



MEMORANDUM

TO: Village of Montebello Planning Board

FROM: Max Stach , AICP
Gerard Chesterman

SUBJECT: 17 Sterling Forest Lane – Stream & Wetlands Protection Permit
Owner: Abe Kohn
Tax Map ID#: 48.11-1-13

DATE: May 8, 2025

CC: Regina Rivera – Planning Board Secretary
Martin Spence, P.E. – Village Engineer
Alyse Terhune, Esq. – Planning Board Attorney
Adam Gordon, Building Inspector
Abe Kohn, Applicant
Paul Baum, Esq., for the Applicant

Items Reviewed for this Memorandum:

- Narrative Summary, prepared and signed by Paul S. Baum, dated April 9, 2025
- Site Plan for Kohn, prepared by Paul Gdanski, P.E., dated January 1, 2024, last revised April 9, 2025
 - Plot Plan: Sheet 1 of 4
 - Detail Sheet: Sheet 2 of 4
 - Alt. Layout Plan: Sheet 3 of 4
 - Alt. 2 Layout Plan: Sheet 3 of 4

Project Summary:

The application is for a Stream and Wetlands Protection Permit for a home addition and pool at 17 Sterling Forest Lane. The proposed pool, patios, decks, and home addition are all within 100 feet of a NYSDEC Wetland along the shoreline of the Mahwah River. The project involves an addition off the rear along the whole rear of dwelling on existing grass area. There will also be the construction of a pool on the northeast side of the dwelling on the existing grade.

With the pool being located within 100 feet of the Mahwah River, the applicant has presented two additional alternative locations for the pool to show that the way it is currently proposed is the best option. As the two other alternatives present additional variances and/or encroach further into the W-EPOD.

The project is located in the RR-50 Zoning District at 17 Sterling Forest Lane, and the northeast east corner of the intersection with Highgate Court. We offer the following comments based on our review of these most recently submitted materials:

Zoning Chapter 195 - Bulk and Area Standards

1. We note that wherever the pool is located, a perimeter fence will be required, meeting the standards of §195-57, for Swimming Pools.
2. With the current proposed design on sheet 1, ZBA variances will be required as follows:
 - a. Side Yard: 30 feet required, 24.9 feet provided.
 - b. Floor Area Ratio: 0.15 required, 0.20 provided.

Zoning Chapter 195 Environmental Protection Overlay Districts

3. The applicant has acknowledged that per §195 -63.B.(2).(b).[6], any village agency may require that a proposed improvement be relocated outside the W-EPOD or not placed within a W-EPOD. 3/2025-As requested, the applicant has provided an alternative with a conforming location for the pool outside of the W-EPOD in the front yard on sheet 3, but front yard and front setback variances would be required. **5/2025 – the applicant provided an additional alternative by placing the pool behind the house along Highgate Court, but this would also require a front yard variance and would encroach further into the W-EPOD than the proposed location would.**

Chapter 191 Wetlands and Stream Protection

4. As per section §191-7.B.(7), the Planning Board must investigate the availability of preferable alternative locations. **5/2025 – Applicant has provided two alternatives. Keeping the pool in its proposed location presents the best possible solution of the alternatives explored, as it would require fewer variances and result in fewer encroachment issues. The applicant has provided justifications why the alternative location for the pool in the front yard would not be workable, and that the disturbance at the rear of the house will be mitigated so there will be no undue adverse impact on the Mahwah River.**

SEQR Comments:

5. An FEAF Part 1, signed by Abe Kohn, dated July 11, 2024, has been submitted. This application may be categorized by the Planning Board as **a Type II action** under SEQR because it consists of construction of an accessory structure to a single-family residence on an approved lot. Once the Planning Board categorizes the action as Type II, no further SEQRA action will be required.

Please let us know if you have any questions or comments regarding this review.

We reviewed the following materials for our memorandum, dated March 14, 2025

- Project Description and Purpose: 17 Sterling Forest Lane, undated, unsigned
- New York State Department of Environmental Conservation, Joint Application Form of Permits for Activities Affection Streams, Waterways, Waterbodies, etc., prepared and signed by Paul Gdanski, dated January 4, 2024.
- Responses to Consultant and Building Inspector Comments, prepared by Paul Gdanski, PE, dated February 28, 2025.
- 17 Sterling Forest Lane-Photos, undated, submitted by the applicant:
 - Looking northeast to where addition will be
 - Looking southwest where pool will be

- Looking northwest towards wetlands
- Architectural Plan set, 12 sheets, signed and stamped by Rodger Bradley RA, dated February 15, 2024, last revised March 10, 2025, as follows:
 - A-101 FOUNDATION AND FOOTING PLAN
 - A-102 BASEMENT FLOOR PLAN
 - A-103 FIRST FLOOR PLAN WITH DETAILS
 - A-104 SECOND FLOOR PLAN
 - A-105 NORTH SOUTH WEST & EAST SIDES ELEVATIONS
 - A-106 ROOF PLAN WITH TRUSS SIGN AND TYP. WALL SECTION
 - A-107 TYPICAL DECK AND BRACING DETAILS
 - E-101 BASEMENT LEVEL ELECTRIC PLAN
 - E-102 FIRST AND SECOND FLOORS ELECTRIC PLAN
 - PL-01 PLUMBING RISER DIAGRAM AND REQUIREMENTS
 - SP-01 GENERAL NOTES AND TABLES
 - PLOT PLAN
- Site Plan set, 3 sheets, for Kohn, stamped and signed by Paul Gdanski, P.E., dated January 1, 2024, last revised February 28, 2025, as follows:
 - Plot Plan for Kohn / Sheet 1 of 3
 - Detail Sheet for Kohn / Sheet 2 of 3
 - ALT. Layout Plan for Kohn / Sheet 3 of 3

We reviewed the following materials for our memorandum, dated February 14, 2025

- Memo from Consulting Village Engineer Spence Engineering titled “Wetlands Permit Application (W-EPOD) 17 Sterling Forest Lane 48.11-1-13” dated December 26, 2024.
- Village of Montebello CDRC Minutes. Project Name: 17 Sterling Forest Lane, dated December 30, 2024.
- Letter from and signed by Peter D. Torgersen. titled Plot Plan for Kohn, 17 Sterling Forest Lane, Village of Montebello, dated January 17, 2025.
- Letter from Paul Gdanski, PE, LLC, titled 17 Sterling Forest Lane – Review Letters, dated January 12, 2025.
- Plot Plan for Kohn. Prepared by Paul Gdanski, P.E., PLCC, dated January 1, 2024, last revised January 12, 2025.
- Architectural plans titled Proposed New Addition for: 17 Sterling Forest LN. Prepared and signed by Shlome Glauber of SZ Drawings Plans and Design. Dated July 15, 2024, last revised January 13, 2025.
 - A-101 FOUNDATION AND FOOTING PLAN
 - A-102 BASEMENT FLOOR PLAN
 - A-103 FIRST FLOOR PLAN WITH DETAILS
 - A-104 SECOND FLOOR PLAN
 - A-105 NORTH SOUTH, WEST & EAST SIDES ELEVATIONS
 - A-106 ROOF PLAN WITH TRUSS SIGN AND TYP. WALL SECTION
 - A-107 TYPICAL DECK AND BRACING DETAILS
 - E-101 BASEMENT LEVEL ELECTRIC PLAN
 - E-102 FIRST AND SECOND FLOORS ELECTRIC PLAN
 - PL-01 PLUMBING RISER DIAGRAM AND REQUIREMENTS
 - SP-01 GENERAL NOTES AND TABLES
 - PLOT PLOT PLAN

We reviewed the following materials for our memorandum, dated December 23, 2024

- Narrative Summary, by Paul S. Baum, Esq., dated December 18, 2024.
- DEC Permit Card Notice, for Abe Kohn, Permit #3-3926-00784/00001, dated July 9, 2024.
- Application Forms package, for CDRC, signed by Abe Kohn, dated November 13, 2024.
- Full Environmental Assessment Form, Part 1, with EAF Mapper Summary Report, signed by Abe Kohn, dated July 11, 2024.
- Architectural Plans, 11 sheets, stamped by Rodger Braley, RA, SZ Drawings, Plans & Designs, with latest revision date of December 16, 2024, with the following sheets:
 - Cover
 - A-101, Foundation and Footing Plan
 - A-102, Basement Floor Plan
 - A-103, First Floor Plan with Details
 - A-104, Second Floor Plan
 - A-105, North-South-West-East Sides Elevation
 - A-106, Roof Plan with Truss Sign and Typical Wall Section
 - A-107, Typical Deck and Bracing Details
 - E-101, First and Second Floors Electric Plan
 - SP-01, General Notes and Tables
 - P-01, Plot Plan
- Site Plan, 1 sheet, stamped by Paul Gdanski, PE, entitled “Plot Plan for Kohn,” with latest revision date of December 10, 2024.