

VILLAGE OF KINDERHOOK

AGENDA

HISTORIC PRESERVATION COMMISSION MEETING

Regular Meeting

November 17, 2022 @ 7:00 pm

In-Person Meeting - Kinderhook Village Hall

Meeting Documents available at Kinderhook Village Website using link below:

<https://villageofkinderhook.org/hpcdocuments.html>

- I Workshop
- II Call to Order
- III Approval of October 27, 2022 & October 29, 2022 Special Meetings Minutes
- IV Funds Remaining
- V Correspondence
 - Membership - National Trust for Historic Preservation
- VI Old Business
 - CLG Grant Update
 - 28 Hudson St/Door/Julia Meck
- VII New Business
 - 4 Maiden Lane/Windows & Doors/Jude Silver
- VIII Procedures
 - Chapter 75 - Landmarks & Historic Districts
- IX Next Regular Meeting - December 15, 2022
- X Adjourn

NO WORKSHOPS

MINUTES

Village of Kinderhook
Historic Preservation Commission
Special Meeting - October 27, 2022
(Regular Meetings of 9.15.22 & 10.20.22 Cancelled)
In-Person Meeting - Village Hall

Present: Tim Husband - Chair, Ken Neilson - Vice Chair, Randal Dawkins, Sean Sawyer

Absent: Elizabeth Martin

Others Present: Mark Browne - Village Liaison, Peter Bujanow - Code Enforcement Officer, Pamela Salisbury, Allen Gallagher, Dennis & Tracy Pearson, Julia Meck, Michael Castellano

Workshop: **15 Albany Ave/Moldings & Trims/Pamela Salisbury**
Pamela Salisbury and contractor, Allen Gallagher, presented photos of various moldings presently on the house and requested the Commission's input on the time period of the moldings in relation to the house (1820-1840), what's original vs those installed at a later date. It is their intent to replace the moldings, some which are rotted, with original style moldings. It was noted that some of the fluted moldings in the photo did not appear to match up to the original moldings and some moldings appeared to be layered over the original moldings. The fan light with keystone above the door is not original, the federal style door is original, it is believed the house did not have a porch originally, corner pilasters most likely are original as well as the pediment. P. Salisbury desires to remove the aluminum triple track storm windows to reveal the woodwork. It was suggested that one window be removed, photos taken, and window replaced. It was suggested to look at additional photos of the house that may be at the Columbia County Historical Society, this would establish and support what was originally there.

T. Husband brought the Special Meeting to order at 7:23 pm.

Minutes: Motion made to approve the Regular Meeting Minutes of August 18, 2022 (No meeting in September).
Moved: S. Sawyer; Second: K. Neilson. Motion carried.

Draft
10.27.22

Funds Remaining: \$1,295.99

Old Business: **CLG Grant Update**

CLG Grant update to be provided at the next meeting of the HPC by E. Martin.

Update - 30 Albany Ave/Door & Transom/Notice of Violation - Order to Remedy

Code Enforcement Officer met with the Village Attorney and Mayor, it was decided the application would be presented back to the HPC at the November meeting to address the door and transom.

Update - 35 Broad St/Alterations & Electrical/Notice of Violation - Order to Remedy

An appearance ticket will be issued for a court appearance due to non-compliance of a building permit and HPC application and after numerous attempts for homeowner to comply.

Update - 29 Hudson St/Travel Trailer/Compliance Order Violation

No longer an HPC issue. The Mayor, Village Attorney, and Code Enforcement Officer have addressed with homeowner to remediate the slope issue and safety concerns. If homeowner decides to make the travel trailer a permanent structure, they will have to come before the HPC to address.

New Business: **21 Hudson St/Fence/Dennis & Tracey Pearson**

Dennis and Tracey Pearson presented the Commission with their application along with photos for a wood privacy fence, 6 ft H, a 42" H dog-ear wood fence, and four gates all which are noted and color coded for placement on the map included with their HPC application. Due to the easement and placement restrictions, a 3 ft section may be all that is visible from the road.

Motion made to approve the fence at 21 Hudson St, meeting criteria in Chapter 75-7B (3) & Chapter 75-7C (2, 3, & 4).

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

\$10 Application Fee Received

28 Hudson St/Door/Julia Meck

Julia Meck presented her application to replace the drafty single pane side door with a Pella composite double pane energy efficient door, black color which will match the HPC approved Pella windows recently installed. There are two door options available, option 1 as submitted with application and option 2, previously not available at time of application submission, however, now available, a farmhouse style door - 1/2 window, 2 over 2, with solid bottom. Option 2 is the homeowners preference. Homeowner to forward the model # of option 2

farmhouse door. A picture was presented to the Commission and it was agreed that option 2 was a better choice.

Motion made to approve the replacement of the side door with the farmhouse door, option 2, meeting criteria in Chapter 75-7B (2 & 4) & Chapter 75-7C (1, 3 & 4).

Moved: R. Dawkins; Second: S. Sawyer. Motion carried.

\$10 Application Fee received.

15 Chatham St/Sign/Michael Castellano

Michael Castellano presented his application for a wooden sign to be hung on an existing post and bracket (free standing). 32" x 24" - main sign. 6" x 24" - rider. Main sign to read "Gilcrest Properties - right where you belong" with the rider to read "Licensed Real Estate Broker".

Motion made to approve a sign for 15 Chatham St, meeting criteria in Chapter 75-7B (4) & Chapter 75-7C (2, 3 & 4).

Moved: S. Sawyer; Second: R. Dawkins. Motion carried.

\$10 Application Fee Received.

5 Church St/Garage/David Horne & Tom Grattan

David Horne & Tom Grattan submitted their application to replace their existing garage with a new garage/shed, same position, same dimensions, and very similar materials. Photos and detailed garage plans were included with the application.

Dimensions of new garage - 12 ft x 24 ft.

Due to previous scheduled meeting cancellations by the HPC, D. Horne and T. Grattan could not be present at the meeting.

Discussion was had regarding the age of the structure, believed to be older than the house and thought both the house and garage were moved from the Village Square to their present location in 1910 to expand the Brown carriage shop. This garage is thought to have been used as a blacksmith shop. The garage, most likely put together with old materials, is sitting on a concrete slab. Side window, 9 over 9, possibly used from an earlier building. Garage is considered an historic accessory building/structure. As such, the Commission was interested in talking with the homeowners and a call was placed to D. Horne who was available for a conversation, via speaker phone. R. Dawkins explained the history and significance of the structure and its movement to its present location in 1910. D. Horne stated he recently learned from someone that the garage was located in the back of the house when the house was occupied by the person's grandfather. Having heard the history and significance of the structure, T. Husband asked D. Horne if the existing building is beyond rehabilitation. D. Horne believes so, the structure he stated "is knit together out of debris from the last couple of

centuries". The structure contains some recycled boards that have writing on them, typical of service buildings, and would need to be stabilized. T. Husband is inclined to approve the application with consensus from the Commission. K. Neilson stated he does not like the roof line of the new building; S. Sawyer requested a site visit to look at the structure and its condition; R. Dawson is concerned about some of the details of the proposed replacement. A site visit was then requested for Saturday at 11 am and agreed upon by D. Horne.

Motion made for the Commission to meet at the location for a site survey of the garage on Saturday, October 29, 2022 at 11 am.

Moved: S. Sawyer; Second: R. Dawkins. Motion carried.

\$10 Application Fee received.

Other:

Mini-splits, heat pumps, and central air compressors were discussed regarding their visibility from the public way. Compressors and the like must have permanent screening (shrubs or other plantings do not suffice) and wires/piping from the exterior unit on the building should be concealed by conduits painted to match the siding. M. Browne added there are a number of utility considerations, especially in the historic district, as heat pumps are currently being promoted and the possibility of burying power/electrical lines on Albany Ave have been questioned. M. Browne brought forward Dave Flaherty's, Village Trustee, request of the need to establish preferences/guidelines for homeowners in order to be informed when installing these types of utilities. R. Dawkins offered to pen language and forward to the Commission for review, brief and simple such as: All modern utilities, updates or additions, should be constructed in a manner to be as discreet or camouflaged to the existing structure and not visible from the public way.

Garbage Containers - Renee Shur requested the Commission write to the Village Board regarding visible commercial garbage containers to be screened. P. Bujanow noted that there are currently two laws, one for containers and one for dumpsters issued by the Board and approved, which to-date have not been filed with the Department of State. P. Bujanow to send to the Commission the law that was approved, but, not yet official. M. Browne stated the Board is going through a total review of all the codes and it will be inserted in that review.

K. Neilson asked M. Browne the timeframe for the HPC to make changes to the code, what's in the code or not in the code that should be. M. Browne noted that it was sent to an outside consultant in April and they expect to have their results of the review by end of year. M. Browne will bring the HPC section of the results forward to the Commission upon receipt. J. Bujanow to check with Sue Patterson for the due date to submit code changes for the HPC.

Draft
10.27.22

Correspondence: Alternate Member Interests

Motion to enter into executive session for discussion of alternates with an invite for M. Browne and P. Bujanow to attend.

Motion: S. Sawyer; Second: R. Dawkins. Motion carried.

Motion to exit executive session and adjourn the meeting at 8:53 pm.

Motion: S. Sawyer; Second: R. Dawkins. Motion carried.

Next meeting of the HPC - November 17, 2022.

Jacqueline Bujanow, Secretary
Historic Preservation Commission

Village of Kinderhook
Historic Preservation Commission
Special Meeting - October 29, 2022
(Site Visit - 5 Church Street)
In-Person Meeting - Village Hall

Present: Tim Husband - Chair, Ken Neilson - Vice Chair, Randal Dawkins, Sean Sawyer, Elizabeth Martin

Absent: -

Others Present: Mark Browne - Village Liaison, Peter Bujanow - Code Enforcement Officer, Tom Grattan

T. Husband brought the Special Meeting to order at 12:30 pm.

Note: A site visit was conducted at 5 Church Street prior to this Special Meeting.

Old Business: **5 Church St/Garage/David Horne & Tom Grattan**
Upon completion of the site visit at 5 Church Street to inspect the garage, Commission members met to further discuss the application which was presented at the HPC Special Meeting of October 27, 2022.

The majority of the Commission members concluded the building/garage, should be renovated as opposed to replaced as was requested in the application.

- History - it is thought to have been constructed in the mid 1800s and used as a blacksmith shop, work/contributing structures were common to the Village, but, most have since been torn down.
- Although not documented in the Village files, Village Historian Ruth Piwonka was said to have stated the garage was moved to the present site from the Village center as was the house which was moved in 1910. Current homeowner, T. Grattan had heard the garage resided on the back of the current property and had been moved forward to its present location.
- It appears there was an interior wall partitioning the front from the back of the garage that has since been removed. Installing a new partition wall will assist in supporting the structure, possibly adding cables will enable the structure to be squared. Similarly, drawings submitted with the application

indicate a wall is intended to be constructed in the requested replacement garage, separating the front from the back of the garage.

- Discussion was had on the structure's integrity along with beadboard, cabinet, planks, partition wall (since removed), and rafters which appear to be evenly spaced front to back.
- The cement slab is believed to have been poured approximately in the 1960s.
- Discussion was had of the possibility of moving/relocating the structure to keep its historic value as opposed to renovation.
- T. Grattan was informed that the replacement of the front garage door would need HPC approval. However, replacing the back window, not visible from the public way, or replacement of the roof in-kind did not need HPC approval, but, would require a Building Permit along with any other structural changes/additions. It was noted that there is a cedar roof under the existing metal roof and should the roof not be replaced with in-kind metal, an HPC approval would also be needed.
- Homeowners, D. Horne & T. Grattan, will discuss and consider the alternative of restoring the building/garage and report back to the HPC of their decision.
- The HPC has 45 days to render its decision.

Other:

Alternate Member Interest

T. Husband is awaiting word back regarding the open Alternate Member seat and will report back as soon as he hears.

Next meeting of the HPC - November 17, 2022.

Motion made to adjourn at 12:45 pm.

Moved: E. Martin; Second: K. Neilson. Motion carried

Jacqueline Bujanow, Secretary
Historic Preservation Commission

CORRESPONDENCE

OLD BUSINESS

CLG Grant Update - Liz Martin

DOOR

Application for HPC

CERTIFICATE OF APPROPRIATENESS

Name of Applicant (Property Owners): Julia Meck

Location of Property: 28 Hudson St. Tax Map ID:

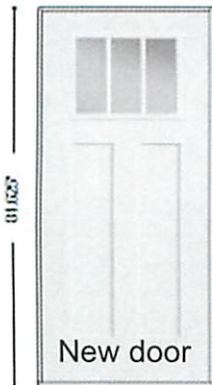
Mailing Address of Applicant: Po Box 62

Tel. No.: [REDACTED] Email address: [REDACTED]

Name of Representative of the Applicant (builder; architect; etc.): Pella Windows and Door / Crawford
(to be accompanied by the owner's letter of authorization if owner is not present at HPC meeting)

Description of the proposed construction or alteration: *(If more space is needed attach pages containing description of proposed work)*

Replacing the current single pane front door with a double pane and energy efficient door. The style and exterior color will be Pella lack, matching the new HPC approved Pella windows installed this past year on my home.



OPTION 1

Applicant's signature

Date

VILLAGE OF KINDERHOOK
6 Chatham Street
PO Box 325
Kinderhook, NY 12106-0325

CEO/Code Enforcement Officer acknowledgment

RECEIVED
10.20.2022 /PB

Date Application received by the CEO: 10.11.2022

Signature of CEO: [Signature] HPC Meeting Date: 10.20.2022

Building permit required? YES If required, applicant to apply to CEO.

Historic review required? YES If required, applicant to submit application to CEO.

Type of Action under SEQR: Type I: , Type II: , Exempt: , Unlisted:

Summary of HPC action: () application approved, () application approved with conditions, () application denied. Reason for HPC action (see HPC decision for full text):

HPC Signature:

Date:



Proposal - Detailed

Pella Window and Door Showroom of Rensselaer
 529 Third Ave. Extension
 Rensselaer, NY 12144

Sales Rep Name: Biszick, Jason
Sales Rep Phone: (518) 489-3780
Sales Rep E-Mail: jbiszick@pellacrawford.com
Sales Rep Fax:

Customer Information	Project/Delivery Address	Order Information
Primary Phone: Mobile Phone: Fax Number: E-Mail: Contact Name: Great Plains #: Customer Number: Customer Account:	JASONS STORE QUOTES Lot # County: Owner Name: Owner Phone:	Quote Name: JOSEPH DOOR Order Number: 755 Quote Number: 16052595 Order Type: Installed Sales Wall Depth: Payment Terms: Tax Code: ALBANY Cust Delivery Date: None Quoted Date: 9/29/2022 Contracted Date: Booked Date: Customer PO #:

Line #	Location:	Attributes	Qty
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10 None Assigned

Pella Entry Doors, Entry Door, Inswing, 5 1/4"

Qty
1



PK #
2123

Viewed From Exterior

1: Entry Door
Unit Type: Left Inswing, Standard Sill, No Fire Rating, No Fire Rating
Dimensions: 36, 80
Dimension Options: No Cut Down
General Information: Standard, 5 1/4", 5 1/4"
Panel Style: Craftsman Light
Glass: Tempered Low-E Air Filled
Grilles: Fixed Grilles, 7/8" Contour, Traditional, Typical, 3, 1
Panel Selection: Smooth, Primed, Primed
Frame Selection: Composite, Black Threshold, No Panel Reinforcement, Smooth, Primed, Composite, Smooth, Primed
Hardware Options: Latch Bore with Deadbolt, 2 3/8", 2 1/8", No Integrated Sensor, No Handle Set, Standard Steel Ball Bearing, Matte Black, Black Finish Sill
Unit Accessories: No Dentil Shelf
Performance Information: U-Factor 0.19, SHGC 0.08, VLT 0.08, CPD PEL-M-258-48573-00001, Calculated Positive DP Rating 40, Calculated Negative DP Rating 40
Remake:.

For more information regarding the finishing, maintenance, service and warranty of all Pella® products, visit the Pella® website at www.pella.com

Customer:

Project Name: JASONS STORE QUOTES

Quote Number: 16052595

PEDr - Paint entry door per side

Qty 2

PSLr - Paint sidelight per side

Qty 1

Line #	Location:	Attributes	Qty
25	None Assigned	DELIVERY TRUCK CHARGE - DELIVERY TRUCK CHARGE	1

Thank You For Your Interest In Pella® Products

For more information regarding the finishing, maintenance, service and warranty of all Pella® products, visit the Pella® website at www.pella.com

Customer:

Project Name: JASONS STORE QUOTES

Quote Number: 16052595

Customer Name (Please print)

Pella Sales Rep Name (Please print)

Customer Signature

Pella Sales Rep Signature

Date

Date

Order Totals	
Taxable Subtotal	\$1,646.59
Sales Tax @ 8%	\$131.73
Non-taxable Subtotal	\$553.97
Total	\$2,332.29
Deposit Received	\$0.00
Amount Due	\$2,332.29

For more information regarding the finishing, maintenance, service and warranty of all Pella® products, visit the Pella® website at www.pella.com



Our frame system sets the foundation.

Customized designs, decorative glass and stylistic hardware are only part of the Pella® entry door picture.

Open the door to durability and efficiency.

Our innovative panel and frame system delivers exceptional durability and performance.

Low-Maintenance Frame

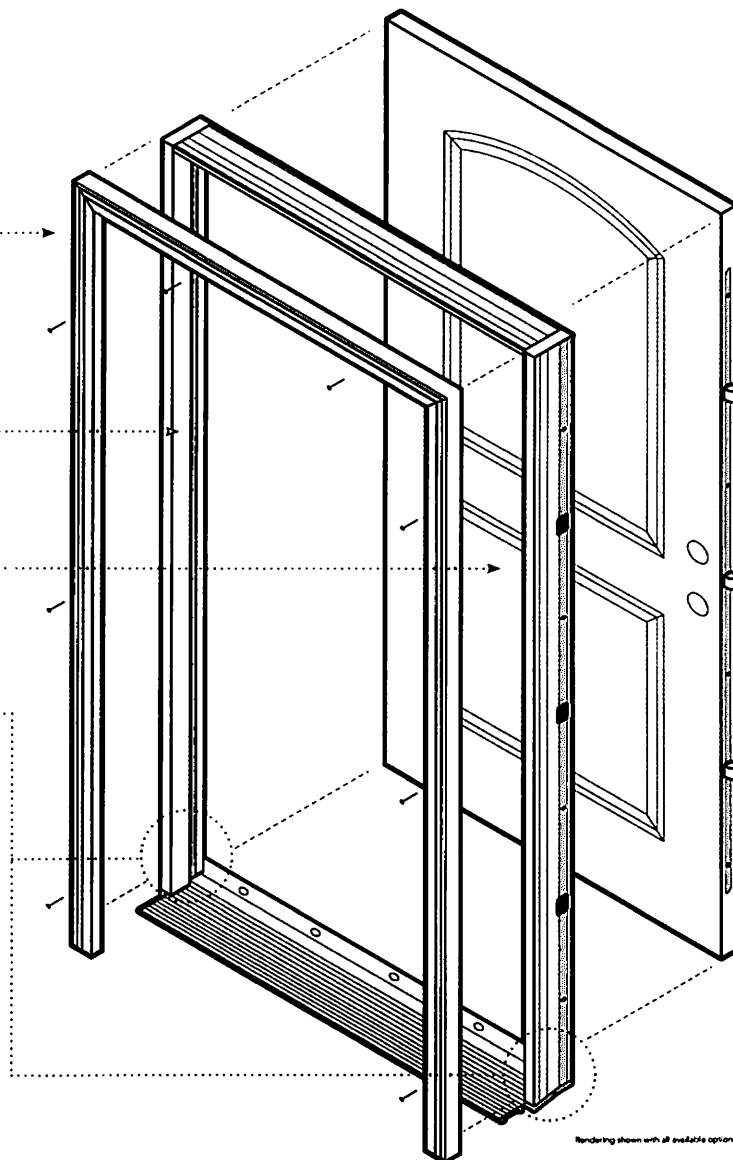
Fiberglass and steel entry doors have a strong, composite frame for long-lasting beauty and performance.

Energy-Efficient Panels

Solid polyurethane foam-filled panels provide years of exceptional energy efficiency and dependability.

Rot-Resistant Design

Our frame system for fiberglass and steel entry doors is made of a rigid, closed-cell, poly-fiber composite material. This means it will not absorb moisture and is rot resistant.



Rendering shown with all available options.

Manufactured to meet our specifications and your unique vision.

Our fiberglass and steel entry door system combines a frame offering the strength and stability of a composite material plus energy-efficient panels that provide design flexibility and high performance. Our frame and panel can be painted or stained. Added benefits include:

- Closed composite cellular structure won't absorb moisture
- Composite edges help prevent moisture penetration
- May easily be cut to size
- Frame available in smooth or wood-grain that resembles mahogany
- Rot-resistant design with no exposed wood

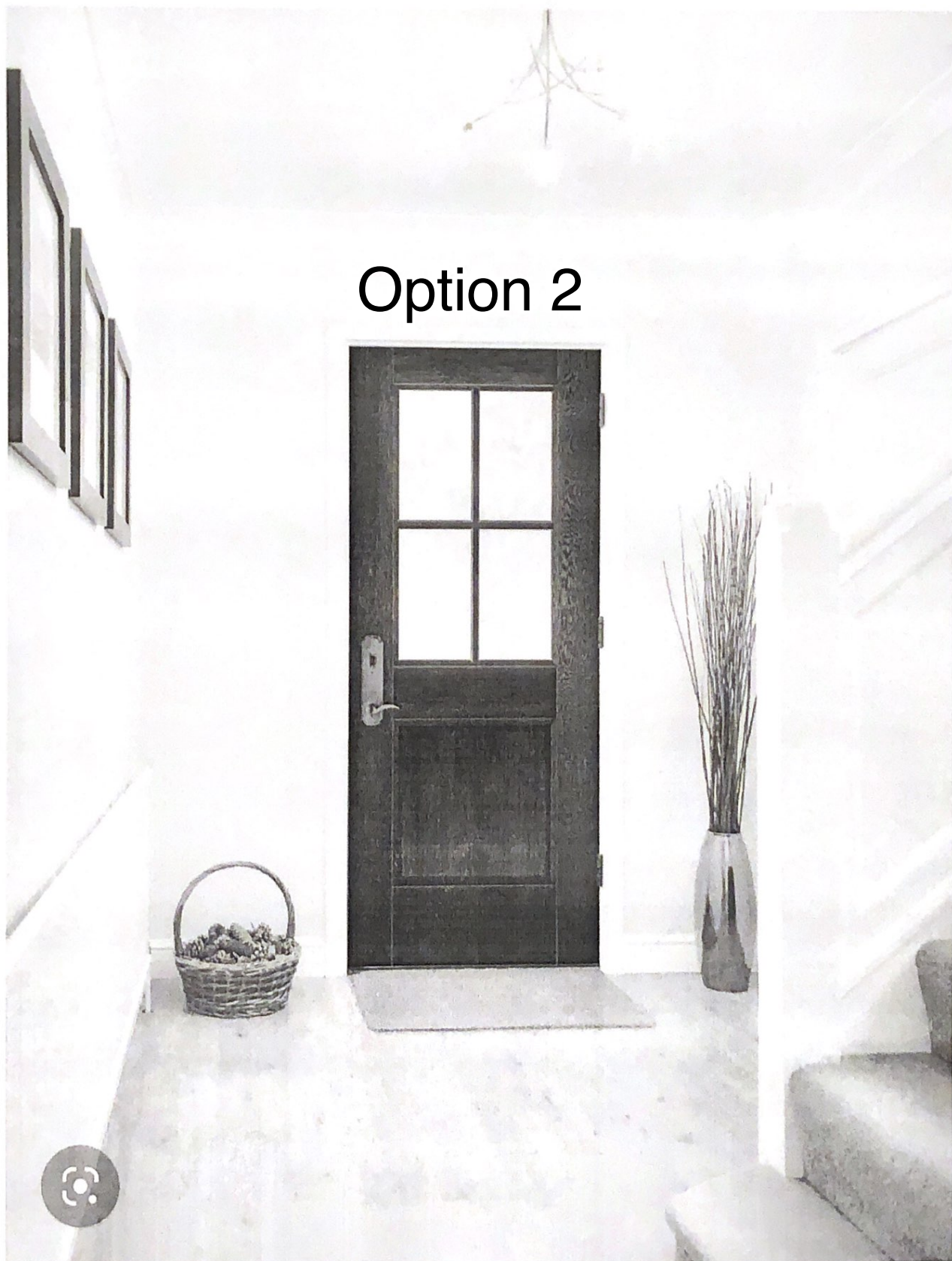
Pella® Entry Doors

Fiberglass and Steel



The doors you prefer from the brand you trust.





Option 2

Black Front Door With Modern
Farmhouse Details | Della

Visit

[REDACTED]
Date: November 13, 2022 at 4:56:49 PM EST

[REDACTED]
Subject: Re: HPC APPLICATION - 28 HUDSON ST - FRONT DOOR



Option 3

Hi HPC,

Below info is from my sales rep at Pella... It's not good news. The Farmhouse door that was available and was approved at the last meeting is now having supply issues. Alternative is attached. Please review at your earliest convenience. Is it possible to receive approval via email or do I need to wait for the next meeting in December? As I mentioned at the last meeting, I was really hoping to get this door ordered and installed before the dead of winter as the current door is not energy efficient. They do have an opening Jan. 30th for install.

"Soooooooooooooo that product line is suspended due to the supply chain. This is the closest I can get it is $\frac{3}{4}$ vs $\frac{1}{2}$ lite. This is a flush glazed panel so no trim bead around glass with permanent grills. It is called flush glazed $\frac{3}{4}$ lite. Still about a month and a half lead time. Let me know what you think."- Jason, Crawford Pella.

As always, thank you for your time,

Julia

"LANDMARKS AND HISTORIC DISTRICTS IN THE VILLAGE OF KINDERHOOK"

Chapter 75 - 7. CRITERIA FOR APPROVAL OF A CERTIFICATE OF APPROPRIATENESS

(A) In acting upon an application for a Certificate of Appropriateness, the Historic Preservation Commission shall consider only changes to exterior features of buildings and structures.

(B) The Commission's decision shall be based upon the following principles:*

(1) Buildings and structures which contribute to the character of the historic district shall be retained, with their historic features altered as little as possible.

(2) Any alteration of existing buildings and structures shall be compatible first with its own historic style and secondly compatible with the character of the surrounding district.

(3) New construction shall be compatible with existing architecture.

(4) Only construction or alterations that are compatible with the long term preservation of the historic buildings and structures shall be permitted.

(C) In applying the principles of compatibility, the Commission shall consider the following factors:

(1) the general design, character and appropriateness to the property of the proposed alteration or new construction;

(2) the scale of the proposed alteration or new construction in relation to the property itself, surrounding properties, and the neighborhood;

(3) form, texture, material, and their relation to the features of the buildings and structures and to similar features of other buildings and structures in the neighborhood;

(4) visual compatibility with surrounding properties, including proportion of the buildings' and structures' facades, proportion and arrangement of window and other openings within the facades, roof shape, and the placement of buildings and structures on lots in the neighborhood, including setback; and

(5) the historic and architectural significance of the property.

* These principles are consistent with the current edition of The Secretary of the Interior's Standards for the Treatment of Historic Properties and The Secretary of the Interior's Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings

NEW BUSINESS

**WINDOWS
&
DOORS**

RECEIVED
11-1-2022
/PS

Application for HPC

CERTIFICATE OF APPROPRIATENESS

VILLAGE OF KINDERHOOK
6 Chatham Street
PO Box 325
Kinderhook, NY 12106-0325

Name of Applicant (Property Owners): JUDE SILVER

Location of Property: 4 MAIDEN LANE Tax Map ID:

Mailing Address of Applicant: [REDACTED]

Tel. No.: [REDACTED] Email address: [REDACTED]

Name of Representative of the Applicant (builder; architect; etc.):
(to be accompanied by the owner's letter of authorization if owner is not present at HPC meeting)

Description of the proposed construction or alteration: *(If more space is needed attach pages containing description of proposed work)*

New doors & windows on front and left side of house.
Windows on left side to be replaced with casement windows that match the right side of the house.

Applicant's signature Jude Silver
Date 11/1/2022

CEO/Code Enforcement Officer acknowledgment

Date Application received by the CEO: 11-1-2022

Signature of CEO: [Signature] HPC Meeting Date: 11.17.2022

Building permit required? YES If required, applicant to apply to CEO.

Historic review required? YES If required, applicant to submit application to CEO.

Type of Action under SEQRA: Type I: , Type II: , Exempt: , Unlisted:

Summary of HPC action: () application approved, () application approved with conditions, () application denied. Reason for HPC action (see HPC decision for full text):

HPC Signature:

Date:

SOLD BY:
Sondra Van Brunt
Herrington's
Chatham NY

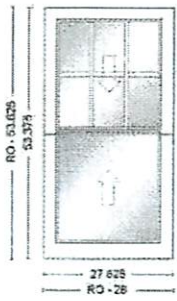
SOLD TO:
[REDACTED]

CREATED DATE	10/6/2022
LATEST UPDATE	10/6/2022
OWNER	Sondra Van Brunt

Abbreviated Quote Report - Customer Pricing

QUOTE NAME	PROJECT NAME	QUOTE NUMBER	CUSTOMER PO#	TRADE ID
CAVAGNARO - SILVER JOB	CAVAGNARO - SILVER JOB	3050034		720242

ORDER NOTES:	DELIVERY NOTES:

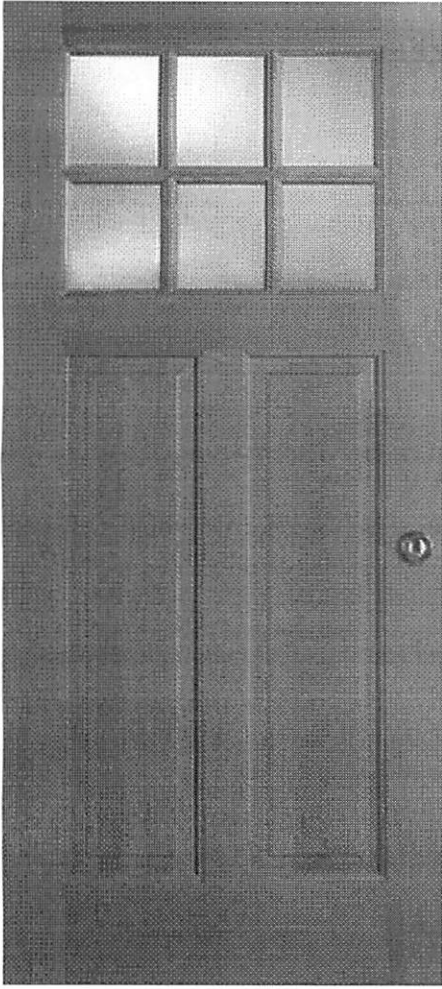


Item	Qty	Operation	Location	Unit Price	Ext. Price
100	6	AA	None Assigned	[REDACTED]	[REDACTED]
RO Size = 28" x 53 5/8"		Unit Size = 27 5/8" x 53 3/8"			

TWI 2' 3 5/8" X 4' 5 3/8", Unit, 8 Degrees - Moderate, 400 Series Double-Hung-Insert, Equal Sash, White Exterior Frame, White Exterior Sash/Panel, Pine w/White - Painted Interior Frame, Pine w/White - Painted Interior Sash/Panel, AA, Dual Pane Low-E4 Standard Argon Fill Full Divided Light (FDL) Division, 3 Wide, 2 High, Specified Equal Light Pattern, White, Pine w/White, 3/4" Grille Bar, Stainless Glass / Grille Spacer, Traditional, 1 Sash Locks White (Factory Applied), WhiteJamb Liner, White, Full Screen, TruScene

Insect Screen 1: 400 Series Double-Hung-Insert, TWI 27.625 x 53.375 8 Degrees - Moderate Full Screen TruScene White

Unit #	U-Factor	SHGC	ENERGY STAR	Clear Opening/Unit #	Width	Height	Area (Sq. Ft)	Comments:
A1	0.31	0.28	NO	A1	23.8270	21.9540	3.63260	





Peter Bujanow <pbujanow@villageofkinderhook.org>

Re: Village of Kinderhook - Building Department Re: Fwd: PRO-LAB ASBESTOS REPORT 1571942

1 message

Larry Cavagnaro [redacted]
To: Peter Bujanow <pbujanow@villageofkinderhook.org>
Cc: [redacted]

Wed, Nov 2, 2022 at 3:26 PM

* The front door that we are hoping to replace at 4 Maiden Lane is doug fir. Do you need a letter stating that? *
Larry Cavagnaro

On Tue, Nov 1, 2022 at 8:20 AM Peter Bujanow <pbujanow@villageofkinderhook.org> wrote:

Larry:
Good Morning -

FYI - Unfortunately, the Asbestos report address must match the Building Permit address for the official record. Therefore, the test must be repeated and accurately documented.

Also, it is helpful, when submitting your sample to the testing lab, if you could identify the specific sample location (e.g. southeast wall, floor, ceiling, etc) within the room (family room) / area being demolished = "Sample location; Family Room, Southeast wall"

Let me know if you have any questions.

Peter Bujanow
Code Enforcement Officer
Village of Kinderhook
518.758.8778 x 302
Hours: T, W, TH 7-10 am

On Mon, Oct 31, 2022 at 1:54 PM Larry Cavagnaro [redacted] wrote:

FYI. Jude Silver just told me I put the wrong address on the asbestos report. Her house is 4 Maiden Lane.
Larry Cavagnaro

400 SERIES



THE WINDOWS
CONTRACTORS
TRUST THE MOST.*

*2020 Andersen brand survey of U.S. contractors.



























"LANDMARKS AND HISTORIC DISTRICTS IN THE VILLAGE OF KINDERHOOK"

Chapter 75 - 7. CRITERIA FOR APPROVAL OF A CERTIFICATE OF APPROPRIATENESS

(A) In acting upon an application for a Certificate of Appropriateness, the Historic Preservation Commission shall consider only changes to exterior features of buildings and structures.

(B) The Commission's decision shall be based upon the following principles:*

(1) Buildings and structures which contribute to the character of the historic district shall be retained, with their historic features altered as little as possible.

(2) Any alteration of existing buildings and structures shall be compatible first with its own historic style and secondly compatible with the character of the surrounding district.

(3) New construction shall be compatible with existing architecture.

(4) Only construction or alterations that are compatible with the long term preservation of the historic buildings and structures shall be permitted.

(C) In applying the principles of compatibility, the Commission shall consider the following factors:

(1) the general design, character and appropriateness to the property of the proposed alteration or new construction;

(2) the scale of the proposed alteration or new construction in relation to the property itself, surrounding properties, and the neighborhood;

(3) form, texture, material, and their relation to the features of the buildings and structures and to similar features of other buildings and structures in the neighborhood;

(4) visual compatibility with surrounding properties, including proportion of the buildings' and structures' facades, proportion and arrangement of window and other openings within the facades, roof shape, and the placement of buildings and structures on lots in the neighborhood, including setback; and

(5) the historic and architectural significance of the property.

* These principles are consistent with the current edition of The Secretary of the Interior's Standards for the Treatment of Historic Properties and The Secretary of the Interior's Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings

HARDSHIP & APPEAL

Hardship

An applicant denied a Certificate of Appropriateness may apply for relief on the grounds of hardship. Hardship as defined in Chapter 75 refers to the ability of the property to yield a reasonable return or beneficial use, not a condition related to the applicant's financial means. Application for hardship must be submitted to the Commission within sixty days of written notification from the Commission of denial of a Certificate of Appropriateness. The Commission will schedule a Public Hearing within forty days of receipt of Hardship Application and public notice of the hearing will be given in accordance with Village law and practice. The applicant must have consulted in good faith with the Commission and other interested organizations or bodies to seek with due diligence a satisfactory and appropriate alternative in accordance with the Commission guidelines and criteria. If a hardship is proven, the Commission will grant the minimum relief necessary to alleviate hardship. The decision of the Commission shall be in writing stating the reasons for granting or denying the Hardship Application.

Appeal

Any person aggrieved by a decision of the Historic Preservation Commission relating to hardship or Certificate of Appropriateness may, within 15 days file a written application to the Village Board for review of the decision. Reviews will be conducted based on the same record that was before the Commission and using the same criteria.

PROCEDURES

Chapter 75

LANDMARKS AND HISTORIC DISTRICTS

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| § 75-1. Purpose. | § 75-7. Criteria for approval of a certificate of appropriateness. |
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| § 75-6. Certificate of appropriateness for alteration, demolition or new construction affecting landmarks or historic districts. | § 75-12. Maintenance and repair required. |
| | § 75-13. Penalties for offenses. |
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[HISTORY: Adopted by the Board of Trustees of the Village of Kinderhook 1-14-2004 by L.L. No. 1-2004. Amendments noted where applicable.]

GENERAL REFERENCES

Zoning — See Ch. 130.

§ 75-1. Purpose.

It is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of landmarks and historic districts is necessary to promote the economic, cultural, educational, and general welfare of the public. Inasmuch as the identity of a people is founded on its past, and inasmuch as the Village of Kinderhook has many significant historic, architectural, and cultural resources which constitute its heritage, this chapter is intended to:

- A. Protect and preserve the long-term preservation of the landmarks and historic districts which represent distinctive elements of Kinderhook's historic, architectural, and cultural heritage;
- B. Foster civic pride in the accomplishments of the past;
- C. Protect and enhance Kinderhook's attractiveness to residents, businesses, and visitors, and thereby support and stimulate the economy; and
- D. Insure the harmonious, orderly, and efficient growth and development of the Village.

§ 75-2. Definitions.

Except where specifically defined herein, all words used in this chapter shall carry their customary meanings.

ALTER — The act or process of changing one or more of the exterior features of a building, structure, or object in either form, material, or texture, and shall include the words "add," "construct," "rebuild," "reconstruct," "restore," "remove," "demolish," and "move."

BUILDING — A construction of materials affixed to the land that is intended for the shelter of persons, animals, or chattel (such as a house, garage, barn, or shed) or for the conduct of business, commerce, education, and/or religious activities.

DESIGN GUIDELINES — A document adopted by the Historic Preservation Commission which will assist the commission and property owners in defining appropriate exterior architectural features for assessing the appropriateness of plans to alter, construct, demolish, and/or move landmarks, and/or buildings and/or structures in the Historic District.

FEATURE — Any portion of the exterior of a building, structure or object, including but not limited to the kind and texture of exterior materials; the architectural details and their general arrangement; and the type and style of windows, doors, lights, signs, and other exterior fixtures.

HISTORIC — Fifty years or older.

HISTORIC DISTRICT — That area of contiguous lots with their buildings, structures, and objects that is designated by the Village Board of Trustees and identified as such on the Zoning Map of the Village of Kinderhook in Chapter 130, or such districts as may be designated in the future.

LANDMARK — Any individual property located outside of the Historic District and designated by the Village Trustees as having historic, cultural, or archeological significance to the Village of Kinderhook.

LOT — A defined parcel of land described in a deed or survey document which is considered as a unit, developed to a specific use, or occupied by buildings, structures, or objects united by a common interest, use or ownership, and the open spaces belonging to the same.

OBJECT — A material, historic thing of functional, aesthetic, cultural or historic value, moveable yet related to the specific setting or environment, such as a garden sculpture or commemorative marker.

ORDINARY REPAIR AND MAINTENANCE — The act or process of preserving the features of a building, a structure or an object by consolidation or by replacement (in part or in whole) in like kind, which does not change the form, material, or texture of the features.

PROPERTY — A lot and all buildings, structures, and objects thereon.

SITE — The location of a significant event, a prehistoric or historic occupation or activity, or a building, structure, or object whether standing, ruined, or vanished, where the location itself

maintains historical or archeological significance regardless of the value of the existing building, structure or object.

STRUCTURE — A construction of materials requiring location on the land, intended for purposes other than the shelter of persons, animals or chattel, such as but not limited to a swimming pool, fence, wall, central air conditioning unit, sign, steps, and freestanding light fixture.

§ 75-3. Historic Preservation Commission.

There is hereby created a commission to be known as the Village of Kinderhook Historic Preservation Commission.

- A. The Commission shall consist of the five members appointed by the Village Board.
- B. All members, to the extent available in the Village, shall have demonstrated a significant interest in historic preservation and architecture as evidenced by personal and/or professional involvement, or similar evidence of interest in local history or historic preservation organizations, employment in the field of historic preservation (such as architecture, building trades, or history), and/ or education and training in the field of architecture, history, archeology, historic preservation, or related fields. Members shall participate in education and training programs relevant to the responsibilities of the Commission. When possible, at least three members shall be residents and/or property owners in the Historic District.
- C. Members shall serve for a term of five years, except that initially one member shall serve a one-year term; one member shall serve a two-year term; one member shall serve a three-year term; and one member shall serve a four-year term. Thereafter, terms shall be staggered.
- D. The Chairman and Vice Chairman of the Commission shall be elected by and from the members of the Commission.
- E. The Commission shall be authorized to:
 - (1) Promulgate rules and regulations as necessary for the conduct of Commission business;
 - (2) Adopt criteria consistent with local historic architecture and local laws and codes for the identification of significant historic, architectural, and cultural landmarks and for the delineation of historic districts;
 - (3) Formulate design guidelines consistent with current research on historic paint colors;
 - (4) Conduct surveys of historic, architectural, and cultural landmarks and historic districts within the Village in order to establish an inventory of all properties and structures;
 - (5) Employ staff and professional consultants as necessary to carry out the duties of the Commission;

- (6) Make recommendations to the Village Board for designation of structures or properties as landmarks and historic districts;
 - (7) Develop and participate in public education programs to increase public awareness of the value of historic, cultural and architectural preservation;
 - (8) Provide advice and guidance to property owners and Village boards and committees concerning historic preservation issues;
 - (9) Coordinate project review with the Village Planning Board, Zoning Board of Appeals, and agencies;
 - (10) Make recommendations to the Village Board concerning the utilization of state, federal or private funds to promote the preservation of landmarks and historic districts within the Village;
 - (11) Recommend acquisition of a landmark structure by the Village Board when its preservation is essential to the purposes of this chapter and when private preservation is not feasible;
 - (12) Review projects in compliance with SEQR regulations; and
 - (13) Approve, approve with conditions, or disapprove applications for certificates of appropriateness pursuant to this chapter.
- F. The Commission will normally meet monthly, but meetings may be held at any time upon the written request of any two of the Commission members or at the call of the Chairman or the Mayor. Public notice of all meetings shall be in accordance with Village Law and practice.
- G. A quorum for the transaction of business shall consist of three of the Commission's members, but not less than a majority of the full authorized membership may grant or deny a certificate of appropriateness.
- H. When vacancies are such that there are fewer than three members, the Trustees shall designate one or more members from the Planning Board to serve on the Historic Review Commission until the Trustees appoint new members of the Commission.

§ 75-4. Designation of landmarks or historic districts.

The Trustees of the Village of Kinderhook shall designate landmarks and create or modify historic districts.

- A. Upon recommendation of the Commission, the Village Board may designate an individual property as a landmark if it:
- (1) Possesses special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the locality, region, state or nation; or
 - (2) Is identified with historic personages;

- (3) Embodies the distinguishing characteristics of an architectural style;
 - (4) Is the work of a designer whose work has significantly influenced an era;
 - (5) Because of a unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood;
 - (6) Embodies the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represents a significant and distinguishable entity whose components may lack individual distinction; or
 - (7) Has yielded or may be likely to yield, information important in prehistory or history.
- B. Upon the recommendation of the Commission, the Village Board may designate a group of properties as a historic district if:
- (1) It contains properties which meet one or more of the criteria for designation of a landmark; and
 - (2) By reason of possessing such qualities, it constitutes a distinct section of the Village.
- C. The boundaries of each historic district and/or landmark designated henceforth shall be described in writing and depicted on the official Village Map and shall be filed in the Village Clerk's Office for public inspection.
- D. The Village Clerk shall send by registered mail notice of a proposed landmark designation to the owner of the property proposed for landmark designation, describing the property proposed and announcing a public hearing by the Village Board to consider the designation. The Village Clerk shall send by registered mail notice of a proposed historic district designation to all property owners within the proposed district, announcing a public hearing by the Village Board to consider the district designation. Notice of the public hearing shall be published in accordance with Village Law and practice at least 15 days prior to the hearing date.
- (1) Once the Village Board has issued notice of a proposed designation, no building permit(s) for a proposed landmark or property in a proposed historic district shall be issued by the Code Enforcement Officer (CEO) until the Village Board has made its decision.
 - (2) A decision on the designation of a landmark or historic district shall be made within 42 days of the close of the public hearing.
- E. The Village Board shall hold a public hearing prior to designation of any landmark or historic district. The Commission, property owners, and any interested parties may present testimony or documentary evidence at the hearing which will become part of a record regarding the historic, architectural, or cultural importance of the proposed landmark or historic district. The record may also contain staff reports, public comments,

or other evidence, provided the public shall have the opportunity to review and comment on such evidence at the public hearing.

- F. The Village Board shall forward notice of each property designated as a landmark and of the boundaries of each designated historic district to the office of the Columbia County Clerk for recording.

§ 75-5. Historic Preservation District and Map.

- A. The Historic Preservation District shall be the existing Historic Preservation Overlay District Boundary depicted on the Zoning Map in the Zoning Code of the Village of Kinderhook and any other districts or landmarks designated by the Trustees. District boundaries shall follow the lot lines of designated historic structures as surveyed and symbolically depicted on tax maps that form the perimeter of the district as shown on the Zoning Map.
- B. The Historic Preservation Map shall show the location(s) and boundaries of landmarks and historic districts, and it shall be on file with the Village Clerk. Said Map shall be adopted and declared a part of this chapter. The Historic Preservation District shall be considered henceforth separate from the zoning regulations and district map.
- C. Where uncertainty exists with respect to the boundaries of any of the aforesaid districts shown on the Historic Preservation Map, the following rules shall apply:
 - (1) Where district boundaries are indicated as approximately following the center lines or right-of-way lines of streets, highways, public utility easements or watercourses, said boundaries shall be deemed to be automatically moved if a center line or right-of-way line of such street, highway, public utility easement or watercourse is moved a maximum of 50 feet.
 - (2) Where district boundaries are indicated as approximately following the Village boundary line, lot lines, utility lines or projections thereof, said boundaries shall be coincident with such lines or projections thereof.
 - (3) Where district boundaries are so indicated that they are approximately parallel to the Village boundary line, lot lines, right-of-way lines or projections thereof, said boundaries shall be construed as being parallel thereto and at such distances therefrom as indicated on the Historic Preservation Map or as shall be determined by use of the scale shown on the Historic Preservation Map.
 - (4) In all other cases, where not dimensioned, the location of boundaries shown on the Map shall be determined by the use of the scale appearing thereon.

§ 75-6. Certificate of appropriateness for alteration, demolition or new construction affecting landmarks or historic districts.

No building permit shall be issued nor shall any person commence any exterior alteration, restoration, reconstruction, demolition, new construction, or moving of any building or structure or any feature thereon on a landmark or property within a historic district that is

visible from any public way, without first obtaining a certificate of appropriateness from the Historic Preservation Commission.

§ 75-7. Criteria for approval of a certificate of appropriateness.

- A. In acting upon an application for a certificate of appropriateness, the Historic Preservation Commission shall consider only changes to exterior features of buildings and structures.
- B. The Commission's decision shall be based upon the following principles:¹
 - (1) Buildings and structures which contribute to the character of the Historic District shall be retained, with their historic features altered as little as possible.
 - (2) Any alteration of existing buildings and structures shall be compatible first with its own historic style and secondly compatible with the character of the surrounding district.
 - (3) New construction shall be compatible with existing architecture.
 - (4) Only construction or alterations that are compatible with the long-term preservation of the historic buildings and structures shall be permitted.
- C. In applying the principles of compatibility, the Commission shall consider the following factors:
 - (1) The general design, character and appropriateness to the property of the proposed alteration or new construction;
 - (2) The scale of the proposed alteration or new construction in relation to the property itself, surrounding properties, and the neighborhood;
 - (3) Form, texture, material, and their relation to the features of the buildings and structures and to similar features of other buildings and structures in the neighborhood;
 - (4) Visual compatibility with surrounding properties, including proportion of the buildings' and structures' facades, proportion and arrangement of windows and other openings within the facades, roof shape, and the placement of buildings and structures on lots in the neighborhood, including setback; and
 - (5) The historic and architectural significance of the property.

§ 75-8. Certificate of appropriateness application procedure.

- A. Prior to the issuance of a building permit and/or the commencement of any construction, alteration, demolition, or moving of any building or structure, the Code Enforcement

1. **Editor's Note:** These principles are consistent with the current edition of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* and *The Secretary of the Interior's Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*.

- Officer shall determine if a certificate of appropriateness is required. If the Code Enforcement Officer determines that a certificate of appropriateness is required, the property owner shall file an application for a certificate of appropriateness with the Code Enforcement Officer. The Code Enforcement Officer shall forward the application to the Chairman of the Historic Preservation Commission.
- B. The certificate of appropriateness required by this chapter shall be in addition to and not in lieu of any building permit or approval that may be required by any other ordinance or local law of the Village of Kinderhook.
- C. The application must be submitted to the Chairman 10 days prior to a regularly scheduled meeting of the Commission.
- D. The application shall contain:
- (1) Name, address and telephone number of the applicant and the owner;
 - (2) Location and photographs of buildings and structures on the property;
 - (3) Elevation and plan drawings of proposed changes, and site plan to show relationships to adjacent properties; and
 - (4) Samples of materials to be used.
 - (5) Where the proposal includes signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions, a description of material to be used, method of illumination, and a plan showing the sign's location on the property.
 - (6) Any other information, such as drawings by a licensed architect and/or relevant perspective drawings, which the Commission or the property owner may deem necessary in order to visualize the proposed work.
 - (7) A fee as set from time to time by resolution of the Board of Trustees shall accompany the application.
 - (8) The Commission may waive any of the above required item(s) deemed not relevant to the work proposed.
- E. A public hearing will be required when the proposed project requires coordinated review with the Planning Board or with the Zoning Board of Appeals and/or includes an addition, new construction, alteration, relocation, demolition, or other actions or work determined by the Commission to warrant public comment.
- (1) When a public hearing is to be held, the applicant shall remit an additional fee as set from time to time by resolution of the Board of Trustees to cover the cost of the hearing notices.
 - (2) Written notice of the hearing shall be sent to the applicant and to property owners within 300 feet of the applicant's property; advertised in the newspaper 10 days in advance of the hearing; and posted on public boards in the Village.

- (3) Opportunity will be provided for proponents and opponents of the application to present facts and their views.
 - (4) A decision on the application will be rendered within 45 days of the close of the public hearing. The hearing may be adjourned by the mutual consent of the applicant and the Commission, with continuation set for a date within 45 days.
- F. The Commission shall approve, approve with conditions, or disapprove applications for a certificate of appropriateness within 45 days of the closing of the review of the application, unless the Commission requires a public hearing on the application.
- G. All decisions of the Commission shall be in writing. One copy shall be sent to the applicant by registered mail, one copy shall be filed with the Village Clerk's Office for public inspection, and one copy shall be forwarded to the Code Enforcement Officer. The Commission's decision shall state the reasons for approving, denying or approving with modification any application.

§ 75-9. Hardship criteria.

- A. An applicant whose certificate of appropriateness for a proposed new construction or alteration has been denied may apply for relief on the ground of hardship. In order to prove the existence of hardship, the applicant shall establish the following:
- (1) The property is incapable of yielding a reasonable return, regardless of whether that return represents the most profitable return possible; or
 - (2) The property is incapable of having a reasonable beneficial use.
- B. An applicant whose certificate of appropriateness for a proposed demolition has been denied may apply for relief on the ground of hardship. In order to prove the existence of hardship, the applicant shall establish the following:
- (1) The property is incapable of yielding a reasonable return, regardless of whether that return represents the most profitable return possible;
 - (2) The property is incapable of having a reasonable beneficial permitted use, and the property cannot be adapted for any other permitted use, whether by the current owner or by a purchaser, which would result in a reasonable return; and
 - (3) Efforts to find an individual or organization interested in acquiring the property (or part thereof) and preserving it have failed.

§ 75-10. Hardship application procedure.

- A. After receiving written notification from the Commission of the denial of a certificate of appropriateness, an applicant may commence the hardship process. The application to commence the hardship process must be submitted to the Commission within 60 days of the written notification from the Commission of the denial of the certificate of appropriateness. No building permit or demolition permit shall be issued unless the Commission grants relief based upon a finding that a hardship exists.

- B. The Commission shall hold a public hearing on the hardship application at which an opportunity will be provided for proponents and opponents of the application to present their views. The public hearing shall be held within 40 days of filing of the hardship application with the Commission.
- C. Public notice of the hearing by the Commission shall be given in accordance with Village Law and practice as follows:
 - (1) By publishing a notice of the application and the time and place of the public hearing in the official newspaper of the Village of Kinderhook not less than 15 days prior to the date of the hearing;
 - (2) By giving written notice of the hearing to the applicant and to property owners within 300 feet of the applicant's property; and
 - (3) By giving written notice of the hearing to any required municipality, county, metropolitan, regional, state or federal agency in the manner prescribed by law.
- D. The applicant shall consult in good faith with the Commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property. If a hardship is proven, the Commission shall grant the minimum relief necessary to alleviate the hardship.
- E. All decisions of the Commission shall be in writing. A copy shall be sent to the applicant by registered mail and a copy filed with the Village Clerk's Office for public inspection. The Commission's decision shall state the reasons for granting or denying the hardship application.

§ 75-11. Enforcement.

All work performed pursuant to a certificate of appropriateness issued under this chapter shall conform to any requirements included therein. It shall be the duty of the Code Enforcement Officer to inspect periodically any such work to assure compliance. In the event work is found that is not being performed in accordance with the certificate of appropriateness, or upon notification of such fact by the Historic Preservation Commission, the Code Enforcement Officer shall issue a stop-work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop-work order is in effect.

§ 75-12. Maintenance and repair required.

- A. Nothing in this chapter shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature of a building or structure on a landmark property or property within a historic district which does not involve a change in form, material, or texture.
- B. No owner or person with an interest in a property designated as a landmark or included within a historical district shall permit the buildings or structures on the property to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature which would, in the judgment of the Historic Preservation

Commission, produce a detrimental effect upon the character of the Historic District as a whole or the life and character of the property itself. The Commission shall by letter notify the Code Enforcement Officer of the determination.

C. Examples of such deterioration include:

- (1) Deterioration of exterior walls or other vertical supports;
- (2) Deterioration of roofs and gutters or other horizontal members;
- (3) Deterioration of exterior chimneys;
- (4) Deterioration or crumbling of exterior stucco or mortar;
- (5) Ineffective waterproofing of exterior walls, roofs or foundations, including broken windows or doors; and
- (6) Deterioration of any feature so as to create a hazardous condition which could lead to the claim that demolition is necessary for the public safety.

§ 75-13. Penalties for offenses.

- A. Failure to comply with any of the provisions of this chapter shall be deemed a violation and the violator shall be liable to a fine of up to \$80 for each day the violation continues.
- B. Any person who alters, constructs or permits a designated building or structure to fall into a state of serious disrepair or who demolishes a property in violation of this chapter shall be required to restore the property to its condition prior to the violation. Any action to enforce this subsection shall be brought by the Village Attorney. This civil remedy shall be in addition to and not in lieu of any criminal prosecution and penalty.
- C. If the Code Enforcement Officer cites a property owner for failure to maintain or repair the buildings and structures on a landmark property or property in the Historic District, the Commission may, but is not required to, assist the property owner in locating sources of financial and technical assistance in order to restore the property. The Village Board upon recommendation of the Commission shall define what is considered a reasonable time period for the completion of repairs.

§ 75-14. Relief from Board decisions.

Any person aggrieved by a decision of the Historic Preservation Commission relating to hardship or a certificate of appropriateness may, within 15 days of the decision, file a written application with the Village Board for review of the decision. Reviews shall be conducted based on the same record that was before the Commission and using the same criteria.