

THE REGULAR MEETING OF THE HISTORIC PRESERVATION COMMISSION OF THE VILLAGE OF MONTEBELLO WAS HELD ON MONDAY JANUARY 7, 2019 AT THE VILLAGE HALL. THE MEETING WAS CALLED TO ORDER AT 8:05 P.M. FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

Present:	Lisa Levin	Chairperson
	Bill Ellsworth	Member
	Dorice Madronero	Member
	Rosemary Mocio	Member
Others Present:	Warren Berbit	Village Attorney
	Craig Long	Village Historian/HPC Advisor
	Regina Rivera	Planning & Zoning Clerk
Absent:	Matt Moetzingler	Member

Sander Gerber
556/558 Haverstraw Road
40.19-1-33 and 44

Application of Sander Gerber, 558 Haverstraw Road, Montebello, New York, 10901 for a Certificate of Appropriateness pursuant to Sections 195-60 K and 195-64.1 A-C of the Village Code. The Applicant is proposing the installation of a circular driveway that would connect both his residences at 556 and 558 Haverstraw Road, and the construction of a tennis court. The properties are located on the west side of Haverstraw Road, which lies within the Scenic and Historic Road District, approximately 0 feet north of Coe Farm Road in the Village of Montebello and designated on the Ramapo Tax Map as Section 40.19, Block 1, Lots 34/33 in the RR-50 Zone.

In attendance were the applicant's attorney, Amy Mele, his engineer Glenn McCreeley of Civil Design Works, LLC, and landscape architect Michael Virginia of Kelly Varnell Virginia, Inc.

Chairperson Levin opened the meeting at 8:05 and the public hearing notice was read into the record. Village Attorney Warren Berbit established for public hearing notice was properly posted and published on January 2nd, and then established for the record the materials submitted, which included the application dated January 2, 2019, a Site Plan entitled "Gerber Residence" dated July 20, 2018 with a latest revision date of 12/14/18, two artist's color renderings, and a cover letter and narrative by Amy Mele dated January 3, 2019.

Mr. Berbit noted that though the plans and renderings were submitted within an acceptable window of time, the application and the narrative were submitted one day after the public hearing was published and posted. They weren't available on that exact date to be discovered and reviewed, so it may warrant a continuation of the public hearing. However, he continued, there will likely be other issues to address before making a final determination, so this may not delay the process.

Mr. Berbit noted that this is the first time the HPC will consider an application for the Scenic and Historic Overlay District, which was part of the 2017 Comprehensive Plan of the Village of Montebello and subsequently enacted into the Village code by Local Law 7 of 2018. It is this commission's duty, he said, to determine the appropriateness of activity within that overlay district, which consists of several roads as defined in the Local Law and goes from the center of the road to

250 feet on either side of the same. Parts of both these parcels lay within that district, and we are here specifically to determine the appropriateness of the scenic and the historic quality of this proposal and to adjust as may be necessary, he said.

Member Ellsworth made a motion to open the public hearing at 8:15 p.m., seconded by Member Madronero. All in favor.

The Applicant was instructed to present first: Ms. Mele acknowledged that several HPC and ZBA members made a site visit to the property over the weekend, and she gave an overview of the project, noting that the Gerber family wish to make robust aesthetic improvements to the property as well as add a tennis court. Ms. Mele said this application has been to CDRC several times, the Planning Board, and ZBA, where they will again appear on January 17th. Neighbors have attended some of these meetings to voice their opinions about the project, notably their displeasure with the proposed lighting for the tennis court. To that regard, Ms. Mele pointed out that she included a lighting plan on her latest narrative of January 3rd in error and that the Gerbers have abandoned lighting for the tennis court. In any case, she continued, the elements of Local Law 7 of 2018 are the things that this family wants to protect.

Mr. Virginia presented a colorized overview of the site plan illustrating a cohesive family compound with one driveway that wends its way through both lots, a vegetable garden, lush layers of evergreen and deciduous plantings both within and around the perimeter of the property fencing, and walkways connecting terraces and the main house. Mr. Virginia made reference to illustrative, color panels not in the record, thus Mr. Berbit requested that all commission members receive a copy of the illustrations, shrunken in size, if need be.

Mr. Virginia described the paved and then gravel-topped driveway, which will have one curb cut on Haverstraw Road and heralded by a gate between two stone columns that will connect to a portion of stone wall, and in staggered combination of stone wall and cedar fence, will span across the front of the property set back from the property line. He then distributed photos of the fence and stone wall (copies on file), explaining that the cedar fence will be painted a dark gray or green to better blend with the landscape and complemented by vegetative plantings in front which will include arborvitae, juniper, laurel and native deciduous shrubs. Additionally, there will be a double layer of plantings around the tennis court. All the plantings described will be composed naturally and will not look too manicured and much of the mature existing landscaping will remain, he added.

Member Ellsworth asked the height of the fence around the tennis court. Mr. Virginia said it will be 8 feet high and set far enough back from the property line so that no area variances are required. Various photos of the fence types were circulated. Member Ellsworth asked about the soil being removed. Mr. Virginia said that the excess fill removed for the tennis court, drainage and regrading will be used in other areas of the property where possible and the rest and will be exported off-site. Member Ellsworth then asked if there will be any restoration to the house on the front lot. Mr. Virginia said other than the removal of overgrown holly plants and flowering trees, the Gerbers have no immediate plans for any interior or exterior renovations, except perhaps painting the exterior.

Chair Levin asked how tall the stone portions of the front wall will be Mr. Virginia said it will be 6'tall, the same height as the fence. Member Mocio asked the height of the shrubs around the tennis court. Mr. Virginia said it could vary between 3 and 5 feet in the form of an evergreen-type privet-look, but further away, 8 to 10-foot spruces at least buffering the property sideline. The cost of the types and maturity of those plantings will affect the Gerber's final decision. Whatever is planted there will eventually grow to match the height of the tennis court fence, he added. Chair Levin expressed concern about the impact the fence would have on the verdant aesthetics and the views of

the historic front house and barn, circa 1870s/80s and asked if alternative types of fencing were considered. Mr. Virgonia said the main consideration for the fence was to keep the deer out. Admitting that deer can easily jump a 6' fence, he explained that if the deer tend not to jump if they cannot see what is on the other side, which is the reason for the solid façade of the fence.

Member Madronero asked if the electrical will be buried and the overhead wires eliminated. Mr. McCreedy answered that the Village ordinance requires it, and that it is an issue to be addressed with the Building Inspector, Village Engineer and possibly Orange & Rockland as part of a secondary project. Member Madronero then asked the duration of the project, citing concerns about construction during the summer months. Mr. Virgonia said the work will be done in phases and not during the warm weather when the Gerber family is at the property. The drainage, tennis court and other work for the front property will comprise Phase 1 during the early spring if possible, and Phase 2 will concentrate on the lighter scale work to be done on the rear property, he explained.

Mr. Berbit said that the main responsibility of this Commission is to preserve the view shed of, in this context, any historic and other important features. The House on the front lot and the barn are important historical features, he said, and asked how much of these two structures will be seen from the road in either direction after the work is complete. Mr. Virgonia said that admittedly, less of the interior property will be seen from the road, but that the idea is to obscure it for privacy but not remove it, from public view.

Mr. Berbit noted that Section 195-60 L (5)(b) of the Village Code requires that 10% of the depth of the front of the property should be a vegetative buffer with species indigenous to the area.

Mr. McCreedy said that the sewer easement, which is about 30 feet off the road, complicates and restricts what can be done along the frontage. Mr. Berbit agreed the sewer easement poses a challenge and offered that they could plant inward instead. He then asked Mr. Vigonia to provide information on how the applicant will accommodate this section of the code.

No one having further questions, Mr. Berbit suggested that the commission hold off on making any determinations until additional materials are received and to allow the time to pass because some documents were a day late after the public hearing was published. Chair Levin agreed and said the next meeting is scheduled for January 23rd. Mr. McCreedy noted that the submission deadline is two weeks before the next meeting, in two days. Mr. Berbit acknowledged the truncated time frame and said the materials could possibly be submitted one week before the next meeting. All were amenable to this solution. Ms. Mele reiterated that the materials to be submitted should include the colored site plan rendering and details about the vegetative buffer and how it relates to the Code, as well as such for the front fence, which could be added to the narrative.

Mr. Berbit suggested that the Commission continue the public hearing to the next meeting to keep the public record open for the additional materials requested from the applicant, who has agreed to submit them no later than January 16th, one week before the next HPC meeting. Based on these conditions, Member Mocio made a motion to adjourn and continue the public hearing to the January 23, 2019 HPC meeting, seconded by Chairperson Levin. Upon vote, the motion carried unanimously.

Member Madronero made a motion to adjourn the meeting at 9:05 p.m. seconded by Member Mocio. Upon vote, the motion carried unanimously.