

**BOARD OF ARCHITECTURAL REVIEW &
HISTORIC PRESERVATION
VILLAGE OF SOUTHAMPTON
NOVEMBER 25, 2019**

Due notice having been given, the public hearing of the Board of Architectural Review and Historic Preservation for the village of Southampton, NY on Monday, November 25, 2019 at 7:00PM.

Board members Madame Chair Susan Stevenson, Jeffrey Brodlieb, Rob Coburn, Curtis Highsmith and Sarah Latham were present.

Counsel for the Village David Kirst was present and Historic Consultant Zac Studenroth was present.

MOTION by R. Coburn, second S. Latham

To **open tonight's meeting.**

On Vote: Chair Stevenson, J. Brodlieb, R. Coburn, C. Highsmith and S. Latham

MINUTE APPROVAL

MOTION by R. Coburn, second Chair Stevenson

To **approve the October 28, 2019 minutes as amended.**

On Vote: Chair Stevenson, J. Brodlieb, R. Coburn, C. Highsmith and S. Latham

SIGNS

On the application of **CAPITAL ONE BANK**, 46 Windmill Lane, present for the applicant was Guiseppe Anzalone, architect, the application is just for the canopy without signage. The We Do Loans sign is gone. The color of the awning is navy.

MOTION by R. Coburn, second S. Latham

To **approve the canopy on the application of CAPITAL ONE BANK.**

On Vote: Chair Stevenson, J. Brodlieb, R. Coburn, C. Highsmith and S. Latham

On the application of **UNION CANTINA**, 40 Bowden Square, Ian Duke, owner of Union Cantina was present. He is applying to put a sign on front with goose neck lighting. The Board needs an electrical spec for what they intend to use. He asked what is allowed for lighting. C. Highsmith stated that there is no exact code, but they want to make sure that it is appropriate for residential areas. The Board expressed their desire for one gooseneck light instead of two, I. Duke said that would he would go with one. They currently have a ground sign but no sign on the building. This will be on the second story of the business. The sign is large, it is approximately 5.5'x4', but the space on the building is large. The Board will condition one gooseneck light, they can have equivalent of a 60W. R. Coburn suggested that it aim back toward the sign instead of straight down, I. Duke will comply with the conditions.

MOTION by R. Coburn, second S. Latham

To **approve the sign on the application of UNION CANTINA, with the condition that it have one gooseneck light with a maximum equivalent of 60W.**

On Vote: Chair Stevenson, J. Brodlieb, R. Coburn, C. Highsmith and S. Latham

On the application of **INVESTORS BANK**, 97 North Sea Road, no one was present for the application

MOTION by R. Coburn, C. Highsmith

To **adjourn for all purposes on the application of INVESTORS BANK.**

On Vote: Chair Stevenson, J. Brodlieb, R. Coburn, C. Highsmith and S. Latham

WRITTEN DECISIONS

On the application of **RED MAPLES LLC**, 261 Great Plains Road, there is a written decision in the file.

MOTION by R. Coburn, second C. Highsmith

To **approve the written decision on the application of RED MAPLES LLC.**

On Vote: Chair Stevenson, J. Brodlieb, R. Coburn, C. Highsmith and S. Latham

DRIVEWAY GATES – NON-HISTORIC

On the application of **LAURA ANDRASSY**, 298 Narrow Lane, affidavits of mailing and posting were submitted. Paolo Chuya, the gate contractor, noted this application is to install two set of gates, this is a circular driveway. It is made of steel frame and clad with Azek. The slats are 2” and the gaps are 2”. The lights are 25W clear bulbs.

J. Brodlieb has a concern with driveway gates on that street. There is one other set of gates and it is very see through, but it is the only other on the street. This area is reminiscent of the farming roots of the neighborhood, he feels it is overly pretentious. Additionally, he feels it sets a bad precedence. He is not in support of gates in this location. R. Coburn stated that the idea of appropriateness in a particular area is a slippery slope, he shares some of the concerns of J. Brodlieb.

MOTION by J. Brodlieb, second Chair Stevenson

To **approve the gates on the application of LAURA ANDRASSY.**

On Vote: Chair Stevenson and C. Highsmith

Nay: R. Coburn, J. Brodlieb and S. Latham

PUBLIC HEARINGS - NON- HISTORIC

On the application of **DAVID & DINA NASS**, 20 Bellows Court, affidavits of mailing and posting were submitted. Present for the applicant was Fred Throo, architect, he presented plans to show better shading that demonstrates the architecture more clearly. They intend to use all grey tone cedar, the roof will be left to weather and siding stained. This is a renovation that has a limited budget. The GFA was compliant at time of construction, but now exceeds the current allowable and that had a strong limitation on the design. The roof pitch is non-compliant with the new Village regulations. They are trying to eliminate a turret in the middle. There is a front octagonal area, he wasn't allowed to square it off, so he put in the square bay window because they can't increase GFA. The windows will be replaced, and they propose to replace the one garage door with two 8' doors. R. Coburn asked to the right of the door they shingles are less distinct, F. Throo noted it is just recessed but they are the same. The light between the garage doors is a down light and since it is one it will not be overwhelming. C. Highsmith asked about seaming on roof, they will have a seamed roof on the front porch, it will be grey. The Board would like to see less seamed roof. There is a window covering made of Ipe that provides shade in lieu of shutters. The window above the garage has an overhang that has double brackets and a reverse

gable, C. Highsmith asked if it is a necessity to have both. F. Throo noted that it is for design and it balances the house and brings uniformity. C. Highsmith asked if they can provide two returns on the gable. Chair asked can he remove the metal roof on the shed dormer, she'd like to see it shingled. J. Brodlieb would like to see the gable changed per C. Highsmith and get rid of the metal roofing. R. Coburn feels the closed return and bracket is nice in the architecture.

The Board noted that they would like the metal roof over the front door changed to shingle. The gable on the right side will be kept as is. F. Throo will change the plans and submit them back to the file.

MOTION by R. Coburn, second C. Highsmith

To **approve the application of DAVID AND DINA NASS, with the condition that the roofing over the porch be changed from metal to shingle.**

On Vote: Chair Stevenson, J. Brodlieb, R. Coburn, C. Highsmith and S. Latham

On the application of **LISA BASS**, 20 Pelletreau Street, there is a letter in the file requesting adjournment to the December 9, 2019 public hearing. Chair and J. Brodlieb visited the site, they were prepared to discuss.

MOTION by R. Coburn, second S. Latham

To **approve the applicant's request for adjournment for all purposes on the application of LISA BASS to the December 9, 2019 public hearing.**

On Vote: Chair Stevenson, J. Brodlieb, R. Coburn, C. Highsmith and S. Latham

On the application of **205 CORRIGAN STREET LLC**, 205 Corrigan Street, present for the applicant Matthew Pantofel, owner, affidavits of mailing and posting have been submitted. This is a two-story residence it has white cedar siding and natural cedar roof. Black Andersen windows and front door and white gutters. A landscape plan was provided as well.

Nadine Isaacs, neighbor, lives directly opposite and she likes the trees along the perimeter of the property. She is in favor of this application.

MOTION by C. Highsmith, second S. Latham

To **approve the application of 205 CORRIGAN STREET LLC.**

On Vote: Chair Stevenson, J. Brodlieb, R. Coburn, C. Highsmith and S. Latham

On the application of **JUDITH KLUGMAN**, 106 Pulaski Street, affidavits of mailing and posting submitted. Don Mahoney was present for the applicant. This application is for a conversion of a garage to a pool house. South and west elevations are not changing. The south facing door will be barn door and two windows and sliders will be changed to windows. The North Wooley side will have fixed door and barn door.

MOTION by R. Coburn, second S. Latham

To **approve the application of JUDITH KLUGMAN.**

On Vote: Chair Stevenson, J. Brodlieb, R. Coburn, C. Highsmith and S. Latham

On the application of **MEADOWMERE PARTNERS LLC**, 66 Meadowmere, present for the applicant was Ilya Mirgorodsky. Affidavits of mailing and posting. This application is for a two story, six-bedroom house with an attached garage and two pool pavilions. The house is 6 bedrooms but under the

allowable size. There are two front elevations, one off Meadowmere and one of Cooper's Neck. The front elevation is facing east, the house is elevated due to flood elevation. White brick is spec'd for the main core of the house, white cedar shingle roof. The entrance pavilion is white brick. It is matte finish and a sample was shown to the Board, it is called a German slurry. It is a factory finish, so it weathers well and easier to maintain. There will be steel windows by Reilly that will be dark gray. The east elevation shows the entrance pushed into brick structure. The side is heavily vegetated. All glass is transparent. The roof is flat and pitched back, white cedar shingles will be on wall and roof. There will be a backer board with ivy up the wall. The brick is single story structure. There is a large staircase but there will be landscape on the staircase, with planters and grass.

C. Highsmith noted that a landscape plan would be important for this house even though it is not historic. J. Brodlieb would like to see color renderings with detail. I. Mirgorodsky noted that they are significantly under what they can build. Chair stated a rendering, a landscape plan, they want dimensions, etc. needs to be provided, Chair feels the staircase may need softening, but the renderings may help them to see it better. R. Coburn is confused by the front door not on the street it faces. He'd like to see the rendering to understand it. I. Mirgorodsky noted that the front door is purposely not street facing for the privacy of his client. He will provide the requested rendering and landscape plan at the next public hearing.

MOTION by R. Coburn, second C. Highsmith

To **approve the applicant's request to adjourn for all purposes on the application of MEADOWMERE PARTNERS LLC to the December 9, 2019 public hearing.**

On Vote: Chair Stevenson, J. Brodlieb, R. Coburn, C. Highsmith and S. Latham

On the application of **85 CORRIGAN LLC**, 85 Corrigan Street, present for the applicant was Siyu Liu, affidavits of posting and mailing were submitted. This is a new house that is 2900 square feet, cedar shingled with asphalt shingle in weather wood, she provided a picture of a house with the roof shingle detail. The trim and window will be white and there are no flat roofs. Neighboring houses have asphalt roofs. Cedar shingles have 5.5" exposure.

J. Brodlieb feels that it is massed out, it presents to him as boxy. Also, when compared with other houses on Corrigan, there are modest houses on either side it is large. He feels that she can build the same size but with a more intriguing roof line. C. Highsmith asked why the multiple roof pitches, the two front gables and then there is a hipped roof and another hipped roof, it looks strange to him in black and white drawings. She submitted a rendering to clarify. Chair asked does the hipped roof have to stick up so high. R. Coburn feels the three forms on the south side are causing the Board problems. On the south façade it has stairwell windows that looks like a full wall of window, which in general the Board is not in favor. C. Highsmith stated it is a dormer off of a hip, and it reads heavy to Chair Stevenson. C. Highsmith feels that it seems really large and long. The hip roof tilts it back per Siyu Liu, it minimizes the look.

The garage has six windows and columns because it faces the house, Chair doesn't understand why you want to see the cars in the garage. There is a pergola off the garage and the garage looks like a pool house. The outdoor shower isn't showing up in the elevation, she states that it doesn't need a permit. The Board still wants to see it. Chair stated the problem is with mass, boxiness and the forms behind the first two gables. They don't like the dormer flat part on the north side. C. Highsmith asked if this is a permitted use, the client wants to use as a garage in tandem car parking. The Board will speak with Building Inspector on this point. Siyu Liu likes this plan, she feels it is beautiful. J. Brodlieb stated that

she needs to work with the Board. R. Coburn asked what style of the house is to her, she feels it is a shingle style. Chair noted that the Board will not be in favor of this plan as is, she needs to return to her client to discuss the concerns of the Board. The roof plan has lots of gables. There is a broken pitch on every roof line, Z. Studenroth feels that every roof has two pitches. She feels that it is curved but the Board feels that it is not curved.

Alice Demarick, 94 Bishop's Lane, the neighbor to the back. The wooden stockade fence along their property, the good side was facing in, they'd like that corrected. Chair stated he has to go to the Building Department for this issue; he noted that he did, and they sent him here. C. Highsmith noted that at the approval end, it will be a time to possibly deal with that issue.

MOTION by R. Coburn, second S. Latham

To **approve the applicant's request for adjournment on the application of 85 CORRIGAN LLC.**

On Vote: Chair Stevenson, J. Brodlieb, R. Coburn, C. Highsmith and S. Latham

On the application of **PAUL & LAUREN YOUNG**, 146 Foster Crossing, present for the applicant was Greg Tankersley, affidavits of mailing and posting were submitted. The house is being renovated completely. It was a 1930's cottage that was renovated in the late 80's. They are proposing developing a courtyard in the front and it will have a two-car garage. They will create a one-story masonry pavilion. The north elevation demonstrates the roof on the main house is basically the same but there will be a new front door with dormer. There will be a porte-cochere with a colonnade there. The east elevation has an existing two-story front porch and they will glaze it in. They will be replacing all windows and doors on the exterior. They are replacing carriage doors and they will replace all wood siding with white stucco, unpainted and a cedar roof. All of the windows and doors will be off black color. The chimneys will be stucco. Chair asked about the reference of style. They requested stucco farmhouse with Dutch influence. The Board feels it is reading French or Italian in appearance. S. Latham will miss the existing. Chair wonders if it fits into the neighborhood. S. Latham stated that this was a Steve Harris house originally and the wall to window ratio was incredible, he is an architect of note, but this is not historic. J. Brodlieb likes the feel of the proposed house, he feels it is Mediterranean. Chair feels that this is a foreign house to the neighborhood. G. Tankersley noted that stucco used ages and will be softer. There is a wood cedar roof and the trim will be white.

Bill Koral, Contractor, he notes that between the surrounding roads he counted 20 houses that have stucco, including Little Plains, Wyandanch and South Main. It is prevalent in the Village. R. Coburn noted that there are many different forms and he feels the stucco will unify. C. Highsmith feels the roof shingle softens the stucco. S. Latham finds the entrance weird. The front door is 6'8".

MOTION by C. Highsmith, second R. Coburn

To **approve the application of PAUL & LAUREN YOUNG.**

On Vote: C. Highsmith, J. Brodlieb and R. Coburn

Nay: Chair Stevenson and S. Latham

On the application of **GLENN OLSEN**, 44 Lee Avenue, present for the applicant was Fred Weber. There is an existing barn and there are two front yards that dictate the house siting. They will be in some proximity to the existing barn. There is an open breezeway or covered space, the roof are all gable mostly at a 9 pitch, with lower sheds that give a barn look. Siding and roof will be cedar and trim will be white Azek and the windows will be black. The front door is a set of French doors, it is set back with a porch leading to it. The ownership and zoning codes have changed, the approved plans previously could

not be built now. This is the new rendering. The former was approved in 2016. This is not in the historic district, but it is adjoining it. The context for the house is the historic district, Z. Studenroth noted. He feels that this does a good job of the Victorian farmhouse look. The barn shutters or doors feel like a cliché to him, but it isn't a jarring aesthetic. Z. Studenroth feels that the stone for the chimney is less in keeping with the neighborhood, the historic have brick chimneys. The terraces are blue stone. F. Weber feels the owner will not object to brick chimneys.

The Board would like to nix the barn door shutters, and change chimney material to brick. F. Weber did not want to show all the chimney mass on the front. R. Coburn asked him to describe the decorative gable. There are two flanking windows that have a casing and have vertical boards to mimic the existing barn detail. They are not circular windows, they are square. The breezeway bothers R. Coburn, he feels that it makes it look like one mass. J. Brodlieb had a similar concern. The architect feels that it is better that they are connected, he feels it is valuable because it links the two, so it doesn't look like the house was built to close to the barn.

He will change the plans to remove barn door and note the change to brick on the chimney.

Motion R. Coburn, second C. Highsmith

To **approve the application of GLENN OLSON with the change of stone to brick on the chimney and removal of barn door shutters.**

On Vote: Chair Stevenson, J. Brodlieb, R. Coburn, C. Highsmith and S. Latham

PUBLIC HEARINGS – HISTORIC

On the application of **THOMAS & MEREDITH JOYCE**, 765 Hill Street, this application is adjourned to January 13, 2020 public hearing.

MOTION by R. Coburn, C Highsmith

To **adjourn for all purposes on the application of THOMAS & MEREDITH JOYCE to the January 13,2020 public hearing.**

On Vote: Chair Stevenson, J. Brodlieb, R. Coburn, C. Highsmith and S. Latham

On the application of **LIFTON GREEN LLC**, 270 Ox Pasture Road, this application is adjourned to the December 9, 2019 public hearing.

On the application of **EMANON SOUTH CORP**, 276 North Main Street, present for the applicant was Michael White. He submitted small sets of renderings to the Board. He adjusted window locations per Z. Studenroth. He took off the dormer and put four windows to keep the roof level. He had to center the windows in the middle and there are bathrooms that line up on the first and second floor so they couldn't line up the windows there. If he had put two windows in the bedroom there wouldn't have been enough room for a bed. He took the metal roof off. Chair asked if garage doors face street, they are behind the house. Z. Studenroth felt the symmetry on the south side was unrelenting but it is an improvement over the last. C. Highsmith stated it is clean architecture. There is paneling at the top of the gables. The trim panel breaks up the two floors. All the trim is white, and the windows are black.

MOTION by R. Coburn, second C. Highsmith

To **close for written decision on the application of EMANON SOUTH CORP.**

On Vote: Chair Stevenson, J. Brodlieb, R. Coburn, C. Highsmith and S. Latham

On the application of **STEPHANIE HESSLER**, 328 South Main Street, Chair is recused from this application. Present for the applicant is Thom Fawruna. There was some discussion about the number of windows, they are replacing 33 windows. They have tried to identify the most original to the building, on the west façade they feel it is good historic record to leave in place. These are models for the new replica windows, they will be mahogany single paned windows. They are proposing a closed pergola with triple columns on the structure. The changes face south and it is garden side. Z. Studenroth asked if the covered porch is the same footprint, they confirmed that it is. There is Chippendale railing that is existing, and they are mimicking it. The railing echoes the radiused corners that were on the original porch. The style is compatible with the period per Z. Studenroth, he thinks that since it is open it minimizes it. Z. Studenroth feels that they have really done a good job at merging what is existing with the new, it is the right balance. They are not proposing landscaping on the application. Z. Studenroth noted that some renovations need landscape plans, but this is simple renovation without affecting the landscape. C. Highsmith noted that they would like a landscape plan for the file, they could close for written decision subject to the landscape plan submission.

MOTION by R. Coburn, second S. Latham

To close for written decision on the application of STEPHANIE HESSLER subject to the submission of a landscape plan.

On Vote: J. Brodlieb, R. Coburn, C. Highsmith and S. Latham

Recused: Chair Stevenson

On the application of **199 COOPERS LANE LLC**, 199 Cooper Neck Lane, Peter Depasquale present for the applicant. Affidavits of mailing and posting were submitted. This house was built in 1910, an addition was added that had an L-configuration that was subsequently torn down. The previous owner wanted to have their family live with them, so made a two-family duplex configuration. It was radically altered from the L to linear configuration. They wanted to maintain the rooflines and cladding and windows of the original part of the building. There is no basement and low ceilings throughout. They are proposing two additions to open up and modernize the interior. They'd like to add a solarium and a garage, and they look like site amenities. The solarium is glass with lead coated copper roof. They intend to create a garden and use heavy plantings to hide it. On the south side is the garage with two bedroom over it. This will be vertical cedar board cladding with the lead coated copper roof. Z. Studenroth asked what existing roof, it is cedar shingle. The roof is important in character to the architect, they wanted to keep their hands off of that.

The vertical board choice on the garage was questioned by Z. Studenroth. P. Depasquale noted that the garage piece is a backdrop in service to the landscape. S. Latham noted a window discrepancy. There is a 30" discrepancy from the new and older, it requires that the windows at the living room are taken down 12". That change is on the original building. C. Highsmith asked to see the physical elevations for reference. On A-200, the area was at one time a sunroom, they decided not to alter the window, but they will be replaced. They will eliminate two steps up to a door. The sun porch windows were added, and they are not in the spirit of the original house. On A-210, they are introducing a series of windows to make a better relationship to the original house. On the west, the garage was there, and it will be a series of glass doors in its place. On east elevation they are introducing the solarium. This will be an altered opening to get a portal to new addition. An existing window will be converted into a doorway. The opening is left as is, just opening it up. The south side, the doors that accessed a non-historic terrace and they will bring down 16" and drop the windows 12" to keep size and shape of existing windows, they will have 6 over 9 double hung windows. They are doing away with a bank of windows that made a glazed hallway. S. Latham has a problem with the lowering of the windows, she feels it is a

major alteration to the existing window to wall ratio. Z. Studenroth is curious about the modern interpretation of the transom of the windows. It doesn't seem to fit in this, the architect stated they were changed so many times that they are trying to make them make sense. The entire interior of this house has been taken apart.

Z. Studenroth is just trying to look at the total scope of the project and is having a problem with the wooden garage, it is out of place to him. R. Coburn noted the saltbox form seems strange to him. It doesn't stand up in terms of materials. The architect felt that just adding more brick is the obvious solution. Chair feels it is sleek and modern looking and it doesn't fit in to them. Half timbering may be an option per Z. Studenroth, that may be more compatible. R. Coburn asked if there is a glass wall connecting the house and garage, there is as a connecting to the house. J. Brodlieb has an issue with the garage, it diminishes the impressive nature of the house. P. Depasquale asked is it obligated to feel historical, the Board feels it shouldn't be, it should be separate and distinct, however, it is not the right material possibly. Chair doesn't like the glass connecting wall. C. Highsmith asked on A-221 the material between the window on the shed dormer, is that stucco, it is painted wood. He thought that may be a common material to use. R. Coburn noted the glass connector is not probably visible, he thinks it may not be an issue. R. Coburn noted that the rendering shows 6 over 6 is incorrect, it should be 6 over 9. There will be one more pane of windows underneath. They will withdraw the garage from the application. Counsel stated he can withdraw the garage from the application.

David Walentus, owner, will remove the garage from the application and come back at a later time with the garage addition since there is so much work to do on this house.

R. Coburn asked the trim color, they will take the windows from bright white to a gray. S. Latham asked can they take a scrape of the original color and use that as a cue.

The owner wants to keep it light since the house tends to be dark, they want the indoor and outdoor sash to be the same color. The color is Dove Gray.

MOTION by R. Coburn, second C. Highsmith

To close for written decision on the application of 199 COOPER'S NECK LANE LLC, with the removal of the garage from the application.

On Vote: Chair Stevenson, J. Brodlieb, R. Coburn and C. Highsmith

Nay: S. Latham

On the application of **POFAHL & JIMINEZ**, 471 Hill Street, there is no jurisdiction because the affidavits of mailing and posting could not be produced and are not included in the file.

On the application of **CASA MEADOW LLC**, 96 Meadow Lane, present for the applicant was John Woods. Affidavits of mailing and posting were submitted. Renderings and survey were submitted. This house is not historic but in the district. This is for the construction of a covered front porch with balcony. The façade of the house was nice. The doors are functional to the balcony, J. Brodlieb feels there is sight to houses to the north, but privacy is not an issue. Those adjacent houses have balconies over the front porch. The trees around the house are mature and screen. There may not be a privacy issue on east or west, really just houses to the north. R. Coburn noted that he likes the detail to the railing.

Horace Bliss, neighbor to the east, is in favor of what they are building. They don't feel that there is a loss of privacy.

MOTION by R. Coburn, second C. Highsmith

To **close for written decision on the application of CASA MEADOW LLC.**

On Vote: Chair Stevenson, J. Brodlieb, R. Coburn, C. Highsmith and S. Latham

SIGNS

On the application of **INVESTORS BANK**, 97 North Sea Road, present for the applicant was Dennis O'Hara, Compass Sign Company, currently his client is acquiring all Gold Coast Bank branches. This application is for four signs. There is a freestanding ground tenant sign. The dark green background option is the preference of the client but is not liked by the Board. They will go with the second option which is white background with navy lettering and the green and navy logo. The new panel signs will be the same size and locations of the Gold Coast Bank signs. They will be all the same and located over the entry door, on the front of the building and on the side of the building. The entry door faces the back toward the parking lot.

MOTION by Chair Stevenson, second R. Coburn

To **approve all four signs on the application of INVESTORS BANK. The approved are like for like to what is existing and will be white background, navy letters and logo.**

On Vote: Chair Stevenson, J. Brodlieb, R. Coburn, C. Highsmith and S. Latham

REQUEST FOR LANDMARKING

On the application of **OUR LADY OF POLAND RC CHURCH**, 35 Maple Street, this application is adjourned to the December 9, 2019 public hearing.

ADVISORY CASES FROM ZONING BOARD OF APPEALS

On the application of **LIFTON GREEN LLC**, 270 Ox Pasture Road, this application is adjourned to the December 9, 2019 public hearing.

RESPONSE FOR REQUEST FROM BUILDING INSPECTOR

The Building Department is requesting a response regarding 38-42 Job's Lane. There is a code that no owner or person residing in the historic district shall permit the property to fall into a state of disrepair so as to have a detrimental effect of the historic district. They were asked to consider this code as it applies to 38-42 Job's Lane, but Chair Stevenson doesn't know the definition of disrepair per the code. She wrote a list of building that were less than perfect, and they are in a similar state as this building. The fence was put up at the request of the Building Department. The fence can be more attractive, but Village Hall has peeling paint at the top, so it could be considered that it needs repair. She would not single out as detrimental. She would love it if someone could make the fence more attractive.

Counsel stated that it would be a dictionary definition of disrepair if it isn't stated in the code. There is also a detrimental aspect to the code. C. Highsmith asked to have the buildings been tested for lead paint, he feels they need to be more aware of hazardous conditions. There are many things that could cause injury. C. Highsmith feels that it is all one in the same, should be handled holistically.

Counsel Kirst stated that the requestor is looking for detrimental to the character of the Village. This is a more visual issue. The Board is not an enforcement board. Counsel stated that the ARB needs to say that it is in disrepair for them to act. The Board needs more specific information about the application of the law and the definition of "disrepair" and "detrimental" Counsel stated that they issue determinations for anything historic, if they feel it is detracting, they need to make the determination. Chair doesn't feel that she wants to make that determination to make an informed opinion. J. Brodlieb thinks it is an eye sore.

They don't want to single out. R. Coburn agrees with what is being said, but this fits in and doesn't stick out so majorly from other properties, it is possibly a problem Village wide. Perhaps they need to look at many of the buildings. C. Highsmith asked if there is something in the code that will cause violation. C. Highsmith feels it falls with Building Department first, but it puts the Board in a bad position. Counsel states they can't cite them for this provision. From what you see from the sidewalk, is what you see detrimental. They make that decision and then the Building Department cites them to require to take corrective action. S. Latham states this is a large public area that has brick in disrepair.

Chair doesn't know how to apply the law, J. Brodlieb feels the purpose of that is that the Building Department is not a historic expert, so they ask the Board to make the determination. In his view, that property is an eye sore, but so are many others in the Village. R. Coburn stated in order to have a detrimental effect it would have to stick out as different, it is pretty close in condition to others, it really can't be singled out. They feel they need to get Village Hall in order first, then they can make recommendation as to condition.

MOTION by C. Highsmith, second Chair Stevenson

To **close tonight's meeting.**

On Vote: Chair Stevenson, J. Brodlieb, R. Coburn, C. Highsmith

Respectfully Submitted by:

JoLee Sanchez

File Date:

Village Clerk