

## DRAFT

A special 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 Thursday, February 4, 2016. Members in attendance were Chair – Teresa Drerup, Brian Alexander, Liz Callahan, Roger MacMillan, and David Sanford. Alternate Ann Stewart was absent. Also in attendance was Deputy Village Clerk – Jennifer Truax. Two members of the public were present.

Ms. Drerup recused herself from the agenda items.

Dr. MacMillan called the meeting to order at 4:32 PM.

### Public Hearings

**76 Fair Street (Altonview Architects for Scott & Jennifer Schwartz)** – proposed demolition of existing residential structure

Dr. MacMillan stated that the application for the demolition of 76 Fair Street had been withdrawn late last week. He explained that tonight's special meeting was called due to the law requiring action on any application to occur within 62 days of the application's acceptance. He explained that the application was accepted at the December meeting and a public hearing was set for January. He continued to explain that due to lack of a quorum at the January meeting no action could be taken on the application. Dr. MacMillan stated that if the board had waited to act on the application until their regularly scheduled February meeting it would have been 63 days and no action would have been needed because the law indicates that if no action is taken within 62 days the application is automatically approved. Dr. MacMillan thanked the members of the public who came for the public hearing for 76 Fair Street. He stated that several members of the community addressed their concerns prior to the meeting and he was able to inform them that the application had been withdrawn. He continued to state that the public feedback and the fact that residents took time out of their schedule to attend a public hearing indicates that the process does work. Dr. MacMillan expressed his gratitude to the members of the public which were present.

**18 Cooper Place (Altonview Architects)** – proposed demolition of existing shed

Dr. MacMillan opened the public hearing for 18 Cooper Place at 4:34 p.m. He asked if there was any public comment.

There was no public comment at this time.

Ms. Drerup reviewed the application. She stated that the structure is in a state of poor disrepair and the structure seems to have been built with miscellaneous materials that do not match.

The board reviewed SEQRA.

Ms. Callahan made a motion that for a Type 1 action at 18 Cooper Place the Determination of Significance be letter A – “The Project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore, a negative declaration will be prepared.” Mr. Alexander seconded the motion and a vote had the following results:

AYES: Alexander, Callahan, MacMillan, Sanford

Motion carried.

Dr. MacMillan asked if there is any public comment. There was no public comment at this time. Dr. MacMillan closed the public hearing at 4:42 p.m.

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: February 4, 2016*

*A resolution to approve the proposed demolition at 18 Cooper Place, Cooperstown, NY*

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

- The public hearing was legally advertised and held on February 4, 2016;*
- There was no public comment either adverse or positive regarding the proposed demolition;*
- The requirements of SEQRA were met and a negative declaration was prepared;*
- The structure is not mentioned in the Glimmerglass Historic District Nomination Form;*

*Section 300-26 of the Zoning Law having been met with regards to the proposed demolition of the shed structure at 18 Cooper Place;*

*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 4<sup>th</sup> day of February 2016, determine that the proposed demolition at 18 Cooper Place, 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 the following discussion was held.

The board reviewed section 300-26.E to determine if any portions of the law should be cited as part of the decision.

Ms. Callahan noted that structure is in a state of serious deterioration. She further noted that the structure was not listed in the Glimmerglass Historic District Nomination Form. She stated that the section 300-26.E generally cites reasons for retention and repair but that this structure is beyond that point and its historic significance does not warrant retention.

The board concurred.

A vote had the following results:

AYES: Alexander, Callahan, MacMillan, Sanford

Motion carried.

### **Other Business:**

The board reviewed the status of the proposed change to the requirement that all demolitions require a public hearing and noted that the Planning Board has reviewed the proposed change to the law and have referred it to the Trustees for further consideration. It was noted that the law would not go into effect until at least April.

## DRAFT

Ms. Drerup recommended that the board examine and possibly propose changes to the law regarding action on applications for HPARB to be 62 days from the close of a public hearing, (where a public hearing is required), rather than from the acceptance of the application as well as clarification to the law regarding screening of rooftop mechanicals.

The board concurred.

Mr. Alexander stated that this semester he has a class on Tuesday evening which would limit his ability to attend HPARB meetings. He suggested that if the meeting time could be moved earlier or the day of the week changed it would help facilitate his attendance.

The board reviewed the possibility of adjusting the meeting date and times.

The board agreed to hold meetings at 4:30 PM for the Spring 2016 semester.

**76 Fair Street (Altonview Architects for Scott & Jennifer Schwartz)**

Ms. Drerup provided the board with a rough sketch of the revised plans for 76 Fair Street, for which the owners intend to submit a new application for next Tuesday's regular HPARB meeting. She stated that the new plans include a partial demolition of the rear portion of the structure which would retain the older portion of the home which is the portion seen from the public way. She asked if a public hearing would be required for the partial demolition.

The board discussed the requirement for a public hearing and reviewed the current law.

Dr. MacMillan stated that he feels that based on the current law a public hearing is required.

Ms. Drerup stated that in the past the board has not required a public hearing for partial demolitions. She cited at least one example of not requiring a public hearing where the street scape was maintained.

Ms. Callahan stated that although she understands that there is some precedent for not requiring a public hearing she feels that, particularly in this case where there has already been an outcry about the demolition of this property, that in order to ensure transparency she feels a public hearing is appropriate and needed. Ms. Callahan stated that the new plans will provide the board an opportunity to show the public how the law works. She explained that the board can talk about the factors that the board looks at in determining the appropriateness of a project, specifically the view from the street. Ms. Callahan continued to state that there were enough members of the public with a strong reaction to the demolition that she feels being transparent through the whole project is important. She further explained that although she understands that this may hold up the project by a few months it could save time down the road should someone determine that the board did not act appropriately. Ms. Callahan further stated that although this is not a complete demolition it is a fairly large percentage of the property.

Ms. Drerup asked that the board share with the public the criteria that they review, specifically the importance of the street view at the time of the public hearing.

The board concurred that they would share this information.

Ms. Callahan stated that she feels that conceptually the plans are appropriate.

DRAFT

Mr. Alexander concurred and stated that he feels that this is a reasonable decision based on the current law.

Meeting adjourned at 5:21 PM.

Respectfully submitted,

---

Jennifer Truax  
Deputy Village Clerk