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B R I G H T O N
H I S T O R I C
P R E S E R V A T I O N
C O M M I S S I O N

June 22nd, 2021
At approximately 7:15 p.m.
Brighton Town Hall Zoom
2300 Elmwood Avenue
Rochester, New York 14618

PRESENT:

JERRY LUDWIG, CHAIRPERSON

JUSTIN DELVECCHIO)
AMANDA L. DREHER)
WAYNE GOODMAN)
JOHN PAGE) BOARD MEMBERS
DIANA ROBINSON)

MARY JO LANPHEAR
Town Historian

KEN GORDON, ESQ.
Town Attorney

RAMSEY A. BOEHNER
Town Planner

NOT PRESENT:
DAVID WHITAKER

REPORTED BY: RHODA COLLINS, Court Reporter
FORBES COURT REPORTING SERVICES, LLC
21 Woodcrest Drive
Batavia, New York 14020

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3 JEFF FRISCH: Starting the recording.

4 MR. BOEHNER: Thank you, Jeff.

5 CHAIRPERSON LUDWIG: Okay. Anyone here to
6 speak in open forum?

7 MR. BOEHNER: If there's anyone that wants to
8 speak to the open forum, please raise your hand.

9 JEFF FRISCH: Please turn on your video too.

10 MR. GORDON: You can use the -- I don't know
11 if we have the raise your hand function active, do we?

12 JEFF FRISCH: It's in there.

13 MR. GORDON: Turn your video on, or come off
14 of mute and say, I'd like to speak, any of those would work.
15 We have a couple folks there who are not on the Board.

16 CHAIRPERSON LUDWIG: Okay. I'd like to call
17 the meeting to order. Ramsey, would you call the roll
18 please?

19 MR. BOEHNER: Member Ludwig?

20 CHAIRPERSON LUDWIG: Here.

21 MR. BOEHNER: Mr. Goodman?

22 MR. GOODMAN: Here.

23 MR. BOEHNER: Mr. Page.

24 MR. PAGE: Here.

25 MR. BOEHNER: Ms. Dreher?

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3 MS. DREHER: Here.

4 MR. BOEHNER: Absent is Robinson, Delvecchio,
5 and Whitaker.

6 CHAIRPERSON LUDWIG: Okay. Motion to approve
7 the agenda please?

8 MS. DREHER: I will move to approve the
9 agenda, Amanda Dreher.

10 MR. PAGE: I will second, John Page.

11 CHAIRPERSON LUDWIG: Thank you, John and
12 Amanda.

13 MR. BOEHNER: Do you have any changes or
14 corrections to the agenda?

15 CHAIRPERSON LUDWIG: No, I will bring
16 something up in old business, but --

17 MR. BOEHNER: And, you would like under old
18 business to bring up the discussion of generators?

19 CHAIRPERSON LUDWIG: And air conditioners,
20 yes. Well, I don't know if it should be old business or new
21 business, Ramsey.

22 MR. BOEHNER: We talked about it before, it
23 can be old business.

24 CHAIRPERSON LUDWIG: Very good.

25 MR. BOEHNER: Add it to the agenda.

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3 CHAIRPERSON LUDWIG: Other than that, I have
4 no additions.

5 MR. BOEHNER: So, will someone make the motion
6 to approve the agenda, to add in an agenda item, generator
7 and AC units?

8 MR. GORDON: John and Amanda, is that
9 acceptable to both of you?

10 MS. DREHER: Yes, I'll make the amended
11 motion.

12 MR. PAGE: Yes.

13 CHAIRPERSON LUDWIG: Okay. We have a motion,
14 it's been amended and seconded, I believe. All in favor?

15 ALL COUNCIL MEMBERS: Aye.

16 CHAIRPERSON LUDWIG: Very good. The minutes,
17 any addition or corrections? Quite a lot of minutes this
18 time, almost an hour's worth, the minutes.

19 MS. DREHER: I didn't have any changes to the
20 May minutes, but I did have a few changes to the April
21 minutes. I don't know which one you want to address first.

22 CHAIRPERSON LUDWIG: Let's do April please.

23 MS. DREHER: So, I have a few substantive
24 changes, on Page 12, Line 15, it says the speaker is
25 Mr. Fader, I believe that's Mr. Boehner.

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3 On Page 28, Line 11, REM should be JEM and
4 landhold should be landlord.

5 And on Page 43, Line 5, insulation should be
6 installation. That's all I have.

7 CHAIRPERSON LUDWIG: Very good, thank you.

8 MS. LANPHEAR: On Page 65, there's a whole
9 phrase at the end of Line 21, it doesn't make sense. It's
10 attributed to Jerry.

11 CHAIRPERSON LUDWIG: What does it say?

12 MS. LANPHEAR: It says, then you mentioned
13 also updating Landing Road, mare hair the guilt.

14 CHAIRPERSON LUDWIG: I don't know, let's
15 just --

16 MS. LANPHEAR: I can't make sense of the
17 phrase out of that.

18 CHAIRPERSON LUDWIG: Let's just eliminate
19 that. Just say, updating Landing Road.

20 MS. LANPHEAR: Okay. And further up on that
21 page on Line 5, Chris Brant, there's a D before the T in his
22 name, and Tracy's name on Line 7 is spelled T-R-A-S-E-Y
23 instead of T-R-A-C-Y.

24 CHAIRPERSON LUDWIG: Very good. Any other
25 additions, corrections? Motion to approve as amended.

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3 MS. DREHER: I'll move to approve minutes as
4 amended.

5 CHAIRPERSON LUDWIG: Thank you. Second?

6 MR. PAGE: I'll second, John Page.

7 CHAIRPERSON LUDWIG: Thanks, John. All in
8 favor say aye.

9 ALL COUNCIL MEMBERS: Aye.

10 CHAIRPERSON LUDWIG: Thank you. Ramsey, was
11 this meeting duly advertised?

12 MR. BOEHNER: Yes, it was advertised in the
13 Brighton-Pittsford Post of June 10, 2021.

14 MS. DREHER: Jerry, I think we were going to
15 do the approval of the May minutes as well.

16 CHAIRPERSON LUDWIG: Oh, I'm sorry.

17 MR. BOEHNER: That's right.

18 CHAIRPERSON LUDWIG: Thank you, Amanda. May
19 minutes, any additions or corrections?

20 MS. LANPHEAR: Again, I'm listed on the not
21 present part of the front page there and I was present.

22 CHAIRPERSON LUDWIG: Okay, sorry about that.
23 Any other additions or corrections? Motion to approve as
24 amended.

25 MR. PAGE: I will make a motion, John Page.

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3 CHAIRPERSON LUDWIG: Thank you, John. Second?

4 MS. DREHER: I will second.

5 CHAIRPERSON LUDWIG: Thank you, Amanda. All
6 in favor.

7 ALL COUNCIL MEMBERS: Aye.

8 CHAIRPERSON LUDWIG: Minutes stand approved.
9 Ramsey, was this meeting duly advertised?

10 MR. BOEHNER: Yes, it was properly advertised
11 in the Brighton-Pittsford Post of June 10, 2021.

12 CHAIRPERSON LUDWIG: Meeting as duly
13 advertised will now be held.

14 We have no communications, no designation of
15 landmarks, no Certificates of Appropriateness, no hardship
16 applications, Public Hearings are closed, new business.
17 (Whereupon Justin Delvecchio joined the meeting.)

18 MR. BOEHNER: I would like the record to note
19 that Jason Delvecchio has joined the meeting. The minutes
20 should reflect that.

21 MR. GORDON: Or Justin Delvecchio, we call him
22 Justin too.

23 MR. BOEHNER: Oh, I'm sorry, I called him
24 Justin, I'm sorry.

25 MR. GORDON: No problem, Ronald.

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3 MR. BOEHNER: No, it's Randy, especially when
4 I was a little kid.

5 MR. GORDON: This is helping Rhoda
6 tremendously, I'm sure.

7 MR. BOEHNER: My mother was a Sunday school
8 teacher and she heard this terrible story about Randy not
9 behaving in Sunday school and it turned out to be Ramsey.
10 For a long time she just heard about Randy, so anyhow.

11 CHAIRPERSON LUDWIG: Okay, Randy. Public
12 Hearings are now closed. New business, demolition review
13 2253 South Clinton Avenue.

14 MR. BOEHNER: Jeff, if you could pop up a
15 picture of that building on South Clinton Avenue?

16 CHAIRPERSON LUDWIG: Oh, that's a pretty one.

17 MR. BOEHNER: The building is being torn down
18 to raise up the roof. It's a 1960's style building. Jeff,
19 could you show the letter from the architect, just to give a
20 little summary of what he knows about the building. It's a
21 wood-framed building, typical of 1960's low rise office
22 building. There's not much to it, nothing very notable about
23 it from what I can see. I believe you have this in your
24 packet of information.

25 CHAIRPERSON LUDWIG: Yes, we did.

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3 MR. GORDON: And just to remind the Board, the
4 only issue before the Board is, is this a building that you
5 would want to consider for designation as a landmark under
6 our Historic Preservation Code, and that is the decision to
7 make here. So, at some point in time, a motion to instruct
8 Ramsey to advise the Planning Board that there is no
9 interest, or is an interest in having this property
10 designated as a landmark.

11 CHAIRPERSON LUDWIG: Thank you, Ken. Is there
12 anyone to speak for this proposal?

13 MR. BOEHNER: It's not a public hearing, per
14 se, no, it's --

15 CHAIRPERSON LUDWIG: Okay, very good.

16 MR. GORDON: It's up for a discussion of the
17 Board itself.

18 CHAIRPERSON LUDWIG: Yes. I just wondered if
19 anyone from the architectural firm was here.

20 MR. BOEHNER: No, Jerry, there isn't.

21 CHAIRPERSON LUDWIG: That was all.

22 MR. BOEHNER: Okay.

23 CHAIRPERSON LUDWIG: Very good. Any
24 discussion or questions from the Commission?

25 Then, Ken, would you -- well, I guess we don't

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3 need a motion.

4 MR. BOEHNER: Yeah, I would like a motion.

5 CHAIRPERSON LUDWIG: Very good.

6 MR. GORDON: Well, yeah, I would --

7 MR. BOEHNER: -- having the property to be
8 considered as a local landmark.

9 MR. GORDON: Would you read that again,
10 Ramsey, I spoke over you.

11 MR. BOEHNER: I'm sorry, speaking over you.
12 That you direct the secretary to advise the
13 Planning Board that the Historic Preservation Commission has
14 no interest in having a Public Hearing to consider the
15 property as a landmark, local landmark.

16 CHAIRPERSON LUDWIG: So, a yes vote will
17 direct Ramsey to send a letter saying, we have no interest in
18 designating.

19 MR. BOEHNER: That is correct. Thank you,
20 Jerry.

21 MS. DREHER: I will make that motion.

22 CHAIRPERSON LUDWIG: Thank you, Amanda.
23 Second please?

24 MR. PAGE: I'll second the motion, John Page.

25 MR. BOEHNER: Thank you, John.

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3 CHAIRPERSON LUDWIG: Any discussion? Okay,
4 Ramsey, would you call the vote?

5 MR. BOEHNER: Member Ludwig?

6 CHAIRPERSON LUDWIG: Yes.

7 MR. BOEHNER: Mr. Goodman?

8 MR. GOODMAN: Yes.

9 MR. BOEHNER: Mr. Page?

10 MR. PAGE: Yes.

11 MR. BOEHNER: Mr. DelVecchio?

12 MR. DELVECCHIO: Yes.

13 MR. BOEHNER: Ms. Dreher?

14 MS. DREHER: Yes.

15 MR. BOEHNER: Motion passes.

16 CHAIRPERSON LUDWIG: Very good, thank you.
17 Any other new business?

18 Okay, old business. The issue of last month
19 we talked about the tree issue, and I thought it appropriate,
20 and I know we brought this up before but I think we need to
21 also include air conditioning compressors and generators as
22 the items that do not need a Certificate of Appropriateness
23 because they are covered under the building code needing a
24 permit, which does govern their location, et cetera.

25 Ken, would you speak to this please?

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3 MR. GORDON: Thank you, Jerry. So, the
4 Historic Preservation Code, specifically Section 224-4 allows
5 the Commission as we did at our last meeting, to adopt rules
6 or policies after a Public Hearing to determine when repairs
7 and maintenance of landmarks will not require a Certificate
8 of Appropriateness.

9 So, we determined that the issue of getting
10 rid of a dead tree is a maintenance or repair issue, and you
11 as the Board determined that you wanted to put into place
12 that policy that said that if you are removing a dead tree,
13 you need not come in for a Certificate of Appropriateness.

14 Installing a generator, Ramsey and I have
15 talked about this a bit, does not seem to constitute either
16 maintenance or repair, and so it would not be within the
17 Commission's purview to simply adopt a policy or procedure
18 that would allow generators to be installed without getting a
19 C of A.

20 However, the right process for making that
21 happen would be for the Commission, if it was so inclined, to
22 direct Ramsey to send a letter to the Town Board on behalf of
23 the Commission requesting that the code be amended so that
24 the installation of generators pursuant to Town Code would
25 not require a Certificate of Appropriateness, and then the

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3 Town Board could take that up, draft a local law -- actually,
4 I would be drafting the local law, amend the code to provide
5 for that exception. It would have to be a code amendment
6 that only the Town Board could enact, not a policy or
7 procedure that the Commission could accomplish.

8 CHAIRPERSON LUDWIG: Thank you, Ken. Now in
9 addition to this, I guess I would ask the Commission, is
10 there anything else along this line that we should include?

11 MR. PAGE: It was already mentioned about
12 compressors for air conditioners. I have a question, Ken, if
13 somebody wants to remove a generator or remove a compressor,
14 is it incumbent upon them to come to the Board if those items
15 have not been specifically identified in the designation?

16 MR. GORDON: Interesting. Let me ask Ramsey
17 this question, Is the -- does the removal of a compressor
18 or --

19 MR. BOEHNER: It would require a building
20 permit, so I would not be setting it up to get a C of A.

21 MR. GORDON: There you go, that's what I
22 thought the answer was, but I know you know that better than
23 I.

24 MR. BOEHNER: Yeah. I was just waiting my
25 turn.

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3 MR. GORDON: So, that's not an issue that we
4 need to address, John, I guess because they would never have
5 to come in for that anyway.

6 MR. PAGE: Thank you.

7 MR. GORDON: So, what I hear is an interest
8 possibly, although I heard Jerry say, and maybe John as well
9 say that there's an interest of the two of them in asking the
10 Town Board to amend the code to accept from the requirement
11 of the C of A, both the installation of a generator and the
12 installation of an air conditioning compressor, and as long
13 as it's done in compliance with the other provisions of Town
14 Code, obviously.

15 So, is there more interest, I mean, is this
16 something that the Board, or just Jerry and John are
17 interested in? I don't know, Wayne, Amanda, Justin, I don't
18 know what your thoughts are.

19 MR. GOODMAN: This is Wayne. You know, I
20 got -- I think it's a good idea. I think, you know, I think
21 it's something to focus on really, and the most pertinent
22 topics, so I would be supportive of this.

23 MR. GORDON: And, is there anything else that
24 comes to your mind, Wayne, along those lines of generators
25 and AC compressors?

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3 MR. GOODMAN: No, I think those are the two.
4 I think Jerry mentioned at the previous meetings in the
5 minutes. So, you know, I think those two items I think cover
6 it, at least from my standpoint.

7 MR. GORDON: Amanda, Justin, your thoughts?

8 MS. DREHER: I agree, as far as generators and
9 air compressors go. One thing I was thinking about would be,
10 because I've been looking at my own house, is the situation
11 with, like, ductless mini-splits. I think we would want to
12 talk about placements, and for something like that the
13 compressor would be fine, but those units take up quite a lot
14 of wall space and when you would be, you know, removing a
15 portion of the original cedar siding to do that, and would
16 not be able to put it back into its original condition as
17 readily.

18 So, I think if we draw it narrowly as we're
19 discussing, I think a situation with that sort of, that would
20 be different, because it would, it would -- it was all part
21 of the same system, but it would be requiring alterations to
22 the siding of the house, installation, something into the
23 house as opposed to something on the ground next to the house
24 with just a connection going in.

25 CHAIRPERSON LUDWIG: Amanda, I'm not sure what

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3 you're referring here to.

4 MS. DREHER: So, since a lot of the old houses
5 in the area do have, you know, boiler, radiant heat, they
6 don't have the duct work in, or, you know, one of the options
7 is to do ductless units, the mini-split units.

8 CHAIRPERSON LUDWIG: Oh, you mean like a
9 Mr. Slim, Mitsubishi unit?

10 MS. DREHER: Yes.

11 CHAIRPERSON LUDWIG: Well, we have one in our
12 house.

13 MS. DREHER: So, what do other folks think
14 about, like, do we want to see, do we want to talk to those
15 homeowners before they do something like install, you know,
16 six of those units on the side of their house?

17 CHAIRPERSON LUDWIG: Well, normally the unit
18 goes into the house and the compressor is outside on the
19 ground.

20 MS. DREHER: Is there nothing on the outside?
21 But, there is something on the outside of the house, isn't
22 there?

23 CHAIRPERSON LUDWIG: Not that I see. And,
24 often times there are, because the unit's typically installed
25 up on the wall, what most contractors will do is run a piece

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3 of downspout, gutter downspout to conceal the refrigerant
4 lines. But, other than that there's no big unit that I'm
5 aware of that fits on the outside of the house.

6 MS. DREHER: Okay. I think that what I'm
7 thinking of is an older model method of doing that. If that
8 is the current, the upgrade, you know, the current method of
9 doing that. It's just a matter of, of the line coming down,
10 I think that's fine.

11 CHAIRPERSON LUDWIG: I believe so.

12 MR. DELVECCHIO: Amanda, I share a little bit
13 of your concerns in that, if not that someone with a landmark
14 contract with a, someone who wouldn't do it right, but I
15 think what we don't want to have is a house that doesn't have
16 any duct work and it's large, let's say stone or some sort of
17 hard application. And, you have what we might call -- like,
18 I work at Trane -- condensing unit parts outside. So, you
19 might have two on one side, the other side of the house has
20 two more, you know, have power running, you have the
21 disconnect on the side of the house, power runs out to the
22 line. Then, you can conceal everything, no doubt.

23 I don't know the likelihood, so if someone
24 asks me, well, where would someone really do that? I mean,
25 it kind of depends, it might happen if you had a kind of low

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3 budget contractor. Or, you know, they put stuff you know,
4 like after five years the stuff's tilted and sunk into the
5 ground in Brighton clay.

6 So, whether that's really, I mean, the town
7 engineering side, you know, review, the code review, is going
8 to look into that stuff. I have to be honest, I have not
9 been paying attention to that side. I do have confidence in
10 them, but, so, if that satisfies, if that does truly satisfy
11 that it will be done correctly, and in proportion to the
12 application, then I'm okay with that.

13 But, I hear where you're coming from, Amanda,
14 because it can get little, you know, it can be a little
15 unsightly. They are on stands, I mean, I've seen commercial
16 applications where the Mitsubishi splits will be the outdoor
17 unit, will be on like an erector set of metal stands, because
18 they want to be above snow line, and that's typically for a
19 commercial application.

20 But, if it was a larger home, you can have
21 something like that and it kind of looks, might look like,
22 like a Monroe Avenue application if it wasn't, you know, if
23 it wasn't planned right.

24 MS. DREHER: Yeah, Wayne, you have these at
25 Warner Castle, correct? Do you have any concerns about the

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3 source of systems talking to owners ahead of time?

4 MR. GOODMAN: I agree with Justin, I think
5 that, you know, sitting here and sort of thinking through, I
6 think that Justin's right. I don't believe there would be
7 much of an issue. However, there could be with the placement
8 of the exterior unit, because at Warner Castle here we just
9 had these installed and we had a number of these installed.

10 (Whereupon Diana Robinson joined the meeting.)

11 MR. GOODMAN: So, it doesn't really, at least
12 at Warner Castle and the Mitsubishi units that we installed,
13 it didn't really impact, you know, the building as far as the
14 walls go. But, we do have precisely what Justin was
15 describing, which is these units that sort of sit on a sort
16 of scaffolding. And, we have, like, plants that sort of
17 obscure it to some degree at Warner Castle.

18 So, I don't have a huge concern with the split
19 systems impacting, sort of a wall of the building or the
20 siding necessarily, but I could see it, you know, is it
21 possible that someone would do what Justin is describing? It
22 is possible, and I agree with Justin, the likelihood's not
23 there, but it's still possible.

24 CHAIRPERSON LUDWIG: Ramsey, is any of this
25 governed by the permit process?

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3 MR. BOEHNER: Yes. It would be a building
4 permit required. Unless they were exempt, I would make them
5 come in.

6 CHAIRPERSON LUDWIG: All right. So, if they
7 came in for a building permit, would you have any input as to
8 what Justin and Amanda were talking about?

9 MR. BOEHNER: No, not really.

10 MR. GORDON: Not as an effect, the historic
11 character of the house, remember that's what your Board has
12 special jurisdiction over.

13 CHAIRPERSON LUDWIG: I understand.

14 MR. BOEHNER: That's right, Ken. Because I
15 couldn't be telling them, you got to run your lines through a
16 gutter, or you got to hide things, you know. I am just
17 issuing the permit, does it meet code? You're good to go.

18 MS. DREHER: And, I'm less concerned with how
19 something may look while the unit is there, even if it is
20 going to be for a long time. I am more concerned with making
21 alterations to the house that cannot be undone. But, I think
22 if a unit is placed outside and the alteration to the house
23 is minimal, then I am comfortable with the permit process
24 covering, like, the safety issues and we would nod. I don't
25 think we would need to approve that ahead of time.

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3 CHAIRPERSON LUDWIG: Well, regardless of how
4 it's fastened to the house, nothing, really, as far as I can
5 think. It may not look the best, but certainly it would not
6 have irreparable -- it wouldn't do irreparable damage to the
7 house, even if you did have a, you raised it up some.

8 MR. BOEHNER: Well, I think what you are
9 saying is that normally none of these units are actually
10 attached to the structure. They're sitting on a platform
11 with lines running to the house, up the side, up the corners,
12 through the gutters, running cool air. So, I think that's
13 probably the key. I think you guys are all comfortable, as
14 long as they do not attach it to the structure and start
15 damaging the wall of the historic structure.

16 MR. GOODMAN: I guess, I had a question and
17 maybe Justin, given his experience knows this, but would
18 probably have to, you know, it's going to be right, Justin?
19 The holes drilled in there, right? I mean, you're going to
20 have to impact the structure to some degree just to get
21 lines, right?

22 MR. DELVECCHIO: Yes. The line sets are not,
23 it's not significant, not to where -- it's like if you are
24 running power, if you ran a new power service. Yeah, you
25 have to punch through, like, you could patch it over, you

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3 could make it, if it's done right, it could be done right.

4 My main concern is the platform thing. I was
5 actually trying to find a picture to show people what it
6 could like. And then you could decide, well, if that's --

7 Oh, Jeff, excellent. Yeah, that's a very
8 standard on the right, because there's an electrification and
9 decarbonation initiative going on right now. Where there --
10 you guys will be seeing more and more incentives where they
11 actually want to have some of these systems rather than
12 burning fossil fuel, like natural gas and stuff. There's
13 going to be a big push to switch over to full electric heat.

14 Now, I'm not saying that you would do that for
15 a whole house, but if you had, you know, a -- just an area
16 that needed some extra heat or something, you could put one
17 of these up. And, if it just went through, like they get
18 permitted easily by the town code, and it would -- the reason
19 they lift them up like that, is because they have to be above
20 snow line to generate heat in the wintertime.

21 That's what is the standard, like, that's the
22 highest quality grade Mitsubishi product. They all come on
23 those platform, those stilt things.

24 So, I don't know. What's the likelihood? I
25 mean, that we would see a, like, maybe once a year, you might

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3 drive by and see someone who added this, so.

4 MR. BOEHNER: Do you see some of the pictures
5 that Jeff has pulled up? You'll see some of them being
6 mounted on the side of a wall of a house, and I have seen
7 that. I have seen that.

8 MS. DREHER: I think these are, they're
9 impacting that, the house, less than I originally thought.
10 So, I think I'm kind of confusing the modern systems which
11 I've seen from the inside, and started to look at, with old
12 systems where people would cut a bigger hole in their house,
13 or some kind of old version of this, or maybe something else.

14 JEFF FRISCH: Kind of like having me go
15 through this, Amanda, it's kind of like a hotel, but in a
16 hotel, big --

17 (Whereupon crosstalk occurred.)

18 MS. DREHER: And it sounds like it's not
19 something we have to worry about. So, I'm okay with the set
20 up of the pictures here, whether it's attached to the side of
21 the house, or whether it's on a platform. Because, I mean, I
22 think it's limited as it can be and we want homeowners to be
23 able to add things like air conditioning because that means
24 they are going to stay in their house and they're going to
25 take care of it, they have an investment in it. And, I think

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3 that's a reasonable thing for us to want, you know, folks to
4 be able to do.

5 MR. DELVECCHIO: The question that I have is,
6 if they are actually asking their contract questions, their
7 guy might say, oh, yeah, well, let's just do these right up
8 against the house; and, okay.

9 CHAIRPERSON LUDWIG: Well, then --

10 MR. DELVECCHIO: That's why we look at stuff.

11 CHAIRPERSON LUDWIG: Right, but most of these,
12 the ones that are raised up are more of a heat pump
13 situation, I would think. Right, Justin?

14 MR. DELVECCHIO: Not always.

15 CHAIRPERSON LUDWIG: Just for air
16 conditioning --

17 MR. DELVECCHIO: Those AC, those are AC.
18 They're bigger applications, which some of our homes are
19 significant where you can see, like, you know, like a 1500
20 square feet, 2000 square feet off of it and have multiple
21 runs off of it. It's called VRF technology.

22 I know, Jeff, there's like a city multi from
23 Mitsubishi like a C-I-T-Y space M-U-L-T-I, City Multi
24 Mitsubishi. Yeah. You go to that, like, you could have a
25 home that might want to add. I'm not saying you would not do

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3 it, I'm just saying the installation can be significant.

4 CHAIRPERSON LUDWIG: But, Justin, you wouldn't
5 need to raise it up to get it out of the snow if it's just
6 for air, would you? There's no snow.

7 MR. DELVECCHIO: I don't know. Those are the
8 conversations -- no, like I said, Jerry, I thought it would
9 be rare.

10 CHAIRPERSON LUDWIG: Yeah.

11 MR. DELVECCHIO: Just trying to build
12 awareness.

13 CHAIRPERSON LUDWIG: Yeah. I think that's
14 not, a splendid nonpossibility for an older house, I mean,
15 most people that have an older house would -- that have
16 forced air heat will just combine it with the furnace. And,
17 if it was radiator, hot water heat, or steam heat, then they
18 would have a compressor on the ground, because obviously
19 you're not going to use air conditioning in the middle of
20 winter. Now, if you did have a heat pocket, that's a little
21 bit different.

22 MR. GOODMAN: But, even the house across the
23 street from me that has, you know, they have forced air in an
24 addition and they cool their addition with one of these
25 units. Now, theirs is attached to the side of their house

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3 though, so it's certainly possible and I have seen these
4 around.

5 MR. DELVECCHIO: You're going to see a lot
6 more of them, and I think, Jerry, I am not talking about
7 heating applications. I was explaining why they might be up.
8 But, they may, if the specs, if it's a bad -- if it's not a
9 bad contractor, but if the kit comes with the stand, and they
10 have a, you know, labor is very tight and, you know, they
11 will put it up, a guy will just put it up on a stand. I
12 mean, that can definitely happen.

13 CHAIRPERSON LUDWIG: Okay.

14 MR. DELVECCHIO: So, hey, if we're okay with
15 that chance, it may be rare, but --

16 CHAIRPERSON LUDWIG: Well, yeah, even if it --

17 MR. DELVECCHIO: We would vote or whatever.

18 CHAIRPERSON LUDWIG: Even if it's up on a
19 stand, it's not going to do irreparable damage to the house.

20 MR. DELVECCHIO: No, but I would be concerned
21 with the appropriateness of the application. That's my only
22 concern.

23 MR. GOODMAN: My concern, I guess I should
24 just voice, after going through the discussion, I would have,
25 I guess -- I don't know that I would be that comfortable if

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3 someone took one of these units that I'm staring at and
4 placed it, you know, on the front elevation of, you know, a
5 historic property that was sort of --

6 CHAIRPERSON LUDWIG: But, since they can't do
7 that because of the code.

8 MR. GOODMAN: No, they could do it though,
9 right?

10 CHAIRPERSON LUDWIG: No, no. Because the
11 code --

12 MR. BOEHNER: They could if they applied for a
13 variance.

14 MR. GORDON: So, I just, and thanks, Ramsey.
15 I just wanted to step in here and say, understand what you're
16 doing. What you're doing is, you're saying to the Town
17 Board, amend the code so we don't see any of these, no matter
18 what. You don't see any generator installations, you don't
19 see any air conditioning compressor insulations, you don't
20 see any of these --

21 MR. BOEHNER: Split systems.

22 MR. GORDON: -- the split systems anywhere.
23 And, so, yeah, if somebody, if they came in and they said
24 they want to put a monster generator in our front yard, they
25 would have to go to the Zoning Board. They would never have

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3 to go to the Historic Preservation Commission, and it would
4 be the Zoning Board that would tell them, yeah, we'll allow
5 you to do that. And they may or may not appreciate the
6 impact on the historic character of the building, but that's
7 not really their criteria for their determination.

8 So, that's what you're doing by asking the
9 Town Board to amend the code, whether it's these or air
10 conditioning units, or generators, so keep that in mind.

11 I will also tell you that if you are asking
12 the Town Board to amend the code, the more simple you can
13 make it and the clearer you can make your request, more
14 likely that it will be acted upon in the way that you wish.
15 So, clarity is important if you are going to communicate this
16 message.

17 CHAIRPERSON LUDWIG: Well, we could say air
18 conditioning compressors are exempt if they are placed on at
19 ground level or something like that.

20 MR. PAGE: We don't want any building mounted
21 equipment and we don't want anything on the front of the
22 house either. So, to me, if they would have to -- the
23 language would have to include that it would have to be
24 behind the front line of the house and not mounted to the
25 house.

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3 MR. DELVECCHIO: I agree.

4 MR. GOODMAN: I agree too.

5 MR. DELVECCHIO: I like, Jerry, build at the
6 ground level, I like that. Maybe those are the three
7 criteria?

8 MR. PAGE: Yeah, ground mounted, not mounted
9 to the house and the front facade.

10 CHAIRPERSON LUDWIG: Is that possible, Ken?

11 MR. GORDON: Yes. Sorry, I think --

12 MR. BOEHNER: I think that's being clear,
13 being specific, which will help. I don't think you're going
14 to get that many, if you do have to deal with someone in the
15 front, it's not going to be that many. It's going to be, you
16 want to do it though, they have to realize there's going to
17 be some lifting they're going to have to do -- because more
18 than the town or anyone else.

19 MS. DREHER: And, I would think that they
20 would be coming for that, because they felt they didn't have
21 another option. There was a specific reason that it needs to
22 be, or they want it in the front or something like that. And
23 then, we would get to weigh in.

24 MR. BOEHNER: Usually, yeah.

25 MR. GORDON: I don't want to drag the

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3 conversation out more than it needs to be. But, while we're
4 thinking about these things, is there anything along the
5 lines of geothermal insulations that we would want to accept?

6 MR. DELVECCHIO: Exempt?

7 MS. DREHER: Like solar panels?

8 MR. GORDON: Not solar, geothermal.

9 MS. DREHER: Okay. I don't know what that
10 looks like.

11 MR. DELVECCHIO: And, my input would be, if
12 you do geothermal, yes, the construction will -- you have,
13 like, site work, and then it's clean, and then it's piped to,
14 you might have an outdoor unit like -- or maybe we should
15 just mention air conditioning slash compressor units. Like,
16 use that terminology, because a geothermal system might have
17 a heat pump application that, I don't know if you want to
18 catch that. It all ties back to the same idea of the unit,
19 the boxes, you know, like at ground level and such.

20 MR. GORDON: So, again, back to our town
21 planner, if somebody wanted to install a geothermal system in
22 the Town of Brighton for their home, would they need to come
23 in and get a building permit and would you if it was a
24 designated property refer them over to the Historic --

25 MR. BOEHNER: I've never had it come across my

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3 desk, but my general reaction, my first reaction is, yes.

4 MR. GORDON: There are geothermal units in the
5 Town of Brighton.

6 MR. BOEHNER: Yes, but not one with a
7 historical designation attached to it. They're digging down
8 and they are disturbing the soil, but you don't see anything
9 for the most part.

10 MR. GORDON: Right, but it's considered an
11 exterior renovation to the property.

12 MR. BOEHNER: Yes, it would need a building
13 permit.

14 MR. GORDON: It would need a building permit
15 and without this exception or exemption, whatever you want to
16 call it, it would need a C of A, unless we say otherwise.

17 So, all I'm suggesting is that we should
18 probably include that. And I did not suggest solar because
19 you're slapping panels on a roof, I think you guys want to
20 see that.

21 CHAIRPERSON LUDWIG: Right.

22 MR. DELVECCHIO: I do.

23 CHAIRPERSON LUDWIG: Diana brought her
24 application to us, so that's fine.

25 MR. BOEHNER: Diana Robinson is part of the

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3 meeting, if the record could reflect that.

4 MS. ROBINSON: We actually have been talking
5 about geothermal in the far future, considering it.

6 MR. DELVECCHIO: So, I would exempt it. So,
7 other than the unit, you know, the compressor unit that goes
8 along with the geothermal, that's the same concern as if you
9 are adding cooling only. But, I have no concern over the
10 site work, because really, they're going to put it in a spot
11 where they can get at it, and maybe it will, I guess needs to
12 dig up the whole garden, but. Diana, thoughts?

13 MS. ROBINSON: I have a question, maybe for
14 Justin, but the geothermal system has to have an outside
15 contraption or does it go right into the basement and then
16 start from there?

17 MR. DELVECCHIO: Well, could be, I must say
18 I'm not an expert, but there are -- it could be both, for
19 sure.

20 MR. BOEHNER: What I have seen so far, at
21 least for residential applications, it seems to go in a
22 basement.

23 MR. DELVECCHIO: Okay.

24 MR. BOEHNER: And they are set up in the
25 basement, they go through the wall.

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3 MR. DELVECCHIO: Well, there I have, yeah, I
4 mean, it seems pretty low impact.

5 MR. GORDON: So, I've got to take a shot at
6 suggesting what I have heard so far as a potential motion.
7 That would be to direct the secretary of the Historic
8 Preservation Commission to send a letter to the Town Board
9 recommending that the Town Code be amended so that the
10 installation of generators, air conditioning units,
11 geothermal systems and equipment, and ductless mini-split
12 units would not require a Certificate of Appropriateness.
13 If, and only if, those installations are installed in
14 compliance with the Town Code at ground level, not attached
15 to the house, and behind the front facade.

16 MS. DREHER: Well, let me ask -- I'm sorry,
17 can I ask a question before we -- someone makes a motion, or
18 do you need to finish?

19 MR. GORDON: I was going to say, if somebody
20 would make the motion and second it, then you can discuss it.

21 MS. DREHER: Okay. I will make the motion.

22 CHAIRPERSON LUDWIG: Thank you, Amanda. Can I
23 have a second?

24 MR. DELVECCHIO: I will second.

25 CHAIRPERSON LUDWIG: Thank you, Justin. Any

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3 discussion?

4 MS. DREHER: Well, I was just thinking, so you
5 were talking about the mini-splits, are there any
6 circumstances when they would not either be on, lifted up, as
7 Wayne was describing, or attached to the house? I mean, are
8 there some circumstances when they would be on ground level
9 or is that not done anymore?

10 MR. PAGE: Yes, they can be on ground level.

11 MS. DREHER: Okay. That was my only question.

12 MR. DELVECCHIO: Jerry's probably yes, right,
13 Jer?

14 CHAIRPERSON LUDWIG: Yeah.

15 MS. DREHER: Okay. I just wanted to make sure
16 that was the -- before we put it in there, that that made
17 sense. Okay.

18 CHAIRPERSON LUDWIG: Any other discussion?
19 Okay. Sounds like you have it, Ken.

20 MR. GORDON: I hope so.

21 MR. BOEHNER: Member Ludwig?

22 CHAIRPERSON LUDWIG: Yes.

23 MR. BOEHNER: Ms. Robinson?

24 MS. ROBINSON: Yes.

25 MR. BOEHNER: Mr. DelVecchio.

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3 MR. DELVECCHIO: Yes.

4 MR. BOEHNER: Mr. Goodman?

5 MR. GOODMAN: Yes.

6 MR. BOEHNER: Mr. Page.

7 MR. PAGE: Yes.

8 MR. BOEHNER: Ms. Dreher?

9 MS. DREHER: Yes.

10 MR. BOEHNER: Motion passes. I will address
11 the letter and send it to the Town Board.

12 CHAIRPERSON LUDWIG: Thank you, all. Any
13 other old business?

14 MR. PAGE: So, I have a question, Ramsey.
15 Where do we stand on the, getting money for and/or a person
16 for doing more research for us?

17 MR. BOEHNER: I sent out the RFPs yesterday.

18 MR. PAGE: Okay.

19 MR. BOEHNER: There's money in the budget, by
20 the way, is the last I understood.

21 CHAIRPERSON LUDWIG: Any other concerns with
22 the church? If not, may I have a motion to adjourn.

23 MR. DELVECCHIO: I move.

24 MR. GOODMAN: I second.

25 CHAIRPERSON LUDWIG: All in favor?

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BRIGHTON HISTORIC COMMISSION 06/22/2021

ALL COUNCIL MEMBERS: Aye.

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REPORTER CERTIFICATE

I, Rhoda Collins, do hereby certify that I did report in stenotype machine shorthand the proceedings held in the above-entitled matter;

Further, that the foregoing transcript is a true and accurate transcription of my said stenographic notes taken at the time and place hereinbefore set forth.

Dated this 14th day of August, 2021.

At Rochester, New York

Rhoda Collins
Rhoda Collins