CITY OF NEWBURGH
ARCHITECTURAL REVIEW COMMISSION

Michele Basch, Chairperson
Omar E. Balbuena-Palma, Secretary

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MINUTES
ARCHITECTURAL REVIEW COMMISSION
Meeting of October 9, 2018

The monthly meeting of the City of Newburgh Architectural Review Commission ("ARC") was held on Tuesday, October 9, 2018 at 6:30 p.m. at the Activity Center, 401 Washington Street, Newburgh, NY 12550.

Members Present: Michele Basch, Chairperson
Christopher Hanson
Jeff Wilkinson
Hannah Des Cognets
Jim Hoekema
James Kelly

Members Absent: Isaac Diggs

Also Present: Jeremy Kaufman, Assistant Corporation Counsel
Omar E. Balbuena-Palma, Secretary to the Land Use Boards

Minutes of the September 11, 2018 Meeting

Mr. Kelly moved to approve the minutes from the September 11, 2018 meeting as submitted.
Mr. Hanson seconded the motion.
The motion was approved unanimously.

The Chairperson said application numbers 2018-57 through 2018-60 and 2018-72 are parts of a larger project and will be moved to the end of the agenda. She said the Applicant will present the applications together, but the Board will vote on each application individually.

PUBLIC HEARINGS

Jeff Wilkinson recused himself from application 2018-62.

AR 2018-62

Applicant: Stephen Arnold
Owner: 261 Grand, LLC.
Location: 68 Bay View Terrace

Application to rebuild the front and rear porch; repair the windows; and paint the exterior using colors from the Benjamin Moore color palette.

Jeff Wilkinson, Project Architect, and Stephen Arnold, Property Owner, appeared before the Board.

The Project Architect gave a brief overview of the project and highlighted the following:

- Existing wood steps to be rebuilt and replaced in-kind
- Rear porch decking & porch framing to be rebuilt
- Front porch decking and framing to be rebuilt
- Remove the wall & door under the front porch
- Install new cedar lattice and solid filled CMU pier under the front porch
- Repair the windows
- Roof line will not be altered
- Install new perma-cast, round tapered doric columns that match the original columns
- Building color and existing concrete foundation wall will remain

Mr. Hoekema confirmed the rear deck is partially visible from the street.

Mr. Hanson confirmed the only change is the removal of the porch wall and door.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Mr. Hoekema moved to approve the application as submitted.

- Existing wood steps to be rebuilt and replaced in-kind
- Rear porch decking & porch framing to be rebuilt per application specs
- Front porch decking and framing to be rebuilt per application specs
- Remove wall & door under the porch
- Install new cedar lattice under the porch with solid filled CMU pier per application specs
- Install new perma-cast, round tapered doric column to match original per application specs
- Building color and existing concrete foundation wall will remain

Mr. Kelly seconded the motion.
The motion passed unanimously via roll-call vote.

AR 2018-66

Applicant: Berg Moss Architects
Owner: 123-127 South William St. LLC.
Location: 123 S. William Street

Application to repair/replace the windows, door, and brick; install a new light fixture; and paint the exterior using colors from the Benjamin Moore color palette.

Chris Berg, Project Architect from Berg Moss Architect, appeared before the Board representing the Property Owner.

The Project Architect gave an overview of the project and highlighted the following:

- Exterior work is substantially the same for 125 S. William Street and 127 S. William Street
- Removing wood /asphalt shingles on bay windows
- Submitting State Historic Preservation Office ("SHPO") application
- Replacing all windows with new 2/2 double glazed wood windows
- Painting the building Kendall Charcoal HC-166 (Benjamin Moore) and Elmira White HC-184 (Benjamin Moore)
- Installing sconce light next to entrance
- Replacing sidewalk per City of Newburgh Streetscape Standards

Mr. Wilkinson confirmed the intent is to obtain SHPO approval

The Project Architect said SHPO no longer accepts aluminum clad windows for restoration.

Mr. Hanson confirmed 123 S. William Street, 125 S. William Street and 127 S. William Street will be painted the same.

Mr. Wilkinson confirmed the brick will be repainted and said a difference in color is also acceptable. He asked if the Owner considered renovating a commercial look to the building.

The Project Architect said the change was considered but it is currently not feasible.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Mr. Hanson moved to approve the application as submitted.

- Replace wood /asphalt shingles on bay windows per application specs
- Replace all windows with new 2/2 double glazed wood windows
- Paint the building Kendall Charcoal HC-166 (Benjamin Moore) and Elmira White HC-184 (Benjamin Moore) per application specs
- Install a sconce light next to entrance door per application specs
- Replace sidewalk per City of Newburgh Streetscape Standards

Mr. Hoekema seconded the motion.
The motion passed unanimously via roll-call vote.

AR 2018-67

Applicant: Berg Moss Architects
Owner: 123-127 South William St. LLC.
Location: 125 S. William Street

Application to repair/replace the windows, door, and brick; install a new light fixture; and paint the exterior using colors from the Benjamin Moore color palette.

Chris Berg, Project Architect from Berg Moss Architect, remained before the Board representing the Property Owner.

The Project Architect said the proposed exterior work for 125 S. William Street is substantially the same as 123 S. William Street. He said the building is located in between 123 and 127 S. William Street.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Mr. Kelly moved to approve the application as submitted.

- Replace wood /asphalt shingles on bay windows per application specs
- Replace all windows with new 2/2 double glazed wood windows
- Paint the building Kendall Charcoal HC-166 (Benjamin Moore) and Elmira White HC-184 (Benjamin Moore) per application specs
- Install a sconce light next to entrance door per application specs
- Replace sidewalk per City of Newburgh Streetscape Standards

Mr. Hanson seconded the motion.
The motion passed unanimously via roll-call vote.

AR 2018-68

Applicant: Berg Moss Architects
Owner: 123-127 South William St. LLC.
Location: 127 S. William Street

Application to repair/replace the windows, door, and brick; install a new light fixture; and paint the exterior using colors from the Benjamin Moore color palette.

Chris Berg, Project Architect from Berg Moss Architect, remained before the Board representing the Property Owner.

The Project Architect said the proposed exterior work for 127 S. William Street is substantially the same as 123 S. William Street.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Mr. Hanson moved to approve the application as submitted.

- Replace wood /asphalt shingles on bay windows per application specs
- Replace all windows with new 2/2 double glazed wood windows
- Paint the building Kendall Charcoal HC-166 (Benjamin Moore) and Elmira White HC-184 (Benjamin Moore) per application specs
- Install a sconce light next to entrance door per application specs
- Replace sidewalk per City of Newburgh Streetscape Standards

Ms. Basch seconded the motion.
The motion passed unanimously via roll-call vote.

AR 2018-63

Applicant: Berg Moss Architects
Owner: Executive Reality Group
Location: 112 Broadway

Application to rebuild the storefront; replace the windows and doors; repair/replace the brick and cornice; and paint the exterior using colors from the Benjamin Moore color palette.

Jon Moss, Project Architect from Berg Moss Architects, appeared before the Board representing the Property Owner.

The Project Architect gave an overview of the project and highlighted the following:

- Replacing all windows with aluminum clad wood windows
- Repointing Brick
- Removing existing metal canopy and fire escape ladder
- Repairing existing wood cornice and replacing damaged material in-kind
- Repairing existing stone sills as required
- In-kind repair of storefront
- Brick arches will be restored
- Painting the building Plymouth Brown HC-73 (Benjamin Moore) and Mayflower Red HC-49 (Benjamin Moore)
- Not submitting SHPO application

Mr. Wilkinson said general notes regarding repair work should be included in the site plan. He said a window cut sheet should be provided. He asked if there is any proposed work to the sidewalk.

The Project Architect said the requested notes and window cut sheet were not submitted with the application but may be submitted later for reference. He said there is no proposed work to the sidewalk.

Mr. Kelly confirmed the replacement windows will be 1/1 aluminum clad wood windows

Mr. Wilkinson said he would like additional details regarding the storefront.

The Project Architect said the photos do not show the existing conditions of the storefront and the proposed work is an in-kind replacement. He said he can document any proposed work for review.

Ms. Basch requested pictures of the existing building.

Ms. Des Cognets said the ARC cannot deny an in-kind repair or in-kind replacement application.

The Assistant Corporation Counsel clarified that the Building Inspector determines if ARC review is required for any project within the East End Historic District. He said an in-kind repair/replacement is not subject to ARC review. He said he is not aware of any decision by the Building Inspector for 112 Broadway to exempt it from the review process.

Ms. Basch asked if there is any proposed lighting.

The Project Architect said there is no proposed lighting at this time.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Mr. Hanson moved to approve the application subject to the following conditions:

- Replace all windows with 1/1 aluminum clad wood windows
- Brick repointing
- Remove existing metal canopy and fire escape ladder
- Repair/replace existing cornice in-kind
- Repair existing stone sills as required
- Restore Brick arches
- Paint the building Plymouth Brown HC-73 (Benjamin Moore) and Mayflower Red HC-49 (Benjamin Moore) per application specs

Applicant must return with additional details regarding the storefront.
Ms. Basch seconded the motion.
The motion passed unanimously via roll-call vote.

AR 2018-64

Applicant: Berg Moss Architects
Owner: Executive Reality Group
Location: 184 Liberty Street

Application to repair/replace the windows and doors; and to paint the exterior using colors from the Benjamin Moore color palette.

Jon Moss, Project Architect from Berg Moss Architects, remained before the Board representing the Property Owner.

The Project Architect gave an overview of the project and highlighted the following:

- Boarded bottom floor windows to be replaced with new 2/2 aluminum clad wood awning windows painted white
- Cornice and existing window frames to be painted White Diamond 2121-60 (Benjamin Moore)
- Porch entrance door to be painted Whipple Blue HC-152 (Benjamin Moore), side door to be painted and existing brick to be painted Boothbay Gray HC-165 (Benjamin Moore)
- First floor window glazing to be replaced

Mr. Hanson asked if there was a window cut sheet.

The Project Architect said the window details are on the elevation drawing.

Mr. Wilkinson confirmed there are no changes to the existing door besides a paint job.

Mr. Kelly confirmed there are no existing windows on the bottom floor.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Ms. Basch moved to approve the application as submitted.

- Install new 2/2 aluminum clad wood awning windows painted white on the boarded bottom floor
- Cornice and existing window frames to be painted White Diamond 2121-60 (Benjamin Moore)
- Porch entrance door to be painted Whipple Blue HC-152 (Benjamin Moore), side door and existing brick to be painted Boothbay Gray HC-165 (Benjamin Moore) per application specs
- First floor window glazing to be replaced

Mr. Hoekema seconded the motion.
The motion passed unanimously via roll-call vote.

AR 2018-65

Applicant: Berg Moss Architects
Owner: Executive Reality Group
Location: 152 Third Street

Application to repair/replace the mansard roof, windows, brick and woodwork, and to paint the exterior using colors from the Benjamin Moore color palette.

Jon Moss, Project Architect from Berg Moss Architects, remained before the Board representing the Property Owner.

The Project Architect gave an overview of the project and highlighted the following:

- Install a partially glazed wooden door in existing door opening painted Buckland Blue HC-151 (Benjamin Moore)
- Repair existing windows
- Paint the building per submitted drawing

Mr. Wilkinson said the Owner should be careful when power washing the building so as not to damage the brick. He said masonry notes should be included in drawings for future reference.

The Project Architect said the notes are part of the overall plan submitted to the Building Department. He said the intent is to power wash the brick following the National Park Service standards.

Mr. Hanson clarified that the submitted elevation drawings propose replacing the existing windows with new aluminum clad wood windows painted black.

Mr. Wilkinson asked if the Owner has considered repairing the existing windows. He said it may be worth salvaging the existing windows.

The Project Architect said he will talk to the Owner about repairing the windows instead of replacing them.

Ms. Basch said she needs additional window details due to the uniqueness of the existing windows.

Mr. Hanson said the windows at 152 Third Street significantly affect the historic character of the building. He said the window replacements should be accurately noted on the elevation drawings.

Ms. Basch said the roof cleaning details should also be provided.

The Project Architect agreed to submit the requested details for the following ARC meeting.

The Chairperson opened the public hearing.

Michael Lebron, 284 Liberty Street, said the Applicant should consider restoring the original windows. He said it is cost effective and exceed energy efficiency standards.

The application was tabled and the public hearing was kept open until the following ARC meeting. The Project Architect was informed to submit additional material for review.

AR 2018-69

Applicant: Cathy Erenzon
Owner: Liberty 42 LLC.
Location: 42 Liberty Street

Application to repair/replace the windows, moldings, mortar; and paint the exterior using colors from the Sherwin Williams color palette.

Cathy Erenzon, Applicant, appeared before the Board. She said the intent is to paint the exterior; replace the windows and repair the mortar and moldings as required. She said the proposed window replacements have been changed and submitted new window details for consideration (which were made part of the record). She said the new windows are aluminum clad wood windows painted Chestnut Bronze.

Mr. Wilkinson confirmed all of the existing windows are square top windows.

The Applicant said the top left 2/2 square top window on the fourth floor appears to be original to the building. She said the proposed replacement windows will also be 2/2 square top windows. She said she may replace the windows with arched top windows if required but she does not know if it will be financially feasible.

Mr. Hanson said the original windows were square top windows with an arch fill-in and the Applicant does not have to replace the existing windows with arched top windows.

Mr. Wilkinson said the storefront schematic is vague,

The Applicant said she is unable to open the roll-up gate on the storefront. She said there are no proposed changes to the storefront other than glazing the windows and minor repairs. She said the paint color of the existing door will change to Urbane Bronze SW 7048 (Sherwin Williams).

Mr. Hanson clarified the proposed windows are Jeld-Wen windows.

Ms. Basch clarified the existing aluminum roll-up doors will be replaced in-kind and painted Urbane Bronze SW 7048 (Sherwin Williams) to match the existing door. She said the building would be less prone to vandalism if the roll-up gate was removed.

Ms. Walsh agreed and said the Applicant should have the option to remove the roll-up gate.

Mr. Kelly said the Applicant may wish to install a more transparent type of roll-up gate on the building similar to the building at 197 South Street.

The Applicant said she will consider those options.

The Chairperson opened the public hearing.

Robin Hayes, Applicant business partner, said additional ARC applications will be submitted for review later.

There was no one else present for or against the application.

The Chairperson closed the public hearing.

Mr. Kelly said the trim around the windows should be a dark color.

The Applicant agreed and said white windows with a grey trim would be easier to clean.

Ms. Basch asked if exterior lighting is proposed.

Ms. Hayes said several bronze colored gooseneck lights will be installed on the building.

Ms. Basch said the Applicant should consult with the electrician for the lights and return with the proposed locations for the light.

The Assistant Corporation Counsel clarified the Applicant should return with the proposed light fixtures and the locations of the lights. He said a drawing schematic would be helpful.

Mr. Kelly moved to approve the application, subject to the following amendments:

- Replace the windows with Jeld Wen 2/2 aluminum clad wood windows painted white with a dark grey trim
- Paint the roll-up gate and adjacent entry door Urbane Bronze SW 7048 (Sherwin Williams)
- Repair mortar and moldings as per National Park Service standards
- The Applicant has the option to:
    - Replace the first floor roll-up gate in kind
    - Remove the roll-up gate
    - Modify the roll-up gate in a style similar to the roll-up gate at 197 South Street (Blacc Vanilla)

The Applicant must return with the proposed light fixtures and fixture location.
Mr. Hanson seconded the motion

The Applicant was informed to submit any revisions by November 2, 2018 in order to attend the November 13, 2018 ARC meeting.

AR 2018-70

Applicant: Liberty Corners, LLC
Owner: City of Newburgh
Location: 41 Liberty Street

Application to repair/replace the windows and roof; install new columns, new pergola and railings on the third floor; remove the existing paint on the brick and paint the exterior using colors from the Benjamin Moore color palette.

The Assistant Corporation Counsel said the Owner of the property at 41 Liberty Street is currently the City of Newburgh by way of an In Rem Tax Foreclosure proceeding and the Applicant, Liberty Corners, is in the process of purchasing the property from the City of Newburgh through an RFP. He said the application before the Board does not reflect the endorsement of the City of Newburgh, and is not to be given any more or less weight than any other application.

Greg Sgromo, Applicant, appeared before the Board representing the Property Owner Liberty Corners LLC. He said the intent is to restore the property back to its original sate. He gave a brief overview of the project and highlighted the following:

- Paint to be chemically stripped minimizing any damage to the existing brick face
- Minor repairs to wooden soffit and corbels
- Original windows on second floor were 2/2 windows
- All windows will be replaced except the storefront windows
- Storefront look to be determined
- Two (2) bricked in window openings on the first floor will be replaced with storefront matching windows
- Replacement windows for the remainder of the building to be black 2/2 Andersen 400 series that fit into the existing window opening
- Small roof between the second and third floor bay windows will be replaced with standing seam copper roofing
- Third floor terrace will include a pergola constructed of cedar or redwood and stained with a transparent natural stain
- Terrace railing will consist of steel square stock and capped with cedar or redwood railings to match the pergola and stained a similar manner
- Terrace corners will consist of brick 1-ft.^{2} columns matching the brick for the remainder of the building.
- Existing residential entrance on Liberty Street will be restored to a double entrance door with a glass transom and painted black
- Entry door configurations to be determined
- Doors along South Williams Street will have a raised classic era panel design.

Mr. Wilkinson said the existing bay windows are probably not original to the building. He said the proposed windows on South Williams Street should match the windows on the second and third floor.

Ms. Des Cognets said the submitted drawing does not show a lot of detail. She said the Applicant should include the material specifications on the drawing.

Ms. Basch confirmed the Office entrance door will be recessed by approximately two (2) feet and will have a transit above the door to fill the existing openings. She said the Applicant should provide additional details for the windows on the plans.

The Applicant submitted a light fixture and railing style for consideration (which were made part of the record). He asked if the Board is comfortable approving a stainless steel cabling style for the terrace and said lighting will be added to the first floor.

Mr. Wilkinson said he does not find a problem with the proposed railing style. He recommended the Applicant to submit a SHPO application.

The Applicant said he is assessing his options.

Ms. Basch said light fixture locations should be added to the drawings.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The application was tabled and the public hearing kept open until the following ARC meeting.

The Applicant was informed to submit revised drawings for the following ARC meeting.

AR 2018-71

Applicant: Martin Estrella
Owner: 31 Benkard Avenue LLC
Location: 31 Benkard Avenue

Application to repair/replace the windows, doors, and rear decks; to remove the existing paint on the brick; and repaint the building.

Martin Estrella, Applicant, appeared before the Board.

The Applicant said he recently purchased the three-story building from the City. He said the corner building was abandoned for approximately 20 years and the first-floor was vacant for an unspecified amount of time. He said the intent is to renovate the building and convert the building into a three-family dwelling. He said the proposed renovations are similar to the building next door. He gave a brief overview of the project and highlighted the following:

- Façade will be changed to brick
- 1st floor door, underneath the window bay, will be removed and replaced with three (3) windows to match the windows above
- 1st floor door, next to the proposed windows, will be a solid wooden door

- Replacing all windows per the window schedule

Mr. Wilkinson confirmed the Applicant received the appropriate area variances by the Zoning Board of Appeals. He said the first floor was originally a storefront and asked if the Applicant considered maintaining the appearance.

Mr. Kelly said the building may have the original first floor columns behind the boarded exterior. He said the Applicant should confirm if they exist and maintain the original look. He said 1/1 windows on the third floor are original to the building.

The Applicant said he is not opposed to the changing the appearance and is looking for feedback.

Mr. Hanson confirmed the intent is to replace the 1/1 windows with 2/2 windows.

Mr. Kelly said the proposed solid door is not historically accurate and suggested replacing it with a solid double door. He said the Applicant should submit an application to SHPO.

Mr. Wilkinson agreed and said the Applicant should consult with SHPO. He said the Applicant should submit additional information regarding façade modification.

The Applicant said his back-up plan is to maintain the storefront as is.

Ms. Basch asked if the Applicant knows what is behind the boarded first floor.

The Applicant said there is sheetrock behind the wood and he is proposing to change it to brick.

Ms. Des Cognets informed the Applicant that SHPO must approve the application prior to the commencement of any work. She said the ARC may approve the application, but it will not guarantee approval by SHPO.

The Applicant said he understands and asked if they had any feedback regarding the rear of the building.

Ms. Basch said the issue with the original proposal lies with changing the character of the building. She said if the Applicant intends to obtain State tax credits, he should confirm if SHPO is comfortable approving the change. She said after SHPO comments on the application, the Board would feel more comfortable approving parts of the application, She said in the event SHPO is not willing to approve the original proposal, the Applicant should thoroughly review the first floor and consult with the Project Architect to incorporate the storefront look of the building. She said the Applicant should look to the corner building at Nicoll Street and Marine Drive (a.k.a. Water Street) for reference.

Mr. Wilkinson said the Applicant should consult with the Building Inspector to ensure the proposed balcony meets the safety requirements.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The application was tabled and the public hearing kept open until the following ARC meeting.

The Applicant was informed to submit revised drawings for the following ARC meeting.

AR 2018-57

Applicant: RUPCO
Owner: Newburgh Community Land Bank Inc.
Location: 39 Dubois Street

Application to demolish the building.

AR 2018-58

Applicant: RUPCO
Owner: Newburgh Community Land Bank Inc.
Location: 33 Lander Street

Application to demolish the building.

AR 2018-59

Applicant: RUPCO
Owner: Newburgh Community Land Bank Inc.
Location: 133 Lander Street

Application to demolish the building.

AR 2018-60

Applicant: RUPCO
Owner: Newburgh Community Land Bank Inc.
Location: 135 Lander Street

AR 2018-72

Applicant: RUPCO
Owner: Newburgh Community Land Bank Inc.
Location: 35 Dubois

Application to demolish the buildings on all 5 sites.

Mr. Wilkinson recused himself from all 5 RUPCO applications

The Assistant Corporation Counsel said application numbers AR 2018-57 through AR 2018-60 and AR 2018-72 are parts of a project commonly referred to as RUPCO Project Phase II. He said application numbers AR 2018-57 through AR 2018-60 were presented at the September 11, 2018 ARC meeting and the Applicant recently submitted application AR 2018-72 for review. He said AJ Coppola, Project Architect, will present all five (5) applications. He said Jeff Wilkinson will recuse himself from all applications related to the Land Bank due to having a prior financial interest with the Land Bank.

AJ Coppola, Project Architect, Madeline Fletcher from the Newburgh Community Land Bank, and Emily Hamilton from RUPCO, all appeared before the Board.

The Project Architect said application numbers AR 2018-57 through AR 2018-60 and AR 2018-72 are for demolition of the buildings currently on those properties and gave a brief review of the project. He highlighted the following:

- Phase I began in 2014 and consisted of renovating 15 buildings to create 41 apartments for affordable housing
- Buildings are certified Leadership in Energy and Environmental Design ("LEED")
- Phase I costs were approximately $12 million (about $285 thousand per dwelling)
- Project was partially funded by the low-income housing tax credit (LIHTC) program and the Historic Tax Credit (HTC) program
- Phase I will be completed by Fall 2018
- Phase II of the RUPCO project has begun for 23 buildings and approximately 63 apartments (11 buildings will be renovated, and 12 buildings will be new construction)
- Phase II buildings have been abandoned for decades
- Buildings will be handicapped-accessible (existing buildings will be lowered for accessibility)
- RUPCO is unable to salvage all the buildings and is requesting to demolish some buildings to mitigate the costs
- 98 Lander Street will be renovated at a cost of approximately $1 million
- Eight (8) applications have received approval from the Zoning Board of Appeals ("ZBA")
- Buildings for demolition lack historic content
- Provided layout of new construction
- Applicant will return at a later date with elevation drawings for proposed buildings and existing buildings

The Project Architect said applications AR 2018-57 through AR 2018-60 were tabled at the previous ARC meeting on September 11, 2018. He said the Board requested additional information to address the criteria found in §300-40(E) and §300-42(B) of the City Code. He said letters by the Historic Preservationist, Carolyn M. Coppola, and Kevin O'Connor, RUPCO CEO, were submitted for consideration for all five (5) applications. The Project Architect gave a brief summary and highlighted the following:

- Historic Preservationist supports the demolition to balance the cost of revitalizing over 20 properties
- Total cost of rehabilitation and rate of reasonable return demonstrates financial hardship

The Project Architect said the Land Bank submitted reports for all five (5) applications for consideration. He gave a brief summary of the report and highlighted the following:

- Land Bank is a not-for-profit Corporation created by the City of Newburgh in 2012 under the New York State Land Bank Act to deal with vacant and abandoned properties
- Land Bank has not received a realistic offer to purchase and rehab the properties during the marketing period
- Properties are unfit for occupancy and currently generate a negative economic return
- Project Architect reviewed the structure's condition in considering its inclusion in the RUPCO Project Phase II and concluded they are not suitable for rehabilitation
- Construction estimate from Libolt & Sons Inc. for 39 Dubois Street as a single-family home indicates a cost of approximately $409,000
- Appraisal from Riess Appraisals for 39 Dubois Street indicate an expected after rehab value of approximately $86,000 to $150,000
- Cost to place the existing structure at 39 Dubois Street back in service exceeds the likely after-rehab value by at least $259,000
- Appraisals from Riess Appraisals recommend demolition

The Project Architect said approval by the ARC for demolition will enable RUPCO to preserve other properties with greater architectural and historical significance that would otherwise be at risk of demolition due to severe deterioration. He said these properties include 197 First Street, 98 Lander Street and 116 Lander Street with a renovation cost of approximately $1 million each.

Mr. Hanson confirmed the demolition cost for 39 Dubois Street is approximately $36,000 thousand.

The Project Architect said the cost estimates show the properties cannot feasibly be returned to productive use and present an economic hardship.

Mr. Hanson asked for the cost estimates for new construction.

The Project Architect said they were not asked to present that information. He said new construction costs are approximately $200,000 per dwelling unit and is less expensive than renovation costs per dwelling unit.

Mr. Hanson said the appraisals values submitted are for single-family buildings and does not accurately portray the appraisals for three-family buildings. He said he would prefer if the Applicant submitted appraisals for the intended use.

Ms. Basch said it is difficult to consider the appraisal of a one-family building as opposed to a three-family building.

The Project Architect said the costs would be higher for three-family buildings but the economic hardship would remain.

Ms. Fletcher said the original intent for these five (5) properties was for preservation. She said the Land Bank exhausted their options and renovation is not possible.

Mr. Hanson asked for the project timeframe.

The Project Architect said the application deadline for funding is on December 19, 2018. He said the State would respond by May 2019 to either approve or deny the application. If approved, the project would be completed by approximately 2021.

The Project Architect requested a straw poll.

Mr. Hoekema said he would vote in favor of the application.

Ms. Des Cognets said she was provided with all the requested information and will vote in favor of the application.

Mr. Kelly said he would vote in favor of the application.

Ms. Basch said she would vote in favor of the application.

The Assistant Corporation Counsel said the Board must conduct a SEQRA analyses for each of the five (5) applications that involve demolition, but the Board must also consider the environmental impacts of the entire Phase II project even though the Board may only be required to consider a portion of the individual parcel projects.

<u>With respect to application AR 2018-72</u>

The Chairperson opened the public hearing.

Michael Lebron, 279 Grand Street, said he supports the work the Land Bank/RUPCO have accomplished over the years. He asked if the Land Bank/RUPCO would be willing to remove this building from the Phase II project to allow an alternative developer the opportunity to rehabilitate the building.

There was no one else present for or against the application.

The Chairperson closed the public hearing.

Ms. Basch moved to declare Lead Agency pursuant to SEQRA.
Mr. Kelly seconded the motion.
The motion passed unanimously.

Ms. Basch moved to issue a Negative Declaration pursuant to SEQRA.
Mr. Hoekema seconded the motion.
The motion passed unanimously.

Mr. Hoekema moved to approve the application as submitted.
Ms. Basch seconded the motion.
The motion passed unanimously via roll-call vote.

With respect to application AR 2018-57

The Chairperson opened the public hearing.

Michael Lebron, 279 Grand Street, said he supports the work the Land Bank/RUPCO have accomplished over the years. He asked if the Land Bank/RUPCO would be willing to remove this building from the Phase II project to allow an alternative developer the opportunity to rehabilitate the building.

There was no one else present for or against the application.

The Chairperson closed the public hearing.

Ms. Basch moved to declare Lead Agency pursuant to SEQRA.
Mr. Hoekema seconded the motion.
The motion passed unanimously.

Ms. Basch moved to issue a Negative Declaration pursuant to SEQRA.
Mr. Kelly seconded the motion.
The motion passed unanimously.

Mr. Kelly moved to approve the application as submitted.
Ms. Basch seconded the motion.
The motion passed unanimously via roll-call vote.

With respect to application AR 2018-58

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Ms. Basch moved to declare Lead Agency pursuant to SEQRA.
Mr. Kelly seconded the motion.
The motion passed unanimously.

Ms. Basch moved to issue a Negative Declaration pursuant to SEQRA.
Mr. Kelly seconded the motion.
The motion passed unanimously.

Ms. Des Cognets moved to approve the application as submitted.

Ms. Basch seconded the motion.
The motion passed unanimously via roll-call vote.

With respect to application AR 2018-59

The Chairperson opened the public hearing.

Michael Lebron, 279 Grand Street, said he supports the work the Land Bank/RUPCO have accomplished over the years. He asked if the Land Bank/RUPCO would be willing to remove this building from the Phase II project to allow an alternative developer the opportunity to rehabilitate the building.

The Chairperson closed the public hearing.

Ms. Basch moved to declare Lead Agency pursuant to SEQRA.
Mr. Kelly seconded the motion.
The motion passed unanimously.

Ms. Basch moved to issue a Negative Declaration pursuant to SEQRA.
Mr. Kelly seconded the motion.
The motion passed unanimously.

Ms. Des Cognets moved to approve the application as submitted.
Ms. Basch seconded the motion.
The motion passed unanimously via roll-call vote.

With respect to application AR 2018-60

The Chairperson opened the public hearing.

Michael Lebron, 279 Grand Street, said he supports the work the Land Bank/RUPCO have accomplished over the years. He asked if the Land Bank/RUPCO would be willing to remove this building from the Phase II project to allow an alternative developer the opportunity to rehabilitate the building.

The Chairperson closed the public hearing.

Ms. Basch moved to declare Lead Agency pursuant to SEQRA.
Mr. Kelly seconded the motion.
The motion passed unanimously.

Ms. Basch moved to issue a Negative Declaration pursuant to SEQRA.
Mr. Kelly seconded the motion.
The motion passed unanimously.

Mr. Kelly moved to approve the application as submitted.

Ms. Basch seconded the motion.
The motion passed unanimously via roll-call vote.

With no further business to discuss, the meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Omar E. Balbuena-Palma
Secretary to the Land Use Boards