

**CITY OF NEWBURGH  
ARCHITECTURAL REVIEW COMMISSION**

**Mary Crabb, Chairperson**  
123 Grand Street, Newburgh, N.Y. 12550

**Nancy Evans, Secretary**  
(845) 569-7400 Fax 569-0096

**ARCHITECTURAL REVIEW COMMISSION** meeting of **October 10, 2006.**

The regular meeting of the City of Newburgh **Architectural Review Commission** was held on **Tuesday, October 10, 2006** at 7:30 p.m. in the Activity Center at 401 Washington Street, Newburgh, New York.

**Members Present:** Mary Crabb, Chairperson  
Peter King  
Barbara Lonczak  
Charles Passarotti  
Brigidanne Flynn

**Members Absent:** Keith Neito  
Don Herron

**Also present:** Michelle Kelson, Asst. Corporation Counsel

The meeting was called to order at 7:30 p.m. after a quorum was confirmed.

**NEW BUSINESS**

**AR 2006-58**                      **124 Renwick Street**  
To paint body of dwelling with BM Lafayette Green HC-135  
and all trim with BM Philadelphia Cream HC-30.  
**Applicant: Ismail Mohomad Al-Guhem**

The applicant did not appear before the Board. This matter is tabled for applicant's appearance.

**AR 2006-67**                      **173 Broadway**  
To paint the body of church with National Trust Historic  
colors - Oatlands Yellow and the trim with Lafonda Ortiz  
Gold.  
**Applicant: Reverend Willie Mays**

The applicant did not appear before the Board. This matter is tabled for applicant's appearance.

**AR 2006-69**

**18-22 Johnes Street**

Needs recommendation to go before the Zoning Board of Appeals for a change in use.

**Applicant: Alfred Favata**

The Chairman of the Board then opened the Public Hearing by reading the text of the notice.

Pat Favata appeared before the Board.

Applicant needs a recommendation to Zoning Board of Appeals for a change in use for the above property. Ms. Favata explained that the proposed use would be for commercial sushi. They would assemble the product at this address and then deliver to department and grocery stores for distribution. There would be no cooking done on premises. They would only require a cooler, freezer and a rice cooker. Only immediate family members are employed so there would not be more that 10 employees. They only have one vehicle for delivery.

There were no people to speak for or against this application.

The public hearing was completed on October 10, 2006.

A motion to approve the application was made by Ms. Lonczak and seconded by Mr. Passarotti.

The motion was passed with a vote of 5-0.

#### **PUBLIC HEARINGS**

**AR 2006-65**

**6 Norton Street**

To install insulation and vinyl (cedar like) siding.

**Applicant: Maureen Mushlit**

The Chairman of the Board then opened the Public Hearing by reading the text of the notice.

Maureen Mushlit appeared before the Board. Ms. Mushlit presented a letter from her attorney.

Ms. Mushlit's originally had cedar shingles on her home. She was scraping the wood to paint and the siding was breaking apart as she was scraping due to rotten wood. Ms. Mushlit went to the building inspectors dept earlier this year inquiring whether a building permit was required to side her house. The building inspector told her she did not need a permit and discarded her application. At the end of August she was issued a stop work order. Meanwhile all of the vinyl siding had been purchased. It is currently on site.

The Colonial Terrace Guidelines were adopted two years ago and according to these guidelines vinyl siding is prohibited.

This is a semi attached home with someone living on the other side of her house.

Brigidanne Flynn asked Maureen if she had permits before she removed the siding on the front of the house.

Mr. King: Applicants counsel agrees that the design guidelines were in place and applicable and then argues that.

Mr. King quoted 300-27 and asked Ms. Mushlit if she was claiming a hardship. Mr. Mushlit replied – yes. She stated that she had \$4,000 of product in her backyard that she cannot use. She purchased the largest reveal possible.

When the Chairperson asked if there was anyone present that would like to speak in favor of this appeal the following individual spoke:

Terry Flynn, 19 Farrell Street, Newburgh, New York  
Betty Taylor, 8 Norton Street, Newburgh, New York  
Lynn Rosa, 8 Bush Avenue, Newburgh, New York

Mr. Flynn presented a letter from his wife Linda Flynn. The letter stating that Ms. Mushlit is an asset to the community, that she has done a lot of work on her home to make it nice, has been written up in the Colonial Times for doing such a nice job on her home. She feels one can enhance their home with vinyl siding.

Ms. Taylor is the owner of the attached other side of the home. She feels terrible that the city waited until all of the siding was taken off the home before the stop work order was issued. She doesn't care if the vinyl siding is allowed. She just thinks the house needs to be protected.

Ms. Rosa, President of Colonial Terrace wants to go on the record as the president of the Association that the Association feels that even though she had the guidelines she did what she was told to do and the City should come to some sort of agreement that if she needs to put the correct siding on the building she shouldn't incur all the cost for that since she has already incurred the cost of the vinyl siding.

The public hearing was completed on October 10, 2006.

A motion to approve the application was made by Ms. Lonczak and seconded by Mr. Smith.

The motion was denied with a vote of 0-5.

**AR 2006-66**

**244-250 Broadway**

To replace all store fronts on 1<sup>st</sup> floor and to replace all windows on 2<sup>nd</sup> floor.

**Applicant: Benedetto Papaleo, Three Fratelli, Inc.**

The Chairman of the Board then opened the Public Hearing by reading the text of the notice.

Benedetto Papaleo appeared before the Board.

Mr. Papaleo wants to return the façade of his building to what it originally was many years ago. They will remove the paint from the brick and re-point. Storefront will be Aluminum and glass using either slate or brick beneath the lower level windows; to replace all windows on the second floor with double paned wood one over one to be painted chutney. The center archway will stay in the same character as the archway on the second floor; all glass arches will have clear glass. All other existing structures are to remain the same. Outside lighting will be to light up the signs and will be made of high-pressure sodium with a metal halide in black or chutney. Approval was also given to widen the center door and lower it to be level with the sidewalk for handicap access as necessary to meet code. The door to the right will remain the same and the stairs will be made of granite. Your approval did not include the awning and you must come back to the Commission for a certificate of approval of the awning.

There were no people to speak for or against this application.

The public hearing was completed on October 10, 2006.

A motion to approve the application was made by Ms. Lonczak and seconded by Mr. Passarotti.

The motion was passed with a vote of 5-0.

**AR 2006-68**

**77 Leroy Place**

To rebuild porch with in the same footprint as existing porch and new steps with the same dimensions as existing ones and to build new brick piers to replace the damaged ones. Porch to be constructed with pressure treated material and to be covered with tongue and groove doug fur to be painted Sedona clay; to install railings on both sides of stairs. House to be painted Great Barrington Green HC-122.

**Applicant: Vincent Cassisi**

The Chairman of the Board then opened the Public Hearing by reading the text of the notice.

Vincent Cassisi appeared before the Board.

Mr. Cassisi stated that approximately one year ago a car ran into his porch and knocked it down. He is ready to repair it and would like to make a few changes. He would like square wood support columns from floor to ceiling and brick piers from the floor to the ground with lattice work in between. The colors for the trim and rail will be Dunmore Cream, the house will be Great Barrington Green HC-122 and the deck floor will be Sedona Clay.

Mr. King: You are removing the paired columns and removing the corner triplicates and that really is a significant element of your architectural design. That goes back to the renaissance and that was what they were doing and I think in doing what you are proposing is basically breaking faith with the building it self. The length of the columns where they were actually build upon elevated piers was done more as an arcane concept of the enclosed walkway. What you have really done is taken a relatively elegant design and tremendously simplified it almost to the stage of a sears home. I think you had some nice detail that you lost. I recognize what your effort is but I think maybe you haven't recognized what you had.

Mr. Cassisi: I want to simplify it.

Mr. Passarotti: You are removing a significant amount of the charm of the building. It's a lot of work to remove all that brick and then build it back partial. Would you consider just rebuilding back that one pier and putting those columns back to match?

Applicant needs time to reconsider a new design.

A motion to table this application was made by Mr. King and seconded by Ms. Lonczak.

#### **OLD BUSINESS**

##### **AR 2006-39**

##### **96 Broadway**

For addition, alterations and repairs to doors, roof, windows, steps, clock, finials, columns, and decorative cornices. Paint colors to be beige and white.

**Applicant: 96 Broadway LLC**

The Chairman of the Board then opened the Public Hearing by reading the text of the notice.

Eric Osborn appeared before the Board.

Mr. Osborn stated that the original cornice from the building was saved and will place back on building. He will advise the applicant to put tarp up.

Mr. King: I will flatly say that the original structure as an element of the Historic District is an understandable structure in Newburgh. It fills one of the critical corners left to us and this new structure is a foreign structure. It has no themes

within the City. It would rival City Hall in the grandiosity, which I think is inappropriate. The windows have been so totally re-worked it's become a catalog book of detail. From my personal prospective what the owner wants and what I'm willing to vote in favor of is certainly not this. What was is totally lost.

Ms. Crabb: I agree with Peter. The building, what's proposed and what it was is like two different buildings in two different eras.

Mr. King: I cannot speak for the state or for the National Register but I would say that this building would no longer be a contributing element of the National Register.

Mr. Passarotti: Is there a middle ground?

Mr. Osborn: What if I take away a lot of the gaudy details?

Mr. Passarotti: I think that would be the next move. I think we have seen all we want to see on these drawings and perhaps we can make a compromise.

Ms. Crabb: If he would take into consideration to try to have it look like it did before from the exterior except with the addition of the additional floor. But the windows have changed .....

Ms. Kelson: Here is the old front of the building. Could you match what was there in proportion?

Mr. Osborn: Sure.

Original roofline brought back  
Take 3<sup>rd</sup> floor off  
Original windows in the front

Mr. King: Move to table this application with the recommendation that the applicant consult with his professionals and refer to historic resources, possibly available from the City of Newburgh Historian Mary McTamane, located at the Heritage Center, 123 Grand Street with the goal of providing a design that would not jeopardize the building's contributing status to the Historic District in the National Register of historic places.

A motion to table this application was made by Mr. King and seconded by Ms. Lonczak.

The motion was passed with a vote of 5-0.

**AR 2006-43**

**52 Beacon Street**

To install an iron wire fence with two gates along front and both sides of property.

**Applicant: Jose Gualipa**

The applicant did not appear before the Board. This matter is tabled for

applicant's appearance.

**AR 2006-13**

**64-68 Clinton Street**

For the construction of a new home.

**Applicant: Charles Brown and Carolyn Micheli**

The applicant did not appear before the Board. This matter is tabled for applicant's appearance.

Meeting adjourned at 10:00 p.m.

Respectfully submitted,

Nancy Evans  
Secretary