

THE REGULAR MEETING OF THE HISTORIC PRESERVATION AND PARKS COMMISSION OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, MARCH 1, 2023 AT THE VILLAGE HALL. THE MEETING WAS CALLED TO ORDER AT 7:35 P.M. FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

Present:	Lisa Levin	Chairperson
	Dorice Madronero	Member
	Matt Moetzing	Member
	Rosemary Mocio	Member
	Bill Ellsworth	Member
	Josh Goldstein	Ad Hoc

Others Present:	Warren Berbit	Village Attorney
	Craig Long	Village Historian / HPPC Advisor

Absent:	Tony Piazza	Member
	Robert J. Israel	Member

After roll call, Chairperson Levin asked for a motion to open the public hearing for a Certificate of Appropriateness (COA) for 158 Spook Rock Road. Motion was made at 7:38 by Member Ellsworth, seconded by Member Madronero and, upon vote, all were in favor.

**Certificate of Appropriateness
158 Spook Rock Road, Montebello, NY**

Present was the Applicant: Steven Saffer, Builder’s representative, Pomona Enterprises; Blythe Yost Landscape Architect; and Kylie Roman, Architect.

Mr. Berbit, Village Attorney, read the public legal notice into the record. He advised that the public hearing was necessary because both properties (158 Spook Rock Road and 103 Montebello Road) are located within the Historic and Scenic Roads Overlay District and that the proposed work on both properties lies within the 250ft of the center line of those roads, according to the standards set forth in local law 195-64C, necessitating a COA for any exterior work performed on the property.

Mr. Berbit began by reading into the record the following documents regarding 158 Spook Rock Road:

1. COA application by Steven Saffer, indicating the property owner as Yasmid Holdings LLC (Aron Bistritzky), dated January 26, 2023;
2. Landscape plan entitled “Bistritzky Residence” from Yost Design Landscape Architecture, dated January 18, 2023;
3. As part of the application, an affidavit of ownership by Aron Bistritzky, dated January 19, 2023;
4. State of Delaware Limited Liability Company Certificate of Formation for Yasmid Holdings LLC;
5. Document entitled “Operating Agreement of Yasmid Holdings LLC, a Delaware Limited Liability Company;”
6. Letter from Yost Design dated February 14, 2023 giving a brief narrative of the proposed plantings and hardscape materials and impervious surface in summary;

7. Narrative summary from BILD Architecture, dated February 14, 2023;
8. Series of color photographs depicting the property as it is presently vegetated without the previous structure;
9. BILD Architecture “Realistic Elevations” dated February 14, 2023;
10. Journal News Media Group Public Hearing notice indicating that it was published on February 18, 2023; and
11. Letter from the Sewer Department dated February 27, 2023. Mr. Berbit also noted that the Public Hearing notice was posted on the Village website and the Village bulletin board. Mr. Berbit then read the core part of the Public Hearing Notice into the record.

Blythe Yost, landscape architect, introduced the landscape plan and presented finished landscape renderings. Renderings noted existing and proposed landscaping. Ms. Yost stressed that the goal is to maintain as much of a woodland buffer on the road as possible and to supplement it with native plants behind to further hide the house from the road. Renderings were submitted to the record. Ms. Yost indicated that some of the existing trees would have to be removed, however, the plan was to replace them with similar screening.

Kylie Roman from BILD Architecture introduced the house plan. She stressed that the design was created with appreciation of the surrounding natural environment. The proposed stone is a natural color, manufactured by Eldorado Stone, Cut Coarse Stone, color “Cannonade”. The roof will be a graphite color metal roof.

Members asked if there was a photo of the house that was removed from the lot. Applicants did not have one however, a photo from Google Maps was found so that members were able to see the property with the existing buffer. Mr. Berbit stated that Montebello code requires a minimum buffer featuring natural vegetative species of 10% of the lot depth on the front of the property, however, in this case, the road frontage is really the side of the house. If using road frontage as the “front,” the depth of the property is 334 feet, with 10% being roughly 35 feet from the road. Members further discussed the existing vegetative buffer and requested that a minimum of three additional evergreen trees be added. Ms. Yost indicated that they would likely be Norway Spruce trees.

Ms. Yost stated she will amend the existing plans to include the additional trees, as discussed, and resubmit them along with the 3D renderings. With no further discussion, HPPC was satisfied with the application and approved the COA for 158 Spook Rock Road, with condition of adding to the natural buffer, as discussed. Motion to approve the application with those changes in mind and additional documents submitted to the record and close the public hearing for 158 Spook Rock Road was made at 8:10pm by Member Madronero, seconded by Member Mocio. All in favor. Motion carried.

**Certificate of Appropriateness
103 Montebello Road, Montebello, NY**

Present was the Owner Representative, Moshe Gross of Clapton Holdings

Chairperson Levin asked for a motion to open the Public Hearing for 103 Montebello Road. Motion was made at 8:15pm by Member Mocio, seconded by Member Goldstein and, upon vote, all were in favor.

Mr. Berbit noted that the Public Hearing notice for 103 Montebello Road was posted on the Village website and the Village bulletin board on February 18, 2023. Mr. Berbit began by reading into the record the following documents regarding 103 Montebello Road:

1. Notice of Public Hearing published in the Journal News on February 18 2023;
2. Letter dated April 7, 2022 to Mr. Shmuel Berkowitz involving this property from the Building Inspector warning that since the property lies within the Historic and Scenic Roads District, any exterior work requires a COA before any of that work is done, directing and advising to reach out to Building Department Clerk for information and an application;
3. Violation Notice and Stop Work Order to Suffern Hill, LLC, dated January 17, 2023, pertaining to the same property, regarding work being performed beyond the scope of the existing building permit, which was issued for interior work only. The exterior work already completed (which includes new windows, exterior material and color, front door and surround, etc.), as outlined in the previously mentioned letter from April 7, 2022, required an additional building permit for exterior work and a COA from the HPPC, neither of which were obtained prior to commencement of work;
4. letter from Rockland County Sewer District;
5. COA application dated January 23, 2023, including color photographs of the property showing what the house used to look like and the changes made to the exterior;
6. letter from Clapton Holdings dated January 19, 2023 authorizing that Moshe Gross can commit to any changes required by the HPPC; and 7. map of the property by engineer Anthony Celentano (Mr. Berbit noted that the scale is inconsistent on the document and needs correction).

Applicant is retroactively applying for a COA for the work already done.

Moshe Gross introduced himself and explained that he is the representative for the LLC that owns the property. Although the representative and holding company did change since the original letter from April 2022 was issued, the owner remained the same. He explained that he had heard from the previous representative of the property that the Building Inspector was eager for the house to be “sealed” and so he proceeded with making the house “habitable.” He explained that they examined the siding and decided to install upgraded 8” vinyl siding (distinguished from standard 4” vinyl siding) because it was readily available. He said that he respects how Montebello looks and put in the effort to install aluminum window frames, board and batten siding, which is also an upgrade, however, still cheaper than cedar shakes, which was what was there prior to the renovation. Mr. Gross stressed that what was done was in the interest of moving quickly to seal up the house. Mr. Gross stated that the letter from April 2022 directed to Shmuel Berkowitz was not passed on to him but that he respects the letter and was not something he would ignore.

Member Mocio asked when Mr. Gross took over the project. He responded that it was a few months ago and that he had been working with the Building Inspector. Chairperson Levin reminded Mr. Gross that the violation notice was for performing work on the exterior when they did not have a permit to do so. She noted that if they had applied for a permit for exterior work, the property would have been flagged and Mr. Gross would have been notified that a COA was necessary to proceed with exterior modifications, which would have eliminated much of the issue discussed now. She explained that the material and the color used are not necessarily the best choice as a replacement for the existing cedar shakes. The banding around the windows is a more modern look, as is the new front door, and some of the windows that were replaced were casement windows with grilles, versus double-hung windows without grilles used for replacement. She stressed that a lot of the historic character that the house had has been erased by the choices made by the owner.

Member Ellsworth noted that when he looks at what was and what is, it's not the same house. Member Madronero asked about the siding and if there are cheaper options that might look more like cedar shakes. Mr. Gross stated that there are options, but they don't look very good. Member Goldstein responded that the issue is that the owners and his representatives decided on changing the exterior look without ever consulting the HPPC and to go from the existing dark cedar shake look to a bright white vinyl siding appears to us that no effort was made to try to come up with something more balanced. Mr. Gross stated that he understands the HPPC comments and repeated that he wasn't aware of the original April 2022 letter from the Building Inspector. Chairperson Levin reminded him that perhaps he wasn't aware of the letter, however, he absolutely was aware that he did not have a building permit for any exterior work, which would include changes already made without a COA.

Mr. Berbit noted that the changes to the siding would justify substantial planting buffers to help blunt the white look versus the dark look. The darker look against the foliage and trees blended more naturally with the surroundings.

Member Moetzinger confirmed that the current owner of the property is Clapton Holdings LLC, previously owned by Suffern Hill LLC, however the same person owns both holding companies. Mr. Gross does not know what the owner intends to do with the property. Mr. Gross stated that the interior of the house is almost completed. Mr. Gross indicated there were a lot of notes from the building inspector and that the interior of the structure was brought up to code. Chairperson Levin asked if Mr. Gross had a landscaping plan and stated that the HPPC would need one to proceed with the application consideration. Mr. Berbit noted that the engineer's survey drawing needs to be updated, as discussed earlier. He instructed Mr. Gross that the plan must feature natural native species with a minimum depth of 10% of the depth of the property, with the plantings oriented to help blunt the whiteness of the siding.

Mr. Gross asked about lifting the stop work order and the need to finish what has been started. He stated that obviously the vinyl siding is up, and the exterior can be finished up while he works on a landscaping plan. Member Goldstein stated that the HPPC is being asked to forgo everything that we need to authorize with the excuse that the applicant wasn't aware of the requirements necessary for exterior work. Mr. Gross responded that the work is already done according to the owner's budget and the question is whether there are conditions that can be corrected. Chairperson Levin noted that she is not happy with the choice of replacement windows. She also does not think the front door is an appropriate choice, as it is mid-century modern and that she'd like to see something more appropriate to the style of the house. Mr. Long suggested that Mr. Gross should explore whether there are insert grilles that can be added to the windows for a more appropriate appearance.

Member Goldstein expressed concern that it appears that the owner did know that he would need to appear before the HPPC for any exterior changes and that he chose to ignore the requirements. Mr. Gross understands the position of the HPPC, however, asked if he does abide to the conditions, if he can get a waiver to complete the exterior work. Chairperson Levin stated that it is not within the HPPC's purview to lift a stop work order and that the HPPC would have to see materials and planting plans in order to issue a COA for the exterior work to proceed.

Mr. Gross confirmed that the HPPC would like to see the following: more period/style appropriate front door, more architecturally appropriate details overall (molding around the door, etc.), window grill inserts, explore alternate siding options (softer color, material), landscaping plan, and revised map. Mr. Berbit advised Mr. Gross to gather his information and come back to the next HPPC meeting

to present his plan, including samples of materials, with more appropriate choices. Mr. Berbit asked Mr. Long to consult with Mr. Gross regarding design. Mr. Berbit stated the owner/applicant would likely have had fewer issues if he had followed the code requirements and applied for a COA prior to exterior changes being made.

Motion to continue the public hearing subject to conditions, including fixing the map, coming up with a plan for the house to look closer to its original appearance (front door elements, window grilles, changing color of siding, etc.), and presenting a landscaping plan was made at 8:10pm by Member Ellsworth, seconded by Member Mocio. All in favor. Motion carried.

Historic Preservation Update

No minutes to approve as there was no quorum at the February meeting.

Chairperson Levin asked members to think about proposal suggestions for the CLG Grant application for 2023 to discuss at the next meeting.

Member Ellsworth made a motion to adjourn the meeting at 9:15 pm, seconded by Member Mocio.