

MINUTES
ARCHITECTURAL REVIEW COMMISSION
Meeting of April 9, 2019

The monthly meeting of the City of Newburgh Architectural Review Commission ("ARC") was held on Tuesday, April 9, 2019 at 6:30 p.m. at the Activity Center, 401 Washington Street, Newburgh, NY 12550.

Members Present: Michele Basch, Chairperson
Christopher Hanson
Jeff Wilkinson (arrived at 6:35 p.m.)
Jim Hoekema
James Kelly
Reggie Young

Members Absent: Isaac Diggs
Hannah Des Cognets (Excused)

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

Minutes of the March 12, 2019 Meeting

Mr. Kelly moved to approve the minutes from the March 12, 2019 meeting as submitted.
Mr. Hanson seconded the motion.
The motion was approved unanimously.

Mr. Wilkinson arrived to the meeting at 6:35 p.m.

OLD BUSINESS

AR 2019-04

Applicant: Wolfe Scandinaro
Owner: M&N Newburgh Development LLC
Location: 141 Chambers Street

Application to replace ten (10) windows and the front door.

Gary Beck from Z3 Consultants Inc. appeared on behalf of the property owner.

Mr. Beck submitted a proxy statement for the record. He said the intent is to replace the door and 10 windows. He said the new windows will be black wood, double hung windows from the W-

2500 series with natural interiors and screen. He said the exterior door will be a 36-inch, six (6) lite, left-hand inswing door.

Ms. Basch confirmed the windows are wooden windows painted black.

Mr. Kelly confirmed there was nothing historical behind the plywood covering the existing door opening.

Mr. Hanson confirmed the windows are Jeld-Wen windows.

Mr. Hanson moved to approve the application as amended.

- Install ten (10) Jeld-Wen W-2500 series double hung wood windows painted black with natural interiors and screen per application specs;
- Install a new six (6) lite Autumn Wheat Mahogany wood door per application specs.

Mr. Kelly seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2019-12

Applicant: Robin Hayes
Owner: Liberty 42 LLC
Location: 42 Liberty Street

Returning for a determination on the sidewalk.

The Applicant did not appear at the meeting. The application was tabled until the next ARC meeting.

AR 2019-15

Applicant: Phoebe Sudrow
Owner: Phoebe Sudrow
Location: 95 Liberty Street WH

Returning for a determination on the windows and porch.

The Applicant did not appear at the meeting. The application was tabled until the next ARC meeting.

AR 2019-16

Applicant: Paulien Lethen
Owner: Paulien Lethen
Location: 85 Lander Street

Returning for a determination on the windows.

Paulien Lethen, property owner, appeared before the Board.

The property owner submitted pictures of buildings in the East End Historic District for consideration (which were made part of the record). She said all of the windows in the photographs are square top windows and her proposal is consistent with these type of windows. She clarified the proposed windows are 2/2 square top windows painted black.

Mr. Wilkinson said the original windows at 85 Lander Street are curved top windows. He said the existing building has inappropriate square-top vinyl windows installed.

Ms. Basch said the windows should fit the full window opening.

Mr. Wilkinson said some windows in the pictures are not original windows.

The property owner asked what type of windows are acceptable replacements.

Ms. Basch said she is comfortable approving windows that have rounded tops.

Mr. Kelly said the building originally had rounded top windows.

Mr. Hanson said a photograph from the original submission displays the installed windows on the building next door to 85 Lander Street. He said the proposed windows at 85 Lander Street should match the existing curved windows next door.

Mr. Wilkinson said the application is for the front and side elevation only. He said the Applicant may install a different type of window on the rear.

Ms. Basch said the property owner may choose to install 2/2 or 1/1 windows curved top windows.

Mr. Kelly said 6/6 windows are acceptable as well.

Mr. Wilkinson asked if the property owner is willing to commit to a 2/2 wood or wood clad unit with a curved upper sash.

The property owner agreed; she said it would look very nice.

Mr. Wilkinson moved to approve the application, subject to the following conditions:

- Install 2/2 wood or wood clad units on the front and side elevation with the upper sash to emulate the radius of the existing arch painted black.

Ms. Basch seconded the motion.

The motion passed unanimously via roll-call vote.

PUBLIC HEARINGS

AR 2019-19

Applicant: RECAP facilities Department c/o Nate Litwin
Owner: Regional Economic Community Action Program, Inc.
Location: 169 Renwick Street

Application to demolish the garage.

Nate Litwin from the Regional Economic Community Action Program (“RECAP”) appeared on behalf of the property owner with Anselmo Ramos, head of the Facilities Department at RECAP.

Mr. Litwin said the garage at 169 Renwick Street is in a terrible and deteriorated state. He said the property has had illegal dumping issues on site and received a violation from the Building Department. He said they are before the ARC now requesting to demolish the garage.

Ms. Basch asked if there is a proposal to construct a new garage.

Mr. Litwin said there are no plans for a replacement garage or any other structure proposed at this time.

Mr. Anselmo said the garbage was removed from the property but then the garage fell victim to trespassers.

The Assistant Corporation Counsel confirmed the comment letter by the Building Inspector was forwarded to the Board for consideration.

Mr. Kelly said the garage is designated as a non-contributing building.

Mr. Hoekema agreed and said it is not a contributing structure to the East End Historic District.

Mr. Wilkinson said the property owner should be aware that additional Board approvals may be required for construction of a new garage later.

Mr. Litwin said they are aware of the approval process.

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.

- Demolish the garage.

Mr. Hoekema seconded the motion.

The motion was passed unanimously via roll call vote.

AR 2019-20

Applicant: Alejandro Perez

Owner: Alejandro Perez

Location: 382 Liberty Street

Application to install new siding.

Alejandro Perez, property owner, appeared with Norma Perez.

Ms. Perez said the intent is to install new siding on the entire building to replace the existing siding. She said the existing siding has three different colors and she would like to have a consistent color with the new siding.

Ms. Basch said the proposed siding is made out of vinyl. She asked if there was anything under the existing siding.

Mr. Kelly said he visited the site earlier that day and confirmed there was nothing of historic value underneath the siding.

Mr. Wilkinson said the submitted drawing displays wood siding as the replacement siding.

Ms. Peres said they proposed vinyl siding because her son gave her a lot of vinyl siding and it would be cheaper to use it instead of throwing it away and purchasing a different type of siding.

Mr. Wilkinson asked if they could utilize wood siding instead.

The property owner said the wood siding has to be specially ordered and is a lot more expensive. He said it is easier to use the siding they have and added that vinyl is easier to clean.

Mr. Wilkinson said that vinyl siding is not allowed in the East End Historic District. He said there are alternatives that are a little more costly but provide better quality and are much more durable.

Ms. Peres said she was referred to the Board for approval because she wanted to change the color of the siding.

Ms. Basch read the applicable design standards from the East End Historic District. She said if the location of the proposed siding is not visible from the street, the property owner may install vinyl siding. She said if the location of the proposed siding is visible from the street then the replacement siding may not be vinyl siding.

Ms. Perez asked what type of siding the Board recommended.

Mr. Wilkinson said the Board has approved Hardie board siding before with a six (6) or eight (8) inch exposure.

Ms. Basch said the siding should be painted in a dark color from the Historical color palette.

Ms. Perez agreed to install Hardie board siding in a dark color chosen from the Historical color palette.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Mr. Young asked for the status of the front door of the building.

Mr. Hanson said the Board previously issued an approval on the front porch of the property but did not approve of removing the double door for a single door.

Mr. Kelly said the double door was missing from the entrance earlier that day.

The Board discussed the front door of the building.

Ms. Perez (in Spanish) said the property has a vestibule behind the double door and in front of the single door. She said the double door is currently missing but will be reinstalled.

Mr. Wilkinson said there appears to be a vestibule with interior doors.

Ms. Basch clarified that the door opening is approximately 36 inches.

Mr. Hanson noted for the record that the property used to have a double door, original transom and frame present but now they are no longer there. He confirmed that the Building Department is tasked with enforcing the decision by the Board.

Ms. Basch said the Building Department will be notified and will review the work.

Mr. Wilkinson moved to approve the application, subject to the following conditions:

- Install Hardie plank siding with four (4) inch reveal with the option of choosing a color from the historical color palette.

Mr. Hanson seconded the motion.

The motion was passed unanimously via roll call vote.

AR 2019-21

Applicant: William Arzillo

Owner: Rosenfeld Estate, LLC

Location: 24 Benkard Avenue

Application to repair/replace the porch roof.

William Arzillo, Applicant, appeared before the Board representing the property owner.

The Applicant said the intent is to repair/replace the porch roof in-kind. He said the moldings will be repaired and the porch roof will be bolted to the building for stabilization. He said the bolts will not be visible.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing,

Ms. Basch confirmed the repairs/replacements will be completed using matching materials and painted a matching color.

The Applicant said they are repairing what's existing and not proposing any changes to the railing or posts.

Mr. Kelly moved to approve the application as submitted.

- Repair/replace the porch roof in-kind per application specs.

Mr. Hoekema seconded the motion.

The motion was passed unanimously via roll-call vote.

AR 2019-22

Applicant: Carlos A. Aldana
Owner: B&S Fortune Realty LLC
Location: 300 Liberty Street

Application to replace the entry door.

Carlos Aldana, Applicant, appeared before the Board representing the property owner.

The Applicant said the intent is to replace the existing door with a new single door. He said the existing door was illegally installed and they are proposing to install a wooden door painted brown to address the violation that the property owner received.

Mr. Kelly said a double door used to be installed on the building. He asked what happened to that door.

The Applicant said he does not know what happened to that door. He said he is intending to replace a single steel door with a wooden door.

Mr. Young asked why the Applicant does not want to install a double door.

The Applicant said installing a double door is achievable but the property owner is requesting a single door in order to keep costs low.

Mr. Wilkinson said a single door is an acceptable replacement if sidelights are added as well.

Mr. Young said the provided photos do not accurately represent the true door opening. He said the sides of the existing single door appear to be filled in with wood.

Mr. Kelly said a single door without sidelights looks out of place within the neighborhood.

Mr. Young said the transom is already present and it would be easy to install a double door.

Ms. Basch said the Applicant should consult with the property owner and review pricing on a double door or a single door with sidelights. She said the cost difference may be minimal. She said the Applicant should return with revised details in a drawing after a determination is made by the property owner.

The Applicant agreed to contact the property owner and submit revised details later.

The Application was tabled and the public hearing kept open until the May 14, 2019 ARC meeting.

AMENDMENT REQUEST

AR 2018-14

Applicant: Irene T. Scott
Owner: Irene T. Scott
Location: 317 Grand Street

Amendment request to ratify the replaced windows.

Irene T. Scott, property owner, appeared before the Board.

The Assistant Corporation Counsel said the Applicant received approval by the Board on March 13, 2018 to replace three (3) windows on the third floor of the building. He said the approved windows were not the windows actually installed and currently existing. He said the Applicant received a violation from the Building Department because of non-compliance with the ARC decision. The violation was then reported up to City Court. He said the violation is still pending.

Mr. Wilkinson said the Board spoke at length about Jeld Wen windows and the Board was under the impression that the Applicant consulted a vendor who sold and installed the approved windows.

Ms. Basch clarified that they are only discussing the top three (3) windows.

The Applicant said her contact at Home Depot was unable to provide her with windows that fit the existing window opening despite the proposal he provided. She said she contacted alternative vendors from: Northern Windows, Lowe's, Roberts Windows, Marvin Windows and Doors and several private window makers and all of them told her that they were unable to help due to the shape of the windows. She said these vendors informed her that they sold only vinyl windows or wood clad windows. She said Renewal by Andersen informed her that they would not be able to make in-kind windows either. She said the representative at Renewal by Anderson informed her they were able to make the windows as a special order and in a material that was better than wood and approvable by the ARC. She said at that time, the existing windows were in serious disrepair and she was concerned that if there was a fire, the tenants would not be able to access the fire escape. She installed the unapproved windows out of a security/safety concern for her tenants.

Ms. Basch asked for the material of the windows currently installed.

Mr. Wilkinson said the windows appeared to be vinyl.

The Applicant said the windows are not vinyl windows.

Mr. Hanson clarified the windows are made out of Fibrex. He said the material is acceptable but the shape of the replaced windows are not appropriate.

The Applicant said no vendor she contacted is able to match the window shape as originally approved.

Mr. Wilkinson said that Marvin Windows and Doors is known to be capable of replicating almost any window shape. He said perhaps the Applicant consulted a third party vendor and not the company directly.

Mr. Young asked what happened to the original windows.

The Applicant said the installer from Anderson gave the original windows to someone in the neighborhood because they were no longer usable. She said she is unsure who obtained the windows.

Ms. Basch confirmed tenants are living in the building.

The Applicant said the only egress from the third floor is the windows, which is why they were replaced with unapproved windows.

The Chairperson re-opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Mr. Wilkinson said that 317 Grand Street is a significantly contributing building to the East End Historic District. He said he would be willing to assist the homeowner and said the application should be tabled.

The Applicant said she already purchased the windows and asked what else can she do if she has exhausted all of her options.

Mr. Kelly suggested the windows be painted a darker color and covered to give the appearance of arched top windows.

Ms. Basch said the Applicant should research infilling the window and painting it a darker color.

The application was tabled and the Applicant was informed to submit revised details of the infill and color for consideration at the next ARC meeting on May 14, 2019.

AR 2019-22

Applicant: Carlos A. Aldana
Owner: B&S Fortune Realty LLC
Location: 300 Liberty Street

The Applicant for 300 Liberty Street appeared and requested to ask additional questions to the Board regarding his application.

The Board agreed to hear the Applicant and the Chairperson re-opened the discussion for 300 Liberty Street.

The Applicant said he contacted the property owner. The property owner agreed to install sidelights on the building with the single door. He asked for a suggestion on how many panes would be appropriate on the sidelights.

Mr. Wilkinson said a single pane is acceptable.

Mr. Kelly said a sidelight on both sides of the door would be appropriate.

Mr. Hanson said the details should be defined in a facade drawing.

The Applicant was informed to submit revised details of the proposal for consideration.

With no further business to discuss, the meeting was adjourned at 7:53 p.m.

Respectfully submitted,

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