

A MEETING OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF MONTEBELLO WAS HELD ON THURSDAY SEPTEMBER 19, 2024 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, Member  
Carl Wanderman, Member/Vice Chair

Others:

Alyse Terhune, Asst. Village Attorney  
Regina Rivera, Zoning Board Clerk

Absent:

Janet Gigante, Member  
Elizabeth Dugandzic, Member  
Rosana Millos, Member

**Minutes approval**

Member Wanderman made a motion to approve the August 15, 2024 meeting minutes, seconded by Member Bryan and upon vote, all were in favor.

**Jacob Leitner**

**8 Henry Court**

Application of Jacob Leitner, 8 Henry Court, Montebello, NY which was submitted to the Village of Montebello Zoning Board of Appeals for variances for: Floor area ratio [max.0.20, proposed 0.22]; Side yard [required 20', proposed 9.5']; Parking spaces total for residence and RGP [required 7 spaces, proposed, 5 spaces]; Privacy fence height [max. 6', proposed 8'] As per Section 195-13, Use group q, and Sec. 195-19 of the zoning code of the Village of Montebello. The Parcel is located on the north side of Henry Court, approximately 310 feet north of the intersection of Zeck Court, and is shown on the Ramapo Tax Map as Section 48.10 Block 1 Lot 36 in the R-35 Zone.

**\*pre-existing nonconformance**

The Applicant requested an adjournment to the November 21, 2024 ZBA meeting. Member Bryan made a motion to adjourn the application and the public hearing to the November ZBA meeting. Member Wanderman seconded the motion and upon vote, all were in favor.

There were no applications before the Board at this meeting. However, Chairman Gittens wished to meet in person to discuss the Natural Resources and Land Use elements of the 2017 Comprehensive Plan. The Village has assembled a 2024 Comp Plan Committee made up of one member each of the land use boards, and tasked each board to review and make recommendations. Member Bryan, being the ZBA Comp Plan committee member, lead the discussion.

The Board, guided by a matrix indicating 2017 recommendations and whether they were implemented, discussed the following:

1. Air BnB's and Short-term rentals are not allowed. This is already codified in that homes cannot rent for less than 29 contiguous days.
2. Home Occupation: The Board has received some area variance requests for home occupations for full-blown businesses that would require a use variance instead. Additionally, the Board was concerned about the maximum square footage standard for home businesses and felt the number should be lower.

3. Commercial zones: The Chairman felt that some light manufacturing should be permitted in select commercial zones. However, Ms. Terhune said they need to be careful about the location of the commercial property, and noted that industrial uses could impact residential zones.
4. Commercial vehicles parked at residential homes: The Board recommended requiring landscape screening to minimize impact on neighborhoods.
5. Driveway standards: There should be a maximum width for residential driveways for new constructions to reduce overall development coverage that causes storm runoff and adversely impacts the aquifers. The Chairman suggested the standard be no wider than 10 feet with a bump-bout for turnaround.
6. Sustainability: Member Bryan said it is important to try to understand eco-friendly trends that can be promoted through the comp plan. It is also important to fall in line with NYS initiatives. Ms. Terhune asked him to write something that would incentivize green conversions, and added that this would be a terrific addition to the comp plan.
7. Indigenous ground cover, shrubs and grass: The Board was concerned that this initiative could backfire and that some properties would violate the Property Maintenance code. Ms. Terhune said that the Cornell Cooperative has a comprehensive list of native ground covers for residential properties, and opined that this initiative should be promoted with restrictions, e.g. ground cover must be native to the area and limited to the rear of properties. She also suggested that a link to the Cornell Cooperative guide, which categorizes native plants by height, shade, etc., could be added to the Village website.

No one having further comments, Member Bryan made a motion to adjourn the meeting at 8:29 p.m. seconded by member Wanderman. Upon vote, all were in favor.