

**CITY OF NEWBURGH
ARCHITECTURAL REVIEW COMMISSION**

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

Omar E. Balbuena-Palma, Secretary
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**MINUTES
ARCHITECTURAL REVIEW COMMISSION
Meeting of October 10, 2017**

The monthly meeting of the City of Newburgh Architectural Review Commission was held on Tuesday, October 10, 2017 at 6:30 p.m. at the Activity Center, 401 Washington Street, Newburgh, NY 12550.

Members Present: Richard Rosencrans, Acting Chairperson
Isaac Diggs
Hannah des Cognets (left at 7:09 p.m.)
Jim Hoekema
James Kelly

Members Absent: Michele Basch
Christopher Hanson
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 6:30 p.m. after a quorum was confirmed.

Minutes of the September 12, 2017 Meeting

Mr. Diggs moved to approve the minutes from the September 12, 2017 meeting as submitted.
Mr. Hoekema seconded the motion.

The motion was approved 5-0.

CONSENT AGENDA

AR 2017-78 115-117 Broadway
To paint the area above the two storefronts that is currently white.
Applicant/Owner: Lisa Silverstone / Safe Harbors of the Hudson

AR 2017-79 219 N. Miller Street
To paint the building and replace the windows in-kind.
Applicant/Owner: Maria Villodas / Vincent T Villodas & Maria T Villodas

- AR 2017-81** **27 Henry Avenue**
To paint the building and garage.
Applicant/Owner: Dawn Collins
- AR 2017-82** **8 S. Miller Street**
To repair/ replace the brick, soffit and fascia, paint the building and
remediate the soil on the rear of the building.
Applicant/Owner: Mathew Judge / South Miller Housing LLC.
- AR 2017-86** **170 Chambers Street**
To paint the building and door and wrap the window casings on the rear of
the property in brown aluminum.
**Applicant/Owner: Igor Dementev / Igor Dementev & Galina
Dementev**
- AR 2017-87** **247 Grand Street**
To repair/ replace the brick, soffit, fascia and paint the building.
Applicant/Owner: Joshua Mousseau / REMJMM LLC
- AR 2017-88** **88 Clinton Street**
To repair/ replace the brick, soffit and fascia, paint the building and
remediate the soil on the rear of the building.
Applicant/Owner: Joshua Mousseau / REMJMM LLC
- AR 2017-101** **91 Carson Avenue**
To repair/ replace the porch and the porch roof in-kind.
Applicant/Owner: Charles DeVito

Mr. Hoekema moved to approve the consent agenda as submitted.

Mr. Kelly seconded the motion.

The motion passed unanimously via roll call vote.

The Assistant Corporation Counsel raised an issue regarding the existing SEQRA process and evaluation. He referred the Board to a memo he drafted for review prior to the meeting. He said that recent case law suggested that most ARC application approvals would no longer require SEQRA review and that the Office of the Corporation Counsel recommends that the ARC no longer needs to undertake a SEQRA review in connection with most of the applications before it. Applications that request a Certificate of Appropriateness to demolish a contributing building or structure in the Historic District are the exception for now, and the ARC should continue to perform a SEQRA review and analysis for those applications.

PUBLIC HEARINGS

AR 2017-77

1 Liberty Street

To rehabilitate the building, remove the pavement on the north side and add greenery, a new entry door, and a new concrete ramp.

Applicant/Owner: Thomas B. Dodd / P.S. 6 Liberty St., LLC

Thomas Dodd, property owner, and Chris Berg, project architect, appeared before the Board. He said the project has been approved by the New York State Historic Preservation Office (SHPO) and he is looking to repaint the brick and match the existing color. He requested a color change of the proposed color Benjamin Moore HC-61 to Sherwin Williams-6957 and specified that the doors, trim, moldings, windows and frames will be painted. He said the sidewalk leading to the entrance will be converted into a handicap accessible ramp.

The Architect said the retaining wall will be restored and a wrought iron fence will be added on top of the wall. He said the bluestone steps will be reset, the sidewalk will be repaired/replaced in-kind, and they are proposing to add street trees along Renwick Street.

Mr. Diggs clarified that the entire door will be painted blue (SW-6957)

Mr. Kelly clarified that the decorative grill above the front door will be restored and painted black.

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. des Cognets moved to approve the application as submitted with the following condition:

- The Applicant has the option to paint the window frames, doors and trim in SW-6957

Mr. Diggs seconded the motion.

The motion passed unanimously via roll call vote.

AR 2017-100

104 Washington Street

To rehabilitate and reconstruct a mixed-use property.

Applicant/Owner: James Hartford – River Architects / Skipping Stone LLC.

Isaac Diggs recused himself from the Board citing a personal interest in the application and exited the Activity Center for the duration of the application before the Board.

James Hartford and Karl Hanson from River Architects appeared before the Board. The Applicant said that the building was plagued with fire and the intent is to renovate the building and fit the existing space with a new super insulated building envelope comprising of two commercial spaces on the ground floor and four residential units on the upper floors. He said the application is going before the Planning Board for Site Plan approval and gave an overview of the project. He highlighted the following:

- Solar panels on the roof
- The brick will be repointed and replaced as needed

- Windows will be triple paned wooden windows that are simulated double hung windows.
- Metal canopies with stainless steel tie backs on the front
- New standing seam metal roof + siding
- New perforated railing on the roof deck
- New perforated screen wall

He requested the Board to allow perforated copper or perforated zinc for the standing seam metal roof.

Mr. Hoekema said that the profile view shows that the solar panels are not really visible from the street.

Mr. Kelly confirmed that the solar panels will not be visible from the 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 approve the application as submitted with the following condition:

- The Applicant has the option to choose a copper perforation or zinc perforation

Ms. des Cognets seconded the motion.

The motion passed unanimously via roll call vote.

Hannah des Cognets left the meeting at 7:09 p.m.

Isaac Diggs re-entered the Activity Center and remained for the duration of the meeting.

AR 2017-85

171 First Street

To demolish the 5 bay garage.

Applicant/Owner: Coppola Associates / Professional Commercial Group LLC

AJ Coppola representing the owner appeared before the Board. He gave a brief background on the project. He said the intent for 171 First Street is to demolish the five bay garage and submit and amend the application to include construction of a new single family home with two garage bays. He said the garage is structurally unstable and is not a contributing structure to the district. He said the Building Inspector submitted a letter of support to demolish the building.

The Assistant Corporation Counsel clarified that a continuation of the application is not required as the garage is non-contributing and that the Applicant may submit a new application for the new building at a later date.

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 approve the application as submitted.

Mr. Diggs seconded the motion.

The motion passed unanimously via roll call vote.

AR 2017-89

202 S. William Street

To remove and replace the sidewalk concrete, curb, repoint the brick, paint the trim, body, and door of the building and replace the door.

Applicant/Owner: Emilio Andino & Latasha Andino / E.L. Homes LLC

Latasha and Emilio Andino, property owners, appeared before the Board. The Applicant said that Central Hudson replaced the sidewalk with black top while fixing a gas leak and the intent is to replace the sidewalk, install a new curb, repoint the brick, paint the building and replace the door. The applicant said that the door opening will remain the same. They requested to extend the concrete area to include the grass.

Mr. Diggs confirmed that the existing door is not repairable and that the satellite dishes will be removed.

Mr. Kelly said the property once held a vestibule area and the proposed door is not appropriate for the district. He suggested door style 692GBG from the Internal Muntins Collection as an acceptable replacement.

The Assistant Corporation Counsel said the Applicant may obtain approval for the look of the sidewalk from the ARC, but the sidewalk also needs to meet approval of the City sidewalk standards as enforced by the Building Inspector and City Engineer. In addition, any proposed expansion of sidewalk (concrete) onto grass surfaces would have to meet with the City's Stormwater control plan.

The Applicant agreed to change the door style and contact the Building Inspector and the City Engineer regarding the sidewalk standards.

Mr. Rosencrans confirmed that the Applicant will paint the door in Olympic Paint OL681.6-Ruby Lips.

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. Diggs moved to approve the application as submitted with the following condition:

- The door style shall be 692GBG from the Internal Muntins Collection
- The door shall be painted in Olympic Paint OL681.6-Ruby Lips
- The trim and body of the building shall be painted in Olympic Paint OL728.3 D11-Persuasion
- The concrete curb shall be replaced as detailed by the Building Inspector
- The brick shall be repointed

Mr. Kelly seconded the motion.

The motion passed unanimously via roll call vote.

AR 2017-90**9 S. Miller Street**

To rehabilitate the building and replace the windows.

Applicant/Owner: Jack Heaney / Dubois Street Associates

Jack Heaney, property owner, and Matthew Cordone, project Architect, appeared before the Board. The Applicant gave a brief overview of the project and said that most of the materials will be preserved. He said the brick and brownstone are in good shape, that the canopy will be removed from the entrance and the stoop will be rebuilt with precast stone. He said the proposed windows will be 1/1 double-hung, metal clad wooden windows and he would welcome feedback from the Board. He said that the majority of the application will be replacement in-kind and requested clarity on whether they can receive interior work permits without an ARC approval.

Mr. Diggs said that the Applicant should return with additional details regarding the cornice, the door replacement, window replacement, and stoop.

The Assistant Corporation Counsel clarified that the Applicant may apply for building permits from the Building Department without ARC approval for proposed interior work.

The applicant requested that its applications for 9 S. Miller Street, 12 S. Miller Street, and 17 Dubois Street be tabled subject to further details requested by the Board.

AR 2017-91**12 S. Miller Street**

To rehabilitate the building and replace the windows.

Applicant/Owner: Jack Heaney / Dubois Street Associates

The application was tabled.

AR 2017-92**17 Dubois Street**

To rehabilitate the building and replace the windows.

Applicant/Owner: Jack Heaney / Dubois Street Associates

The application was tabled.

AR 2017-94**35 S. Lander Street**

To replace the garage doors with new metal doors, to replace the existing store front glazing with new partial knee walls, replace the window sills and framing, add new siding and paint the building.

Applicant/Owner: Randy C. McMurtrie

Randy McMurtrie, property owner, along with Frank Bloomer and Brad Toplageese appeared before the Board. The Applicant gave an overview of the project. He said the intent is to re-paint the metal roof, front door, and side doors with the existing color and install new metal doors for the garage to be painted white. They requested to replace the existing store front glazing with a partial knee wall and new safety glazing with anodized aluminum frame. The window sills and framing will be replaced and they will install new tongue and groove wood siding painted in Forest Green.

Mr. Diggs clarified that the knee wall will be a 2x6 structure and will be treated with paint to match the roof color.

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 approve the application as submitted.

Mr. Diggs seconded the motion.

The motion passed unanimously via roll call vote.

AR 2017-95

66 Lander Street

to renovate the façade, to install fencing, a metal gate, new windows and to repair/ replace the sidewalk.

Applicant/Owner: Jeff Wilkinson / Charles Devito

Desiree Gonzales appeared before the Board representing the Applicant. Ms. Gonzales gave a brief overview of the project. She said the intent is to repair the bluestone sidewalk, install new windows, a new entry door, iron fence, wooden stoop and to repaint the façade. She said the windows will be aluminum clad 2/2, and the sidewalk will be repaired as per the City sidewalk standards.

Mr. Diggs clarified that the wrought iron fence will be replaced as shown in the illustration.

The Applicant confirmed the fence will most likely be fabricated.

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 approve the application as submitted.

Mr. Diggs seconded the motion.

The motion passed unanimously via roll call vote.

AR 2017-97

93 Lander Street

To paint the building, install new windows and stairs.

Applicant/Owner: Tyree Smallwood

Tyree Smallwood, property owner, appeared before the Board. He said the intent is to paint the building, and install new windows and stairs. He said the paint will be used to match the adjacent building, and the stairs will be made from wood.

Mr. Diggs clarified that the windows will be Ply Gem 1/1 wooden windows.

Mr. Kelly and Mr. Rosencrans said that the proposed stairs are not historically accurate.

Mr. Diggs and Mr. Kelly said they require additional details on the stairs.

Mr. Kelly said there may be a Code Compliance issue with an open rise on the porch.

The Acting Chairperson opened the public hearing.

Michele Williams, 156 Lander Street, said she didn't understand if the Board had an issue with the porch railing/stairs or the style of the porch.

Matthew Cerone, 15 Center Avenue, Morristown NJ, asked if the Applicant can amend the application to rectify the rise on the porch.

The public hearing was closed.

The Assistant Corporation Counsel said that the nature of the public hearing is to comment either for or against the application and it is not designed for the public to ask questions of the Board or the Applicant.

The Applicant said his intent is to repair the stairs in-kind and that the submitted 2007 photos of the building show that the porches do not match.

Mr. Diggs said that the Board cannot approve a repair in-kind when a substantial amount of the stairs are missing.

Mr. Rosencrans said that there are other issues with the submitted porch and that they may have been constructed illegally.

Mr. Diggs said that he is hesitant to approve wooden stairs next to metal stairs and suggested that the Applicant may want to match the adjacent porch.

Mr. Diggs moved to approve the application as submitted with the following condition:

- The installation of new wooden 1/1 windows on the front façade and to paint the building as submitted. The Applicant was informed to return to a future ARC meeting for a determination regarding the stairs

Mr. Rosencrans seconded the motion.

The motion passed unanimously via roll call vote.

AR 2017-98

167 Chambers Street

To remove the paint, replace the windows and add install a new fence.

Applicant/Owner: Hector Gualpa

Hector Gualpa, property owner, appeared before the Board. He gave a brief overview of the project and said the intent is to remove the paint and expose the natural brick, replace the existing windows and install a new fence.

Mr. Diggs said that the current look to be in good condition but that he will vote to approve replacing wooden windows with aluminum windows. He suggested the Applicant may want to replace the windows with aluminum clad windows or repair the existing windows.

The Applicant said that aluminum clad windows are too expensive and that the current windows do not make him feel secure at home and they do not help him save energy.

Mr. Hoekema said that the [Historic District] guidelines do not allow the Board to approve replacing the wooden windows with aluminum windows.

Mr. Diggs confirmed that the new fence will be made of metal and will replace the existing chain link fence.

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. Rosencrans confirmed that the Applicant will not sandblast the brick and that the paint removal method will not damage the brick.

Mr. Diggs moved to approve the application as submitted with the following condition:

- Strip the front façade of the building leaving the building in its original brick color
- Approve installing a new fence as per the illustration to replace the chain link fence along the front façade and side alley
- Table the plans to replace the windows

Mr. Hoekema seconded the motion.

The motion passed unanimously via roll call vote.

AR 2017-102

57 Liberty Street WH

To remove the porch roof and replace the deck and railing, and add steps.

Applicant/Owner: Katarzyna M. Pazden

Matthew Cerone appeared before the Board, representing the owner. The Applicant said the intent is to remove the existing roof, handrails, brick pillars and deck flooring and install new stairs and handrails that lead up to the door. He said the deck dimensions will remain the same.

Mr. Kelly said he has issue with removing the porch roof as the porch roof is not historically accurate.

Mr. Diggs confirmed that the Applicant will add a light fixture on the entrance.

Mr. Rosencrans confirmed that the Applicant will match the stairs at 44 Carson Avenue as shown in the submitted application.

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 approve the application as submitted with the following condition:

- To remove the existing porch, handrails and roof
- Replace the stairway following the example as 44 Carson Avenue
- To install a light fixture on the entrance

Mr. Diggs seconded the motion.

The motion passed unanimously via roll call vote.

AR 2017-103

156 Lander Street

To repair/ replace the windows, porch, and porch roof. To paint the eaves and window trim and expose the natural brick. To replace the front door and install new rails and a fence.

Applicant/Owner: Michele A. Williams

Michele Williams, property owner, and Anthony Williams [Ms. Williams's husband] appeared before the Board. The Applicant said the intent is to repair most of the porch in-kind, install new handrails, new windows, a new door, a new fence and repaint the building or remove the paint to expose the natural brick. She said the fence and railing will be wrought iron and the fence will have an arch to prevent people from sitting on it. She said the windows will be white Jeld Wen double hung 6/6 windows.

Mr. Diggs confirmed that the door will be replaced with a wooden 9 lite door, painted white.

Mr. Rosencrans said that he has no issue with the proposed change in paint and that the Applicant has the option to paint the eaves blue and remove the existing paint from the body of the building.

Mr. Kelly said the porch roof is not original to the building and he does not find an issue with repairing/replacing the porch.

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 approve the application as submitted.

Mr. Kelly seconded the motion.

The motion passed unanimously via roll call vote.

OLD BUSINESS

AR 2016-49

169 ½ Liberty Street

Returning for a vote on the house number, the copper safety railing and the sidewalk tessellation pattern.

Applicant/ Owner: Sarah Beckham Hoof & Aaron Latos

Sarah Hoof and Aaron Latos, property owners, appeared before the Board. The Applicant said that the railing style will be a 36-inch-high, wood and wire railing on top of the parapet wall and that the house number location will not change. The Applicant said the original intent was to paint the house number on to the building and increase the size to eight-inches but they may opt to add a metal number “1/2” if they can locate one. She said that Central Hudson destroyed the sidewalk and installed an asphalt patch and they intend to temporarily paint the existing concrete and asphalt patch.

Mr. Rosencrans said he has no issues with temporarily painting the sidewalk.

The Applicant said that the paint can be removed easily with an eco-friendly soy or citrus strip.

Mr. Kelly moved to approve the application as submitted.

Mr. Hoekema seconded the motion.

The motion passed unanimously via roll call vote.

With no further business to discuss the meeting was adjourned at 9:25 p.m.

Respectfully submitted,

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