

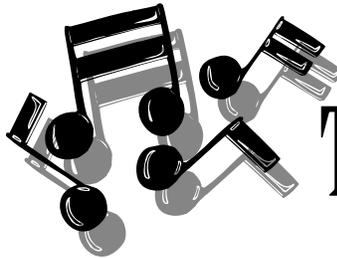
The Village of Montebello Parks Commission Presents  
**The 2008 Montebello Concert Series**

Tuesday, June 24th and July 29th - 7PM Village Hall Pavillion

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June 24th  
**Reflections**

Big Band Swing



July 29th  
**The Day Trippers**

Beatles Tribute Band

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Bring your lawn chairs!

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Village of Montebello  
One Montebello Road  
Montebello, NY 10901



# Village of montebello review

Jeff Oppenheim, Mayor, Lance Millman, Deputy Mayor, Marc Citrin, Stacy Caridi, Steven A. Sorrillo, Trustees



## Greetings from the Mayor



### Mayor's Report

Montebello is quickly establishing itself as the "greenest" village in Rockland County. Efforts to support this movement will not only result in the Village remaining the finest place to live in Rockland, contributing to a cleaner environment, but will also enhance property values. For each of these reasons we should continue such efforts.

In the last month, Montebello proposed revising its local tree law in order to be fairer to homeowners while putting teeth into the law to prevent illegal tree cutting. Trustee Steve Sorrillo, in this newsletter, describes the important goals and accomplishments of this new law. Steve and committee members George Tonelli and Stacy Caridi studied this subject and proposed modifications to our current law. Thanks to their hard work, Montebello will have the best tree protection law in all of Rockland County.

We are also putting teeth into our historic preservation law. HPC Chairwoman Josephine Bracken and Village Attorney Warren Berbit's columns in this newsletter explain how we enforced our local preservation law to require that the owner of the Fant farm rebuild the historic cottage and pay additional penalties. The value of having laws would be naught if we did not seek to enforce them.

On a related note, Montebello is on track to become the first municipality in all of Rockland County to become a "Certified Local Government" with the NY State Department of Historic Preservation. This is an extraordinary accomplishment for our Village. This nationwide program supports local preservation. Through the CLG program, Montebello will receive a range of services from the state preservation office. Direct benefits include special grants, professional legal and technical assistance, training, and membership in the national historic preservation network.

At the same time we are also working on several other local laws in order to create better Village oversight of the naming of new roads and the opening of roads by utility companies. These laws will help us better control the quality of our local streets. We hope to hold hearings on both these subjects this summer.

One of our local utilities, Verizon, has completed a negotiation with the Village for a contract to provide a franchise for FiOS television service. This service will compete with the cable television service currently provided by Cablevision. Village oversight of this franchise will result in better service and (hopefully) better prices.

Work is continuing on the Montebello Community Center. We have completed repairs of the exterior of the structure and are working on interior repairs. We have rented extra room in the facility and this will help to reduce significantly the carry cost of the facility. Currently, we are hoping to have the interior renovations completed this summer.

Spring/Summer programs are well under way. Clean-up day was a great success with dozens of groups participating in our Village-wide clean-up. We held a wonderful Memorial Day event with Senator Morahan as our keynote speaker. We will soon hold a Camp-out and concerts hosted by our Parks Commission. We will also hold an open house at the repaired and renovated Village Hall facility on June 22 at 10AM. All are welcome to attend.

Please feel free to contact me with your thoughts, ideas, and complaints.

Jeffrey Oppenheim, Mayor

### WHOSE ROAD IS IT ANYWAY?

By Marc D. Citrin, Trustee



The Summer season has begun and with the possibility of \$5 per gallon gas looming on the horizon, many of our residents may be spending less time in cars and more time on such energy efficient transportation modes as bicycles and old fashioned walking. As such, the roads within the Village of Montebello must be shared between motorized and non-motorized traffic as well as pedestrians and their pets. It is the duty of every motorist to keep a careful look-out for other vehicles as well as pedestrians.

Here in Montebello, we have chosen to forego sidewalks and traffic signals in order to preserve the bucolic nature of the Village. This requires an extra effort by motorists to drive within the posted speed limit and yield the right of way to pedestrians at all intersections whether marked by a crosswalk or not. In addition, in order to slow the flow of traffic on residential streets, the Village Board continues to maintain a speed limit of 30 mph on Village-owned roads as well as offering the option of installation of "speed humps" to further reduce the possibility of a traffic accident.

Within the borders of our Village, there are many different "types" of roads. While most of the roads are owned and maintained by the Village, there are some that lie outside of our jurisdiction. Route 202 is a NYS highway and it is the duty of the State Department of Transportation to set the speed limits and maintain and plow that road. The County of Rockland owns a number of roads that are marked with blue numbered signs including Viola Road, Spook Rock Road, Grandview, Airmont Road, Hemion Road and the eastern portion of Montebello Road. The Rockland County Highway Department is responsible for maintenance of those designated routes. There are also "permanent" private roads within the Village. The homeowners on these roads have assumed the responsibility for maintaining their own streets.

Last, there are the “undedicated” roads, primarily within the newer communities of The Pines and Coe Farm Road. It is the intention of the Village to take ownership and responsibility for these roads, but only after the developers have complied with all state and local rules and regulations as well as fulfilling their contractual obligations to the Village. Until that time, the responsibility for maintenance and plowing remains with the developers.

This summer, the Village will continue the program of repaving its roads, in order to afford all residents safe and smooth driving, cycling and walking.

Travel safely! ■

### From the Village Clerk's Office

The Village will be holding a “Mobile Passport” event on Tuesday, September 23rd from 6 p.m. to 8 p.m. at Village Hall. Personnel from the County Clerk's office will be present to assist residents with passport applications and renewals.

Please visit the County Clerk's website at [rocklandcountyclerk.com](http://rocklandcountyclerk.com) for information regarding the documents you will need to apply for a passport.

**REMINDER TO RESIDENTS:** Garbage and Recycling must be out by 6 a.m. on the scheduled pick up day.



*Mile Road – Montebello  
Circa 1914*

## HISTORIC PRESERVATION COMMISSION

*by Josephine P. Bracken, Chairman*

During the past six months, the Historic Preservation Commission (HPC) has been growing and expanding in size and experience. With the addition of our new members, Wayne Leone and Chantal Schwartz, the Ad-Hoc member, we now have six members. We were very fortunate to find a replacement for one of our original members, Neeley McCormick, who had to resign from the Commission due to other commitments. Sandra Ward, a member of a very old Suffern family, has recently moved back to Montebello. For the past two years she has been involved in the historic renovation of a wonderful example of Victorian architecture, the Ward Homestead, located at the foot of Montebello Road. Sandra's experience in restoration will be an invaluable addition to our Commission.

In December 2007, we went through the process of joining the Certified Local Government (CLG) Program. This program is sponsored by the NYS Office of Parks and Recreation and Historic Preservation. They have set up model laws and guidelines to help the Historic Commission operate more efficiently. During the process of joining the program, our Village Board amended §195-60 of Montebello's Historic Code. We feel confident that this change in our code will

help the Commission to be more efficient in preserving historical properties in Montebello. If anyone would like to view the changes, they are available at the Village Hall.

One of our very interesting projects started in September 2007. Marcel Amona, the present owner and builder of the Fant property on Spook Rock Road, requested one of our “Applications of Appropriateness”. His request was to reconstruct the cottage on the Fant property. He wanted to turn the little cottage into a marketable 21st century home. This became a very intense challenge for our commission. We had to consider Mr. Amona's legal rights and our duties to adhere to the HPC's guidelines and mission. After many revisions, discussions, and concessions, we arrived at a compromise and reconstruction at the site began.

Unfortunately, during the building process it was discovered that the walls of the original structure had rotted from age and they collapsed. A work stop order was issued and all had to reevaluate a very delicate situation. With the help of the attorneys, Mr. Amona, and the HPC, a harmonious agreement was reached. The reconstruction will continue with very few changes. This unfortunate accident was a learning experience for everyone involved. We look forward to a “new addition to an old look” at the Historic Fant Cottage in the Village of Montebello. ■

<b>July 2008</b>	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 <i>Planning Board Workshop 7:00 P.M.</i>	2	3 <i>Parks Commission 7:30 P.M.</i>	4	5
	6	7 <i>Economic Development Committee 7:30 P.M.</i>	8 <i>Planning Board 7:15 P.M.</i>	9	10	11	12
	13	14	15	16 <i>Board of Trustees 8:00 P.M.</i>	17 <i>Zoning Board of Appeals 7:45 P.M.</i>	18	19
	20	21	22	23	24 <i>Concert 7:00 P.M.</i>	25	26
	27	28	29 <i>CDRC 9:30 A.M.</i>	30 <i>Historic Preservation Comm. 7:00 P.M.</i>	31		

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	<b>August 2008</b>
					1	2	
3	4 <i>Economic Development Committee 7:30 P.M.</i>	5 <i>Planning Board Workshop 7:00 P.M.</i>	6	7 <i>Parks Commission 7:30 P.M.</i>	8	9	
10	11	12 <i>Planning Board 7:15 P.M.</i>	13	14	15	16	
17	18	19	20 <i>Board of Trustees 8:00 P.M.</i>	21 <i>Zoning Board of Appeals 7:45 P.M.</i>	22	23	
24 31	25	26 <i>CDRC 9:30 A.M.</i>	27 <i>Historic Preservation Comm. 7:00 P.M.</i>	28	29	30	

<b>September 2008</b>	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 <i>Economic Development Committee 7:30 P.M.</i>	2	3	4 <i>Parks Commission 7:30 P.M.</i>	5	6
	7	8	9 <i>Planning Board Workshop 7:00 P.M.</i>	10	11	12	13
	14	15	16 <i>Planning Board 7:15 P.M.</i>	17 <i>Board of Trustees 8:00 P.M.</i>	18 <i>Zoning Board of Appeals 7:45 P.M.</i>	19	20
	21	22	23 <i>Mobile Passport 6 - 8 P.M. Village Hall</i>	24 <i>Historic Preservation Comm. 7:00 P.M.</i>	25	26	27
	28	29	30 <i>CDRC 9:30 A.M.</i>				

possible, while understanding the balance necessary if a religious use is involved. With the recent entering of a Verizon FiOS contract, we made sure that resident property rights were protected. We are currently making our tree law stronger and more encompassing, including licensing the tree removal contractors.

Some ask why such carefully drawn laws? A friend of mine from West Nyack commented to me that the drive from the other side of Rockland to our Village made him extremely aware of one thing. That one thing is that wherever he drives through Rockland County, there is no place that has more trees and more open, beautiful surroundings, than in the Village of Montebello. He noted the beauty and abundance of our trees. His observation highlights the importance of protecting our trees, our properties, and the environment.

Many of our parents came to Rockland to live in single family homes in a countrified setting. Why shouldn't we and our children and their children enjoy the same thing? People talk of the ever changing environment and assume that large multifamily housing is the wave of the future. I believe that my children and their future families should have the same rights that I have had, and the ability to enjoy living in a single family home if that is their choice. There is a place for everything, but the place for high density housing is not in the middle of a low density, single family neighborhood.

Some might feel that our tree preservation law is too restrictive. That's okay. But consider the appearance of some of the areas outside our Village. Look for the density of trees and the wide open spaces between houses. Then drive back into Montebello, and consider if you see a difference.

I, along with all the members of your Village Board and the members of the Planning and Zoning Boards, the Parks and Historic Preservation Commission's all strive to better our community and all fight to improve and enforce our laws and our right to live in such a wonderful place. I applaud all of them for their dedicated, endless effort to help our Village, and I wish and call upon all of our residents to continue to join us in our efforts to preserve the land, environment, history, and our right to live the way we choose.

**MONTEBELLO FAMILY CAMPOUT**

**June 14-15, 2008**

**Camp set-up 4:00pm, Activities begin at 6:00pm**

*Come join the fun!*



Montebello Family campout is a chance for your family to enjoy the great outdoors and still be close to home. Whether you're a first time camper or an old pro you and your family will have lots of fun. Here's a list of activities: Ten Fingers Concert, American Indian Demonstrations Tie-Dye,

Jump rope making Sing-Along, Smores and more!

**There are 2 ways to participate:**

1. Family Campers - We'll give you ample room to set up your tent and camp chairs. Use the reservation form to reserve your campsite. Visit our website to download a pdf of the reservation form. Space is limited so act fast.

2. Virtual Campers - Don't want to spend the night? No problem. Just come to the family campout for all the fun and activities and sleep in your own bed. The fun starts Saturday at 7 pm and runs until 10:30 pm.

**The rules:** In case of rain, the event will be cancelled. No open fires. Parents or guardians must accompany children. No trailer allowed. No alcohol or tobacco use permitted. All families will be required to sign a release form for event eligibility. Visit our website to download a pdf of the release form. ■

**MEMORIAL DAY**

Montebello held a Memorial Day observation on May 25. The Marine Honor Guard presented the colors and a rifle salute for the departed. 5th grader Katie Medici, descendant of a Civil War soldier, read the Gettysburg Address. Harra Millman sang the Star Spangled Banner. Senator Tom Morahan, a veteran of the Korean War, was our keynote speaker. The Village honored its veterans of WWII. ■



*Honoring WWII veterans:  
(r to l): Harry Lewis, Edward Bracken,  
Joseph Suchicki.*



*Katie Medici reads  
the Gettysburg Address*



**Montebello Wins Another Grant!**

Assemblywoman Annie Rabbitt has obtained a financial grant for Montebello to place American flags at the 9/11 Memorial and at our new Community Center.

**Congratulations to the Top High School Seniors from Montebello**

The following Suffern High School Seniors from Montebello finished in the top ten percent of their class. The Village of Montebello is delighted to recognize your accomplishment.

- Amelia DiStefano • Brian Fleischer
- Louis Goldstein • Jamie Greenwood
- Ryan Hartnett • William Ivers
- Kimberly Klion • Lara Kozin
- Seth Litwack • Steven Mathews
- Danielle Portnoy • Danielle Rubin
- Melissa Sackler • Daniel Schwartz
- Evan Shreck

### **Empire Executive IX - Public Hearing Continued Revised Site Plan**

#### **ARB**

Application of Executive Associates North IX, LLC, 4 Executive Boulevard, Suite 200, Suffern, New York 10901 for approval of a revised site plan and ARB review entitled Empire Executive IX Village of Montebello consisting of 5.59 acres +/- located on the south side of Executive Boulevard approximately 1,500 feet west of North Airmont Road in the Village of Montebello, which is known and designated on the Ramapo Tax Map as Section 55.07, Block 1, Lot 9 in a LO Zone

The applicant has requested an adjournment to the July 8, 2008 meeting to allow them time to appear before the Zoning Board of Appeals.

### **Weinberger Subdivision - Public Hearing Continued Final Plat**

Application of George Weinberger, 1757 East 23rd Street, Brooklyn, New York 11229 for approval of a Wetlands & Stream Permit and Final Plat for a subdivision entitled "Weinberger Subdivision" consisting of 84.25 acres of which approximately 17.62 are wetlands. The subject property is located on the south side of Grandview Avenue approximately 900 feet east of Spook Rock Road and west of Martha Road and is known and designated on the Ramapo Tax Map as Section 41.13, Block 2, Lots 5 and 6 and Section 41.17, Block 1, Lots 5 and 6 in a RR-50 Zone.

The applicant is still waiting for a permit from the New York State Department of Environmental Conservation (DEC)

### **Stonehedge Farms - Public Hearing Preliminary Plat**

Application of Joon Management, 130 East Route 59, Spring Valley, New York 10977 for approval of a Preliminary Plat entitled "Stonehedge farm" consisting of 11 lots from 16.68 +/- acres located on the east side of Spook Rock Road approximately 500 feet south of Topaz Court in the Village of Montebello, which is known and designated on the Ramapo Tax Map as Section 41.13, Block I, Lot 13 in an ER-80 Zone.

The Planning Board adopted the Part II Environmental Assessment Form (EAF) at the May 13, 2008 meeting and the applicant has requested an adjournment to the July 8, 2008 meeting in order to give them time to submit a Part III EAF and additional information.

### **Info USA - Public Hearing Continued Site Plan**

#### **ARB**

Application of Info USA, Inc., 5711 South 86th Circle, PO Box 27347, Omaha, Nebraska, 68127 for approval of a Site Plan entitled "Preliminary Site Plan for Info USA" consisting of 1 lot from 6.3620 +/- acres located on the south side of Rella Boulevard and the east side of North Airmont Road in the Village of Montebello, which is known and designated on the Ramapo Tax Map as Section 55.08, Block 1, Lot 9 in a LOC Zone.

This application was given final approval at the March 11, 2008 meeting.

### **Minetto - Public Hearing Continued Wetlands & Stream Permit**

Application of Scott Minetto, 220 Spook Rock Road, Suffern, New York 10901 for approval of a Wetlands & Stream Permit entitled "Plot Plan for Minetto" consisting of 1 lot from 1.54 +/- acres located on the east side of Spook Rock Road approximately 2000 feet from the intersection of Carlton Road in the Village of Montebello, which is known and designated on the Ramapo Tax Map as Section 49.13, Block 1, Lot 14 in a RR-50 Zone.

This application was approved for a Wetlands Permit at the March 11, 2008 meeting. ■

## **FROM THE DESK OF HARRY P. LEWIS...**

*Building Inspector*

### **Building Permit Application**

When Building Permit Applications are dropped off at the Building Department in Village Hall, they are passed on to me for review for the issuance of the building permit. The cost of the building permit is based upon a reasonable estimate of the construction cost. However, I find in many cases that the Building Permit Applications are submitted with an unrealistically low construction estimate that is devised in order to keep the Building Permit fee low. Such underestimates do not reduce the permit fee, as we will correct the estimate.

Recently, I had a Building Permit Application submitted with a construction cost of \$150,000.00 for a two-story, one-family dwelling with a two-car attached garage, fireplace, deck, and a wrap around front porch. Based on the \$150,000.00 construction cost the building permit fee was only \$1,789.00. However, when I looked at the plans and then the construction cost, I knew that there was no way this house could be built for \$150,000.00.

I figured out the square footage of the construction as follows:

Basement 1688.14 sq. ft. @ \$15.00 sq. ft. = \$25,322.00  
 1st floor 1688.14 sq. ft. @ \$85.00 sq. ft. = \$143,491.00  
 2nd floor 1658.22 sq. ft. @ \$85.00 sq. ft. = \$ 140,948.00  
 Garage 511.66 sq. ft. @ 45.00 sq. ft. = \$23,024.00  
 Wrap around porch 356.03 sq. ft. @ \$35.00 sq. ft. = \$12,461.00  
 Deck 256.00 sq. ft. @ \$15.00 sq. ft. = \$3,840.00  
 Total cost of construction= \$ 349,086.00

The building permit fee was calculated based on the construction cost of \$349,086.00 as follows:

1st \$75,000.00 of the construction cost results in a fee of \$964.00 After this \$75,000.00 the cost is \$11.00 per \$1000.00 = \$3025.00 + \$964.00 for the 1st \$75,000.00 = \$3989.00 total Building Permit Fee. This led to an additional fee of \$2,200.00 to the applicant.

All future permit applications and plans for residential one family dwellings will be required to include the square footage being put on the building plans by the Architect or Engineer as checked above. The applicant will be required to use the cost per square feet as illustrated above in order to determine the total cost of construction.

If applicants do their homework no additional building permit fee surprises will occur. ■



### **Montebello Signs Franchise Agreement With Verizon For FiOS Television Service**

The Village of Montebello signed a franchise agreement with Verizon to provide fiberoptic television service (FiOS) for Village residents. This service will compete with the service currently provided with Cablevision. Currently, Verizon estimates that 60% of Montebello homes are wired with fiberoptic lines. They plan to have 100% of the homes wired within 5 years. The agreement was signed on May 21st and will need to go before the Public Service Commission in June before customers can begin to receive service.

## TREE PRESERVATION IN MONTEBELLO

by Steve Sorrillo, Trustee



One of the primary factors making it so enjoyable to live in Montebello is the rural and wooded appearance of the village. Many villagers have gone out of their way to enhance this natural asset with elaborate landscaping. The Village Board recognizes this asset and is in the process of strengthening a local law to protect our trees and the charm they bring to our community. The Board hopes to adopt these new amendments in the very near future. These changes are designed to make the current laws fairer to all homeowners while producing the desired goal of preventing unlawful removal of trees. Some of the more significant proposed changes to the current law are as follows:

Homeowners will be permitted to remove one tree per 10,000 square foot lot in any two-year period but no more than eight trees per lot in that period no matter how large the lot size is. Permits for these tree removals will not require Planning Board approval. A further overall limitation of no more than 12 trees in any six-year period will be created. We should keep in mind that the average lot size in Montebello tends to be significantly larger than 10,000 square feet.

Homeowners will be permitted to remove trees that are dead or those that pose imminent or non-imminent peril. Permits will need to be obtained in advance of such tree removal. However, in the case of a tree imminently endangering public safety, the tree may be taken down before the permit is issued if safety would be compromised by delay. A written application must then be submitted within five days offering independent proof (photographs, police report or arborists certification) of the imminent danger.

All other tree removals will require the prior approval of the Planning Board. Applicants will need to perform compensatory planting or pay into a Village Arbor fund that will be used to make plantings around the Village. The goal of this requirement is to keep Montebello green. However, the Planning Board may provide exceptions to the requirements of the Tree Preservation Law for reasons of impracticality, undue hardship, or peculiar conditions. The Planning Board will operate under review standards and may, in some cases, utilize consultants to evaluate applications, a cost to be borne by the applicant.

Another important feature of the proposed amendment will be a requirement that those engaged in the removal of trees for hire will be required to obtain a license from the Village. Licensing will prevent the illegal removal of large numbers of trees, as those professionals who violate our law will be subject to prosecution. Licensed professionals who violate our law will also be subject to the loss of their license.

This is only a brief summary, highlighting the salient points of the proposed amendments. In order to gain a full understanding of these laws you should contact the Mayor, members of the Board or Village Hall. It should also be noted that these changes have not been finalized at this time and that public comments are always welcome. ■

## VILLAGE ATTORNEY'S COLUMN

Wide attention was given to the recent leveling of the "Caretaker's Cottage" on the Fant Estate (Winaki Farm), located on the westerly side of Spook Rock Road. As a consequence, how this happened, what was done about it, and the general subject of a historic designation are timely topics for this column.

The events surrounding the demise of the Cottage represent a learning experience for the Village. The Historic Preservation Law (§ 195-60 of the Village Code) was added at the time of the codification of our laws about 3 years ago. Effectuating the law included the creation of the Historic Preservation Commission ("HPC"), making the Village one of the few municipalities in Rockland with such law and Commission.

An application to the HPC is the usual first step in historically designating a structure, property or district. If the HPC concurs after a public hearing, the matter is sent over to the Village Board for a second hearing. If the Village Board concurs, certain limitations are imposed upon the property or district, and certain benefits conferred. In the case of the Fant Estate, however, the route to the designation was acceptance by the owner of the benefits and limitations of the Rural Preservation Overlay District. The Overlay District was created as a consequence of the amendments to the Village's Code necessary to effectuate the Master Plan. In essence, in embracing the designation the owner voluntarily accepted a legislatively recognized historic designation.

The benefit to the owner was that it could subdivide the western portion of the property abutting the golf course according to the R25 versus RR50 zoning district (25,000 square foot versus 50,000 square foot lots), but it also meant that all of the land west of Spook Rock Road for a distance of 300', and all the land on eastern side of the road, were to be protected. Despite the ultimate controversy, it would be unfair not to recognize this as a significant gesture on the owner's part since the land on the eastern side is to be deeded to the Village to be maintained as viewshed, and all the buildings and features within 300' west of the road, are designated as within an historic district. These structures include those of greatest concern, being the magnificent barn and main house, as well as the other structures to be protected, including the Cottage.

Once a building is designated as historic, exterior and structural changes cannot be made without the issuance of a Certificate of Appropriateness by the HPC. In the case of the Cottage, which was built in the 1930's thus post-dating the barn and main house by many years, the owner planned a major renovation and expansion. The owner's rationale for these changes was to make the home viable in today's market, and also to address the perceived need to cure deficits in function as well as deterioration that had accrued over the years. To facilitate the process the owner appeared in front of the HPC for 5 or 6 meetings, the last 3 of which I attended, culminating in a public hearing. The design evolved based upon the input of the Commission, its architect, and the public, including the Olsens, the former occupants of the Cottage.

The structure became on paper what I came to call, "the Cottage on steroids". From most views, especially from the front, the family resemblance was strong, including the wrap around porch, columns, choice of materials, window types, etc. The HPC was of the belief that 3 walls would be preserved. In retrospect, given the increase in size and use of new finishing materials across the exterior surfaces, it is not terribly certain what aspect of the original structure would have remained visible. Unfortunately, again in retrospect, it was not readily apparent that the evolving design was running counter to the implicit and explicit desire to save as much of the Cottage as possible.

*Continued on page 5*

Building plans were filed after the Certificate was issued. They depicted the preservation of 3 walls, in whole or in part, in the new structure. A Building Permit was issued in reliance, and work commenced. Reportedly, the walls which were to remain were opened and were discovered to be structurally unsound due to termite and water damage. According to the builder, this circumstance, coupled with the need to change the framing to accommodate new windows and doors meant that very little if any of the walls could be salvaged. Irrespective of the accuracy of these claims, the builder's error was to proceed unilaterally in taking the walls down, in conflict with the plans, the historic designation and the spirit of the Certificate. The builder should have sought to modify his filed plans, even if that meant reappearing in front of the Commission.

A Stop Work Order was issued by the Building Inspector on the entire project, including the associated 15 home subdivision. In the meantime the County Highway Department also issued a Stop Work Order due to the absence of a Work Permit. Emergency meetings and spirited negotiations led to a result which included the following terms: owner to reimburse the Village for the cost of its architectural consultant; owner to pay for and install a historic plaque; historic street signs be installed in the development at owner's expense; and, owner to pay the Village the total sum of \$10,000 to be utilized for historic preservation.

In the course of the negotiation the builder prepared a model of the replacement home which made it more apparent that the new structure did echo the Cottage's overall appearance. Some might say that the new structure is "faux history". Be this as it may, the overall result seems to be a good one in the circumstances.

Most importantly, we learned a valuable lesson. Henceforth, the Commission will not consider issuing a Certificate in similar circumstances unless a step by step phased construction plan is filed. This plan must lay out precisely what aspects of the structure are proposed to be saved or modified, and a final plan drawn up consistent with the determination of the HPC.

Sincerely,  
Warren E. Berbit, Village Attorney

## **MONTEBELLO TAKES PART IN THE GREAT AMERICAN CLEANUP, 2008**

Record numbers of civic-minded volunteers turned out Saturday April 19th for the annual Montebello spring cleanup. We had over 80 volunteers collecting over 120 bags of litter and other miscellaneous items throughout the Village. Our drop off site on Village Hall grounds was very busy throughout the morning with volunteers bringing bag after bag of litter to the dumpster provided for the occasion.

It was extremely gratifying for all of us on the Parks Commission to see that over 50% of the volunteers were children and to see the sincere excitement in cleaning our Village. We would like to thank the following Scout Groups for their hard work, for their community pride, and for having a record number of volunteers:

- Girl Scout Troop #651
- Girl Scout Troop #718
- Boy Scout Troop #21 & #31
- Pack #23 from Montebello School & Pack #69 from Viola School

The excitement of our community groups, participants and others was amplified by the gratification of seeing the impact their work in our Village. Everyone appreciated how much cleaner the roadside landscapes and park areas had become by the end of the day.

For those of you reading this article we encourage you to take a moment during your next drive or walk and observe our streets, roadsides and "green" areas and notice; did the Clean-Up make a difference? We believe it did, however, litter is an everyday problem. What can we do as individuals to keep our streets clean? We welcome actionable suggestions.

Keep Rockland Beautiful sponsors and promotes this event throughout Rockland County all year long and continues to work hard in providing support and education on how to impact our environment in a positive way. Starting with awareness and responsibility, each of us has to commit to care for the environment. Without such programs we can only imagine the impact litter will have on the environment of future generations.

Please work with us in keeping our Village and environment Clean.

SAVE THE DATES: Family Camp-Out 2008 - June 14th/15th  
Summer Concerts - June 24th and July 29th

Events are held on the Village Hall Grounds

Bob Congionti, Chairman  
Parks Commission

## **WHY WE TRY SO HARD TO PROTECT OUR VILLAGE!**

By: Lance N. Millman, Deputy Mayor



The Ramapo Town Board recently adopted a zone change for a 10 acre parcel very close to Montebello and the Fant Estate which we are working hard to preserve. This land had been zoned for single family homes on approximately 1 acre lots. The Town Board approved a change that may allow up to 88 units on these 10 acres for people 55 years and older. This property is located between Highview and Carleton Roads. The Village of Montebello and local residents opposed this zone change. We are not against the concept of a 55years and older community, but we are against the concept of high density housing placed in a low density residential neighborhood.

We mostly live in a single family home community with Indian Rock Village and Montebello Commons being notable exceptions. We pride ourselves on our homes and our properties and our right to live among other single family homes without the worry of a low density part of having high density housing adjoining our properties. High density housing next to our Village may have an adverse impact within our Village. For this reason your Village government submitted documents to Ramapo opposing this plan from our engineer, our attorney and our planner. In addition the Mayor and I spoke before the Ramapo Planning Board and the Ramapo Town Board expressing our concerns on behalf of the Village.

Montebello Village laws concerning zoning and planning are important to preserve the quality of our neighborhoods. Our Boards consistently review new site and subdivision plans from the perspective of abiding by our laws and regulations, protecting the environment and neighboring properties to the extent lawfully

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