

West Seneca Historical Commission Meeting Minutes for March 6, 2024

The meeting was called to order at 6:30 P.M. by Chairperson Paul Lane.

Fire Safety Notifications were stated.

Roll Call:

Paul Lang – Present

Ray Ball – Present

Fran D’Amico – Present

Michael Siuta - Present

Dave Schultz – Absent (medical)

2 students from West Seneca West High School were also present.

The Historical Commission is still waiting for an official resignation from Mr. Schultz. They are still looking for a replacement, with Real Estate knowledge. Mr. Siuta’s appointment was approved by the Town Board at the last Town Board meeting.

Motion to waive the reading of the meeting minutes from February 7, 2024, by Mr. Ball, seconded by Ms. D’Amico. Minutes approved unanimously.

OLD BUSINESS

1. Review of proposed demolition legislation

a. Town feedback from draft submission

Mr. Lang forwarded a draft of the legislation to Supervisor Dickson as well as Amelia Greenan and Town Attorney Trapp. Code Enforcement Officer Schieber was also included in the process, as he deals with permits for the town. Supervisor Dickson stated that the draft looked good but would need Mr. Trapp to look at it and give his feedback. Mr. Lang responded to Mr. Schieber’s questions and concerns about how it was going to be integrated or what the process was for integrating the commission with the permits being issued by the town. There is still much to be determined regarding the volume of things and not wanting to get in the way of demolitions. A lot of education is needed in this area. If something is not 50 years old or older the permits will need to be issued as there is nothing that the commission can do about it. For example, a garage or outbuilding can come down. Mr. Lang assured Mr. Schieber that the commission would be able to keep up with the volume.

b. Review of proposed legislation

Mr. Ball stated a building had been identified, in the Hamlet of Snyder, as protected. The builder tore down a garage on a property that was to be left untouched. This has caused many

issues. Mr. Lang questioned if the property was already listed, to which Mr. Ball responded there a was hold on it until a final determination was made if it was going to be identified as historic or not. Mr. Lang stated their legislation specifically states it does not apply to garages. Mr. Ball responded they need to redraft their legislation as a garage may potentially be part of the historical label.

Mr. Lang stated he believes that Code is onboard. The day-to-day logistics on how things are going to operate are going to have to be figured out. Mr. Lang has yet to hear back from the Town Attorney regarding any feedback or revisions that he might have as far as formal integration. Mr. Lang questioned Supervisor Dickson on his feedback. A formal recommendation is needed from the commission which will need to be crafted and put together to pass along to the Town Board for adoption. Mr. Lang was hoping to do this in the current meeting, but this will give him time to make a few edits to add the mention of a garage. Mr. Lang questioned if anyone had any comments or edits to what was sent after the last meeting regarding the legislation. No one had anything they wanted to change. Mr. Lang said he will make the garage revision in the document and resend it to the Attorney.

- c. Recommendation of fee and processing procedures, formal recommendation requested

Mr. Lang questioned if a formal recommendation for the processing fee is needed. Should it be made an official action? The Commission is requesting a \$250 processing fee that would be fully refundable should the project be approved. Mr. Ball is hoping the application indicates to people and that they are somehow made aware that because something is 50 years old or older does not necessarily make it a historically identifiable property.

Mr. Lang states that they are pushing for the demolition legislation to prevent any loss of fabric. Once that is moving and before the Town Board, for adoption, they can focus on the landmark application and criteria. Mr. Ball questioned if they could be done together and suggested that they be done as soon as possible. He does not want to wait another full month. Mr. Ball made the comment that Mr. Lang has done a great job collecting examples from other towns. He suggests copying what they are doing. No need to recreate something. It would be wise to see what similar localities already have in place.

Mr. Lang recommends having the whole package ready to go before the Board to include the demolition legislation along with the demolition application. Mr. Ball questioned if that would include modifications, not just demolition. Mr. Lang responded that a permit is not required for modifications. Mr. Ball suggests adding modifications to the legislation, not just demolition. He also questions if separate legislation is needed for properties that have already been surveyed. Mr. Lange stated once something is listed as historical, then any type of application would need to come or go through the Commission. Mr. Ball questioned what would stop someone from making modifications to a building that is labeled as historical, since a permit is not needed for these types of projects. It was questioned how do you catch changes to the cosmetics? Does one get fined if they change a building that has been identified as historical? How much is too much? Mr. Lang stated it comes down to the Commission's interpretation. Mr. Ball questioned

how it will be enforced? Does the homeowner get notified that their property is listed as historical? Mr. Lang commented that your property can't be listed as historical without the homeowner's notification. Mr. Ball questioned if they should include something in the notification regarding making changes to the property. Mr. Lang stated there are already stop gaps for temporary changes due to emergencies, such as a fire.

Mr. Lang is hoping to assign the administrative work to the architect on the Board to be able to speed up the process of yes, it's a go or no, it's questionable and needs to go to the Board and go through the full 30-day review period. Mr. Ball questioned who he would be referring to. Mr. Lang is the Architect, Mr. Ball is the historian, as Jim Pace, who was the previous historian, is no longer on the Board and Ms. D'Amico is the Public at Large. The Real Estate position is still vacant and needs to be filled. Mr. Ball states that per the Town Code, if Mr. Lang leaves the Board, the Town can replace him with someone who is not an architect. The Town can replace anyone of them at their discretion that does not fall into one of the specific categories (Architect, Historian, Real Estate Agent or Public at Large). Mr. Lang thought that those categories were specific to who fills an empty position. Ms. D'Amico questions if they can or if they should try to alter this. Mr. Lang suggests that they make a motion to have the Commission nominate or appoint a member to their Board. All agreed.

For the April meeting they would like to have the demolition legislation, demolition application, landmark application, and district application. Mr. Ball states he would like to hear what other towns have done regarding modifications. Ms. D'Amico also questions what they tell them and when. Mr. Lang responded that this is a whole process that includes the public hearing and notifications.

2. Status of 2544 Clinton Street Update– Potential Sale and Future Reuse

Ms. Kims' did a lot of work and was able to provide the Commission with the previous items that had been brought before the Planning Board. Mr. Lang appreciates the work Supervisor Dickson and Mr. Schieber has done thus far being proactive in trying to protect the buildings. Mr. Lang states that he understands SHPO's stance on their decision as there is not enough of the original fabric left. The developer has been very accommodating in their plans to maintain the older sections of the primary house. The wings and some of the non-historic parts of the building are being considered for demolition. The plans are evolving. Mr. Ball questioned whether the two wings that were added on in the 1970's, which puts them beyond the 50-year window, are worth putting a stamp on. His concern is a developer knocking down the two wings and leaving a mess behind resulting in not being able to save the original parts of the building. Taken as a whole, it presents a very nice visage, and we should look at protecting. This property is not relevant on the national scale, but it is to our community.

Mr. Lang still does not know if the commission is allowed to go against SHPO and their determination. Mr. Ball questioned if Ms. Kims had spoken with anyone on the Town Board regarding this matter, to which she responded that she had not. Ms. Kims states that she believes Councilmember Breidenstein would be on board. She does not know Councilmember Robertson's stance but would like to think he is on board. Mr. Ball questions if it is worth

following through if the Town Board isn't on board with the project. Mr. Lang responded this is not simple and straightforward but a good test. Ms. Kims states the only person she has not spoken to about this is Councilmember Piekarec, as he is so busy. Ms. Kims states that Supervisor Dickson seems to be very much on board with this project.

Mr. Lang suggests the landscape could also be listed as historical. Doing this protects more than just the building and protects the viewshed. Mr. Ball questions who the property owner and the developer are? As per tax records the current owner is Clinton Street Realty Holdings LLC and Mr. Lang believes the developer is Housing Solutions.

Mr. Lang states the Commissions next steps are to adopt the Landmark application, fill out the application and then adopt the build. The landmark document needs to be created. It was asked if the process be sped up via email with the Town Board. Can things be passed via email without a formal meeting? Ms. Kims stated that she is unsure. This would also be done without being open to the public. It could possibly be done via Zoom meeting where the public could attend. Mr. Lang suggested a work session. The Commission does not want to drag this out for another couple of months. Mr. Lang believes the developers have a bit of a setback as he thought they would have been looking for funding already, but they have changed their plan. The funding from AHCR (American Housing Community Resources) would be subject to the State budget and would be given out at the end of April, beginning of May. The developers are not going to advance until they have that money.

Mr. Lang wants to have a goal for April so they can start pulling permits and start their process. A work session is planned for Thursday, March 14, 2024, at 6:30 P.M.

PUBLIC COMMENTS ON NEW BUSINESS

None

NEW BUSINESS

3. Chairperson's Report: Review of Board membership

As of the last meeting SHPO has blessed both the grant and conceptual side of things. Preservation Studios will honor the price given last year. The Commission is just waiting for Supervisor Dickson to sign the papers for Preservation Studios to start. The plan is to put this on the agenda for the Town Board meeting March 11, 2024.

Mr. Lang is going to ask for Mr. Schultz official resignation letter.

Recommendations would be greatly appreciated for a Real Estate Agent to join the Commission.

4. Statewide Preservation Conference – April 15-17, 2024

The conference is being held in Rochester, New York this year.

ISSUES OF THE PUBLIC

None

COMMUNICATIONS BY BOARD MEMBERS

None

ADJOURNMENT

The meeting was adjourned at 7:27 P.M.