

THE REGULAR MEETING OF THE HISTORIC PRESERVATION AND PARKS COMMISSION OF THE VILLAGE OF MONTEBELLO WAS HELD ON SEPTEMBER 6, 2023 AT VILLAGE HALL, ONE MONTEBELLO ROAD, MONTEBELLO, NEW YORK. THE MEETING WAS CALLED TO ORDER AT 8:23 P.M., AFTER AN ADVICE OF COUNSEL MEETING.

Present:	Lisa Levin	Chairperson
	Dorice Madronero	Member
	Matt Moetzinger	Member
	Josh Goldstein	Member
	Rosemary Mocio	Member
	Warren Berbit	Village Attorney
Absent:	Bill Ellsworth	Member
	Robert Israel	Member
Others Present:	Craig Long	Village Historian
Recording Secretary:	Angela Spina	Building Clerk

Minutes Approval

Minutes of August 2, 2023

The minutes of the HPPC Board of August 2, 2023, be and are hereby approved.

Motion: Rosemary Mocio

Seconded: Dorice Madronero

Upon vote, motion carries unanimously.

Continuing the Public Hearing on the Certificate of Appropriateness for 213 Spook Rock Road

Applicant: **Mendy Kempler, appearing for her Architect, Gracie McGuinness, who presented as follows:**

Address: **213 Spook Rock Road, Montebello, N.Y., 10901**

Certificate of Appropriateness: **proposed two story addition to an existing single family-dwelling within the Historic and Scenic Overlay District.**

Motion to affirm approving Certificate of Appropriateness for 213 Spook Rock Road, Applicant Mendy Kempler, which was conditionally granted on August 2, 2023, subject to review and acceptance of additional materials.

Motion: Josh Goldstein

Seconded: Dorice Madronero

as follows:

Affirming Certificate of Appropriateness for 213 Spook Rock Road

WHEREAS, a Public Hearing was opened and held on August 2, 2023, upon the application of Mendy Kempler for a Certificate of Appropriateness to expand the residence at 213 Spook Rock Road, and the HPPC tentatively approved the grant of same subject to the provision, of additional documents to be included in the record, including: the Planning Board and ZBA actions, photos of the street view from the front; sharing of samples or images of the two types of veneers proposed; and, submission of the site plan; and

WHEREAS, upon review and if acceptable, the applicant by her representative was advised that she did not have to again appear this evening assuming all was in order; and

WHEREAS all of the above was submitted, was received into the record, and proved to be acceptable.

THEREFORE, BE IT RESOLVED, that the tentative grant of the Certificate of Appropriateness of August 2, 2023, be and hereby is affirmed, due notice and Certificate of Appropriateness to be

given to the applicant, and such to be shared with the Planning Board and Zoning Board of Appeals.

The Board was polled:	
Lisa Levin	approved
Dorice Madronero	approved
Matt Moetzinger	approved
Josh Goldstein	approved
Rosemary Mocio	approved
Bill Ellsworth	absent
Robert Israel	absent

Statement by Village Attorney Warren Berbit Regarding: Certificate of Appropriateness for 103 Montebello Road:

The Public Hearing in this matter for the subject premises located within the Scenic and Historic Road Overlay District commenced on March 1, 2023. The Applicant, Clapton Holdings LLC, later Suffern Hill LLC, appeared by a representative, Moshe Gross. Mr. Gross submitted a letter from Clapton Holdings LLC dated “1/19/23”, authorizing him “to commit to any changes requested by the Commission.” In the course of in-depth dialogue at the Public Hearing the HPPC requested information it needed to continue the process. Frequent reminders of the need were sent, and the Public Hearing was continued month-after-month because the information did not materialize.

Ultimately, the Applicant appeared by Ryan Karben, Esq. in a letter dated July 25, 2023. Village Attorney Berbit was informed by Mr. Karben that morning that he had just learned of the intent to resume the hearing and could not attend at such short notice. Given his absence at tonight’s

meeting, the Village Attorney Berbit will not comment more about this nor about the claims made in Mr. Karben's letter.

However, Village Attorney Berbit stated his view that there may be a misperception as to what conditions may be attached to the issuance of a Certificate of Appropriateness (COA) despite the Applicant proceeding with exterior changes after warnings not to do so without a COA. The two attorneys are negotiating and believe that common ground is possible for the issuance of a conditioned COA, possibly as soon as the next regularly scheduled meeting of the HPPC.

Public Hearing for 103 Montebello Road remains Open and will be scheduled for October 4, 2023.

- No New Business.
- Craig Long Village Historian advise the board that the correct construction date for 213 Spook Rock Road is 1946.

Motion to Adjournment:

At 8:39 PM, Chairperson Lisa Levin made a motion to the close meeting, seconded by Member Dorice Madronero. Upon vote, motion carries unanimously.