

The 2024 Montebello Historic Preservation and Parks Commission held a meeting on Wednesday, December 4, 2024 at the Village Hall, One Montebello Road, Montebello, NY. Chairman Moetzinger called the meeting to order at **7:00 p.m.** and led everyone in the Pledge of Allegiance.

PRESENT

Matthew Moetzinger, Chairman
Bill Ellsworth, Member
Lisa Levin, Member
Dorice Madronero, Member
Rosemary Mocio, Member

OTHERS

Warren E. Berbit, Village Attorney
Craig Long, Village Historian
Regina Rivera, Clerk

ABSENT

Josh Goldstein, Member

Minutes Approval

Member Ellsworth made a motion to approve the November 6, 2024 meeting minutes. The motion was seconded by Member Madronero and upon vote, all were in favor.

New Business

Public Hearing: Carlos Cabrero and Tina DiMeo

29 Bayard Lane S/B/L 48.10-1-73

Construction of a new single-family dwelling in the Scenic & Historic Roads Overlay District thus requiring a Certificate of Appropriateness.

The application, public notice and submittals were read into the record, and ownership of the property was established. The Village Attorney, after questioning the clerk, concluded that due notice was given and the Public Hearing was opened at 7:15 p.m.

Present were the Applicants, Carlos Cabrerros and Tina DiMeo, and their Engineer Jay Greenwell. Mr. Greenwell presented and explained that, although the property is 196,000+ square feet, much of it is comprised of DEC wetlands and a 100 year floodplain. The proposed structure, therefore, is completely within the viewshed of the Scenic and Historic Overlay District to avoid all sensitive environmental areas.

Other areas of progress were shared with the HPPC, to wit:

- Testing on existing well yielded positive results and the water is potable.
- The wetlands were re-flagged
- Five (5) dry wells are proposed
- R.C. Drainage Agency permit application is well underway

Regarding the in-ground pool included in the survey, Mr. Greenwell stated that it is not part of this application, that it may or may not be built, but that they wanted the Drainage Agency to know that it is a possibility.

The Applicant Ms. DiMeo presented the architectural details of the 5,876 square foot home, stating that they loved the home across the street from the property and secured the same architect, Jane Slavin. The home will therefore match the surrounding structures, and will include stone siding on the base of the house, blue

and gray colors for the siding, timberline architectural roof shingles, and path and driveway pavers complementing the surrounding color palette.

There is a very old accessory structure in the rear of the property which may one day be renovated for an ancillary use and which also falls within the 250 foot Scenic & Historic Overlay buffer. However, it is within the DEC wetlands and will be held in abeyance until the property owners are ready to develop it.

Village Attorney Warren Berbit noted that the home is very tall considering the large footprint, and asked if there will be cathedral ceilings or attic space, citing concerns about how it will affect viewshed of Bayard Lane.

Ms. DiMeo noted two peaks, one over the primary bedroom and the other over the main living space, and that there will be a staircase to an attic for storage and for the HVAC equipment. Mr. Greenwell added that no FAR variance is required. A call was placed to the Architect who confirmed that the attic spaces were considered and that FAR is met without variances.

A lengthy discussion ensued about the native vegetative buffer required in the overlay district. It was noted that this requirement is somewhat difficult because there are two front yards and because the 15 to 20 feet of vegetative buffer would engulf the house. Mr. Greenwell said that the only trees being removed are in the immediate vicinity of the dry well gallery and seven more for the structure, and that the survey shows bare-bones foundation plantings for now, and several street shade trees.

The Commission recommended adding a few more evergreens like deer-resistant arborvitae, and all agreed that they should conduct a site visit for more perspective. Member Ellsworth asked Mr. Greenwell to stake the four corners of the house location. Chair Moetzinger asked for a color rendering of the home. The neighbors from across the street were present and indicated no objections to the proposed dwelling.

The Commission scheduled the site visit for Wednesday, December 11, 2024 at 2:00 p.m. Mr. Greenwell agreed to have it staked by then. The Applicants will return to the HPPC on January 8, 2025.

Certificate of Appropriateness Application and Public Hearing continued

David Fried

63 Viola Road S/B/L 48.12-1-19

Construction of a new single-family dwelling

Present was the Applicant Mr. David Fried who stated that he submitted the additional photos requested by the Commission at the November meeting, as well as revised plans that now identify all trees to be removed and planted. These documents were included in the Record.

At 8:22 pm, with no one having any comments or questions, Member Levin made a motion to grant a Certificate of Appropriateness (COA) conditioned upon the enhancement of the buffer with nine (9) arborvitae, sized and placed as shown, and the restoration of the existing front stone wall. Member Madronero seconded the motion and upon vote, all were in favor, as per the following formal Resolution:

WHEREAS, the Applicant David Fried for a Certificate of Appropriateness for a new single-family home at 63 Viola Road, being within the Scenic & Historic Roads Overlay District appeared before the HPPC pursuant to Village Code Sec. 195-60J, on three occasions, to wit: informally on October 15, 2024, and for a Public Hearing which commenced on November 6, 2023 and continued on December 4, 2024; and

WHEREAS, the Village Attorney concluded that due notice was given by virtue of such being published and posted, and the following being available and included in the record:

- Application
- Legal Notice
- Plot plan dated 9/19/2024 by Paul Gdanski, PE, PLLC
- Two photos, one of the existing structure and one of the proposed new structure.
- Plot Plan from Paul Gdanski, P.E., PLLC, dated September 19, 2024.

WHEREAS, additional materials were added into the record as requested by the HPPC as follows:

- Additional color photos showing existing plants
- Marked-out plan with plantings; and

WHEREAS, the HPPC duly deliberated in public and all testimony and materials were considered.

THEREFORE, BE IT RESOLVED that requirements of the Scenic & Historic Roads Overlay District have been met and a Certificate of Appropriateness (COA) shall be issued subject to the following conditions:

1. The planting of nine (9) appropriately six feet high or larger deer and shade resistant arborvitae at the locations indicated on the plot plan;
2. The restoration of the stone wall within the buffer zone by gathering and resetting the stones.

On a motion by Member Levin, seconded by Member Madronero, the Commission granted the Certificate of Appropriateness issued on the following affirmative vote:

<u>MEMBERS PRESENT:</u>	<u>YEA or NAY</u>
Matthew Moetzinger, Chair	Yea
William Ellsworth, Member	Yea
Lisa Levin, Member	Yea
Dorice Madronero, Member	Yea
Rosemary Mocio, Member	Yea
Josh Goldstein, Member	Absent

Certificate of Appropriateness Application and Public Hearing continued

Nachman Rotenberg
62 Montebello Road S/B/L 48.18-2-10.3
Construction of a new single-family dwelling

The Public Hearing continued at 8:20 p.m. Kalman Herskovits of Construction Expeditors presented on behalf of the Applicant/property owner. Chair Moetzinger read the submittals into the record, noting that the architectural plans were included per the Commission’s request at the November meeting.

Mr. Herskovits explained that he submitted the additional photos of the property and the shed as requested, and that the footprint of the house has been staked out. Floor plans were also submitted and five additional trees were added to the site plan as requested.

Regarding the barn in the rear of the property, Village Historian Craig Long explained that he visited the site and found that it was made from dimensional lumber, probably in the 1980s. He also found a survey from 1975 that did not show the barn, indicating that it is not in fact an historic structure. Mr. Long said he is trying to work with SHPO for a retraction of their earlier determination. Their opinion is now a moot point, but a revision would be good for our records and for theirs, he added.

Mr. Herskovits said that the property owner is completely fine with removing the barn and pushing the house further back a minimum of 10 feet. The Commission asked why it couldn't be more than 10 feet and Mr. Herskovits said they would look into it.

The Board was thus satisfied and at 8:40 p.m., Member Mocio made a motion to grant a Certificate of Appropriateness conditioned upon the additional plantings, the driveway curb cut to the left side of the garage, the restoration of the stone wall and moving the house further back a minimum of 10 feet. The motion was seconded by Member Ellsworth and upon vote, the motion passed unanimously, as per the following formal Resolution:

WHEREAS, the Applicant Nachman Rotenberg for a Certificate of Appropriateness for a new single-family home at 62 Montebello Road, being within the Scenic & Historic Roads Overlay District appeared before the HPPC pursuant to Village Code Sec. 195-60J, on two occasions on November 6, 2023 when the public hearing commenced and continued on December 4, 2024; and

WHEREAS, the Village Attorney concluded that due notice was given by virtue of such being published and posted, and the following being available and included in the record:

- Legal notice
- Application for a Certificate of Appropriateness
- Color renderings of proposed home
- Subdivision plot plan dated 2/16/2023, latest revised 9/23/2024

WHEREAS, additional materials were added into the record as requested by the HPPC as follows:

- Subdivision plot plan dated 2/16/2023, latest revised date 11/13, 2024 from Civil Tec Engineering
- Elevations and architectural plans for proposed dwelling dated 11/7/2024 from Silverlock Design Group
- Eight color photos from various angles and one aerial photo of the property; and

WHEREAS, the HPPC duly deliberated in public and all testimony and materials were considered.

THEREFORE, BE IT REOLVED that requirements of the Scenic & Historic Roads Overlay District have been met and a Certificate of Appropriateness (COA) shall be issued subject to the following conditions:

1. Removal of the barn in the rear of the property and moving the home rearward a minimum of 10 feet
2. Additional plantings along the front of the property as shown

3. Moving the driveway and cut through the stone wall eastward, and restoration of the stone wall to properly fill the existing cut.

On a motion by Member Mocio, seconded by Member Ellsworth, the Commission granted the Certificate of Appropriateness issued on the following affirmative vote:

<u>MEMBERS PRESENT:</u>	<u>YEA or NAY</u>
Matthew Moetzing, Chair	Yea
William Ellsworth, Member	Yea
Lisa Levin, Member	Yea
Dorice Madronero, Member	Yea
Rosemary Mocio, Member	Yea
Josh Goldstein, Member	Absent

Member Levin made a motion to adjourn the meeting at 8:42 pm, seconded by Member Mocio and upon vote, all were in favor.