City of Rochester
City Hall Room 125B, 30 Church Street
Rochester, New York 14614-1290
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Rochester
Preservation Board

June 16, 2016

Ms. Melissa Powers
Banas Mortgage
383 Park Avenue
Rochester, NY 14607

NOTICE OF DECISION

In the matter of a request for a Certificate of Appropriateness to install a ground sign reading "Haus Funding" and "Crego Realty Group", plantings in the front and rear, a fence along the south property line, and stairs and railings at the rear of the building.

On the premises at: 383 Park Avenue

Zoning District: C-1 Neighborhood Center Commercial District
East Avenue Preservation District

Application Number: A-042-15-16

Record of Vote(s):

Fences and landscaping		Ground sign and rear steps	
D. Beardslee	Approve (motion)	D. Beardslee	Approve on Condition (motion)
B. Mayer	Aye (second)	B. Mayer	Aye (second)
E. Cain	Aye	E. Cain	Aye
B. McLear	Aye	B. McLear	Aye
C. Carretta	Aye	C. Carretta	Aye
J. Dobbs	Absent	J. Dobbs	Absent
J. Schick	Absent	J. Schick	Absent

Please take notice that at its hearing of June 1, 2016, the Rochester Preservation Board APPROVED the fences and landscape plans as submitted, APPROVED the ground sign ON THE CONDITION that it is no taller than 60" above grade, and APPROVED the rear steps ON THE CONDITION that the posts are square, not turned, and the rafters are closed.

In addition to this approval, separate permits are required for the ground sign, the fences individually on each property, and the rear steps. These may be obtained at the counter in City Hall rm. 121B. Copies of the approved drawings are on file there.

Please contact Peter Siegrist at 428-7238 or peter.siegrist@cityofrochester.gov with any questions.

Rochester Preservation Board

By: Margaret Lewis for
Zina Lagonegro, AICP, EIT
Director of Planning & Zoning

2016 JUN 17 AM 10:26

Filing Date: CLERK/COUNCIL OFFICE
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Phone: 585.428.7238 Fax: 585.428.6137 TTY: 585.428.6054 EEO/ADA Employer

I. FINDINGS OF FACT:

A. In reviewing applications for certificates of appropriateness in a preservation district, the Preservation Board considers quality of design and site development in terms of the relationships to the street, building facades and overall neighborhood character.

B. Sam Dipiano testified that the ground sign was scaled back from the previous design, and the text and font were simplified. He stated that the brick of the pier would match the brick of the house, and the sign would be illuminated from above. He stated that a condition of the property sale is to have 'Crego Realty' on the sign.

Mr. Dipiano stated that he would remove the existing stone wall at the front of the house and replace it with a more defined wall. New shrubs would tie in with the sign. He stated that the bamboo fence at the rear of the property is in disrepair and would be replaced with 6' H shadowbox panels attached to the existing posts, which would match the neighbor's fence.

Mr. Dipiano stated that his architect, Chuck Smith, and the City's building officials agree that handicap accessibility to the building is not required, so that a ramp or lift is not proposed for the rear of the building.

C. Craig Schneider, owner of 389 Park Avenue, testified that the parking layout was approved at the May hearing, but that Board members had requested a detailed landscape plan. He stated that a Japanese maple would be moved to a new berm, and several new plants installed. He stated that a tenant of the apartment has a dog, and would like a fenced yard. The same shadowbox fence proposed for Mr. Dipiano's property would screen the parking area, and a metal picket fence facing the street would allow openness.

Staff Peter Siegrist reminded the Board that fences in front yards, such as the proposed metal picket fence, may be only 3' tall.

D. In response to Board concerns that the sign post appears too tall, Terry Zappia of Pierrepont Visual Graphics testified that he is concerned that the sign could be hidden by snow. Member Beardslee stated a preference for ground-based lighting, but Mr. Zappia stated that the bracket-mounted lights would hold up better and look neater.

E. Member McLear questioned the use of exposed rafter tails on the porch roof, which is not a detail seen elsewhere on the house. He also questioned why the porch columns are turned, while the newel posts and railings are very simple. He felt that all should be of similar detail.

F. John Lembach, speaking for the Board of the Park-Meigs Neighborhood Association, expressed support for the proposal, but also concern that the ground sign appears too high and the exposed rafter tails would make hanging a gutter difficult. He reiterated his group's concern with the excess paving between houses, which could allow front-yard parking.

G. In response to Mr. Lembach's latter concern, Mr. Dipiano stated that, by closing off the Rutgers driveway, some extra width will be helpful in front. He stated that no one parks there now.

II. RESOLUTION(S):

The Board found that the landscape plans and fences for both 383 and 389 Park Avenue are appropriate to the historic visual character of the properties and the preservation district, that the ground sign is appropriate on the condition that it is no taller than 60" above the finished grade, and that the rear steps are appropriate on the condition that the porch posts are square to match the newel posts and the rafter ends are enclosed rather than open.

III. EVIDENCE:

A - Application
B - Drawing and photosimulation of ground sign
C - Landscape plan for 383 Park Avenue front
D - Landscape plan for 389 Park Avenue rear and side
E - Catalog sheets of wood and metal fences
F - Plan, elevations and section of proposed rear porch and stairs
G - Letter from the Park-Meigs Neighborhood Association
H - Appearances by Sam Dipiano, Craig Schneider, Terry Zappia and John Lembach
I - Site visits by Board members

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Preservation Board

June 16, 2015

Mr. Tom Beaman
California Rollin'
695 Park Avenue
Rochester, NY 14607

NOTICE OF DECISION

In the matter of a request for a Certificate of Appropriateness to install an awning above the center storefront and graphics on the windows, for California Rollin'.

On the premises at:	695 Park Avenue
Zoning District:	C-2 Community Center Commercial District East Avenue Preservation District
Application Number:	A-044-15-16

Record of Vote(s):

B. McLear	Approve on condition (motion)
D. Beardslee	Aye (second)
E. Cain	Aye
B. Mayer	Aye
C. Carretta	Aye
J. Dobbs	Absent
J. Schick	Absent

Please take notice that at its hearing of June 1, 2016, the Rochester Preservation Board APPROVED your application ON THE CONDITION that the word 'Express' on the windows is straight across.

In addition to this approval, two permits are required to install the awning: a building permit and an encroachment permit (for extending over a sidewalk). Both can be obtained in City Hall room 121B. A copy of the approved drawings is on file there.

Please contact Peter Siegrist at 428-7238 or peter.siegrist@cityofrochester.gov with any questions.

Rochester Preservation Board

By: _____
Zina Lagonegro, AICP, EIT
Director of Planning & Zoning

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I. FINDINGS OF FACT:

A. In reviewing applications for certificates of appropriateness in a preservation district, the Preservation Board considers quality of design and site development in terms of the relationships to the street, building facades and overall neighborhood character.

B. Susan Michal attended for Mr. Beaman, and testified that the new drawing shows the awning and window sign in one view, as the Board had requested.

C. John Lembach, speaking for the Board of the Park-Meigs Neighborhood Association, spoke in support, stating that the applicant listened to the Board and designed an appropriate storefront.

D. Board member Beardslee requested and received confirmation from Ms. Michal that the word 'sushi' would occur on both awning returns. She asked fellow members to comment on the window lettering promoting online ordering via a web address. Members felt the address was acceptable.

II. RESOLUTION(S):

The Board found that the window signs and awning are appropriate to the historic visual character of the property and the preservation district on the condition that the word 'Express' on both windows is straight across.

III. EVIDENCE:

A - Application
B - Photographs of existing window graphics
C - Photosimulation of awning on building
D - Appearances by Susan Michal and John Lembach
E - Site visits by Board members

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June 16, 2015

Ms. Carmen Zatreanu
12 Vick Park A
Rochester, NY 14607

NOTICE OF DECISION

In the matter of a request for a Certificate of Appropriateness to expand the detached garage in the rear yard by 14'W x 22'D, and to replace windows in the house.

On the premises at: 12 Vick Park A

Zoning District: R-2 Medium-Density Residential District
East Avenue Preservation District

Application Number: A-045-15-16

Record of Vote(s):

House windows		Garage addition	
B. Mayer	Hold (motion)	B. Mayer	Approved on condition (motion)
B. McLear	Aye (second)	D. Beardslee	Aye (second)
E. Cain	Aye	E. Cain	Aye
C. Carretta	Aye	C. Carretta	Aye
D. Beardslee	Aye	B. McLear	Aye
J. Schick	Absent	J. Schick	Absent
J. Dobbs	Absent	J. Dobbs	Absent

Please take notice that at its hearing of June 1, 2016, the Rochester Preservation Board APPROVED the garage addition ON THE CONDITION that it is constructed according to the construction drawings, not the renderings, and HELD its decision on the window replacements pending receipt of more information.

In addition to this approval, a building permit is required and may be obtained in City Hall room 121B. Final construction drawings shall be submitted for code review.

Please contact him at 428-7238 or peter.siegrist@cityofrochester.gov with any questions.

Rochester Preservation Board

By: _____
Zina Lagonegro, AICP, EIT
Director of Planning & Zoning

Date

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I. FINDINGS OF FACT:

A. In reviewing applications for certificates of appropriateness in a preservation district, the Preservation Board considers quality of design and site development in terms of the relationships to the street, building facades and overall neighborhood character.

B. Applicant Carmen Zatreanu introduced Don Salamone of Renewal by Andersen, a replacement window company. Mr. Salamone testified that of the 29 windows in the house that are proposed to be replaced, 16 on the second floor were previously replaced and have failed. For all 29 windows, he proposes to remove the existing sash and insert a custom-made window unit, and retain the existing frame and trim. The new windows would be made of a composite material with the strength of wood and with thin rails and stiles. Muntins could be either true-divided or simulated divided lite, and would match the grid pattern in the current windows.

Mr. Salamone stated that one window by the front door, two in the parlor and two in the living room have small radii at the top corners, and one window in the entry hall and three in the dining room bay do not. These latter three windows have glass down to the floor, which is not tempered and could shatter easily. A three-window set in the kitchen is comprised of modern casement windows, which would be replaced with more appropriate windows.

Mr. Salamone stated that he recently replaced windows in a house in Buffalo similar to the Zatreanu's, where the work was approved by the city's preservation board. He provided a copy of the permit and photographs of the house (which show the front of house where the original windows were retained).

C. Applicant Carmen Zatreanu testified that none of the windows open, that they would be costly and time consuming to repair, and are energy inefficient.

D. Board members commented that unusual windows should be repaired, not replaced, and that new windows should correct previous mistakes. Members requested more evidence that the windows are beyond a point of repair. Member Carretta requested drawings of each window showing details, such as curved tops to fit the existing openings. Member McLear noted that the upper dormers have arched openings with rectangular windows, which do not appear original. He stated that it is a fallacy that older windows are not energy efficient, noting that with storm windows, old windows are equivalent to new ones.

E. Mr. Salamone called it unfair that the Board is asking the applicant to replace windows that are gone, and whose original appearance is unknown. He stated that every surrounding property has replacement windows.

F. Roger Brainard, designer of the garage addition, noted for the record that he is not an architect as written in the staff report. He described his proposal, stating that his intent is to duplicate the details of the existing garage as much as possible. He would remove the existing siding and a window on the north wall and reuse it on the new north wall, and he would relocate an interior stairway to improve the parking function. He proposes to use one 16'W garage door that would appear like two doors, which would make parking easier than would two separate doors. He expressed concern with the condition of the south half of the garage, and stated that the new addition would strengthen the overall structure.

G. Member Mayer noted, for the record, that the garage addition requires the removal of two trees.

H. Member Beardslee noted that the renderings show two different man doors, and she expressed a desire for the simpler version. Mr. Brainard stated that the door would be embossed metal.

I. John Lembach, speaking for the Board of the Park-Meigs Neighborhood Association, testified that the garage design was much improved over the initial design. He stated a preference for two garage doors rather than one large one. Regarding the windows, he stated that people cheat and replace windows without approval by the Preservation Board, which doesn't make it legal. He stated that the house is unique and should be preserved. He recommended getting an energy audit from the NYS Energy Research and Development Agency, which may show better ways to save energy (www.nyserda.ny.gov/Residents-and-Homeowners) and to get suggestions on window repair from the Landmark Society (www.landmarksociety.org).

II. RESOLUTION(S):
The Board found that the garage addition is appropriate to the historic visual character of the property and preservation district on the condition that it have two 8'W garage doors rather than a single 16'W door. The Board held its decision on the window replacements in the house, and requested more detailed information for each window opening.

III. EVIDENCE:
A - Application
B - Photographs of existing garage, house and site
C - Site survey map
D - Site plan
E - Floor plan and elevations of garage addition
F - Photosimulations of garage addition
G - Catalog sheet of 16'W garage door
H - Photographs of existing house windows
I - List of existing windows, with dimensions, and proposed replacements
J - Catalog sheets of replacement windows
K - Letter from Ronald Bouchard and Donald Brown, 17 Vick Park A
L - Letter from the Park-Meigs Neighborhood Association
M - Appearances by Carmen Zatreanu, Roger Brainard, Don Salamone and John Lembach
N - Site visits by Board members

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June 16, 2016

Ms. Gail Morrelle
MC Management of Rochester LLC
550 East Avenue
Rochester, NY 14607

NOTICE OF DECISION

In the matter of a request for a Certificate of Appropriateness to construct a handicap ramp on the west side of the Century Club building.

On the premises at: 566 East Avenue

Zoning District: PD16 Planned Development District
East Avenue Preservation District

Application Number: A-046-15-16

Record of Vote(s):

Ramp as presented		Landscape/hardscape as presented	
E. Cain	Approve (motion)	E. Cain	Approve (motion)
C. Carretta	Aye (second)	B. McLear	Aye (second)
D. Beardslee	Aye	D. Beardslee	Aye
B. Mayer	Aye	B. Mayer	Aye
B. McLear	Aye	C. Carretta	Aye
J. Dobbs	Absent	J. Dobbs	Absent
J. Schick	Absent	J. Schick	Absent

Please take notice that at its hearing of June 1, 2016, the Rochester Preservation Board APPROVED the application as submitted.

In addition to this approval, a building permit is required to install the ramp, and may be obtained in room 121B in City Hall. A copy of the approved drawing is on file there.

Please contact Peter Siegrist at 428-7238 or peter.siegrist@cityofrochester.gov with any questions or concerns.

Rochester Preservation Board

By: Margaret Allen for
Zina Lagonegro, AICP, EIT
Director of Planning & Zoning

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I. FINDINGS OF FACT:

A. In reviewing applications for certificates of appropriateness in a preservation district, the Preservation Board considers quality of design and site development in terms of the relationships to the street, building facades and overall neighborhood character.

B. Art Ientilucci of AJI Zoning & Land Use Advisory introduced architect David Hanlon and landscape architect Michael Rossetti. He stated that the landscaping to be reviewed is that between Strathallan Park and the east side of the Century Club. The landscaping for 586-600 East Avenue would come later.

C. Mr. Hanlon presented the handicap ramp, which would replace a mechanical lift that he said does not work well. He stated that the materials and details would match those of the building. In response to a question by member McLear, he stated that the ramp plan and landscape plan must still be coordinated, as the former shows a longer ramp than appears on the latter.

D. Mr. Rossetti testified that the walkways would be made of pavers and exposed aggregate concrete. He stated that the pavers would be carefully selected to avoid looking modern. He stated that the plant materials were chosen to provide structure to the gardens, and would include boxwoods, yew, hydrangea and spirea, plants that are not high maintenance

E. John Lembach, speaking for the Board of the Park-Meigs Neighborhood Association, testified in support of the application, stating that his organization is impressed with the attention to detail.

II. RESOLUTION(S):

The Board found that the application, as proposed, is appropriate to the historic visual character of the property and the preservation district.

III. EVIDENCE:

A - Application
B - Elevation and plan of handicap ramp
C - Landscape and hardscape plans and details
D - List and images of plant materials
E - Photographs of existing conditions
F - Letter from Park-Meigs Neighborhood Association
G - Appearances by Arthur Ientilucci, David Hanlon, Michael Rossetti and John Lembach
H - Site visits by Board members

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June 16, 2016

Ms. Gail Morrelle
MC Management of Rochester LLC
550 East Avenue
Rochester, NY 14607

NOTICE OF DECISION

In the matter of a request for a Certificate of Appropriateness to construct a 3-4 story apartment and office building and implement a landscaping plan.

On the premises at:	586 and 600 East Avenue
Zoning District:	PD16 Planned Development District East Avenue Preservation District
Application Number:	A-047-15-16

Record of Vote(s):

E. Cain	Approve (motion)
D. Beardslee	Aye (second)
C. Carretta	Aye
B. Mayer	Aye
B. McLear	Aye
J. Dobbs	Absent
J. Schick	Absent

Please take notice that at its hearing of June 1, 2016, the Rochester Preservation Board APPROVED your application as submitted.

In addition to this approval, a building permit is required, and may be obtained in City hall room 121B. A copy of the approved plan is on file there.

Please contact Peter Siegrist at 428-7238 or peter.siegrist@cityofrochester.gov with any questions or concerns.

Rochester Preservation Board

By: _____
Zina Lagonegro, AICP, EIT
Director of Planning & Zoning

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I. FINDINGS OF FACT:

A. In reviewing applications for certificates of appropriateness in a preservation district, the Preservation Board considers quality of design and site development in terms of the relationships to the street, building facades and overall neighborhood character.

B. Architect David Hanlon testified that the design has progressed from the one presented at the May hearing, but remains largely the same. He asked for questions from the Board members, rather than presenting the drawings. Board members had no questions, but expressed support for the design.

C. John Lembach, speaking for the Board of the Park-Meigs Neighborhood Association, testified in support of the application, stating that his organization trusts the architect and developer to work through the details.

II. RESOLUTION(S):

The Board found that the building and landscape plan, as submitted, are appropriate to the historic visual character of the preservation district.

III. EVIDENCE:

A - Application
B - Photosimulation of proposed building
C - Floor plans, elevations and wall sections
D - Images of material and product selections
E - Photographs of existing conditions
F - Letter from the Park-Meigs Neighborhood Association
G - Appearances by David Hanlon and John Lembach
H - Site visits by Board members

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June 16, 2016

Mr. John Marshall
89 Westminster Road
Rochester, NY 14607

NOTICE OF DECISION

In the matter of a request for a Certificate of Appropriateness to install two 6'H wood fences: 115LF around the rear yard and 12LF between the house and driveway.

On the premises at:	89 Westminster Road	
Zoning District:	R-2 Medium-Density Residential District East Avenue Preservation District	
Application Number:	A-049-15-16	
Record of Vote(s):	D. Beardslee	Approve on condition (motion)
	C. Carretta	Aye (second)
	E. Cain	Aye
	B. McLear	Aye
	B. Mayer	Aye
	J. Dobbs	Absent
	J. Schick	Absent

Please take notice that at its hearing of June 1, 2016, the Rochester Preservation Board APPROVED the fences ON THE CONDITION that the lattice atop the fences is wood, not vinyl.

In addition to this approval, a fence permit is required and may be obtained at the Planning & Zoning office, City Hall room 121B. A copy of the approved drawing is on file there.

Please contact Peter Siegrist at 428-7238 or peter.siegrist@cityofrochester.gov with any questions.

Rochester Preservation Board

By: [signature] for
Zina Lagonegro, AICP, EIT
Director of Planning & Zoning

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I. FINDINGS OF FACT:

A. In reviewing applications for certificates of appropriateness in a preservation district, the Preservation Board considers quality of design and site development in terms of the relationships to the street, building facades and overall neighborhood character.

B. Applicant John Marshall briefly described his proposal, testifying that he needs to replace an existing fence around the rear yard, and that he would like to install a short length of fence to screen the parking area. The new fence would be similar to one at his neighbors to the north that was made by the contractor that he has hired. He stated that the lattice tops would be made of vinyl and would mimic the wood lattice beneath the porch. A gate in the fence, at the south side of the house, would match the overall fence. All would be painted to match the house, once the pressure-treated wood weathers.

C. John Lembach, speaking for the Board of the Park-Meigs Neighborhood Association, expressed support for the proposal, stating that there are similar fences in the neighborhood. He said that he was not aware that the lattice would be vinyl, and expressed a preference for wood.

II. RESOLUTION(S):

The Board found that the two fences are appropriate to the historic visual character of the property and preservation district on the condition that the lattice atop the fences is wood, not vinyl.

III. EVIDENCE:

A - Application
B - Drawings and proposal by Landmark Fence Company
C - Site survey map
D - Narrative description of proposal, with photographs of existing conditions
E - Letter from the Park-Meigs Neighborhood Association
F - Appearances by John Marshall and John Lembach
G - Site visits by Board members

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June 16, 2016

Ms. Kathleen Connolly
Sustainable Energy Developments
317 Route 104
Ontario, NY 14519

NOTICE OF DECISION

In the matter of a request for a Certificate of Appropriateness to install 26 solar panels on the east and west roofs of the house.

On the premises at:	123 S. Fitzhugh Street
Zoning District:	R-3/O-O High-Density Residential District With Office Overlay Individual Landmark
Application Number:	A-050-15-16

Record of Vote(s):

B. Mayer	Hold (motion)
B. McLear	Aye (second)
E. Cain	Aye
C. Carretta	Aye
D. Beardslee	Aye
J. Dobbs	Absent
J. Schick	Absent

Please take notice that at its hearing of June 1, 2016, the Rochester Preservation Board HELD your application open, and requested that you return with a proposal for panels on the rear roof. The case has been scheduled for the July 6 hearing, and is second on the agenda.

Please contact Peter Siegrist at 428-7238 or peter.siegrist@cityofrochester.gov with any questions.

Rochester Preservation Board

By: _____ for
Zina Lagonegro, AICP, EIT
Director of Planning & Zoning

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I. FINDINGS OF FACT:

A. In reviewing applications for certificates of appropriateness in a preservation district, the Preservation Board considers quality of design and site development in terms of the relationships to the street, building facades and overall neighborhood character.

B. Doug Weishaar of Sustainable Energy Development introduced himself, stating that his is a local company that has done hundreds of solar installations. He testified that he met with Landmark Society, which provided a letter of support for the project. The chosen panels are black-on-black with a non-reflective finish, set on low mounts.

C. Board members expressed concern that the mounting screws would penetrate terne copper roofing, and that the panels would be very visible on the light-colored roof, especially on the highly-visible east side. Members suggested that the applicant consider installing panels on the rear, lower roof, which is not copper.

II. RESOLUTION(S):

The Board found that the proposed panels would be inappropriate to the historic character of this individual landmark, but held the case open to a future hearing to consider a different panel location.

III. EVIDENCE:

A - Application
B - Roof plan showing panel configuration
C - Photosimulations of panels on the roof
D - Photographs of existing conditions
E - Catalog sheets of panels and racks
F - Appearance by Doug Weishaar
G - Site visits by Board members

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Preservation Board

June 16, 2016

Ms. Mary Wilmot
4 Upton Park
Rochester, NY 14607

NOTICE OF DECISION

In the matter of a request for a Certificate of Appropriateness to enclose the rear yard by installing 6'H wood fence along the north property line and the driveway and a 6'H metal picket fence along the patio.

On the premises at:	4 Upton Park
Zoning District:	R-2 Medium-Density Residential District East Avenue Preservation District
Application Number:	A-051-15-16
Record of Vote(s):	D. Beardslee Approved (motion) B. McLear Aye (second) E. Cain Aye C. Carretta Aye B. Mayer Aye J. Dobbs Absent J. Schick Absent

Please take notice that at its hearing of June 1, 2016, the Rochester Preservation Board APPROVED your application as submitted.

In addition to this approval, a fence permit is required and may be obtained at the Planning & Zoning office, City Hall room 121B. A copy of the approved drawing is on file there.

Please contact Peter Siegrist at 428-7238 or peter.siegrist@cityofrochester.gov with any questions.

Rochester Preservation Board

By: _____ for
Zina Lagonegro, AICP, EIT
Director of Planning & Zoning

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I. FINDINGS OF FACT:

A. In reviewing applications for certificates of appropriateness in a preservation district, the Preservation Board considers quality of design and site development in terms of the relationships to the street, building facades and overall neighborhood character.

B. James Worboys presented for applicant Mary Wilmot, and explained the desire to enclose the rear yard.

C. Board members had no questions or concerns, but reminded Mr. Worboys that the nice face of a fence must face outward toward the neighbors.

II. RESOLUTION(S):

The Board found that the fences, as proposed, are appropriate to the historic visual character of the property and the preservation district.

III. EVIDENCE:

A - Application
B - Site survey map showing fence locations
C - Sketch of fence composition
D - Photographs of fence examples
E - Appearance by James Worboys
F - Site visits by Board members

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Rochester
Preservation Board

June 16, 2016

Mr. Mario Schiano
Masons on Alexander
315 Alexander Street
Rochester, NY 14604

NOTICE OF DECISION

In the matter of a request for a Certificate of Appropriateness to install a 4'H metal picket fence around a 20' x 20' portion of the parking lot at the northeast corner of the building to create a dining patio.

On the premises at:	364 East Avenue (aka 315 Alexander Street)
Zoning District:	CCD-E Center City Design District – East End East Avenue Preservation District
Application Number:	A-052-15-16
Record of Vote(s):	B. McLear — Approved on Condition (motion) D. Beardslee — Aye (second) E. Cain — Aye C. Carretta — Aye B. Mayer — Aye J. Dobbs — Absent J. Schick — Absent

Please take notice that at its hearing of June 1, 2016, the Rochester Preservation Board, APPROVED your application ON THE CONDITION that the fence has a flat rail top, not pointed pickets.

In addition to this approval, a fence permit is required and may be obtained at the Planning & Zoning office, City Hall room 121B. A copy of the approved drawing is on file there.

Please contact Peter Siegrist at 428-7238 or peter.siegrist@cityofrochester.gov with any questions.

Rochester Preservation Board

By: _____ for
Zina Lagonegro, AICP, EIT
Director of Planning & Zoning

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I. FINDINGS OF FACT:

A. In reviewing applications for certificates of appropriateness in a preservation district, the Preservation Board considers quality of design and site development in terms of the relationships to the street, building facades and overall neighborhood character.

B. Mario Schiano testified that his landlord granted him permission to use this portion of the parking lot for outdoor seating. He stated that he may need to level the parking lot surface, and may use stamped concrete.

C. Member McLear expressed concern that the fence would be damaged by cars and plows, and questioned whether the fence could be removable.

D. Building code reviewer Tim Raymond asked if the door to the patio is a required exit. Mr. Schiano stated that he has a separate door, along with the front door.

E. John Lembach, speaking for the Board of the Park-Meigs Neighborhood Association, testified in support of the application. He stated that the area has long been a gathering place for passersby, and there is a need to separate these people from bar patrons. He asked that there be no gate to the outside, and no pointed pickets. He recommended that the fence be highly durable.

II. RESOLUTION(S):

The Board found that the fence is appropriate to the historic visual character of the property and the preservation district, on the condition that it has a flat rail top, not pointed pickets.

III. EVIDENCE:

A - Application
B - Site survey map showing fence location
C - Catalog sheets of fence types
D - Letter from the Park-Meigs Neighborhood Association
E - Appearances by Mario Schiano and John Lembach
F - Site visits by Board members

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City of Rochester
City Hall Room 125B, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

one city ROCHESTER

Rochester
Preservation Board

June 16, 2016

Mr. James Fletcher
32 Vick Park A
Rochester, NY 14607

NOTICE OF DECISION

In the matter of a request for a Certificate of Appropriateness to legalize a 2'H x 38LF retaining wall at the front property line.

On the premises at:	32 Vick Park A
Zoning District:	R-2 Medium-Density Residential District East Avenue Preservation District
Application Number:	A-052-15-16
Record of Vote(s):	B. Mayer — Deny (motion) E. Cain — Approve (second) B. McLear — Deny C. Carretta — Deny D. Beardslee — Deny J. Dobbs — Absent J. Schick — Absent

Please take notice that at its hearing of June 1, 2016, the Rochester Preservation Board DENIED your application to legalize the retaining wall and remove the walkway and steps. Zoning Code Section 120-189, inserted below, addresses the procedure for successive applications. Please contact Peter Siegrist at peter.siegrist@cityofrochester.gov or 428-7238 with any questions.

Rochester Preservation Board

By: _____
Zina Lagonegro, AICP, EIT
Director of Planning & Zoning

Filing Date:

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I. FINDINGS OF FACT:

A. In reviewing applications for certificates of appropriateness in a preservation district, the Preservation Board considers quality of design and site development in terms of the relationships to the street, building facades and overall neighborhood character.

B. Applicant Jim Fletcher testified that he purchased the property last August, and felt that the sloped front yard was unappealing and hard to mow. He stated that he requested a permit to install a retaining wall in order to eliminate the slope, and was told that a permit is not needed for a wall shorter than two feet. He said that he had removed a walkway and steps leading up to the house, cut away the slope, installed wooden posts, and had 4000 pounds of cobblestones delivered before learning that he needed to apply to the Preservation Board. He stated that he had put a lot of thought into the design, and wanted a creative wall unlike those at big-box stores in the suburbs.

C. John Lembach, speaking for the Board of the Park-Meigs Neighborhood Association, testified in opposition to the application, stating that the wall is out of character for the neighborhood. He expressed concern that the driveway is too steep for egress, and felt that the walkway and steps may need to be reinstalled.

D. City attorney Tom Warth stated that the City owes Mr. Fletcher an apology for allowing the changes, but that the Board has no obligation to change its standards to correct the error. He stated that Mr. Fletcher could apply for an economic hardship exemption.

E. Mr. Fletcher's father, Jim, testified in support of his son. He stated that he is a retired public works employee, and that he advised his son to obtain a permit before beginning the work and to set the wall back from the public sidewalk. He said that there are several ugly, unmaintained retaining walls in the area, some made of railroad ties and others of crumbling brick. He stated that a lot of thought went into the design of the wall, which he feels has a lot of character.

F. Board members expressed appreciation for the degree of thought that went in to the design, but expressed concern that the work continued after Mr. Fletcher was notified that Board approval was needed. In response, Mr. Fletcher stated that the worksite was an eyesore, and he continued the work to improve the appearance. Members agreed that the work was done with the best of intentions and is creative, but that it would take serious mitigation to gain approval. Members discussed adding plantings or lowering the wall. Mr. Fletcher offered to rebuild the steps and walkway.

II. RESOLUTION(S):

The Board found that the installation of the retaining wall and the removal of the sidewalk and steps are inappropriate to the historic visual character of the property and the preservation district.

III. EVIDENCE:

A - Application
B - Photographs of original and current conditions
C - Letter of support from Ronald Bouchard and Donald Brown, 17 Vick Park A
D - Letter of opposition from the Park-Meigs Neighborhood Association
E - Appearances by James Fletcher, Jim Fletcher and John Lembach
F - Site visits by Board members

Rochester Zoning Code 120-189 O. Successive applications.

(1) Whenever any application, appeal or other request filed pursuant to this chapter has been finally denied on its merits or approved subject to specified conditions, a second application, appeal or other request seeking essentially the same relief or a modification of such conditions shall not be brought within two years unless, in the opinion of the review authority, or, in the case of decisions of the Zoning Board, Preservation Board and Planning Commission, in the unanimous opinion of all members present on the board before which it is brought, one of the following standards has been met:

(a) There is a substantial change in circumstances relevant to the issues and/or facts considered during review of the application that might reasonably affect the decision making body's application of the relevant review standards to the development proposed in the application;

(b) New or additional information is available that was not available at the time of the review that might reasonably affect the decisionmaking body's application of the relevant review standards to the development proposed;

(c) A new application is proposed to be submitted that is materially different (e.g., proposes new uses, or a substantial decrease in proposed densities and intensities) from the prior application; or

(d) The final decision on the application was based on a material mistake of fact or mistake of law.

(2) Any such second application shall include a detailed statement of grounds justifying consideration of such application.