

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

Michele Basch, Chairperson
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MINUTES
ARCHITECTURAL REVIEW COMMISSION
Meeting of July 14, 2020

The monthly meeting of the City of Newburgh Architectural Review Commission (“ARC”) was held on Tuesday, July 14, 2020 at 6:30 p.m. using Zoom videoconference.

Members Present: Michele Basch, Chairperson
Christopher Hanson
Jim Hoekema
Reggie Young

Absent: Hannah Des Cognets
James Kelly
Jeff Wilkinson

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

The Assistant Corporation informed the Applicants that only four Board members were present at the meeting and any vote on an application would require a unanimous vote for approval. He said the Applicants could present their applications to the Board but ask for a vote to be tabled until the next ARC meeting on August 11, 2020 where he expected more Board members present if they chose.

Minutes of the June 9, 2020 Meeting

Mr. Hoekema moved to approve the minutes from the June 9, 2020 meeting as submitted.
Mr. Hanson seconded the motion.
The motion passed unanimously.

CONSENT AGENDA

AR 2020-43

Applicant: 188-194 Broadway LLC
Owner: 188-194 Broadway LLC
Location: 188 Broadway

Application to remove the existing paint on the first floor to expose the natural brick color and to paint the cornice and window trim in Brewster Gray (Benjamin Moore HC-162).

AR 2020-44

Applicant: 188-194 Broadway LLC
Owner: 188-194 Broadway LLC
Location: 192 Broadway

Application to paint the cornice and window trim in Brewster Gray (Benjamin Moore HC-162).

AR 2020-51

Applicant: Julie Lindell
Owner: 269 3rd St LLC
Location: 269 Third Street

Application to repaint the existing exterior colors to Black (Benjamin Moore HC-190).

Mr. Hoekema moved to approve the Consent Agenda as submitted.
The Chairperson seconded the motion.
The motion passed unanimously.

OLD BUSINESS

AR 2019-76

Applicant: Kamil Falkowski
Owner: 134 South Street LLC
Location: 134 South Street

Returning for a determination on the storefront and apartment door.

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

The Applicant gave a brief review of the application. He said a revised drawing with dimensions was submitted for consideration and he highlighted the single pane windows on the drawing. He said a historic photograph shows a four-pane window on the building but he is content with installing a single pane window if preferred by the Board.

Mr. Young confirmed the Applicant is willing to install either single or four-pane windows.

The Applicant said his concern lies with replacing the windows if they get damaged.

Mr. Hanson said either of the proposed window configurations are acceptable.

The Applicant said the Board was concerned with the trim around the panels on the storefront. He said a photograph of a similar building in Newburgh was submitted for reference and he intends

to replicate that same trim pattern around the panels and glass for 134 South Street. He said the example may be found on page three of his submission.

Mr. Young asked if the four-panel door to the apartments will be made out of wood.

The Applicant confirmed the door will be made out of wood. He asked if the Board had any concerns if the approved color of the brick were changed. He said he would like to paint the brick a different color chosen from the Benjamin Moore Historic color palette. He said he prefers different colors for his buildings.

Mr. Hoekema said he has no concerns so long as the color is chosen from the Historic color palette.

Mr. Hanson said a change of color may be approved as part of the consent agenda.

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 were any other concerns on the application. She asked the Board to clarify any additional comments on the window configuration or the proposed color of the door.

The Board had no additional concerns.

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

- Applicant may install either single pane or four-pane windows on the storefront;
- Apartment door must be a four-panel wooden door.

The Chairperson seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2019-78

Applicant: Kamil Falkowski
Owner: 142 South Street LLC
Location: 142 South Street

Returning for a determination on the windows and the storefront.

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

The Applicant said the intent is to replace the windows on the building and he will return for a determination on the storefront at a later meeting date. He said he was unable to find a historic photograph that shows the original window configuration and he revised his application to address the concerns of the Board.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Mr. Young asked for a clarification on the proposed windows.

The Applicant said he intends to install 6/1 aluminum clad wood windows.

The Chairperson confirmed the Applicant is willing to install either 6/6 or 6/1 windows on the building.

Mr. Hanson said the upper floors appear to be 6/6 windows. He said it is difficult to tell the original window configurations of the building.

Mr. Young said 6/1 windows would not have been originally installed on the building. He said the windows should be 6/6. He said he is not opposed to 6/1 windows.

Mr. Hanson said a photograph of a similar building shows 6/6 windows installed. He said he is in favor of a 6/6 window configuration on the building.

The Applicant said he comfortable installing 6/6 windows.

The Chairperson asked for the proposed type of window dividers. She said the Board does not accept snap-in dividers.

The Applicant said he will install windows with true divided lights.

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

- Install 6/6 true divided light, aluminum clad wood windows;
- Applicant must return for a determination on the storefront.

The Chairperson seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2019-79

Applicant: Kamil Falkowski
Owner: 174 Chambers Street LLC
Location: 174 Chambers Street

Returning for a determination on the windows.

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

The Applicant said the windows on the building are rounded at the top. He intends to install square-top windows with an overlay to create the arched look. He said the proposed windows will be 6/6 Jeld Wen W-2500 standard double-hung windows.

Mr. Young asked if the Applicant can raise the windows to eliminate the existing filler between the window and brick.

The Applicant said the window openings are square and once the windows are installed, they will appear to have a rounded top.

Mr. Young said once the windows are installed, the brick overlay will give the appearance of an arched top window. He said adding anything else to the window will only detract from the round look of the window.

The Chairperson confirmed the existing window openings are for square top windows. She asked if the brick will overlap with the new windows.

The Applicant confirmed the new windows will appear to be arched top windows.

The Chairperson said if that is the case, then nothing else should be added to the windows.

Mr. Young said the concern lies with having a filler area in between the top of the window and the brick. He said if the Applicant installs a taller window, he can avoid having a filler area.

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, subject to the following conditions:

- Install 6/6 Jeld Wen W-2500 standard double hung windows;
- Windows shall be tucked behind the existing arch with no filler area visible.

Mr. Hanson seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2019-93

Applicant: Virgilio Cruz
Owner: Virgilio Cruz and Martha Cruz
Location: 80 Overlook Place

Returning for a determination on the fence in front of the building.

The Applicant could not attend the meeting.

The Board tabled the application until the August 11, 2020 ARC meeting.

AR 2020-19

Applicant: Eli Vaknin
Owner: 5 Liberty LLC
Location: 5 Liberty Street WH

Returning for a determination on the porch design.

Eli Vaknin, Applicant, appeared before the Board representing the property owner.

The Applicant gave a brief review of the project. He said his engineer determined that posts are needed in the middle of the porch for support. He said he found three-inch balusters and submitted a picture for consideration.

Mr. Hanson confirmed the balusters will be used for the stairs.

The Applicant said the panels underneath the porch were recessed by approximately four inches in order to highlight the brick columns. He said the wooden panels will be replaced and he is looking to change the existing door opening back into a window opening.

The Board indicated it had no further comments.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Mr. Young moved to approve the application as submitted, subject to the modified porch design.

Mr. Hanson seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2020-21

Applicant: James A. Gibbons
Owner: 144 Tercera Corp.
Location: 86 Lander Street

Returning for a determination regarding the paint and stoop design.

James Gibbons, Applicant, appeared before the Board representing the property owner.

The Applicant said he would like to amend his application and then obtain approval for the paint and stoop. He gave a brief overview of his application and highlighted the following:

- Proposed to replace the existing third floor window and basement windows only on the right side elevation;
- Additional windows on the first and second floor of the right side elevation will not be installed;
- Remove existing paint;
- Rebuild masonry front stoop with a wrought iron railing;
- Paint the building Cliffside Grey HC-180.

Mr. Hoekema said the application looks good and he has no further questions.

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 revised.

Mr. Hanson seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2020-33

Applicant: TWSTH LLC

Owner: TWSTH LLC

Location: 311 Liberty Street

Returning for a determination on regarding the door.

Cyan Hamill appeared before the Board representing the property owner.

Mr. Hamill said he proposes to install a double leaf Anderson door painted to match the cornice color.

Mr. Young confirmed the door will be made out of wood.

The Chairperson confirmed the door frame will be painted to match new door color and the existing glass transom and wooden frame will be cleaned and sanded.

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 revised.

The Chairperson seconded the motion.

The motion passed unanimously via roll-call vote.

PUBLIC HEARINGS

AR 2020-39

Applicant: Apex Solar Power
Owner: James R. Holland, Jr.
Location: 234 Grand Street

Application to install a solar panel array.

James Holland Jr., property owner, appeared with Peter Kronan, Project Manager, before the Board the Board.

The Project Manager gave a brief overview of the application and said the intent is to expand the existing solar array by five panels on the east side of the roof per the submitted drawings.

The property owner said the panels will be installed on the rear roof of the building.

The Chairperson asked if the addition is even visible from the street.

The Project Manager said the installation will barely be visible from Montgomery street.

The Assistant Corporation Counsel clarified the application was forwarded from the Building Department because the proposed work would be visible from the street as determined by the Zoning Enforcement Officer.

Mr. Hanson said he is intimately familiar with the property and the addition would barely be visible from Montgomery Street.

The Chairperson agreed.

Mr. Young said photographs of the existing conditions of the property or renderings of the installation were not provided. He said the Applicant should submit photographs for the record.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

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

- Applicant must submit a photograph of the building as viewed from Montgomery Street.

Mr. Hoekema seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2020-40

Applicant: Brian Pringle & Jessica Pringle
Owner: Brian Pringle & Jessica Pringle
Location: 11 Bush Avenue

Application to add a driveway and shed.

Jessica Pringle, property owner, appeared before the Board.

The property owner gave a brief overview of the application. She purchased in 2017. She intends to add a driveway and parking area for their vehicles. She said the proposed 18 x 8 foot driveway will be added on the left side of the property and towards the rear of the apartment. She said the driveway will be curved in order to minimize the impact on the existing tree. She wishes to install a shed at the end of the driveway for motorcycle storage. She said no additional construction is proposed.

Mr. Hanson said a question from the public was raised regarding the dimensions of the driveway. He said the building at 11 Bush Avenue has a setback of approximately 20 feet from the sidewalk and if the intent is to install a driveway approximately 18 feet long, it appears the driveway will be in front of the building.

The property owner said part of the driveway in front of the house would be nine feet but the front entrance to the building is not facing Bush Avenue. She said the entrance to the building faces east.

Mr. Hoekema asked for the setbacks of the rear parking area.

The property owner said the setbacks of the rear parking area would be approximately two feet from the fence. She said the fence is installed on the property line.

Mr. Hoekema said the drawing is off-scale. He said the driveway must be longer than 18 feet in order to reach the proposed parking area on the rear of the property.

Mr. Young clarified the driveway length must be a minimum of 35 to 40 feet.

Mr. Hanson said he is concerned with the proposal because the parking area should be behind the building/apartment and not in front of the building facing the street. He said the driveway must be longer than 18 feet.

Mr. Young confirmed the steel shed will be visible from the street. He said he is not comfortable approving a steel shed.

The property owner said the shed will be partially screened because of its distance from the street.

Mr. Hanson said the shed should be made out of wood.

The property owner asked if the Board would consider an approval if she withdrew the proposal for the shed.

Mr. Hanson said the property owner has the option to withdraw the shed portion of the application or submit a revised proposal for a wooden shed for consideration.

The property owner said she will return with a modified proposal for the shed later. She said the intent is to remove vehicles from the street in order to allow additional parking for customers.

Mr. Young said the property owner should revise the roofline of the shed.

The Chairperson said the Board should table the shed portion of the application and discuss the driveway.

Mr. Hoekema said he is uncomfortable approving the application without a scaled drawing.

The Assistant Corporation Counsel said the Board has indicated its concerns on the application and the Applicant has the option to proceed with a vote now or ask to table a potential vote and return with alternative proposals for the shed and scaled drawings for the driveway.

Mr. Hanson said he would like photographs from Bush Avenue showing the building's relationship to the fence. He said he is not opposed to the idea of a driveway but he would like to ensure the exact location of the driveway on the property. He said public comment raised concerns on the accuracy of the drawings and he wants to ensure everything is taking into consideration prior to any approval.

Mr. Hoekema said he is not opposed to the proposal either but he is uncomfortable approving an inaccurate drawing.

The Assistant Corporation Counsel said the Board should provide feedback to the Applicant with any other areas of concern.

Mr. Hanson said he would like a clear photograph of the fence's relationship to the building.

Mr. Young said he would like to see the driveway details on a survey of the property.

The Application was tabled and the Applicant was informed to submit revised details and attend the next available ARC meeting on August 11, 2020.

AR 2020-42

Applicant: Joseph S. Chambers & Kimberly M. Chambers
Owner: Joseph S. Chambers & Kimberly M. Chambers
Location: 77 Overlook Place

Application to replace the siding and paint the exterior using colors from the Valspar Classic color palette.

The Applicant for Application AR 2020-42 disconnected upon first call of the Chairperson. The application was tabled for a second call.

AR 2020-45

Applicant: Runner I, LLC
Owner: Runner I, LLC
Location: 8 Farrington Street

Application to replace the windows and paint the exterior using colors from the Benjamin Moore Historic color palette.

The Applicant did not appear. The Application was tabled until the next ARC meeting on August 11.

AR 2020-46

Applicant: 111 Johnston, LLC
Owner: 111 Johnston, LLC
Location: 111 Johnston Street

Application to replace the windows.

The Applicant did not appear. The Application was tabled until the next ARC meeting on August 11.

AR 2020-47

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

Application to replace the windows.

The Applicant did not appear. The Application was tabled until the next ARC meeting on August 11.

AR 2020-48

Applicant: Dwight D. Johns, Inc.
Owner: Dwight D. Johns, Inc.
Location: 150 Third Street

Application to repair/replace the windows, cornice, porch, lintels; repoint the brick and paint the exterior using colors from the Benjamin Moore Historic color palette.

Christopher Berg, Project Architect, from Berg + Moss Architects, P.C., and Sophia Larig, appeared before the Board on behalf of the property owner.

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

- Porch will be repaired and repainted;
- Repoint the brick;
- Install black Anderson aluminum clad wood windows;
- Paint the exterior using colors from the Benjamin Moore Historic color palette.

Mr. Hanson said the three arched windows on the second and third floors should be restored. The filler piece between the brick and window should be removed.

The Project Architect asked Ms. Larig if she is interested in installing arched top windows.

Ms. Larig said she would like to preserve the existing window opening but she is not opposed to installing a new arched top window.

Mr. Young asked if the original sash remains on the building.

Ms. Larig said the second floor sash appears to be original but she is unsure about the third floor sash.

Mr. Young said the sash should be restored back to its original condition where possible.

Mr. Hanson said his only concern was the three windows.

Mr. Hoekema agreed.

The Chairperson commended the Applicant on the submission.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

The Chairperson moved to approve the application as submitted, subject to the following conditions:

- Existing windows on the second and third floor must be replaced with arched top windows that extend to the brick.

Mr. Hoekema seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2020-49

Applicant: Dwight D. Johns, Inc.

Owner: Dwight D. Johns, Inc.

Location: 54 Liberty Street WH

Application to repair/replace the windows, cornice, and porch; repoint the brick and remove the brick paint; and paint the exterior using colors from the Benjamin Moore Historic color palette.

Christopher Berg, Project Architect from Berg + Moss Architects, PC, and Sophia Larig remained before the Board on behalf of the property owner.

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

- Repair/replace the cornice and porch;
- Remove the brick paint on the façade;
- Paint the window trim and moldings Charcoal Slate.

Ms. Larig said the paint removal does not function, she intends to re-paint the building the existing green color.

Mr. Hanson asked if the Applicant intends to paint the cornice and trim a different color if the building is painted green.

Ms. Larig said she intends to keep the proposed dark color.

The Chairperson confirmed new downspouts will be installed.

The Project Architect said the proposal is to install four inch round downspouts, painted steel.

Ms. Larig asked if the windows are acceptable.

The Project Architect clarified the proposed windows are 2/2 double hung aluminum clad windows.

The Chairperson commended the Applicant for providing detailed drawings.

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.

The Chairperson seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2020-50

Applicant: Carlos Bermudez

Owner: Carlos Bermudez

Location: 15 Spring Street

Application to install a new front and replace the siding and trim.

Carlos Bermudez, property owner, appeared before the Board.

The property owner said the intent is to replace the siding and trim on the building.

The Chairperson asked if the Applicant knows what's underneath the existing siding.

The property owner said the material underneath the siding is roof shingles but it look likes brick. He said underneath the roof shingles-material is the original siding to the building. He said he provided a photograph of the building next door that displays the original siding at 15 Spring Street.

Mr. Hoekema confirmed the Applicant intends to restore the siding.

The Applicant said the building incurred water damage and any original siding left is rotten now.

Mr. Hanson said asphalt shingle siding holds moisture and over time is detrimental to the original siding.

The Applicant said he also intends to replace the entry door and add a separate solid glass storm door in front.

Mr. Young said the proposed entry door is a fiberglass door.

The Applicant said he would like the option to install a wooden door instead.

Mr. Hanson said a wooden door is acceptable.

The Chairperson confirmed the wooden door would match the style of the fiberglass door.

The Applicant said the exposure on the new siding will be seven inches as opposed to the existing eight inch exposure.

Mr. Young said he is not concerned with the proposed exposure,

Mr. Hanson confirmed the brick will not be replaced.

The Applicant said he intends to replace the existing siding on the front and side 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.

The Applicant requested to change the color of the siding from Evening Blue to Boothbay Blue.

The Chairperson said she has no issue with the proposed change in color.

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

- Siding will be painted Boothbay Blue;
- Proposed door will be made out of wood instead of fiberglass.

Mr. Hanson seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2020-42

Applicant: Joseph S. Chambers & Kimberly M. Chambers

Owner: Joseph S. Chambers & Kimberly M. Chambers

Location: 77 Overlook Place

Application to replace the siding and paint the exterior using colors from the Valspar Classic color palette.

Joseph Chambers, property owner, appeared before the Board.

The property owner said the existing siding needs to be replaced and he is intending to replace it with fiber cement siding painted Cool Springs CI 194 (Valspar) or Midnight Fog CI 197 (Valspar). He said replacing the siding will improve the character of the neighborhood and give the building at 15 Spring Street a rejuvenated look. He said no other exterior changes are proposed. He clarified that the siding on the north side will not be replaced as there is not enough space in between the buildings.

Mr. Hanson said the original siding was probably a thin clapboard. He said the Applicant should install a straight clapboard with a thinner profile. He said the interlocking profile is not appropriate.

Mr. Young said the siding exposure should be approximately four to five and a half inches.

The Chairperson said she has no additional concerns.

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 conditions:

- Siding must have a straight line clapboard look with a four to five and a half inch exposure;
- Applicant has the option to paint the siding either Cool Springs CI 194 (Valspar) or Midnight Fog CI 197 (Valspar).

The Chairperson seconded the motion.

The motion passed unanimously via roll-call vote.

With no further business to discuss, the meeting was adjourned at 8:35 p.m.

Respectfully submitted,

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