

THE REGULAR MEETING OF THE HISTORIC PRESERVATION AND PARKS COMMISSION OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, DECEMBER 7, 2022, AT VILLAGE HALL, ONE MONTEBELLO ROAD, MONTEBELLO, NEW YORK. THE MEETING WAS CALLED TO ORDER AT 7:35 P.M. FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

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

Member Israel made a motion to open the meeting, seconded by Member Mocio. After roll call, Member Mocio motioned to open the public hearing. The motion was seconded by Member Israel and upon vote, all were in favor.

**Certificate of Appropriateness  
Stonehedge Heights Corp/Marsel Amona  
236 Spook Rock Road, Montebello, New York**

Present was the Applicant/Owner of the 1.5-acre parcel located at 236 Spook Rock Road, Marsel Amona, who wishes to build a single-family house on vacant property. Mr. Amona explained that he had the previous existing house demolished and applied for a building permit but then the pandemic brought all his plans to a halt.

Mr. Amona presented a 3-D model of the house as well as paint and siding samples for the proposed house and explained that it will have a white stucco façade on the front and gray vinyl siding on the sides. Member Israel asked if the footprint of the proposed house will be the same as the former structure. Mr. Amona said it will, not mainly because it is designed to keep out of the 100-foot wetland buffer in the rear of the property.

Vice Chair Madronero asked if there is a public well on the property and Mr. Amona said it is not public and that it served the former house. After some discussion about the location of the well, Ms. Terhune advised that the Applicant should submit photos of the property so the Commission can see existing conditions, such as the framed garage on the plot plan. Mr. Amona said that garage is no longer there and explained that it must have been an error on the engineers' part.

Vice Chair Madronero noted that the property is within five hundred feet of DEC regulated wetlands and said that, although that is not the purview of this Commission, this condition should be memorialized in the resolution. Ms. Terhune asked if the wetlands were flagged and Mr. Amona said they were.

Discussion turned to the aesthetics of the proposed house and Members Goldstein and Moetzinger noted that since the property is entirely within the Scenic Historic Overlay District, it is important to preserve the view shed of the road by creating a house similar to what was there previously and that fits in with the neighborhood. Mr. Amona agreed, adding that the historic stone wall will remain except at the driveway curb cut and that he will extend the wall south of the driveway for continuity. Vice Chair Madronero said that wall detail should also be reflected in the resolution.

Ms. Terhune asked the pitch of the roof, explaining that Sec. 195-60 D.(10)(e)[7] of the Village code requires nothing less than a slope of 4:12. Mr. Amona said the slope will be 7:12. Ms. Terhune asked if the basement was included in the FAR calculations and whether it was habitable. Mr. Amona said it was included in the gross calculations but that it will not be habitable, although there will be protruding window wells for light and safety. Ms. Terhune noted that the window wells are labeled "optional area ways" on the site plan. She then asked the Commission if they were comfortable reviewing this project without photos or a site visit, but all members said they were familiar with the property and that there was no need.

After more discussion of the wetlands, the house colors and rock wall, and with no one from the public wishing to speak, Member Ellsworth made a motion to close the public hearing seconded by Member Mocio and upon vote, all were in favor.

Before the Commission voted, Ms. Terhune advised that any approvals should be subject to the conditions discussed, including the siding, the reconstruction of the rock wall, the colors and the roof line, that the Commission is familiar with the property and that the architectural style and colors are in keeping with the neighborhood. All agreed, but Vice Chair Madronero asked about landscaping. Ms. Terhune that the code requires a vegetative buffer as per Sec. 195-60 D.(10)(e)[2] which reads:

*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."*

Marsel said the natural vegetation will remain, especially since the zone requires more than a 10% buffer depth and that he plans to supplement the bare spots on the north side of the property with some evergreens to shield the house from noise. Ms. Terhune recommended that the approval can be conditioned on either Mr. Amona meeting the 10% buffer of native and natural vegetation or submit a landscaping plan. Mr. Amona was not amenable to the latter and reiterated his willingness to install additional plantings. After further discussion, everyone agreed that the resolution should specify that the stone wall will be rebuilt where needed, and that additional landscaping and blue spruces will be

installed in the empty pocket of land on the north side of the property in the area outside of the wetland buffer.

Member Moetzinger asked the square footage of the house. Mr. Amona said it will have a gross square footage of 5,100, with 3,200 square feet of living space. No one having further questions, the Commission was ready to put the application to a vote. Member Mocio motioned to approve the application for a Certificate of Appropriateness conditioned upon all that was discussed. Member Goldstein seconded the motion and upon vote, the motion passed unanimously.

### **Certificate of Appropriateness**

**Yosef Emuna**

**96 Viola Road, Montebello, New York**

Member Ellsworth made a motion to open the public hearing, seconded by Member Moetzinger, and upon vote, all were in favor.

Mr. Emuna presented his proposal for a single-family dwelling on a vacant property on the corner of Spook Rock Road and Viola Road and explained that the house that once stood on the parcel was in foreclosure and then fell badly into disrepair before it was demolished. He said that the property received approval for a two-lot subdivision but that the plat was never filed and the approval expired.

Mr. Emuna stated that he will use the same driveway but may move it slightly to the north further away from the busy intersection and that everything else on the site plan will remain. All the existing vegetation on both front property lines will remain except for some pruning around the Rhododendrons for better sight lines. Member Ellsworth wanted to know what Mr. Emuna planned for the other structures on the property. Mr. Emuna said that he will remove the two collapsing barns and the icehouse but that the spring house will stay and that he will try to repurpose some of the wood in the interior of the new home.

Ms. Terhune asked why there was a “proposed lot line” indicated on the survey dated November 12, 2022, from Paul Gdanski, PE, PLLC. Mr. Emuna said that it was left over from the abandoned subdivision and asked her to disregard that line. Ms. Terhune countered that the survey is therefore not accurate and should be resubmitted. The engineer signed and stamped it, and it is showing a lot line that does not exist, and if you’re thinking about subdividing the property, it would be a different application, she said. Mr. Emuna said that he did not want to subdivide at all and that when he submits for a building permit, the line will be gone. Ms. Terhune said that this is the same plot plan presented to the CDRC when Mr. Emuna was contemplating another subdivision and asked why he did not take it out before presenting to this Commission. The Commission cannot grant any approvals until new survey is submitted without the proposed property line and with accurate setbacks, she added. Mr. Emuna said that this Commission’s purview is to approve the buffer to the road and not site plan approval.

Member Mocio said she wanted to know more about the proposed house. Mr. Emuna said that it will be 5,500 square feet of living space with a white stucco front exterior, white 4.5” Dutch Lap siding, and the height will not exceed the maximum 35 feet.

The discussion returned issuing an approval based on a sloppy site plan submittal. Member Moetzinger took issue with the rendering, stating that it did not accurately represent the property which is essentially the “gateway” to Montebello with historic value and asked for better, more representative renderings. Mr. Emuna bristled at this but Ms. Terhune clarified that all the Commission is asking is that he submit renderings with a view from the opposite corner. Vice Chair Madronero added that the rendering should include the existing vegetation.

Regarding the style of the proposed house, the Commission was not entirely pleased, although it acknowledged that a similar house located further down Spook Rock Road was granted a Certificate of Appropriateness, albeit for a less prominent parcel. Vice Chair suggested the colors could be more subdued and natural, but Mr. Emuna said that he prefers white, and that he and his family plan to reside there.

Members Moetzinger and Ellsworth suggested the Commission visit the site and all agreed to meet there on December 18, 2022, at 11:00 a.m. The application was adjourned to the next HPPC meeting on January 4, 2022.

### **Minutes approval**

No one having any comments or revisions, Member Moetzinger made a motion to approve the meeting minutes of November 2, 2022, seconded by Member Ellsworth and upon vote, the motion passed unanimously.

Member Moetzinger made a motion to adjourn the meeting at 9:50 p.m. Member Goldstein seconded the motion and upon vote, all were in favor.