

Historic and/or Architectural Advisory Board
City of Cortland
November 14, 2011

A regular meeting of the Historic District Commission was held on November 14, 2011 at 8:00 a.m. in the Mayor's Conference Room at City Hall.

Present: Chair Kline, Comm. Abbott, Delaney, Dineen, Kane, Schaffer and Wineburg

Staff Present: Zoning Officer Bruce Weber, Capt. William Knickerbocker and Cheryl Massmann, Deputy City Clerk

Item No. 4 - Minutes - October 24, 2011

Motion: Comm. Schaffer
Seconded: Comm. Wineburg

Motion passed.

Item No. 1 - 41 Main St. - (Karam)(CB) - Awning

Mr. Charbel Karam was present. Chair Kline explained that Mr. Karam had installed an awning replacement that had not been brought before this Commission and was not approved. She explained that in 2006, the owner, this man's father, came before the Historic Board seeking approval for an awning and change of façade. She explained that since then, the restaurant had changed hands and was purchased by the son, Mr. Charbel Karam. He then replaced the awning with a new awning, the one that is presently in use and had not come before this Commission with his proposal and did not receive approval for the awning replacement. Chair Kline explained that the new awning is red and has signage printed on it. By doing this it needs to go for a variance because of the signage. She noted that unfortunately Mr. Karam didn't realize that an awning change needed the approval of the Historic Board.

Mr. Karam explained that he had just changed the material color and he didn't realize that he had to come before the Historic Board for that change.

Chair Kline explained that letters from the Historic Board had gone out to all building owners in that district notifying them of the Historic District restrictions.

Mr. Karam stated that the awning was old, dirty and ripped and he had just wanted to replace it. He further explained that he didn't realize he was in a historic district and that he had spent a lot of money on this awning. He explained that the awning

representative had told him that they could put the restaurant name and other printed items on the awning. He stated that he had originally thought of choosing a green awning, but Mayor Feiszli was at the restaurant that day and she told him that choosing red would be a more visible option.

Chair Kline stated that this commission has to be fair with everybody and that the awning may have to be changed if that's what this committee decides.

Mr. Karam explained that thirty (30) to forty (40) percent of his business is from out of town and he need to have good visible signage in order for customers to find his restaurant. He explained that tree branches blocked the view of his restaurant front and he had asked the City to trim the trees to allow for greater visibility, but they had denied his request. He stated that this awning shows.

Chair Kline suggested that he use a sandwich board or sidewalk sign to advertise. Mr. Karam stated that he was against that idea, as he felt it didn't look clean.

Comm. Schaffer suggested that if the awning was fabric or canvas that it could be spray painted to change the color. Chair Kline asked if the advertising were painted on. Mr. Karam explained that he did not have any extra money to pay for work on the awning. He suggested that he might have to lay off employees if he had to pay for an awning change.

Comm. Delaney stated that the Commission would not have approved the red awning color.

Mr. Karam stated that it was just an awning; it had nothing to do with history.

Comm. Schaffer stated that the colors were chosen with historic knowledge. She explained that Mr. Karam's father had come before this Board with his proposed façade and awning changes and they had been approved beforehand. She stated that the red awning was unacceptable. She thought it might work to spray paint the awning a brick color, but that would also have to come before this Board. Chair Kline also thought it might be too plain. She also suggested that he could repaint the upper façade to allow it to flow and be more consistent. She explained that other downtown store owners had asked her about the awning color and if it had been approved.

Comm. Schaffer asked if the current awning retracted. Mr. Karam stated that it did not and that it was on a frame. Comm. Schaffer noted that red did fade.

Mr. Karam stated that he has a money issue and he asked if he could have an agreement that would allow him to have a year to replace the awning. Comm. Schaffer stated that it was an unfortunate choice in color and she suggested that he do it now rather than later.

Chair Kline stated that he could take the awning down and return with a proposal in a year or two for a new awning when he could afford to replace it. Mr. Karam stated, "Come on

guys, this is a business". He explained that he needs to have the awning. Chair Kline stated that the Board needed to have a solution for this. Comm. Delaney stated that the Board has told others that they couldn't do this and they had to treat everyone the same. Mr. Karam noted that this had nothing to do with history and noted that no one told him that this wasn't allowed to do this.

Comm. Schaffer stated that Mr. Karam's father did things the right way. She noted that the Board wanted to make Main Street commercially attractive and suggested a sandwich sign might be more attractive than the red awning. Mr. Karam noted that the awning was needed to shade the kitchen.

Comm. Abbott noted that this was an unfortunate situation and that there were only three (3) options.

- Take the awning down
- Repaint the awning with a different color
- Replace the awning

Mr. Karam stated that he couldn't afford to do any of those options. He would like the option of a year to change it and he would sign an agreement to that and he suggested that the Board tell others who question the awning that there was an agreement in place.

Chair Kline noted that this would be an exception and this Board needs to see that there is continuity and need to help preserve the Historic District. She explained that this allowed businesses in the District to apply for funding and grants to help preserve the historic nature of the district. Mr. Karam stated that he hadn't received any money and he explained that he is trying to keep his restaurant building clean and that he hadn't changed anything historic. Comm. Schaffer stated that the building's previous owner had received funding and she felt that the red awning was unacceptable.

Comm. Schaffer thought the Board could consider three (3) options.

- Remove the current red awning and replace it later
- Repaint it with a different color
- Replace the awning now

Mr. Karam stated that he couldn't afford to change the awning and he couldn't take it down. Chair Kline stated that taking down the awning would not affect the customers to his business, only the kitchen. She also explained that this Board was governed by the State Historic Preservation Office and that members received no pay for sitting on this Board. She explained that they had to do their job and follow State guidelines and they will work with Mr. Karam, but they couldn't give him special treatment.

Mr. Karam stated that whatever they did it was their decision, but he refuses to remove the awning. He stated that he had no knowledge when he purchased the building from his parents that this was an historic building.

Zoning Officer Weber stated that there was an appeal process to this and he would gladly speak with Mr. Karam and go through the appeal process. Mr. Karam stated that he would like to find a solution that worked for both. Comm. Delaney noted that if the Board's decision was to take down the awning, that Mr. Karam wouldn't do it.

Mr. Karam agreed with that statement. He stated that without the awning the restaurant would look awful and he asked for an explanation about what is the Historic District. He complained about having to clean up from other stores. Chair Kline noted that his building was in the Historic Register and this Board had to oversee things being done in the district.

Mr. Karam noted that what they were saying was that he had to sell his building and move his business elsewhere. Chair Kline stated that was not what they were saying. Zoning Officer Weber noted that they could make a resolution on signage and to include in their resolution a recommendation to the Zoning Board of Appeals on the variance for the awning signage.

Chair Kline noted that she appreciated Mr. Karam's input. Mr. Karam stated that there were red signs and blue signs on Main Street and he asked if those had to come down as well. Chair Kline asked that if this was an issue to report those that had not been approved.

Mr. Karam asked that before they made their decision to consider that he could not afford to change or take down the awning. He noted that his job was to make food and keep his business running. He asked them to please meet him half way.

Chair Kline noted his disappointment, but explained that this Commission had to do its job and cannot give special treatment to one business over another. Mr. Karam noted that he would respect their decision, but he would not do anything about it and promised not to take down his awning. Mr. Karam stated that he would like to find a solution that would help the Board as well as himself. Mr. Karam asked if this meant that because he had this building that he had to come before this Board if he did anything to the building at all, whether he received money or not. Chair Kline stated that he did because it was in the Historic District. Chair Kline expressed her regrets on this situation.

A motion was made to ask Mr. Karam to come back before the Historic Board at the December 12, 2011 meeting with a proposal and design plan for covering the present awning and signage, but before painting the awning or covering up the signage that he must receive this Board's approval and if that does not happen, the awning must be removed immediately.

Motion: Comm. Schaffer
Seconded: Comm. Abbott

Motion passed.

Zoning Officer Weber explained that Mr. Karam should come back before this Board next month before changing the color of the awning and covering up the signage and their decision must be made before it's decided that he might have to go before the Zoning Board of Appeals.

Chair Kline asked Mr. Karam to go to the City Clerk's office to get a copy of today's minutes to help him understand this Board's decision. She also stated that if he wished to appeal this Board's decision that he go before the Planning Commission and they can over-rule this Board's decision with a vote of a majority plus one and that he come back to this Board next month to give them his decision.

Mr. Karam stated that he already gave them his decision. Comm. Schaffer noted that the first thing he should do is contact the awning company about painting the awning, but don't do anything about it until he comes back before this Board. She asked that he just bring the information he gets from them with him to that meeting.

Item No. 2 - 22 Main St. - (Sugar Mountain)(CB) - Signage

Postponed on the agenda until the applicant arrives.

Item No. 3 - 24 Church St. - (Catholic Charities)(CB) - Chimney Replacement

Mr. Piazza was present. Chair Kline explained that this was a safety issue. She explained that the chimney is pulling away and missing some bricks. She noted that their proposal is to remove the chimney and to reconstruct it with brick. She explained that the new chimney will be eight (8) feet high by thirty-four (34) inches wide and twenty-two (22) inches on the sides. She further explained that they want to take down the existing chimney to a four (4) foot height and cap it with concrete.

Comm. Schaffer asked if a chimney height can be below the roofline. Mr. Piazza stated that it can be because it is power vented and will better match the existing brick structures that are up there along Central Avenue. Comm. Schaffer asked if it would still have the detail indentations that the chimney currently has. Mr. Piazza stated that it would not. Comm. Wineburg noted that it has to be replaced.

Comm. Schaffer asked what power venting was. Deputy Chief Knickerbocker stated that it was when a fan was used to exhaust the heating appliance by pushing the air instead of using the natural exhaust. Chair Kline noted that the flashing that was used on the roof

should also have come before this Board. Mr. Piazza noted that it was an ice guard. Comm. Schaffer asked that netting be used during this whole project. Mr. Piazza stated that it was already in place.

Motion was made to approve the project as presented.

By: Comm. Dineen
Seconded: Comm. Wineburg

Motion passed.

Item No. 2 - 22-24-26 Main St. - (Sugar Mountain)(CB) - Signage

No one was present, but Chair Kline noted that she had emailed and spoken with the applicant. Chair Kline did a presentation with the information that she had. She explained that they had a fifteen (15) foot storefront. She explained that she had no actual color chips, but they had given her a vinyl printout, the applicant told her he would bring the actual color chips with him. She noted that the proposed sign is seven and a half ($7\frac{1}{2}$) foot by two (2) foot sign attached to the twelve (12) inch aluminum frame/panel. She noted that the letter size is one (1) foot by one (1) foot. She further explained that the sign will stick up about a foot above the aluminum background.

Chair Kline noted that the sign will not be lit now, but the owner stated that they may do something about that in the future. He mentioned gooseneck lighting, but she couldn't understand how that could be accomplished. She noted that the graphics are on a multi-color background, but there was no one here to explain the colors.

Com. Schaffer stated that in the past, this Board had postponed an application if the applicant was not present. She noted that they could have a two (2) foot by three (3) foot black and white temporary sign allowed for a month allowing them to come before the Board with their proposal.

Zoning Officer Weber noted that if the sign was two (2) foot tall, it would project either above or below the roof it might require a variance. Comm. Wineburg noted that they might consider putting the store name all on one (1) line.

Comm. Schaffer stated that the owner should consider making his signage linear instead of in two (2) stages and to attend the next meeting to answer questions.

Motion that Mr. Diamond be contacted and that he be asked to attend the December 12, 2011 meeting and bring an alternative sign design which fits the lintel itself to be considered for the next meeting.

Motion: Comm. Schaffer

