carried unanimously.

Findings:

1. This is a Type II SEQRA.
2. This tree is currently a danger to the surrounding property. The applicant will remove the tree and stump, spread crushed stone over the area, and use it for snow storage.
3. The approval of the removal of the tree does not require the planting of a new tree. The applicant has expressed a strong interest in planting a new tree on the property, most likely on the Gillespie Street side.

Motion by Commissioner Craven, seconded by Commissioner Wiles, to amend the approval to require that the applicants plant a new tree on the property.

Motion did not pass, with Commissioners Craven, Wiles, and Yager voting in the affirmative and Commissioners Bennett and Lowry opposed.

VI. OTHER BUSINESS

A. Consideration of draft letter to Mayor regarding zoning code revisions that pertain to the Historic Districts.

The Commissioners discussed the draft letter that Ms. Shamieh had provided them and a revised draft that Commissioner Wiles prepared. In addition to the changes proposed in his revised draft, Commissioner Wiles noted that he believes that the letter should be addressed to the Corporation Counsel, with the Mayor and City Council President copied, because the specific concerns explained in the letter will be addressed and considered by the Law Department, as the Mayor will most likely only be considering the changes conceptually. Ms. Shamieh stated that prior to

APPROVED

drafting the original letter she had spoken to the Corporation Counsel and he had suggested addressing the Mayor, but that it is the Commissioners choice as to whom they wish to address the letter.

After further discussion and review of the revised draft, the Commissioners decided that in section 3 of the proposed changes the word inadvertent should be struck and replaced with unintentional. There was also dialogue between the Commissioners regarding the question of different types of landscaping and how far the scope of the Commission's review should reach when reviewing vegetation and landscaping. Commissioner Wiles noted that certain types of vegetation, such as trees, are much more permanent and thus should be given greater consideration than other plantings. Commissioner Craven agreed, but stated that she believes that the Commission should have an overall review of the landscaping on an historic property, or she fears that there will be the loss of more green space to extensive paving, as has been the case in the Union Triangle neighborhood.

Commissioner Wiles suggested that the Commissioners review the revised draft and be prepared to offer any additional revisions and finalize the letter at the April meeting. The Commissioners concurred.

VII. MISCELLANEOUS

Assistant Planner Shamieh noted that Commissioner Bennett volunteered to serve as the liaison for the Commission for the grant application process regarding the flood plain design standards. As she had noted at the February meeting, traditionally the Chair serves as the liaison, but since the Commission is without a Chair or Vice Chair at this time another designee was needed. The liaison will be responsible for keeping the Commission informed as to the status of the process, and for communicating between the interested parties as needed.

VIII. ADJOURNMENT

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

Motion carried unanimously.

The meeting was adjourned at 8:30 pm.