

VILLAGE OF SOUTH BLOOMING GROVE
PLANNING BOARD
Regular Meeting
June 16, 2022

Members Present:

Simon Schwartz
Abraham Klepner
Yoel Ungar
Dov Frankel
Chairman Solomon Weiss

Members Absent:

Dov Frankel

Also present: Alexa Burchianti, Building Inspector; Al Fusco, Village Engineer; Daniel Kraushaar, Village Counsel; Joel Stern and Isaac Ekstein, Assistants to the Mayor.

The meeting began with a pledge to the flag at 8:03 pm.

With secretary Melissa Foote unable to attend the meeting due to a family emergency, Isaac Ekstein began by stating that he would take over her responsibilities during the meeting. Roll call then followed.

Adoption of April 14th, 2022, Minutes

Chairman Weiss made a motion to adopt the minutes from the April 14th meeting. Seconded by Mr. Schwartz and carried unanimously.

5 Mangin Rd.

Al Fusco summarized his report for the 5 Mangin Road site plan application as follows:

1. Applicant needs to go to the Village Board to apply for a special use application and approval.
2. Applicant needs to pave handicapped parking and van no parking spaces with paved access to the door with signage.
3. Applicant needs an EAF with a DEC mapper.
4. Applicant needs a stormwater report and drainage design.
5. Applicant needs to list how long the temporary situation will last, in days and hours.
6. Applicant needs snow storage or a note stating snow will be plowed and removed within 24 hrs.
7. Applicant needs a refuse enclosure.
8. Applicant needs to provide details regarding water, sewer, and electric.
9. Applicant needs to address other potential Board comments.

The project engineer for 5 Mangin, Matthew Checca, then introduced the site plan for the project on behalf of the applicant, Peppermint Supermarket. He described the parcel as bounded by Mangin Road to the south and Route 208 to the northwest and containing an existing single-family residence. He noted that the neighborhood is mostly residential with some commercial businesses along the state highway north and south of the project site. He stated that the applicant is proposing a temporary kosher market with site improvements including a new gravel parking area, a refuse enclosure, and a pure concrete slab in order to construct a shed for the temporary grocery store. The existing single-family residence will remain and the gravel parking area will be placed around the existing residence. He also noted that he had received Al Fusco's comments regarding the application and would be able to address the comments during the meeting. However, he first requested that the village Board deem itself lead agency for SEQRA, submit the plan for GML 239 review, and schedule a public hearing for the July Planning Board meeting.

Mr. Ekstein asked for Mr. Checca to address Village Engineer Fusco's comments.

Mr. Checca proceeded to address the comments.

1. He claimed that the applicant had no objections to the requirement for a special application with the Village Board as it is necessary per zoning requirements and that they will be happy to appear at the Tuesday, June 21st Village meeting.
2. He stated that applicant has no objections to the handicapped parking area and will provide handicapped-accessible units as close as possible to the building as needed per the ADA and would provide an asphalt pad with ADA-compliant signage.
3. He apologized for the late submission and noted that the EAF with a DEC mapper was submitted prior to the meeting.
4. He stated that the proposal is less than an acre of disturbance, so he does not believe that the stormwater application needs to be shared per DEC and state regulations. He asked for clarification from the Planning Board regarding what would be needed and noted that in checking the Village code, he did not find much mention of stormwater management for disturbances of less than an acre.

Daniel Kraushaar stated that the applicant would need a zero net runoff and Al Fusco clarified that a SWIFT is not required, but that the Planning Board needs to see how the stormwater is going to be handled.

Mr. Checca stated that the applicant would be able to provide a report supporting zero net runoff and a 100-year storm event for underground dry wells or something of that nature to address stormwater management concerns.

Daniel Kraushaar then asked whether Mr. Checca saw anything in the Village code about having commercial and residential use on the same lot and suggested that it may be easier to subdivide the property to alleviate this concern.

Mr. Checca stated that there is nothing in the code addressing such a scenario and that the Village Board would need to make a determination.

Mr. Ekstein interjected, noting that the only use for the property will be commercial as the existing residential property will be utilized for the temporary kosher market. He described the proposal as adding an accessory detached structure to the existing residence temporarily with the future intent to demolish the existing resident and the temporary structure to create one large, permanent kosher market.

Mr. Checca agreed with Mr. Ekstein's description of the proposal and continued addressing Al Fusco's comments.

5. He noted that the hours of operation would be from 9:00 a.m. to 5:00 p.m.
6. He claimed that the applicant believes there is enough room to store snow on the site.
7. He noted that there is a proposed refuse area located adjacent to parking and that the applicant would be able to enclose it.
8. He stated that water, sewer, and electric were not submitted as part of the application, but that more details will be provided during the next meeting. They believe the demand would be very low for water and sewer, and that they can tap into the existing residence for water and potentially utilize a septic system already in place, though they would need to verify the size to confirm that it is large enough to support the temporary grocery store.
9. He claimed the applicant would provide a schematic floor plan or something of that nature at the next meeting.

Alexa Burchianti asked whether there were any side yard setbacks.

Mr. Checca stated that this question, and many other zoning requirements for the project, are TBD and dependent on planning board guidance. He noted, however, that there is a potential DOT road expansion for Route 208 that they have already taken into account and that the proposal is currently 40 feet off of Route 208 currently and 25 ft off of Route 208 when accounting for the potential DOT highway expansion.

Daniel Kraushaar clarified that this would need to be an irrevocable offer of dedication for the 15 ft as a condition of the approval.

Al Fusco advised that this proposed dedication should be shown with a metes and bounds description when submitting for the next meeting. He also stated that he has no objections to the side yards and setbacks for the project as currently proposed. Lastly, he advised that he reviewed

the EAF during the meeting and the applicant needs to add a note stating that there will be no tree-cutting between April 1st and November 1st.

Chairman Weiss thanked Mr. Checca for his presentation and asked if any board members had any remaining questions. There were no additional questions.

Chairman Weiss then made a motion to declare the Planning Board of the Village of South Blooming Grove to intend to be lead agency for the special use permit and the site plan approval under SEQRA for 5 Mangin RD. Seconded by Mr. Ungar and carried unanimously.

Chairman Weiss then made a motion to send to 239 GML. Seconded by Mr. Schwartz and carried unanimously.

Chairman Weiss then made a motion to set a public hearing for the 5 Mangin Rd site plan approval for July 21st, 2022. Seconded by Mr. Schwartz and carried unanimously.

Chairman Weiss then made a motion to adjourn the meeting at 8:30 pm. Seconded by Mr. Ungar and unanimously carried.