

**VILLAGE OF SOUTH BLOOMING
GROVE**
Board of Trustees & Planning Board
Joint Public Hearing
Tuesday
January 5, 2021
7:15 P.M.

➤ **Call to order**

- Mayor Kalaj called to order the Special Meeting of the Village Board of Trustees and Planning Board at 7:17 p.m. on January 5, 2021, via Zoom Meeting #972 2774 1851 for the Village of South Blooming Grove located at 811 State Route 208, within the Village of South Blooming Grove, and having a mailing address of Monroe, New York.

➤ **Roll call**

The following persons were present:

Village Board of Trustees

- George Kalaj- Mayor
- Abraham Weiss – Deputy Mayor
- Yitzchok Feldman – Trustee
- John Ross - Trustee

Planning Board

- Donna Douglas – Planning Board Chair
- Manny Aleixo – Member
- John Giovagnoli – Member
- Michelle Rivera – Member
- Eric Vogelsberg –Member
- Simon Schwartz

Also Present:

- Scott Ugell, Esq. – Village Attorney
- Dennis Lynch, Esq. – Special Counsel
- Al Fusco – Village Engineer
- Kerry Dougherty – Village Clerk
- Christine Bodeker – Deputy Clerk

Absent

- Johnny Belfort - Trustee
- Raleem Brodhead-Moses – Alternate Member

➤ **Mayor Comments**

- The Mayor wished everybody a Happy New Year.

➤ **Special Counsel Comments**

- Special Counsel, Dennis Lynch, advised that this is continuation of the prior Public Hearing. At the last public hearing the Village Board of Trustees voted to close the public hearing the Planning

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Board did not. He believes the planning board wanted to hear from other speakers, the meeting is open for that purpose. After this particular portion is concluded, there will be a written comment period for those people that want to supply comments. The focus is on the draft environmental impact statement as supplemented and when those comments are received verbally or in writing will be reviewed by all the professionals for the village.

- Chairperson moved to open the public comment, seconded by Member Vogelsberg, - 5 Ayes
Chairperson Douglas, Member Aleixo, Member Giovagnoli, Member Rivera, Member Vogelsberg.
- Mayor Kalaj moved to open the public comment, seconded by Deputy Mayor Weiss. 4 Ayes -*Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Ross.*
- At the last village board meeting we had people on the Zoom impersonating others, this is being investigated.

➤ Public Comment

- Johanna Kiernan – See attached comments.
- Laurel-Stauffer Daly- See attached comments.
- Brana Mauskopf - Resident lives on Arlington Drive it is a nice quiet place that is why she moved here. The project plans to create an access road to Arlington Drive. Additional traffic from 500 families onto Arlington and Virginia Avenue will increase traffic and create noise and sound and she feel this is not fair as it is now a quiet neighborhood.
- John Daly – Resident lives on Clove Road. Like his neighbors and residents in the immediate area he has serious concerns as well as most people as to the immediate and long term impact this development is going to have. There are many areas that need to be further evaluated in order to achieve more clarity. The applicant's efforts concerning the impact this project will have especially regarding the areas natural resources are lacking in several areas. By far, the most important resource is water. It is common knowledge that the water supply in this area has been under stress for many years. It is currently near critical and this is not speculation. There have been many studies and analysis of the ongoing water issues. What is the position regarding the status of the aquifer, water supply we all depend on, now and in the future? Regarding the safety and quality of the water, the applicant states that they have mitigated all illegal dumping problems that could have negative impacts on the water quality. Can the applicant comment on the fact that the DEC in 1993 acknowledged the Lake Anne Disposal Corporation as a sanitary land fill? Can the applicant outline how the DEC handled the close down of this landfill site and when this occurred and if all protocols were satisfied? The area was also used as a dumping ground to a various degree. I live on the border of the property and when the well testing was done my well was affected. At times my water contained a sandy sediment. What remedial action will be taken to make negatively affected wells whole again? What data does the applicant have on the draw down that the project will cause to the aquifer including whole region served by the aquifer? How will the noise levels that go beyond the expected levels be mitigated.
- Bonnie Rum – See attached
- Michael Killeen -See attached
- Barbara Hanley – See attached.
- Dawn Salka – See attached.
- John Salka – The fire department needs water to fight fires. The existing community doesn't have

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enough water, quality water as it exists. There is not even enough water for fighting fires. The duration is as important as gallons per minute. The quality and availability of water has always been terrible in South Blooming Grove. A person continues to impersonate me on the Zoom meetings, we hope to expose the culprit.

- Kate Ahmadi – See attached.
- Guy Jones – Blooming Hill Farm. He feels this is not a time to discuss such an impactful event. Local development has global implications. As a farmer he aware of how things evolve and he has been farming here a while. He used to cut the hay at Lake Anne. The ground at the Clovewood property is poorly drained. There is water on the top but there is nothing below. The water runs off the hill, down through the field and there is a little tributary that runs through his farm and meets the Satterly Creek which is the main creek through the valley. It is a seasonal creek. This summer it didn't rain much and the creek was down to nothing. A week ago, we had snow and rain and the water was so high it took out one of his bridges and this has happened numerous times. It is a very mercurial creek, very fickle, it comes and goes. When Mr. Green had a bungalow colony, he had to dump sewage into it and they always had a water problem, Orchard Lake, Tappan Hill, Merriewood, Worley Heights have always had water issues. We are very concerned as farmers and organic farmers about the quality of water we use to irrigate and we are quite certain that no local sewerage plant would do a good enough job to be able to live with it. I hope that you take more time to look at this project with good governance. Being down stream we are very concerned of how we will be affected by this.
- Susan Hito Shapiro advised that she is an attorney that has been asked to work with the community of South Blooming Grove. Many of these issues raised are of serious environmental issues and mitigation needs to be done. There are fundamental issues she would like to address. See attached.
- Susan Blakeney – She discussed community character. See attached.
- Herman Myers – Clovewood DEIS Addendum – Section 9.1 – Interconnection with Arlington Drive, although the addendum indicates this would be for emergency access only, I think you could provide an interconnection for all village residents. I understand that some individuals on Arlington Drive may not want such an interconnection however the benefit of the collective community should legitimately outweigh that of a few individuals on one block. Moreover Arlington Drive was designed with intent of eventually interconnecting with the Lake Anne Property not as a cul de sac. This would be beneficial to adjoining properties. Section 9.2 KJ water alternative – there was a case stating you cannot block the transfer of water from one municipality to another. He thinks wind turbines should be discussed as well as they are an excellent source of energy. Personally, he feels the KJ alternative should not have been removed and he feels the Planning Board member were incorrect to remove this alternative because (1) Water would have been provided via the Kiryas Joel pipelines and not from wells (2) Sewer would have been treated at the wastewater treatment plant at Kiryas Joel and not into the Satterly Creek (3) Police, fire and ambulance would be provided by Kiryas Joel since it would be annexed no just from the Village of Kiryas Joel but also to the Town of Palm (4) The school district would be Kiryas Joel and not Washingtonville (5) the village planning board would be relieved of immense pressure of overview of the Clovewood Project and the responsibility would fall on the Kiryas Joel Planning Board. Section 9.5 village water supply alternative – Attachment 2 – The village uses less than 1.5% of the water available in its watershed.
- Bob Stevens- wanted to discuss double standards for construction permits.
- Goldie Mendel 6 Shannon Lane commented on 2.4 of the DEIS project purpose and need. There is a

**VILLAGE OF SOUTH BLOOMING
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- current need for more homes. There is a national need for 1 new home per minute from her research. 10,000 per week is needed. The local government is responsible for this need. Please note there are 21 repeat names and if they can change Tuthill and Whitrol that would be appreciated.
- Mrs. Ronald Bartlett – Section 1.0 of the DEIS immediately indicates that the village scoping document required the DEIS use two scenarios for the basis of evaluating potential significant adverse environmental impacts of the project. Scenario 1, a development occupied by families from Satmar Hasidic Community and Scenario 2 – a development occupied by community with demographics similar to those existing conditions in the Village of South Blooming Grove. The DEIS then clarifies that regardless of the Village’s direction to discuss two demographic scenarios all residential units in the project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law. The DEIS indicates that the project owner and developer is committed to providing and satisfying equal housing opportunity principles and legal requirements although the Village required them to analyze these two scenarios. I am actually appalled that the village played such an unreasonable and likely unlawful requirement upon the applicant. It seems as though the Village....appearing discriminatory when it is the Village’s own policies that seem discriminatory. I ask the Village rectify this by having the applicant analyze only one scenario into its FEIS regardless of religious affiliation and that, that demographic be the same as the demographic currently existing in the Village of South Blooming Grove, regardless of religion. On that note I am also concerned with the Village’s review process of the Clovewood DEIS and I would like the project applicant to discuss this in their FEIS and make official note of this fact. The DEIS was first submitted to the Village in April of 2018 although according to SEQR the Village had 45 days to provide comments on the written DEIS its professionals unnecessarily delayed the process with complete disregard of the law and provided comments almost 8 months later. These comments provide an Appendix and of the revised Clovewood DEIs were addressed by the project applicant. Interestingly enough many of these comments were wrongfully in excess of what was originally included in the scoping document and some of them even withing circles. Finally, the revised DEIS was submitted to the Village in March of 2019 according to SEQR the Village then had 30 days to respond with written comments and/or deem the DEIS complete. However, the Village instead issued a notice of claim completeness which doesn’t exist in the SEQR process and held a public hearing which I attended to determine completeness which also does not exist in the SEQR process. It appears that the Village administration had no respect for the law, the department of environmental conservation and the project as a whole as well as its citizens. Finally, an addendum was submitted in February of 2020 and on March 5, 2020 the Planning Board deemed the DEIS complete followed by the Village Board on March 16, 2020. As you may know SEQR regulations do not require there be a public hearing on a DEIS however the Village nonetheless scheduled not one, not two but now this third public hearing. It is now January of 2021, three (3) years after the first DEIS was submitted and the public hearing has not yet been closed. Importantly, the majority of comments provided up until this point today was quite different at the political or personal diatribe irrelevant to a projects review and inappropriate for the form of SEQR, this gaslighting almost appears that the village has intentionally been doing this to place unreasonable roadblocks in front of this project and its approval. I am aware that NYS DEC and other agencies take a keen interest in such poor behavior on behalf of municipalities and that they are within their authority to take over a review process should a village

**VILLAGE OF SOUTH BLOOMING
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Joint Public Hearing

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7:15 P.M.

or other municipality fail to comply with SEQR standards. I really ask the village to please conduct a good faith review of this project simply so that continue to have the right to conduct this review and moving forward I really hope that they will continue to conduct the review in a way that is lawful and in accordance with SEQR and I hope to see this information in the FEIS.

- Lindsay Dickson – Section 9.2 of Addendum it mentions interconnection with Kiryas Joel and then they removed. He feels this is the intent in the end. He reviewed the park and ride in Monroe and Harriman and never witnessed a Hasidism person. Where will water come from. He thinks the public hearings should be when meetings can be in person again.
- Erin Smith – See attached.
- Rebecca Meyers – 2 Green – (1) the DEIS states that construction will be from the hours of 7am – 6pm but this is not allowed per Chapter 73 of the Village Code. (2) Why has the village required this project to be analyzed according to a specific religious community and then pretended that this was at the advice of the applicant? Why did the village require the previous casino application be analyzed according to an Asian or Indian demographic. (3) the right to develop a property is a constitutional one. I is the same right that allows us freedom of speech and freedom of religion. As a proud American I am disturbed by the communist-type attitude of the village in delaying this project and imposing unnecessary restrictions.
- Leo Mandel 6 Shannon Lane -Section 2.2 of the DEIS which indicates that according to the previous site zoning that the Clovewood parcel could have been developed with 1000 units. He would like there to be an additional analysis outlining all the different setting densities for Clovewood should it have been developed according to the original zoning laws as reflective of how the original village was development. In reviewing 2.2 of the DEIS every home has its own driveway set back by about 10 feet - he feels there should be a much wider driveway space between both lots, it would be much safer for pedestrians as Clovewood indicates it intends to be a walkable project. Please have this analyzed. Thirdly, Section 3.1 of the DESI indicates the project would include the preservation of open space in excess of 50% of the project site, plus another 30% for density bonuses to increase the base log count. I like how the majority of the 50% open space would be located in one large area and I think it would be beautiful if the remaining 30% could be spread out over individual lots to allow the developments residential portion to have the green feel. Lastly as a result of Covid19, New Yorkers have been flocking out of the City to the suburbs like this village for a variety of reasons including space, at home offices, schools and back yards, affordability, lower density and gyms. Accordingly, suburbs like the village should fulfill their responsibility to provide housing specifically affordable housing opportunities to all individuals especially now in line with Covid19, I think the Clovewood project would significantly benefit the community in this regard and therefore a minimum of 50% of the lots gained as part of the adjusted base lot count for the Clovewood Project be affordable not just 10%, maybe even more of the open space.
- Sue Anne Vogelsberg Growth capping laws from the Town of Ramapo she advised it says that the roads and infrastructure would be impacted. The developer needs to fix the infrastructure first before moving forward with the project. The Village Attorney may want to look into this.

➤ **Adjournment**

- Motion to close the pubic hearing by January 15, 2021

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- Motion to confirm the prior closing and close the public hearing leaving open for written comment until January 15, 2021 at 8:34 p.m. by Village Board Trustee Feldman, seconded by Trustee Weiss. 4 Ayes Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Ross, 1 Absent Trustee Belfort.
- Motion to close the public hearing leaving open for written comment until January 15, 2021 at 8:34 p.m. by Village Planning Board Chairperson Douglas, seconded by Member Schwartz. 6 Ayes Members Donna Douglas, Manny Aleixo, Eric Vogelsberg, John Giovagnoli, Michelle Rivera, Simon Schwartz 1 Absent, Raleem Broadhead Moses.

Minutes respectfully submitted by
Kerry Dougherty, Village Clerk