

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 13, 2020

The monthly meeting of the City of Newburgh Architectural Review Commission (“ARC”) was held on Tuesday, October 13, 2020 at 6:30 p.m. using Zoom videoconference.

Members Present: Michele Basch, Chairperson
Christopher Hanson
Hannah Des Cognets (left at 7:00 p.m.)
Jim Hoekema
James Kelly
Jeff Wilkinson
Reggie Young (arrived at 6:46 p.m.)

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

Minutes of the September 8, 2020 Meeting

Mr. Hoekema moved to approve the minutes from the September 8, 2020 meeting as submitted.
Mr. Hanson seconded the motion.
The motion passed unanimously via roll-call vote.

CONSENT AGENDA

AR 2020-67

Applicant: 233 Kings Highway LLC
Owner: 233 Kings Highway LLC
Location: 233 Liberty Street

Application to paint the cornice and window trim Black Forest Green HC-187 (Benjamin Moore).

Ms. Basch moved to approve the Consent Agenda as submitted.
Mr. Hanson seconded the motion.
The motion passed unanimously via roll-call vote.

AMENDMENT REQUESTS

AR 2019-02

Applicant: Luis Gualpa
Owner: Luis Gualpa
Location: 380 Liberty Street

Requesting ratification of the installed door.

Hector Gualpa, Applicant, appeared before the Board on behalf of the property owner.

The Applicant said they did their best to follow the conditions of the ARC approval letter but unfortunately, their vendor provided a door with a different side panel than the one requested. He said he was unaware of this difference when the door was installed. He is now requesting ratification of the installed door and side panel. He said the overall specifications remain consistent with the approval letter but the side panel is on the opposite side than shown on the approved drawings.

Mr. Kelly said the glazing on the door and panel are not appropriate. He said he does not recall approving this door.

Mr. Hanson said the specification sheet of the installed door and the submitted specifications sheet from the vendor, Lowes, do not match.

The Applicant said he contacted Lowes to clarify and they informed him that the installed door matches what is on the approval letter. He said the numbers do not match because the manufacturer uses different numbers than Lowes item number.

The Chairperson said the Board voted to approve the application as submitted.

The Applicant said everything matches what he submitted but the panel is on the wrong side.

Mr. Kelly said the glazing is different.

Reggie Young signed into the meeting.

The Applicant said the existing glazing was marked on a separate page of the ARC submission. He said he spent a significant amount of money to restore the building and he is requesting relief from replacing the door. He said the door costs approximately \$3,700 and he is not comfortable losing that amount of money.

The Chairperson asked if Lowes is going to rectify their mistake or if the glazing could be changed.

The Applicant said Lowes denied his request to replace the door and panel. He said replacing the glazing incurs a significant cost because the glass is inserted into the door and it needs to be taken apart before the glass can be replaced.

Mr. Hanson said the existing door and windows have a white trim. He asked if the Applicant would be willing to paint them a darker color. He said painting the door and windows a darker color would reduce attention to the glazing. He said he open to a compromise under these conditions.

The Board discussed the compromise.

The Applicant said he will happily paint the trim and windows a darker color if the Board will forgive the oversight on the installation.

The Chairperson moved to approve the application subject to the following conditions:

- Paint the trim around the center window on the entry door and all of the window trim (i.e. all of the white trim areas) Black Mocha PPU24-01 (BEHR).

Mr. Hoekema seconded the motion.

The motion passed unanimously via roll-call vote.

Ms. Des Cognets left the meeting after the vote.

OLD BUSINESS

AR 2020-18

Applicant: Donna Osborne

Owner: South Miller Housing LLC

Location: 8 South Miller Street (f.k.a. 8-10 South Miller Street)

Returning for a determination on the windows.

Donna Osborne, Applicant, appeared before the Board on behalf of the property owner with David Ruger, Superintendent.

The Applicant gave a brief overview of the application and said the intent is to install new windows on the building. She said the building is three stories tall with seven units.

Mr. Hanson confirmed the building has a mix of window configurations currently installed. He said not all of the windows are original to the building.

The Superintendent said they are proposing to install Jeld Wen wood clad windows on the building.

Mr. Young said the existing windows have a large filler piece in between the window and the brick. He asked the Applicant to extend the window height to reduce the fill space. He confirmed the Applicant will install new window jambs and the windows will be as close to the brick as possible.

Mr. Wilkinson said he agrees that the filler space should be minimized.

The Chairperson confirmed the windows on the rear of the building are not visible from the street and the intent is to install vinyl windows on the rear.

Mr. Wilkinson said vinyl windows do not provide much value to the building and suggested installing wood clad windows on the rear as well for consistency.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Mr. Wilkinson asked for the color of the windows.

The Superintendent said they are proposing to install white windows.

The Chairperson said a dark color is preferred per the East End Historic District Design Guidelines.

Mr. Kelly said a dark black or dark green color is preferred over white.

The Applicant said they will review their color choice later.

Mr. Wilkinson said the Applicant has the option to order the windows without trim and then custom fit them to the window opening to reduce the fill in piece. He said it would make the look more authentic.

Mr. Kelly said the windows should not have false muntins.

The Superintendent said the proposed windows do not have any muntins.

The Chairperson confirmed the windows will be 1/1 windows.

Mr. Kelly said 1/1 windows are acceptable.

The Board discussed granting a conditional approval.

Mr. Wilkinson said it is difficult to provide an approval without a detailed drawing. He said the Applicant should provide a drawing.

The Board collectively agreed.

The Application was tabled and the Applicant was requested to submit a detailed drawing for the proposed windows in order to attend the next ARC meeting.

AR 2020-65

Applicant: Old Newburgh Properties, LLC
Owner: Old Newburgh Properties, LLC
Location: 121 Renwick Street

Application to install a fence.

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

The Applicant gave a brief overview of the project and said the intent is to install a fence on the property for security reasons. He said the proposed fence would reduce illegal dumping of trash on the premises.

Mr. Hanson confirmed the fence will extend from the corner of the building and connect to the existing fence.

Mr. Wilkinson asked if the Applicant intended to install a gate.

Mr. Hanson said the fence without a gate may not meet the egress requirements.

The Applicant said the primary reason for the fence is to prevent dumping on site. He said he has not considered installing a gate. He said he is open to installing hinges on the proposed fence to create a gate if that is acceptable to the Board.

The Chairperson said the proposed gate should have two doors and swing inward.

Mr. Young asked if the fence should be setback from the sidewalk.

The Chairperson read the East End Historic District Design Guidelines for the benefit of the public and the Applicant.

The Applicant said he is proposing to install a six-foot tall fence.

Mr. Kelly said he is not against the proposed stockade fence design. He said he is against installing a fake wrought iron fence.

Mr. Wilkinson said the Applicant should install a gate.

Mr. Hoekema said the fence may be setback to match the adjacent building.

The Chairperson confirmed the length of the fence will be approximately 12 feet.

Mr. Wilkinson said the Applicant should install either one large gate or two smaller gates on the fence.

The Chairperson opened the public hearing.

Cesar Avellaneda, 520 Liberty Street, said he is in favor of a six-foot tall fence because a forty-inch fence will not solve the issue. He said illegal dumping is a major concern in the City.

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

The Chairperson closed the public hearing.

The Board discussed conditionally approving the fence with a gate and collectively decided to table the application.

Mr. Young said the proposed fence is on a hill and he needs a drawing to confirm the fence will be installed correctly to account for the slope.

Mr. Wilkinson said the fence should be installed in steps.

The Applicant said he is not against installing a gate but does not understand why he cannot get an approval. He said it is just a fence to stop illegal dumping.

Mr. Young said the Board is not against the application but they are against approving a fence without a detailed drawing on the proposed fence installation.

The Chairperson said the Applicant should submit a detailed drawing and attend the next ARC meeting.

The Applicant said he will submit the drawing to the Board.

The Application was tabled and the Applicant was informed to submit a drawing in order to attend the next ARC meeting on November 10.

AR 2020-66

Applicant: LSP One, LLC
Owner: LSP One, LLC
Location: 22 East Parmenter Street

Application to install a fence.

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

The Applicant gave a brief overview of the project and said the intent is to install a 100-foot long stockade fence on the side of the property for security reasons. He said the proposed fence would reduce illegal dumping of trash on the premises and prevent trespassing.

Mr. Hoekema confirmed the fence will serve as a barrier.

The Applicant said there is a lot of foot traffic that illegally crosses his property.

Mr. Wilkinson asked if the Applicant required a gate.

The Applicant said there is no need to install a gate.

Mr. Hanson said a forty-inch tall fence is preferred.

Mr. Kelly said the Applicant should provide a drawing to visualize the proposed fence.

The Application was tabled and the Applicant was informed to submit a drawing in order to attend the next ARC meeting on November 10.

AR 2020-68

Applicant: GRCGNY

Owner: 123-127 South William St LLC

Location: 123 South William Street

Application to deviate from the Streetscape Standards and repair/replace the sidewalk.

Christopher Berg, Project Architect from Berg + Moss Architects, appeared before the Board on behalf of the property owner.

The Project Architect said the property owner is requesting relief from the Streetscape Standards. He said they are proposing to install regular concrete on the South William Street side of the building instead of dyed and stamped concrete. He said the sidewalk on the South Lander Street side of the building will be repaired and the existing Bluestone will be reset.

Mr. Wilkinson said he is not in favor of removing the grass strip from the sidewalk.

Mr. Kelly said the sidewalk on the South William Street side was previously a dirt path and never had any cement when the building was originally constructed.

The Assistant Corporation Counsel said the application must be referred to the City Engineer for comment.

The Chairperson said she is against removing the grass strip. She said the Board will review and discuss any comments from the City Engineer at the next ARC meeting.

Mr. Kelly said the Applicant should look to install tree pits on the sidewalk.

The Applicant said he will revise the sidewalk proposal and resubmit it later.

The Application was tabled and the Applicant was informed to submit any revisions for review by the City Engineer in order to attend the November 10 ARC meeting.

AR 2020-69

Applicant: Jeff Wilkinson
Owner: Newburgh Community Land Bank, Inc.
Location: 43 Johnston Street

Jeff Wilkinson recused himself from application AR 2020-69

Application to replace the windows and door; repair the brownstone; repoint the brick; rebuild the porch; reset the bluestone and paint the exterior of the building using colors from the Benjamin Moore Historic color palette.

Jeff Wilkinson, Project Architect, appeared before the Board on behalf of the property owner.

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

- Replacing windows with Weathershield clad double hung windows painted obsidian;
- Replacing entry door with a double door and transom;
- Repairing the cornice;
- Rebuilding porch on the existing foundation;
- Repointing the brick;
- Repairing and staining the brownstone;
- Painting the exterior using colors from the Benjamin Moore Historic color palette.

Mr. Hoekema said the application is very detailed and commended the Applicant.

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.

The Chairperson seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2020-70

Applicant: Leonel Gonzalez
Owner: Leonel Gonzalez
Location: 56 Henry Avenue

Application to ratify the rear deck.

Leonel Gonzalez, property owner, appeared before the Board with Dalila Gonzalez.

Ms. Gonzalez said they installed a rear deck and were unaware that they needed ARC approval. She said they are requesting approval to ratify the rear deck.

The Assistant Corporation Counsel said a small portion of the rear deck is visible from the street according to Department of Code Compliance records.

The Secretary shared an image taken from the code officer's inspection for clarification. The image was made part of the record.

Mr. Hanson said the rear deck is barely visible from the street.

Mr. Wilkinson said he is not concerned with the proposal because it is barely visible from the street.

The Board collectively agreed.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Mr. Hanson said the impact is not significant for the ARC to be involved.

Mr. Hanson moved to approve the application as submitted.

The Chairperson seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2020-71

Applicant: Philippe Pierre

Owner: Newburgh Community Land Bank, Inc.

Location: 104 Washington Street

Jeff Wilkinson recused himself from application AR 2020-71.

Application to construct a new building.

Philippe Pierre, Applicant, appeared on behalf of the property owner with Aryeh Siegel, Project Architect from ASA (Aryeh Siegel Architect) and Charley Huebner from Mistral Construction, LLC.

The Applicant said the intent is to demolish the existing building and construct a new building. He said the project was awarded the Request for Proposal ("RFP") from among five submissions due

to its design merits, its impact on density and its proposal to offer affordable housing and market rate housing. He said the building will be a mixed used building with a commercial ground floor.

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

- Proposing six-story building;
- Six-story building will be made out of glass, brick and Corten steel;
- Top floor will have a setback;
- Windows will have lintels and sills;
- Storefront will be open with glass/metal windows;
- Still working on floor plan layout.

The Chairperson confirmed the Applicant is proposing to install casement windows.

Mr. Kelly said the scale of construction is very large and may be out of place for the neighborhood. He said the building should be four and half stories tall instead of six stories. He said the architectural design of the building should stand out on its own. He said a similar proposal at 111 Washington Street was denied because it proposed a similar structure.

Mr. Hoekema said the proposed building is tall but it is not entirely out of place since there are similar buildings nearby. He said he appreciates the homage to the East End Historic District in the proposed buildings design.

Mr. Hanson said the proposal at 111 Washington Street dealt with demolishing the existing church and not just constructing a new building. He said Newburgh used to have taller buildings and it is important to relate to Newburgh's history but in his opinion, the proposed design does not have to. He said he is not opposed to bringing a taller building of this scale into the neighborhood.

Mr. Kelly said he is worried that the harmony of the neighborhood will be destroyed by the existing proposal. He said similar buildings were proposed in Beacon and they feel absolutely out of place.

The Chairperson said the project obtained the necessary Area Variances and conforms to the height requirement in the Downtown Neighborhood zone. She said she prefers a slightly smaller building but is happy that the proposed building has big windows that allow for a lot of light filtration. She said the proposal reminds her of the Cornerstone building.

Mr. Kelly said the building is trying to be lot of things but it should stand out on its own.

Mr. Hoekema said the City of Newburgh is not Beacon and the proposed building reminds him of the SUNY Newburgh Campus that fell into a similar predicament. He said that building aged well and he appreciates this proposal more than a prismatic glass box design.

Mr. Kelly said he is not against the project goal but he believes the building should have a unique architectural design.

Mr. Hanson said the ARC is not tasked with designing beautiful buildings and the ARC should review the considerations under their purview. He said the building design showcases some of the aesthetics found in Newburgh but he personally prefers a different design.

The Chairperson confirmed the intent is to develop approximately 32 residential units.

The Assistant Corporation Counsel said the Board should review the criteria found in §300-40(c) of the City Code prior to making a determination on the project.

Mr. Kelly said the size of the building in relation to the nearby buildings is a significant issue to him.

Mr. Hoekema disagreed and said the size of the building is not out of place.

The Applicant said there are four and five story buildings nearby. He said a one-story difference is not entirely out of place.

The Chairperson said the Board has discussed a conceptual plan of the building but they are not in a position to approve the project because they have not been provided with sufficient construction details of the building.

Mr. Hanson said the Applicant should provide a detailed drawing of the proposed storefront along with alternative long/short range views of the building.

Mr. Young said the submitted hardcopies do not provide a clear image of the proposed construction and said clearer images should be provided.

Mr. Huebner said clear hardcopies will be provided to the Board and thanked the Board for the feedback.

The Chairperson opened the public hearing.

Nadia Tarr asked if there has been any public outreach for the project due to its impact.

The Assistant Corporation Counsel said this application required three separate public hearings – one for each of the Land Use Boards. Notices were mailed out all in accordance with City Code requirements.

Ms. Tarr said there is a lot going on with the development but the Board should consider other buildings that are in scale with the proposed building and not just the nearby buildings.

The Chairperson moved to keep the public hearing open.

Mr. Kelly seconded the motion.

The motion passed unanimously via roll-call vote.

Mr. Hoekema said the Applicant should provide higher quality images for consideration.

Mr. Hanson said material specification sheets should be provided for windows, doors and the storefront.

Mr. Kelly said different perspectives from a distance should also be provided.

The Applicant said he will submit revised details for consideration.

The Application was tabled and the Applicant was informed to submit revised details in order to attend the next ARC meeting on November 10.

The Assistant Corporation Counsel said the action is considered an unlisted action pursuant to SEQRA. He said the Planning Board expressed their intent to be Lead Agency on September 15 and the Board may vote to allow the Planning Board to act as Lead Agency for environmental review if they choose.

Mr. Hoekema moved to allow the Planning Board to act as Lead Agency.
The Chairperson seconded the motion.
The motion passed unanimously via roll-call vote.

AR 2020-72

Applicant: Judice Management LLC
Owner: Judice Management LLC
Location: 520 Liberty Street

Application to demolish the building and reconstruct a new building that matches the existing style.

Cesar Avellaneda, Applicant, appeared before the Board on behalf of the property owner with Michael Henderson, Project Architect.

The Applicant said the intent is to demolish the building at 520 Liberty Street and re-construct a new building matching the existing layout and style. He said the specifications are listed in the submitted drawings.

Mr. Hoekema said the proposal does not sound too controversial.

Mr. Kelly asked if there are vinyl windows currently installed.

The Chairperson clarified there are no existing windows on the building.

Mr. Hoekema said the proposed windows should be clad wood windows and not vinyl windows.

Mr. Hanson agreed and said there used to be 6/1 windows on the south facing side of the building.

Mr. Kelly said the building is a Sears Craftsman house constructed in the 1920's and should have had wooden windows.

The Chairperson asked if the Applicant held a concern against installing wooden windows.

The Applicant said he is not opposed to the proposed windows.

Mr. Kelly said the Applicant should submit a window specification sheet for consideration.

Mr. Hanson said the enclosed entryway is not original to the building and asked if the Applicant intended to replicate it. He said the Applicant may want to open the space up and install two columns with a gable roof in a style similar to the building next door.

The Applicant said he is not opposed to the modification and said he would like to extend the entryway.

Mr. Hanson said the Applicant should provide any modifications in the drawings.

Mr. Young clarified the Applicant should add additional details to the drawing to showcase the proposed building and entryway.

Mr. Kelly said the building was originally shingled and did not have clapboard but confirmed he is not against this proposal.

The Application was tabled and the Applicant was informed to submit revised details in order to attend the next ARC meeting on November 10.

With no further business to discuss, the meeting was adjourned at 10:00 p.m.

Respectfully submitted,

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