

The regular meeting of the Historic Preservation and Architectural Review Board (HPARB) of the Village of Cooperstown was held in the Village Office Building, 22 Main Street, Cooperstown, New York on December 15, 2014. Members in attendance were Chair – Teresa Drerup, Liz Callahan, Roger MacMillan and Wendell Tripp. Members David Sanford and Ralph Snell were absent. Also in attendance was Zoning Enforcement Officer – Tavis Austin and Deputy Village Clerk – Jennifer Truax. Seven members of the public were present.

Ms. Drerup called the meeting to order at 5:00 PM.

Regular Agenda

25 Pioneer Street (Chris Grady) – proposed field change to addition originally approved on 07/08/2014

Mr. Joe Tedesco, contractor for Mr. Grady reviewed the field change to add a second story to the approved addition.

Ms. Drerup asked how the siding would be blended into the existing siding.

Mr. Tedesco stated that there will be new siding to match which will run the full width of the addition.

Ms. Drerup asked about the placement of corner boards.

Mr. Tedesco reviewed the placement of corner boards.

Ms. Drerup asked about the size of the proposed first floor window which is smaller in size than the other windows in the residence.

Mr. Tedesco stated that the window is smaller due to being in the new bathroom.

Ms. Drerup stated that the window will not be visible from the public way.

Dr. MacMillan made a motion to approve the field change for the Certificate of Appropriateness for 25 Pioneer Street approved on July 8, 2014 as per the new drawings dated December 15, 2014. Ms. Callahan seconded the motion and a vote had the following results:

AYES: Callahan, Drerup, MacMillan, Tripp Motion carried.

The board determined this project to be a minor alteration.

40 Elm Street (Orlio/Famulare) – Proposed window replacement

Ms. Drerup reviewed the application and stated that the board was not clear from the application exactly which windows were proposed to be replaced.

Mr. Famulare stated that some of the windows have already been replaced. He stated that he has a postcard which shows this property in the 1940s and it appears that the windows had been replaced at that time.

Ms. Drerup stated that the existing vinyl windows would not have been in use during that time period. She stated that the board had assumed that five of the proposed windows to be replaced are located on the front façade.

Mr. Famulare confirmed that the five windows on the front façade would be replaced.

Dr. Tripp stated that he finds that there is a discrepancy in the application as it indicates that 9 windows will be replaced but describes five windows on the front and five windows on the northeast side.

Mr. Famulare pointed out the windows to be replaced on the photographs which were submitted as part of the application. He indicated five windows on the front and five windows on the east side of the residence.

The board further discussed the location and number of windows to be replaced.

Ms. Drerup clarified that the total number of windows to be replaced is ten.

Mr. Famulare stated that the total number of windows to be replaced is twelve. He pointed out two additional windows on the west side, second floor.

Ms. Callahan clarified that a total of twelve windows would be replaced.

Ms. Drerup asked why the owner was not replacing all of the windows.

Mr. Famulare stated that the other windows are not single pane glass.

Ms. Drerup asked what product would be used to replace the windows.

Mr. Famulare stated that all of the windows would be replaced with 240J series windows as indicated in the application and in the literature provided.

Dr. MacMillan asked what material the proposed windows were made from.

Ms. Drerup stated that the proposed windows are vinyl.

Dr. MacMillan asked Mr. Famulare if he had been provided with a copy of the window guidelines.

Mr. Famulare stated that he had.

Dr. MacMillan reviewed the window guidelines and pointed out that in most situations vinyl is not acceptable.

Mr. Famulare stated that there are already 40 vinyl replacement windows in the residence.

Ms. Drerup stated that those windows were replaced prior to the Historic Preservation Law.

Ms. Callahan asked Mr. Famulare if the windows have already been purchased.

Mr. Famulare stated that the windows have not been purchased.

Ms. Callahan stated that a wood window would be more appropriate.

Mr. Famulare stated that the property owner feels that the proposed window is most economical, fits the residence and matches the other existing windows.

Ms. Callahan explained that replacement with a wood window will preserve the original fabric of the structure.

Mr. Famulare stated that he has a letter from the contractor which explains that replacement with wood is cost prohibitive.

Ms. Drerup stated that before any action can be taken the board needs to determine if the original windows are deteriorated beyond repair. She continued to state that although she has seen windows in significantly worse condition the photos do indicate deterioration.

Mr. Famulare stated that once deterioration begins it is hard to salvage the window.

Ms. Callahan asked if the residence is owner occupied.

Mr. Famulare stated that it is not owner occupied and that he resides in the residence.

Ms. Drerup asked if the original trim would be retained.

Mr. Famulare stated that he is not sure if the trim will be retained.

Ms. Drerup stated that she would consider replacements if there is no reduction in size and the replacement is with one over one as are currently installed.

Mr. Famulare stated that one over one is what is being requested.

Ms. Drerup stated that her main concern is whether the proposed replacements are inserts or if the entire window and trim would be removed. She explained that the trim should be retained as a historic feature.

Mr. Famulare stated that he does not know if the proposed windows are inserts. He stated that he is willing to obtain that information.

Ms. Callahan stated that more information is need about the proposed replacement windows. She asked when they proposed to begin work.

Mr. Famulare stated that they would like work to commence at the earliest possible date. He further stated that the fuel oil bill was over \$600.00 last month.

Ms. Drerup stated that her biggest concern is that the replacement be an insert which retains the original trim.

Mr. Famulare stated that the proposed windows are a very nice window.

Dr. MacMillan stated that they may be nice but they are vinyl and vinyl does not last.

Ms. Drerup asked the dimensions of the largest window proposed to be replaced.

Mr. Famulare stated that all of the windows being replaced are approximately the same size. He continued to state that the approximate size is 53" X 26".

Ms. Drerup stated that the larger the window the less stable the vinyl is and more likely to warp over time. She further stated that she would only approve the replacement of the windows if she is assured that the trim will not be disturbed and one over one replacements are used.

Dr. Tripp stated that more information might be necessary prior to a decision on the application.

Ms. Callahan suggested approval contingent on confirmation as to the design of the windows.

Dr. Tripp stated that he knows that conditions can be attached to any decision but if the condition becomes too complicated it would make more sense to wait for additional information prior to the decision.

Ms. Drerup stated that she feels that a condition could reflect that no work commence until the applicant provides documentation which shows exactly what insert will be used and indicates that the trim will be undisturbed.

Dr. Tripp made a motion to adopt the following resolution for a Certificate of Appropriateness:

Action by the Village of Cooperstown, Historic Preservation and Architectural Review Board

Resolution date: December 15, 2014

A resolution to approve the proposed replacement of twelve windows at 40 Elm Street, Cooperstown, NY

WHEREAS the Historic Preservation and Architectural Review Board has made the following findings of fact concerning the proposed application:

- *A public hearing is not required;*
- *The requirements of SEQRA have been met for this action;*
- *The residential structure is listed as contributing in the Glimmerglass Historic District Nomination Form;*
- *The proposed work meets the criteria under Section 300-26.E. (2)(a), (2)(b), (2)(c), (3)(b), (3)(d), and (3)(e).*

Section 300-26 of the Zoning Law having been met with regards to the proposed replacement windows at 40 Elm Street;

NOW THEREFORE BE IT RESOLVED, that we, the duly appointed members of the Historic Preservation and Architectural Review Board of the Village of Cooperstown do this 15th day of December 2014, determine that the proposed work at 40 Elm Street, Cooperstown, NY meets the criteria for work within the Historic and Architectural Control Overlay District as set forth in the Zoning Law of the Village of Cooperstown with the following conditions:

- *The replacement windows must be inserts which will preserve the frame, existing dimensions, and trim;*
- *The replacement windows must be one over one.*

Dr. MacMillan seconded the motion and the following discussion was held.

Ms. Drerup stated that she feels the motion should also include (4)(f) which indicates deterioration.

Dr. Tripp amended his motion to read:

Action by the Village of Cooperstown, Historic Preservation and Architectural Review Board

Resolution date: December 15, 2014

A resolution to approve the proposed replacement of twelve windows at 40 Elm Street, Cooperstown, NY

WHEREAS the Historic Preservation and Architectural Review Board has made the following findings of fact concerning the proposed application:

- *A public hearing is not required;*
- *The requirements of SEQRA have been met for this action;*
- *The residential structure is listed as contributing in the Glimmerglass Historic District Nomination Form;*
- *The proposed work meets the criteria under Section 300-26.E. (2)(a), (2)(b), (2)(c), (3)(b), (3)(d), (3)(e) and (4)(f).*

Section 300-26 of the Zoning Law having been met with regards to the proposed replacement windows at 40 Elm Street;

NOW THEREFORE BE IT RESOLVED, that we, the duly appointed members of the Historic Preservation and Architectural Review Board of the Village of Cooperstown do this 15th day of December 2014, determine that the proposed work at 40 Elm Street, Cooperstown, NY meets the criteria for work within the Historic and Architectural Control Overlay District as set forth in the Zoning Law of the Village of Cooperstown with the following conditions:

- *The replacement windows must be inserts which will preserve the frame, existing dimensions, and trim;*
- *The replacement windows must be one over one.*

Dr. MacMillan seconded the motion and a vote had the following results:

AYES: Callahan, Drerup, MacMillan, Tripp Motion carried.

The board determined this project to be a minor alteration.

40 Delaware Street (Roberts/Famulare) – Proposed window replacement

Mr. Famulare reviewed the proposed windows to be replaced.

Ms. Drerup stated that the casement window is definitely worth repairing.

Ms. Callahan stated that the character of the residence would be diminished by the proposed change.

Dr. MacMillan asked why they were proposing to replace the windows.

Mr. Famulare stated that most of the proposed windows to be replaced are double hung windows which are not operational.

Dr. MacMillan stated that he has a historic home on Main Street in which many of the windows are not operational. He explained that some do not open, some open only a little and any that open require a support to prevent them from slamming shut but those are not causes to eliminate the historic feature of the home.

Mr. Famulare stated that it is not his property but he is representing the property owner who wants the windows replaced.

Ms. Drerup stated that before the board can consider granting permission for the replacement of the windows they need to determine if the windows are deteriorated beyond repair.

Ms. Callahan stated that replacement windows will dramatically decrease the resale value of the home.

Mr. Famulare stated that there are currently aluminum storms on the upstairs windows which look terrible.

Dr. MacMillan stated that he is not open to the replacement of the historic windows in this home. He further stated that he does not see any reason for the requested replacement.

Ms. Drerup stated that with some work she feels that the windows could be restored to operational. She further stated that she is also not in favor of the replacement of these windows. She explained that the windows which have been proposed to be replaced are seen from the street.

Mr. Famulare stated that the reason those windows are proposed for replacement is that they are located in the rooms most used by the occupant.

Ms. Callahan stated that she does not feel that replacement of these windows is warranted and that she stands by the decision to deny from the November 11, 2014 meeting.

Mr. Famulare stated that he would provide Mr. Roberts, owner, the findings of the board.

171-173 Main Street (Ed Landers) – re-siding and egress roof

Mr. Landers explained the proposed re-siding of the structure at 171-173 Main Street. He explained that the existing siding has been severely damaged by falling bricks from the neighboring structure's chimney. He stated that proposed siding is not structural and for safety he would like to install it over the existing siding. He explained that in addition the re-siding will help with the drafts which may have contributed to the freezing of pipes in the rear apartment last season.

Ms. Callahan asked if the structure is insulated.

Mr. Landers stated that the structure is insulated.

Ms. Callahan asked if the new siding would have the same profile.

Mr. Landers stated that he is proposing placing Smart Siding over the existing siding.

Ms. Callahan asked if the Smart Siding would be installed vertically or horizontally.

Mr. Austin pointed out that if installed vertically Z channel would be necessary.

The board discussed the installation of the proposed siding.

Ms. Drerup asked if the windows will be sided over and if not how they would be trimmed out.

Mr. Lander stated that he assumes that they will be trimmed out as the siding will only add 1/2 – 5/8 of an inch.

Dr. Tripp asked which side of the structure was proposed to be re-sided.

The board reviewed the area to be re-sided pointing out that it is the west façade.

Ms. Callahan questioned if the siding material would have to be fire retardant due to the proximity of the neighboring structure.

Mr. Austin stated that if the product needs to be fire retardant it is an issue that would be handled by County Code Enforcement. He stated that even if HPARB grants approval the County Code office may deny the use of this material based on compliance with code issues which may or may not include being fire retardant.

Ms. Drerup asked if the siding would be pre-finished.

Mr. Landers stated that the siding comes in a natural state.

Ms. Drerup stated that painting a dark color would be preferred.

Ms. Callahan asked if there was a recommendation on how to trim out the windows.

Ms. Drerup stated that the window trim may need to be extended to receive the new siding. She further stated that the corner board on Main Street may need to be modified so that the siding does not project beyond it.

Dr. MacMillan made a motion to adopt the following resolution for a Certificate of Appropriateness:

Action by the Village of Cooperstown, Historic Preservation and Architectural Review Board

Resolution date: December 15, 2014

A resolution to approve the proposed re-siding of the west façade at 171-173 Main Street, Cooperstown, NY

WHEREAS the Historic Preservation and Architectural Review Board has made the following findings of fact concerning the proposed application:

- *A public hearing is not required;*
- *The requirements of SEQRA have been met for this action;*
- *The structure is listed as contributing in the Glimmerglass Historic District Nomination Form;*
- *The proposed work meets the criteria under Section 300-26.E. (2)(b), (2)(c), (3)(a), (3)(b), and (3)(d)*

Section 300-26 of the Zoning Law having been met with regards to the proposed re-siding of the west façade at 171-173 Main Street;

NOW THEREFORE BE IT RESOLVED, that we, the duly appointed members of the Historic Preservation and Architectural Review Board of the Village of Cooperstown do this 15th day of December 2014, determine that the proposed work at 171-173 Main Street, Cooperstown, NY meets the criteria for work within the Historic and Architectural Control Overlay District as set forth in the Zoning Law of the Village of Cooperstown with the following conditions:

- *The Smart Siding panels be installed horizontally;*
- *The windows be appropriately trimmed out;*
- *The northern side of the proposed siding be trimmed out with corner board to be visually compatible with the front of the building.*

Dr. Tripp seconded the motion and a vote had the following results:

AYES: Callahan, Drerup, MacMillan, Tripp Motion carried.

The board determined this project to be a minor alteration.

Ms. Drerup asked that board to continue with the application for 171-173 Main Street and review the request for the egress roof which has already been constructed.

Mr. Landers apologized and explained that there had been confusion between him and his employee and his employee proceeded to have the work done.

Ms. Drerup stated that the existing egress has plywood railings. She asked if the plywood railings were put into place due a safety issue resulting from the stop work order.

Mr. Landers stated that in 2013 ice falling from the roof, had enough force, that it broke the 2x4 handrail. He further explained that the purpose or intention of the egress roof is for the safety of people accessing the building.

Dr. Tripp informed Mr. Landers that he had not answered the question and asked him how or if the roof structure would be trimmed out. He asked if the contractor had done the work without approval and who the architect was.

Mr. Landers stated that he was at fault for the construction occurring without a permit as he was not clear with his employee. He continued to state that the egress roof will be trimmed out.

Ms. Drerup asked Mr. Landers if he has drawings which provide details of the materials and finished look of the egress roof.

Mr. Landers stated that he does not have this type of material at this time but could have it put together.

Ms. Drerup stated that she appreciates the need for the egress roof due to safety. She further stated that since the roof is installed and serving the immediate need she feels the additional information is necessary prior to a decision from the board.

The board concurred and the application for the egress roof at 171-173 Main Street was tabled till the January 13, 2015 meeting.

46 Chestnut Street (Ed Landers) – proposed window replacement

Mr. Landers explained the proposed replacement of three windows.

Ms. Drerup asked if this is a rental property.

Mr. Landers stated that it is a rental property.

Ms. Drerup stated that at the November 11, 2014 meeting Mr. Sanford pointed out that the original windows in this structure were two over two. She explained that if you look at the existing windows you can see where someone has modified them by placing muntins on the glass. Ms. Drerup continued to state that 9 over 9 windows would not have been appropriate. She asked Mr. Landers if he has already purchased the windows.

Mr. Landers stated that he has not purchased the windows but borrowed one to take a photo.

Ms. Drerup stated that the board has never approved replacement windows with grilles between the glass. She stated that they are not appropriate for the age of the structure and that something more appropriate should be used.

The board discussed the condition of the existing windows, and what light configuration would have been appropriate for the time period of the structure.

Ms. Drerup asked Mr. Landers what his time frame for replacement of the windows is.

Ms. Callahan asked if the cosmetic muntins could be removed from the original windows and the windows restored.

Ms. Drerup stated that she is not sure that the removal could be done successfully as she believes the windows are single pane glass.

Mr. Landers stated that the windows are single pane glass. He continued to state that he is working toward making the structures he owns more fuel efficient and provided a breakdown of fuel consumption for 2013. He continued to state that the replacement windows are one way he is working towards this.

Ms. Drerup asked if an energy audit had been done for this structure.

Mr. Landers stated that he has had an energy audit done on this building.

Ms. Drerup asked if the building is fully insulated.

Mr. Landers stated that the building is insulated but feels that some of the insulation may have contracted.

Ms. Drerup stated that insulation might be a more cost effective means of increasing energy efficiency than new windows. She continued to state that this is a very prevalent structure in the village and that she has not seen a vinyl window that would provide simulated divided lights. She stated that the board will need to look carefully at the proposed replacement and its effect on historic significance of the structure and neighborhood.

The board discussed the time frame for replacement, details of the existing windows, style of the proposed replacements and what would be the most appropriate replacement window should the board determine the windows are deteriorated beyond repair.

Ms. Drerup stated that she feels 2 over 2 windows would be more appropriate.

Ms. Callahan and Dr. MacMillan concurred.

Mr. Landers asked if there would be a problem if he replaces some windows now and some in the future.

Ms. Drerup stated that it would be best to apply to replace all of the windows in the residence, than they can be replaced over the next two years on the same permit. She suggested that Mr. Landers do some research on windows and submit additional details for the January 13, 2015 meeting.

Mr. Landers stated that he was okay with that.

Ms. Callahan asked if all of the windows are double hung.

Mr. Landers stated that all of the windows are double hung in the main portion of the house and the south ell. The rear addition contains casement windows, which will not be replaced.

Ms. Drerup asked that Mr. Landers also provide the exact number of windows to be replaced as well as a proposed style.

52 Pioneer Street (Tim Horvath of Redpoint Builders for D&W Holdings) – Proposed window replacement

Mr. Horvath reviewed the proposed window replacement and explained the window configuration of the structure. He continued to state that the proposed windows are Marvin Integrity fiberglass insert windows and will match the light pattern of each individual window. He stated that the eighteen windows would be manufactured in a color to match the existing trim.

Ms. Drerup asked if the small window in the rear of the structure would be included in the window replacement.

Mr. Horvath stated that it would not. He explained that the owner is considering interior changes which could affect this window. He continued to state that the four basement windows are currently being repaired and storm windows will be installed over the basement windows.

Dr. MacMillan asked the proposed use of the building.

Mr. Horvath stated that no change in use is occurring and that it will remain store fronts and apartments.

Ms. Drerup reviewed the photos provided which show the deteriorated condition of the windows. She stated that she feels this is a good solution as the proposed windows will look identical to the existing windows. She stated that she assumes that these proposed inserts will eliminate the need for modifications to the trim.

Mr. Horvath stated that they are inserts and the trim will not be disturbed.

Ms. Callahan made a motion to adopt the following resolution for a Certificate of Appropriateness:

Action by the Village of Cooperstown, Historic Preservation and Architectural Review Board

Resolution date: December 15, 2014

A resolution to approve the proposed window replacement at 52 Pioneer Street, Cooperstown, NY

WHEREAS the Historic Preservation and Architectural Review Board has made the following findings of fact concerning the proposed application:

- *A public hearing is not required;*
- *The requirements of SEQRA have been met for this action;*
- *The structure is listed as contributing in the Glimmerglass Historic District Nomination Form;*
- *The proposed replacement is due to deterioration;*
- *The proposed work will alter the original features but with replacement is in materials only, not design;*
- *The proposed work meets the criteria under Section 300-26.E. (2)(a), (2)(b), (2)(c), (3)(a), (3)(b), (3)(c), (3)(d), and (4)(f).*

Section 300-26 of the Zoning Law having been met with regards to the installation of replacement windows at 52 Pioneer Street;

NOW THEREFORE BE IT RESOLVED, that we, the duly appointed members of the Historic Preservation and Architectural Review Board of the Village of Cooperstown do this 15th day of December 2014, determine that the work at 52 Pioneer Street, Cooperstown, NY meets the criteria for work within the Historic and Architectural Control Overlay District as set forth in the Zoning Law of the Village of Cooperstown.

Dr. Tripp seconded the motion and a vote had the following results:

AYES: Callahan, Drerup, MacMillan, Tripp Motion carried.

The board determined this project to be a major alteration.

55 Elm Street (Brian Clancy) – Proposed front door replacement

The applicant was not present; Ms. Drerup reviewed the application and stated that she feels that the proportion of the three light window in the door is more appropriate than the proposed six light window.

The board reviewed the application and discussed the proposed door.

Dr. MacMillan made a motion to adopt the following resolution for a Certificate of Appropriateness:

Action by the Village of Cooperstown, Historic Preservation and Architectural Review Board

Resolution date: December 15, 2014

A resolution to approve the proposed front door replacement at 55 Elm Street, Cooperstown, NY

WHEREAS the Historic Preservation and Architectural Review Board has made the following findings of fact concerning the proposed application:

- *A public hearing is not required;*
- *The requirements of SEQRA have been met for this action;*
- *The structure is listed as contributing in the Glimmerglass Historic District Nomination Form;*
- *The proposed work meets the criteria under Section 300-26.E. (2)(b), (2)(c), (3)(a), (3)(b), and (3)(c).*

Section 300-26 of the Zoning Law having been met with regards to the front door replacement at 55 Elm Street;

NOW THEREFORE BE IT RESOLVED, that we, the duly appointed members of the Historic Preservation and Architectural Review Board of the Village of Cooperstown do this 15th day of December 2014, determine that the work at 55 Elm Street, Cooperstown, NY meets the criteria for work within the Historic and Architectural Control Overlay District as set forth in the Zoning Law of the Village of Cooperstown.

Ms. Callahan seconded the motion and a vote had the following results:

AYES: Callahan, Drerup, MacMillan, Tripp Motion carried.

The board determined this project to be a minor alteration.

8 Elk Street (Patrick Broe) – Proposed reconstruction of the original porch

Mr. Austin stated that Mr. Broe was unable to attend tonight's meeting but had provided some additional information for the file. He continued to state that Mr. Broe has indicated that he does not intend to begin this project until spring and is okay with the board tabling the application until the January meeting.

Ms. Drerup tabled the application for 8 Elk Street until the January 13, 2015 meeting.

103 Main Street (Altonview Architects for A. Ferrara) – Proposed installation of a garage door

Ms. Drerup recused herself at 6:38 p.m.

Mr. Austin reviewed the application and stated that his concern is that if the board approves the installation of the garage door it may give the appearance that the Village has granted permission for the applicant to use the building as a parking garage. He continued to state that HPARB only has the legal ability to review the application as it pertains to the aesthetics and has no ability to review or question use or how the applicant will access the door. Mr. Austin stated that in reviewing the location for the proposed door on the east façade it is clear that what is there now was not as it was built. He further stated that the area could have easily accommodated a garage door of some type at one time.

Ms. Drerup stated that Mr. Ferrara would like the option of placing a garage door on either the east or west façade. She explained the ownership of the surrounding properties and stated that at this time Mr. Ferrara does not have vehicle access to either proposed door location.

The board discussed the two proposed overhead door locations and the issues around accessing the doors.

Ms. Callahan stated that if there was this type of door on the east façade historically she does not see any reason to deny the application.

Mr. Austin stated that we do not know if there was this size door in that location previously. He explained that all that is known is that the existing masonry opening is the right size to suggest it may have had an overhead door.

The board further discussed the ownership of neighboring properties and the possible use of the building if an overhead door is installed. They discussed concerns regarding the use of the building and what boards may have jurisdiction over the use and what events would trigger review by those boards.

Dr. MacMillan stated that a separate application should be submitted for the proposed door on the west side as the existing application is for the east side only.

Ms. Drerup stated that only one door is being requested but that they would like to have the option of placing the door on either the west or east side as indicated in the materials provided, depending on whether the owner is able to obtain a right-of-way to access the door on the east.

Ms. Callahan made a motion to adopt the following resolution for a Certificate of Appropriateness:

Action by the Village of Cooperstown, Historic Preservation and Architectural Review Board

Resolution date: December 15, 2014

Although the board is concerned about the use and access of the proposed garage door at 103 Main Street, Cooperstown, NY they grant a resolution to approve said door.

WHEREAS the Historic Preservation and Architectural Review Board has made the following findings of fact concerning the proposed application:

- A public hearing is not required;*
- The requirements of SEQRA have been met for this action;*
- The structure is listed as contributing in the Glimmerglass Historic District Nomination Form;*
- The proposed work meets the criteria under Section 300-26.E. (2)(b), (2)(c), (3)(a), (3)(b), and (3)(c).*

Section 300-26 of the Zoning Law having been met with regards to the proposed garage door at 103 Main Street;

NOW THEREFORE BE IT RESOLVED, that we, the duly appointed members of the Historic Preservation and Architectural Review Board of the Village of Cooperstown do this 15th day of December 2014, determine that the work at 103 Main Street, Cooperstown, NY meets the criteria for work within the Historic and Architectural Control Overlay District as set forth in the Zoning Law of the Village of Cooperstown with the following condition:

- The property owner may install a door on either the east or west façade as presented with the understanding that it is his responsibility and at his expense that he obtain any necessary right of ways and permits as they pertain to use and access.*

Dr. MacMillan seconded the motion for discussion.

Dr. MacMillan stated that he does not want to see the board cop out. He explained that he is concerned that Mr. Ferrara will lead people to believe that he has permission to access the door and use the approval to manipulate other necessary approvals. Dr. MacMillan continued to state that the traffic flow in either scenario would be problematic.

Mr. Austin stated that HPARB is simply reviewing the character of the proposed overhead door which would replace a hinged door. He explained that issues regarding traffic and use are not in this board's purview.

Ms. Callahan stated that the public's general perception of HPARB is that they are not business friendly. She continued to state that it is not this board's place to stand in the way of business only to protect the historic integrity of the properties in the historic district. She further stated that Mr. Ferrara will need to pursue access to the door with the Scriven Foundation or the Village depending on the side in which the door will be installed. Ms. Callahan stated that it is this board's responsibility to look at aesthetics and she feels they are appropriate for the property and someone else can "pee" in Mr. Ferrara's Cheerios if they feel the use or traffic is problematic.

Dr. Tripp stated that the motion only got a second for discussion and that this board has a fairly precise and narrow legal responsibility. He continued to state that it is not this board's purview to determine whether or not the owner can access or utilize the requested door. Dr. Tripp stated that he did not realize that the application was for a door on either the east or west side of the structure but if Ms. Drerup is an agent acting on behalf of Mr. Ferrara, she has the right to do so. Dr. Tripp continued to state that there was another application several years ago in which a garage, over 50 years old (although that number is arbitrary and capricious), which the applicant was proposing to put in an overhead door and it was denied because the garage had always had swinging doors. He continued to state that if the board was that concerned about the door on a small one car garage he is bothered by the fact that the board might allow a door in an area where it denied a similar door. He further stated that he is not bothered by the style or placement of the door and is not sure it will have a negative effect as that section of the building is not overly impressive.

Mr. Austin pointed out that the installation of the door would be at Mr. Ferrara's own financial risk.

Dr. MacMillan stated that Mr. Ferrara has used the board decisions for his own advantage in the past and he is skeptical of his intentions.

Dr. MacMillan called for a vote and it had the following results:

AYES: Callahan

ABSTAIN: MacMillan, Tripp Motion failed.

Ms. Drerup returned to the board at 7:12 PM

Minutes:

Ms. Drerup made a motion to approve the minutes of the November 11, 2014 meeting as submitted. Ms. Callahan seconded the motion and a vote had the following results:

AYES: Callahan, Drerup, MacMillan, Tripp Motion carried.

Meeting adjourned at 7:18 PM.

Respectfully submitted,

Jennifer Truax
Deputy Village Clerk