

A SPECIAL MEETING OF THE HISTORIC PRESERVATION AND PARKS COMMISSION OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, SEPTEMBER 8, 2021, AT THE DR. JEFFREY OPPENHEIM COMMUNITY CENTER, 350 HAVERSTRAW ROAD, MONTEBELLO, NY. THE MEETING WAS CALLED TO ORDER AT 7:32 P.M. FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

Present:	Lisa Levin	Chairperson
	Dorice Madronero	Member
	Rosemary Mocio	Member
	Matt Moetzinger	Member
	Robert Israel	Member
	Bill Ellsworth	Member
	Josh Goldstein	Member
	Tony Piazza	Member
Others Present:	Alyse Terhune	Assistant Village Attorney
	Craig Long	Village Historian/HPPC Advisor
	Regina Rivera	Planning & Zoning Clerk
Absent:	Warren Berbit	Village Attorney

Member Madronero made a motion to approve the meeting minutes of July 28, 2021, seconded by Member Ellsworth and upon vote, all were in favor.

**Howard Hellman/84 Viola Road, LLC—Public Hearing continued  
Certificate of Appropriateness for a Synagogue at 84 Viola Road, Montebello, NY**

Present were John Atzl, Ramya Ramanathan and Jackie Berger of Atzl, Nasher & Zigler P.C., and the Applicant Howard Hellman.

Chair Levin stated that the public hearing was closed at the last meeting on July 28<sup>th</sup> and noted pending issues with follow-up materials submitted prior to that meeting.

Ms. Ramanathan summarized the supplemental materials dated July 15, 2021, that included samples of walkway pavers, three renderings of the synagogue from Viola Road, a landscape plan, and building colors and textures. These samples are all recommendations from the architect David Mayerfeld and will be presented to the Planning Board, she said, adding that the façade masonry of the building will be increased from 6.5 feet to roughly 10 feet high. To that last point, Mr. Atzl clarified that the architect did not give a specific height, but that the masonry was carried up to the top of the lowest windows as per sheet #SK3, last revised July 19, 2021. Ms. Ramanathan said she believed that all the revisions requested at the June 30<sup>th</sup> meeting were addressed.

Member Piazza agreed that the Applicant addressed all the issues raised at the last two meetings, but that many items are really the purview of the Planning Board for Architectural Review. Ms. Terhune said that this Commission can recommend their preferences to the that Board and that she will include all recommendation sand specifications in the approval resolution.

Chair Levin said her questions regarding the pavers on the pedestrian path were addressed satisfactorily and that she preferred the fieldstone concrete because it looked natural. The color of the building should not clash with the color of the existing white farmhouse, she said, adding that

a gray-toned color would be complementary. She then asked if they were able to create renderings of the footbridge with a masonry façade. Ms. Ramanathan said she tried but the process is difficult and the results were disappointing. Ms. Terhune asked if there was an example of such a bridge elsewhere in the Village and several members mentioned the bridge on Montebello Road at Lake Road which features a stone façade. Mr. Atzl said that they submitted a bridge façade called river rock that is somewhat like that bridge. Chair Levin said they would prefer that the bridge reflects the stone walls and country lanes of the Village, and Member Piazza agreed.

Ms. Terhune confirmed that this Commission wishes to recommend their preferences to the Planning Board in language outlined in the approval resolution. Chair Levin said that was correct and reiterated the Commission's preference for London Fog hues and colors that are complimentary to the existing farmhouse and the surrounding landscape, and other materials as discussed. Member Goldstein suggested more coniferous trees be added to the planting plan for year-round coverage.

No one else having any comments, Member Mocio made a motion to grant the certificate of appropriateness based on all comments and recommendations as discussed, seconded by Member Piazza. Upon vote, there were seven (7) yeas and one (1) nay. The motion passed.

Chair Levin stated that any other HPPC issues can be discussed at the next meeting on September 22, 2021.

Member Ellsworth made a motion to adjourn the meeting at 8:12 p.m. seconded by Member Piazza and upon vote all were in favor.

**Resolution No. 21 - 02**  
**Village of Montebello Historic Preservation and Parks Commission**  
**Certificate of Appropriateness**  
**84 Viola Road - SBL 49.05-1-17**

**WHEREAS**, application was made to the Village of Montebello Planning Board to construct a 28,800 square-foot community house of worship on 8± acres of property located at 84 Viola Road in the Village of Montebello, identified on the Town of Ramapo Tax Map as Section 49.05, Block 1, Lot 17 (the "Property"); and

**WHEREAS**, Viola Road from Haverstraw Road to the Village's eastern border is one of the oldest historic roads in the Village of Montebello and County of Rockland, historically known as "Old Kings Road," and is included in the Historic and Scenic Roads Overlay District ("Overlay District"); and

**WHEREAS**, a significant portion of the proposed construction is located within the Overlay District, which extends 250 feet from the centerline of Viola Road; and

**WHEREAS**, the Johnson Farm is located on the Property, which is designated as a Local Historic Landmark; and

**WHEREAS**, pursuant to Village of Montebello Code § 195-60, prior to any construction undertaken within the Overlay District, or any construction that may impact a Local Historic Landmark, the applicant for said construction must apply to the Village of Montebello Historic Preservation and Parks Commission (“HPPC”) for a determination as to whether a Certificate of Appropriateness (“COA”) should be granted allowing said construction; and

**WHEREAS**, on May 11, 2021, the Planning Board, as Lead Agency pursuant to the regulations governing the State Environmental Quality Review Act (“SEQRA”) issued a Negative Declaration, thus closing SEQRA; and

**WHEREAS**, on June 9, 2021, 84 Viola Road, LLC applied to HPPC for a COA; and

**WHEREAS**, a duly noticed public hearing was opened on June 30, 2021 and continued on July 28, 2021, whereat the HPPC heard all those wishing to speak on said application, which public hearing was closed on July 28, 2021; and

**WHEREAS**, the Applicant appeared before the HPPC for the third time on September 8, 2021, at which meeting the HPPC furthered considered the application, all submissions and revisions thereto required by the HPPC and further considered whether, with said revisions, a COA should be issued and, if so, pursuant to what, if any, conditions imposed by the HPPC.

## HPPC FINDINGS

When considering whether to grant a Certificate of Appropriateness, the HPPC is guided by Village of Montebello Code § 195-60D(10)(a)-(e), which identifies significant factors to be considered during HPPC's review. The HPPC's Findings are attached hereto as EXHIBIT A and incorporated by reference as if fully set forth herein.

**NOW THEREFORE, BE IT RESOLVED**, that the HPPC hereby grants a Certificate of Appropriateness to the property located at 84 Viola Road in the Village of Montebello, identified on the Town of Ramapo Tax Map as Section 49.05, Block 1, Lot 17. In granting this COA, the HPPC relied upon and requires adherence to the following submissions made by the Applicant:

1. "Certificate of Appropriateness (COA) Submission for Historic Preservation Commission (HPC) Review, dated June 9, 2021, as revised July 15, 2021, prepared by Atzl, Nasher & Zigler P.C., including:
  - a. Application, prepared by Howard Hellman, dated June 8, 2021;
  - b. Narrative, dated June 8, 2021, prepared by Atzl, Nasher & Zigler P.C.;
  - c. Photos of features to be removed, dated May 14, 2021, prepared by Atzl, Nasher & Zigler P.C. (i.e., dams driveways, exiting structures as shown on Figure 1, dated May 15, 2021;
  - d. Architectural drawings, prepared by Mayerfeld Architecture, PLLC, color renderings and sheets SK1, SK2 and SK3;
  - e. Details of Materials.
2. "Certificate of Appropriateness (COA) Submission for Historic Preservation Commission (HPC) Review as revised July 15, 2021, prepared by Atzl, Nasher & Zigler P.C., including:
  - a. Narrative, dated June 8, 2021, prepared by Atzl, Nasher & Zigler P.C.;
    - 1.
  - b. Masonry Examples for Footbridge;
  - c. Walkway paver options;
  - d. Building façade color/texture options;
  - e. Simulations and panorama, consisting of
    - i. Planting plan, dated May 14, 2019, prepared by Daniel Sherman, Landscape Architect, P.C., sheet L-1;
    - ii. Views A-C (figures 1-3), dated July 8, 2021, prepared by Atzl, Nasher & Zigler P.C.;
    - iii. Walkway panorama (figure 4), dated July 8, 2021, prepared by Atzl, Nasher & Zigler P.C.

**BE IT FURTHER RESOLVED**, the HPPC grants this Certificate of Appropriateness

subject to the following conditions:

1. The walkway shall be constructed of fieldstone concrete pavers in a natural color as shown in the “walkway paver options” noted in the Applicant’s July 15, 2021 submission.
2. The Applicant shall use the “Montebello Road Bridge” on Montebello Road as an example of the type of footbridge approved by the HPPC. A photograph of the Montebello Road Bridge is attached hereto as Exhibit B.
3. “Dressed Fieldstone” masonry shall be used on the footbridge and the building façade as it is the most natural and is more in keeping with the farmstead and with the historic stone walls throughout the Village. Applicant’s July 15, 2021 submission.
4. The height of the stone facing on the house of worship building shall be increased to the top of the lower window as shown on the front elevation, sheet SK-3, dated July 19, 2021.
3. The stone used on the footbridge and the house of worship shall complement the stone used in the Johnson Farmhouse to the greatest extent practicable.
4. The color of the house of worship building shall be either “London Fog” or “Natural” in a hue as consistent with the Johnson Farmhouse as possible, as shown in the “building façade color/texture options” noted in the Applicant’s July 15, 2021 submission.
5. To the greatest extent practicable, as determined by the Planning Board, screening should include evergreen trees and shrubs.
6. Payment of all fees due and owing to the Village of Montebello in connection with this application and approval.

On a Motion by Member Mocio, seconded by Member Piazza, the Chairwoman

declared the Certificate of Appropriateness issued on the following affirmative vote:

**MEMBERS PRESENT:**

Lisa Levin, Chairwoman  
Dorice Madronero, Member  
Rosemary Mocio, Member  
Matt Moetzing, Member  
Robert Israel, Member  
Bill Ellsworth, Member  
Josh Goldstein, Member  
Tony Piazza, Member

**YEA or NAY**

**YEA**  
**YEA**  
**YEA**  
**YEA**  
**YEA**  
**NAY**  
**YEA**  
**YEA**

## EXHIBIT A

### FINDINGS OF THE HPPC PURSUANT TO VILLAGE OF MONTEBELLO ZONING LAW § 195-60D(10)

- [1] The historical and architectural value and significance of the building or structure and its relationship to the historic and architectural value of the surrounding area. This is not applicable here, as the proposed house of worship will be new construction. The historic Johnson Farmhouse will be retained without exterior alteration.
  - [2] The general appropriateness of proposed exterior design, colors, arrangement, texture and materials. The HPPC requested modification of the color of the principal building and increasing the amount of wall space covered by stone.
  - [3] The scale of the proposed alteration or new construction in relation to the property itself, surrounding properties, and the neighborhood. The HPPC noted that the proposed House of Worship is significantly larger than any surrounding properties and generally out of scale. However, the HPPC also noted that community houses of worship are permitted and are to be generally accommodated under New York State and federal law.
  - [4] Visual compatibility with surrounding properties, including proportion of the property's front facade, proportion and arrangement of windows and other openings within the facade, roof shape, and the rhythm of spacing of properties in streets, including setback. The HPPC determined that the stone facing on the House of Worship should be raised to the level of the lower windows in order to be more in keeping with the stone walls and stone attributes found throughout the Village, especially along historic roads such as Viola Road.
  - [5] Properties which contribute to the character of the historic district shall be retained, with their exterior historic features altered as little as possible, and their interior features retained to the extent reasonably possible if the HPPC also finds same to be historically significant. The historic Johnson Farmstead shall be retained without exterior modification.
  - [6] Any other factors relating to aesthetic considerations that the HPPC deems pertinent to the benefit of the Village and the historic or architectural significance of the structure or building and surrounding area. The HPPC requires additional screening of the property from Viola Road, specifically the addition of evergreen trees and shrubs.
- (b) Alterations, repairs and additions to buildings or structures located wholly or partly within the boundaries of an historic district or which are designated as landmarks shall be made consistent with the materials and styles of the particular architectural period of which said building or structure is characteristic. As noted, the historic Johnson Farmstead shall be retained without exterior modification.
  - (c) New construction shall be consistent with the architectural styles or historic value in an historic district. However, the HPPC may approve the construction of buildings or structures that have a dissimilar architectural style to that of the historic district if the HPPC deems that the new construction will be in the best interests of the historic district. The HPPC considered the architectural style of the proposed house of worship and limited its comments to color and façade.
  - (d) Moving of buildings or structures designated as landmarks or located wholly or partly within the boundaries of the historic district may be allowed as an alternative to demolition. Not applicable.
  - (e) The following criteria and standards shall apply to structures and sites in the Historic and Scenic Roads Overlay District, as defined in § 195-64.1:
- [1] The HPPC shall review the proposed application for potential aesthetic or character impacts on those historic and aesthetic resources identified in the Historic and Aesthetic Resources Element of the Comprehensive Plan of the Village of Montebello and excerpted here for convenience as Attachment 12 of this chapter. Where the HPPC finds that the proposed application could result in development out of character with area historic or aesthetic resources, it shall suggest alternative siting, site design, architectural appearance, buffering or landscaping in order to mitigate potential impacts. The HPPC may require renderings, visual simulations, or cross sections including under leaf-off conditions to determine the scope and nature of potential impacts and the effectiveness of proposed mitigations. When considering this application, the HPPC required additional renderings of the view from Viola Road to the house of

worship as it fully appears behind the Johnson Farm, and concluded that the color should be more muted, additional evergreen screening should be provided and the stone façade on the house of worship should be increased to mitigate the mass of the proposed new building.

- [2] On lots with front yard areas within the Historic and Scenic Road Overlay District, a buffer strip with all native and natural vegetation shall be maintained between any newly constructed or modified building and the road right-of-way line. The minimum width of the naturalized vegetative buffer shall be equal to at least 10% of the depth of the parcel, and shall be maintained from the property line adjacent to the regulated road towards the building or structure. In cases where the minimum width has already been cleared or is an established lawn area, a planting plan shall be developed by the applicant to revegetate the buffer area with native vegetation. The buffer should be designed so as not to impair significant views of area historic or aesthetic resources. The HPPC will recommend the dedication of easements for buffer areas where it believes such buffers are critical for maintaining the historic or scenic quality of the road. Although the proposed construction required no variances, and, thus, conforms to required yard setbacks, the majority of the building will be located within the 250-foot Overlay District and behind the historic Johnson Farm. Therefore, the HPPC specifically required additional screening in the form of evergreen plantings to attempt to mitigate the impact of the structure on the viewshed.
- [3] Within the minimum naturalized vegetative buffer strip, removal and/or maintenance of dangerous dead wood and non-native invasive species is permitted. Invasive species shall be those defined in New York State Department of Environmental Conservation NYCRR Part 575 Invasive Species Regulations, which can be found at: [http://www.dec.ny.gov/docs/lands\\_forests\\_pdf/isprohibitedplants2.pdf](http://www.dec.ny.gov/docs/lands_forests_pdf/isprohibitedplants2.pdf). No HPPC comments necessary.
- [4] The construction of a driveway with a single curb cut for each principal use is permitted through the buffer area. This requirement shall not be deemed to prohibit boulevards. No HPPC comments necessary, however, the HPPC requires the addition of evergreen plantings along the Viola Road frontage and eastern side of the property to mitigate impact of the driveway to the neighboring residential parcel.
- [5] Stone walls. Stone walls shall be retained wherever possible. If stone walls or portions thereof must be removed for safety reasons, they shall be rebuilt in a comparable manner in a similar location and with a similar orientation, with respect to the right-of-way of the historic and scenic road. Along certain roads, where stone walls are prevalent, the HPPC as a condition of issuing a certificate of appropriateness, may require the construction of a stone wall as a feature within the minimum naturalized buffer. The appropriate agency having jurisdiction over the frontage road shall be provided the opportunity to review and comment on the proposed stone wall construction specifications and placement prior to the issuance of a certificate of appropriateness. No stone walls are affected.
- [6] Existing structures on a lot or portion thereof within the Historic and Scenic Overlay District with historic or architectural significance shall be retained to the extent possible. Alterations to such structures shall be compatible with the architecture of the existing structure with regard to window patterns, siding materials, colors, architectural detailing and architectural style. Any new structures or additions to existing structures shall be compatible with any structures identified within the Historic and Scenic Resources Element of the Comprehensive Plan of the Village of Montebello located within the same public viewshed with regard to architectural style, apparent massing, setback height and architectural quality. As noted, the historic Johnson Farmstead shall be retained without exterior modification.
- [7] Buildings or structures visible from the historic and scenic roads, including canopies, car ports, pavilions, gazebos, or the like, shall have peaked roofs, except that hip roofs with a slope of at least 4:12 and flat roofs that are hidden by a raised cornice shall also be permitted. The HPPC did not address the architecture of the proposed House of Worship except as to the color and height of stone façade.
- [8] Parking fields, garages and garage doors shall be designed and sited in a manner to minimize their visual impact from the historic and scenic road. The HPPC noted that the parking is located behind the proposed building.
- [9] Fences. Chain-link fences, and stockade or other fence designs that completely block visual access to land in the corridor, shall be presumptively inappropriate, unless such fences are necessary to screen a preexisting use that does not conform to the requirements of this section, or for some other good reason uniquely related to the site, in the judgement of the HPPC, and in such a case special attention to vegetative buffer shall be demonstrated, also in the judgment of the HPPC. Where stone walls are not present, open wooden fencing such as board-on-post fencing is acceptable. No fencing is proposed. However, the HPPC considered and commented on the material of the footpath and pedestrian bridge to be located along Viola Road and identified certain materials and examples to be used.

Chair Levin stated that any other HPPC issues can be discussed at the next meeting on September 22, 2021.

Member Ellsworth made a motion to adjourn the meeting at 8:12 p.m. seconded by Member Piazza and upon vote all were in favor.