CITY OF NEWBURGH
ARCHITECTURAL REVIEW COMMISSION

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

123 Grand Street, Newburgh, New York 12550 Phone: (845) 569-7380 Fax: (845) 569-9700

MINUTES
ARCHITECTURAL REVIEW COMMISSION
Meeting of July 9, 2019

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

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

Members Absent: Christopher Hanson

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

Minutes of the June 11, 2019 Meeting

Mr. Hoekema moved to approve the minutes from the June 11, 2019 meeting as submitted.
Mr. Young seconded the motion.
The motion was approved unanimously.

OLD BUSINESS

AR 2019-22

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

Application to replace the entry door.

Alexis Aldana appeared before the Board.

The Assistant Corporation Counsel said the property owner authorized Carlos Aldana to appear before the Board, according to the proxy statement contained in the application. Mr. Aldana's son was not authorized to appear or speak on behalf of the property owner. He said the Board could discuss the application, but not take any comment from Mr. Aldana's son.

Mr. Wilkinson said the submitted sketch provides insufficient information for the project at 300 Liberty Street. He said there are no details in regards to the mullion, the molding or the panels.

Mr. Kelly said installing a double-door would be ideal. He said he needs additional details on the transom and sidelights.

Mr. Young said an overall elevation with accurate proportions should be submitted.

Mr. Wilkinson the elevation drawings should contain details of what will be installed. He said the sketch is too vague.

Mr. Kelly said a recent photo of the proposed door should be submitted.

Ms. Basch moved to table the application.
Mr. Young seconded the motion.
The motion passed unanimously.

The Application was tabled. Alexis Aldana was informed to submit a photo of the proposed door and accurate elevation drawings in order to attend the next ARC meeting.

PUBLIC HEARINGS

AR 2019-50

Applicant: Shawn Jackson
Owner: Shawn Jackson
Location: 70 Leroy Place

Application to replace the retaining wall; install a new bluestone patio, landing and steps.

Shawn Jackson, property owner, appeared before the Board.

The property owner gave a brief overview of his project and highlighted the following:

- Replacing the existing retaining wall with a new bluestone retaining wall;
- Installing blue stone slab stairs for entrance to backyard from Liberty Street;
- Installing bluestone slab steps in lawn;
- Installing a bluestone patio and landing;
- Replacing the fence above the retaining wall in-kind.

Ms. Basch confirmed the patio would be barely visible from the street and the retaining wall will be approximately eight (8) feet tall.

Mr. Wilkinson confirmed the proposed retaining wall will be made from stone veneer.

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 existing fence will be replaced.

Mr. Young confirmed the fence will be replaced in-kind with a maximum height not to exceed 48 inches.

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

AR 2019-51

Applicant: Jeffrey Link
Owner: Applewood Acres Inc.
Location: 4-6 Clark Street

Application to install a community billboard.

Jeffrey Link, Applicant, appeared before the Board representing the property owner.

The Applicant gave a brief background on the property and said he invested heavily into 4-6 Clark Street and now the tenant is intending to install a botanical garden. He said the proposal before the Board is to install a community billboard on the building behind the garden for public announcements. He said the sign will display community-based events and art from local artists. He said no fee would be charged to install artwork on the sign. He said the proposed sign meets the guidelines and is 22 feet wide by 10 feet tall. He said the sign would begin 10 feet from the bottom of the building and end one (1) foot below the top of the building. He said the billboard area will always be covered with local promotions.

Mr. Young asked if the building will be painted.

The Applicant submitted four (4) color swatches from the Benjamin Moore color palette (which were made part of the record) and said the building will be painted either red or grey.

Mr. Wilkinson confirmed the renderings are not to scale. He asked for additional details on artwork installation and if lighting is proposed.

The Applicant said the artwork will cover the entire billboard attached to the building. He said the artwork will be displayed on a rotating basis.

Ms. Basch said the sketch drawing omits a window and door to the right of the sign and does not accurately portray the sign.

Mr. Hoekema said any modification to the artwork would need Board approval.

Ms. Basch said the sign needs to complement the building and landscape. She said she is concerned that a blank billboard may be left abandoned later on.

The Applicant said the sign will never be left blank. He said a mural will be left up in between events.

Ms. Basch asked who would determine what mural is displayed.

The Applicant said he may set up a community competition for local artists and the winner would have his/her art displayed on the sign.

Mr. Kelly asked if the borders of the sign would be visible.

The Applicant said he is considering installing a white trim along the edge of the sign to hide the bolts securing the display.

Mr. Wilkinson said a 10-foot by 22-foot sign is too large.

Mr. Young said the sign is rather large and in a very noticeable area in Newburgh. He said the Applicant would have to return to the Board for any sign modifications.

The Applicant said he cannot return every couple months to change the display. He said he is just installing a billboard and does not know if the Boards concern lies with the artwork/advertisements or the sign itself.

Mr. Wilkinson said he is concerned about the sign itself and the long-term impact of the sign if the property falls into disrepair.

Ms. Basch said the Applicant may submit a proxy statement to have a designated representative appear at Board meetings later. She read the sign guidelines from the East End Historic District Design Guidelines for the benefit of the Applicant and the public.

The Applicant said if he doesn't install a sign, a blank wall would remain that detracts from the historic district.

Mr. Wilkinson said the building is an industrial building and the proposed sign location is clearly visible from Broadway.

Mr. Kelly said a blank wall does not negatively affect the historic district. He said scaling the sign dimensions down may save costs.

The Applicant said the junior billboard size was chosen because it is considered a standard size. He said reducing the size may actually increase costs.

Mr. Wilkinson said he feels more comfortable approving a smaller sign. He said an eight (8) foot by 16 foot sign may be more appropriate.

Ms. Des Cognets asked if a change to the billboard would require Board approval.

The Assistant Corporation Counsel said Board approval for future sign modifications would have to evaluated on a case-by-case basis. He cautioned the Board to discuss only the aesthetic of the proposed billboard and not the content/message of the proposed sign.

Ms. Basch said she needs additional time to review the site and proposed sign.

Mr. Kelly said he is not opposed to installing a sign but he is more comfortable approving a smaller sign. He said the Applicant should submit design details of the sign mechanisms and look into the cost of different sizes.

Mr. Wilkinson said they are making a decision whether the sign is appropriate or not. He said the proposed sign overpowers the building and does not enhance the look of the building. He suggested installing a smaller sign.

The Applicant said he is proposing a sign in order to have a designated advertisement area for the benefit of the community that does not invite vandalism. He said artwork on buildings attract graffiti artists.

Ms. Des Cognets said she understands and appreciates the Applicant's proposal but she is hesitant to approve such a large sign because of its potential long-term impact. She said there is little to no graffiti on other approved murals within the City.

Mr. Young said the Applicant should provide a photograph that captures the entire look of the building and gives the actual proportions of the sign.

The Applicant asked if he could at least obtain approval to paint the building.

The Chairperson opened the public hearing.

Kelly Schroer said she likes the idea of a rotating sign for the benefit of community. She said the proposal would be difficult to maintain and would require a budget.

Phillippe Pierre asked if there is a distinction between installing a sign and installing a billboard. He said the application before the Board sounds like a proposal to install a junior billboard since the Board does not have control over the content of the sign.

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

The Chairperson closed the public hearing.

Mr. Young confirmed the Board cannot restrict the length of time that a proposed sign stays up for. He said the lack of control over the aesthetic impact to the neighborhood is concerning.

Ms. Basch said she does not have an issue with painting the building but the sign itself appears too large for the location.

Mr. Young said he prefers painting the building a shade of red but has no issue with either color.

Mr. Hoekema and Mr. Kelly said they have no issue with painting the building red/gray.

Ms. Basch moved to approve the application, subject to the following conditions:

- Applicant has the option to repaint the brick on the building either Ambler Slate CW-685, Bracken Slate CW-690, Reid Brown CW-260, or Palace Arms Red CW-255, all from the Benjamin Moore Historic Color Palette;
- Applicant must return for a determination regarding the sign portion of the application.

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

AR 2019-52

Applicant: Charles Ortiz
Owner: Charles Ortiz
Location: 246 Grand Street

Application to repair/replace the roof, gutters, downspouts, porch; install new windows and paint the building using colors from the Benjamin Moore Historic Color palette.

Charles Ortiz, property owner, appeared before the Board.

The property owner gave a brief overview of the project and highlighted the following:

- Repairing the roof, gutters and downspouts;
- Replacing all curbside windows with 1/1 wood double-hung windows;
- Repairing the front porch;
- Porch rails to match the existing rail;
- Painting the exterior Chelsea Gray HC-168 (Benjamin Moore), Capitol White CW-10 (Benjamin Moore) and Heritage Red HC-18 (Benjamin Moore);

Mr. Kelly said the façade of the building may have been painted originally and sees no issue with the proposed paint. He confirmed the intent is to rebuild the porch back to its original configuration.

Mr. Wilkinson confirmed the existing windows are either vinyl, non-existent or damaged beyond repair.

Ms. Basch confirmed the property owner already received a building permit to repair/replace the building roof in-kind.

Ms. Kelly said the existing porch balusters are not original to the building. He suggested installing new porch handrails with square balusters.

The Applicant agreed to install square balusters on the porch railing.

Mr. Young said the Applicant should be careful when choosing paint for the exterior.

Mr. Wilkinson said the Applicant should follow National Park Service ("NPS") standards for painting masonry. He asked if the door will be replaced.

The Applicant said he will look into the appropriate exterior paint and clarified the intent is to restore the existing door.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Mr. Wilkinson move to approve the application as submitted with the following condition:

- Install new handrails with square balusters;
- Applicant has the option to strip the masonry and leave the brick unpainted and to restore/replace the original front door in-kind.

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

AR 2019-53

Applicant: Kamil Falkowski
Owner: 136 South Street LLC
Location: 136 South Street

Application to repoint the brick; install new windows and paint the façade using colors from the BEHR color palette.

Kamil Falkowski, Applicant, appeared before the Board on behalf of the property owner.

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

- Repainting the building the same color;
- Replacing the windows with 2/2 aluminum clad windows painted black;
- Repointing the brick;

Mr. Kelly said the windows should be 2/2 windows. He clarified the windows muntins have disintegrated over time and give a 2/1 appearance.

Mr. Young asked for the intent behind the lintels.

The Applicant said Code Compliance will not let him remove any lintels from the building without ARC approval. He said removing a lintel will enable him to research a manufacturer who can create a replica to install.

Mr. Young said it is difficult to find a competent masonry worker in the City. He said the Board should allow the Applicant to remove a lintel in order to recreate it.

Mr. Wilkinson asked if the door will be replaced and said the Applicant should follow NPS standards for painting and repointing.

The Applicant said he is only interested in obtaining approval for the windows and paint. He said a door replacement request will submitted later.

Mr. Kelly asked for cornice details.

The Applicant said the cornice will be restored as-is. He said the tombstone window just below the cornice is in a bad condition but he will attempt to salvage the window.

Mr. Wilkinson said the tombstone window should be saved. He asked for a detailed drawing for future reference. He said the storefront detail will require a line drawing.

The Applicant said he is replacing the existing conditions of the building in-kind. He asked if a drawing was still required.

Ms. Des Cognets said she is comfortable approving repainting and window replacements. She said renovating the storefront will require elevation drawings with the proposed look of the building.

Ms. Basch said an elevation drawing enables the Board to grasp the vision of the Applicant and streamlines the process for Code Compliance. She said a benefit of a line drawing is that the Applicant may then reference the drawing for any future projects on South Street.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Ms. Basch move to approve the application as submitted with the following conditions:

- Repair/replace in-kind the fourth floor tombstone windows;
- Remove one (1) lintel from the building to obtain the dimensions and research potential manufacturers;
- Applicant has the option to strip the masonry and leave the brick unpainted

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

AR 2019-54

Applicant: Hans Jensen
Owner: Hans Jensen
Location: 263 Grand Street

Mr. Young recused himself from application AR 2019-54.

Application to replace the front door and paint the façade using colors from the Valspar color palette.

Kelly Schroer, Applicant, appeared before the Board on behalf of the property owner.

Ms. Schroer said the property owner was not able to attend the meeting and submitted a proxy statement for consideration (which was made part of the record). She said the intent is to repaint the building and install a new front door. She said a picture of the proposed door and colors were submitted as part of the application.

Mr. Kelly said the door is appropriate to the building.

Ms. Basch confirmed the paint colors were previously approved and the intent now is to swap the color of the trim and brick with each other.

Mr. Kelly said the Applicant should follow the NPS standards for painting.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

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

AR 2019-55

Applicant: Phillippe Pierre
Owner: Lower Broadway Development, LLC
Location: 96 Broadway

Mr. Wilkinson recused himself from application AR 2019-55.

Application to repair/replace the sidewalk.

Phillippe Pierre, Applicant, appeared before the Board on behalf of the property owner.

The Applicant said he submitted an application to the Board for a deviation from the City's Streetscape standards to not be required to install reclaimed bluestone around the tree well. He also sought to orally amend his application to install a privacy fence next to the building. He said a cedar fence would be painted black and is necessary for security reasons.

Ms. Basch read the fence guidelines from the East End Historic District Design Guidelines for the benefit of the public and the Applicant.

The Applicant said he is trying to secure his building while work is being done because his contractor has already had equipment stolen in the middle of the day.

Mr. Young said he does not feel comfortable setting a precedent for a fence on Broadway.

Ms. Des Cognets said the proposed fence is not allowed per the guidelines and asked if a temporary fence may be installed instead while the work is completed.

The Applicant said he understands the guidelines but he needs the fence for security reasons. He said the fence will also contain a gate approximately eight (8) feet wide for egress.

Ms. Basch said installation of a fence was never part of the original application and the submitted image of a fence is not sufficient information for her to make a determination. She said further details are required on the proposed fence.

The Assistant Corporation Counsel asked for the approximate length of time the Applicant required the fence. He said Code Compliance may temporarily issue approval to install a fence in conjunction with an open building permit.

The Applicant requested a fence to be installed for approximately 18 months.

Mr. Young said an 18-month fence is not temporary.

The Applicant said he needs a fence to protect the business from illegal pedestrian access.

Ms. Des Cognets said she understands the Applicant's concern but she needs additional detail for the proposed fence. She said an image of a fence with a narrative description is not sufficient information. She said the Applicant should provide a detailed plan with the proposed color, location, dimensions etc. of the project for approval.

Ms. Basch said if the situation is urgent, the Applicant may temporarily receive approval for a fence installation from Code Compliance and then return with a detailed plan to the Board for consideration.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

The Assistant Corporation Counsel asked if the Applicant wished to erect a temporary fence on the property while a fully fleshed out plan was prepared for consideration.

The Applicant elected to forego the fence application for now. He said he would return in a month.

Mr. Kelly move to approve the application, subject to the following conditions:

- Applicant is not required to install reclaimed bluestone around the tree well, but must otherwise follow Streetscape Standards, including for the tree well area;
- Applicant must return to a future ARC meeting for a determination regarding the fence.

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

With no further business to discuss, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

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