

A MEETING OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF MONTEBELLO WAS HELD ON THURSDAY AUGUST 20, 2026, 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
Kevin Stevens, Member
Rosana Millos, Member
Carrine Kaufer, Member
Isabelle Berkit-Green, Ad Hoc

Others Present: Alyse Terhune, Assistant Village Attorney
Regina Rivera, Planning & Zoning Clerk
Adam Gordon, Building Inspector

Absent:

Meeting Minutes Approval

Member Bryan made a motion to approve the minutes of the June 18, 2026, ZBA meeting, seconded by Member Millos and upon vote, all were in favor.

Yitzchok Zelcer—14 Fant Farm Lane, Montebello, NY public hearing continued

Application of Yitzchok Zelcer, owner of 14 Fant Farm Lane, Montebello, NY which was submitted to the Village of Montebello Zoning Board of Appeals for variances for: Rear yard [required 20 feet, existing 0 feet]; Side Yard [required 20 feet, existing 17.3 feet]; Sie Yard (pool) [required 30 feet, existing 29.4 feet] as per Section 195, attachment 2, Row t, and Section 195-57D of the zoning code of the Village of Montebello for the construction of an in-ground pool for an existing single-family home. The parcel is located on the west side of Fant Farm Lane approximately 1600 feet north of the intersection of Spook Rock Road and is identified in the Ramapo Tax Map as Section 49.17 Block 1 Lot 2.11 in the ER-Zone.

The Applicant, Mr. Zelcer was present. The Chairman read the application into the record and swore the applicant in.

Building Inspector, Adam Gordon was in attendance at the request of the Zoning Board in order to clarify and determine whether the pool barrier fence also requires a variance. Mr. Godon explained that it is important to make sure a pool barrier fence adheres to the state building code to prevent tragedy. At the time of his final inspection, he continued, the patio boundaries were not marked, and all focus was aimed at the fence. The Applicant made the fence a little bit higher for privacy purposes, but until the as-built survey was submitted, there was no way to know that the patio would be built up to the property line.

Mr. Godon said that the fence sits atop a stone retaining wall, which adds to the height, and to the confusion of this Board, as to whether the height exceeds the maximum. After a fairly lengthy explanation of the property's topography and the position of the fence, Mr. Godon determined that no additional variance is needed and that the fence is code-compliant.

Ms. Terhune asked if the position of the fence at the lot line would indeed require a variance. Mr. Gordon said that because the fence is only six feet high, its location is fine. If it were any higher, it would need to be set back $\frac{2}{3}$ of the fence height from the property line. Ms. Terhune further questioned his determination based on Section 195-19C which states

A fence or wall not more than four feet in height above average existing grade is permitted along any lot line and no more than six feet in height above average existing grade along that part of any lot line behind the required front yard. A fence or wall over the six-foot height is permitted, provided that it is set back from the lot line a distance equal to $\frac{2}{3}$ its height.

Mr. Gordon said that the code does not clarify *how* to measure the fence, from height or from grade, and stated that he therefore measured from the top of the retaining wall at the base of the fence and reiterated that no area variance is needed for the fence.

Member Stevens said he remembered that the patio was something done ad-hoc after the plans were approved and asked if Mr. Zelcer made any kind of disclosure about this to the Village, or whether he supplemented his application. Mr. Zelcer said that he had no clue what was going on during construction of the patio.

Member Stevens asked if he considered any kind of curative steps, or if he expected this Board to issue a rubber-stamp approval. Mr. Zelcer reminded him that at the last meeting, there was much discussion on finding some middle ground and that he was amenable to take curative steps. Member Stevens noted that Mr. Zelcer made no effort to cure anything before this meeting, and Mr. Zelcer said that he wanted to first see what the Board decided and, while naturally preferring an approval, he was fully prepared to get rid of some of the patio. Member Stevens countered that since the required yard is twenty feet, the best procedure would be for this Board to deny the variance unless some curative steps are taken, if not total compliance.

Ms. Terhune said that procedurally, The Board can deny the variance, or it could come up with a compromise. A ten-foot variance was granted and that approval showed the patio twenty feet from the lot line. Mr. Zelcer said he didn't know what the Board would accept.

After some back and forth, Member Millos suggested closing the public hearing and voting, explaining that the Board is not here to give advice on how to remedy a situation. Chairman Gittens said he would rather give the Applicant one more chance to amend the plan to bring it closer to compliance.

Ms. Terhune surmised that the Board was not amenable to approving the variance. The Board agreed that the applicant should submit revised plans and adjourn the public hearing and application to the next meeting.

Veolia Water New York, 270 Grandview Avenue, Wells No. 67/78, Montebello, NY
Application of Veolia Water New York, Inc., 162 Old Mill Road, West Nyack, NY 10994
which was submitted to the Village of Montebello Zoning Board of Appeals for an
area variance for: Development Coverage [maximum 10%, proposed 12.1%] for the
addition of a PFAS treatment & filtration system for existing Grandview Well Nos.
67/78. The Parcel is located on south side of Grandview Avenue just west of Kakiat
Court in the Village of Montebello and is shown on the Ramapo Tax Map as Section
40.20 Block 1 Lot 7 in the OSR Zone.

Present: Applicant's attorney Lino Sciarretta, Veolia project manager Maria Stepanova, Engineer Colleen Meehan of GHD and Planner Ramya Ramanathan of Aztl, Nasher and Zigler. Mr. Sciarretta presented project and explained that because the EPA tightened their drinking water standards from 10 parts of PFAS per trillion gallons to 4 parts, GAC filters must be added to all existing wells, and they must be operational by 2028. A new structure will be built to house the filtration system near the two existing wells which will push them over the 10% development coverage threshold. The existing coverage is 7.3%, he added.

Colleen Meehan, engineer with GHD Engineers, explained that the two wells have an arsenic treatment system on site, and that the PFAS filter will be added. We are doing our best to minimize the impact on site, she said, adding that they are leaving the existing gravel driveway alone and will be planting trees for additional screening. These facilities will not be manned, but there will be periodic maintenance and inspections, she said.

Member Kaufer asked if the building will be in wetlands or any other restricted areas. Ms. Meehan said it is in the wetlands buffer and that they are seeking a wetlands permit from the Planning Board.

Chairman Gittens asked if the new building will be visible from neighboring properties. Ms. Meehan said that there is currently a bit of buffering, and that they will add more trees to the western edge of the property.

Member Bryon asked why the PFAS building is set so far back. Ms. Meehan said there is an issue with the grade, and that they need space for operations such as the annual carbon filter change out. Chairman Gittens ask to know more about the change out.

Veolia project manager Maria Stepanova said the location was chosen for the proximity to the existing wells, and that roughly once a year, large GAC vessels will need to park at the north side of the building for operational activities that include the annual carbon flushing. She explained that that process takes one or two weeks, and that little noise will be emitted during that time, and that regular maintenance includes Veolia employees visiting the site at least twice per week.

Chairman Gittens asked for photos, aerial or otherwise, so that he and the Board can get a better perspective of the proximity to surrounding homes. Members Stevens and Kaufer asked for more drawings of the building envelope.

The Board being otherwise satisfied, Member Millos made a motion to set the public hearing for the September 17th ZBA meeting. Member Stevens seconded the motion and upon vote, all were in favor.

Reyce & Sheldon Krause, 6 Rose Hill Road, Montebello, NY

Application of Reyce and Sheldon Krause, owners of 6 Rose Hill Road, Montebello, NY which was submitted to the Village of Montebello Zoning Board of Appeals for area variances for: Floor Area Ratio [max. 0.15, existing 0.156*, proposed 0.161]; Development Coverage [max. 20%, existing 20.1%*, proposed 20.3%] as per Section 195, Attachment 2, use group h, columns 13 and 14 of the zoning code of the Village of Montebello. The Applicant proposes the construction of a covered porch over an existing patio for an existing single-family home. The parcel is located on the northwest side of Rose Hill Road, 500 feet from the intersection of Spook Rock Road and is identified in the Ramapo Tax Map as Section 41.17 Block 1 Lot 60.3 in the RR-50 Zone.

*variances previously granted.

The Chairman read the application into the record and swore in the Applicant, Reyce Krause. Ms. Krause explained that the house was built recently after a very small FAR variances was granted by this Board. She explained that she wishes to close off a portion of the existing patio to create a four-season sunroom, mainly because there is exceptional sun exposure that she wishes to enjoy all year round.

Ms. Krause said that she had not realized how sunny the rear of the property was until the house was finally built and that she would like to harness that sunshine and enjoy it to the fullest. She assured the Board that this proposal is in the rear of the property and shielded by green giant arborvitae so it cannot be seen from the road nor from the neighboring properties. It also requires the smallest variance necessary to achieve her goal, she added.

The Chairman questioned the size of the room. Ms. Krause said that they have two large sliding doors that they would like to reuse, so they will be pivoted 90 degrees and attached to a new wall. The size of the doors dictated the depth of the room, therefore. Chairman Gittens asked if there will be AC and if there is an existing cement patio presently. Ms. Krause said that there will be Airconditioning installed and that there is currently a cement patio which is one step down from the house, and that there are footings and a slab for the construction. Member Bryan asked for details on the roof, and Ms. Krause said that it will be slanted and incorporated into the existing house.

Ms. Krause said that she hoped she properly explained her vision, the current and proposed layout and the expediency of maximizing the beauty and enjoyment of the house. The Board had no further questions and set the public hearing for the September 17th ZBA on a motion from Member Millos, which was seconded by Member Kaufer.

Member Millos made a motion to adjourn the meeting at 8:17 p.m. seconded by Member Stevens, and upon vote all were in favor.