

MINUTES
ARCHITECTURAL REVIEW COMMISSION
Meeting of December 13, 2022

The monthly meeting of the City of Newburgh Architectural Review Commission (“ARC”) was held on Tuesday, December 13, 2022 at 6:30 p.m. at the Activity Center, 401 Washington Street, Newburgh, New York 12550.

Members Present: Kate Flanagan, Acting Chairperson
Carson Carter
Chris Hanson
James Kelly
Gregory Nato

Absent: Michele Basch, Chairperson
Michael Buonanno
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 2022-132

Applicant: Aurohom Dorfman
Owner: 279 Third Street LLC
Location: 279 Third Street

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

AR 2022-133

Applicant: 100 Renwick LLC
Owner: 100 Renwick LLC
Location: 100 Renwick Street

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

AR 2022-134

Applicant: Habitat for Humanity of Greater Newburgh -Mike Brooks
Owner: Habitat for Humanity of Greater Newburgh
Location: 157 North Miller Street

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

Chris Hanson moved to approve the Consent Agenda as submitted.

Kate Flanagan seconded the motion.

The motion passed unanimously via roll-call vote.

OLD BUSINESS

AR 2021-089

Applicant: Juan Galaviz
Owner: JNI Realty Corp.
Location: 159 Liberty Street

Returning for determination on front entrance floor material.

Applicant did not appear for the meeting.

Application tabled.

AR 2022-128

Applicant: Jeff Wilkinson, R.A.
Owner: 102 Broadway LLC
Location: 102 Broadway

Returning for determination to construct a new, 4-story infill, mixed-use building in an existing vacant lot.

Jeff Wilkinson appeared before the Board and gave an overview of the details requested by the Board at the November 2022 meeting.

Gregory Nato moved to approve the application as submitted.

Carson Carter seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2022-121

Applicant: James Randolph Holland Jr.
Owner: Media Darlings LLC
Location: 143 Grand Street

Returning for determination to install new windows, install a new door, reconstruction of bay windows and paint using colors from the Benjamin Moore Historic Color palette.

James Holland appeared before the Board and gave an overview of the details requested by the Board at the November meeting.

James Kelly moved to approve the application as submitted.

Carson Carter seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2022-076

Applicant: Berg + Moss Architects / Chris Berg

Owner: Nicole Chung

Location: 162 South Street

Returning for determination to install new rear porches on the first and second floors, install new front entrance steps, install a new gate at the front façade, and install new cornice and brackets.

Chris Berg and Nicole Chung appeared before the Board.

Chris Berg appeared before the Board and gave an update on the proposed project since the May 2022 meeting. He said the applicant will be applying for SHPO credits.

Mr. Hanson asked about the spindle specification on the rear porch.

Mr. Berg said it is a 1 ½ x 1 ½ square.

Mr. Kelly asked if it a newer rear porch.

Mr. Carter said it is not the original rear porch.

Mr. Kelly requested additional porch design.

Mr. Carter requested details for the chimney top.

James Kelly moved to approve a portion of the application as submitted, excepting details regarding the garage, rear porch, and chimney.

Chris Hanson seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2021-103

Applicant: Berg + Moss Architects / Chris Berg

Owner: Vera Best

Location: 206 Liberty Street

Returning for determination to install new windows, install new doors, restore storefront and paint using colors from the Benjamin Moore Historic Color palette.

Chris Berg and Phillipe Pierre appeared before the Board.

Chris Berg gave an overview of the proposed project for the Board members that were not present at the November meeting. Mr. Berg's overview to the Board at the November meeting was presentation only.

Mr. Carter said to his knowledge the third-floor windows are the original windows.

Mr. Pierre said he will remove the storm windows that are covering what is existing on the third floor.

Mr. Kelly asked what the window product is.

Mr. Berg said an aluminum clad wood window.

Mr. Kelly asked if they plan to paint over the tiles that are on the building.

Mr. Berg said they plan to remove the vinyl siding and paint the asbestos tiles underneath.

Mr. Carter asked about the window style.

The Board discussed the window style per floor; maintain the 2/2 style on the third floor as the applicant will restore what is existing, the second floor will be 4/4 style, the first-floor window facing the driveway will be 1/1 style to compliment the storefront appearance.

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

- The third-floor windows shall be restored if possible. If restoration is not possible, the windows shall be replaced in its original historic shape and 2/2 window style
- The second-floor windows shall be 4/4, aluminum clad wood
- The first-floor windows on the south elevation shall be 2/2, aluminum clad wood.
- The first-floor window facing the driveway shall be 1/1 aluminum clad wood.

Carson Carter seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2022-125

Applicant: Berg + Moss Architects / Chris Berg
Owner: Guy R. Larocca
Location: 211 Broadway

Returning for determination on demolition of an existing 3-bay garage and 1 story office.

A comment letter from SHPO was made a matter of record.

Chris Berg and appeared before the Board and presented a proposal of what would replace the demolished buildings. He said SHPO found the building to have no historic significance.

Mr. Hanson asked if the current owner would be the one rebuilding on the site.

Mr. Berg confirmed.

Mr. Kelly said the SHPO letter referenced maintaining the proposed building at three to four stories to match the other predominant buildings located in the immediate area.

Ms. Flanagan asked the Assistant Corporation Counsel to give an overview of the historic demolition process for the Board members that were not present at the November meeting.

The Assistant Corporation Counsel reviewed City Code Section 300-40(E) for applicability to this project. He said this building is labeled as non-contributing according to the East End Historic District Inventory.

Ms. Flanagan said she finds that the application does not meet her interpretation of the requirements for demolition. She said there is no evidence that the buildings as they exist present an imminent danger, there is no evidence that the required repairs would be cost prohibited, other uses and adaptations are possible and have not been explored to be prohibited. She said the impact of demolition also changes the surrounding character of the neighborhood.

The other Board members agreed with Ms. Flanagan.

The applicant requested a table of its application until next meeting.

AR 2022-120

Applicant: David Fishel
Owner: David Fishel
Location: 199 South Street

Returning for determination to restore the storefront, install a new awning, install a fence and gate, and install new sidewalks.

The City Engineer's comment letter made a matter of record.

James Kelly recused himself from vote.

David Fishel and James Kelly appeared before the Board.

Mr. Fishel gave an overview of the details requested by the Board at the November meeting.

Mr. Kelly gave an overview of the storefront and awning details.

Gregory Nato moved to approve the application as submitted, excepting details regarding the front entrance hood.

Kate Flanagan seconded the motion.

The motion passed unanimously via roll-call vote.

NEW BUSINESS

AR 2022-135

Applicant: John Waters
Owner: Dubois Street Associates II, LLC
Location: 46 Dubois Street

Application to install new windows, repoint brick, repair/replace entry stairs, railing and balustrade and paint using colors from the Benjamin Moore Historic Color palette.

Kristine Magliano appeared before the Board and gave an overview of the proposed project.

Mr. Hanson asked if all the windows will be wood and not aluminum clad.

Ms. Magliano confirmed.

Mr. Carter asked how the brick will be treated.

Ms. Magliano said the bricks will be treated with a gentle cleaning and will be repointed.

Mr. Carter asked if the front entrance door will be replaced.

Ms. Magliano said the front entrance door will remain. She said the door is in good condition and is a proper egress opening for codes.

The Chairperson opened the public hearing.

There was no one present for or against the application.

The Chairperson closed the public hearing.

Chris Hanson moved to approve the application as submitted.

Kate Flanagan seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2022-136

Applicant: Moses Klein
Owner: Virginia Klein
Location: 65 Carson Avenue

Application to install solar panels

Benjamin Stern and Virginia Klein appeared before the Board.

Mr. Stern gave an overview of the proposed project.

Ms. Flanagan read from the East End Historic District guidelines and said solar panels visible from the public rights of way go against the guidelines.

Mr. Carter asked how large the solar panels are.

Mr. Stern said 6 feet long by 3 feet wide.

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 15 solar panels facing the rear of the property on the southern elevation may be installed and maintained.
- Any other solar panels, including the 4 panels at the front of the building, shall be removed and/or not allowed for installation.

James Kelly seconded the motion.

The motion passed unanimously via roll-call vote.

AR 2022-137

Applicant: Rene Gonzalez Orta
Owner: 129 3rd Street of Newburgh LLC
Location: 66 Campbell Street

Application to install new windows, new front door, new side door, new fascia, new balusters, new siding, new gutters, new floor tiles and concrete ramp on front entry porch and repair/repaint brick.

Rene Gonzalez Orta and James Gibbons appeared before the Board.

Mr. Gibbons gave an overview of the proposed project.

Mr. Gibbons asked the Board about the possibility of siding with vinyl material.

Mr. Hanson referred to the East End Historic District guidelines reflect that vinyl siding is not an appropriate material to use as siding.

Mr. Gibbons said they will incorporate a Hardie Board planking into the plan.

Mr. Kelly said the soffit has been covered over in vinyl. He requested the addition of a soffit and simple cornice.

Mr. Kelly said the windows are represented as recessed in. He said the window jam and exterior casing should sit atop the clapboard. He asked what type of windows are proposed.

Mr. Gibbons said 2/2 style, aluminum clad wood windows.

Mr. Gibbons said there is an error on the submitted plan. There will not be a door on the right-side elevation. He said the applicant would like to put an addition on the back.

Mr. Carter asked if the applicant owns the brick wall as it appears to have been part of the demolished building.

Mr. Gibbons said that was the party wall. He said Mr. Gonzalez owns half of the wall.

Mr. Kelly asked if the building has a brick foundation.

Mr. Gibbons said no. He said the building has a wood frame and no basement.

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 until next meeting.

Minutes of the November 9, 2022 Meeting

Gregory Nato moved to accept the minutes from the November 2022 ARC meeting.

Kate Flanagan seconded the motion.

The motion passed unanimously via roll-call vote.

With no further business to discuss, the meeting adjourned at 9:03 p.m.

Respectfully Submitted:

Approved:

J.K. Gentile, Secretary

Kate Flanagan, Acting Chairperson