

**The City of Auburn**  
**Historic Resources Review Board**  
c/o Office of Planning and Economic Development  
Memorial City Hall-24 South St.  
Auburn, NY 13021  
(315)255-4115

Meeting Minutes  
February 8, 2022  
Council Chambers

Present: Michael Deming (Chair), Ed Onori, Jackie Gumtow, Linda Frank, Jim Hutchinson and Richard Stankus.

Excused: Andy Roblee

Staff Present: Jenny Haines, Director of Planning and Economic Development; Nate Garland, Assistant Corporation Counsel; Gretchen Messer, Planner

**Mike Deming 00:04**

Okay, thanks. Okay, we don't have the minutes for the past meeting. That will wait until our next meeting.

**Jennifer Haines 00:14**

Correct. Apologies for that.

**Mike Deming 00:17**

Move to the public be heard. If anybody has anything other than what you're here to address, you're welcome to speak now. No one interested in speaking. We'll move on to the Certificate of Appropriateness for 128 South Street.

**Jennifer Haines 00:34**

Okay, I'm going to ask Erica and Kevin to kind of just step through the additional materials that they sent, I'm going to share the screen right now, so that we can see it up there. Okay, if you want to go ahead, I'll just scroll down through and you can talk about each item.

**Erica Iantuono 01:04**

Sure, so, this is regarding 128 South Street, regarding our shed. With respect to the attachments, I'm assuming is where you want me to take off, Jenny, kind of talking it through. So that was a hand drawn picture. The request was to submit the actual survey. So you know, when we purchased the house, we

did have a survey completed, which you can see a little bit further down. This is just some hand drawn sketches. So this is the actual survey that we had done when we purchased the house in 2017. And you can see just the hand drawing to scale. You can see the legend attached as well. It's a 10' by 18' shed you can see placed on the property there. The setback is also defined in the margins with arrows attached. And that setback was great; we received a variance in February of 2021, on both the size of the shed being 10' by 18' as well as that setback to the property line as well. During that meeting, there's a discussion around the structure or the shed being at least six feet from the carriage house. And you can see there, it's greater than six feet, it's you know, 8.33' and 8.41', respectively. And if anyone had any questions with respect to the survey picture itself, I apologize. These are sideways; I don't a portrait image. Hopefully, Jenny has one, wonderful, thank you, Jenny. There are two slides attached. One is with respect to just the materials used for the shed. You know, there's a request, for just what the materials are made out of. And you can see my disclaimer at the top. As you all know, there's a stop work order placed. We haven't laid a finger on the shed since that stop work order was placed on the shed. We used free software to create the drawing, called Provia. I'm a pharmacist. So I really did the best that I could do with trying to give you a mockup of what we intend the shed to look like when it's completed. And you can just see I just had some textbook just kind of walk through how to use this computer graphics program. We're hoping to use cedar shingles on the front and on the sides of the dormer window, as you can see there. You can see there are two rounded doors in the front and we'd like them to be wooden kind of barn-style doors historic in nature, hopefully reclaimed if, you know we'd be able to find them available. Just a plain black asphalt roof. You know, our house has slate, but that would be cost prohibitive to have slate on a shed, so just a plain asphalt roof. Then siding materials, LP SmartSide.. I don't know the details, Kevin, could you touch upon that.

**Kevin Fiduccia 03:58**

LP SmartSide is a composite material. It is made to look kind of like a board and batten design as would be typical of a shed or barn.

**Erica Iantuono 04:13**

Just painted, you know, a neutral color. We haven't chosen a paint color so we are open to any conversation there. Four windows total. You know, hopefully they'd be reclaimed. We added another picture on the next slide so that you can see just a standard single pane window; colonial style window and then a side door also made of wood, hopefully reclaimed and historic in nature. I don't know if anyone had any other questions regarding the materials themselves or what. The last slide is just to depict our attempts to respect the historical integrity of the area. Well, there are two slides that look pretty similar. One is just the materials. The other one is with respect to the historical integrity of the area and some of the characteristics that we wanted to incorporate into the shed. I mean, the details also depend on the Board and what they're interested in hearing about.

**Kevin Fiduccia 05:30**

Um, yeah, just basically the design of it is meant to pay homage to the surrounding architecture. The family that built our house was of Dutch descent. Coming from the Flanders region of Belgium, which is largely Dutch speaking. So, while the house is not necessarily a Dutch colonial, the shed design does incorporate a lot of Flemish character. Flemish being the demonym for the Flanders region of Belgium. The shed has the Flemish arch at the front, the brick layout is a Flemish bond. It's what they call that particular pattern in the brick. So we tried to kind of incorporate some of that style, like the gambrel roof originates from the area of the world that was popular there. We went with arched dormers rather than flat top like our house. This actually pays homage to the house next door, which was built a year later than our house by the same family. So the design is intended to be consistent with the architecture in the neighborhood.

**Erica Iantuono 06:59**

The next slide would be the CAD drawing that was requested with respect to the dimensions.

**Kevin Fiducia 07:05**

So I do some CAD work, but I don't do architectural CAD work. So I did a basic 3D model and did a couple projections of the front and side elevations that show basic dimensions.

**Jennifer Haines 07:32**

So this was the additional documentation that was needed in order to complete the application. I asked them to submit everything under the new construction section on page two of the COA application, which they did. I provided this to the board the week ahead of publishing the agenda, to make sure there was sufficient information for our discussion tonight, and then published the agenda. So we're all set for any discussion from the board or any questions.

**Richard Stankus 08:09**

I think part of my concern is the process of how this got to where it is. And as I review, August 2020, you were cited by Codes for a temporary structure that was not in accordance with the Code requirements. And there was a request then to remove that temporary structure and replace it at your discretion with a permanent structure, which would be defined certainly as a shed. And we have pictures, I think of what was originally the concept of what would replace the structure that violated the existing codes. That to my knowledge, and Jim or anyone else can correct me, I don't think it was ever approved by this board. Even though it was submitted to this board, for some unknown reasons beyond that, a second structure was designed. And I'm looking here; this document was presented to the Planning Board, I assume at least it's got Holly Glor's name on it. And what it says is that they were allowing now this. Again, this project skipped over any application to historical resources, which is not the standard method of how these things evolve. So that was then your new design, I assume because I don't have any information on that. But the design that you're presenting tonight was presented to Holly and the Planning Board, and it says it allowed placement. Installation of a permanent 10' by 14' wood

storage shed in the same location conditioned upon the issuance of an area variance from the Zoning Board of Appeals. Now, did that ever go to the Zoning Board of Appeals? And was that approved?

**Kevin Fiducia** 10:16

Yes it did. That was approved by the Zoning Board of Appeals last February. So yeah, like approximately a year ago,

**Richard Stankus** 10:25

Of 2020

**Erica Iantuono** 10:26

2021, it was February 20.

**Richard Stankus** 10:29

So, I don't have that information. So I apologize for not knowing.

**Kevin Fiducia** 10:34

I believe that we had that information last month.

**Jennifer Haines** 10:43

In the board packets, it was the Zoning Board of Appeals. Information also, and I just want to clarify, this shed design that you're seeing tonight, was not previously provided to planning staff. What we had at that point was what was presented to the Historic Resources Review Board in September of 2020. At last month's meeting, if you remember, I took responsibility for the COA being issued. The staff that was at that meeting, the takeaway must have been that that shed was approved. So I understand that the Board is stating that they did not officially vote on that. So that was on us, our takeaway was that the Board had approved that at that time, and moved that approval forward. So this shed design is the first that the Planning staff has seen along with the Board. Mr. Fiducia provided this information in response to your request last month.

**Richard Stankus** 11:50

Thank you for that explanation. I mean, if that were what I think, in my opinion, and it's strictly my opinion, if that initial shed design that was presented well over a year ago, circumvented our approval, but went through Planning and Zoning. I think certainly, I would see no issue with your original design. It was an actual shed, defined as the shed should be. It wasn't obtrusive, it wasn't overwhelming. It's wasn't a two story structure. It was a shed, which is I think what Planning Board approved, Zoning approved and most likely, Historic Resources, I as a member would certainly vote for approval. What we're saying tonight, again, regardless of materials, is that this is not a shed. It's a two story structure. And the concern is that again, when you're looking for something that I certainly would not approve, and maybe other members would not also, but I'll let them speak for themselves. It's kind of like what is the

purpose? I mean, we've approved fences because people came in and said, "We have dogs, or we have undesirable neighbors come through our yard, they're doing drugs or doing this. And we'd like fence." We can understand that. Now, we may disagree on the style of the fence, on the height of the fence, on what materials are in that fence, but we agree on the fence. In this case, this is not a storage shed, I'm not sure what storage would be needed for a structure of this size. Particularly as I think last time you met with us, you said this is not going to be electrified. There's no electricity to this structure. So I just have trouble, I think in my own mind, comprehending why a structure; a two-story structure that's clearly visible from South Street is needed. And to me, it just doesn't fit the site of where it's being placed. And I think site placement is, is also something we as members of the Historic Board look at, I'm not going to put a shed out my front yard because it's unsightly. I'll put it in the back where it's not seen. I'll put it in the back where hopefully neighbors won't complain. And I'll probably touch base with the neighbors first to be sure they're not going to complain about it. And then get appropriate approval.

**Kevin Fiducia** 14:19

And I did in fact touch base with our nearest neighbor and he was fine with it.

**Richard Stankus** 14:25

Well, I'm not sure who that nearest neighbor is, but I'm your neighbor and that when I walk out my front door, I look right at this structure.

**Kevin Fiducia** 14:31

Right, sure. And I understand that bearing in mind that I don't have per se a backyard to put it in. You know, we're kind of at the mercy of living on a street corner. And I don't have a back yard to put stuff in. But I don't I don't have a spot in the property that's not visible from the street.

**Richard Stankus** 14:52

I understand that. But that's not our problem. That's your problem.

**Ed Onori** 15:07

Does this have to go back to the Zoning Board or anything like that?

**Jennifer Haines** 15:10

No. So I have a thought. And it kind of piggybacks on the Board's discussion about consulting services. And I brought in under "other business", we can talk about this. And I emailed earlier, I brought a couple proposals that have been submitted just for discussion sake, to provide us some estimates to put in my department budget for assistance to this board. If you would like for and, again, I hate to delay this for you. But if you would, like I can find some money in my current budget to have one of these firms review this application and see what recommendation they would provide. If that would be helpful.

**Kevin Fiducia 16:10**

If I could interject there, my question would be where is the objectivity of what's allowed and what's not allowed? You know, it seems like a lot of this is...

**Mike Deming 16:22**

Secretary of the Interiors, rulings, that whole document. And the shed, no shed, would be if we went strictly by the rules. Nothing would be allowed there. It doesn't fit on this property. When strictly by the guidelines, we try to bend it a little bit to make this fit Auburn, New York. We realize this isn't Nantucket. But the whole process, you caused the problem here, we didn't cause the problem, because you didn't go by the rules.

**Kevin Fiducia 16:56**

I would disagree with that. We came before the Historic Board, and we were issued a Certificate of Appropriateness

**Mike Deming 17:03**

Not for this building

**Kevin Fiducia 17:04**

That went down to Code Enforcement. You know, and after several conversations with Code Enforcement, I thought that we were good to go. I have asked twice for a copy of that original Certificate of Appropriateness that was issued. I have yet to receive that. Regarding your statement about the Secretary of the Interior. I have examples here. This is a copy of rules on sheds from Red Bank, New Jersey. And they have a historic district there that is a federally designated Historic District. And their maximum allowed height for a shed is 16 feet.

**Mike Deming 17:45**

But it isn't the size, it's where the shed is number one. The visibility, how it fits on the property. We're charged with the green space, this is another thing in the historic district that we're trying to preserve. So there's a lot of things that this particular thing doesn't fit.

**Kevin Fiducia 18:05**

What, so what would fit?

**Mike Deming 18:09**

I think if this was brought before this Board today, no shed would be allowed to fit in that space, because there isn't room on the property. That's what I gather from the Board. But what we looked at was a one-story small shed. And the problem here is, this doesn't fit that now

**Kevin Fiducia 18:31**

The shed, it's only four feet higher than the height that's in the picture. You know, and what about, for instance, at 50 South Street. The greenhouse they built, that's quite large, you know, far larger than our shed. And that didn't seem to be of any issue.

**Ed Onori 18:37**

No, it was an issue. We spent a lot of time with that.

**Kevin Fiducia 18:54**

And what was the resolution there?

**Ed Onori 18:56**

That it was allowed. Because it fit with the property that they still kept the parking spaces, there's still green space behind it.

**Kevin Fiducia 19:05**

Our yard is probably larger than their backyard.

**Ed Onori 19:09**

Well, this isn't theirs. How would you explain this? That doesn't set a precedent for what's allowed on one property to the other. Number one, your property is on the corner and everything is visible where that greenhouse is behind the house. So it's a different issue.

**Kevin Fiducia 19:27**

Okay, that would lead me again to the subject of objectivity. What sets a precedent on one property, not applying to another property.

**Ed Onori 19:37**

Plus we have to look at the individual site plan and the view. And when this was reviewed, and said number one, this wasn't visible from South Street. But it's highly visible from South Street. I don't want to speak for everyone here. We can help the Board with what Jenny's trying to do.

**Kevin Fiducia 19:58**

I appreciate that. Yeah. Well, no. So how do we move forward from here?

**Ed Onori 20:08**

Well, let's hear from the rest of the Board, what they have to say.

**Jim Hutchinson 20:10**

Well in regards to 50 South Street. That's mostly commercially zoned. It's not residential, you're in single family residential, I believe. Sure. That's commercially zoned for a variation in commercial. So that had some bearing on that decision. I think. The problem was that we never approved any sort of shed. And yet, the Planning office issued a certificate, which then went down to the Codes office when you got a permit, and you got a permit. So we have several issues here. We, I think, we've got to look at the Certificate of Appropriateness, it's dated, it was a 10' by 14' shed. And that discussion came up in the Zoning Board of Appeals. And you said, No, it's going to be a 10' by 18' shed.

**Erica Iantuono 21:12**

And that's what we got the variance for another application for the permit. It was for 10' by 18'. That's fine.

**Jim Hutchinson 21:18**

But you went to the Zoning Board of Appeals. And there was a discussion, if you look at the Zoning Board of Appeals meeting.

**Kevin Fiducia 21:25**

They said we have to go to the ZBA.

**Jim Hutchinson 21:27**

They said, "Well, looks like the Historic Review Board has said 10' by 14', now you're asking for 10' by 18' shed. In the end, you got a Certificate of Appropriateness for 10' by 14', not 10' by 18'. Even though the certificate in my opinion wasn't valid, but that's becomes a legal issue for the City to try to figure out.

**Erica Iantuono 21:34**

I guess, ultimately, how does a permit be issued for a 10' by 18' shed if those two things don't check out? I mean, what I'm trying to express is just it wasn't for lack of caring. It wasn't for lack of effort. There are many conversations that transpired even before we submitted to the Historic Board back in September 2020. It was the tarp shed, and it's like, we want to build it a real shed. And the guidance was, "well just send a picture". And we said, "we're going to build it ourselves". The response was, "well, just send us a picture of a shed with general dimensions that needs to go to ZBA. Ultimately, they're not going to talk about dimensions. The discussion was very lofty and fluffy because ultimately they had to go to zoning, I think that's where a lot of the confusion on both on our part as well, too. So yeah.

**Jim Hutchinson 22:32**

Zoning Board of Appeals approved a 10' by 18' shed.



**Kevin Fiducia 22:35**

Sure. Okay.

**Jim Hutchinson 22:36**

We don't. We didn't approve any shed.

**Kevin Fiducia 22:38**

Yeah, when we were under the impression that the ZBA wasn't going to even touch it until it was approved by you. You know, we thought that since we had gone to the ZBA, after we come to the Historic Board that we were moving on to the next step

**Jim Hutchinson 22:52**

ZBA doesn't have to go along with anything we say. They can do whatever they want. And there was a discussion. But the bottom line is your Certificate of Appropriateness that then was looked at for the permit said 10' by 14'. Now, they must have also looked at Zoning Board of Appeals minutes and said, Oh, it's 10' by 18'. So it's there's a lot of stuff here that

**Ed Onori 23:18**

How did we get from a one story to a two story?

**Kevin Fiducia 23:22**

What defines it as two stories? I mean, it's really one story. I mean, my house has an attic, but it's still a two story house; is my house three stories?

**Ed Onori 23:32**

Could be depending on how you look at it.

**Jim Hutchinson 23:35**

I mean, technically, this is what we'd call a one and a half story, if you want to get really technical.

**Ed Onori 23:40**

You know, I mean, it's only seven and a half feet to the ceiling on the first floor, and then about six feet on the second floor. It's not like it's a massive structure that really doesn't meet anybody's definition of two stories.

**Erica Iantuono 23:56**

We also had a conversation with Brian Hicks, following pulling the permit. And before we purchased the materials to specifically discuss the height, and I understand that some things are not within one's purview and within the others and approval and I respect that and I acknowledge that. But in the absence of guidance in the public domain, we've really, truly tried to do our due diligence. We called Brian

Hicks. I mean, I pulled some phone records to print as well. I mean, we have these conversations and the conversation that transpired in that circumstance prior to purchasing these materials, because we need to buy an appropriate amount of materials to build the structure was per code, the maximum height for a shed is 20 feet.

**Kevin Fiducia** 24:36

Right, which we understand doesn't mean that that's what you would allow.

**Jim Hutchinson** 24:41

Exactly

**Kevin Fiducia** 24:42

You know, but we also didn't build it 20 feet high and you know, out of respect the fact that that would probably be woefully inappropriate.

**Erica Iantuono** 24:52

We truly did try. I mean, if anything, if I can express that whether it matters or not, like there were multiple attempts and efforts made to try to make sure that we're building this appropriately to your standards to respect the historical area, like we love our house, we love this area, we want to respect it and want to build a quality property, and then won't even touch the escalating material cost that transpired between the first time we came before you and now, but, you know, I just want you to know that we tried.

**Richard Stankus** 25:29

Is there an obvious purpose for structure this large?

**Kevin Fiduccia** 25:35

We have a lot of lawn care equipment, riding mower, push mower, I've got a motorcycle, snowblower, chain saw, sidewalk edger, all that type of stuff. And I was hoping that the upstairs can be used for lawn furniture, you know, for winter storage, as well as an avid woodworker. So if I could keep some lumber up there to dry, I would have liked that.

**Richard Stankus** 26:06

So it's not that you don't have a three car garage, and an attic and a basement. But now you need a story and a half building to put all of those things in.

**Kevin Fiducia** 26:17

Well, I currently have a car in the garage.

**Richard Stankus 26:21**

You got an attic, in your garage. I understand you're trying to convince us why you need storage. But sometimes, you know, if you had no attic, if you had no garage, if you had an acre of land in the back of your house surrounded by trees, and you want to put a structure like this up, have at it. But you've got got a confined area, okay, that's extremely visible. In a historic district, you're trying to put up a two story structure and convince us that you need more storage. And so again, unless you own a dozen cars, and you've got furniture to outfit 30 houses in the city of Auburn or whatever, then I'm not so sure that a lawn tractor, and maybe a push mower, and maybe a ladder and maybe a rake and a shovel. That's what sheds are for. That's what an eight by 12', single eight foot by seven foot shed is for. You can put a lawn tractor in there, put your garden equipment in there, put your motorcycle in there, not visible to the street, not a story and a half above what it should be. And again, I don't understand why someone needs storage that I'm not saying that, you know, some other location and location is very important. As they said, I'm not thinking about putting a shed up my front yard, people aren't putting sheds out in their front yard on South St. So there are certain locations where buildings like this may be very fitting and proper. But then there's locations where they're not. You can't put a toilet out in your front step or yard, you can't you can't do certain things, because of certain codes in this city. And again, you were originally cited for a structure that was oversized, you came back with an appropriate smaller structure that would have fit.

**Kevin Fiducia 28:15**

We were never cited for the structure being oversized

**Richard Stankus 28:18**

This structure, which we've never seen before until recently. And you're trying to convince us that you simply need it for storage.

**Kevin Fiducia 28:26**

I don't know that whether we need it or not has anything to do with its appropriateness in the historical nature of the property.

**Richard Stankus 28:36**

Well, we've had issues before, again, with fences and other things that have come before this board that have to do, well, what's the purpose of your fence? If I just want to fence in my property with a chain link fence, I don't think that's going to be appropriate for the historic district. Okay.

**Kevin Fiducia 28:53**

Sure. That's an appearance issue. That's not whether or not you needed the fence.

**Richard Stankus 28:57**

Well, it's the same. In your case, if I say I need a fence because I want to protect myself because I feel uncomfortable with people walking up and down South Street. I want a fence in front of my house

because whatever. So that's my argument. Is that an acceptable argument? Probably not. If that's the only reason I'm building it.

**Jim Hutchinson** 29:20

You know, again, when you came to us, I guess it was August 31, 2020. Regarding the temporary shed, at that point there was discussion about you wanting to build a permanent shed, that you'd be coming back to us for that for that.

**Kevin Fiducia** 29:42

Well, we had discussed the permanent shed at that meeting. And I you know, again, we're under the impression from city staff that we were all set. We didn't know we had to come back.

**Jim Hutchinson** 29:52

Well, you're right. There was a misunderstanding with city staff, right. But what you presented to us that night was this.

**Kevin Fiducia** 30:02

And again, we presented that because they asked, you know, hey, just shoot a picture over

**Jim Hutchinson** 30:08

A proposed permanent shed design.

**Kevin Fiducia** 30:11

Right. Did they say that? They didn't say that. City staff didn't tell us that.

**Jim Hutchinson** 30:16

What, didn't you present this? Didn't you provide this to the staff?

**Kevin Fiducia** 30:20

Yeah. And he said pick a picture of a shed.

**Jim Hutchinson** 30:21

Yeah. But down here it says proposed permanent shed design. Who printed that?

**Kevin Fiducia** 30:26

We probably did.

**Erica Iantuono** 30:28

Okay. But there was also discussion about the dimensions and the guidance that you would have to meet, but this is the original.

**Kevin Fiducia 30:33**

The original Certificate of Appropriateness application specifically says dimensions as to suit the location.

**Jim Hutchinson 30:41**

I mean, basically, we actually have presented two pictures. This one, this one and then the second one. This is what was presented. Not that we approved it, but that's what we talked about. That's nothing close to what you're building.

**Linda Frank 31:01**

I agree with what's been said. I think it's, it's too big. It's too much. When I think shed, I think this this is lovely as a standalone thing, some other place. But it just it's too much for that space. And it's more than a shed. And I don't think it's a question of semantics necessarily. It's just what somebody says shed, it's like that picture that was first submitted, this is not like that. And I think as you know, kind of provided material lists and things it's lovely. It's just too much. It's overpowering on Swift Street and it's bad on South Street too. Sorry, I wish I could say differently, but it's too tall. It's too big. Height wise.

**Ed Onori 31:59**

I feel the same way; that it's big. I wish we knew when it got so big. I mean, we were under the impression we were going with a shed, the smaller one that was submitted. And then when it went up that big, I guess surprised all of us. So but I believe it's too big for the site.

**Jim Hutchinson 32:26**

Jenny, what would you suggest in terms of having someone give us another opinion on this? Are you looking for someone to make a recommendation, whether whoever we ended up designating as our consultant, having them make a recommendation as to how we deal with this.

**Jennifer Haines 32:53**

That's what I was recommending. I guess, because there have been so many conversations with this applicant and city staff and they had moved forward. And what they believed was okay, after the Zoning Board and a permit was issued. And I understand everything that happened before that and you know, obviously have multiple times taken responsibility for my staff for that. I was recommending that, per the discussion last month, where there was an interest in consulting for specific purposes. More complicated applications like this, that are kind of difficult to review, that we maybe take a crack at an example application for one of these firms that submitted and see what they would say, related to the design, the placement, the height, versus, you know, taking a vote tonight and maybe not having a pass and just having somebody else take a look at it.

**Richard Stankus** 34:05

Well, I would also request that the proposers for this building. What would your thoughts be about redesigning something that doesn't have the height? Maybe the size? And is more fitting with the original proposal you had for a garden shed? I mean, is that something you would consider?

**Kevin Fiducia** 34:28

My only question would be who bears the financial burden of making the changes? Considering that the structure is already three quarters of the way built.

**Richard Stankus** 34:39

Well, I mean, I hate to say it, but it's obviously gonna be you.

**Kevin Fiducia** 34:42

I don't think it's that obvious. You know, we move forward. I have a building permit hanging in my window that says I could build what I built.

**Jim Hutchinson** 34:52

I would suggest we do tonight is table this for another month. This time of year, you're probably not going to be working on it that much, anyway.

**Kevin Fiducia** 35:00

No, probably not right now

**Jim Hutchinson** 35:02

Table this and allow potential consultant to come in, and maybe give us some ideas. You've got nothing to lose with that.

**Kevin Fiducia** 35:12

Okay, I'm okay with that.

**Jim Hutchinson** 35:14

So that would be my motion to table this.

**Richard Stankus** 35:18

But if we table, I mean, we've never done this before, as a committee or as a board, to ask for a consultant to submit a quote to come in and give us advice. It's not a decision it would be a recommendation. Yeah. So but yet, as you appropriately said, they're going to look at the site. Well, I mean, where else would you put a building like this except where you're putting it, you're not going to move it anywhere, right? It's going to be in the site itself. So, that's not debatable that the site is the site, we just said, the size because of the expense that you've gone to, is going to be the size. And that's our

biggest argument is the size and the location. So do we need an expert to come in and say, “Well, this would be a great smaller shed in the different location”, which doesn't make any sense at all, because it's going to stay where it stays? If it's approved, it's going to stay the size of this if it's approved. So I'm not so sure what we're postponing or delaying. Again, if there's somebody that has some greater insight of how this could be downsized, put in a different location and compatible with your expense. So then I would certainly agree with that. But you don't, as you said, have a lot of space on your property. If it's going to go anywhere, it's going to go and stay where it is. And you're not willing to say well, I'm sorry, but I've already got a lot of dollars expended into the size of this building. So I'm not about to rip off the second story. I think that's a fair statement.

**Kevin Fiducia** 37:06

I think that's fair to say, yes, at least not at, you know, more expense than we've already spent.

**Richard Stankus** 37:12

So then a consultant is going to come in and say, “Well, I think yeah, I agree with the board”. So do we really need a consultant?

**Kevin Fiducia** 37:21

Or the consultant could agree with us?

**Richard Stankus** 37:23

Well, he could but then we don't necessarily have to take his opinion.

**Kevin Fiducia** 37:27

Okay, so maybe you should go ahead and vote on it now and do what you're gonna do.

**Richard Stankus** 37:34

That would be my recommendation.

**Kevin Fiducia** 37:36

And that would be fine.

**Gretchen Messer** 37:37

Seems like we've yet to receive any guidance from the Board or like, just your opinion on what the height should be. I mean, there's a lot of subjectivity infused into this. And you all seem to have a vision for the height of the proportions of the shed, as it appears.

**Richard Stankus** 37:54

Yeah. Well, I think first of all, remember, this was a stop work order by the Codes Department. So obviously, there was something that was being done that should not have been done. Second, when you

were here last month, we mentioned at least I mentioned, my greatest concern was the height of the structure. And I think other board members also voiced that opinion. So tonight, I think you've heard the same opinion, most of the board members, if not all, have said, it's too big for the site. So again, if we need an expert to come in and tell us it's too big for the site, so be it. I can't because it's not gonna be moved, you're not going to be able to move it, obviously, you're not going to downsize it, obviously. So we're stuck with either approving it as it is or not approving as it is. If someone else comes in and a quote expert and says, "Yeah, I disapprove of this". So do we need that to affirm our expertise? I mean, we've been doing this for years. We understand, you know, what structures fit within historic districts and which don't and we've debated this many, many years. And so the point is, is that I don't know that the quote "expert" that's going to come in is going to be any more knowledgeable. To tell us one way or the other, "This is what you should do, or that's what you should do." I just don't see it.

**Jennifer Haines 39:23**

I guess I was recommending that just based on the discussion from last month and the board's wish for me to put money in the budget. I thought this would be a perfect opportunity to kind of test that discussion out.

**Ed Onori 39:34**

The third party coming in, taking a look and see if we're missing something that maybe we're not, you know, that'd be the only thing because we know what works and doesn't work, but maybe we're missing something here and maybe they can, but I don't think so. But it might be a good test case anyway.

**Mike Deming 39:55**

But if you don't want us to call the vote tonight, if someone else gave a recommendation, the only other option would be to make this a one story shed. And if you're not willing to do that, or even talk about it, then there is you're not willing to compromise. There's nothing else we can do.

**Kevin Fiducia 40:14**

Well I'm not saying that we're not willing to entertain that, I'm just asking at whose expense would that be?

**Mike Deming 40:19**

Everything would be your expense. The law is in there, it isn't up to the building inspector or us to interpret this for you. When you go there, the building inspector won't look over your plans and tell you you have to change this or change that. It either meets code or doesn't. Or when you come to this board, you can read the whole ordinance and what we're doing and what's here. Okay, you won't give us any alternative. If you're not willing to bend

**Kevin Fiducia 40:46**

That said, then then you would be correct, we would not be willing to bend.



**Ed Onori** 40:54

Jen, is there any reason then to wait for a consultant if they're not willing to, to change at all, we just call the vote.

**Jennifer Haines** 41:03

That's obviously up to the board. From the staff's opinion, I wanted to just give this applicant one more chance at some expertise that may be helpful to the board. I'm not asking anybody to try to sway the board in a different way. I just thought, you know, that because there was discussion about the wish and want for consulting expertise. This is a difficult application. I just thought it would be something good for one test case and to allow this applicant you know, the kind of full discussion as we could provide.

**Mike Deming** 41:41

I think you'd have to give a little leeway if you want this. You need four votes to table this and wait till we can bring the person in. You have to give us a little something that you're willing to talk further about this then just yes or no

**Erica Iantuono** 42:02

Can we have like a millisecond just to talk for a moment.

**Kevin Fiducia** 42:07

Yeah, we discuss.

**Jennifer Haines** 44:27

Are you all set?

**Kevin Fiducia** 44:28

Yes. So yeah, we would be open to hearing what the consultant has to say. And if there's some middle ground that can be found. We're willing to work with you. To an extent.

**Ed Onori** 44:45

Are you aware of what the rest of the process is, if we were to vote and turn this down.

**Kevin Fiducia** 44:50

Yes.

**Mike Deming** 44:50

This isn't the end, you can appeal to the City Council.

**Kevin Fiducia** 44:53

Yeah, yeah, we're aware.

**Mike Deming** 45:00

Motion to table this.

**Jim Hutchinson** 45:03

You got the motion you just need a second.

**Mike Deming** 45:05

Okay.

**Jennifer Haines** 45:09

I just want to add one more thing. So I just want to make sure we're providing, you know, the applicant the best guidance we can. So if there was a compromise struck, you know, is the Board willing to talk about even a one story shed? I know that you mentioned it. I don't know. That was initially what was discussed with this board. Is that something that the Board is interested in talking about?

**Jim Hutchinson** 45:40

I would be.

**Richard Stankus** 45:42

Yeah, I certainly would be interested if we, if you came up with a structural design, very similar to your initial proposal, which is a garden shed. Plenty of storage for lawn tractor, motorcycles, lawn equipment, and whatnot, and hardly visible, if at all, from Swift Street, South Street, and certainly fitting with the location on your property. But anything that's a two story building or similar to a structure, as you're suggesting, I don't see how that, in my opinion would be a feasible thing to do. Now, if you're thinking that well, yeah, that's something that we would consider, then I think, again, it's not just us considering that structure. But you also considering that size structure.

**Kevin Fiducia** 46:35

Sure, I understand.

**Jenny Haines** 46:38

So what I what I'm going to ask the consultant to do is review their application as it is for the appropriateness on the site and the district. You know, the historically significant structures on their property, which is the house and the carriage house, and then see what they would say about that. And then if yes, you know, definitely want to make sure the Board hears that recommendation. If not, what could it be. And, you know, obviously provide that to all of you and the applicant.

**Nate Garland** 47:13

Mr. Chair, would you entertain a motion? Directing city staff to seek out a consultant.

**Ed Onori** 47:23

We need to table it first, I think.

**Jim Hutchinson** 47:23

That's what I would well, yeah, I that was basically what I was saying. Let's table it. And then I gave a little explanation why I thought we should table it, but basically, the motion is to table.

**Nate Garland** 47:42

inaudible

**Jennifer Haines** 48:02

That would be helpful because I'll have to spend money out of my budget. So that would be helpful to have a motion, specific like that.

**Ed Onori** 48:08

Ok, will someone make a motion. And I would recommend in the motion that since Andy's already worked with this board discussing this project, that the other consultant be utilized..

**Jennifer Haines** 48:18

That was my plan. I think Andy's proposal is great. And we can talk about all of that. But because he was involved in this discussion, I would use Crawford and Stearns

**Mike Deming** 48:27

So will someone make a motion that we engage Crawford and Stearns to come before the board and give us an opinion. I'll make motion. Do we have a second?

**Linda Frank** 48:38

I'll second.

**Mike Deming** 48:40

That was Linda. Any further discussion on this matter? All in favor? Aye. Everyone. Okay, now we'll move back to the motion to table we have, I believe, motion, brought up. Do we have a second? Ed. Is there any further discussion? Do we need anything more anything discussed? All in favor on that motion to table to deal with the consultant? All in favor, aye. It's unanimous here

**Jackie Guntow** 49:14

I need to abstain.

**Mike Deming** 49:16

Ok, this is a difficult task. And you can see that we're not trying to just say no, trying to work out something so.

**Kevin Fiducia** 49:33

Okay, do you need anything further from us?

**Mike Deming** 49:35

No we are all set

**Kevin Fiducia** 49:36

All right. Thank you.

**Mike Deming** 49:38

Thank you for your time.

**Kevin Fiducia** 49:39

Certainly.

**Ed Onori** 50:03

First we have to move to other business. First Presbyterian and their fence.

**Jennifer Haines** 50:23

Yes, I had asked Brian Hicks about that he said that he would follow up with writing a violation on that. So I will confirm with that he did that.

**Mike Deming** 50:38

Any other old business, anyone has a motion to adjourn.

**Jenny Haines** 50:47

Just wanted to just follow up on these proposals. It is my plan to put some money in my department budget request, which is due this coming week. I'll be meeting with the city manager and the comptroller to start related to the department budget for planning and code enforcement. The way that it typically works for this kind of assistance, we do have funding assistance for this kind of technical work for the Planning Board, and also for Code Enforcement for permit reviews. Typically, what we do is we charge back to the project. This is a little bit different, because it's homeowners versus businesses. So I'm not necessarily going to recommend that. But that's typically how I put those kinds of things into the budget is I'm able to tell the Council that there will be reimbursement if we spend money out of that piece. In this case, I'm not as interested in charging homeowners back on that particular expertise unless the board

would recommend that that's how I pitch it. But I was planning to just put money in the budget and say, you know, if the board needs this expertise, we'll use it. If it's approved, likely, what would happen is I would be required to do a request for proposals to meet City procurement. I would obviously reach out to the two firms that responded as well as others, I typically would need to get three, and then a committee would score them and we would choose a firm. So, and this money would be available after July 1st. I'm going to figure out a way to do this one under a budget line and we'll figure it out. But in order to kind of start this kind of program, it would be with the July 1st budget.

**Mike Deming** 52:45

Now would we ask for this proposal proper to terms? Prior like 10 days prior, that we would see this and the homeowners would see what they recommend? Or is this just at our meeting?

**Jennifer Haines** 53:00

What I would do is change the due dates for applications. So that if there's one that comes in that is a little bit more complicated when we take a look at it, so that I can send it and give them a week to look at it before I have to publish the agenda. Because I have to publish the agenda week ahead of your meeting. So I'm going to have to back up the application dates. So yeah, the applicant would see it and you would see it before the meeting.

**Mike Deming** 53:36

If they were let's say, they're on the same wavelength, we were to expect them to come to the meeting with some kind of compromise. I asked for that in the last time and they're I think today they're a little more willing to bend.

**Richard Stankus** 53:54

There was a thought last year that the light posts on South Street would actually finally get replaced.

**Jennifer Haines** 54:02

I'm glad you brought that up.

**Richard Stankus** 54:04

Don't tell me they're going to do it next week or next year.

**Jennifer Haines** 54:07

The light poles are here. So they'll likely be installed in the spring. I will check. I don't know if Chuck's listening but Chuck specifically asked that question today of engineering because he thought you might bring it up.

**Richard Stankus** 54:21

Well, I'll tell you, thank you everybody for that. I mean it's been a long time coming but yeah, that's alright because it's going, I think, to add so much to the grandeur of South Street no doubt about it

**Mike Deming** 54:32

Is this a different composite and completely different lightbulb.

**Jennifer Haines** 54:35

I have to plead complete and total ignorance on it, but I will get you that information.

**Mike Deming** 54:43

Are they the same lights as they put?

**Jennifer Haines** 54:45

I don't know. I have to ask engineering. I'll actually get you guys a picture and send it along. The other thing is we pulled the file out today for the Boundary Expansion and Gretchen's starting to take a look at that file. So we'll get our heads around what that process was, what the state said, you know, all of that we talked with you in 2019. And get that discussion moving again.

**Richard Stankus** 55:29

Yeah, I think one of the most immediate concerns was Fort Hill Cemetery in particular.

**Jennifer Haines** 55:35

That's exactly what she said today

**Gretchen Messer** 55:37

The notes that were written in response in their reply and their denial for it said, they look forward to seeing a resubmittal with a revision of the scope. So I think it's a matter of really reviewing what was originally prepared and trying to either refine it, or speak with them to see what is it about the scope that they are really trying to find. Whether they want it narrower, or if they want it broader or what but what seemed to be the missing link.

**Jennifer Haines** 56:18

I'm all set Mike.

**Jackie Guntow** 56:19

I need to mention something because I wouldn't talk on the shed on 128 South Street, I've been not saying a word because I was advised by Nate to abstain from voting on it, because of my business relations with Erica and Kevin. So that's what I have been doing and trying to do, although it's been very

difficult sitting here. So I wanted I just wanted to say that that I did abstain from those votes, but I don't think you caught that.

**Jennifer Haines 56:52**

So we'll make sure that's in the record. Jackie.

**Mike Deming 56:56**

Anything else?

**Linda Frank 56:59**

Mike, when the meeting is over, I have a question for you about the Osborne library. So don't hang up.

**Jennifer Haines 57:04**

We will leave you on Linda.

**Jim Hutchinson 57:10**

I just wanted to thank Jenny for all her efforts. And concerning these issues, you know, I asked for maybe having consultants come in because of past experience, or maybe our lack of experience. And you were very responsive to that I appreciate.

**Jenny Haines 57:29**

Thank you, Jim.

**Richard Stankus 57:31**

I'd like to second that, Jenny, I think I know you have your plate full, obviously, with a lot of things going on in your board. But at the same time, I think of the folks that we have representing Planning. You've done an exceptional job. And I think from the many years I've had to know you. I've always respected your dedication, I think to the city. I think your dedication to what this board and others represent. Thank you, for your efforts.

**Jennifer Haines 58:05**

Thank you. And we want to make sure that you've got the appropriate expertise around you. I can do board agendas and things like that, but it's not my expertise. We have Gretchen here. She's very, very talented. And we'll be bringing her on more and more into a couple of our boards. And, you know, we'll supplement that with consultants as needed. So we want to make sure you have what you need to make your decisions.

**Mike Deming 58:34**

One other thing before we close, there's people on our board whose time has run out. And the Mayor will reappoint I think any of us. I just want to make sure that if that everyone is committed to for staying

on. You know, it's hard to fill seats, and we have expertise on this board. But if somebody doesn't have the intention of staying on, you know, if they don't want to go past their term, you have to let Jenny and the Chair know just so that we can start looking for qualified, but we like everyone to stay. But it's a commitment, you know, stay on.

**Richard Stankus** 59:16

Now that we have input into any candidates that the Mayor may approve.

**Jennifer Haines** 59:22

So I was talking to Mike before the meeting. We had, as you know, Andy has decided to not continue on the board and to pursue other things that he has planned. But the Mayor and I had at one point talked about Mitch Maniccia who is the facilities manager at Seward House to join this board at some point. I think he would be a great candidate. I had a conversation with him a few months ago, as did the Mayor. And interestingly enough, he holds the same position right now that Andy did when Andy worked for the Seward House, so that would be my recommendation to the Mayor. You know, he works in the historic district, he bought a home in the historic district. He's very knowledgeable, obviously, on all things history related the Seward House, but I think in general, so that's what I was gonna recommend to the Mayor.

**Richard Stankus** 1:00:25

Has there been a thought for just the public announcement that there is a board vacancy on any of the boards, whether it's Zoning or Planning or Historic Resources for individuals in the city who are interested, that could submit a resume to the Mayor.

**Jennifer Haines** 1:00:44

I think the Mayor does that. I don't know, I will ask how he reaches out, we actually just got a new person on the Planning Board for that vacancy. So I will ask him that. I know that he taps on Leadership Cayuga, and, you know, other programs like that, for people that are interested in serving on boards. I think people consistently approach him as interested in boards. Maybe we can do this together for the Mayor. I believe in Section 178, that there are some specific backgrounds for this board's membership. So we want to make sure that we're meeting that as well, for this board and the expertise that's needed for the volunteers here. So we'll make sure to review that I'm sure Mitch would fit that. So we'll work on that. But yes, some of your terms are expired, you are allowed to continue to serve, we'll make sure to tidy that up and have the council vote on appointments for that coming up soon.

**Ed Onori** 1:02:02

Linda, did you want to ask about the Osborne Library because you're going to be online. I think we talked

**Linda Frank** 1:02:08



Oh, I I just saw on eBay. Somebody selling books that had Eliza Osborne's book platinum for a lot of money. And I was just wondering who got the contents of all of that.

**Mike Deming** 1:02:20

Years ago, the main contents of the library were sold, and they had all these book dealers come in the 90s. The bulk of what was left their church gave to Bill and Ellen Clark. Number one, the roof was leaking so bad it was that empty, the library. But one of the interesting things that they got was a letter from Lythgoe to one of Richard Nixon's Cabinet members, and Lythgoe and this cabinet member met with Richard Nixon that day. And the letter said, this was in the back of one of the books in the library. It says Nixon was awful cross today. But the library was filled with first edition leather bound books; it was a shame that there wasn't more input. They sort of just all disappeared.

**Linda Frank** 1:03:15

Yeah, it must have been a great collection. This was like an eight volume set, British laws or something from 1854.

**Ed Onori** 1:03:23

But they said at the time, this was probably the largest library in the world owned by a woman.

**Linda Frank** 1:03:29

Wow. Wow. All right. Well, thank you. I just whenever I see things that were treasures that used to be here, I get sad. Anyway, thank you.

**Mike Deming** 1:03:39

Okay. Anything else? We have a motion to adjourn. Richard, Second, Ed. All in favor. Aye. Thank you all.

**Linda Frank** 1:03:50

Thanks, everybody. And thank you, Jenny. I'll be there next month.

**Jennifer Haines** 1:03:53

Great. Thanks, Linda.