



**Landmark Preservation Board  
Thursday, March 2, 2023**

Meeting Minutes

Common Council Chambers

**CALL TO ORDER**

Vice Chairperson Bob Haley called the meeting to order at 8:30 a.m.

**ROLL CALL**

Members Present: Tom Cantwell, Cynthia Carter, Bob Haley, Julia Marshall, Jeff Romano

Excused: Don Radke, Patrona Rowser

Staff: Kate Auwaerter, Meira Hertzberg

**APPROVAL OF MINUTES**

J. Romano made a motion to approve the minutes of February 16, 2023, which was seconded by C. Carter. The minutes were approved with the following corrections:

CA-23-01 350 Montgomery Street/Mizpah Tower. Michael Frisina (*project architect, +modum studio*) was present at the meeting. The board reviewed again the application to replace 140 wood casement windows on the third through sixth floors of the former Mizpah Tower with black, double-hung, vinyl, *replacement* windows with between-the-glass grilles. It was noted that 120 out of the 140 windows had been replaced without *required application*, board review or approval. The application also includes a temporary door on the Jefferson Street side of the property.

In discussion, board members were appreciative of the opportunity to tour the property with the owner, which they found very helpful. The importance of the rehabilitation of the long-vacant property was also acknowledged. Nonetheless, board members stated that the owner had circumvented the *required* SLPB review process, leading to the request for approval of completed work that negatively impacts character defining features of the building. D. Radke noted that at the February 2, 2023 meeting the board had discussed possible measures to mitigate the adverse impact of the new windows, including the possibility of installing exterior applied muntins to the windows. Staff had communicated these comments to the owner. M. Frisina stated that to his knowledge the owner was not considering any alternatives.

B. Haley made a motion to deny the application as submitted, which was seconded by P. Rowser. The board unanimously approved the motion to deny the application based on *inappropriate type, design and material*.

CA-23-02 910 Madison Street/Temple Concord. D. Radke read from a statement informing the board that at the direction of the Corporation Counsel's office, the board's jurisdiction in considering an application for a Certificate of Appropriateness is limited to determining whether the proposed material change will be appropriate to the preservation of the Protected Site, per Part C, Section VII, Article 6, C.1. In this case, this includes only the building and land that is locally designated, that is the *original 1910-11 sanctuary building*.

**OLD BUSINESS**

*No Old Business*

**NEW BUSINESS**

*Certificates of Appropriateness*

CA-23-03 115 Wendell Terrace. Kate and Chris Fernandez (applicants) were present at the meeting. The application calls for the construction of a raised, yellow-brick patio on the south façade of the house. The patio deck will be bluestone and the patio steps leading to the lawn will have bluestone treads. The design of the patio railings will be similar to the iron "Juliette" balconies on the front façade of the house.

The application calls for the installation of two patio doors, which will require removal of two windows and associated metal window boxes on the south façade of the house. As proposed, the new patio doors would be

full glass with diamond muntin grilles attached to the interior of the doors. HVAC units will be relocated to the east of the new patio and a basement window will be infilled.

In discussion, the applicants stated that they intend to salvage the metal window boxes and either reuse them on the new patio railing or store them for a future use. The board noted that the patio and step railing (missing from the drawings) must meet code. The board recommended that the relocated HVAC units be shielded from view by landscaping. B. Haley recommended that the applicant consider installing a limestone cap around the perimeter edge of the patio's bluestone deck. The cap would be in keeping with the decorative limestone sills on the other facades of the house. The applicants stated that this was acceptable. The board recommended that the new patio doors be full glass without the proposed diamond-shaped muntin bars. The board stated that it would be difficult to match the appearance/dimensions of the diamond pattern of the doors to the grille pattern of the windows. The plain glass would alleviate this issue and help to differentiate the new doors from original features of the house. The board noted that the doors can be in-swinging or out-swinging but should not include exterior storm doors. The applicants confirmed that the stone sills from the windows (to be removed) will be reused as the thresholds to the new patio doors. Finally, the applicants noted that they would install random stone pavers between the short distance between the patio steps and the existing pool deck/patio. J. Romano made a motion to approve the application with the following conditions: The new patio doors shall be full glass with no muntin bars and no storm doors; the limestone sills from the two original window openings (to be converted to door openings) shall be reused as thresholds for the new patio door openings; the planters from the two window openings may be incorporated into the iron railing around the patio; the perimeter of the patio shall feature a limestone cap to match the material, color and approximate dimensions of the limestone sills on the house; the brick color of the patio shall match as closely as possible the brick color of the house; and landscaping shall be used to screen the relocated HVAC equipment on the southside of the house. T. Cantwell seconded the motion, which was approved unanimously.

### *Zoning Referrals*

Project Site Review (PS-17-04): 728 E. Genesee Street. Lead architect, Andrew Schuster (Ashley McGraw Architects), presented the revisions to the proposed residential development to be constructed on the same parcel as the former First Church of Christ Scientist. The former church is eligible for the National Register. He provided an update on the status of the project, which was approved in 2017 but was placed on hold during COVID. Due to cost increases and the priorities of the new ownership (including that the owners are seeking LEED Gold Status) the design of the project has been modified. The changes include replacing the mechanical penthouse on the 12<sup>th</sup> floor with twelve new residential units, bringing the total to 201 dwelling units. A. Schuster noted that although the density of the project had changed, the overall height of the new building had not. In addition, the developers were proposing modifications to the exterior materials, substituting the concrete rainscreen and insulated metal panel systems for a high-pressure laminate rainscreen and a single-skin aluminum rainscreen system.

In discussion, it was noted that the penthouse removal/construction of additional residential units will involve the section of the new building that parallels Cedar Street and forms the backdrop to the former church structure. The applicant proposes no change in the design of the wing that fronts E. Genesee Street to the immediate west of the church. J. Romano noted that the Cedar Street side of the development was blank at the pedestrian level. A. Schuster explained this was at the request of the NYS Office of Mental Health which operates Hutchins Psychiatric Center. A. Schuster also noted that there are no plans for the empty church structure at this time, although performance groups have shown interest. One of the main challenges is the sloping concrete floor in the sanctuary space and lack of "backstage" area.

The board was supportive of the project, noting that the modifications will have no additional impact on the historic character of the former church.

Special Permit SP-23-06: 451-65 Burnet Ave /326 Hawley Ave. K. Auwaerter explained that the application calls for the construction of a 10-car employee parking lot off Hawley Avenue for the Bon-Ton Glass Company, which fronts 451-65 Burnet Avenue. The parcel at 326 Hawley Avenue is located along the southern boundary of the National Register-listed Hawley Green Historic District. In its review, the board

noted that the parking lot is incompatible and at odds with the residential character of the Hawley Green Historic District, which is listed in the National Register of Historic Places. The location of the parking lot damages the integrity of the historic district's southern perimeter along Hawley Avenue.

Sign Waiver (AS-23-03): 126 N. Salina Street. The application calls for the installation of a new wall sign on a blank wall facing north on the north end of the block of buildings. Prior to this proposal, First Niagara had a large wall sign in this location. The sign requires a waiver because of its location, size and possibly number. The board members were split in their opinion of the impact of the proposed signage on the historic character of the building. It requested information regarding any historic precedent (other than the modern bank sign) for a sign in this location. It also requested information regarding other tenant signage and how the wall sign relates to any other signage on the building.

**DISCUSSION**

*No discussion items*

**ADJOURN**

The meeting was adjourned at 9:45 AM.