

**West Seneca Historical Commission
Meeting Minutes for February 7, 2024**

Meeting was called to order at 6:30 P.M. by Chairperson Paul Lang

Fire Safety Notifications

Roll Call:

Paul Lang – Present

Ray Ball – Present

Fran D’Amico – Present

Dave Schultz – Absent (medical)

Michael Siuta – Present, as an observer, pending the Board’s approval

Motion to approve the meeting minutes from January 3, 2024 by Mr. Ball, seconded by Ms. D’Amico. Approved Unanimously.

Old Business: None

Public Comments on New Business: None

New Business:

1. Chairperson’s Report: Review of Board membership, Grant / Survey Status w/ NY SHPO

Mr. Schultz will not be able to continue to serve, due to ongoing medical conditions, and will therefore need to step down. Mr. Shultz will be providing a formal letter of resignation and has offered to provide a list of potential replacements, both of which Mr. Lang has not yet received. Potential replacements will need to have a background in real estate.

Mr. Lang has gotten responses from Linda Mackey and a few other people regarding the grant. On the grant administration side, the Commission is in good shape and good standing. Administratively the Commission can approve and advance the proposal to start the survey. Mr. Lang is still waiting for the new region director from the preservation side to review and sign off on the scope of the survey work. When the scope of services was crafted, SHPO should have been more engaged as well as making sure that they were moving in the right direction. The grant is to give the Commission permission to do the survey. They need someone to document the process. Mr. Lang is waiting for two new reviewers to get back to him regarding the scope of Preservation Studios along with the map and the attached packet. Tom Yots and Derrick King were also included in the correspondence so they could answer any direct questions for SHPO.

The Commission is ready to act and has forwarded the proposal to Supervisor Dickson and Amelia Greenan so that they are aware of what the plan is. The commission is

ready to act as soon as Mr. Lang has the SHPO coordinator's approval. This is the only approval they need to sign the paperwork and have Preservation Studios move forward.

Mr. Ball inquired if there was anything that might hold the Commission up, but at this point and time Mr. Lang stated some questions may be asked as far as how certain buildings were picked but does not see anything standing in their way. The Commission would have liked a much larger survey, but considering the cost, they have narrowed it down to things that the commission knows to be eligible. Jim Pace previously advised Preservation Studios of several buildings the Commission is interested in surveying.

Mr. King is aware and ready to go as soon as the Commission gets their approval. Mr. Lang is pleased to finally see a bit of traction and know that they are in good standing with grants gateway. Mr. Lang also stated that the only stipulation for the grant is that they spend all the money awarded. No documentation is required for the CLG training or how the money is being split.

2. Review of proposed demolition legislation requiring Historic Commission's approval for property demolition and significant modification permits.

a. Review of proposed legislation

See attached draft Legislation.

Mr. Lang suggested the board members review the packet and note any changes that they would like to see. He would then like to forward this to the Town Attorney to review and make sure that it complies.

Ms. D'Amico questioned adding wording describing an area and not just a structure or "building" as it currently is described. It was also suggested to look at other Town's wording as far as other areas that are not an actual building. Mr. Ball stated that it had been mentioned certain things in buildings can be deemed historical. Mr. Lang stated that this is what is being covered when a demolition permit is pulled. Mr. Ball suggested using "significant items" instead of the word "buildings". Mr. Siuta commented "items" is vague and could mean anything. Mr. Ball responded if you go too finite, it may not protect anything. Mr. Lang stated that he will research better wording. Mr. Ball questioned if the ordinance names the items that the commission has the right to protect. Examples were given of a traffic signal – as a point of direction, a statue within a building, the Lafayette Square building – as a public space; all being or having a historical significance. Mr. Lang stated that these were all good comments and is unsure if they would be covered under this legislation. There is still some time before this can be adopted as it runs through the process. He will be looking for examples of other more intangible types of items. Mr. Lang wants to push forward with this process, so they don't lose their momentum.

b. Recommendation of fee and processing procedures

Mr. Lang believes that 45 days, as stated in Clause 3.2, is sufficient. Mr. Siuta questioned if emergency demolitions, such as a fire, are covered by this legislation. Mr. Lang pointed out that Section 5 covers emergency demolition. The St. Paul's Lutheran Church fire in Elma was given as an example of an emergency demolition. There have not been many emergency demolitions in this area.

There are 2 examples of demolition applications given in the attached packet. One is a variation of the City of Buffalo, and the other is from the Town of Watertown. Mr. Lang is asking for the commission's feedback regarding the application process. How much information is necessary for them to feel confident in deciding. Mr. Ball is in favor of a form like Watertown has and suggests the application fee bubble from Buffalo's form be added to that form. The application fee suggested would be \$250 that will be refunded if approved.

Mr. Ball suggested there should be a place for people to have access to or get an application for historical status, should they want or need it for grant and/or tax purposes. Everyone agreed.

Mr. Lang suggests submission requirements for a demolition should be like requirements needed for a listing. When questioned what specifics were liked from Watertown's form it was noted the request for elevations to be included was a good idea. Having this information would be helpful knowing what is planned. The requirement for the applicant to provide what it proposed to be placed would also be helpful in the decision-making process. Having dimensions of what is planned as well as in relation to the property next door would also be helpful. Mr. Lang stated that it would be nice to know what is being planned to be on the site prior to approval. Mr. Ball questioned that if what is being planned is not historic or within 150 of a historic district, are you going to put up something like a Dollar General or something sensitive to the historic fabric of the area? Mr. Lang commented that this will be something that needs to be talked about with the town, as he doesn't want the commission to become another type of planning board and create conflict. Proposing something new in a historic district or adjacent to a historic building needs a person with a specialized skill set, as far as analyzing and reviewing it. The concern is after they complete the survey, they will only have 50 buildings and two small districts and many demo permits will then be pulled.

The last two pages of the packet walk you through a demolition review. Mr. Lang would like to augment this and have it be added as part of the demolition to makes things clearer as to what the criteria is.

A challenge the Commission has been having is that they need to be fed in on the planning board review process. They are not looking to infringe on the process but looking to compliment and add insight where needed. The commission feels that if anything is being planned inside of the historical district it will need to be approved by the Commission.

Mr. Lang feels adding a submission of proposed elevation with the project drawings an option. Mr. Ball commented that builders are not going to volunteer to do extra work because it is not a requirement.

The Commission all agreed that the application process should require a cover letter, photographs, and general written history of the property. Ms. D'Amico suggests adding the idea of having a deadline for the application. If a submission is not received by the deadline, it will not be read or accepted.

Mr. Lang is going to combine everything into a word document and draft an application. It will most likely include the schematic drawing, pending push back from the Town Attorney. A disclaimer may need to be added regarding the planning board and their approvals. Mr. Ball would like to see the flow chart somehow added regarding time frames. Mr. Ball suggested having the words buildings and/or landmarks used.

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

The sale of 2544 Clinton Street with a proposed plan for and affordable housing development with options for demolition of the entire site or retention of the older section and demolition of the newer sections. This has been confirmed by Supervisor Dickson.

Ms. D'Amico questioned if Mr. Lang was referring to the actual building or the outbuildings such as the sheds that have been built. Mr. Lang has not seen any proposed plans at this point and time. Councilmember Kims stated that this has been in front of the planning board before. Mr. Lang has looked on the NY SHPO CRIS (Cultural Resource Information System – ny.gov) website, which is the database where SHPO records all of their studies and findings. SHPO has already determined that 2544 Clinton Street is non-eligible, according to their qualifications. No specific reason was stated.

The developer that is pushing for affordable housing wrote up the history of the building and supplied photos of the building and property to SHPO. Mr. Lang thinks this was done to see if it was a tax write-off project or not. This is when SHPO deemed the property/building not eligible. This is an instance where they are relying on the developer for history. Mr. Lang wants to have enough substance in the legislation for all variables. Mr. Lang knows the reviewer that made the determination and is confident that she validated the information that was given to them. Mr. Lang questions how credible they want to take the information that is given to them. Part of the process will require a certain amount of fact checking with the application process. Mr. Ball questioned if it would be possible to put someone like Preservation Studios on a retainer for situations like this. Someone with that type of expertise would be needed in this specific situation. Mr. Lang commented, looking back at the Clinton Street property, he believes that the reason for SHPO's decision is because there is so little of the family house left in the larger complex there is not enough fabric to nominate it. The only saving aspect there could have been just the site itself. Mr. Lang wonders if the Commission can supersede SHPO. Mr. Lang believes that he would concur with SHPO's determination but wonders if this property is one that means something more to the Town of West Seneca. Mr. Ball and Ms. D'Amico agree that this has more of a landmark feature than architecture or historic significance. Mr. Lang suggests bringing Julian back in to go over a few things and see if he can answer a few questions they may have.

Mr. Ball questions how they would back up the idea that everyone knows about the property at 2544 Clinton Street. Mr. Lang responded that they may have to go into the historical archives to see how many times it was mentioned in articles or pictured. Mr. Ball stated that the property was featured in a series done in West Seneca in the 1920's. It was part of a series done on some of the nicer structures in the area. Mr. Siuta questioned if there was some quarry work done on the property, as the arial photos seem to show a large area of flattened land. Mr. Ball wonders if it was done to build the plane near the creek.

Mr. Ball questioned the status of 2544 Clinton Street. Mr. Lang believes it is for sale and a proposed project is pending. Mr. Lang believes if the project is affordable housing, it is waiting on the state for financing. Mr. Ball questioned what the definition of affordable housing would be considered, to which Mr. Lang and Mr. Siuta stated that it could be subsidized senior apartments but is typically based upon typical annual median income (AMI) and can then fluctuate between as low as 30% AMI up to 120% AMI. Most people will do a blending of 60/90% to make the housing work. Many developers are trying to take advantage of the affordable housing communities as New York State is giving so much money towards these projects.

The next step will be to talk to Julian to see if the Commission can supersede SHPO and get the ball rolling on creating historical districts. A code needs to be developed and "landmark" needs to be defined.

Councilmember Kims stated this project has been before the planning at least three times over the past 20 years. Ms. Kims suggested looking at the old minutes and reaching out to Code enforcement as they have a wealth of knowledge and information on any structure in the town. Mr. Ball questioned if it was known who the developer is that is wanting to do this project. Ms. Kims responded she didn't know but would find out.

ISSUES OF THE PUBLIC: None

COMMUNICATIONS BY BOARD MEMBERS

ADJOURNMENT

Motion by Mr. Ball, Seconded by Mr. Lang