



Schenectady Historic District Commission

Meeting Minutes June 25, 2020

I. CALL TO ORDER

Commissioner Yager called the meeting to order at 7:00 p.m.

Due to the closure of City Hall because of the Covid-19 Virus, the meeting was conducted online via WebEx.

II. ROLL CALL

PRESENT: Patricia Yager, Chair; Ben Wiles, Vice Chair; Shaun Andriano; Dr. Dean Bennett; Frank Gilmore; Christopher Marney

STAFF: Matt Smith, Senior Planner; Jennifer Mills, Secretary

III. CONFLICT OF INTEREST

Commissioner Wiles recused himself from the consideration of Item A, the application submitted by Haley Priebe.

IV. ADOPTION OF MEETING MINUTES

Motion by Commissioner Wiles, seconded by Commissioner Gilmore, to approve the May 28, 2020 Meeting Minutes as submitted.

Motion carried unanimously, with Commissioner Bennett absent from the vote.

V. APPLICATIONS

A. Consideration for approval submitted by Haley Priebe to install fencing, lighting, signage, and hardware. The premises are located at 35 North Ferry Street in the Stockade Historic District.

Haley Priebe presented the application.

Ms. Priebe explained that she is completing the final design details of the project and is at the point where she would like to construct the patio space and install the signs, hardware, and lighting on the building. She briefly reviewed the submitted plans for the fence and patio, pointing out that the fenced rear area is more in keeping with the original look of the back of the property, as evidenced in the provided historical photograph, than the open parking area that is there currently. Commissioner Yager stated that she likes the idea of the spacing between the boards in the fence, as it provides privacy but is not a solid surface. Ms. Priebe

agreed, stating that she debated for a long time about what she wanted the height and style of the fence to be in order to meet her goals of providing a sense of intimacy for diners on the patio and privacy for her neighbors while not completely fencing off the space and eliminating the visibility from the patio to the neighborhood and vice versa. She pointed out that the walkway along the back side of the building to the rear door will be a smooth herringbone brick surface with a pergola covering it, both elements that are intended to define the walkway and make it clear to customers that they shouldn't sit in this area. She noted that the entrance will also be ADA complaint, as the back entrance to the store is handicap accessible. Ms. Priebe explained that the rest of the patio surface will be tamped down stone dust topped with pea gravel. She stated that she had spoken with her neighbor directly adjacent to the patio, Robert Woods, and he has no objection to the patio or its design.

Commissioner Yager asked where garbage will be stored. Ms. Priebe responded that she has been discussing this question with the Department of Health and they have decided that it will be acceptable to store trash in the enclosed covered space between the shed area and the kitchen. She noted that the area will be completely sealed for pest control purposes. Commissioner Yager asked what type of furniture Ms. Priebe is planning for the patio area. Ms. Priebe responded that she would like to use one large communal table and several four-seat tables. Commissioner Yager clarified that she was wondering if the type of furniture Ms. Priebe is considering will be compatible with the gravel surface, so as not to be unstable or disrupt the pea stone. Ms. Priebe responded that she has been working with her sister, who is a landscape architect, to design the patio and she believes that the pea stone will remain fairly flat and compact, and she has also chosen furniture that has substantial legs to ensure that there won't be any problems with stability.

Commissioner Gilmore stated that the best way to install the patio surface will be to dredge out approximately six inches of topsoil and then put down a layer of landscape cloth, top it with the stone dust, wet the dust and compact it with a tamper, let it dry in the sun, use the back of a rake to level the surface once its dry, and then add a layer of pea gravel. Ms. Priebe thanked him for the suggestion and explained that she hadn't thought of installing the landscape cloth under the stone dust. Commissioner Gilmore stated that although it may seem unlikely weeds will grow through stone dust they will, and it will save a lot of weed pulling time to install the landscape fabric under that layer.

Commissioner Andriano asked Ms. Priebe if she had decided on a material for the fence. Ms. Priebe replied that she would like to use wood, but she has not yet decided what species. Commissioner Andriano suggested cedar, which is long-lasting and weathers well, even if it is not painted. Commissioner Gilmore suggested Tamarac, which he explained is an inexpensive and durable wood that is used frequently by Amish woodworkers and is also used for utility poles.

Regarding the proposed signage, Commissioner Yager asked Ms. Priebe if she had considered that the 1795 on the sign might be mistaken for the address number of the building. Ms. Priebe responded that she hadn't thought of that. She explained that she chose this sign design because it is her updated logo for the business. She stated that it will mimic the shape of the previous hanging sign, which will be hung inside the store and preserved, but will also have a small hanging sign attached below stating "café", "market", "and patio". She noted that she will be adding the address numbers to the building as well, so she hopes there will not be any confusion. Commissioner Marney stated that he does not think it will be a problem as long as the address number is clearly displayed on the building, as is required by the fire department anyway. Commissioner Marney asked when Ms. Priebe plans to open the business. Ms. Priebe stated that she plans to be open for the Stockade Garden Tour on August 8th. Ms. Priebe also pointed out that she would like to paint the name of the business in the sign band over the door, as illustrated in the application. Commissioner Marney stated that he wouldn't have any objection to the sign. The other Commissioners indicated that they agreed.

Ms. Priebe briefly reviewed the copper light fixtures that she has chosen for the exterior of the building, explaining that they are a simple colonial design more in keeping with the design of the building than a Victorian style would be. She added that she believes the copper will naturally weather well. She also reviewed the rubbed bronze hardware that she has chosen for the doors, as was explained in the application. The Commissioners indicated that they would have no objection to the light fixtures and hardware.

Commissioner Yager commended Ms. Priebe for once again submitting a complete and very thorough application and for supplying all the necessary information to help the consideration of the application go smoothly. Ms. Priebe noted that the application process has been helpful for her, as it has forced her to finalize some decisions and commit her plans to paper.

PUBLIC COMMENTS

None.

RESOLUTION

Motion by Commissioner Andriano, seconded by Commissioner Gilmore, to approve as submitted the application to install fencing, lighting, signage, and hardware, with the following and condition:

1. The project will be completed within one year.

And with the following finding of fact:

1. This is a Type II SEQRA.

Motion carried unanimously, with Commissioner Wiles recusing himself and Commissioner Bennett absent from the vote.

B. Consideration for approval submitted by Ron Gardner to modify the approved entry stairs and doors. The premises are located at 308 Green Street in the Stockade Historic District.

Ron Gardner presented the application.

Mr. Gardner explained that he has come back before the Commission because the pre-cast concrete steps that were originally approved for the two front entrances to the building were not readily available, and subsequently his contractor installed the existing front steps which were not previously approved. He stated that there was also some miscommunication with his contractor regarding the front doors that were approved, and the contractor installed steel doors, which Mr. Gardner would like to paint gloss black.

Commissioner Andriano stated that from the pictures it appears that the materials used for the front porches and steps included pressure-treated wood, which he noted is obviously not an historic material. He explained that there are other types of wood that would be durable and more in keeping with the materials which might have been used previously on the building. He also noted the use of the Trex® decking material, which has not been approved by the Commission in the past, and the typical modern railing design, which he stated is clearly not of the same time period as the building. Commissioner Marney agreed, noting that the revised drawings submitted in the application are completely different from what was built. He stated that what was originally approved was the pre-cast concrete steps with aluminum railing, and that while the Commission has approved wood porches and steps in the past, they have not approved the materials that have been installed here without permission.

Commissioner Yager stated that she is concerned that the work was done without Mr. Gardner coming back to the Commission for approval of the change. She explained that he was clearly aware of the proper procedures to follow as he had received several previous approvals, and had recently contacted Commissioner Yager about changing the approved paint color, at which time she informed him that he would have to come back before the Commission for consideration, which he did. She asked him what had changed between then and the time that these porches and doors were installed. Mr. Gardner replied that there had been a miscommunication with his contractor, who did the work without his knowledge. Commissioner Yager asked Mr. Gardner who drew the porch plans that were included in the application. Mr. Gardner replied that Commissioner Gilmore did the drawings. Commissioner Yager stated that Commissioner Gilmore assisting him with the drawings did not indicate any sort of automatic approval of the plans. Mr. Gardner stated that he understood, and that he went to Mr. Gilmore for the

designs on a Monday, and when he returned to the property on Tuesday the work was already done as it exists now. He stated that he in no way meant to intentionally circumvent the Commission and has clearly done all he could to work with the Commission throughout this lengthy project.

Commissioner Yager stated that the previous decision specifically stated that wood doors were approved, and steel doors were not. She explained that she understands that wood doors might be harder to find, but the steel doors should not have been installed without permission. Mr. Gardner stated that his contractor installed the steel doors without informing him. Commissioner Marney commented that it sounds like Mr. Gardner and his contractor have a problem with their communication.

Commissioner Yager stated that the photos in the application show the frames around the doors as flat wood surfaces and this is not what was approved by the Commission. Mr. Gardner stated that the proper trim work shown in the most recent application is what will be installed but the work has not yet been completed. Commissioner Marney commented that in the photos it appears as though there are wood knots showing through the paint on some of the trim work. He stated that it appears as though the wood might not have been primed correctly and suggested that Mr. Gardner speak to his contractor about this issue because it could compromise the longevity of the wood. Mr. Gardner stated that he will. Commissioner Marney stated that he does not believe that he could approve the steel doors, or the porches as built but would be willing to consider the wood porch design as submitted in the application. Mr. Gardner asked if only wood will be acceptable for the front doors. Commissioner Gilmore asked if perhaps doors constructed of a composite material might be available and more durable. Commissioner Yager stated that if wood doors are primed and sealed properly, they will be durable. Commissioner Gilmore agreed.

Commissioner Yager asked Mr. Gardner why he did not install the precast concrete steps as approved. Mr. Gardner stated that when his contractor tried to find the precast steps, they found out that the waiting time for the order would be two to three months. Commissioner Andriano stated that he would not approve pressure treated lumber and the Trex® material. He asked if Mr. Gardner plans to paint the wood steps, if they are installed. Mr. Gardner stated that they would be painted. Commissioner Marney agreed that the porches as constructed are not acceptable in an historic district.

Commissioner Yager stated that in Mr. Gardner's original application that was approved by the Commission a patio area with a matching aluminum railing was approved, but now the railing would not match the porches if the porch railings are wood. She asked if Mr. Gardner intends to alter the patio fence. Mr. Gardner stated that he had not planned to. Commissioner Yager commented that she does not understand why Mr. Gardner did not just wait and use the original design.

Commissioner Andriano commented that the porches as constructed cost a fraction of what the precast concrete would have, thus he assumes that cost was a factor. Commissioner Marney asked Mr. Gardner if he had reached out to the Heritage Foundation for information about contractors who have experience working on historic buildings. Mr. Gardner responded that he had not.

Commissioner Bennett stated that he agreed that the porches as constructed are not acceptable. He added that the cement footings are exposed above the grade, while they should be flush with the sidewalk. Commissioner Andriano agreed, stating that the piers could have been recessed and the sidewalk poured over them, but they were installed in the wrong manner and are now visible from the street.

Commissioner Gilmore stated that he agreed that the porches are not acceptable as constructed, but he would support the design submitted in the application. The Commissioners indicated that they agreed.

Commissioner Marney stated that the Commission would need to know what specific materials are proposed and should also consider how the wood porches will impact the previously approved metal fence on the patio. Mr. Gardner stated that they had also considered not installing the patio and instead grading the area and planting grass. Commissioner Marney stated that he would not be averse to that, but the Commission needs to have written plans to consider. He explained that the application would have to be revised to include the final plans for the doors, trim, and wood porch, including historically appropriate materials and paint colors, and the plans for the side yard, whether it is proposed as lawn or a patio. Commissioner Marney stated that he does not believe that the Commission would object to the porch as submitted in the current application, but more information is needed before anything can be approved. The Commissioners indicated that they agreed.

Commissioner Marney suggested that the application be tabled pending the submittal of the additional information. The Commissioners agreed.

Commissioner Yager asked Mr. Gardner if he had looked at the Historic Albany Parts Warehouse for doors. Mr. Gardner replied that he has been there many times, but he has been unable to find two matching doors. Commissioner Marney suggested that if Mr. Gardner could find one suitable door perhaps Commissioner Gilmore could suggest someone to fabricate a duplicate for the second door. Commissioner Gilmore stated that he knows several Amish woodworkers who would be able to do so, probably quite inexpensively. Mr. Gardner stated that he will include photos of the doors that he chooses in the revised application and asked for confirmation that they must be constructed of wood. Commissioner Yager stated that wood is the only acceptable material and is what was originally approved.

PUBLIC COMMENTS

None.

MOTION TO TABLE

Motion by Commissioner Marney, seconded by Commissioner Andriano, to table the application as incomplete pending the submittal of the following information:

1. The specifications of the wood doors and door trim to be installed, with photos of the actual proposed doors.
2. The final design of the front porches that will be installed in place of what was previously constructed without approval. The plans will specify all building materials and paint colors.
3. The final plan for the patio area, with drawings showing what the completed area will look like and specifics as to what materials will be used.

Motion carried unanimously.

VI. MISCELLANEOUS

Commissioner Marney briefly discussed the recent application by Redburn Development for a Use Variance for the former Stockade Inn to allow for 23 residential rental units. He stated that the application was voted on and there was a default denied because it failed to get four votes of approval, but the application will be coming before the BZA again at their July 1st meeting. He explained why he is opposed to the application, as he detailed in a letter of opposition that he had submitted to the BZA before the meeting, and that the HDC does have the authority to give an opinion on applications before other government entities if those applications impact a site in an historic district in the City.

Commissioner Yager asked if any of the Commissioners had an opinion that they would like to share about the application. Commissioner Bennett stated that he was not familiar enough with the issue to give an opinion. Commissioner Gilmore stated that he does not believe that the Stockade Inn could be a viable business as it was formerly run, that is as a hotel, restaurant, and event space. He stated that while this is a nice idea and he would love to see it happen; he does not think it would. He added that he believes that the exterior of the building and the historic interior details will be preserved by Redburn.

Commissioner Marney stated that one of the former owners of the business, Jack MacDonald, spoke in favor of the application at the BZA meeting and it was not disclosed that Mr. MacDonald holds a \$500,000 mortgage for the current owner of the building. He added that the use of a building is important to the fabric of the surrounding neighborhood, not just the appearance of the exterior of the building. He reiterated that in his opinion the application lacked sufficient evidence to prove that the business could not realize a reasonable return with its present use if it were to be properly run. Commissioner Marney noted that there is a neighborhood meeting planned to discuss the topic at St. George's church at 3 p.m. on Sunday, June 28.

Regarding a different topic, Commissioner Yager asked Mr. Smith if the YWCA expansion project would be coming before the Commission, as she did not see the Historic District Commission on the list of interested government entities. Mr. Smith stated that it will be, but the project went before the Planning Commission for site plan approval first. He noted that often Planning Commission approval is required before financing for a project is finalized, so applicants appear before the Planning Commission before any other Commissions or Boards.

VII. ADJOURNMENT

Motion by Commissioner Marney, seconded by Commissioner Andriano, to adjourn the meeting.

Motion carried unanimously.

The meeting was adjourned at 8:33 p.m.