

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

Michele Basch, Chairperson
J.K. Gentile, Secretary
Phone: (845) 569-7383

MINUTES
ARCHITECTURAL REVIEW COMMISSION
Meeting of December 12, 2023

The monthly meeting of the City of Newburgh Architectural Review Commission (“ARC”) was held on Tuesday, December 12, 2023, at 6:30 p.m. at the Activity Center, 401 Washington Street, Newburgh, New York 12550.

Members Present: Michele Basch, Chairperson
Michael Buonanno
Carson Carter
Kate Flanagan
James Kelly
Gregory Nato

Absent: Chris Hanson
Schnekwa McNeil

Also Present: Jeremy Kaufman, Assistant Corporation Counsel
J.K. Gentile, Secretary to the Land Use Boards

Meeting called to order at 6:35 p.m.

CONSENT AGENDA

AR 2023-139

Applicant: Alvin Moonesar
Owner: 136 Johnston LLC
Location: 136 Johnston Street

Application to paint using colors from the Benjamin Moore Historic Color palette.

AR 2023-140

Applicant: Alvin Moonesar
Owner: Eliran Fanish
Location: 46 Henry Avenue

Application to paint using colors from the Benjamin Moore Historic Color palette.

AR 2023-141

Applicant: William M. McGuire
Owner: William M. McGuire and Cayla Keleman
Location: 17 Clark Street

Application to paint using colors from the Benjamin Moore Historic Color palette.

Carson Carter moved to approve the Consent Agenda as submitted.
Michael Buonanno seconded the motion.
The motion passed unanimously via roll-call vote.

OLD BUSINESS

AR 2023-093

Applicant: Jonathan Cedillo
Owner: Jonathan Cedillo
Location: 47 Liberty Street WH

Returning for determination to install new roof shingles.

Jonathan Cedillo and Sonia Dorado appeared before the Board.

Mr. Cedillo gave a brief overview of the submitted materials requested by the Board at the September 2023 meeting: a quote for EcoStar Composite Slate Tiles and photos taken from the attic. He said the cost to replace with composite shingles is not affordable and asked the Board for consideration of asphalt replacement shingles.

Mr. Carter asked for the total square footage of the roof.

Mr. Cedillo was unclear about the total square footage.

Mr. Carter said the quote provided appears to be significantly more expensive than for the cost of composite shingles.

The Chairperson agreed. She referred to the East End Historic Guidelines regarding the appropriate material to replace the slate shingles. She said if the Board should go for a vote and the application is denied the applicant can return to the Board with an economic hardship application.

The Assistant Corporation Counsel clarified the economic hardship process. He said the current application would require a vote based on the merits of the presented materials. He said if the Board denies the application, the applicant can make an appeal to the Board on the basis of economic hardship. He referred the applicant to City Code §300-41(C) that outlines the criteria to demonstrate the hardship for an application.

Mr. Nato asked the applicant if he was aware of the cost to use asphalt shingles.

Mr. Cedillo said the quote to use asphalt on his roof was \$28,000.00.

The Chairperson said that the quote provided is not just for the shingles but also includes additional material, some being copper material and construction costs. She asked the applicant if he is looking to still use this submitted quote and replace the slate shingles with asphalt tiles.

Mr. Cedillo said yes and that would reduce the quote to \$48,050.00.

Mr. Nato said the quoted copper valleys, flashing and rolled ridge caps could not be used if asphalt roof shingles are used. He asked how much of the historic architectural roof details would be lost by replacing the shingles with asphalt tiles.

Mr. Carter brought to the Board's attention a photo from 2012 that showed a slate roof with cooper valleys, ridge rolled caps and flashing.

Ms. Flanagan reiterated the previous request to provide the Board with photos of what the roof looked like previously and currently and multiple quotes for slate and asphalt roof shingles.

Mr. Cedillo asked how he can appeal for economic hardship.

The Chairperson said the Board would first need to vote on the application and if it is denied that he may appeal to the Board for economic hardship.

The applicant stated he would like the Board to go to vote.

Carson Carter moved to approve the application as submitted.

The Chairperson seconded the motion.

The motion was denied 0-5 via roll-call vote.

AR 2023-113

Applicant:	Benjamin Franczoz
Owner:	115 First Street LLC
Location:	117 First Street

Returning for determination to request ratification of work performed: installation of new windows.

Benjamin Franczoz appeared before the Board and gave an update of the proposed project.

Kate Flanagan moved to approve the application as submitted.

The Chairperson seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2023-088

Applicant: Philip Toscano, Architect
Owner: Headache LLC
Location: 99 Montgomery Street

Amendment to September 12, 2023 proposal: substitution of Marvin windows for Weathershield Signature Series on north extension only.

Dana Trezza and Madeline Trezza appeared before the Board.

Mr. Trezza gave an update on the proposed amendment.

Mr. Carter asked the condition of the original windows.

Ms. Trezza said the windows frames are in good condition, and they are just proposing a replacement of the glass.

Carson Carter moved to approve the application as submitted.
The Chairperson seconded the motion.
The motion passed unanimously via roll-call vote.

NEW BUSINESS

AR 2023-129

Applicant: Chris Berg, R.A./Berg + Moss Architects, PC
Owner: 40 South Miller LLC
Location: 40 South Miller Street

Application to install a fence.

Chris Berg, RA, appeared before the Board and gave an overview of the proposed project.

The Chairperson said she would approve of a total fence height of 5 feet for this particular application.

Ms. Flanagan agreed.

Mr. Buonanno agreed.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Kate Flanagan moved to approve the application as submitted, subject to the following conditions:

- The fence height shall be no more than 5 feet high.

The Chairperson seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2023-130

Applicant: Chris Berg, R.A./Berg + Moss Architects, PC
Owner: Verna C. Kirwan
Location: 30 Bay View Terrace

Application to rebuild a porch and paint using colors from the Benjamin Moore Historic Color palette.

Chris Berg, R.A. appeared before the Board and gave an overview of the proposed project. He said there are remaining pieces of the original porch and they will be incorporated into the rebuild. He said the missing pieces will be replicated, most particularly the cornice and frieze. He said they propose to install new 8" in diameter columns and new railings. He said they will propose lattice work to cover the space below the porch.

Mr. Carter asked if the porch would extend all the way to the edge of the building.

Mr. Berg confirmed and said the rendering is not offering a sufficient perspective because of the building bump out.

Ms. Flanagan asked for the ARC application status of the attached property, 28 Bay View Terrace, that presented at an October ARC meeting.

Mr. Berg said the owner of 28 Bay View Terrace will be resubmitting.

Mr. Carter asked if there are Yankee gutters on the building.

Mr. Berg confirmed and said the Yankee gutters will be worked into the roofing with an addition of a leader that will color match.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Carson Carter moved to approve the application as submitted, subject to the following conditions:

- The addition of a built in Yankee gutter on the porch roof with an added gutter leader off the west elevation to match the neighboring building.

Kate Flanagan seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2023-131

Applicant: Alvin Moonesar
Owner: VIP Partners LLC
Location: 89 William Street

Application to request ratification of work performed: installation of new fence.
Alvin Moonesar appeared before the Board and gave an overview of the work performed by a tenant.

Mr. Carter said the total work performed appears to be the installation of a fence, sonotubes and a porch.

The Chairperson asked if there was an existing retaining wall.

Mr. Moonesar said there was a curb that the tenant chipped away and added mortar.

Ms. Flanagan asked about the property owner's intentions in the area between the porch and fence.

Mr. Moonesar said he would add grass.

Mr. Carter recommended submission of a porch design.

The Chairperson asked if the tenant had worked with an engineer to perform the work.

Mr. Moonesar said no. He said the tenant had worked on the property on a Saturday without a permit and while he was out of town.

The Chairperson requested the submission of a design plan that includes a planting plan, particularly to screen underneath the porch.

Mr. Carter recommended the addition of lattice work.

Mr. Nato said the porch railings and parched block retaining wall are not in line with the East End Historic District guidelines.

Ms. Flanagan recommended treating this application as though it were a new application that required the submission of a photo of the building before any work was done, a design plan set with porch, stair and railing measurements, and specifications for materials being used.

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 a table of its application to submit the requested design plan set and details.

AR 2023-132

Applicant: Floyd Johnson
Owner: Muhammad M R Chowdhury and Halima Chowdhury
Location: 44 Farrington Street

Application to repair/replace the front stairway, install new front door and new windows.

Floyd Johnson, Muhammad Chowdhury and Ali Shalin appeared before the Board.

Mr. Johnson gave an overview of the work performed.

Mr. Carter said he would like to address the work completed on the third floor that significantly altered the original roofline.

Mr. Johnson said a fire burned the entire third floor of the building.

Mr. Carter said he cannot recall an ARC application to rebuild the third floor.

Mr. Johnson said the owner received a building permit to rebuild the third floor.

The Assistant Corporation Counsel said that from a review of the digital property file that a building department permit was submitted in 2021 for interior work and a new roof. He said he could not speak the full scope of work approved without access to the actual plan set and level of detail outlined in the plans. He said that the permit expired and there was an application to renew the permit in November, but that permit was placed on hold pending ARC approval.

Mr. Johnson asked the Board to review the present application for the windows, doors and the porch.

Mr. Carter said the front porch does not meet the design standards of the East End Historic District. He said the door does not fit the opening appropriately. He said the windows do not fit the openings appropriately and they are of vinyl material. He said the basement door is visible from street view.

Ms. Flanagan requested the submission of a plan set with design elements, materials used, and material specifications. She reiterated that vinyl window material is not permitted in the East End Historic District; windows need to be installed to fit the window opening, brick to brick; the doors need to be installed to fit, brick to brick and not be of fiberglass material.

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 a table of its application to submit the requested design plan set and details.

AR 2023-133

Applicant:	Sandro Nava
Owner:	Nava Properties LLC
Location:	56 William Street

Application to demolish the existing one-story structure.

A letter from the applicant's engineer and August 2019 Chief of Fire Prevention & Building Inspector Order to Demolish letter made a matter of record.

Sandra Nava appeared before the Board and gave an overview of the proposed demolition.

The Chairperson asked what used to be on the property.

Mr. Nava said there was a first-floor deli and second floor residential. He said the property has been vacant for a significant amount of time.

Mr. Carter asked when the applicant purchased the property.

Mr. Nava said in 2019.

Mr. Carter viewed the property on Google and said it appeared there was fire damage dating back to 2012.

Ms. Flanagan asked about the age of the original building.

Mr. Nava was not certain of the age.

Mr. Carter said he believed the building was constructed sometime in the 1890s.

Ms. Flanagan asked about the condition of the structure when he purchased it in 2019.

Mr. Nava said he thought the building was in good condition from the outside appearance. He said there was no roof, and said he never went inside to observe the interior.

Mr. Carter referenced the submitted 2019 Building Inspector letter to demolish.

The Chairperson said there is nothing of substance left on the property.

Ms. Flanagan said the applicant would need to return to the Board with a plan set that includes more detail on the proposed building and design details.

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.

Gregory Nato seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2023-105

Applicant: Eli Vaknin, Dan Gilbert and Sam Satanovsky

Owner: 43 Liberty LLC

Location: 43 Liberty Street

Application to install a new sign.

Dan Gilbert and Sam Satanovsky appeared before the Board.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Carson Carter moved to approve the application as submitted.

The Chairperson seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2023-134

Applicant: Phoebe Sudrow

Owner: Phoebe Sudrow

Location: 95 Liberty Street WH

Application to request ratification of work performed: installation of a retaining wall.

Phoebe Sudrow appeared before the Board and gave an overview of the work performed.

Ms. Flanagan asked about the retaining wall material.

Ms. Sudrow said concrete blocks that resemble stone. She said she was before the ARC Board in 2019 and received approval for the interlocking blocks to fix the front retaining wall. She said the

new addition is the walkway to the side. She said it used to be a 3.5-foot space that she widened to a 4.5 feet space that could possibly accommodate a parking space.

Ms. Flanagan referred to the East End Historic District guidelines regarding hardscaping. She said concrete blocks are not historically appropriate.

Mr. Buonanno asked the applicant if she had a copy of the 2019 ARC decision.

Ms. Flanagan said that approval is no longer active and does not apply to this application.

Mr. Nato asked the plan for the top of the retaining wall.

Ms. Sudrow said plantings on the top to grow over the walls.

Mr. Carter recommended a stone cap.

Mr. Buonanno asked what the size of the space in front of the retaining wall is.

Ms. Sudrow said it is roughly an 18-inch grass strip.

The Chairperson referred to the East End Historic District guidelines regarding plantings.

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 a table of its application to submit the requested stone cap details and measurements.

AR 2023-135

Applicant:	Jamie Jones/San Signs & Awnings
Owner:	Polonia Development & Preservation Services Co., LLC
Location:	149 Broadway

Application to install a new sign.

Michael Santoliquido appeared before the Board and gave an overview of the proposed project. He said the proposal is for a temporary sign.

Ms. Flanagan asked if there is a provision for temporary signs in the East End Historic District guidelines.

The Assistant Corporation Counsel said the code does not provide guidance regarding temporary

installations in general.

Mr. Carter asked if the final graphic could be applied to the existing signboard.

Mr. Santoliquido said the prior letters rendered the signboard un-reuseable. He said for the final sign they propose to sand, prime and re-paint the sign board silver and apply the new 3.8", 3-dimensional letters using the existing gooseneck lighting.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Carson Carter moved to approve the application as submitted, subject to the following conditions:

- The white background will be color matched silver.

The Chairperson seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2023-136

Applicant: Thomas Wright
Owner: Consolidated Spring
Location: 102 S. William Street

Application to remove a second floor door, restore window bay and install new windows.

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Prior to the meeting, the applicant requested a table of its application until the next meeting.

AR 2023-138

Applicant: Jonathan Powell, AIA
Owner: Amiable Apts LLC
Location: 12 Liberty Street WH

Application to install new windows, install new doors, install new lattice panels and door, restore Yankee gutters, repair asphalt roof, repair existing awnings, replace rear staircase wood, and paint using colors from the Benjamin Moore Historic Color palette.

Jonathan Powell appeared before the Board and gave an overview of the proposed project.

The Chairperson asked if there are plans to remove the chain link fence.

Mr. Powell said that detail was omitted from the plan set and confirmed he will remove the chain link fence. He said he does not propose to add a new fence.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Kate Flanagan moved to approve the application as submitted, subject to the following conditions:

- The chain link fence shall be removed and not replaced.

The Chairperson seconded the motion.

The motion passed unanimously via roll-call vote.

With no further business to discuss, the meeting adjourned at 9:10 p.m.

Respectfully Submitted:

J.K. Gentile, Secretary