



March 10, 2017

Mr. Andrew Tickle  
793 S. Goodman Street  
Rochester, NY 14620

NOTICE OF DECISION

In the matter of a request for a Certificate of Appropriateness to install a fence in the rear yard of 236 Oxford Street.

On the premises at:	236, 242 and 248 Oxford Street
Zoning District:	R-2 Medium-Density Residential District East Avenue Preservation District
Application Number:	A-043-16-17
Record of Vote(s):	D. Beardslee Approved on condition (motion) B. McLear Aye (second) C. Carretta Aye J. Dobbs Aye D. Matthews Aye E. Cain Aye G. Gamm Absent

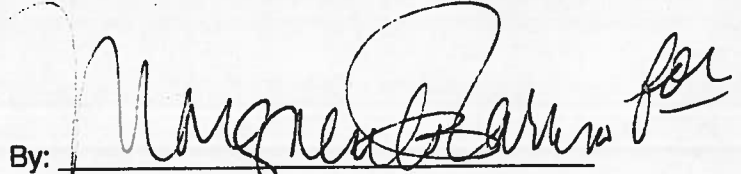
Please take notice that at its hearing of March 1, 2017, the Rochester Preservation Board APPROVED installation of a 6'H wood shadowbox fence along the east property line of 236 Oxford Street ON CONDITION that you work with City staff and the owner of 44 Vick Park A on a plan to protect the portion of his carriage house that abuts your property.

The Board also held open the possibility of requiring a curb along the east edge of the three properties to prevent water from draining onto the properties to the east.

In addition to this approval, a fence permit is required. This may be obtained at the counter in City Hall room 121B. A copy of the approved plan will be on file there.

Please contact Peter Siegrist at 428-7238 or [peter.siegrist@cityofrochester.gov](mailto:peter.siegrist@cityofrochester.gov) with any questions.

Rochester Preservation Board

By: 

Zina Lagonegro, AICP, EIT  
Director of Planning & Zoning

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**I. FINDINGS OF FACT:**

- A. In reviewing applications for certificates of appropriateness in a preservation district, the Preservation Board considers quality of design and site development in terms of the relationships to the street, building facades and overall neighborhood character.
- B. Owner Andrew Tickle testified that he would install a fence behind #236 only because fences already exist behind #242 and #248. He proposes to install a 6'H wood shadowbox fence to screen the view of his parking lot from the properties to the east, which he stated are slightly lower than his.
- C. Ellen Olah, owner of 36 Vick Park A, adjacent to #236, expressed support for the choice of fencing. She stated that the fence would mitigate damage from snowplows and would block headlights. She stated support for trimming or removing a large tree on her side of the property line, which the fence would skirt.

Ms. Olah asked that the Board retain an option to have a curb installed along the east edge of the properties if water is found to drain onto the adjacent parcels.

- D. John Lembach, speaking for the Board of the Park-Meigs Neighborhood Association, agreed with the design and location of the fence and of retaining an option to install a curb. He expressed his understanding that no trees would be removed.
- E. Dan Wallace, owner of 44 Vick Park A, testified that about 10 feet of his carriage house abuts #248, and he is worried about damage from snowplows and drainage. He requested that Mr. Tickle explore some sort of barrier to protect the building.

**II. RESOLUTION(S):**

The Board found that a 6'H wood shadowbox fence along the east property line of #236 is appropriate to the historic visual character of the property and preservation district. The Board directed the applicant to work with City staff and the owner of 44 Vick Park A on a plan to protect the portion of his carriage house that abuts #248. The Board also held open the possibility of requiring a curb along the east edge of the three properties to prevent water from draining onto the properties to the east.

**III. EVIDENCE:**

- A - Application
- B - Survey map showing fence location
- C - Catalog sheets of proposed fence
- D - Photographs of existing conditions
- E - Letter from the Park-Meigs Neighborhood Association
- F - Appearances by Andrew Tickle, Ellen Olah, Dan Wallace, John Lembach
- G - Site visits by Board members

which challenges the remaining green space in the district. She said that the project is not wanted here, that there are many other places to build, and that the developer is aware of the neighborhood opposition but continues to press forward. She stated her understanding that the project technically meets City code, but is angry that the City would approve a project that has a protective covenant.

- K. Louis Parker introduced himself as the owner of 1316 East Avenue with his wife, and expressed vigorous opposition to the application. He distributed 10 letters of opposition. He testified that the 36.3 foot setback is out of character with the block; compared with the common setback of 90 feet, and that the environment for the project is this block. He echoed the Nicosia's comments on the costs of living here, saying that the owners in this area pay perhaps the highest taxes in the city. He said that the proposed project doesn't contribute to the value of the homes here.
- L. Robert Bruce Lindsay testified that he has been involved in real estate since 1970, sold many of the houses in the neighborhood, and restored historic buildings. He repeated that this is the only block on East Avenue that is zoned single-family. He said that he was asked by Mr. Norbut in August, 2015 to comment on the proposal, and responded that the project was ill-advised and would devalue Mr. Norbut's own house by about 50%. He had suggested to Mr. Norbut that he could increase his property value by installing a formal garden on this corner, with a driveway leading out to East Avenue. He expressed respect for Mr. Norbut's work in restoring buildings on University Avenue, but said this project is too far out of character.
- M. Wayne Goodman, Executive Director of the Landmark Society of Western New York, testified that his organization is alarmed and disturbed that this type of project is even being considered. He voiced strong opposition, saying that it violates basic tenets of historic preservation: it is incompatible with the character of the district, contradicts the immediate context, overdevelops the property, and upsets the character of the streetscape. He stated that the project should be denied based on issues of size, massing, density and setbacks. He stated that East Avenue is one of the state and country's best preserved grand streets, and should be protected. He said that his organization doesn't reject quality development in the correct context, but that this proposal doesn't benefit the neighborhood. He stated that the Landmark Society has protective covenants in force that prevent development of the parcel, and that the organization rejected proposals on multiple occasions.
- N. Ron Reed introduced himself as the owner of 2615 East Avenue, saying that he has lived on the avenue for 32 years and restored a number of historic properties. He stated that he dealt with Mr. Norbut on the historic Dryer house at the corner of East Avenue and Penfield Road in Brighton, where Mr. Norbut planned to cut the parcel into thirds for a development. He said that Mr. Norbut is into personal profiteering at the expense of neighbors, and that the proposed project is inappropriate.
- O. Cassandra Petsos testified that she lives in the Browncroft neighborhood but felt a need to speak against the proposal. She stated that her relatives from Syracuse are enthralled with the architectural landscape of East Avenue and are impressed by how well Rochester has preserved the corridor. She stated that the setback is the quintessential issue, and must be preserved. She expressed thankfulness that the Preservation Board looks out for the preservation of the neighborhood.
- P. Eileen Buholtz of 250 Culver Road compared East Avenue with Delaware Avenue in Buffalo, which she said is chopped up and desecrated.

- Q. John Lembach, speaking for the Board of the Park-Meigs Neighborhood Association, testified that his organization was instrumental in passing the preservation ordinance in 1969 and remains loyal to upholding the tenets of preservation. He stated that the project is wildly inconsistent with the block, setbacks and vista, and will destroy the character of the neighborhood.
- R. Thomas Helfrich introduced himself as the former director of the Builders Exchange of Rochester, whose members, he said, helped construct many of the mansions along East Avenue. He recalled that when he took the position in 1987, one of his first duties was to find a new location for his organization's headquarters, which was then next to the Red Cross. He wanted to stay in the area, and looked actively along East Avenue. His concern at the time was that development already encroaching on the avenue could diminish the value of any property his group owned.
- S. Alan Knauf responded, saying that he has lived in the preservation district for over 30 years, although that wasn't his purpose in speaking. He stated that the objections he heard were about density. He said that many of the formerly single-family mansions along the avenue were cut up into multiple units because they were too costly to maintain, and that it would be too costly to develop a single-family home on this lot. He again asked to hold the hearing open, and he stated that the covenant and zoning issues are not for the Board to consider.
- T. Board member McLear stated that while the rendering suggests that the appearance could be appropriate, the overall project, given issues of setback, is inappropriate. Members Cain and Matthews agreed that the setbacks are too minimal. Member Dobbs commended the architects for making the townhouses appear like a single-family house, but stated the project is too dense, affects the rhythm of the street, and doesn't fit. Member Beardslee agreed with her colleagues.

II. RESOLUTION(S):

The Board found that the proposal is inappropriate to the historic visual character of the property and preservation district, finding that is too dense, too close to the streets, and disrupts the character of East Avenue.

III. EVIDENCE:

- A - Application
- B - Site survey map
- C - Site plan diagram
- D - Landscaping and lighting plan
- E - Floor plans, elevations and perspective drawing
- F - Photographs of existing conditions
- G - Letters of opposition from Park-Meigs Neighborhood Association, Landmark Society of Western New York, Gar Lowenguth, Dennis and Mary Buchan, Jeffrey Larson and Richard Conheady, Elyse and Walter Capell, David and Mimi Young, Nan Brown, Cassandra Petsos
- H - Appearances by Jenelle Harriff, Michael Trapanovski, Alexander Parsons, Alan Knauff, Stacey Waxton, Jared Hirt, Nicholas Nicosia, Mary Nicosia, Louis Parker, Robert Bruce Lindsay, Wayne Goodman, Ronald Reed, Cassandra Petsos, Eileen Buholtz, John Lembach, Thomas Helfrich
- I - Site visits by Board members



March 10, 2017

Mr. David Norbut  
1241 University Avenue  
Rochester, NY 14610

**NOTICE OF DECISION**

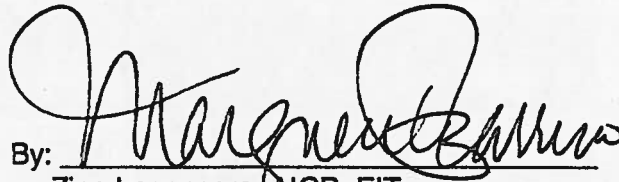

In the matter of a request for a Certificate of Appropriateness to construct two buildings of attached single-family dwellings, one with three units facing East Avenue, and one with two units fronting Culver Road.

On the premises at:	1240 East Avenue
Zoning District:	R-1 Low-Density Residential District East Avenue Preservation District
Application Number:	A-052-16-17
Record of Vote(s):	J. Dobbs Deny (motion) D. Matthews Deny (second) D. Beardslee Deny B. McLear Deny E. Cain Deny C. Carretta Recused G. Gamm Absent

Please take notice that at its hearing of March 1, 2017, the Rochester Preservation Board DENIED the application, finding that the project is too dense, too close to the streets, and disrupts the character of East Avenue.

Please contact Peter Siegrist at 428-7238 or [peter.siegrist@cityofrochester.gov](mailto:peter.siegrist@cityofrochester.gov) with any questions.

Rochester Preservation Board

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Director of Planning & Zoning

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I. FINDINGS OF FACT:

- A. In reviewing applications for certificates of appropriateness in a preservation district, the Preservation Board considers quality of design and site development in terms of the relationships to the street, building facades and overall neighborhood character.
- B. Janelle Harriff described the project and displayed drawings and renderings. She testified that the buildings incorporate architectural elements from surrounding properties, and that heights and lot coverage align with other homes on the block. She stated that there is demand for new owner-occupied housing in the area, where most new housing is rental. She stated that she is looking for feedback, not approval.
- C. Ms. Harriff introduced Michael Trapanovski of Barkstrom & LaCroix Architects, who described the design thought process. He said that the goal was to create a development of five +/-2100SF townhouses that appear like a single-family home with a carriage house behind, using traditional styling and materials matching neighboring houses. He stated that the team is refining the design, so the displayed drawings differ slightly from those delivered to the Board.
- D. In response to a question by Board member Matthews, Alex Parsons, who introduced himself as a designer with Norbut Renovations, stated that he is working with engineer Larry Heininger regarding site grades and drainage.
- E. Staff Peter Siegrist clarified that the Board is to vote on the appropriateness of the project, stating that the case was not advertised as being for comments only.
- F. Alan Knauf introduced himself as an attorney representing the applicant, and stated that he understood the hearing was for conceptual review only. He stated that the team was looking for feedback, and asked the Board to adjourn a vote.
- G. Stacey Waxton, who stated that she is a designer for Norbut Renovations, presented a chart comparing the project's scope to neighboring properties, which she said shows the project is compatible with its surroundings.
- H. Jared Hirt introduced himself as an attorney with Evans Fox, representing Tom and Judy Harmon of 1250 East Avenue. He objected to the Board voting on the application, given that the public had no chance to review the design changes. He further objected to the idea that the project complies with neighborhood character, stating that five condominiums set close to the streets don't fit with the setting.
- I. Ned Nicosia introduced himself as the owner of 1286 East Avenue, two lots east of the proposed development. He stated that he has owned his property for almost 20 years, and that he is passionate about his home and neighborhood. He stated that this is the last block of single-family homes on East Avenue, and it offers the best of city living. But this lifestyle comes with a hefty price, he said, as he and his neighbors invest millions of dollars in upkeep and taxes. He stated that he would never consider asking the Preservation Board to develop the open land on his property just to alleviate his expenses.
- J. Mary Nicosia of 1286 East Avenue expressed opposition to the development, saying that it would negatively impact the aesthetics of the block. She stated that the design concept of a grand mansion is laughable, and that the intersection of East Avenue and Culver Road is one of the most congested in the area. She said that developers seek investment opportunities at the expense of neighbors just to make a buck,

which challenges the remaining green space in the district. She said that the project is not wanted here, that there are many other places to build, and that the developer is aware of the neighborhood opposition but continues to press forward. She stated her understanding that the project technically meets City code, but is angry that the City would approve a project that has a protective covenant.

- K. Louis Parker introduced himself as the owner of 1316 East Avenue with his wife, and expressed vigorous opposition to the application. He distributed 10 letters of opposition. He testified that the 36.3 foot setback is out of character with the block; compared with the common setback of 90 feet, and that the environment for the project is this block. He echoed the Nicosia's comments on the costs of living here, saying that the owners in this area pay perhaps the highest taxes in the city. He said that the proposed project doesn't contribute to the value of the homes here.
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II. RESOLUTION(S):

The Board found that the proposal is inappropriate to the historic visual character of the property and preservation district, finding that is too dense, too close to the streets, and disrupts the character of East Avenue.

III. EVIDENCE:

- A - Application
- B - Site survey map
- C - Site plan diagram
- D - Landscaping and lighting plan
- E - Floor plans, elevations and perspective drawing
- F - Photographs of existing conditions
- G - Letters of opposition from Park-Meigs Neighborhood Association, Landmark Society of Western New York, Gar Lowenguth, Dennis and Mary Buchan, Jeffrey Larson and Richard Conheady, Elyse and Walter Capell, David and Mimi Young, Nan Brown, Cassandra Petsos
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- I - Site visits by Board members





March 10, 2017

Donna and Armand Gallucci  
1126 Park Avenue  
Rochester, NY 14610

**NOTICE OF DECISION**

In the matter of a request for a Certificate of Appropriateness to construct a 2-car garage, measuring 24'W x 22'D x 15'H, behind a 3-family dwelling.

On the premises at: 1126-1128 Park Avenue

Zoning District: R-2 Medium-Density Residential District  
East Avenue Preservation District

Application Number: A-053-16-17

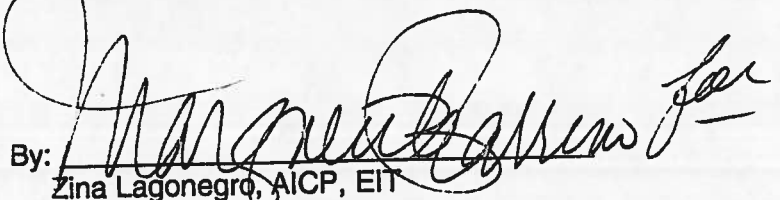
Record of Vote(s):	J. Dobbs	Approved on condition (motion)
	D. Matthews	Aye (second)
	C. Carretta	Aye
	D. Beardslee	Aye
	B. McLear	Aye
	E. Cain	Aye
	G. Gamm	Absent

Please take notice that at its hearing of March 1, 2017, the Rochester Preservation Board **APPROVED** your application **ON CONDITION** that the roof slope match that of the house, and that the materials are as presented at the hearing (and noted in the Findings below).

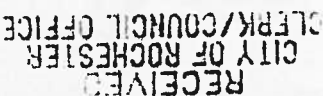
**In addition to this approval, and pending approval by the Zoning Board of Appeals, a building permit is required. This may be obtained at the counter in City Hall room 121B. A copy of the approved plan will be on file there.**

Please contact Peter Siegrist at 428-7238 or [peter.siegrist@cityofrochester.gov](mailto:peter.siegrist@cityofrochester.gov) with any questions.

Rochester Preservation Board

By:   
 Zina Lagonegro, AICP, EIT  
 Director of Planning & Zoning

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**I. FINDINGS OF FACT:**

- A. In reviewing applications for certificates of appropriateness in a preservation district, the Preservation Board considers quality of design and site development in terms of the relationships to the street, building facades and overall neighborhood character.
- B. Designer Serge Tsvasman described the project, then introduced owners Donna and Armand Gallucci. Mr. Gallucci stated that he has owned the property since 2004, and obtained an approval from the Preservation Board in 2015 to install a patio in the rear yard.
- C. Mr. Tsvasman described the materials as:
  - a. Cement fiber siding, painted;
  - b. Painted steel overhead and man doors;
  - c. Aluminum-clad wood window;
  - d. Asphalt shingle roofing.
- D. Board member Matthews questioned whether 18" is enough between the garage and the adjacent property lines to allow for proper construction and for rainwater drainage. Mr. Tsvasman affirmed, and stated that drainage is meant to be directed into the onsite greenspace.
- E. Member McLear recommended that the roof slope match that of the house. Mr. Tsvasman explained that the City Zoning Code limits the garage height to 15'. Staff Peter Siegrist explained that the Code measures heights to the midpoint of a sloped roof rather than to the ridge, so that the garage could be taller.

**II. RESOLUTION(S):**

The Board found that the garage, with a roof slope to match that of the house and of materials as described, is appropriate to the historic visual character of the property and of the preservation district.

**III. EVIDENCE:**

- A - Application
- B - Survey map showing garage location
- C - Floor plan, elevations and perspective drawing
- D - Photographs of existing conditions
- E - Appearances by Serge Tsvasman, Armand and Donna Gallucci
- F - Site visits by Board members