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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

September 23rd, 2021
At approximately 7:15 p.m.
Brighton Town Hall
2300 Elmwood Avenue
Rochester, New York 14618

PRESENT:

JERRY LUDWIG, CHAIRPERSON

AMANDA L. DREHER)	
WAYNE GOODMAN)	
JOHN PAGE)	
DIANA ROBINSON)	BOARD MEMBERS
DAVID WHITAKER)	

MARY JO LANPHEAR
Town Historian

KEN GORDON, ESQ.
Town Attorney

RAMSEY A. BOEHNER
Town Planner

NOT PRESENT:
JUSTIN DELVECCHIO

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

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3 CHAIRPERSON LUDWIG: Anyone here to speak at
4 the open forum tonight? Okay.

5 Who is doing Ramsey?

6 MS. LANPHEAR: I'm being Ramsey tonight.

7 CHAIRPERSON LUDWIG: All right.

8 MS. LANPHEAR: Actually, Ken is too.

9 CHAIRPERSON LUDWIG: I'd like to call the
10 meeting to order. Ms. Secretary, would you call the roll
11 please.

12 MS. LANPHEAR: Member Dreher?

13 Ms. Dreher: Present.

14 MS. LANPHEAR: David?

15 MR. WHITAKER: Here.

16 MS. LANPHEAR: John?

17 MR. PAGE: Here.

18 MS. LANPHEAR: Jerry?

19 CHAIRPERSON LUDWIG: Here.

20 MS. LANPHEAR: Diana?

21 MS. ROBINSON: Here.

22 MS. LANPHEAR: Wayne?

23 MR. GOODMAN: Here.

24 CHAIRPERSON LUDWIG: Thank you. May I have a
25 motion to approve the agenda?

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MR. WHITAKER: So moved.

MR. GOODMAN: I will second.

CHAIRPERSON LUDWIG: All in favor?

ALL COUNCIL MEMBERS: Aye.

CHAIRPERSON LUDWIG: First item on the agenda stands approved. The next item on the agenda are the minutes. And you don't realize until you've spent many, many minutes going over, you know, it was a Shakespeare play, I do believe it was much ado about nothing.

Okay. Corrections for June, any corrections?

MS. DREHER: I have a few. Page 13, Line 19, I believe it should say would not require, it currently says would require.

Page 14, it says, I'm sorry, yes, it says, accept A-C-C-E-P-T, it should be exempt.

And Page 25, Line 20, it says, heat pocket, and I believe that --

CHAIRPERSON LUDWIG: Is that a hot pocket you put in the microwave? I don't think that's what it was.

MS. DREHER: Was it heat pump?

CHAIRPERSON LUDWIG: Yes.

MS. DREHER: Okay. That's what I thought. Should be heat pump.

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And that's all I have for June.

4

CHAIRPERSON LUDWIG: I think there was another
5 one on Page 30, Line 5, another exempt versus accept.

6

Okay. Any others for June?

7

July?

8

MS. DREHER: I have several. I think we had a
9 bit of an issue with masks in July. So, I just wrote down
10 ones that I thought were really substantive that would be
11 confusing in the meeting.

12

On Page 10, John had said, the record says,
13 I'm compelled with you guys are interested in utilizing the
14 property for its original intent. I am not sure what you
15 meant, John, but I don't think it was compelled.

16

MR. PAGE: Compliment.

17

MS. DREHER: Perhaps that was it. It doesn't
18 really make sense.

19

Page 32, Line 18, it says involved
20 architecture, it should be Barrow Architecture.

21

And Line 20 on Page 32, it says Kent Design is
22 that another -- it's referring to where we got quotes from
23 other firms for surveys. Kent Design, I don't recognize
24 that. I'm not sure what it should be, does anyone know?

25

Okay, then I guess it just stands.

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3 Page 40, Line 15, and operating, should be
4 updating.

5 And Page 40, Line 20, I believe the reference
6 was to Chabad, which I believe is spelled C-H-A-B-A-D, the
7 records says H-O-B-I-C-H.

8 CHAIRPERSON LUDWIG: What page?

9 MS. DREHER: Page 40, Line 20.

10 CHAIRPERSON LUDWIG: Okay. There's another on
11 Page 38, Line 20, same thing.

12 MS. DREHER: Okay. Another one on Page 43,
13 Line 1, it says bodd, B-O-D-D, it should be Chabad,
14 C-H-A-B-A-D.

15 And I had one more Page 41, Lines 8 to 9, it
16 says, I certainly consider this -- well, the phrase, a very
17 large building I believe should be significant. I'm not sure
18 how that came to be, but based on another sentence later on
19 it looks like it should be significant, referring to an
20 example of architecture.

21 That's it.

22 CHAIRPERSON LUDWIG: Okay. I have a few.
23 Page 29, Line 25, it should be pure, P-U-R-E, and not hero.

24 I think Page 31, Line 18, it says going -- it
25 should be going concern not growing concern.

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Page 32, Line 22, it should be hourlies,
4 I-E-S.

5

Page 44, Line 15, it should be dowager not
6 dowerly.

7

Do you know what dowager means? It's a
8 wealthy widowed woman.

9

MS. DREHER: Yes, I've seen Downton Abbey.

10

CHAIRPERSON LUDWIG: Yes. 58, Line 7, it
11 should be Houston Barnard, not Eastern Barnard.

12

Page 68, Line 15, we couldn't -- and I'm not
13 sure what it's supposed to be after that -- it says prior
14 maybe? I am not sure. I don't have the minutes in front of
15 me because I didn't have enough ink in my cartridge to print
16 them out.

17

That's it. Any other corrections?

18

Okay. Motion to approve as corrected?

19

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

20

MR. WHITAKER: Second.

21

CHAIRPERSON LUDWIG: All in favor?

22

ALL COUNCIL MEMBERS: Aye.

23

CHAIRPERSON LUDWIG: Minutes stand approved.

24

Thank you.

25

Now, was this meeting duly advertised?

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3 MS. LANPHEAR: Yes. It was advertised in the
4 Post on September 9, 2021.

5 CHAIRPERSON LUDWIG: That meeting that was
6 duly advertised will now be held.

7 MR. GORDON: And just for the record, Chairman
8 Ludwig, there are no Public Hearings for tonight's meeting,
9 and so no meeting notice was required to be published.

10 There was, in fact, a problem with the
11 publication of the notice of tonight's meeting, it was
12 printed in one of the Post newspapers, unfortunately it was
13 printed in the Irondequoit and Penfield version of the Post
14 newspapers and was circulated to Irondequoit and Penfield,
15 but it was not distributed in the Town of Brighton.

16 However, the meeting schedule has been
17 released long ago, at the beginning of this year to the media
18 in compliance with the open meeting law. So this meeting is
19 properly being held this evening, just as long as we don't
20 hold any formal Public Hearings, which I don't think the
21 Board intends to hold, tonight.

22 CHAIRPERSON LUDWIG: Along that line, what are
23 we going to do when the Post ceases publication?

24 MR. GORDON: At last night's Town Board
25 meeting the Town Board designated the Daily Record as the new

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official newspaper of the Town of Brighton. That's where our notices will be published from now on.

CHAIRPERSON LUDWIG: Okay. We have no communications, no designations of landmarks, no certificate of appropriateness, hardship applications.

And the Public Hearings that we are not having are now closed.

New business, any new business?

Old business, 3108 East Avenue. Lou, right?

LOU TERRAGNOLI: Yes, sir. Good evening, everyone. Good evening Mr. Chairman. You should have in front of you some drawings we had prepared based on our last meeting together.

MR. WHITAKER: Who are you?

LOU TERRAGNOLI: I'm Lou Terragnoli, I am director of real estate for Quicklee's.

CHAIRPERSON LUDWIG: Do you want to pull your mask down?

LOU TERRAGNOLI: Yes, that's great, thank you.

MR. WHITAKER: How do you spell your name?

LOU TERRAGNOLI: T-E-R-R-A-G-N-O-L-I, director of real estate and development for Quicklee's.

I do have larger renderings than what you

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3 have. If it is okay I will pass them out to everyone.

4 CHAIRPERSON LUDWIG: Very good, thank you.

5 LOU TERRAGNOLI: So, thank you for allowing me
6 to present again this evening. We were here a couple months
7 ago and we had our project, 3108 East Avenue, which our plan
8 is to revitalize the property, use the building in its
9 existing footprint, not reduce it, not expand it, but turn it
10 into a C store with retail fuel.

11 I'd like to point right off the bat one of the
12 major items we were talking about before getting to the
13 renderings, was the number of fuel pumps we had purposed when
14 we were here, three. There was a lengthy discussion about
15 the fact that historically there was two pumps at the site,
16 so we did reduce the number of dispensers to two pumps, you
17 know, one on each side.

18 That also dramatically reduces the size of the
19 canopy. The height of the canopy needs to stay the same to
20 accommodate different trucks and vehicles, but the size of
21 the canopy I was told was about 25 percent less, based on
22 just having the two Mobil dispensers rather than the three.

23 In addition to that, there's numerous
24 conversations between our architect, which is Centerline, and
25 the members here about what to do with the exterior of the

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3 building.

4 I'm very proud to say, if you go to really the
5 first rendering on Page 2, very proud to say, and I hope you
6 join in this, is what the building now will look like should
7 the project be able to go forward.

8 I'm not going to try to fluff anybody in using
9 the specific architectural terms, for some of the things we
10 have done, but I will do my best to describe some of the
11 additions to the site.

12 A couple of the additions was, I'll call them
13 the wood framing pieces into the peeks. Those were not there
14 the last time we were here, through discussions and I heard
15 you loud and clear that you would like those to be brought
16 back to life, if you will for lack of a better term. And we
17 did that in every place that they used to be. So that, those
18 items are there.

19 Where there were windows, we're either going
20 to have a new window in its place, or based on the
21 recommendations we receive we will have an outline that there
22 was a window there at one place, at one time. We increased
23 the amount of glass on the front of the building, and
24 everything I am describing is something we were asked to do,
25 which we did. I believe we needed to reduce the amount of

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3 brick on the front, which we also did to increase the glass.

4 There also, if you look at the corners of the
5 building and the brick outlines there, those were also added
6 to be enhanced.

7 So really, if you look at every side of the
8 building -- I'm going on to Page 4 now -- the wood framing up
9 in the peak that was also added, that would be the north
10 elevation if you will, and more glass to reflect what the
11 building was once in the past.

12 And we go all the way around the front and the
13 back where we made detail changes to the building to reflect
14 its historic nature and what it once was. Again, our plan is
15 to use this building and the existing footprint, not increase
16 it, but the entire interior of the space will just be a C
17 store with the two Mobil fuel pumps.

18 Those, in a nutshell, are all of the changes
19 we made to the building. We hope this meets your
20 expectations, but I'm here to listen to any comments or
21 further questions you may have regarding the building
22 elevations.

23 CHAIRPERSON LUDWIG: Well done. One minor
24 thing I'm looking at the side elevation here, and I see
25 you've got a handicapped space, near and dear to my heart,

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3 but I don't see any ramp to get up into the sidewalk.

4 LOU TERRAGNOLI: Of course we can do that.

5 MS. DREHER: Did you -- did they actually
6 remove the plywood so you could see if it was still there,
7 the half timbering was still there?

8 LOU TERRAGNOLI: I don't believe we did that.
9 It's either going to be the original, or we're going to
10 replace it to make it look as close to what was once there.
11 So, it's going to be one of the two.

12 CHAIRPERSON LUDWIG: Amanda, I was by when
13 they covered it up, so --

14 MS. DREHER: Oh, so you're fairly confident it
15 is still there?

16 CHAIRPERSON LUDWIG: Well, unless somebody
17 pulled it out from the inside, I think it's there, the half
18 timbering, because we haven't designated it, but then it was
19 on the agenda, so the owner quickly put up texture 111. You
20 can read between the lines there.

21 Comments, John?

22 MR. PAGE: Thank you. This is a wonderful
23 improvement and I appreciate what I consider extra effort
24 that you're going to, to do good by the building. Thank you.

25 I will comment on making a procedure at one

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3 point and I may have some comments at that point.

4 CHAIRPERSON LUDWIG: Well, there will be, I
5 think, typically when windows are going to be installed, and
6 similar items that we would ask for a cut sheet or some
7 specifics on the windows and doors just so we have that for
8 the record.

9 LOU TERRAGNOLI: That's no problem.

10 MR. PAGE: So, would you like to describe the
11 procedure, what you expect tonight, and what the next step we
12 will expect to be, and we can also talk about additional
13 information that will be necessary for a full application?

14 MR. GORDON: Sure, be happy to. So, let me
15 ask a couple questions. Have you spoken with anyone in the
16 Department of Public Works about this particular design?

17 LOU TERRAGNOLI: We have not.

18 MR. GORDON: I would recommend that that be
19 done sooner than later. You're going to want to talk
20 especially to Rick DiStefano. Rick DiStefano is our staff
21 person who is working most closely with the Zoning Board of
22 Appeals. I'm concerned that some of the elements that I see
23 may require some variances in order for them to be approved.
24 And you want to know where you stand with respect to the code
25 and what variances you might need.

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3 One thing that jumped out to me in your design
4 was your signage on two sides of the building and the size of
5 the design and the style of the design, all of that I'm not
6 as familiar with the sign regulations as Rick is, but I'm
7 concerned about what I see here, not that there's anything
8 bad or wrong with it, it's just that it might need a variance
9 in order for it to be as you wish it to be, or it might need
10 to be modified to come in compliance with the code so you
11 don't need a variance, one or the other. But I think you
12 want to know those things.

13 Obviously, you also going to want to talk with
14 Ramsey Boehner. Ramsey is usually here at this meeting. He
15 was unable to be here tonight. Ramsey also is the staff
16 person who works most closely with the Planning Board, and
17 obviously you're going to need site plan approval for the
18 modifications you're going to be making to the site. So
19 you're going to want to talk to him about what that process
20 looks like.

21 Each one of the Boards meets once a month.
22 Each one of the Boards has a cutoff date the prior month for
23 applications to be made to be able to come before those
24 Boards. So, process-wise there is at least two boards and
25 possibly three boards that you're going to need to appear

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3 before. This Board needs to approve the project by saying
4 that whatever modifications you are proposing to the project
5 or the property are consistent with the historic character of
6 the property. That's really what this Board's area of
7 control is.

8 The Planning Board will be ones who have
9 overall approval on the site plan and what you're doing on
10 the site in terms of your canopy and the pumps, et cetera,
11 and parking and lines, and whatever else you're going to be
12 doing, frankly, to the building.

13 And then, as I said, you might need some
14 variances and that will be with Zoning Board of Appeals. I
15 believe what would happen is you would want to go to the
16 Planning Board, get the Planning Board application going, but
17 be able to go there with hopefully the knowledge that this
18 Board, the Historic Preservation Commission, is comfortable
19 with the overall plan and would be supportive of the concept
20 in that it is something that they could potentially be
21 comfortable finding is consistent with the historic character
22 of the property.

23 LOU TERRAGNOLI: A couple questions, based on
24 that. First of all, thank you for that. I will reach out to
25 Ramsey and Rick tomorrow. I'll send them a copy of the plan

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3 to know this was presented tonight. I did have
4 communications with Ramsey and I knew he wasn't going to be
5 here tonight and he gave me confirmation of the meeting, and
6 so, I will do that.

7 With that path forward as you outlined, does
8 this group provide some sort of a letter to the Planning
9 Board based on what we've done so far, no?

10 MR. GORDON: Not really. I mean, because
11 Ramsey is a staff person for both groups, he will know and it
12 will be reflected in the minutes.

13 There's not going -- there's not the
14 opportunity tonight for this group to take any kind of formal
15 vote. This is just what we call concept review. You're
16 going to have a similar meeting with the Planning Board, a
17 concept review meeting with them to say; here's what we are
18 planning on. What are your comments back? What are your
19 thoughts back? And then, you know, you tinker with it and
20 you come back, okay, did we meet your concerns and your
21 expectations? Yes or no?

22 And so, you sort of know where you stand. It
23 is sort of like greasing the wheel a little bit, right?, I
24 mean, you want to make sure that once you do start on your
25 process that you don't have to have repeated postponements of

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3 your hearings because the Board who you are bringing it to
4 hasn't seen the project before and you're just off base.
5 Here, you have been able to makes some adjustments, which I
6 believe Member Page say he's very pleased with it, and that's
7 great. And that's going to help, when you do and back.

8 LOU TERRAGNOLI: So, at some point there is
9 another meeting with this group here for a formal vote?

10 MR. GORDON: Yes. And that's so the technical
11 application you're going to be making is an application for a
12 Certificate of Appropriateness, that's under our historic
13 preservation code. It will be, if I can describe the process
14 in this way, when you apply for your site plan approval,
15 keeping in mind that goes to the Planning Board, and that's
16 sort of a master site plan, right? You go through the site
17 plan approval the Planning Board's going to say, time out.
18 Go to the Historic Preservation Board first and get -- next,
19 I should say, and get your Certificate of Appropriateness
20 before we're going to give you site plan approval.

21 And if you need any variances from the Zoning
22 Board, go there too and get your variances lined up with the
23 Zoning Board before we're going to give you site plan
24 removal.

25 LOU TERRAGNOLI: Which we will take a hard

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3 look at things to minimize the variance requests, especially
4 when it comes to the signage.

5 MR. GORDON: Of course, you will do that. And
6 so, once you make your site plan application, they say go to
7 HPC, go to ZBA and get all your approvals, and you go back to
8 the Planning Board, say, see, we got everything we're
9 supposed to, and we are ready for final site plan approval.

10 That's how I see your process going through.
11 What's your timing on this overall project?

12 LOU TERRAGNOLI: Well, we would like to be,
13 because it's pretty much an interior remodel to an existing
14 building, that it's something we could probably do the over
15 winter. We do have a representative of the seller here
16 tonight, and we're in constant communications with them as
17 far as what our progress is and what our timing is.

18 We have not bought this property, we do have
19 it under contract. So we will be in communications with the
20 seller as far as how the timing is going so they understand
21 that we're doing everything we can, following the process in
22 the time line given for us.

23 MR. GORDON: Right. So, when you talk with
24 Rick and Ramsey, let them know about what your due diligence
25 period is on your contract purchase. See if there's a way

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3 you can, I'll call it fast track, it's not really fast
4 tracking, but what we can do sometimes is get your meetings
5 scheduled in quick succession. You still have to meet those
6 deadlines for the Boards because they have to have time to
7 review your materials.

8 But, if you know you're going to need to go to
9 the ZBA, the Zoning Board of Appeals, the Zoning Board of
10 Appeals meets earlier in the month, the Planning Board meets
11 later in the month. Now, this Commission meets the last
12 Thursday of the month, so you can sort of look at those dates
13 and work with the Planning department to get the schedule
14 that is going to minimize the delay between the meetings.

15 And then the other thing you can do, depending
16 upon what you are doing on the site. And, I don't want to
17 speak for Ramsey on this, but sometimes you can do your
18 preliminary and final site plan review at the same meeting,
19 which saves you a full month.

20 LOU TERRAGNOLI: Okay.

21 MR. GORDON: So, talk with them about those
22 possibilities, other than you who else is -who is your
23 engineer on this?

24 LOU TERRAGNOLI: The engineer will be
25 LandTech, our architect will be Center Line and our attorney

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3 will be Jerry Goldman.

4 MR. GORDON: All right. Maybe have, you know,
5 when you tell Jerry all of this, he's probably the best one
6 to coordinate all of this help and help you fast track it as
7 best you can. You know, that will be the smart move I think.
8 Jerry and I can talk, or Jerry and Ramsey, or Jerry and Rick.
9 We work well with Jerry.

10 LOU TERRAGNOLI: Very good. The Board will go
11 to the next steps?

12 MR. GORDON: But, I think -- I don't know if
13 we've heard from everyone here in terms of the concepts and
14 what comments they might have.

15 MS. ROBINSON: I have a question about the
16 curb cuts and what considerations -- what were you thinking
17 about the curb cuts by the in and out on one side or --

18 LOU TERRAGNOLI: The plan for the curb cuts is
19 to use the ones that are existing in place right now.
20 There's one at what's called the south end of the property
21 and one on the north end.

22 CHAIRPERSON LUDWIG: DOT will like that.

23 LOU TERRAGNOLI: Yes.

24 MR. WHITAKER: I have a question. Are there
25 other Quicklee's in the area?

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3 LOU TERRAGNOLI: We have a total of 23
4 Quicklee's in the greater Rochester area. I have been with
5 the company coming up on my year anniversary and I've been
6 brought on board to help expand that footprint, not only in
7 Rochester, but heading west and east. I'm very proud to be a
8 part of the organization. We build great stores, it's a
9 first class operation, and as I've said, I'm happy to be part
10 of it. I believe this will be a nice addition to the
11 community.

12 MR. WHITAKER: This is a pristine area of the
13 town and we have school children walk through there often, to
14 and from school. I just want to make sure that the property
15 is maintained and not a lot of stuff all around kids can get
16 in.

17 LOU TERRAGNOLI: To your concern, Quicklee's
18 is a family owned business. It's headquartered in Avon, New
19 York. So, if there ever was an issue, you would have someone
20 on site from corporate probably, it could very well be me or
21 a family member, because we hold these businesses very close.
22 We're very proud of it. It's something that Peter Bruckel
23 founded a couple decades ago. And, I think if you are in any
24 of Quicklee's in the area, you'd be very happy with the
25 cleanliness. In fact, we're working with a company now,

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3 given the COVID environment we're in, how can we be better?
4 So, we are looking at ways to do that and establishing
5 programs for that.

6 So I'm excited about that, the way the company
7 is willing to move in those directions and constantly
8 improve.

9 MR. FADER: The issue of preservation, is the
10 preservation of the quality of the area.

11 LOU TERRAGNOLI: Yes, sir.

12 MR. GORDON: Just so that the Commission is
13 aware of it, Quicklee's also has a project that is in
14 development for the corner of Elmwood Avenue and Monroe
15 Avenue, right at 12 Corners to take the place of what is a
16 Mobil station.

17 CHAIRPERSON LUDWIG: One less service station,
18 sadly.

19 MR. GORDON: Well, Quicklee's would have pumps
20 and convenience stores.

21 CHAIRPERSON LUDWIG: Yes, but, you know,
22 service, as in --

23 MR. GORDON: Oh, service bays, yes. The
24 service bays in Quicklee's proposal will be eliminated.

25 LOU TERRAGNOLI: Yes. That will probably come

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3 around, Ramsey suggested for this project we start here. And
4 then, we'll go to the Planning Board. That one, it was
5 recommended we go through the Planning Board, so I'll
6 probably be seeing this group again with another rendering.

7 MR. GORDON: So, with the Monroe Avenue
8 Project, that wouldn't come here. Because the reason you are
9 here is because the building that you have a contract on is a
10 designated landmark.

11 LOU TERRAGNOLI: Okay.

12 MR. GORDON: The Mobil station at 12 Corners,
13 last I checked we haven't designated that as a landmark.

14 MS. DREHER: Although the area does have a
15 great history, across the street and around, but --

16 LOU TERRAGNOLI: Some beautiful architecture
17 in that area.

18 MR. GORDON: The plaza right across the street
19 is on your list as a potential designation.

20 MR. GOODMAN: Just a quick comment and
21 question. First of all, I wasn't able to attend the previous
22 meeting when it was first brought forward, but I did read the
23 minutes and looked at the proposal. I agree with John, I
24 appreciate your changes that you made. This, in my opinion
25 is a far better proposal than the one that I reviewed.

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3 Particularly, I think it is a wonderful change that you're
4 proposing on maintaining the slate roof on the structure.

5 LOU TERRAGNOLI: Yes, sir.

6 MR. GOODMAN: My question, so the stucco
7 finish, I just wanted to verify, is your intent to maintain
8 and repair the actual stucco if it's not going to be a
9 proposed EIFS material or is it a stucco?

10 LOU TERRAGNOLI: I believe we will refurbish
11 the existing stucco.

12 CHAIRPERSON LUDWIG: Which is a masonry
13 stucco.

14 LOU TERRAGNOLI: If I get any other
15 information I will --

16 CHAIRPERSON LUDWIG: Well, that would be, I
17 think we would definitely want it to be the original stucco.

18 LOU TERRAGNOLI: I'm 99 percent sure of that.

19 MR. GOODMAN: And as Jerry mentioned, we can
20 get the cut sheets on windows?

21 LOU TERRAGNOLI: Absolutely.

22 MR. GOODMAN: But, I do applaud the changes
23 that you have incorporated, so thank you.

24 LOU TERRAGNOLI: You're welcome. We
25 appreciate your comments and the building is revised and

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3 meeting the expectations.

4 CHAIRPERSON LUDWIG: And we will try not to
5 use the term fast track, because I realize -- we'll move
6 this Quicklee along.

7 Anything else, questions, John?

8 MR. PAGE: Well, I just wanted to reiterate
9 what I saw, this was a submission for concept approval and I
10 think that you've gotten a pretty good response, which is
11 wonderful. And that when you make your application, you'll
12 need these other support elements that the specific products,
13 data, and so on. And I think when you talk to the Town for
14 each of the Boards, you will need different materials and
15 different information.

16 So, Planning Board for instance they will be
17 civil engineering work that I expect to see as part of that,
18 so.

19 LOU TERRAGNOLI: And when we come back we will
20 have the materials for it, that's what I am hearing you would
21 like to see.

22 MR. PAGE: Thank you.

23 CHAIRPERSON LUDWIG: Well done on this.

24 LOU TERRAGNOLI: Thank you.

25 MR. GORDON: If I could make one last comment,

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3 I think and I know because I've had conversations with them,
4 Ramsey wanted you to come here first because there was the
5 possibility that the Historic Preservation Commission could
6 look at your proposed plan and say; no way are we ever going
7 to see that this is consistent with the historic character of
8 this property. You are not hearing that, that's why it was
9 important for you to come here.

10 You're hearing, you know, this could get the
11 approvals you need. You need to bring back more, but I think
12 you're being encouraged to come back with an application as
13 opposed to being told, take a walk.

14 LOU TERRAGNOLI: Which we will come back with
15 the application Quicklee.

16 MR. GORDON: I was going to say that.

17 CHAIRPERSON LUDWIG: Okay, thank you.

18 LOU TERRAGNOLI: Thank you all.

19 CHAIRPERSON LUDWIG: Any other old business?

20 MS. DREHER: I'm not sure where this falls,
21 but it's really a question for Mr. Gordon. A few months ago
22 we asked the secretary to send a letter to the Town Board
23 requesting they amend the Town Code regarding our role in
24 reviewing air conditioner, compressors, and generators. Do
25 we know if they have acted on that? Have they changed the

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3 code?

4 MR. GORDON: We have not changed the code.
5 Ramsey and I are working on a draft local law to do that, so
6 it's in the works.

7 MS. DREHER: Okay.

8 MR. GORDON: And I will remind Ramsey that
9 that's something we need to continue to work on.

10 MS. DREHER: Okay, I was just checking to
11 see --

12 MR. GORDON: No, it's a good reminder. I
13 appreciate it. So, it is something that we have met on once,
14 since the request came each of us have took a crack at
15 drafting something. Neither one of us was entirely satisfied
16 and we have not picked the project up, probably in the last
17 30 days. So, it's a good reminder to us to get going on it
18 again.

19 MS. DREHER: Thank you.

20 CHAIRPERSON LUDWIG: Any others?

21 MS. LANPHEAR: Yes, Jerry, just one thing. In
22 your folders tonight I asked Gretchen to put this memo from
23 me about 42 Varinna Drive. It's the former home of Peter
24 Tolliver, Peter was an activist and civil rights worker. He
25 was also the owner of the house, he and his wife, Yvonne for

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3 57 years over in the Bel-Air neighborhood.

4 His purchase of the house in 1960 was the
5 cause celebre, but nonetheless, he's lived there for all
6 those many years until they moved to the Renaissance or
7 whatever they're calling it now.

8 Peter died recently, and it seems appropriate
9 to consider his house for designation. So, that's why I
10 brought it up. Perhaps we can put it on the agenda for a
11 future meeting to discuss it.

12 CHAIRPERSON LUDWIG: One of the things we've
13 talked about at one point is there is four basic criteria
14 that we look at. And, the more of the four, the particular
15 property ticks, the better off and I don't know --

16 MS. LANPHEAR: This ticks off two, Jerry. It
17 ticks off the fact that it's a fairly important person in the
18 community, it's all part of the social, political, cultural
19 history of the town.

20 CHAIRPERSON LUDWIG: What about the house
21 itself?

22 MS. LANPHEAR: The house itself is nice. It's
23 an early 20th century house, Tracy Major in the DPW office is
24 working on trying to find a permit, but we cannot find a
25 permit for the house. It's on the 1931 map for the town, it

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3 is not on the 1924 map of the town.

4 So, somewhere in between 24 and 30, an owner
5 seems to show up around 1931, in the directory. It was owned
6 by somebody who, Jay's Baby Furniture? I guess that was a
7 big deal, Jay Freedman and then looked like it might have
8 been rented for several years in the 30's, perhaps during the
9 depression. Then in 1960 the Tollivers bought the house.

10 Yvonne Tolliver, was a music major in college,
11 was very active in the museum, MAG, and she was also a part
12 of the opera guild that was the Rochester Opera Guild.

13 So, in addition to Peter's civil rights work
14 and his job as a physicist and a mentor, and so forth, Yvonne
15 in her own right had some fairly important things to do.

16 CHAIRPERSON LUDWIG: Thank you. One other
17 thing that we weren't quite sure of, not sure if it was this
18 meeting or the one before, what is our budget?

19 MS. LANPHEAR: Our budget, I hope, we appealed
20 to the budget committee in July and we asked for \$5,000 for
21 the year, 2022. And we will hear when the budget --

22 CHAIRPERSON LUDWIG: So, it was 3500.

23 MS. LANPHEAR: It was and now we're hoping to
24 raise it to 5000. And I didn't get a lot of pushback about
25 the --

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3 MR. GORDON: Yeah, that is in the Supervisor's
4 tentative budget which was just presented last night at the
5 Town Board meeting. Obviously, there is a process, there
6 needs to be two public -- well, there needs to be one Public
7 Hearing, but really two Public Hearings with the idea that
8 the budget is going to be adopted on October 27th. So we'll
9 know for sure on October 27th where our budget is for next
10 year.

11 I have not heard any pushback either though,
12 and I think the finance director and the Supervisor were both
13 supportive, obviously since they put it in the tentative
14 budget, to raise the amount to \$5,000.

15 MS. LANPHEAR: It's only \$1,500 in the scheme
16 of things.

17 CHAIRPERSON LUDWIG: Might be cause for a
18 party.

19 MR. GORDON: I have a question about this
20 marina, so my opinion is that you could find that a property
21 is worthy of designation solely upon one criteria. I think
22 that's lawful for you to do.

23 If that one criteria is that this property is
24 where the black owner in Brighton resided that, might be
25 significant enough finding to designate it. My worry is your

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3 language in this memo says, probably.

4 MS. LANPHEAR: Well, there were
5 African-Americans living in Brighton in the 19th century, but
6 I don't think they were homeowners, so he is perhaps the
7 first homeowner. But historians do not like to go out on
8 limbs and say, the oldest, the newest, the first, you know,
9 the last. We like to have some wiggle language in there.

10 MS. DREHER: And there historians and lawyers
11 will differ.

12 CHAIRPERSON LUDWIG: Is there any way to
13 verify this?

14 MS. LANPHEAR: Okay. I have gone through the
15 census records for the Town of Brighton from 1900 to about
16 1940, and the only people who were living in Brighton at that
17 time who were African-American were servants in some of the
18 larger houses in town. I have not found anybody living here
19 that wasn't working here, and who seemed to own property.

20 But there were in the 19th century some
21 families living here, down in the Joseph Avenue area and in
22 parts of the town that was eaten up by the city. Over the
23 years a lot of our people went west unwittingly.

24 MS. DREHER: It may be helpful, Mary Jo, if we
25 had a little bit of information on some of the history of the

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3 clauses and deeds that prevented black families from owning
4 property. You have probably read the color of law.

5 MS. LANPHEAR: Yes.

6 MS. DREHER: It's on my shelf, I haven't read
7 it yet. But, I too, the Landmark Society preservation
8 conference had a good presentation on it, but I believe
9 Brighton was affected by those issues.

10 MS. LANPHEAR: Oh, definitely.

11 MS. DREHER: So, if maybe we just had a little
12 bit of background on that that might be helpful for the
13 commission to --

14 MR. GORDON: So, I agree. Certainly, it was
15 in some of the neighborhoods, I don't believe I ever heard
16 that it was in the Bel-Air neighborhood though.

17 MS. LANPHEAR: I've been working on the deeds
18 right now, because there's a lot of activism right now about
19 changing deeds. For example, Meadowbrook has changed its
20 deed, its changed the wording in the deed so going forward
21 the clause it says, black people had to be excluded, or
22 thereabouts, is going to be not continued through the deeds
23 coming forward.

24 MS. DREHER: I'm not even -- and even if there
25 wasn't those comments in the Bel-Air neighborhood, it still

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3 is a reason why there were not black families living in other
4 neighborhoods, being homeowners. So, I think that if the
5 first black family to own a home, wasn't affected by that,
6 that doesn't really matter a whole lot when you look at the
7 overall history.

8 MS. LANPHEAR: There was red lining in
9 addition to the covenants and the deeds, there was that going
10 on too.

11 MR. GORDON: Right. There was, what you might
12 think of as informal or invisible red lines.

13 MS. LANPHEAR: Yes.

14 MS. DREHER: So, I see that the little history
15 that I am aware of, I see that as really a bolster for why
16 this does fall within the, not just a public person, but the
17 cultural, political, and social history.

18 MR. GORDON: I agree with that, yes.

19 MS. LANPHEAR: Okay, will do.

20 CHAIRPERSON LUDWIG: Can I go back? I just
21 found the area in the minutes that I wasn't sure of and it
22 was Mr. Gordon. This was on Page 68, Line 15, talking about
23 the budget, the July minutes. And Mr. Gordon says, we
24 couldn't prior your expertise for \$2,000 a year. Now, I know
25 you didn't say prior, you couldn't purchase maybe?

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3 MS. DREHER: Acquire, maybe. If you had to
4 pay us as Board members, 2,000 would be cheap. I think
5 that's what you were saying.

6 MR. GORDON: I probably said buy.

7 CHAIRPERSON LUDWIG: Could be purchase.

8 MR. GORDON: No, I probably said buy. A short
9 or similar word, purchase is a longer word.

10 CHAIRPERSON LUDWIG: So, let's change prior to
11 buy on Page 68, Line 15. Thank you.

12 Any other things to talk about tonight?

13 Motion to adjourned.

14 MR. GOODMAN: I will make a motion, Jerry.

15 MS. DREHER: I'll second.

16 CHAIRPERSON LUDWIG: All in favor of
17 adjournment.

18 ALL COUNCIL MEMBERS: Aye.

19 CHAIRPERSON LUDWIG: Thank you.

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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 18th day of October, 2021.

At Rochester, New York

Rhoda Collins
Rhoda Collins