

CITY OF NEWBURGH
ARCHITECTURAL REVIEW COMMISSION
123 Grand Street, Newburgh, New York 12550

Michele Basch, Chairperson
Omar E. Balbuena-Palma, Secretary
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MINUTES
ARCHITECTURAL REVIEW COMMISSION
Meeting of October 8, 2019

The monthly meeting of the City of Newburgh Architectural Review Commission (“ARC”) was held on Tuesday, October 8, 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
Hannah Des Cognets
James Kelly
Jim Hoekema
Reggie Young

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

Minutes of the September 10, 2019 Meeting

Mr. Hanson moved to approve the minutes from the September 10, 2019 meeting as submitted.
Mr. Hoekema seconded the motion.
The motion passed unanimously.

CONSENT AGENDA

AR 2019-72

Applicant: Eli Vaknin
Owner: Otherside Properties LLC
Location: 33 Johnston Street

Application to paint the exterior of the building using colors from the Benjamin Moore Historic color palette.

Ms. Basch moved to approve the Consent Agenda as submitted.
Mr. Hanson seconded the motion.
The motion passed unanimously.

PUBLIC HEARINGS

AR 2019-70

Applicant: Cairi Johnson
Owner: Cairi Johnson
Location: 39 City Terrace

Application to replace the siding and porch.

Cairi Johnson, property owner, appeared before the Board.

The property owner said he intends to replace the siding on the façade and the existing porch.

The Chairperson confirmed the existing siding is made out of vinyl. She said the proposed replacement is considered an in-kind replacement but she suggested installing a different type of siding on the building.

Mr. Hanson confirmed the siding from the entire building will be replaced in-kind.

Mr. Kelly confirmed the original siding on the building was lost when a previous owner installed vinyl siding on the building. He said the original siding should have been clapboard or shingles.

Mr. Wilkinson said the porch balusters should be made out of wood.

Mr. Hanson confirmed the existing columns on the porch will be reused. He said he does not have any concern regarding the style of the balusters but the balusters should also be made out of wood.

The property owner agreed to install wood balusters. He said the porch will have Trex decking painted Foggy Wharf. He asked if there was any issue with the proposed material.

Mr. Hanson said he has no issue with Trex decking materials.

Mr. Wilkinson said the porch should have a lattice underneath.

Mr. Young said the proposed elevation does not depict guardrails for the porch steps.

Mr. Wilkinson said the Building Code requires handrails. He said the proposed elevation does not show guardrails but they are mentioned in the notes.

Mr. Young said the proposed elevation should be revised to include the handrails.

The Chairperson said the posts at the bottom of the steps should match the existing columns and be made out of wood.

The Chairperson opened the public hearing.

Dan Gilbert, 45 Liberty Street, asked for clarification on the Board's determination regarding Trex decking within the East End Historic District.

There was one else present for or against the application.

The Chairperson closed the public hearing.

The Chairperson said Trex decking is allowed in the East End Historic District.

The Assistant Corporation Counsel clarified there is no ban on utilizing Trex decking. He said the East End Historic District Design Guidelines consider decking to be a modern amenity and not a feature of historic houses. He asked the property owner if there is any proposed work on the sidewalk.

The property owner said he is not proposing to modify the sidewalk at this time.

Ms. Des Cognets moved to approve the application as submitted, subject to the following conditions:

- Porch rails and balusters must be made out of wood;
- Install wooden handrails and posts down the porch steps that connect to the existing porch posts and match the porch style;
- Install a lattice under the porch.

Mr. Kelly seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2019-71

Applicant: Matthew Cordone
Owner: Dubois Street Associates LLC
Location: 27 Dubois Street

Application to install new windows and door; repair/replace the masonry and cornice.

Matthew Cordone, Project Architect, appeared before the Board on behalf of the property owner.

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

- Restoring existing wooden stairs;
- Repointing masonry;
- Work proposed is mostly in-kind repairs/replacements;
- Proposing new 1/1 metal clad wood double hung windows;
- Proposing new door and frame to fit the existing opening;
- Application currently under review for State tax credits.

Mr. Hanson confirmed the existing windows are vinyl windows.

Mr. Kelly said the sister building at 29 Dubois Street has 2/2 windows and 27 Dubois Street should also have 2/2 windows installed.

Ms. Basch asked if the intent is to install arch-top windows.

The Project Architect said they propose to install flat top windows.

Mr. Young said the building should have arch-top windows.

Mr. Wilkinson said he does not believe the State Historic Preservation Office ("SHPO") would approve of flat top windows.

The Project Architect said he is not opposed to installing arch-top windows. He said SHPO requires the original plaster/trim of the windows to remain and the proposal is to install windows that fit the existing window opening.

Mr. Wilkinson confirmed the masonry will be repointed and painted in-kind. He asked for the composition of the roof.

The Project Architect said the roof is made out of fiberglass shingles and the intent is to repair/replace it in-kind.

Mr. Young said he is under the impression that SHPO will not allow metal clad windows to be installed.

The Project Architect said he contacted SHPO and they allow the use of metal clad windows.

Mr. Kelly asked if a double door was considered for the entry.

The Project Architect said the basement entry door is original to the building and they are proposing to replicate that door for the main entry. He said the proposed entry will be a wide single door. He said the transom above the entry door is in good shape and will be re-glazed.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

The Chairperson asked if there was any proposed work to the sidewalk.

The Project Architect said they are not proposing to modify the sidewalk at this time.

Mr. Young moved to approve the application as submitted, subject to the following conditions:

- Install 2/2 metal clad wood arch top windows on the front façade to replace the existing windows;
- Install a new front door that replicates the original door on the basement;
- New door and windows must extend to the original masonry opening.

Ms. Des Cognets seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2019-73

Applicant: Eli Vaknin
Owner: Otherside Properties LLC
Location: 45 Liberty Street

Application to install a storefront on the first floor with a residential entry; install new windows; repair/replace the cornice; and paint the building using colors from the Benjamin Moore color palette.

Eli Vaknin, Applicant, and Dan Gilbert, appeared before the Board on behalf of the property owner.

The Applicant said the intent is to paint the building and install storefront look to the building.

Mr. Kelly confirmed the original storefront look was removed long ago.

Mr. Gilbert said the building is one of several buildings on the block that should have had commercial storefronts on the first floor.

Mr. Kelly said he does not see cast iron posts on the storefront. He said the posts would have framed the doorway.

The Chairperson said a good reference for the post may be found on the storefront at 119 Liberty Street.

Ms. Des Cognets asked for the composition of the existing bay.

Mr. Gilbert said the bay is covered by asphalt shingles. He said they are proposing to replace the shingles with horizontal siding that resembles wood.

Mr. Wilkinson said the elevation drawings do not accurately list the specifications of the windows. He confirmed there are no existing columns on the storefront.

Mr. Gilbert said the previously existing vestibule was removed from the building.

Mr. Hoekema confirmed they are intending to restore the footprint of the previously existing vestibule.

The Chairperson cautioned that the vestibule should allow handicap access.

Mr. Kelly said the floor plan should be revised because there are a few inconsistencies.

Mr. Wilkinson said a material specification for the door should be provided and windows should be provided.

Mr. Gilbert said they will install Pella Historic Line 1/1 windows. He asked for examples of preferred residential entry doors.

Mr. Kelly said a four-panel door made out of wood would be preferable to the proposed six-panel door. He said the six-panel door is out of place and no one installed those type of doors on the building during the 1900's.

Mr. Gilbert agreed to install a four-panel door made out of wood. He asked if the wooden door would cause an issue with the Fire Code.

The Assistant Corporation Counsel said the Building Department will review the proposed door and they will determine if there is a code-related issue.

Mr. Young said he would like to see additional details on the storefront. He said tiny details are lost in the installation of the storefront if they are not sufficiently detailed on the drawings.

The Chairperson said she is open to approving the windows and residential entry door. She said the Applicant should return with revised details on the storefront.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Mr. Wilkinson moved to approve the application subject to the following modifications:

- Install Pella Historic Line 1/1 windows;
- Install residential entry door with a new or repurposed wooden four-panel door
- Applicant must return with revised details of the storefront.

Ms. Des Cognets seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2019-74

Applicant: Gary Quiggle
Owner: Gary Quiggle and Jessica Kuhn
Location: 116 First Street

Application to replace the roof.

Gary Quiggle and Jessica Kuhn, property owners appeared before the Board.

Mr. Quiggle said the intent is to replace the existing roof. He said the skylights will remain.

Ms. Kuhn said the metal roof is not original to the building and the intent is to install an asphalt shingle roof to match the neighboring buildings.

Mr. Quiggle said the roof has been patched a number of times but it now requires replacement.

Mr. Wilkinson confirmed a previous owner installed the metal roof. He asked if the Applicant considered replacing the roof in-kind. He said that metal roofs last approximately three (3) times longer than non-metal roofs.

Mr. Quiggle said installing a metal roof is not feasible for them; he said quotes in the application packet demonstrate the disparity in cost.

Ms. Kuhn said it would cost approximately \$28,000 to replace the roof, almost double the cost of installing a new asphalt shingle roof.

Mr. Wilkinson said it is a shame the roof will not be replaced in-kind.

Mr. Kelly said the building is taller than 114 and 112 First Street. He said the building was probably constructed in 1838.

Ms. Kuhn clarified the building was constructed in 1836.

Mr. Hanson said the buildings at First Street share a common foundation. He said the Applicant should look into obtaining tax credits to lessen the costs of rehabilitation.

Mr. Wilkinson said he is not against voting to approve an asphalt shingle roof but he prefers the metal roof. He said the Applicant should look into coating the metal roof to eliminate leaks.

Mr. Young said losing the metal roof equates to losing the historical character of the neighborhood piece by piece.

Ms. Kuhn said they are willing to look into any cost saving measure the Board suggests but they would like to begin work on the roof as soon as possible before winter arrives.

Mr. Kelly said he sympathizes with the Applicant's dilemma and said the exterior of the building has already been significantly altered since construction. He said the roof was originally made from cedar shake shingles.

Mr. Hanson said the Applicant should be aware that in order to be eligible for the tax credits, the proposed work must be approved prior to working on the building.

The Chairperson said she is comfortable providing the Applicant with different options in light of the economic cost associated with metal roofs, the style of the buildings next door and the fact that the roof is leaking now and winter is approaching. She said the Applicant provided sufficient information, quotes and photographs for the project and that allow her to make an informed decision.

Ms. Des Cognets said she understands the position of the Board and she recommends the Applicant do further research on repairing the existing roof or replacing it with a metal roof.

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, subject to the following condition:

- Applicant is urged, but not required, to repair/replace the roof with a metal roof.

Mr. Kelly seconded the motion.

The motion passed 6-1 via roll-call vote.

Ms. Des Cognets voted against the application.

AR 2019-75

Applicant: Hannah Anderson

Owner: NBNY 227 LLC

Location: 153 Grand Street

Mr. Kelly recused himself from application AR 2019-75.

Application to replace the existing fence; install black metal window grates on the first floor and repaint the front steps and doorway.

Hannah Anderson, Applicant, appeared before the Board on behalf of the property owner.

The Applicant said the intent is to replace the existing fence with a black metal fence, install black metal windows grates on the ground floor and repaint the front steps and doorway.

Mr. Hanson confirmed the fence will be 38 ½ inches tall.

The Chairperson confirmed the window grates will not obstruct the egress requirements of the building.

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.

Mr. Hanson seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2019-76

Applicant: Kamil Falkowski

Owner: 134 South Street LLC

Location: 134 South Street

Application to replace the windows, repoint the brick and repaint the building.

AR 2019-77

Applicant: Kamil Falkowski

Owner: 140 South Street LLC

Location: 140 South Street

Application to replace the windows, repoint the brick and repaint the building.

AR 2019-78

Applicant: Kamil Falkowski

Owner: 142 South Street LLC

Location: 142 South Street

Application to replace the windows, repoint the brick and repaint the building.

AR 2019-79

Applicant: Kamil Falkowski

Owner: 174 Chambers Street LLC

Location: 174 Chambers Street

The Chairperson said applications AR 2019-76 through 79 would be presented together, but the Board will vote on each application separately.

Application to replace the windows; install a new fence; repoint the brick and repaint the building.

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

The Applicant said the intent of the project is to replace all of the windows on 134, 140, 142 South Street and 174 Chambers Street with 2/2 square-top aluminum windows painted black. He said the windows will match the style of the approved windows at 136 South Street and he will submit a separate application for the commercial first floor of the buildings later.

Mr. Wilkinson clarified the approved windows at 136 South Street were aluminum-clad windows and the proposed aluminum windows differ from the proposed windows on the application.

The Applicant said the windows will be custom ordered to fit the existing window openings and will be made out of aluminum and painted black.

Ms. Des Cognets said the majority of the buildings have 2/2 windows but the building at 142 South Street has a different window configuration.

The Applicant said he already purchased the windows and the intent is to replace all of the windows in the same style for consistency.

Mr. Kelly said the buildings may appear similar but they have different highlights that are unique to each building. He said the existing building at 134 South Street has curved-tops windows and replacing them with square-top windows is not appropriate to the building.

Mr. Young said the original window style with the arched top should remain.

The Applicant said the conversation he had with the Board at a previous meeting regarding 136 South Street focused on the lintels. He said the Board did not have an issue with the proposed windows at that time and he is proposing the same windows for the project.

Mr. Hanson said the buildings have different window openings. He said the approval for 136 South Street was for aluminum-clad windows and not aluminum windows. He requested a spec sheet for the aluminum windows.

Mr. Kelly said the building at 142 South Street was constructed around 1840 and is the oldest building on the project. He said the building should have had 6/6 wood windows. He requested photographs of the window openings as seen from the interior of the buildings.

The Applicant said he is looking to purchase and install approximately 100 windows for the project and it is not cost effective to purchase all wood windows.

Mr. Hanson said the Applicant should look into obtaining tax credits for any proposed work on the buildings.

The Applicant said the tax credit application requires a lot of paperwork and the consultant informed him the application for the project would cost approximately \$15,000. He said even if he submits the applications and pays the fee, there is no guarantee he will obtain approval and it will delay the project even more.

Mr. Wilkinson said he would like some sort of drawing with photos of each building façade that details all of the proposed work on every building. He said the application is not clear on what windows will be replaced and what they are going to be replaced with. He said the Board is tasked with following the East End Historic District Design Guidelines and the application requires additional details prior to any approval. He said the Applicant should submit photographs of each façade with details noted for any proposed window replacements.

Mr. Hanson said he does not understand where the consultant is getting the application fee amount. He asked if the Applicant has reviewed the tax credit application himself to confirm.

The Applicant said he is forwarding the information he received and that he is only looking to replace the windows.

The Chairperson read the East End Historic District Design Guidelines out loud for the benefit of the public and the Applicant. She said they require additional details that clearly indicate the proposed intention for each window on every building. She said additional details on the project will clarify any potential misunderstanding on the project. She encouraged the Applicant to submit a tax credit application.

Ms. Des Cognets asked if the Board had any concerns regarding the proposed fence at 174 Chambers Street.

The Applicant said the fence will be installed for approximately one (1) year.

The Board members confirmed they have no issues with the proposed fence.

The Chairperson said the Applicant should return with additional information on the window replacements.

With respect to application AR 2019-76 (134 South Street)

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

The Application was tabled and the Applicant was informed to submit revised details.

With respect to application AR 2019-77 (140 South Street)

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

The Application was tabled and the Applicant was informed to submit revised details.

With respect to application AR 2019-78 (142 South Street)

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

The Application was tabled and the Applicant was informed to submit revised details.

With respect to application AR 2019-79 (174 Chambers 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 moved to approve the application, subject to the following conditions:

- Install a five (5) foot tall, black steel fence along the rear of the building per application specs;
- Applicant must return with revised details for the window replacements.

Ms. Des Cognets seconded the motion.

The motion passed unanimously via-roll call vote.

AR 2019-80

Applicant: Jeff Wilkinson

Owner: 121 Lander Street LLC

Location: 121 Lander Street

Mr. Wilkinson recused himself from application AR 2019-80.

Application to install new windows and entry door; repair/replace the stoop, cornice and roof; infill the missing brick; and paint the exterior using colors from the Benjamin Moore color palette.

Jeff Wilkinson, Applicant, appeared before the Board on behalf of the property owner. The Applicant gave a brief overview of the application and highlighted the following:

- Restore original stoop, cornice and exterior woodwork;
- Install 1/1 aluminum clad windows;
- Install a new black metal railing with a gate;
- Install a new wooden double door;
- Install a new gutter;
- Infill masonry pockets on the side of the building;
- Reset bluestone sidewalk;
- Repoint masonry;
- Paint the building using colors from the Benjamin Moore Historic color palette.

Mr. Hanson confirmed the original cast iron fence was removed a long time ago.

The Applicant said the fence details are in the façade drawings and they are proposing to install new Weathershield windows.

Mr. Hanson clarified the roof is made out of fiberglass shingles and not slate.

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.

Ms. Des Cognets 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