



Schenectady Historic District Commission

**Meeting Minutes
July 18, 2016**

I. CALL TO ORDER

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

II. ROLL CALL

PRESENT: Carrie Britt-Narcavage, Chair; Ben Wiles, Vice Chair; Jackie Craven; David F. Lowry; Mark Meigher; Patricia Yager

EXCUSED: Dr. Dean Bennett

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

III. CONFLICT OF INTEREST

None.

IV. ADOPTION OF MEETING MINUTES

Prior to the vote on the June 20th Meeting Minutes Commissioner Britt asked the other Commissioners for some more information regarding how the decision was made to allow aluminum gutters at 1300 Union Street. She explained that in the past she did not believe that the Commission had allowed aluminum gutters only because copper is expensive and might be stolen, and that she was concerned about setting a precedent. Commissioner Wiles stated that the owner had explained that the copper downspouts had been stolen in the past, and that there were already some brown aluminum gutters in use on the house. The applicant had also noted that the aluminum gutters were approved by the New York State Historic Preservation Office (SHPO). Commissioner Wiles stated that the main explanation for reaching the decision was the SHPO approval and that the aluminum was already in use, and that the theft issue would be classified as a finding. He also noted that he believes that there would be some instances where the same decision might not be reached, for instance in a more prominent application on a commercial building. Commissioner Lowry noted that copper theft can be a very real concern, noting that copper gutters were stolen from St. Georges Church in the Stockade and that in order to carry out the crime the thieves had to use a ladder in a well-lit area to take them down. Commissioner Britt commented that insurance would hopefully cover copper theft.

Motion by Commissioner Wiles, seconded by Commissioner Yager, to adopt the June 20, 2016 Meeting Minutes as submitted.

Motion carried, with Commissioner Britt abstaining.

V. NEW BUSINESS – Applications

A. Consideration for approval submitted by Jeffrey Brewster to paint the building. The premise is located at 9 Front Street.

Jeffrey Brewster appeared before the Commission. He explained that he recently closed on the building and is planning to do considerable restoration work, including replacing the roof, repairing the foundation, and interior renovation. He noted that he would like to begin with the painting of the building, and thus submitted the application to paint the body of the building Olympic Victorian Pewter and the trim black.

Commissioner Britt noted that traditionally a house of this period would be painted three different colors: one color for the body of the building, a second for the trim, and a third for the door and window sashes. She explained that there are many books available that give examples of these color schemes. Commissioner Wiles asked Mr. Brewster if he would like to move forward with the two colors proposed or consider a three-color scheme. Mr. Brewster responded that he would be open to adding a third color but that because he had not previously considered it he would have to take some time to make a decision. He asked the Commissioners if they had any appropriate suggestions. Commissioner Britt noted that with the pewter and black a dark red or even a deep yellow might be a good choice. She noted that the Commission could approve the two colors on the application and Mr. Brewster could return in the future for the approval of a third color should he so choose. Commissioner Wiles stated that he would recommend that Mr. Brewster paint the building according to his application and then try a few sample colors on the building to determine if he would like a third color and what that color would be. He noted that he believes that Mr. Brewster will most likely choose another color, as this building lends itself well to the added interest. Mr. Brewster agreed that he would like to move forward in this way. Commissioner Craven asked if the eaves, decorative trim, and shutters will also be black. Mr. Brewster stated that they would be. Mr. Brewster noted that he will do further research into the three-color scheme and return for the approval of a third color if necessary.

Motion by Commissioner Britt, seconded by Commissioner Yager, to approve the application as summarized below:

1. The body of the building will be painted Olympic Victorian Pewter and the trim will be black.
2. Should the applicant decide to move forward with a third color for the window sashes and door, he will return to the Commission for further approval.

And 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. The applicant proposed a two color design. He may decide to use a third color on the window sashes and doors. The approval of the two-color scheme in no way precludes him from applying in the future for approval of a third color. The Commission would welcome the consideration of such an application.

VI. OTHER BUSINESS

A. Discussion of City Corporation Counsel's letter dated June 6.

Commissioner Britt stated that she agrees with the comments that Commissioner Wiles made at the June 20th meeting regarding the Corporation Counsel's letter being thoughtfully worded so as to not open the City to any legal vulnerability. She noted that Mr. Falatico seemed to leave the door open for further discussion and feedback, and she felt that the overall tone was encouraging. Commissioner Wiles stated that he believes that the response was not discouraging. He explained that he thinks that it was a very thoughtful response and that it is now the Commission's responsibility to respond with more specific ideas and continue the dialogue. Assistant Planner Shamieh noted that she met with Mr. Falatico recently as a follow-up to their initial meeting on the subject, which had taken place in November 2015. Commissioner Britt asked Ms. Shamieh if Mr. Falatico is aware that SHPO supports the idea that the city code be revised. Ms. Shamieh stated that he is, and that some of the issues that were left open in his response letter are those that he also agrees need to be reviewed. Commissioner Britt asked Ms. Shamieh how she would suggest proceeding. Ms. Shamieh stated that in her opinion the next step would be for the Commissioners to specifically discuss the changes that they would like to propose and then formulate a draft document. She noted that she would suggest starting with the simplest and smallest changes possible, and that the Commissioners should consider whether certain issues would be best addressed with revised policy guidelines as opposed to actual code changes. Ms. Shamieh also explained that she has been compiling a list of undefined terms in the code, which should also be reviewed and addressed.

Commissioner Britt asked if staff and the Commissioners think that it would be appropriate to seek out the feedback of SHPO prior to formulating a draft of recommended changes. Commissioner Wiles stated that he believes that the Commission should work with staff to formulate an agreed upon draft of changes, and then present those changes to SHPO for feedback. The Commissioners concurred. Commissioner Britt asked the Commissioners what they feel the next step should be. Commissioner Wiles stated that he would like to formulate a draft of the proposed changes, provided the Commissioners agree that while he is the

one composing the document that in no way implies that he assumes that his individual ideas take precedence over those of the other Commissioners. The Commissioners agreed to move forward in this manner. It was determined that they would move forward with the draft composed by Commissioner Wiles and revise it as necessary, and also compose a memo to Corporation Counsel Falatico explaining the rationale behind the proposed changes. Ms. Shamieh urged the Commissioners to consider when proposed policy guidelines might better address certain issues as opposed to code revisions. For instance, she noted that concerns with landscaping and structure elevations might be better dealt with through the formulation of a policy guide. Commissioner Wiles agreed that this approach would best address the elevation question, and he noted that the landscaping topic must address what parts of a property's landscaping are not under the purview of the Commission, which he believes is not clear at present.

It was agreed that Ms. Shamieh will distribute to the Commissioners for their review a list of undefined terms, and Commissioner Wiles will begin work on a draft document of proposed revisions to the code.

B. Discussion of street trees in historic districts.

The Commissioners discussed the draft letter composed by Commissioner Yager to Mr. Giacalone regarding street trees in Historic Districts. Commissioner Britt commented that she agrees that the City should have a full-time arborist on staff, but that this is most likely not possible at this time due to budgetary constraints. She stated that perhaps the letter should be less specific in nature, and simply communicate to Mr. Giacalone that the Commissioners share his concerns and that they are following up on this issue with appropriate city staff. Commissioner Yager noted that she had spoken in her letter of citywide issues because she wanted to communicate that the Commission is interested in the trees throughout the city, not only those in the historic districts.

Commissioner Lowry agreed that the city should have an arborist on staff, but noted that he does not feel that this needs to be specifically stated in the letter. He commented that the letter should communicate the Commission's concern about the issue but also make it clear that it is not within their purview to take the lead on such a project. Commissioner Meigher stated that he thinks it is a good draft and that he has no opposition to the level of detail in the letter. He suggested moving the third paragraph of the draft more towards the end. Commissioner Yager noted that she feels that the Mayor should be sent a copy of the final letter as well. Commissioner Britt suggested that the letter be revised to send to the Mayor as a cover letter along with Mr. Giacalone's original letter to the Commission. Ms. Shamieh stated that the Mayor's office is aware of the original letter. Commissioner Britt asked if there appeared to be any interest on the Administration's part to examine the issue further. Ms. Shamieh replied that there are many issues before the city and a lack of time and resources to deal with them.

She stated that she supported the idea of getting this issue in front of the administration, but cautioned the Commissioners not to drift too far away from issues that are truly within their purview, and thus spread themselves too thin. Commissioner Yager agreed that she felt that it was important to respond clearly that the Commission is concerned but this is not something that is directly within their jurisdiction. Commissioner Craven commented that she believes that perhaps a more general response would be better – acknowledging the initial correspondence and stating that the Commission shares the same concerns and that they are looking at it further and initiating a dialogue with the city. Commissioner Yager noted that she agreed but also did not want the response to give the impression that Commission is not genuinely concerned. Commissioner Craven stated that she also feels that it is important not to raise false hopes and communicate the idea that the Commission is making this topic a priority when this is not the case.

Commissioner Britt asked Commissioner Yager if she would be willing to revise the letter for consideration at the next meeting. Commissioner Yager stated that she would prefer someone else do the revision. Commissioner Britt stated that she will revise the letter, taking into account the Commissioners’ suggestions and making it clear that the HDC has great concern about the issue but that it is not directly in their jurisdiction. Commissioner Lowry asked her opinion about specifically mentioning an arborist. Commissioner Britt stated that she felt it best to remove that section of the letter. Ms. Shamieh reminded the Commissioners that they are representing the city, and should keep this in mind when formulating their response. Commissioner Britt agreed, noting that while the HDC represents the city they are not authorized to make direct policy changes without further review. Commissioner Britt stated that she will revise the draft for the August meeting.

VII. MISCELLANEOUS

Ms. Shamieh stated that there is continued work being done by city staff regarding the FEMA grant for flood mitigation assessment that was applied for last year. She explained that the Governor’s Office of Storm and Emergency Recovery had filled out the initial application on behalf of the city, and that FEMA had responded that they are in need of a great deal more specific information in order to consider it. Ms. Shamieh explained that much of the work that FEMA is asking be done is information gathering that city staff had hoped to complete after the grant was received, if in fact it was. She stated that city staff gave FEMA representatives a tour of the Stockade earlier on Monday, July 18, and that there had also been a staff meeting in the Department of Development regarding how to best go about public outreach. She noted that the department had decided to reach out to the Stockade Neighborhood Association and the Schenectady Heritage Foundation for help with the public outreach portion of the application. She stated that the goal will be to hold a series of public meetings specifically to gather information and hear the concerns of the homeowners within the 100 year flood plain, as well as those of their neighbors.

Commissioner Britt noted that she and Ms. Shamieh had discussed this and concluded that it would be ideal to have two Commissioners attend each meeting, preferably one who lives in the Stockade and one who does not. She explained that the Commissioners would not have to make a formal presentation or speak at all, but simply be present and serve to keep the other Commissioners in the loop as to what is happening with the process. Commissioner Wiles asked Ms. Shamieh if there is a specific timeline for the meetings. Ms. Shamieh stated that there is not yet, but that they are definitely moving forward within the next few weeks. She explained that there are 64 properties within the 100 year flood plain, and 55 of those properties are in the Stockade; thus if the city receives the grant there will certainly be many more HDC applications from residents dealing with flood mitigation for their properties. She noted that the city had also applied for a separate grant for funding to formulate specific design guidelines for the raising of properties within the flood plain, and that grant was awarded. Commissioner Wiles asked if these two issues could be a potential conflict. Ms. Shamieh stated that they would not; she explained that ultimately many homeowners will most likely choose to raise their homes, and that any flood mitigation, be it elevation or any other alternative renovations to the property, would be fully funded by the FEMA grant. Commissioner Britt stated that this is a very important issue for homeowners who are facing rapidly rising flood insurance costs, and she believes that it is the city's responsibility to do everything possible to secure the FEMA grant. The Commissioners agreed. Commissioner Wiles noted that the FEMA grant would also help the city and the Commission to address the flood plain issue in a thoughtful, comprehensive manner, as opposed to on a house by house basis. The Commissioners concurred. Ms. Shamieh stated that she will follow up with the Commissioners regarding the meeting schedule as soon as more information becomes available.

VIII. ADJOURNMENT

Motion by Commissioner Britt, seconded by Commissioner Meigher, to adjourn the meeting.

Motion carried unanimously.

The meeting was adjourned at 7:56 pm.