

**CITY OF NEWBURGH
ARCHITECTURAL REVIEW COMMISSION**

Richard Rosencrans, Acting Chairperson
123 Grand Street, Newburgh, N.Y. 12550

Omar E. Balbuena-Palma, Secretary
Phone: (845) 569-7380

**MINUTES
ARCHITECTURAL REVIEW COMMISSION
Meeting of July 11, 2017**

The monthly meeting of the City of Newburgh Architectural Review Commission was held on Tuesday, July 11, 2017 at 6:30 p.m. at the Activity Center, 401 Washington Street, Newburgh, NY 12550.

Members Present: Richard Rosencrans, Acting Chairperson
Hannah Walsh
Jim Hoekema
James Kelly
Kent Diebolt (Alternate)

Members Absent: Michele Basch
Christopher Hanson
Isaac Diggs
Jeff Wilkinson

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

The meeting was called to order at 6:41 p.m. after a quorum was confirmed.

Minutes of the June 13, 2017 Meeting

Mr. Hoekema moved to approve the minutes from the June 13, 2017 meeting as submitted.
Ms. Walsh seconded the motion.

The motion was approved 5-0.

CONSENT AGENDA

- AR 2016-10 82 Liberty Street WH**
To amend a previously issued COA and change the paint colors of the window frames, window trim, and the exterior brick.
Applicant/Owner: Andre Guimond
- AR 2017-39 244 Liberty Street**
To paint the exterior façade in Benjamin Moore Historic Colors.
Applicant/Owner: Thomas Burr Dodd / 244 Liberty Street, LLC
- AR 2017-49 126 S William Street**
To paint the front of the building together with the sills and lintels.
Applicant/Owner: Lu Nicaj / 126 South Williams LLC

AR 2017-53

139 Third Street

To paint the exterior brick walls of the house.

Applicant/Owner: Kelvin Ford and Deborah Ford

Ms. Walsh moved to approve the consent agenda application as submitted.

Mr. Hoekema seconded the motion.

The motion was approved 5-0.

PUBLIC HEARINGS

AR 2017-36

52 Overlook Place

To replace the windows in-kind, remove lead based paint and repaint the exterior.

Applicant/Owner: Daniel Gilbert / 52 Overlook Place Assoc, LLC

Dan Gilbert appeared before the Board and gave an overview of his project. He intends to replace the windows “in-kind” and repaint the exterior.

Ms. Walsh clarified that the applicant will submit a window cut sheet for full wood 1/1 windows. The Applicant agreed.

Mr. Diebolt clarified that the building will not be pressure washed and it will follow the EPA lead removal guidelines.

The Acting Chairperson opened the public hearing. There was no one present to speak for or against this application. The public hearing was closed.

Mr. Hoekema moved to assume SEQRA lead agency.

Ms. Walsh seconded the motion.

The motion was carried unanimously.

Mr. Hoekema moved to issue a negative declaration.

Ms. Walsh seconded the motion.

The motion was carried unanimously.

Ms. Walsh moved to approve the application as submitted under the condition that the replacement windows will be wooden 1/1 windows.

Mr. Hoekema seconded the motion.

The motion was approved 5-0.

AR 2017-37

60 Benkard Avenue

To replace the windows in-kind, remove lead based paint and repaint the exterior.

Applicant/Owner: Alter Klein / Darkei Hakolelim Inc

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

AR 2017-38**355 Grand Street**

To install new roofs, gutters, and trim and repaint the exterior. To repair/replace the wood, shingles, windows, stone and mortar where possible.

Applicant/Owner: Christina Amato

Christina Amato appeared before the Board and gave an overview of her project. She intends to restore the property to its original condition where possible. She said the original windows can be repaired.. She intends to repaint and repair/replace the deteriorated wood around the windows. She will repair the shingles where possible and replace the others. She said that the front steps may change to their original condition. She said that SHPO has already approved her application.

Ms. Walsh said the chimneys need work as well and clarified with the Applicant that they will be repaired or replaced in-kind.

The Acting Chairperson opened the public hearing. There was no one present to speak for or against this application. The public hearing was closed.

Mr. Hoekema moved to assume SEQRA lead agency.

Ms. Walsh seconded the motion.

The motion was carried unanimously.

Mr. Hoekema moved to issue a negative declaration.

Ms. Walsh seconded the motion.

The motion was carried unanimously.

Mr. Hoekema moved to approve the application as submitted, and to include chimney repair or replacement in-kind.

Ms. Walsh seconded the motion.

The motion was approved 5-0.

AR 2017-41**291 Third Street**

To remove and replace the existing retaining wall and to install a new aluminum fence and concrete stairs.

Applicant/Owner: Coppola Associates / Lola Melvin-McDoe & Juanita Richardson

AJ Coppola appeared before the Board and gave an overview of the project. The old 60-foot long retaining wall is deteriorating and needs to be replaced. He is proposing a wall made of concrete. He will also add a new 3-foot high aluminum picket fence to the sidewalk and a wooden bridge connecting the sidewalk to the porch deck steps. Concrete steps that lead to the yard will be installed. The sidewalk will be replaced with concrete.

Mr. Hoekema clarified that the building is a single family home and the proposed work lies on a single property.

The Acting Chairperson opened the public hearing. There was no one present to speak for or against this application. The public hearing was closed.

Ms. Walsh moved to assume SEQRA lead agency.

Mr. Diebolt seconded the motion.

The motion was carried unanimously.

Mr. Rosencrans moved to issue a negative declaration.

Ms. Walsh seconded the motion.

The motion was carried unanimously.

Mr. Rosencrans moved to approve the application as submitted.

Ms. Walsh seconded the motion.

The motion was approved 5-0.

AR 2017-42

150 Ann Street

To install a dyed concrete curb as an approved equivalent to granite curbing under the City's Streetscape Standard.

Applicant/Owner: Cathy Collins / Habitat for Humanity of Greater Newburgh Inc.

AR 2017-43

152 Ann Street

To install a dyed concrete curb as an approved equivalent to granite curbing under the City's Streetscape Standard.

Applicant/Owner: Cathy Collins / Habitat for Humanity of Greater Newburgh Inc.

AR 2017-44

154 Ann Street

To install a dyed concrete curb as an approved equivalent to granite curbing under the City's Streetscape Standard.

Applicant/Owner: Cathy Collins / Habitat for Humanity of Greater Newburgh Inc.

AR 2017-45

156 Ann Street

To install a dyed concrete curb as an approved equivalent to granite curbing under the City's Streetscape Standard.

Applicant/Owner: Cathy Collins / Habitat for Humanity of Greater Newburgh Inc.

Nathan Litwin, Construction Manager of Habitat for Humanity of Greater Newburgh Inc. appeared before the Board. He said the application for 150 Ann Street will be the same as the applications for 152, 154, and 156 Ann Street. He met with the City Engineer and received a letter where the City Engineer stated that he approved of the change from the currently required granite curb to new dyed concrete curb.

Mr. Diebolt clarified that the Applicant will plant 4 trees, 2 on Ann Street and 2 on Johnston Street.

The Acting Chairperson opened the public hearing. There was no one present to speak for or against this application. The public hearing was closed.

Mr. Hoekema moved to assume SEQRA lead agency.

Mr. Kelly seconded the motion.

The motion was carried unanimously.

Mr. Hoekema moved to issue a negative declaration.

Mr. Rosencrans seconded the motion.

The motion was carried unanimously.

Mr. Rosencrans moved to approve the application as submitted.

Ms. Walsh seconded the motion.

The motion was approved 5-0.

AR 2017-46

36 Liberty Street

To repair and paint the wood cornices and brackets, to repair the brick, to restore the retail façade by installing new windows and to re-open the bricked-in window openings.

Applicant/Owner: Shayla Sellars / 36 Liberty St., LLC

Shayla Sellars, Managing Member of 36 Liberty St., LLC appeared before the Board and gave an overview of the project. The original sized windows will be installed, the brick will be restored and the bricked-in windows on the side will be re-opened.

Mr. Diebolt clarified that the windows will be wooden Anderson 400 windows, the retail space will house 3x4 windows, and the remaining residential windows and side windows will be 1/1. He advised the Applicant to be careful when washing the brick so as not to damage it.

Mr. Kelly clarified that the cornice and brackets will be repaired.

Ms. Walsh clarified that the Applicant will return for the lighting, signage and doors.

The Acting Chairperson opened the public hearing. There was no one present to speak for or against this application. The public hearing was closed.

Mr. Kelly moved to assume SEQRA lead agency.

Mr. Rosencrans seconded the motion.

The motion was carried unanimously.

Mr. Rosencrans moved to issue a negative declaration.

Mr. Hoekema seconded the motion.

The motion was carried unanimously.

Mr. Hoekema moved to approve the application as submitted.

Mr. Diebolt seconded the motion.

The motion was approved 5-0.

AR 2017-47

197 Broadway

To demolish the building due to safety concerns.

Applicant/Owner: Victor Cappelletti / Real Management Corp

Victor Cappelletti appeared before the Board and gave an overview of his project. He contacted an engineer to inspect the building based upon a visual of the deteriorated condition. The engineer's letter was made part of the record. The Applicant said the Building Inspector agreed with the engineer but could not produce a letter of from the Building Inspector that stated this information.

Mr. Kelly said that the buildings are from the 1890's-1900's and there is no real historic value.

Mr. Diebolt clarified that the building will be demolished but the foundation will be left.

Mr. Kelly said that if the demolishing is approved, the Applicant may want to place a temporary fence for security reasons.

The Applicant agreed and said that he has no current plans for the property but will return with an application for the fence.

The Assistant Corporation Counsel said that because there was no submitted letter at the time of the meeting by the Building Inspector, the Board needs to take that into consideration and review section 300-40(E) of the City Code when they decide to approve/deny the application.

The Board reviewed the criteria from the Code and determined that the Applicant can may receive approval on the condition that the Applicant submits the letter from the Building Inspector.

The Acting Chairperson opened the public hearing. There was no one present to speak for or against this application. The public hearing was closed.

Mr. Hoekema moved to assume SEQRA lead agency.

Mr. Diebolt seconded the motion.

The motion was carried unanimously.

Mr. Hoekema moved to issue a negative declaration.

Mr. Kelly seconded the motion.

The motion was carried unanimously.

Mr. Hoekema moved to approve the application conditioned on the Building Inspector's letter in support of the demolition prior to demolishing the building. The Applicant is strongly encouraged to salvage as much material as possible.

Mr. Kelly seconded the motion.

The motion was approved 5-0.

AR 2017-48

196 Ann Street

To demolish the building due to safety concerns.

Applicant/Owner: Victor Cappelletti / Real Management Corp

Victor Capelleti remained before the Board. He said that he plans to demolish the building due to safety concerns similar to the ones for 197 Broadway.

Ms. Walsh requested the Applicant to salvage as much material from the demolishing as possible.

The Acting Chairperson opened the public hearing. There was no one present to speak for or against this application. The public hearing was closed.

Mr. Hoekema moved to assume SEQRA lead agency.

Mr. Kelly seconded the motion.

The motion was carried unanimously.

Mr. Hoekema moved to issue a negative declaration.

Mr. Kelly seconded the motion.

The motion was carried unanimously.

Ms. Walsh moved to approve the application conditioned on the Building Inspector's letter in support of the demolition prior to demolishing the building. The Applicant is strongly encouraged to salvage as much material as possible.

Mr. Hoekema seconded the motion.

The motion was approved 5-0.

AR 2017-50

2 Courtney Avenue

To renovate the building with new windows, roofing, siding, and rebuild the wrap around porch in-kind. To add new a/c condensers, a new second-story porch, and relocate the electrical panels & gas meters. The inside will be altered as per the illustrations.

Applicant/Owner: Jennifer Lucas, RA / Courtney Ave LLC

Jennifer Lucas, RA along with Carter Peabody, property owner, and Jovanni Ortega, contractor for the project, appeared before the Board. The Applicant said that there are multiple changes to the property as listed in the submission and highlighted the following points:

- The fire escape will be removed
- The vinyl siding will be removed
- The existing porch will be rebuilt and 2 new porches will be added on the 2nd floor
- The front steps will be replaced
- The windows will be replaced.
- The roof will be recreated as it originally existed
- A window well will be added in the basement
- The 6 family use will remain the same
- The roof will be charcoal colored and the windows black
- The floors for the deck will be composite PVC
- New half round gutters will be added

Mr. Diebolt said that the additional porches may look out of character in the neighborhood.

Ms. Walsh clarified that the original front door will remain.

The Acting Chairperson opened the public hearing. There was no one present to speak for or against this application. The public hearing was closed.

Mr. Hoekema moved to assume SEQRA lead agency.

Mr. Diebolt seconded the motion.

The motion was carried unanimously.

Mr. Diebolt moved to issue a negative declaration.

Mr. Hoekema seconded the motion.

The motion was carried unanimously.

Mr. Kelly moved to approve the application as submitted.

Mr. Hoekema seconded the motion.

The motion was approved 5-0.

The Applicant said that they will return with a new application for the balcony addition.

AR 2017-51

309 Liberty Street

To install new windows and doors. To repair the brick and stone façade and reconstruct the entry stair and landing from sidewalk to: 1st floor and basement level.

Applicant/Owner: Joseph Donovan, Hudson Todd LLC / Nicholas F Page

Joseph Donovan, of Hudson Todd LLC and Dave Schlussman, Construction Manager, appeared before the Board and gave an overview of their project. The Applicant said the front of the building will be restored and the brownstone will be cleaned/replaced where necessary. They will also install new windows and entry doors on the first and basement level. New stairs will be added up to the first floor entry and the bluestone stairs leading to the basement will be restored.

Ms. Walsh clarified that one large window opening on the first floor will be kept and the window lintels and sills will be connected.

Mr. Diebolt is concerned that the weight of the window will damaged the brownstone and the large opening will look out of place in the neighborhood.

Mr. Kelly agreed and said that the weight may be too much for the lintels but that the large window openings are a matter of taste.

The Acting Chairperson opened the public hearing. There was no one present to speak for or against this application. The public hearing was closed.

Mr. Hoekema moved to assume SEQRA lead agency.

Mr. Kelly seconded the motion.

The motion was carried unanimously.

Mr. Hoekema moved to issue a negative declaration.

Mr. Diebolt seconded the motion.

The motion was carried unanimously.

Mr. Kelly moved to approve the application as submitted.

Ms. Walsh seconded the motion.

The motion was approved 5-0.

The Applicant said that they will return with a new application for the balcony addition.

AR 2017-52

207 Carpenter Avenue

To construct a food and tool shed and preparation area (concrete pad).

Applicant/Owner: Newburgh Land Bank/ City of Newburgh

Lianna Hoodes appeared before the Board and gave an overview of the project. She said a new shed will be added to the property to match the existing shed. The color of the new shed will be white.

Mr. Diebolt clarified that only one window on the east elevation will be added and the design elements of the existing shed will be followed.

The Acting Chairperson opened the public hearing. There was no one present to speak for or against this application. The public hearing was closed.

Mr. Hoekema moved to assume SEQRA lead agency.

Mr. Kelly seconded the motion.

The motion was carried unanimously.

Mr. Hoekema moved to issue a negative declaration.

Mr. Kelly seconded the motion.

The motion was carried unanimously.

Mr. Rosencrans moved to approve the application as submitted.

Ms. Hoekema seconded the motion.

The motion was approved 5-0.

OLD BUSINESS

AR 2017-01

32 Lutheran Street

To replace windows in-kind and request approval of existing door. To repair/ replace the porch and stairs in-kind.

Applicant/ Owner: Carl Hamilton

Carl Hamilton, property owner, and Eric Hamilton, Property Manager, appeared before the Board. The Applicant said that they were before the Board in March and received approval to replace the front windows with wood 1/1 windows. The Applicant said that since then he was unable to obtain the wood 1/1 windows after multiple attempts to locate a vendor and to obtain an affordable replacement for the windows.

The Assistant Corporation Counsel said the East End Historic District Guidelines do not expressly prohibit vinyl windows. Further, it is up to the Board to determine whether the proposed window is acceptable and in accordance with the guidelines.

There Board discussed prior precedent regarding approval/denial of vinyl windows and also discussed the economic hardship issue presented by the applicant.

Mr. Hoekema moved to assume SEQRA lead agency.

Mr. Kelly seconded the motion.

The motion was carried unanimously.

Mr. Hoekema moved to issue a negative declaration.

Mr. Kelly seconded the motion.

The motion was carried unanimously.

Ms. Walsh moved to amend the certificate of appropriateness based on economic hardship to replace the windows with double-hung vinyl windows.

Mr. Hoekema seconded the motion.

The motion was approved 5-0.

AR 2016-27

47-49 Liberty Street

To amend a previously issued COA and change the replacement windows.

Applicant/Owner: Shayla Sellars / 47-49 Liberty Street LLC.

Shayla Sellars appeared before the Board. She said that the Board previously approved the use of Anderson 400 windows and she missed part of the decision letter where it allows the use of composite materials. She appeared before the Board to request approval of the original submission.

Mr. Hoekema moved to assume SEQRA lead agency.

Mr. Kelly seconded the motion.

The motion was carried unanimously.

Mr. Hoekema moved to issue a negative declaration.

Mr. Kelly seconded the motion.

The motion was carried unanimously.

Mr. Rosencrans moved to approve the application as originally submitted.

Ms. Walsh seconded the motion.

The motion was approved 5-0.

AR 2017-20

46 Chambers Street

To replace the windows, repoint the brick and add lighting to the exterior.

Applicant/Owner: Paulien Lethen

Paulien Lethen, property owner, and Dennis Lynch, P.E. appeared before the Board. The Applicant said that at the last ARC meeting the Board requested additional construction details regarding the windows, the fire escape, and the lighting and now that they have been submitted they are looking for an approval. The Applicant said that the new windows will match the existing windows.

Mr. Kelly said that the submitted pictures of the existing windows do not match the submitted drawings.

The Applicant said that the drawings will be corrected and the new windows will be 6/6 Anderson 400 series.

Mr. Hoekema moved to assume SEQRA lead agency.

Mr. Kelly seconded the motion.

The motion was carried unanimously.

Mr. Hoekema moved to issue a negative declaration.

Mr. Kelly seconded the motion.

The motion was carried unanimously.

Ms. Walsh moved to approve the application as submitted with the condition that the windows will be 6/6.

Mr. Kelly seconded the motion.

The motion was approved 5-0.

With no further business to discuss the meeting was adjourned at 9:05 p.m.

Respectfully submitted,

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