

MINUTES
February 8, 2016
Historic Preservation Commission
City of Batavia

Please **NOTE:** These minutes are not a word-for-word transcription of the statements made at the meeting, nor intended to be a comprehensive review of all discussions. They are intended to make an official record of the actions taken by the Committee/City Council, and to include some description of discussion points as understood by the minute-taker. They may not reference some of the individual attendee's comments, nor the complete comments if referenced.

1. Meeting Called to Order

Chair Bus called the meeting to order at 5:30pm.

2. Roll Call

Members Present: Chair Bus; Vice-Chair Hagemann; Commissioners Sherer, Roller and Sullivan

Members Absent:

Also Present: Jeff Albertson, Building Commissioner; and Jennifer Austin-Smith, Recording Secretary

3. Items to be Removed, Added or Changed

There were no items to be removed, added or changed.

4. Approve Minutes for December 14, 2015

Motion: To approve the minutes for December 14, 2015

Maker: Sherer

Second: Sullivan

Voice Vote: 5 Ayes, 0 Nays, 0 Absent
Motion carried.

5. Matters From the Public (for items not on the agenda)

Historic Preservation Commission (HPC) Chair Bus asked if there were matters from the public for items not on the agenda. There were none.

6. COA Review: 108 North Batavia Avenue – Dunkin Donuts Drive Thru (Steve Vasilion, applicant)

Chair Bus welcomed Steve Vasilion, Vasilion Architects, to address the Commission. The slide titled "A.L.T.A./A.C.S.M. Land Title Survey" was presented for the Commission to view. Vasilion explained that there would be a drive through that wraps around the perimeter of the building. He assured the Commission that there is enough land to accommodate a drive through and a concrete retaining wall would be installed. The retaining wall would have the same stone pattern as used on the bridge. Paneled areas would be utilized for art displays to exhibit artwork. Vasilion stated that they are following the Dunkin Donuts corporate architecture design work and this is not his personal architectural work. There would be prefinished painted panels that

cover the range of colors from a light cream to a darker brown. The soffit materials would be a corrugated metal with an anodized finish on them. The signage is illuminated channel letters. The drive through canopy would have a standard Shell red bar detail. Civil engineering components would address drainage.

Albertson stated that this is a non-contributing building. This project was presented at the Plan Commission (PC) and Zoning Board of Appeals (ZBA) meeting. It does require eight variances to the City's zoning code. Some of those variances were recommended for approval and some were recommended for denial. This has to go to the Committee of the Whole (COW) and then to the City Council (CC). The design review was continued until the variances and the conditional use makes it way through the CC process. He suggested that the Commission look at this as if the variances and the conditional use were approved. If they were not approved then the project would not move forward.

The Commission reviewed all the presentation slides that were distributed to the Commission. The Commission reviewed the retaining wall. Vasilion stated that the grading would be evened out. A new landscape plan is proposed to replace all of the current landscaping. The Commission reviewed the signage. Roller asked if the signage is one of the things the ZBA did not approve. Vasilion stated that they are contesting because this sign existed before the ZBA established the sizes for the signs and it should be grandfathered. John Green, Engineering Resource Associates and site Civil Engineer and surveyor, stated this sign was reconstructed in 2012 and made much smaller. The signage is consistent with the franchise. They would like to add one panel to the signage that was approved in 2012.

The Commission reviewed the north, south, east and west elevations. Roller expressed her concern with light pollution. Vasilion stated that if it is the desire of the Commission to have a down light then that is fine with them.

John Green reported that there is going to be significant improvements to the site. The site will be brought up to 88 compliance, there would be proper signage and ramping. Since Batavia is a bike friendly community, they will be building a bike rack and an outdoor eating and patio area. There will also be considerable improvements to the site such as a new concrete barrier to improve the separation of bike traffic and vehicle traffic. There is an existing refuse area that will be revamped. The old wooden fence would be removed and a new masonry refuge enclosure would be made that would be smaller than the existing one. It would be much more aesthetically pleasing.

Chair Bus welcomed those from the public to address the Commission.

Jim Warwick, 118 North Batavia Avenue, shared that when he first moved to Batavia ten years ago, the gas station closed at 9pm and it was quiet and peaceful. It felt like a tight knit, friendly community. All three of the bedrooms of his building face the gas station property. He was able to leave the windows open in the summer. Nine years ago he built a six-foot fence between the property and the gas station. It provided privacy and a noise buffer. It looked nice and still does and benefits the gas station. With the new owner, business hours were extended from 5am to midnight. The station owner said he could not adjust the hours. Warwick stated that he has had to

install blackout curtains. His tenants need to be able to sleep. The shell station is interfering with the need for quiet and the Dunkin Donuts would interfere with that even more. Bus stated that the Historic Preservation Commission (HPC) are not able to deal with questions of hours of operation. The HPC is limited to discussions on the building appearance. Warwick expressed concern about the lighting on his side of the property (north side). He does not want any additional light pollution.

Green stated that the current space in the building is being repurposed to be a Dunkin Donuts. The gas station has been losing business over the years and sells only half of what it used to years ago. Warwick stated that he would like to have the life at his two flat property preserved as well, to a peaceful nature of living. Albertson reported that these types of issues are a part of what the CC and the COW would consider as part of the processes. Albertson stated that would be the time to voice those concerns. He noted that Warwick could approach him with any questions, including the meeting CC and COW dates and times.

Motion: To approve the COA as presented

Maker: Hagemann

Sullivan asked for a friendly amendment to the motion. Hagemann agreed. The amended motion is below.

Motion: To approve the COA with lighting that faces down on the north wall of the building to minimize light pollution

Maker: Roller

Second: Sullivan

Discussion was held on the motion. Albertson stated that staff would have brought this up during the design review with the PC. Vasilion stated that they have every intention of complying with the City's zoning ordinances which clearly establishes the spread of light and light levels that could be established along the property line so we would comply with that.

Roll Call Vote: **Aye:** Hagemann, Sherer, Roller, Sullivan, Bus

Nay:

5-0 Vote, 0 Absent, Motion carried.

7. Design Guidelines Review: Section H – Moving of Historic Structures, Section J – Repairs, In-Kind Replacement & Restoration

Roller discussed the improvements. Section H had no suggested improvements. Moving of Historic Structures was discussed. There were no changes.

Bus stated that he would like to wrap up the review of the design guidelines in the spring.

Sherer would like the Commission to discuss the Olmstead review. She asked if there were drawings submitted. Albertson stated no. Sherer commented that the repair should not have been completed before the drawings were submitted. She would like the guidelines to stipulate that when the structure of a significant building is to be changed than an architect would have to be

involved. Roller stated that she would go back through this and send the revisions to Hagemann. Roller stated that she would ensure that the language Sherer suggested is added to the document.

Roller stated that Commission wanted to revisit the windows section in regards to window replacement. Roller asked when someone is replacing windows on a significant building would the Commission like the replacement windows to mimic the old windows. She added that the Commission was concerned with the economic hardship that this could incur. Sullivan asked if people could replace windows in kind if someone has already replaced the windows with lower quality windows. Albertson stated that the City Hall windows are a great example. The windows chosen were a simulated divided style. Bus stated that to have custom mutton windows made would be of a great cost to the property owner. He continued that windows are the toughest subject that we face. Hagemann stated that he likes the classification of significant to be stated in the guidelines. He is comfortable with a statement of a significant structure in the text. The contributing and non-contributing could be at the discretion of the HPC. Sullivan asked if the designation of a significant historic structure is disclosed during a real estate transaction. Albertson stated that he is not aware. Sullivan stated that is something we might want to consider. Bus stated that the district does not include a majority of the significant residential homes. Bus stated that the Commission should consider this after we wrap up the review. Roller noted that this was the last of the sections to review.

8. Updates:

- **7 East Wilson Street – Historic Inspection**
- **Anderson Block Building – Masonry Maintenance**
- **Significant Historic Building Inspection Program**
- **10/12 North River Street – Historic Inspection**
- **227 West Wilson Street – Historic Inspection**
- **109 South Batavia Avenue – Historic Inspection**
- **8 North River Street – Historic Inspection**
- **16 East Wilson Street – Historic Inspection**

Albertson reported that he sent out the inspection reports today. There is no work going on now due to the weather. Staff will be getting in touch with the property owners and get them on a timeline to complete some of these projects. Bus commented that he likes the more aggressive language because we need to get going with some of this work. Albertson commented that the Council would like staff to be more business friendly so it is a delicate balance working on this progress.

Bus announced that 12 North River completed the parapet. Bus commented that the manufactured stone and the color looked good. Hagemann commented that the whole building overall looks better than it did six months ago.

Sullivan asked about the Folto's building. Albertson answered that the owner is still in the adjudication process.

9. Other Business

Bus stated that the City of Geneva was considering a \$500 fee for a property owner to ask for land-marking approval. Bus stated that here in Batavia that would be a disincentive to us. We should see if the CC would consider paying for a plaque on significant structures. Roller stated that the HPC talked about a residential historic district. She asked if the Commission would be interested in a post card campaign to see if there is interest in a historic district. Bus stated that we also discussed land-marking individual houses. Sherer suggested that the collective group could be named something. Bus stated that we should complete the design guideline review and then we could consider other homes outside the historic district and discuss land-marking possibilities.

Sherer asked about the Louise White School and the Richard Driehaus award. Hagemann asked Albertson to resend the award information to him. Hagemann stated that we needed to move forward on the application.

Albertson reported that Mark Foster officially resigned from the Commission. The Mayor is trying to find two additional Commission members. Bus asked the Commission to spread the word to those who would be interested. The names of interested parties could be forwarded to the Mayor.

10. Adjournment

There being no other business to discuss, Chair Bus asked for a motion to adjourn the meeting at 6:22pm; Made by Sullivan; Seconded by Sherer. Motion carried.