

**Village of Kinderhook**  
**Historic Preservation Commission**  
**Special Meeting - June 30, 2022**  
**(Regular Meeting - June 16, 2022 - Cancelled)**  
**In-Person Meeting - Village Hall**

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

**Absent:** -

**Others Present:** Mark Browne - Village Liaison, Peter Bujanow - Code Enforcement Officer, Robert Fitzsimmons - Village Attorney, William Better, Dana Spot, Osheen Harruthoonyan and son, George Spencer

**Workshops:** None

T. Husband brought the Regular Meeting to order at 7:00 pm.

**Minutes:** Motion made to approve the Regular Meeting Minutes of May 19, 2022. Moved: S. Sawyer; Second: E. Martin. Motion carried.

**Funds Remaining:** \$2,500 (Start of 2022-23 Fiscal Year)

**Correspondence:** **Letter - CLG Program Award**  
An award letter from Erik Kulleseid, Commissioner for New York State Parks, Recreation and Historic Preservation was received by the Village announcing the Fiscal Year 2022 Certified Local Government grant award in the amount of \$13,000 to amend the National Register nomination for the Kinderhook Village Historic District.

**Old Business:** **Next Steps - CLG Program Award**  
Prepare a RFP (Request for Proposal) to hire a Historic Preservation Consultant who will undertake the survey. E. Martin will put together a draft RFP which will specifically outline the scope of work for the consultant to reassess existing buildings in the district. It can take some time for the consultant to conduct the survey and E. Martin suggests we move forward in phases with milestones in place in order to complete the project prior to the September 30, 2023 deadline.

The HPC is responsible for creating and managing the RFP process along with selecting/hiring the consultant with Village Board approval. This is a reimbursement grant where the Village will front the funds and the grant will reimburse those funds, a schedule of payment will be established through New York State Historic Preservation Office (SHPO). E. Martin to speak with Kate Johnson, Village Historian, for assistance with this project.

**New Business:**

**7 Church St/Gate/Patrick Harbron & Dana Spot**

Patrick Harbron & Dana Spot submitted an application for a divided gate with fence panels left and right of gate for the end of driveway at rear of house. Gate to measure 144” wide with the remaining width of 70.5” to be fence panels matching gate. Fence and gate height will be 48”. Looking northeast, the left fence panel will meet the house and the right fence panel will end next to the neighbors fence, does not touch their fence. Materials: pressure treated wood - 1” x 6” pickets, 4” x 4” and 6” x 6” posts, black steel strap hinges and steel ring turn latch. Fence to be painted white to match existing fences and house trim.

Motion made to approve the Gate and Fence Panels for 7 Church St. as presented in application meeting criteria in Chapter 75-7B (3 & 4) & Chapter 75-7C (1, 2, 3, & 4).

Moved: E. Martin; Second: S. Sawyer. Motion carried.

\$10 Application Fee received.

**5 Chatham St/Sign/Nolan Robinson & Marisa Rothstein**

The HPC reviewed the application as submitted for hanging an additional sign from the building. Existing sign “Siena” will be raised up from its position and the new sign will hang directly below the “Siena” sign. Image and text “Nolan Robinson Law” will be carved into both sides of the wood sign. Dimensions will be the same as the “Siena” sign, 36” x 36”. Sign will be mounted more than 8’ from the ground and will hang on a simple wrought iron bracket.

Motion made to approve the Sign for 5 Chatham St. as presented in application meeting criteria in Chapter 75-7B (3) & Chapter 75-7C (1, 2, 3 & 4).

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

\$10 Application Fee received

**30 Albany Ave/Windows/Shanley Knox & Osheen Harruthoonyan**

Attorney William Better distributed a letter regarding the window and door at 30 Albany Ave at tonight’s meeting dated today, June 30, 2022, letter attached to minutes.

Representing Osheen & Shanley Harruthoonyan (applicants), W. Better presented the application for replacement and installation of a window on the second floor

left front facade at 30 Albany Ave. Application stated the window was “in kind” and W. Better questioned the need to come before the HPC for a Certificate of Appropriateness.

With discussion between W. Better, O. Harruthoonyan, and the Commission, it was determined by the Commission that the proposed window was not “in kind” due to change in material. The applicant proposed replacing the existing wood window with an Andersen A-Series Double-Hung Window, clad/Fibrex (fiberglass composite) material, white, full divided light grilles, and slightly smaller in height and width, which will accommodate the existing trim.

O. Harruthoonyan stated the bottom two wood windows on the first floor front facade will be restored, not replaced, at a future date with true divided lights.

Motion made to approve the installation of an Anderson A-Series Double-Hung Window on the second floor left front facade at 30 Albany Ave, as presented in the HPC Application, meeting criteria in Chapter 75-7B (2) & Chapter 75-7C (1, 2, & 4).

Moved: E. Martin; Second: S. Sawyer. Motion carried.

It was brought to the Commission’s attention that the applicant also installed a window without a building permit and HPC review and approval on the second floor right front facade. This window is not the same as the window approved this evening for installation on the second floor left front facade. The window that was previously installed without a building permit and HPC approval on the second floor right front facade is a simulated divided light window and not a true divided light, clad/Fibrex (fiberglass composite) material, white. Visually from the road, both windows will look the same. The Commission agreed to amend the HPC Application presented at this meeting to include the window on the second floor right front facade. W. Better amended and signed the HPC Application.

Motion made to approve the amended HPC Application for both windows on the second floor front facade meeting criteria in Chapter 75-7B (2) & Chapter 75-7C (1, 2, & 4).

Moved: E. Martin; Second: S. Sawyer. Motion carried.

W. Better stated he will submit a Building Permit Application for both windows, the new window yet to be installed and the previously installed window.

Village Attorney, R. Fitzsimmons, recapped as follows: The second story windows on the front facade are the bathroom window, which was approved after review by the HPC. The right side window, having already been replaced is amended and added to the application and approved as well by the HPC based on the same criteria.

\$10 Application Fee was received.

**30 Albany Ave/Front Door & Transom/Notice of Violation - Osheen Harruthoonyan**

Attorney William Better represented Osheen & Shanley Harruthoonyan in regard to the Notice of Violation received from the Code Enforcement Officer for installation of a door and transom at 30 Albany Ave without a building permit and a HPC Application for Commission review and approval.

W. Better, after his review of the May 19, 2022 draft minutes, believed the door had been approved “in kind” at the May meeting of the HPC. The HPC May Meeting minutes were approved at tonight’s meeting without any changes. (For the record, minutes read as follows: “The Commission decided that if the door was, in fact, made of wood, the changes were all in-kind and, therefore, not subject to HPC approval.”)

It was determined by the Commission that the front door installed without HPC review and approval was deemed not “in kind”. Mr. Harruthoonyan was previously asked to provide the invoice for the front door in order to determine the door material, he was unable to provide the invoice. K. Neilson thought it may be a MDF door, applicant then stated it was a wood composite door (aka MDF). Previous door was believed to be a 6 panel, plain wood door. It was concluded by in-person inspection by K. Neilson that the front door that was recently installed has heavy moldings, curved panels, MDF/composite and is not “in kind”.

A copy of the 1989 Planning Board’s Historic Review Report (copy attached) of 30 Albany Ave indicates a 6 panel wood door with 4 light transom was approved at that time (the Planning Board had the oversight of the Historic District prior to the HPC formation).

O. Harruthoonyan said he was unaware when he purchased the house that the house was located in the Historic District. Code Enforcement Officer, P. Bujanow, presented an email dated December 2020 which was sent to the applicant with the 1989 Planning Board Historic Review Report for 30 Albany Ave attached to the email and that he had previously discussed the property and Historic District with O. Harruthoonyan. The email sent was confirmed by the Village Attorney. Also, it was stated that the realtor, Bill Laraway, had informed Mr. Harruthoonyan that he was purchasing a home in the Historic District, applicant does not recall being informed and recalled receiving a packet from the Village Clerk’s Office regarding the Historic District several months after he purchased the house.

Mr. Harruthoonyan was requested by the Commission to provide an HPC Application for the recently installed front door and transom along with photos he

may have of the old and new door and transom for presentation at the July meeting of the HPC for the Commission's review.

K. Neilson noted that all properties are not the same and each are reviewed individually, many factors are considered in making a determination for HPC approval, house styles, distance from road, etc. Applicants are encouraged to attend a HPC workshop prior to making changes.

S. Sawyer also noted the HPC application process is a simple and painless process.

Village Attorney, R. Fitzsimmons, recapped as follows: the determination is that it was not a replacement "in kind" for the door and he can apply for the door to be a replacement, subject to design and materials.

Code Enforcement Officer, P. Bujanow, stated that a building permit is required to be submitted for the front door along with the HPC Application.

**Other:**

**15 Broad St.**

S. Sawyer requested an update to the property on 15 Broad St. where he noticed some demolition occurring, the front stoop and railings had been removed. The Code Enforcement Officer visited the site and discovered that the entire stoop and railings had been removed a new stoop was being constructed. The daughter of the owner was home and said they were replacing the stoop "in kind". A Stop Work Order and Notice of Violation were issued due to lack of HPC review and approval and no Building Permit for complete reconstruction of the stoop.

Attorney William Better disclosed that he is representing the homeowner at 15 Broad St regarding the replacement of the stoop. He discussed the history of the property along with current and past owners. Discussion ended. Building owner needs to submit a Building Permit Application for reconstruction of stoop and HPC Application.

A HPC Application was received for a sign at this location and will be forwarded out to the Commission under separate cover.

**Procedures:**

Discussion was had on the recent FOIL request received.

R. Dawkins requested an update from M. Browne, Village Trustee Liaison, regarding an "alternate member" to the Commission, reducing the cancellation of meetings due to lack of quorum. M. Browne requested the Commission make a motion for the request and he will address at the July 13th meeting of the Village Board. J. Bujanow to contact Nicole Heeder, Village Clerk, for posting the open position.

Final  
6.30.22

Motion made to approve an “alternate member” to sit on the Historic Preservation Commission in the absence of a Commission member.

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

Hybrid Meetings - the Village has not passed a local law allowing hybrid meetings. All meetings are “in-person” at this time. However, equipment is being researched should Zoom meetings resume. Physical members of the Commission must be present in-person even if Zoom meetings are initiated. Agendas and supporting documents to be posted to the website for all meetings, in-person or Zoom. More information to follow as developed by the Village Board.

Next meeting of the HPC - July 21, 2022. R. Dawkins will not be in attendance.

Motion made to adjourn at 8:08 pm.

Moved: K. Neilson; Second: S. Sawyer. Motion carried.



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Jacqueline Bujanow, Secretary  
Historic Preservation Commission