

Village of Kinderhook
Historic Preservation Commission
Regular Meeting - June 17, 2021
(via Public Zoom Meeting)

Present: Tim Husband - Chairperson, Randal Dawkins, Ken Neilson, Ruth Piwonka

Absent: Sean Sawyer

Others Present: Michael Abrams - Village Board Liaison, Peter Bujanow - Code Enforcement Officer, Paul Calcagno, Ruth Moore, Jennifer Ose-McDonald, Mary Ose, Stuart Peckner, Renee Shur

Meeting brought to order for Workshop at 7:09 pm.

Workshops: **6 Chatham St/Front Entrance/Village Office**

Village of Kinderhook Deputy Mayor, Dave Flaherty, forwarded the Commission an email along with a hand-sketch of the proposed front door to be installed for the entrance to the Village Office in order to meet ADA compliance. R. Piwonka stressed the importance of the Village Office entrance and its need to match the Troopers entrance, since the requirement during construction of the Trooper's entrance was to match the entrance to the Village Office. The drop box, currently located close to the bottom of the fixed panel, right of door, will be moved to a higher height for easier access. K. Neilson and M. Abrams will reach out to D. Flaherty for a detailed sketch of the entrance door and additional project details.

T. Husband brought the Regular Meeting to order at 7:15 pm upon completion of the Workshop.

Minutes: Motion made to approve the Regular Meeting Minutes of May 20, 2021 with changes to page 4, 12 Broad St., correct three words to read "lighting" and correct spelling on R. Dawkins name.
Moved: R. Dawkins; Second: R. Piwonka. Motion carried.

Funds Remaining: \$2,500

Correspondence: Email received from R. Shur requesting a document she created regarding Village signage be added to the HPC reference manual, both in the Village Office and the Kinderhook Library. The Commission reviewed and approved

the document with one change under “Bracket or Support”, item #2 to read “Dimensions and means of support”. J. Bujanow to update and add to both HPC reference manuals.

New Business:

12 Broad St/Lighting/Ruth Moore

R. Moore presented her application for installation of two small light fixtures, one on each side and just below the Gallery Northeast business sign which was previously approved by the HPC to be hung above the Gallery front door. The lights, which can also be dimmed, will be narrowly directed up towards the sign and positioned to cast light only to extent needed to illuminate the name of the business. Light housing will be dark gray which will blend in with the building.

Motion made to approve the installation of lighting at 12 Broad St. meeting criteria in Chapter 75-7B (4) and Chapter 75-7C (1, 2, 3, & 4).

Moved: R. Dawkins; Second: K. Neilson. Motion carried.

Received \$10 Application Fee.

1-3 Broad St/Columns/Paul Calcagno

P. Calcagno presented his application for approval of 5 steel poles housed within a column of composite material and attached to concrete footings.

- The current Code Enforcement Officer, P. Bujanow noted that the columns at 1-3 Broad St were installed without a valid building permit and requested P. Calcagno come before the HPC when P. Calcagno recently applied for a building permit for the columns.
- It was agreed the columns are visible from a public way, determined to be structure, and should have been approved by the HPC prior to their installation.
- P. Calcagno stated the columns were installed with the intent that they would be temporary and seasonal and did not realize that securing the columns to footings they would then be considered structures. Installation of the footings and columns occurred a number of years ago under the previous Code Enforcement Officer.
- P. Calcagno stated the columns are intended to support shade sails during the Spring, Summer, and Fall months.
- P. Calcagno is willing to take down the columns during the off months by unbolting the columns from their footings.
- It was noted the application for the shade sails came before the HPC in February 2021, shade sails were not approved at that time.
- P. Calcagno stated that Village Attorney, Robert Fitzsimmons, considered the sails as seasonal and P. Calcagno referred to the code as stating temporary items are considered seasonal, no permit is needed and no HPC approval is required. P. Calcagno compared the shade sails to temporary/seasonal decorations.

- Code Enforcement Officer, P. Bujanow, researched the Village code during the meeting noting there is no specific “seasonal exemption/waiver” in the current code other than a reference to “temporary” as it relates to “signs” in section 130-19.
- Applicant stated he will take the poles down next week and will install at his home. It appeared he exited the Zoom meeting shortly thereafter.
- It was determined a number of factors created the issue at hand, following procedures and lack of process by the applicant and by the prior Code Enforcement Officer. Consideration of a retroactive approval cannot be undertaken at this time until clarification is received from the Village Attorney.
- HPC Chair, T. Husband, stated “that the procedures for obtaining a Building Permit and a CofA are clearly spelled out and, in this case, were not followed. By applying for a CofA retroactively the applicant was, in effect, asking the Commission to circumvent established procedure, which I did not believe it had the authority to do. Furthermore, to issue a CofA retroactively would set a detrimental precedent that would undermine the effective functioning of the Commission”.
- Village Board Liaison, M. Abrams, stated he would arrange a meeting with the Village Attorney and Code Enforcement Officer for clarification and bring this issue before the Village Board.

Motion made to suspend the discussion on P. Calcagno’s application before us, move to table.

Moved: R. Piwonka; Second: K. Neilson. Motion carried.

Old Business:

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Procedures:

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Next meeting of the HPC - July 15, 2021

Motion made to adjourn at 8:13 pm.

Moved: K. Neilson; Second: R. Piwonka. Motion carried.

Jacqueline Bujanow, Secretary
Historic Preservation Commission