

A MEETING OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF MONTEBELLO WAS HELD ON THURSDAY DECEMBER 18, 2025, AT THE DR. JEFFREY OPPENHEIM COMMUNITY CENTER, 350 HAVERSTRAW ROAD, MONTEBELLO, NY. THE MEETING WAS CALLED TO ORDER AT 7:00 P.M. FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

Present: Rodney Gittens, Chairman  
Ezra Bryan, Vice Chairman, Member  
Elizabeth Dugandzic, Member  
Kevin Stevens, Member  
Carrine Kaufer, Ad Hoc

Others Present: Alyse Terhune, Assistant Village Attorney  
Regina Rivera, Planning & Zoning Clerk

Absent: Rosana Millos, Member

### **Meeting Minutes Approval**

Member Bryan made a motion to approve the minutes of the November 20, 2025 ZBA meeting, seconded by Member Dugandzic and upon vote, all were in favor.

### **Hudson Design on behalf of Mendy Kempler—213 Spook Rock Road, Montebello, NY— PUBLIC HEARING**

Application of James Copeland of Hudson Design, 3052 Route 9, Cold Spring, NY 10516, which was submitted to the Village of Montebello Zoning Board of Appeals on behalf of the homeowner Mendy Kempler for an area variance for: Side yard: [req. 25', proposed 5'] per Sec. 195-13 Use group h of the code of the Village of Montebello. The Applicant previously received a variance for same for improvements to an existing home, however, the layout of the driveway that was built varies from the originally approved driveway layout. The Parcel is located on the east side of Spook Rock road, 10 feet from the intersection of Topaz Court and is shown on the Ramapo Tax Map as Section 49.13 Block 1 Lot 4 in the RR-50 Zone.

Gracie McGuinness of Hudson Design was present on behalf of the homeowners.

Member Bryan made a motion to open the public hearing, seconded by member Stevens, and upon vote, all were in favor. No one from the public was present. Member Dugandzic made a motion to close the public hearing, seconded by Member Bryan and upon vote, the motion passed unanimously.

Ms. McGuinness recapped the current application and the one that was previously approved, and explained that the only change was the driveway configuration and that the setback request has not changed and once again requires a variance.

Ms. McGuinness said that she submitted the height of the stone retaining wall and photos of the area between the properties as requested during the last meeting, noting that the photos show that the area is undeveloped and therefore there is no encroachment near any residence.

There was some discussion on the location of the shed and the location of the existing stone path that meanders off of the property somewhat. Ms. Terhune requested some clarification of the granted variances and the current request, noting that there was some questions as to whether the application is requesting an actual variance or just a re-approval. Ms. McGuinness said they were still asking for one variance and showed the difference between the proposed and as-built driveways. Ms. Terhune recommended a site plan revision showing the stone wall and a bulk table that accurately reflects what is there. She then advised the Board not to vote until a revised accurate plan is submitted.

Ms. McGuinness asked if her application can be conditionally approved upon submittal of the requested items and explained that she broke up the bulk table on a separate sheet showing in greater detail the variances that were granted and what is now existing.

Member Stevens stated that he would prefer to grant a conditional approval rather than have the applicant return. Chairman Gittens polled the rest of the Board members, all of whom agreed that they could grant an approval conditioned upon the submittal of a revised site plan and upon the Village Engineer's final approval.

Chairman Gittens summarized the criteria by which applications are judged and found that the variance was not substantial, and that granting it would not adversely affect the health, safety, character and environment of the neighborhood and the community, nor could the benefit be achieved any other way as the work was already completed. He added that there is even less development coverage than previously, and while he acknowledged that the need for the variance was self-created as most are, there were pre-existing non-conformances that have now been brought up to code.

Member Stevens made a motion to approve the variance as conditionally stated. Member Bryan seconded the motion and upon vote, the motion passed unanimously.

**Abe Kohn--17 Sterling Forest Drive, Montebello, NY**

Application of Abe Kohn, 17 Sterling Forest Lane, Montebello, NY which was submitted to the Village of Montebello Zoning Board of Appeals for variances for the construction of an addition to an existing house and an in-ground pool: Front Setback (for addition) [req. 50', proposed 30']; Front Yard (for addition) [req. 50', proposed 30']; Side Yard (pool) [req. 30', proposed 24']; Floor Area Ratio [max .15, proposed .203]; Dev. Coverage [max. 20%, proposed 22.4%] per Section 195-13 Use groups q and h of the zoning code of the Village of Montebello. The Parcel is located on the west side of Sterling Forest Lane at the intersection of Highgate Court, and is shown on the Ramapo Tax Map as Section 48.11 Block 1 Lot 3 in the RR-50 Zone.

Yehudis Kohn, the Applicant, was present and explained that, based on the Board's comments at the last meeting, the construction entrance was changed to Highgate Road and the addition will now be built on a slab.

Chairman Gittens asked to see the section of the slab on grade, details on the crawl space and elevations of the addition for perspective on its height. Member Bryan clarified that the Board would appreciate seeing cross sections of the addition and the house so they can see how horizontal and vertical spaces will interact with the landscape.

There was more discussion on the site plan and some questions that could only be answered by the engineer. Ms. Terhune recommended that the engineer attend the next meeting. Mrs. Kohn countered that the board should have the information needed after several presentations of the project, but agreed that her engineer should be at the next meeting.

The Board asked that the survey could be clearer by making the property's lot line a different color, highlighting the lot on the key map for perspective, making the lot lines bolder and providing the sizes of each room and side elevations and details.

No one having further questions or comments, Member Dugandzic made a motion to set the public hearing for the January 15, 2026 ZBA meeting. Member Bryan seconded the motion and upon vote, all were in favor.

Ms. Terhune advised Mrs. Kohn that she is required to provide a response to every comment of the Rockland County GML review dated December 11, 2025 by the next meeting.

Member Bryan made a motion to adjourn the application to the January 15, 2026 ZBA meeting, seconded by member Dugandzic and upon vote, all were in favor.

**Zvi Sternberg--1 Sheilah Court, Montebello, NY--S/B/L 49.17-1-3—PUBLIC HEARING continued**

Application of Zvi Sternberg, 1 Sheilah Court, Montebello, NY which was submitted to the Village of Montebello Zoning Board of Appeals. The Application is appealing the Building Inspector's denial of a ZBA application for an area variance for relief from Sec.195-82 D of the code of the Village of Montebello. The Parcel is located on the north side of Sheilah Court, at the intersection of Spook Rock Road, and is shown on the Ramapo Tax Map as Section 49.17 Block 1 Lot 3 in the R-55 Zone.

No one was present for the Application. Ms. Terhune explained to the Board that the Applicant last appeared before the Board in October, just once in six months, and therefore has not shown due diligence. She said she advised the Applicant's attorney that his client will be on the December agenda and that the Board may close the public hearing and will either vote or adjourn to the January meeting.

After some discussion and further advice from Ms. Terhune, the Board decided to add the Applicant to the January agenda to close the public hearing and to make a decision. Ms. Terhune said she would draft a letter to Applicant's attorney.

Member Dugandzic made a motion to adjourn the meeting at 8:15 p.m., seconded by Member Stevens, and upon vote, all were in favor.