

VILLAGE OF SOUTH BLOOMING GROVE
VILLAGE BOARD PUBLIC HEARING
PROPERTY MAINTENANCE
MONDAY
AUGUST 8, 2022
8:01PM

Call to order

Mayor Kalaj called to order the Village Board Public Hearing, regarding proposed changes to Chapter 235 – Zoning and Chapter 110 – Streets and Sidewalks of the Village Code, at 8:03pm on August 8, 2022, via Zoom Webinar ID: 893 2550 5249 for the Village of South Blooming Grove located at 819 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:

- Mayor's George Kalaj – Mayor
- Abraham Weiss- Deputy Mayor
- Yitzchok Feldman– Trustee
- Asher Guttman- Trustee
- Zalmon Rosner – Trustee
- Joel Stern – Confidential Assistant to the Mayor
- Isaac Ekstein – Legislative Aide to Mayor
- Al Fusco- Village Engineer
- Scott Ugell Esq.- Village Attorney

➤ **Presentation**

- **Al Fusco** explained that the village is looking to make some text changes into the Zoning Code and towards that end what we have with Streets and Sidewalks, the village is looking to increase the width of new residential streets, whenever we have a new subdivision or a new project, make the streets wider to make them safer to also allow for suitable parking, we are going to make an amendment to do that in relationship to the codes that we have now to make the roads wider and safer and better for emergency equipment as well as parking. In addition to that we are going to add definitions for the House of Worship to make it very clear of the three different classes of Houses of Worship, we also have the definition for accessory dwellings and in that, it would be to have an accessory apartment in homes that has been addressed in this code as well. One of the reasons for that is to allow for affordable housing for the young couples and for the elderly to make that available for them. We are also looking to make changes in the senior housing to allow for a lower age of 55 since seniors can be 55, 60, 65; the village has decided to utilize 55 in that regard. We also have a new zone, well actually an old zone that we are restructuring, is the RB Residence Zone and towards that end we are doing that to make the houses that are existing in those zones no longer non-conforming uses. In addition, we are looking at the Houses of Worship and how they are to proceed in an orderly fashion through the building department and/or planning board as required and of course the engineering to be completed and basically those are the biggest aspects of the code, they are available for you to have seen online.

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Isaac Ekstein the Orange County Department of Planning actually responded today late afternoon on all these amendments. Just for clarity: 1. These amendments were sent to the County Planning June 23, 2022, and they are acknowledging receipt of it June 28, 2022, and they have actually submitted it to us today, August 8, 2022 but they are writing on the document that they are submitting it on August 5, 2022. Even though they have past the 30 day window we are still looking at it and working with professionals to acknowledge and respond and adopt some of their comments and reply to them accordingly. He went over the comments briefly. The first comment that they have, accessory dwelling units 1(a) they are saying that it should be modified to read accessory apartments are an important aspect; they have a long list of things and they be allowed through obtaining a special use permit from the Village Planning Board – the Village Planning Board does not have special use permits so basically it is misleading, what they are meaning to say is that they should go to the planning board for conditional or site plan final approval, so we will update that. In section 1(b) they are asking the village to retain certain language in 235-45.6A and 6B, basically that we should leave it that when someone has an accessory apartment they need to go to planning board, but the only thing that will be removed is that the accessory apartment should need an annual renewal from planning board which makes no sense, that is the only thing we wanted to remove and we will still leave language in there, that they have to go to the planning board. Next, they have about Houses of Worship, all due respect to the County but the House of Worship Small is not a resource intensive use and we don't agree to that and the building inspector will definitely decide whenever a House of Worship needs to go to the planning board, a large house of worship or something like that but a house of worship small is definitely not a resource intensive use. Then they have at #3, RCI, in 3(a) they are asking us to fix some typos, we will definitely fix those typos. 3(b) – it sounds like the County misunderstood the amendment that we are proposing, it is actually the opposite of what the County is writing in their comments, we are actually reducing the amount of houses on an acre versus increasing, it sounds like they didn't understand what we are proposing. 3(c) Our professionals are looking into that and we have a response to the county. Then we have some advisories from them, about the street policy regarding widening the roads and we will look into that in the future with a comprehensive planning board and the department of transportation board and all of that. Then the County wrote about the definitions, the proposed definitions are sufficient to differentiate the three categories of house of worship and are substantially similar to the examples provided last year. The County is writing that they appreciate our attention to this matter and then they are writing about senior housing floating zone where we are changing from 60 to 55 to be more similar to what other municipalities have, that senior housing should be for 55 and up. The County writes that their amendments proposed to the regulations for this district are in keeping with standard regulations throughout the County and the State of New York for similar developments. We have no objection to regulation as set forth in this proposed local law. That basically summarizes what standing of the village professionals are to the comments of the County and from here we will work with Al to respond officially to them. He just wanted the public to know about the comments we received from the County and where the Village is standing with that, so they have a chance to comment now.

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➤ **Public Comment**

- **Sue Anne Vogelsberg** when she was looking at the agenda, she was confused, so we are amending the entire Zoning Code, Chapter 235, that's what you put on the back of the, that was on the agenda, but then there was also the Sidewalks, so I was focusing on the sidewalks and she was kinda confused because she didn't see any edits in that, so what is being amended with Streets and Sidewalks, there is 36 pages there. **Isaac Ekstein** advised that he believes the only thing being amended is to not allow private roads in the village, so with that we will be able to regulate how wide the road should be and should be done properly. **Sue Anne Vogelsberg** one of the things in there which she thought was interesting, it says 12 hours after a snow storm the sidewalk has to be shoveled and cleaned out, so we are having an issue now with garbage cans, that sometimes people are putting them out on a Friday but it is the same thing, so if people are going to be sited for not cleaning off their sidewalks because it is a religious holiday, there is nothing in there to...your not making any allowances for that and so with this, it also says something about, like who is putting in these sidewalks, like if one house wants to have a sidewalk and another house doesn't want to have a sidewalk, what about the utility lines, she doesn't know she was just kinda confused with all of that and are we going to have access to that Orange County Planning Letter that you are commenting on. She was just confused because she wasn't really sure at what we were doing here with this public hearing so it's the entire zoning code what is under review. Thank you. **Isaac Ekstein** responded that the entire Zoning Code is not under review, there are certain pieces of the code that is under review, the only thing under review on the part of roads is that we should not allow private roads, anything pertaining to sidewalks is not new it has been in the code from before but that is a good point and he will look into that, maybe to add something in that, Sue Anne is making a good point. He mis-spoke the code for the road is two things, not allowing private roads and increasing the width of the road for any future developments to be from 37 feet local road, 47 feet a main road, so that is the two changes in the code, nothing about sidewalks but maybe we will add that.

➤ **Adjournment**

- Motion to close the public hearing at 8:16pm. by Trustee Feldman, seconded by Trustee Guttman. 5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Guttman and Trustee Rosner.

Minutes respectfully submitted by
Kerry Dougherty, Village Clerk