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2017 APR 13 PM 4:55

April 13, 2017

Mr. Kevin Brown
26 Wolf Trapp
Pittsford, NY 14534

NOTICE OF DECISION

In the matter of a request for a Certificate of Appropriateness to legalize upper and lower decks on the south side of this 3-family house.

On the premises at:	23 Oxford Street
Zoning District:	R-2 Medium-Density Residential District East Avenue Preservation District
Application Number:	A-055-16-17
Record of Vote(s):	D. Beardslee Hold for three months (motion) B. Mayer Aye (second) C. Carretta Aye J. Dobbs Aye D. Matthews Aye E. Cain Aye G. Gamm Aye

Please take notice that at its hearing of April 3, 2017, the Rochester Preservation Board HELD your application open for three months to allow you time to prepare a design for the decks that will better fit with the historic character of the preservation district.

Please submit the design to Peter Siegrist, staff to the Preservation Board, who can be reached at 428-7238 or peter.siegrist@cityofrochester.gov.

Rochester Preservation Board

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

Filing Date:



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. Applicant Kevin Brown testified that he has owned the property for 15 years and only recently learned that the decks were never approved. He said that he has had five certificates of occupancy during his ownership (City records show only two in that time), and none indicated that the decks were illegal. He stated that he recently improved the upper deck by replacing the railings and deck surface and by adding supports per an architect's directions. He stated that his neighbor to the south has not complained that the lower deck extends across the property line.
- C. Board member Mayer stated that she toured the area and found no similar decks. Other members expressed concern that the decks had not been inspected and could be unsafe. Mr. Brown stated that his architect reviewed the decks and found them to be compliant with the building code.
- D. In response to members' questions, Board attorney Warth stated that a Certificate of Appropriateness is required regardless of the time that has elapsed.
- E. Member Dobbs suggested allowing Mr. Brown to propose changes to the decks to make them more compatible with the preservation district. Member Mayer suggested using the front porch as inspiration.

II. RESOLUTION(S):

The Board found that the decks are inappropriate to the historic visual character of the preservation district, and directed the applicant to provide a plan to modify the decks to be more in keeping with the district. The Board set a return deadline of three months.

III. EVIDENCE:

- A - Application
- B - Survey map
- C - Structural plan and elevation
- D - Photographs of existing conditions
- E - Appearance by Kevin Brown
- F - Site visits by Board members



April 13, 2017

Ms. Joni Monroe
30 Upton Park
Rochester, NY 14607

NOTICE OF DECISION

In the matter of a request for a Certificate of Appropriateness to extend a 6'H wooden fence on the south line another 48 linear feet, install a 4'H x 12LF fence and gate across the driveway, and install a 6'H x 16LF stockade fence on the east line.

On the premises at: 30 Upton Park

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

Application Number: A-056-16-17

Record of Vote(s):

B. Mayer	Approved (motion)
D. Beardslee	Aye (second)
C. Carretta	Aye
D. Matthews	Aye
J. Dobbs	Aye
E. Cain	Aye
G. Gamm	Aye

Please take notice that at its hearing of April 3, 2017, the Rochester Preservation Board APPROVED your application as submitted.

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 with any questions.

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Rochester Preservation Board

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

Filing Date:



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. Applicant Joni Monroe testified that the south fence would match the existing fence, and would be built by the same contractor. She would also replace the rear fence with a stockade fence, and that the three trees along the rear line would remain.
- C. Board members expressed appreciation for the quality of the fence design.

II. RESOLUTION(S):

The Board found that the fences are appropriate to the historic visual character of the property and preservation district as submitted.

III. EVIDENCE:

- A - Application
- B - Survey map
- C - Sketched site plan
- D - Photographs of existing conditions
- E - Appearance by Joni Monroe
- F - Site visits by Board members



April 13, 2017

Mr. John Hayes
28 Prince Street
Rochester, NY 14607

NOTICE OF DECISION

In the matter of a request for a Certificate of Appropriateness to replace aluminum siding with vinyl siding and to replace windows with vinyl windows.

On the premises at: 28 Prince Street
Zoning District: R-3/O-O High-Density Residential District
With Office Overlay
East Avenue Preservation District

Application Number: A-057-16-17

Record of Vote(s):
J. Dobbs Denied (motion)
D. Beardslee Aye (second)
C. Carretta Aye
D. Matthews Aye
B. Mayer Aye
E. Cain Aye
G. Gamm Aye

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Please take notice that at its hearing of April 3, 2017, the Rochester Preservation Board DENIED your application. Enforcement of the code violation will resume, and will continue until a solution is accepted by the Board.

Zoning Code section 120-188O states the following about successive applications:

(1) Whenever any application, appeal or other request filed pursuant to this chapter has been finally denied on its merits or approved subject to specified conditions, a second application, appeal or other request seeking essentially the same relief or a modification of such conditions shall not be brought within two years unless, in the opinion of the review authority, or, in the case of decisions of the Zoning Board, Preservation Board and Planning Commission, in the unanimous opinion of all members present on the board before which it is brought, one of the following standards has been met:

(a) There is a substantial change in circumstances relevant to the issues and/or facts considered during review of the application that might reasonably affect the decisionmaking body's application of the relevant review standards to the development proposed in the application;



(b) New or additional information is available that was not available at the time of the review that might reasonably affect the decisionmaking body's application of the relevant review standards to the development proposed;


(c) A new application is proposed to be submitted that is materially different (e.g., proposes new uses, or a substantial decrease in proposed densities and intensities) from the prior application; or

(d) The final decision on the application was based on a material mistake of fact or mistake of law.

(2) Any such second application shall include a detailed statement of grounds justifying consideration of such application.

Please contact Peter Siegrist at 428-7238 or peter.siegrist@cityofrochester.gov with any questions.

Rochester Preservation Board

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

Filing Date:

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. Applicant John Hayes testified that he and his business partner bought the property 7 years ago and brought back the original charm of the interior, and installed sprinklers inside and a new fence around the parking lot. He stated that the exterior is sided in a mustard-colored aluminum, which he finds unattractive and which doesn't accept paint very well. He stated that he began replacing the aluminum with vinyl siding, and spent \$13,000 before being stopped. Installing Hardiplank as suggested would cost another \$23,000. Mr. Hayes estimated that the building is 70% exposed, and stated that he would like to finish the work. He feels that restoring the wood siding beneath the aluminum is not an option, as it is corroded and has holes from insulation. He pointed to the house next door, which he said has wood siding that is in bad repair.
- C. Mr. Hayes stated that his Plan B would be to reinstall aluminum siding.
- D. Staff Peter Siegrist stated that City records show that the aluminum siding was installed in 1968, months before the preservation ordinance was adopted. In response to questions about in-kind replacement, he read from the Zoning code, which states that "historic features may be replaced precisely in kind, using like material in the same configuration, size, and degree of detail".
- E. Member Gamm noted that most windows have been replaced without permission, and he asked about the few remaining, original ones. Mr. Hayes responded that he would replace all windows except a bay window on the south and a window at the front entrance. He estimated that there are about 24 windows.
- F. Member Dobbs stated that the dormers are a good example of what vinyl siding does to historic buildings, by obliterating details.
- G. John Lembach, speaking for the Board of the Park-Meigs Neighborhood Association, testified that his organization campaigned to have the preservation ordinance passed in 1969 for reasons like this. He stated that this is one of worst applications that he's seen in some time, and is devoid of merit. He stated that there should be no excuse for proceeding without approval, since several nearby properties had to recently undergo review by the Preservation Board.
- H. Board members agreed that they were sympathetic with the owner's desire to improve the property, but that this is a beautiful, historic house on one of the most elegant streets in the city, where vinyl siding does not belong.
- I. Peter Siegrist explained the process for a successive application, stating that the Preservation Board would need to decide that a proposal is substantially different than the one denied.
- J. In closing, the applicant asserted that the building has been uncovered for months, so that he should be allowed to continue the work. Mr. Warth replied that the applicant delayed applying to the Board since at least November.

II. RESOLUTION(S):

The Board found that vinyl siding and replacement windows are inappropriate to the historic visual characteristic of the property and preservation district, and denied the application.

III. EVIDENCE:

- A - Application
- B - Photographs of existing conditions
- C - Letter from the Park-Meigs Neighborhood Association
- D - Appearances by John Hayes and John Lembach
- E - Site visits by Board members



April 13, 2017

Mr. Tom Clark
102 Troup Street
Rochester, NY 14608

NOTICE OF DECISION

In the matter of a request for a Certificate of Appropriateness to replace 28 windows with fiberglass windows.

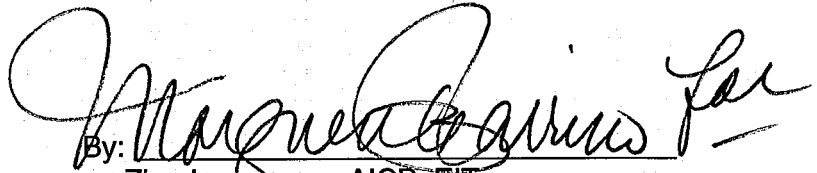
On the premises at:	83 S. Washington Street
Zoning District:	R-3 High-Density Residential District Corn Hill Preservation District
Application Number:	A-058-16-17
Record of Vote(s):	B. Mayer Approved (motion) D. Beardslee Aye (second) C. Carretta Aye D. Matthews Aye J. Dobbs Aye E. Cain Aye G. Gamm Aye

Please take notice that at its hearing of April 3, 2017, the Rochester Preservation Board APPROVED your application as presented.

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

Please contact Peter Siegrist at 428-7238 or peter.siegrist@cityofrochester.gov with any questions.

Rochester Preservation Board

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 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. Applicant Tom Clark testified that he has been a Corn Hill resident for almost 20 years, and lives around the corner. He stated that he bought this distressed property a couple years back in order to improve the neighborhood. He asked permission to replace all windows with Marvin Integrity fiberglass units, which would eliminate the storm windows. He described the existing windows as fairly basic, with limited detail and no grills. He would match this style.
- C. Board members discussed window color, which is integral to the units. While the Board does not control colors, members asked that Mr. Clark take care to select a color that is in concert with that of the house.

II. RESOLUTION(S):

The Board found that the selected windows are appropriate to the historic visual character of the property and the preservation district.

III. EVIDENCE:

- A - Application
- B - Photographs of existing conditions
- C - 1888 map of area
- D - Catalog sheets of windows
- E - Sample of window
- F - Appearance by Tom Clark
- G - Site visits by Board members



April 13, 2017

Mr. Keith Walpert
78 Huntingdon Meadows
Rochester, NY 14625

NOTICE OF DECISION

In the matter of a request for a Certificate of Appropriateness to install a backlit metal sign reading 'Lanai', and to replace the front door.

On the premises at: 295 Alexander Street
Zoning District: CCD-E Center City Design District – East End
East Avenue Preservation District
Application Number: A-059-16-17

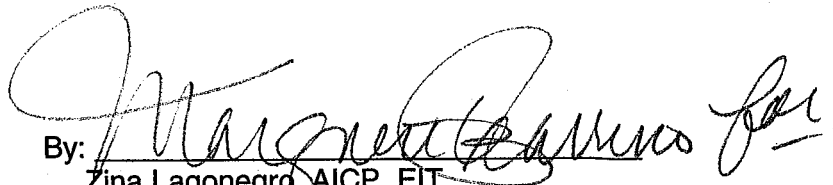
Record of Vote(s):
J. Dobbs Approved (motion)
D. Beardslee Aye (second)
C. Carretta Aye
D. Matthews Aye
B. McLearn Aye
E. Cain Aye
G. Gamm Aye

Please take notice that at its hearing of April 3, 2017, the Rochester Preservation Board APPROVED your application as submitted.

In addition to this approval, permits are needed for the sign and for the door replacement. These can be obtained at the counter in City Hall room 121B. A copy of the approved plans will be on file there.

Please contact Peter Siegrist at 428-7238 or peter.siegrist@cityofrochester.gov with any questions.

Rochester Preservation Board

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

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Filing Date:



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. Applicant Keith Walpert testified that the existing front door is beyond repair, and that he feels the proposed door better suits the building. He stated that the door was salvaged from another building, and is mahogany. The door is larger than the existing, so he would install a new frame, also of mahogany. He would add new sidelights, but retain the curved transom. The door would have a natural finish, and the trim would be painted.
- C. Mr. Walpert stated that the format of the restaurant is changing, so he must change the sign. Like the existing sign, the new one would be backlit, set off from the face of the building a few inches, and have a white front and black edges.
- D. John Lembach, speaking for the board of the Park-Meigs Neighborhood Association, expressed enthusiastic support for the proposal.
- E. Board members lauded Mr. Walpert for his high-quality application, and for his reuse of an historic door.

II. RESOLUTION(S):

The Board found that the new door, sidelights, frame and sign are appropriate to the historic visual character of the property and the preservation district.

III. EVIDENCE:

- A - Application
- B - Site plan and floor plan
- C - Front elevation
- D - Details of sign
- E - Photographs of existing and proposed front door
- F - Letter from the Park-Meigs Neighborhood Association
- G - Appearances by Keith Walpert and John Lembach
- H - Site visits by Board members



April 13, 2017

Dr. Vito Quatela
Lindsay House LLC
973 East Avenue
Rochester, NY 14607

NOTICE OF DECISION

In the matter of a request for a Certificate of Appropriateness to construct a 2400SF third floor on the rear of the building.

On the premises at: 973 East Avenue

Zoning District: R-3 High-Density Residential District
East Avenue Preservation District

Application Number: A-060-16-17

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

Please take notice that at its hearing of April 3, 2017, the Rochester Preservation Board APPROVED your application as submitted.

Following approval of variances by the Zoning Board of Appeals, a building permit will be required. This may be obtained at the counter in City Hall room 121B. A copy of the approved plans will be on file there.

Please contact Peter Siegrist at 428-7238 or peter.siegrist@cityofrochester.gov with any questions.

Rochester Preservation Board

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

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Ending Date:



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. To show that the building changed dramatically over its history, Dr. Quatela presented a slide show of historic photos, beginning with an image of the house as designed in 1878 for Alexander Lindsay of the Sibley, Lindsay and Curr department store. The architect was James Cutler, and the house was two stories tall with a tower, rendered in the Gothic style. A second slide showed the house after it was transformed in 1890, with the tower removed and a 3rd floor and porch added. Slide three showed the house after a major transformation around 1900, when the Gothic elements were removed and the curved porches added.
- C. Dr. Quatela explained that the property was donated to the Rochester Health Association in the 1950s, and the house held community health services. He bought the property in 1993, and began a restoration and a conversion to a state-of-the-art surgery center. The restoration involved replacing the roof, repointing masonry, painting trim, and repairing windows. To hold the surgical facilities, he constructed a two-story addition on the rear of the house, using Marvin windows, limestone sills and headers, and brick to match that of the house. He added a wheelchair ramp on the east side, which was designed to match the main porch. The formal gardens, originally designed by noted landscape architect Alling Deforest, were removed and stored off site during construction, then replanted. The interior grace was restored, and rooms converted to new uses: the dining room became the new entrance, and the sunroom became the waiting room. For his sensitive restoration and addition, Dr. Quatela received an award from the Landmark Society of Western New York.
- D. Dr. Quatela described the proposed third floor addition, which would hold administrative offices. He stated that the existing elevator that serves third floor of main house would also serve the addition. Materials and details would match the earlier addition.
- E. Architect Richard Hunt presented photosimulations of the addition, showing that the architectural elements of the earlier addition would be raised up one story. He stated that the roof of the new addition would be no higher than the roof of the house, and that the west side would be screened by trees along the driveway. Materials would match the existing, and include half-round gutters, beadboard soffits, wide frieze boards, wood brackets, limestone sills and lintels, and tumbled brick with flat-struck mortar joints.
- F. Board members expressed appreciation for the presentation and for the attention to detail, and had few questions or comments.
- G. John Lembach, speaking for the Board of the Park-Meigs Neighborhood Association, expressed enthusiastic support for the application, stating that his organization is impressed with Dr. Quatela's efforts to match the style and materials of the house.

II. RESOLUTION(S):

The Board found that the addition, as proposed, is appropriate to the historic visual character of the property and the preservation district.

III. EVIDENCE:

- A - Application
- B - Narrative description of proposal
- C - Written history of the Lindsay House and of an earlier restoration
- D - Site survey map
- E - Photographs of existing conditions
- F - Floor plan and elevations
- G - Slide presentation of property history
- H - Photosimulations of proposed addition
- I - Letter from the Park-Meigs Neighborhood Association
- J - Appearances by Dr. Vito Quatela, Rich Hunt and John Lembach
- K - Site visits by Board members