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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 Tuesday, October 13, 2015. Members in attendance were Liz Callahan, Roger MacMillan, David Sanford, and Ralph Snell. Member Teresa Drerup and Alternates Brian Alexander and Ann Stewart were absent. Also in attendance was Village Attorney – Martin Tillapaugh, Zoning Enforcement Officer – Tavis Austin and Deputy Village Clerk – Jennifer Truax. Seventeen members of the public were present.

Dr. MacMillan called the meeting to order at 5:00 PM.

Dr. MacMillan opened the meeting by reading section 300-26.D(1)(a) (Procedures for certificate of appropriateness – application). He stated that a complete application is essential for the board to make a fair determination. He stated that the board is not trying to be difficult when they do not consider an application due to lack of information. They need all required information to make a fair decision and are obligated to adhere to the law.

Regular Agenda

184 Main Street (Tim Horvath for Thomas Rusk) – Field change for roof material and dormer addition

Mr. Horvath stated that he realizes that not all information has been provided for the requested field changes. He stated that Mr. Rusk was unavailable this evening and asked Mr. Horvath to represent him at the meeting. He continued to state that he understands that there is probably not enough information to act on the dormers and requested that the board take action only on the proposed roofing material. Mr. Horvath explained that the proposed roofing material is the only roofing material which is rated for winter ice and snow. He stated that the ice falling from the upper roof onto the flat roof is causing significant damage. He further stated that he realizes that the main roof needs to be insulated to help prevent the ice buildup but at this time that is not feasible.

Mr. Snell asked Mr. Horvath if the request is to install this roofing (rubber shingles) on the flat roof above the porch.

Mr. Horvath stated that was correct.

Mr. Snell stated that he does not think that the flat roof is visible from any public way.

Mr. Horvath stated that the roof is not visible.

Mr. Sanford made a motion to approve the field change for 184 Main Street to install “Euro Slate” rubber shingles on the flat roof above the porch. Ms. Callahan seconded the motion and a vote had the following results:

AYES: Callahan, MacMillan, Sanford, Snell Motion carried.

11 Cooper Lane (Norm Johansen for John Sansevere) – Proposed garage demolition and new garage

Dr. MacMillan reviewed the application.

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Ms. Callahan stated that when she reviewed the files this morning the application was incomplete.

Mr. Johansen apologized and stated that he missed her by a few minutes and additional materials were added to the application.

Dr. MacMillan stated that at this time the applicant is requesting to demolish the existing garage.

Mr. Johansen added that Mr. Sansevere would also like to construct a new garage.

Dr. MacMillan stated that the law requires a public hearing for the demolition of any structure and recommended that a public hearing be set for the November meeting.

Mr. Austin asked Mr. Johansen, if approved, would Mr. Sansevere begin construction of the new garage prior to the demolition of the existing garage.

Mr. Johansen stated that he does not believe so.

Ms. Callahan asked if the proposed garage was on the same footprint as the existing garage.

Mr. Austin stated that it is not. He explained that the proposed garage would be right next to the existing garage.

Mr. Johansen stated that the existing garage is on the property line. He further stated that existing garage is in a state of disrepair with significant rot in the wood sills.

Mr. Austin asked the board if any further information is necessary to determine the application complete.

Dr. MacMillan stated that a public hearing is required prior to any further action.

Mr. Sanford stated that the weather could play a role in holding up the construction of the garage, specifically the pouring of concrete.

Mr. Austin stated that the applicant could choose to pour the slab prior to approval. He explained that as long as only the slab is installed the applicant would not be in violation of any zoning law.

Ms. Callahan asked if the proposed garage is a kit.

Mr. Johansen stated that it is not. He stated that the garage would be the same dimension as indicated on the plans but it would be custom built with vinyl siding and metal roofing.

Mr. Callahan asked that a complete and accurate materials list be provided at least one week prior to the next meeting in order to be review for action at that meeting.

Mr. Johansen asked if the board has any preferences as to the materials used.

Mr. Austin stated that the board is not at liberty to provide applicants with project details but rather the applicant is required to submit a complete application for the board's review.

Mr. Snell asked Mr. Johansen to clarify the directionality of the elevation drawings.

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The board and Mr. Johansen reviewed the elevation drawings and noted that they indicate inaccurate directionality.

The board reviewed the placement of the doors and windows on each elevation and clarified that no doors or windows would be placed on the east wall of the structure.

Mr. Snell asked if the vinyl siding would have the appearance of lapped siding.

Mr. Johansen stated that it would.

Mr. Snell asked if the siding would continue in the same fashion in the gable ends.

Mr. Johansen stated that it would.

Ms. Callahan made a motion to set a public hearing for the proposed garage demolition at 11 Cooper Lane for 5 PM or as soon thereafter as possible on November 10, 2015. Mr. Sanford seconded the motion and a vote had the following results:

AYES: Callahan, MacMillan, Sanford, Snell Motion carried.

Ms. Callahan made a motion requesting that the applicant provided additional information for the proposed garage at 11 Cooper Lane to include a complete and accurate materials list and the previously submitted elevations drawings be relabeled using the correct directionality at least one week prior to the November meeting. Mr. Snell seconded the motion and a vote had the following results:

AYES: Callahan, MacMillan, Sanford, Snell Motion carried.

16 Eagle Street (Mr. Hohensee) – Proposed extension of existing fence

Dr. MacMillan reviewed the application and stated that a letter of acquiescence has been provided by the neighbor.

Mr. Hohensee reviewed the plans and stated that the extension of the fence will provide the family easier access to the residence including exterior access from the yard to the sunroom.

Mr. Snell asked if the “good” side of the fence would be installed to face the neighbor and the public way.

Mr. Hohensee stated that it would.

Dr. Snell stated that the application indicates the reuse of existing fence where possible.

Mr. Hohensee stated that was correct.

Mr. Snell 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: October 13, 2015

A resolution to approve the proposed fence at 16 Eagle Street, Cooperstown, NY

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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 at this address is listed as contributing in the Glimmerglass Historic District Nomination Form;*
- *The proposed work meets the criteria under Section 300-26.E. (3)(a), (3)(b), and (3)(c).*

Section 300-26 of the Zoning Law having been met with regards to proposed fence extension at 16 Eagle 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 13th day of October 2015, determine that the proposed work at 16 Eagle 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, MacMillan, Sanford, Snell

Motion carried.

The board determined this action to be a minor alteration for reporting purposes.

40 Elm Street (John Orillio for the Famulare Family) – Proposed field change for windows installed but not as approved

Dr. MacMillan asked Mr. Orillio to explain the proposed field change.

Mr. Orillio stated that the board previously approved the replacement of twelve windows in the residence. He stated that after approval the contractor was given the go ahead to replace the windows in-kind. He further explained that there are over 50 windows in the home and all of them have grids, some are six over six, some are nine over and nine, some in the window, some as part of the storm windows. Mr. Orillio stated that the board approved one over one but the contractor installed six over six which was how the windows appeared with the storms windows in place. He explained that although the wrong windows were installed it was not intentional and that the only explanation is miscommunication with the contractor.

Dr. MacMillan stated that one over one windows were approved and he understands that a mistake was made. He asked Mr. Orillio what is being asked of the board at this time.

Mr. Orillio stated that they are asking for the board to approve the windows as installed.

Dr. MacMillan asked if any photos of the windows are available as installed.

Mr. Austin stated that photos should be in the file but that he has the same photos on his phone. He explained that once the he was aware of the violation he took photos and sent a letter to the owner on record. He further explained that the owner on record is deceased but the next of kin forwarded the letter to the appropriate party. Once the Famulare Family contacted Mr. Austin he stated that he informed the them of their options to (1) ask for a field change, (2) be sited and pay the required weekly fine until the change is made, (3) be sited and go to court for a decision regarding the actions of the board. Mr. Austin stated that they have chosen to start by pursuing the field change.

Ms. Callahan asked if the Village Attorney had been consulted about the situation.

Mr. Austin stated that Mr. Tillapaugh is aware of the violation and is prepared to defend any course of action taken by HPARB.

Ms. Callahan asked Mr. Austin who made him aware of the violation.

Mr. Austin stated that a resident notified him and he investigated prior to writing the letter of violation.

Mr. Sanford made a motion to approve the field change for six over six replacement windows as installed, where one over one windows were approved, at 40 Elm Street. Mr. Snell seconded the motion for discussion.

Mr. Sanford stated that he does not think that the six over six windows drastically change the appearance of the residence.

Ms. Callahan asked to review the minutes regarding the approved windows.

Mr. Austin obtained a copy of the minutes for the board's review.

Ms. Callahan asked Mr. Orillio his relationship to the property owners.

Mr. Orillio stated that he is the father of the owners.

The board members reviewed the minutes from the November and December 2014 meetings. The window replacement was discussed and approved at these meetings.

Ms. Snell asked if the windows were simulated divided lights.

Mr. Orillio stated that the grilles are between the glass.

Dr. MacMillan asked what material the windows are made from.

Mr. Snell stated that they are vinyl replacement windows.

Mr. Orillio stated that the sills are still wood but have been repaired and painted.

Ms. Callahan stated that she is concerned that there is a lot of "buck passing". She stated that ultimately it is the property owner's responsible not only to pay for work which is completed but to insure that the appropriate permits are obtained and work is completed as approved.

Mr. Orillio stated that although he paid for the work he was not involved in the permit or installation process.

Ms. Callahan stated that ultimately the contractor did what was requested, however, it is clear based on the minutes and the notice of decision that what was approved is not what was installed.

Mr. Snell stated that if he had been a voting member the night the work was approved he would not have voted in the affirmative. He explained that the window guidelines are very specific about the use of vinyl windows and these do not meet those requirements.

Mr. Sanford stated that he does not think that taking this matter to court would be prudent for the Village.

Dr. MacMillan stated that it is difficult to tell who was negligent.

A vote had the following results:

AYES: Callahan, MacMillan, Sanford

ABSTAIN: Snell

Motion carried.

8 Walnut Street (Josh Edmonds, Simple Integrity) – proposed field change for front stoop and garage door

Mr. Austin reviewed the previously approved work for 8 Walnut Street. He stated that Mr. Edmonds was asked to return with details regarding the front stoop and garage door prior to commencing any work on these items. Mr. Austin asked Mr. Edmonds if there was a preference as to which of the proposed railing receives approval.

Mr. Edmonds stated that the open railing is preferred but he is unsure if it will meet the requirements of the new Otsego County Code Enforcement Officer. He continued to review the proposed stoop topped with blue stone with the sides parged to match the foundation of the residence.

Mr. Snell made a motion to approve the field changes for 8 Walnut Street to include front porch stoop as described; capped with blue stone, with the sides parged to match the main structure's foundation, and the applicant's choice of one of the proposed handrails; and the garage door. Ms. Callahan seconded the motion and a vote had the following results:

AYES: Callahan, MacMillan, Sanford, Snell

Motion carried.

24 Nelson Avenue (Jeff Phillips for Brennan Family) – Proposed entryway roof

Dr. MacMillan reviewed the application for the entryway cover over the existing door.

Mr. Phillips stated that last year a large chunk of ice hit someone entering the residence and prompted the proposed entryway roof. He added that in addition to the roof, the property owners would like to add side lights to the entry door to increase the natural light in this dark entryway.

Dr. MacMillan asked if the door would be changed.

Mr. Phillips stated that the door size would remain the same but a new door would be installed.

Dr. MacMillan asked for details regarding the proposed door.

Mr. Phillips stated that it would probably be fiberglass.

Ms. Callahan asked if the existing door is fiberglass.

Mr. Phillips stated that the existing door is wood.

Mr. Snell asked what materials would be used for the entry roof.

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Mr. Phillips stated that it would be mostly synthetic with a wood bead board ceiling. He stated that the pillars would be wood covered and finished out with a synthetic composite material.

Mr. Snell asked if it would be painted.

Mr. Phillips stated that it would be painted.

Mr. Snell asked if the roof would be copper.

Mr. Phillips stated that it would be a standing seam copper similar to the Otesaga. He pointed out that the existing windows have copper caps.

Mr. Snell stated that the roof is a handsome design.

Mr. Sanford stated that the proposed design fits the style of the structure.

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: October 13, 2015

A resolution to approve the new entry cover and side lights at 24 Nelson Avenue, 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 but the original structure has had drastic alterations;*
- *The proposed work meets the criteria under Section 300-26.E. (3)(a), (3)(b), and (3)(c).*

Section 300-26 of the Zoning Law having been met with regards to the proposed roof structure and side lights at 24 Nelson Avenue;

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 13th day of October 2015, determine that the work at 24 Nelson Avenue, 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.

Mr. Snell seconded the motion and a vote had the following results:

AYES: Callahan, MacMillan, Sanford, Snell Motion carried.

The board determined this action to be a minor alteration for reporting purposes.

60 Elm Street (Mr. Bob Lopiccio, New York Sash, for McGrath Family) – Proposed window replacement

Mr. Lipiccio introduced himself and stated that New York Sash has installed windows in many historic buildings throughout New England. He explained that the proposed windows are 100% vinyl, not a reground vinyl and therefore do not expand and contract like other vinyl replacement windows. He continued to state that they are proposing a two over two, simulated divided light replacement window. He provided the board with literature on the proposed windows and their

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energy efficiency and compared that to the existing windows. Mr. Lipiccolo stated that New York Sash does not use subcontractors and completes all work themselves. He continued to state that this allows them to provide a fully transferable guarantee on the windows.

Ms. Callahan asked if the muntin size match the existing windows.

Mr. Lipiccolo stated that he believes that they do match but that is based on holding one window up to the other so he cannot guarantee they are exactly the same.

Dr. MacMillan asked Mr. Lipiccolo to explain the difference between the New York Sash replacement window and other replacement windows.

Mr. Lipiccolo stated that most replacement windows are made with a reground vinyl which makes them very conductive and open for expansion and contraction. He explained that the New York Sash window is made of 100% vinyl which has not been reground therefore is not as susceptible to the same expansion and contraction. He stated that this therefore, allows for the windows to be fitted to within a sixteenth of an inch, the chambers to be fully insulated, and the corners fusion welded.

Dr. MacMillan asked what kind of warrantee the windows carry against things like steam between the glass.

Mr. Lipiccolo stated that the windows have a fully transferable, lifetime guarantee against any and all issues including accidental breakage.

Mr. Sanford 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: October 13, 2015

A resolution to approve the proposed window replacement at 60 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. (3)(a),(3)(b), and (5).*

Section 300-26 of the Zoning Law having been met with regards to the proposed window replacement at 60 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 13th day of October 2015, determine that the work at 60 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 the following discussion was held.

Mr. Snell stated that the window guidelines clearly state that vinyl windows are only acceptable if the windows are located below grade, or in buildings built after WWII. He continued to state that

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based on the fact that the proposed windows do not meet these criteria he will be voting against the project.

Mr. Sanford stated that based on his personal experience and the experiences of others he has found that wood replacement windows fail within 20 years of installation.

Mr. Snell asked if the board has established that these windows are deteriorated to the point in which they need to be replaced rather than repaired.

Mr. Lopiccolo stated that pictures of the existing window condition were provided.

The board reviewed the photos provided.

Ms. Callahan stated that she is always hesitant to approve vinyl but that the board has already reviewed a similar project in the neighborhood.

Mr. Snell stated that he feels that the board ignoring the guidelines is a serious violation.

Dr. MacMillan stated that the law is being reviewed and these items may be changing but at this time they must still follow the existing law as written.

A vote had the following results:

AYES: Callahan, MacMillan, Sanford

NAYES: Snell

Motion carried.

The board determined this action to be a minor alteration for reporting purposes.

27 Eagle Street (O'Conner) – Proposed shutter replacement

Dr. MacMillan asked Ms. O'Conner to review her proposed project.

Ms. O'Conner stated that she put up the wrong shutters. She stated that she purchased and had installed a vinyl shutter that was the wrong size and style for the era of the residence. She explained that she was facilitating the work from a long distance and was not in town when she purchased the shutters to replace the previous shutters which were also incorrectly sized and cut to "fit". She stated that she would like to take down the shutters currently installed and replace them with open louver shutters custom made to fit the windows.

Mr. Snell thanked Ms. O'Conner for her honesty and effort to provide shutters which are appropriate for the structure. He continued to state that there are three critical issues to be looked at when installing shutters, width, height, and installation. He explained that the shutters should be installed on the trim and be the appropriate height and width to fully cover the glass.

Ms. O'Conner concurred and stated that was her intention.

Mr. Sanford asked if the shutters would be installed with hinges.

Ms. O'Conner stated that the proposed shutters are vinyl and would not be installed with hinges but would be installed in the appropriate location on the window. She continued to state that installing vinyl shutters with hinges would make them look even more inappropriate.

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Mr. Snell 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: October 13, 2015

A resolution to approve the proposed shutters at 27 Eagle 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. (3)(a), (3)(b), (3)(c), and (3)(d).*

Section 300-26 of the Zoning Law having been met with regards to the proposed shutters at 27 Eagle 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 13th day of October 2015, determine that the work at 27 Eagle 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 condition that;

- *The shutters be sized and located as if they were operational.*

Mr. Sanford seconded the motion and a vote had the following results:

AYES: Callahan, MacMillan, Sanford, Snell Motion carried.

The board determined this action to be a minor alteration for reporting purposes.

95 Pioneer Street (Susan Snell, Architect for Mike Swift Family) – Proposed fence

Mr. Snell recused himself at 6:13 PM.

Ms. Snell reviewed the application for a fence in the rear yard. She stated that the new owners have a dog and small child as well as no privacy in their rear yard and are proposing a fence on the property line to assist in safety for the dog and child and increase the privacy in the rear yard. She further stated that it is their understanding that there are new property owners for 97 Pioneer Street who are also proposing a fence to include a shared property line. Ms. Snell stated that if the neighbors install a fence on this common line then the Swifts will not need a fence on this shared line.

The board reviewed the location and design of the fence.

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: October 13, 2015

A resolution to approve the proposed fence at 95 Pioneer Street, Cooperstown, NY

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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 on this address is listed as contributing in the Glimmerglass Historic District Nomination Form;*
- *The proposed work meets the criteria under Section 300-26.E. (3)(a), (3)(b), (3)(c), and (3)(d).*

Section 300-26 of the Zoning Law having been met with regards to the proposed fence at 95 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 13th day of October 2015, determine that the work at 95 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 with the condition that;

- *Should the fence exceed 4' in height a letter of acquiesce from the neighbor or a variance from the ZBA will be obtained;*
- *Should the neighbor at 97 Pioneer Street also be approved for a fence only one fence will be installed along the shared property line;*
- *The fence will be installed with the "good" side towards the neighbors.*

Mr. Sanford seconded the motion and a vote had the following results:

AYES: Callahan, MacMillan, Sanford Motion carried.

The board determined this action to be a minor alteration for reporting purposes.

11 Walnut Street (Jon McManus, Engineer for Craig Gecewicz) – Expired permit for residential addition with design changes

Mr. Snell returned to the board at 6:18 PM.

Mr. Gecewicz explained that the original application included a garage and residential additions. He explained that when beginning work on the foundations they ran into a water issue on the property and the foundation which was originally approved to extend 40' from the original structure was built at 30' from the structure. He continued to explain that due to the excessive levels of water in the yard the wall had to be made non-load bearing and drains were installed. He stated that during construction they had difficulty keeping the forms from floating.

Mr. Snell asked Mr. Gecewicz if the siding would be cedar shingles.

Mr. Gecewicz stated that they would be cedar shingles.

Mr. Snell pointed out that the elevation drawings indicate lap siding on the dormers. He asked if that was correct.

Mr. Gecewicz stated that Mr. McManus must have made a mistake. He stated that all of the siding would be cedar shingles with a 4" reveal to match the existing cedar shingles on the residence.

Mr. Snell asked what roofing materials would be used.

Mr. Gecewicz stated that the roofing materials would match the residence.

Mr. Snell asked about the small roof on the rear.

Mr. Gecewicz stated that it would have copper flashing and the shingles would match the existing residence.

Mr. Snell reviewed with Mr. Gecewicz the chimney placement and the elevation drawings reflecting that placement.

Mr. Snell asked what would be used for doors.

Mr. Gecewicz stated that the two main doors are mahogany all of the remaining doors are Marvin, divided light, aluminum clad, French doors.

Mr. Snell asked Mr. Gecewicz to label the drawings to indicate wood shingles rather than clap board as shown.

Mr. Gecewicz did so.

Mr. Snell asked if the sidewalls would be exposed concrete.

Mr. Gecewicz stated that they have been parged the concrete to match the existing foundation.

Mr. Snell 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: October 13, 2015

A resolution to approve the proposed residential addition at 11 Walnut 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)(c), (3)(a), (3)(b), (3)(c), and (3)(d).*

Section 300-26 of the Zoning Law having been met with regards to the proposed addition at 11 Walnut 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 13th day of October 2015, determine that the work at 11 Walnut 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, MacMillan, Sanford, Snell Motion carried.

The board determined this action to be a minor alteration for reporting purposes.

207 Main Street (Norm Johansen for William & Carol Waller) – Proposed greenhouse addition

Mr. Johansen stated that the application submitted is not correct. He explained that the photo provided is what the Waller's would like to build but that the plans Mr. McManus submitted are not accurate. He stated that the construction would be post and beam with glass windows.

The board reviewed the photo and drawings and concurred that are not the same.

Ms. Callahan asked if the proposed footprint indicated in the plans is accurate.

Mr. Johansen stated that the footprint is accurate. He explained that the proposed structure is to be built in the location of the greenhouse which was destroyed in the fire. He continued to state that the new greenhouse is a bit fancier and will lead to a garden.

Mr. Snell asked if the structure would be a true greenhouse with a glass roof.

Mr. Johansen stated that it will be a true greenhouse with a glass roof.

Mr. Snell asked if it is a kit.

Mr. Waller stated that it is not a kit and will be custom built.

Mr. Johansen stated that the posts are accurately place on the plans provided.

Mr. Austin stated that Mrs. Waller indicated during a previous conversation that she would be happy to have conceptual approval if full approval cannot be obtain this evening.

Mr. Snell stated that the proposed structure is lovely. He continued to state that although he would not say that the proposed greenhouse is compatible with the existing structure he is not sure that trying to be compatible is the right approach in this situation. He stated that he believes that this unique structure is more appropriate in this situation.

Mr. Sanford concurred with Mr. Snell.

Mrs. Waller stated that the proposed greenhouse will replace the four greenhouses which were lost in the fire. She stated that the new smaller greenhouse will be the entrance into a garden area. She continued to state that Mr. McManus never reviewed the plans with her prior to submitting them.

Mr. Snell stated that conceptually this is a lovely building. He stated that the board needs documentation which shows the materials and accurately reflects the details of the structure. He stated that he feels that the transom windows would be better in a vertical rather than a horizontal positon.

Mrs. Waller pointed out that only one neighbor, and visitors to Mohican Flowers will be able to see the structure.

Mr. Snell asked that the plan details show how the greenhouse will attach to the existing structure.

Dr. MacMillan made a motion to table any further action until a complete application is received. Mr. Snell seconded the motion and a vote had the following results:

AYES: Callahan, MacMillan, Sanford, Snell Motion carried.

97 Pioneer Street (Webb Family) – Proposed fence

Dr. MacMillan reviewed the application for a fence at 97 Pioneer Street.

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: October 13, 2015

A resolution to approve the proposed fence at 97 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 residential structure at this address is listed as contributing in the Glimmerglass Historic District Nomination Form;*
- *The proposed work meets the criteria under Section 300-26.E. (3)(a), (3)(b), (3)(c), and (3)(d).*

Section 300-26 of the Zoning Law having been met with regards to the proposed fence at 97 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 13th day of October 2015, determine that the work at 97 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.

Mr. Sanford seconded the motion and a vote had the following results:

AYES: Callahan, MacMillan, Sanford, Snell Motion carried.

19 Main Street (Clark Foundation) – Proposed replacement of landscaping with screened fence

Dr. MacMillan reviewed the application to replace existing landscaping with a screened fence.

Mr. Snell 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: October 13, 2015

A resolution to approve the proposed fence at 19 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 at this address is listed as contributing in the Glimmerglass Historic District Nomination Form;*
- *The proposed work meets the criteria under Section 300-26.E. (2)(b), (3)(a), (3)(b), (3)(c), (3)(d), and (3)(e).*

DRAFT

Section 300-26 of the Zoning Law having been met with regards to the proposed fence at 19 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 13th day of October 2015, determine that the work at 19 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.

Mr. Sanford seconded the motion and a vote had the following results:

AYES: Callahan, MacMillan, Sanford, Snell Motion carried.

134 Main Street (Altonview Architects for BTP) – Field change action

Dr. MacMillan reviewed the email from Ms. Teresa Drerup of Altonview Architects on behalf of BTP regarding the previously requested field change. It states that since the 62 day window for action has been exceeded the proposed field change is approved (see attached email).

Mr. Austin stated that he spoke with Mr. Martin Tillapaugh, Village Attorney, regarding this 62 day time limit and both concur that the proposed field change is now approved as the board did not take action within the required 62 day window.

Mr. Tillapaugh stated that the law is clear and that if no decision is made within the required 62 day window the application is approved. He stated that the only exception would be if the applicant were to give a time extension, which sometimes happens. He stated that the minutes do not indicate that a time extension was granted by the applicant or their representative therefore it would be difficult to make that claim.

Mr. Austin stated that although there was discussion at the meeting regarding holding over a vote until other members were present the minutes do not reflect Ms. Drerup or anyone from BTP giving a time extension. He continued to state that he did speak to the Trustees about the definition and use of rooftop buffering in the law. He stated that Trustee Falk indicated that she agrees that the law does not reflect the intention of the required buffering as discussed prior to adoption.

Mr. Snell stated that there needs to be a mechanism in place to warn the board that of the looming 62 day deadline. He suggested that as ZEO, Mr. Austin, could provide that warning.

Mr. Austin stated that the decisions and deadlines of the board are the board's responsibility.

Mr. Snell stated that he is not blaming Mr. Austin for missing the deadline but merely suggesting that in future cases he remind members of the deadline and have some way to indicate that the deadline will pass prior to the next meeting.

Dr. MacMillan stated that the board also needs to consider the law's requirement for a public hearing for all demolitions and the possible reworking of this requirement. Dr. MacMillan read the definition of demolition and stated that requiring a public hearing based on that definition becomes too inclusive.

Mr. Tillapaugh suggested that the board place qualifiers in the law such as not requiring a public hearing for the demolition of an accessory structure which is less than 50 years old.

DRAFT

Mr. Austin suggested that the language allow the board to waive the public hearing.

Mr. Tillapaugh stated that being able to waive a public hearing could create issues of precedence where an applicant questions why they have to have a public hearing and another applicant does not. He stated that using qualifiers is a more controlled option.

Dr. MacMillan stated that Mayor Katz has recommended that HPARB compose language for the requirement of a public hearing for demolition and forward it to the Planning Board for review. He stated that the Planning Board would review the language and forward it to the Trustees for action.

Mr. Tillapaugh stated that the law requires that any change in the Zoning Law be reviewed by the Planning Board but he believes that the proposed language from HPARB would probably be what the Planning Board recommends to the Trustees.

Mr. Austin stated that Ms. Drerup requested that the board take action of the field changes.

The board reviewed the application for the field changes which is approved based on the fact that the 62 day deadline has passed.

The board concurred that no action is necessary on the proposed field change for 134 Main Street as the minutes will reflect the automatic approval due to no action being taken by the board within the 62 days required by the law.

The board agreed to work on crafting language to lessen the required public hearing requirement for all demolitions. They agreed to send any ideas as to how to qualify the public hearing requirement to all members by email prior to the November meeting. Additional review of the language will be done at the November meeting.

Minutes:

Dr. MacMillan made a motion to approve the minutes of the September 8, 2015 meeting as submitted. Ms. Callahan seconded the motion and a vote had the following results:

AYES: Callahan, MacMillan, Snell

ABSTAIN: Sanford

Motion carried.

Meeting adjourned at 7:12 PM.

Respectfully submitted,

Jennifer Truax
Deputy Village Clerk