

CITY OF KINGSTON
Historic Landmarks Preservation Commission
planning@kingston-ny.gov

Suzanne Cahill, Planning Director



Steven T. Noble, Mayor

**HISTORIC LANDMARKS PRESERVATION COMMISSION
DRAFT MINUTES
JUNE 6, 2019**

COMMISSION MEMBERS PRESENT:

Mark Grunblatt, Chairman

Vacant, Vice Chair

Hayes Clement

Peter Demuth

Kevin McEvoy

Robert Tonner

Excused: Andrea Bornhoft, Architect

Others:

Suzanne Cahill, Planning Director

Julie Edelson-Safford, Historic Preservation Administrator & Secretary

Patrick O'Reilly, Ald. Ward 7, HLPC Liaison (not present)

Steve Knox, Director BSD (not present)

Dan Gartenstein, Esq., Assistant Corporation Counsel

GENERAL BUSINESS: The Chairperson called the meeting to order at 6:30PM. New Commissioners Peter Demuth and Robert Tonner were welcomed to the commission.

- Exits/Bathrooms
- Please Silence Cell Phones
- Conversations outside of Conference Room
- Respect other applicants

I. Adoption of minutes of May 2, 2019.

Upon motion duly made by Commissioner Hayes Clement and seconded by Commissioner Kevin McEvoy, the Commissioners present unanimously approved the minutes of the May 2, 2019 meeting.

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2. **Attorney/Client Consultation: Meeting temporarily closed at 6:33PM for the Commission to meet with Corporation Counsel, Dan Gartenstein, Esq. Meeting re-opened at 6:47PM.**

3. **Public Comment:**

Tanya Garment of Wurts St. spoke about the Tubby Row legal proceedings, the case having been dismissed and sealed, citing it as a good example of what procedures need to change to safeguard our landmarks. Also spoke about the Planning Board Meeting for the Kingstonian and the HLPC feedback letter in regards to SEORA. She expressed her support for the HLPC letter regarding the Kingstonian, quoted the SEORA handbook in regard to involved agency input. Encouraged the new members to do their own research. Expressed that the Planning Board would not look at the HLPC letter at the meeting and her opinion that the process is not working as it should.

OLD BUSINESS:

4. **39 Broadway. Exterior painting of painted wooden panel. SBL 56.43-5-21, Zone R-T, HAC, Ward 8-1. Dutton Architecture, PLLC; applicant; 39 Broadway, LLC, owner.**

Scott Dutton presented the new two-color scheme for the painted wooden panel, Benjamin Moore #AF-20, Mascarpone, and #1596, Nightfall. Upon motion duly made by Commissioner Hayes Clement and seconded by Commissioner Kevin McEvoy, the Commissioners present unanimously determined this matter to be a Type II Action under SEORA. Commissioner Kevin McEvoy moved that the Commissioners present find as fact that the proposed painting work for 39 Broadway, in the Rondout Historic District by the Applicant, Dutton Architecture, PLLC; and Owner; 39 Broadway, LLC, if done according to the plans reviewed at this meeting and according to the procedures stipulated in Chapter 405-64, the City of Kingston's Administrative Code, is compatible with the historic character of the building and the district for the following reasons,

- that the paint colors proposed are from Benjamin Moore's line of Exterior Latex Paints, to be Benjamin Moore Mascarpone #Af-20, and Benjamin Moore Nightfall #1596,

- that the said painting work will not detract from the character of the historic district or the building,

- that any deviations or changes from what has been discussed at this meeting or additional work as proposed in the application will be subject to additional review by our Commission before such work is carried out,

- that this Commission's approval does not obviate the need for a Building Permit from the City of Kingston's Building Safety Division.

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Based on the preceding findings of fact, it was proposed to resolve that on the 6th Day of June, 2019, the Commission grant a Preservation Notice of Action to the above referenced Owner and Applicant, for the painting work as described herein and in its application to the Commission, such notice to be subject to the conditions contained in the foregoing motion, Commissioner Hayes Clement seconded, all Commissioners voted in favor.

5. 104 Fair St. Revision to approved design for garage/shed. SBL 56.108-1-5, Zone R-2 & Fair Street District, HAC, Ward 5-1. Donald & Judith Tallerman, applicants/owners.

Judith and Don Tallerman explained that they had been granted approval by the HLPC for this project but their architect re-envisioned and revised the design, raising the height to 16.75', the footprint remaining the same, the placement of which required a variance, granted by Zoning to avoid a large tree, the paint color approved originally was changed to match the color of the main house. Chair Mark Grunblatt asked the Commissioners if they'd like to reopen the meeting to public comment, the Commission concurred, Chair Grunblatt moved to open the meeting to the public, Commissioner Hayes Clement seconded, all were in favor. Community members spoke and registered their objections to this project. Chairman Mark Grunblatt moved to declare the amended application as a Type II Action under SEORA, Hayes seconded, all were in favor. It was moved by Commissioner Hayes Clement and seconded by Commissioner Kevin McEvoy that the Commissioners present find as fact that the revisions to the shed/garage at 104 Fair St. in the Fair Street Historic District by the applicants Don and Judith Tallerman previously reviewed by this Commission on or about November 1, 2018, and approved to a different design, is hereby amended and if done according to the plans reviewed at that time as amended as of date and according to the procedures stipulated in Chapter 405-65 of the City of Kingston's Administrative Code, is compatible with the historic character of the building and the district for the following reasons:

- that this proposed accessory shed will not directly impact the main building on the property, an 1850's Italianate style dwelling also known as the William Kenyon House, located within the Fair Street Historic District;
- that the dimensions of the shed are: Width 14', Length 24', and Height 16.75' to the peak,
- that this work is causing a material change to the property,
- that the cladding is cedar siding painted in hardie board gray on the main section and cobblestone on the trim, and Benjamin Moore Historic Black as window accent,
- that the shed/garage design as now constructed conforms better to the house and the historic district in terms of compatible Victorian period design,

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- that the said installation will not detract from the character of the Historic District or the building,

- that any changes or deviations to what has been discussed at this meeting or additional work as originally proposed in the previous application or this application will be subject to review by our Commission before such work is carried out,

- that the Commission's approval does not obviate the need for a building permit from the City's Building Safety Division,

Based upon the preceding findings of fact, it was resolved that the Commission thereby reaffirmed a Preservation Notice of Action to the above referenced owner/applicant for the painting and work as described herein and its application to the Commission previously on November 1, 2018, and on this date, June 6, 2019, such notice to be subject to the conditions of the foregoing motion, with all Commissioners in favor.

6. **301 Wall St. Installation of eight tables for patron sidewalk café dining area for new restaurant business, Restaurant Kinsley. SBL 48.331-1-19, Zone C-2 & Stockade Historic District, HAC, Ward 2-1, Dutton Architecture, PLLC; applicant; Charles Blauchman, owner.**

Applicant requested to table this matter. Commissioner Hayes Clement moved to table the application until the next meeting of July 10, 2019, Commissioner Robert Tonner seconded, all voted in favor.

NEW BUSINESS:

7. **37 Broadway. Signage application for new business. SBL 56.43-5-22, Zone R-T, HAC, Ward 8-1, Timely Signs of Kingston, applicant; 39 Broadway LLC, owner.**

Applicant communicated being in the process of obtaining verification of naming the City as additionally insured in respect to the overhang. Commissioner Hayes Clement moved to declare this matter a Type II Action under SEQRA, Chairman Mark Grunblatt seconded, all were in favor. Commissioner Kevin McEvoy moved that the Commission find as fact that the sign for 37 Broadway in the Rondout Historic District, to be installed by applicant, Timely Signs and owner, 39 Broadway LLC, if done according to the plans and drawings reviewed at this meeting and according to the procedures stipulated in Chapter 405-65 of the City of Kingston's Administrative Code, is compatible with the historic character of the building and the district for the following reasons:

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- that the sign is to be 36" wide by 36" high and digitally printed HP Matte Overlam on ½" White PVC routed to shape, attached to a 42" Scroll Bracket with Sign Clips,
 - that the said installation will not detract from the character of the Historic District or the building,
 - that any changes or deviations from what has been discussed at this meeting or additional work as originally proposed in this application will be subject to review by our Commission before such work is carried out,
 - that the owner shall provide an insurance certificate naming the City of Kingston as additionally insured with respect to the overhanging sign,
 - and that this Commission's approval does not obviate the need for a Building Permit from the City of Kingston's Building Safety Division.

Based on the preceding findings of fact, Commissioner Kevin McEvoy proposed to resolve that the Commission grant a Preservation Notice of Action to the above referenced applicant and their representative, for the sign as described herein and in its application to this Commission on the 6th day of June, 2019, such notice to be subject to the conditions contained in the foregoing motion, Commissioner Hayes Clement seconded, all voted in favor.

- 8. 18 Livingston St. Repairing three rotting front porch columns and their brick bases and replacement of columns above in kind. SBL 56.35-3-5, Zone R-2 & Chestnut St Historic District, HAC, Ward 9-2, Brian Squire of Victorian Builders, applicant; Brittany & Elliot Toman, owner.**

Brian from Brian Squire of Victorian Builders present, was hired to fix porch that had columns in need of repair. Spoke of the owners wanting a change in the design, and claimed he obtained a permit for the design change, and then was stopped. Corporation Counsel Dan Gartenstein spoke, asked the contractor if he was requesting retroactive approval for work found to be done in violation of the City of Kingston's Code. Corporation Counsel Gartenstein commented that he would need to review the property's street file before the Commission may act on the application. Chairman Mark Grunblatt moved to table the application until the July 10, 2019 meeting, Commissioner Kevin McEvoy seconded, all were in favor.

- 9. 97 Broadway. Replacement of windows and doors on Broadway façade, addition of entrance walkway to ADA/HC accessible door & new main entrance, addition of planter along edge of new entrance surface, addition of new materials and signage as depicted in drawings, add new glass & steel canopy over center section of new entrance. SBL 56.43-4-4, Zone R-T & Rondout Historic**

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District, HAC, Ward 8-1, Brad Will of Ashokan Architecture, applicant; Arts Society of Kingston, Inc., owner.

Upon motion duly made by Chairman Mark Grunblatt, discussion of the sign above the central entrance was tabled, Chairman Hayes Clement seconded, all Commissioners were in favor. Commissioner Hayes Clement moved and Chair Mark Grunblatt seconded, that the commissioners present unanimously determine this matter to be a Type II action under SEORA, all were in favor. Upon motion by Commissioner Kevin McEvoy and seconded by Commissioner Hayes Clement, the Commissioners present unanimously found as fact that the work at 97 Broadway in the Rondout Historic District, by the owner, Arts Society of Kingston, Inc; and the applicant, Brad Will of Ashokan Architecture, if done according to the plans reviewed at this meeting and according to the procedures stipulated in Chapter 405-64 of the City of Kingston's Administrative Code, is compatible with the historic character of the building and the Rondout Historic District for the following reasons:

- that the building according to writer/historian William Rhoads was a pre-existing structure renovated in 1925 as the Jewish Community Center for the three synagogues then located in Rondout, later passed to the City of Kingston, and since 2005 occupied by the Arts Society of Kingston;

- that a new ADA/HC compliant building entry and centered entry will be constructed with a 4' wide flat landing with handrails to be painted Benjamin Moore HC -164 Puritan Gray, a glass canopy above it's center entry; and ground mounted planter boxes to be clad by the oxidized aluminum flat sheet iron presented, to resemble Corten 3/16" or 1/4" thick, on the side of the new centered main entrance as proposed;

- that the central entry be flanked by pilasters with six openings and concealed LED edge lighting for event announcements;

- that the paint colors shall be Benjamin Moore Regal Cupid's Dart #1385 for the lower decorative band at the architrave at the cornice of the building, Benjamin Moore French Horn #195 gold trim for the upper band of the architrave, Coat of Arms #763 for the windows and the doors, all surfaces inside the brick surrounding the windows, and the base majority of the architrave decorative band; HC-164 Puritan Gray for the metal hand rail;

- that the windows will be replaced with aluminum clad over wood clad LePage Millwork or equivalent, six over one on the second floor and arched transom windows on the ground level to be repainted in the aforementioned Coat of Arms color;

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- that the owner shall name the City of Kingston as additional insured with respect to the overhanging glass canopy; that the owner/applicant shall return to the Commission for approval on signage and sconce lighting;
 - that this work is causing a material change to the property;
 - that the said installation will not detract from the character of the historic district or the building;
 - that any changes or deviations from what has been discussed at this meeting or additional work as originally proposed in this application will be subject to review by our Commission before such work is carried out,
 - and that this Commission's approval does not obviate the need for a Building Permit from the City of Kingston's Building Safety Division, and must comply with all Codes.

Based on the following preceding findings of fact, Commissioner McEvoy proposed to resolve that the Commission grant a Preservation Notice of Action to the above referenced owner/applicant for the work as described herein and in its application to this Commission on the 6th day of June, 2019, such notice to be subject to the conditions in the foregoing motion.

10. 242 Wall St. Exterior painting of painted wooden surfaces of St. Joseph's Church. SBL 48.331-6-14, Zone O-2 & Stockade Historic District, HAC, Ward 2-1, Philip J. Sinagra Sr., applicant; St. Joseph's Church, owner.

Upon motion duly made by Chairman Mark Grunblatt and seconded by Commissioner Hayes Clement, the Commissioners present unanimously determined this matter to be a Type II action under SEORA. Upon motion by Commissioner Kevin McEvoy and seconded by Commissioner Robert Tonner, the Commissioners present unanimously found as fact that the painting at 242 Wall Street, St. Joseph's Church in the Stockade Historic District by St. Joseph's Church; owner, and Philip J. Sinagra Sr, Applicant, if done according to the plans reviewed at this meeting and according to the procedures stipulated in Chapter 405-64 of the City of Kingston's Administrative Code, is compatible with the historic character of the building and the district for the following reasons:

- that the building is said to date circa 1862 and became St Joseph's Church circa 1882;
- that the windows, trim, painted brick banding, parapet and cornice colors, all painted surfaces on Main St. currently painted gray, and window frames, shall be painted Benjamin Moore

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Strawberry Field # 2088-30 and the Wall St. Rectory façade will be painted in Pan for Gold #181, with trim painted in Strawberry Field # 2088-30, and all aluminum to remain as is;

- that the said painting will not detract from the character of the Stockade Historic District or the building;
- that this constitutes a material change to the building;
- that any changes or deviations from what has been discussed at this meeting or additional work as originally proposed in the application will be subject to review by our Commission before such work is carried out;
- that this Commission's approval does not obviate the need for a building permit from the City of Kingston's Building Safety Division.

Based on the preceding findings of fact, it was resolved that the Commission thereby grant a Preservation Notice of Action to the above referenced owner/applicant for the painting work as described herein and its application to this Commission, on this 6th day of June 2019, such notice to be subject to the conditions contained in the foregoing motion.

DISCUSSION/OTHER BUSINESS:

- 11. Budget Overview** - YTD \$650.00 collected – No discussion.
- 12. Next Meeting** – Chairman Mark Grunblatt informed the Commission that he will be absent for the next meeting, July 10, 2019, Chairman Grunblatt moved to appoint Hayes Clement to run the July 10, 2019 meeting, Commissioner Kevin McEvoy seconded, all Commissioners voted in favor.
- 13. FYI** - Julie Edelson-Safford informed the Commission that the Code, as it pertains to Bluestone Regulations, have been moved to a different section and renamed *Chapter 358 Sidewalk Standards*.
- 14.** Chairman Mark Grunblatt moved to adjourn the meeting, Peter Demuth seconded, all voted in favor.

Next meeting is scheduled for July 10, 2019 at 6:30 PM in Conference Room #1, City Hall

Commission met with Dan Gartenstein Corporation Counsel for a brief consultation.

These minutes represent a summarization of the meeting and not a transcript.