

**VILLAGE OF SOUTH BLOOMING
GROVE**

Board of Trustees & Planning Board

Joint Public Hearing

Wednesday

November 25, 2019

7:00 P.M.

➤ **Call to order**

- Mayor LoFranco called to order the Special Meeting of the Village Board of Trustees and Planning Board at 7:04 p.m. on November 25, 2019, at the South Blooming Grove Village Hall 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

- James LoFranco- Mayor
- John L. Ross – Deputy Mayor
- James Mullany – Trustee
- Sue Anne Vogelsberg – Trustee

Planning Board

- Donna Douglas – Planning Board Chair
- Manny Aleixo – Member
- Eric Vogelsberg –Member
- John Giovagnoli – Member
- Michelle Rivera – Member
- Raleem Brodhead-Moses – Alternate Member

Also Present:

- Dennis Lynch, Esq. – Special Counsel
- Mark Blanchard, Esq. – Special Counsel
- Michael Weeks – Village Engineer
- Bonnie Franson – Village Planner
- Kerry Dougherty – Village Clerk

➤ **Mayor and Trustee Comments**

- Mayor LoFranco stated that tonight is a public hearing on the Clovewood project Draft Environmental Impact Statement (DEIS); the purpose of tonight's meeting is for the public to provide their comments on the DEIS. All Comments on the DEIS by the public are welcome. Permit me to advise what this public hearing is not: this is not a public hearing to approve the Clovewood Project. This is not a public hearing to approve any number of units. This is not a public hearing to approve any site plan or subdivision approvals. Because this public hearing falls during the week of Thanksgiving, at the recommendation of our attorneys we are not going to close the hearing tonight, but adjourn this public hearing to a date to be determined after I confer with the Planning Board Chair. When the public hearing is closed there will be a ten (10) day written comment period for those wishing to make comments in writing. The board of trustees and the planning board will not be responding to questions at this time but allowing all public comment to be

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made part of the record. After all public comment both verbal and written are provided and after the Village professionals have a chance to respond we will make our responses known publicly. Please let's be courteous; please no interrupting and try to limit comments to three minutes.

➤ **Special Counsel Comments**

- Special Counsel, Dennis Lynch, advised that this is a Public Hearing to receive public comment on the re-submitted DEIS.

➤ **Public Comment**

- Daniel Ruzow, Esq. of Whiteman, Osterman & Hanna stated that in all his years, he has never heard of a public notice stating claimed completeness. He wishes for some clarity on this document that the public is commenting on. Mr. Ruzow also welcomes public comment on the DEIS.
- Kirk Rother had no comment regarding the DEIS.
- Susan Blakeney is concerned about community character and water issues. She indicates that what is stated in the DEIS regarding the plan is not consistent with the diagram/plans presented. Do the plans include accessory apartments and open-space? The picture presented shows what she feels to be more than twenty percent of the projected space. She also is curious on how the percents were calculated. She feels that the project does not consider community character or the impact on the town and the properties adjacent to the community. The plans did not include homes in the town of Blooming Grove that are close to Clove Road. She does not agree that the adjacent community will not be adversely impacted. The DEIS states that development will be largely hidden by view and this simply is not true. The development will be viewed from the top of Schunemunk Mountain. Section F of the DEIS states that groundwater usage would be approximately 110 gallons per day but that is underestimated as it will be at least 200 gallons per day. Neighboring areas were not included in the water testing, why was this? Nothing was included in the DEIS about alternative means of renewable energy. Noise impact on North East entrance is not correct. She hopes that there will be a closer look on the open space proposed regarding clustering. She feels that this development will affect the views from the ground level to a higher elevated level from the mountain. The development will also affect the views from the trails going up Schunemunk Mountain, which many people come to visit to see the rural community. She feels that if the applicant thought that the development wouldn't change the community, then why they didn't ask members of the community?
- Barbara Hanley has lived here 33 years and there have been water restrictions in place for 33 years. She is curious about what data they used to say that they could hook up 600 apartments to the South Blooming Grove water system. Will there be a backup system? In South Blooming Grove there is an inadequate water supply that the board is tirelessly working to fix. She believes that trying to find water would cost too much and there is no way that any water can be diverted. Ms. Hanley is concerned about the ingress and egress at Arlington Drive, and suggests that a traffic study is needed. She believes that the residents that live along this drive should be consulted. There has been an increase of accidents due to the increase of cars on the road and adding more traffic would make this road more dangerous.
- Dawn Salka discusses Appendix E of the DEIS and asks how a segregated area is allowed/possible. Page 3 states that there are no accessory apartments. Page 26 shows accessory model apartment that is

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labeled “unfinished.” Page 29 shows an accessory model apartment in the plan which is thirty-five feet high. The noise levels have increased greatly. Construction noises are heard all day from 7am to 5:30pm. Blasting will increase the noise and has caused damages in some home properties. The study regarding traffic on pages 14, 15 and 16 have skewed results because the study was done during the months when most people are on vacation. Parking areas do not allocate spots and appears to be not enough parking. The plan includes a shuttle and at this time there is no shuttle so this cannot be guaranteed. Page 14 traffic study does not address money that is not available for the added traffic and the realignment of Clove Road.

- Bonnie Rum voiced that she has five pages of notes that she will submit regarding discrepancies in the DEIS. The Town of Palm has been omitted and therefore the study needs to be adjusted. Ms. Rum expressed concern regarding four bedrooms within .23-acre homes and the addition of 600 accessory apartments. South Blooming Grove is under water restrictions. Nothing is mentioned regarding water or the monies/rentals of accessory apartments. The size of the population is expanding. Bankruptcy Court has nothing to do with the Village.
- Christine Johnsen advised that there are several federal listed wetlands and 3 state classified streams on or around the property. Topographical maps show groundwater flow to the south west portion of the site plan. What is the plan for ground water contamination? Page 8, section 3.9, states on 8/11/2019 surface debris and the dump and potential effects if disturbed. There has been a 40,000-gallon fuel spill and 8 spill cases and the clean-ups are not addressed. How are we protecting our water? Was the land previously a landfill? The development is being built on a landfill. What is the potential of contaminating other areas if toxins are released when this land is disturbed? The ESA is from 2014 and is too old; there should be a more recent report.
- John Henry of Whiteman Osterman & Hanna advised that the DEIS should be deemed complete as it is a draft that leads to a DEIS. Comments made today could be used toward completion of the final DEIS.
- Pam Ragusa asked about the minutes to the prior meetings.
- Rob Jeroloman, Town of Blooming Grove Supervisor, voiced that the Orchard Lake wells were not tested and that the DEIS does not provide data regarding the water. Orchard Lake and their community well system should be looked into further.
- Nancy Calhoun expressed concern regarding water. The estimate usage and impact on existing water systems are ludicrous and understated.
- Kathy Stegenga, County Legislature, asked that the Boards be cautious and to double check all proposals so that no health and safety issues are created, especially regarding water and sewer. The County is currently addressing issues with Sewer Capacity.
- Evan Sick expressed concern regarding potential traffic on Route 208, infrastructure, water, and sewer. Infrastructure are not addressed in the DEIS. How does a bankrupt company tap into water main? The existing sewer infrastructure cannot withstand additional sewer. The traffic study is incorrect and doesn't account for Route 208 traffic, Clove Road and Mountain Road, additional buses, or road maintenance. School buses have tripled and run 6 days a week all year long.
- Lieutenant Smith of Mountain Lodge Fire Department voiced concern regarding how to fight fires and take care of more than 1,200 units with a lack of water. Smith expressed that this places all emergency service at risk.
- Sigmond Brach commented on how everyone in the Village should live peacefully among each other.

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- Elizabeth Ridgeway referred to Page 3 of 26 and questioned how a development can be built and marked for one class of people. This violates federal fair housing laws.
- Edith Johnson stated that the visual impact statement is unsatisfactory. She questioned the sewer plan as it includes utilizing a creek that is dry part of the year.
- Xavier Anglin feels that the DEIS is inaccurate and perhaps a super bond should be taken out before any project begins. Bald Eagles were not studied at correct times.
- Tom Lyons is concerned about traffic and feels that the road conditions are dangerous already.
- Lorraine McNeill feels the DEIS is faulty. It is irrelevant and lacks material regarding road connections and a park and ride. How will the open space title be held, will there be deed restrictions? Water usage does not address bathhouses/pools and does not reflect true usage. To state there is no impact is an invalid conclusion.
- Ryne Kitzrow expressed confusion regarding the study and developments of Clove Road. How do these numbers compare to previous projects? Will the same standards be met?
- John Daly feels that Clove Road should be further evaluated. He is concerned about water and the previous dump that was located on the property.
- Laurent Stocker Daly is concerned about the park and ride; she does not believe it limits local traffic and it appears to be on a wetland or within the buffer on the plans. Section 3.8 states that wells were not affected but the truth is that wells were affected. When were the wells drilled? What are the easements related to this property? Page 39, cemetery access easement road – who will use the road and what type of access?
- Stacey Warren questions how the Village can afford the petitioned project.
- Charlie Edelman expressed concern that no impact study mentions the Woodlands as he did not see anything about the land development in the DEIS. There was also nothing in the impact study regarding how the development will be put up while leaving the Woodland intact. Edelman expresses concern about the environmental impact. Traffic has to be reviewed.
- Marianne Sternkopf expressed concerns regarding traffic and safety.
- Susan Bloustrand of Mt. Lodge Road expressed concerned with the size of the lots. The homes should be made available for purchase by all groups not just one specific group.
- Jean Galli states that the Village does not have the infrastructure to sustain 600+ new homes and the population that will come with that. Ms. Galli is concerned that this is exclusive and that the rest of the population is not included; she suggests that this makes for a bad community, “them” vs “us”.
- Christopher Mangan voiced that there should be more doctors available in the area.
- Morrice expressed concerned with park & ride, a facility maintained by the Village, and Coach USA. What buses are going to be there? There will be traffic on Rt. 208: was there a traffic study done? Clove Rd entrance needs to be fixed.
- John Hickey stated that the study does not address many of the concerns that the residents raised at the Public Hearing.
- Kate Ahmadi read from the Clovewood DEIS and asked what the demand is for housing for the growing local community. What does naturally growing families mean? Why is affordable housing specified and how does it relate to any need for affordable housing in South Blooming Grove? Why is this a logical path of development? What other options exist? The DEIS concludes that the project is the only economically feasible development and the only one that would generate sufficient revenue to satisfy the plan approved by the bankruptcy court. Why does this proposal, which could double the population of the Village, only meet housing demand in part? What other

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long-range demands are anticipated or planned for? The demand for housing from the greater regional metropolitan New York area is mentioned. Aside from the serious environmental limitations, the DEIS is deficient in its basic purposes and needs. A process of expensive demographic, statistical and social scientific analysis description, and discussion of related assumptions is necessary.

- Brian Strommer is disturbed about the consideration of putting this amount of volume in the area and claimed there are not enough resources. Natural resources do not respond to fiscal demands.
- George Doering stated that he agrees with the comments. Looking at the photo of the maps, he proposed annexation of a strip of land from Lake Anne all the way down to Village of South Blooming Grove that connects to Palm Tree and Kiryas Joel. If that takes place, this conversation will not be taking place in front of this Village Board or Planning Board.
- Lindsay Dixon stated that there is a hidden agenda.
- Henry Ponti asks about fire, EMS services, and police services. What about a traffic study being done on a Friday afternoon or day before a religious holiday? This will have an impact.
- Rosio Roseki stated concern for infrastructure and urged further studies.
- Brian Sardola stated that the DEIS is not ready and stated that the property is contaminated.
- Travis Jones of Blooming Hill Farm stated that the stream Satterly Creek runs through their farm and expressed concern about what would be pumping into the stream.
- John Salka is concerned about water and stated that there are rattlesnakes in the area. Mr. Salka is concerned that the development is only for a specific group and is concerned about tree cutting.
- Kevin Raday stated that the DEIS is a faulty work product as there are many issues within the report. This project needs to be completely re-done. Mr. Raday states that we can all live together and hopes that this whole study is re-done with the thoughts of the entire community. The school impact is inadequate, it will be more serious than what the proposal indicates.
- Art Dehecchi expresses concern regarding backup system if the wells sewage treatment plans fails. The plan is to come up and over the top mountain with pipes. Isn't the mountaintop protected land by the State? How is this considered? How is this allowed and why isn't it addressed in the proposal?

➤ **Adjournment**

- Motion to close the meeting at 7:34 p.m. by Village Board Trustee Eric Vogelsberg, seconded by Planning Board Member Manny Aleixo. 8 Ayes Mayor LoFranco, Deputy Mayor Ross, Trustee Mullany, Trustee SA Vogelsberg, Planning Board Member Manny Aleixo, Planning Board Member Eric Vogelsberg, Planning Board Member John Giovagnoli, Planning Board Member Michelle Rivera, 1 Absent, Planning Board Chairperson Donna Douglas, 0 Nays.

Minutes respectfully submitted by
Kerry Dougherty, Village Clerk