

**VILLAGE OF SOUTH BLOOMING GROVE
PLANNING BOARD
Regular Meeting
May 18, 2023**

Members Present:

Chairman Solomon Weiss
Dov Frankel
Simon Schwartz
Yoel Ungar

Members Absent:

Abraham Klepner

Also Present:

Daniel Kraushaar, Village Planning Board Counsel
Al Fusco, Village Engineer
Tom Shepstone, Village Planner

The meeting was called to order by Chairman Weiss at 8:05 PM followed by a pledge to the flag.

Approval of Previous Minutes

Tom Shepstone distributed minutes of the April 20, 2023 meeting and asked if any members had comments or requests for revisions. It was noted the date in the heading was incorrect and, subject to that error being corrected, a motion was made by Solomon Weiss, seconded by Yoel Ungar and unanimously carried to approve these minutes.

OLD BUSINESS

Prospect Gardens

Planner Shepstone distributed a copy of a draft SEQRA EAF Part 2 he had reviewed and modified for consideration by the board at the next meeting. He also noted the hearing on the project had been continued from the previous meeting. A motion was then made by Solomon Weiss, seconded by Yoel Ungar and unanimously carried to reopen the hearing.

Comments received including the following:

- It is not clear how density has been determined.
- Open space preservation is critical and it is not clear how this is being done.
- It's not clear how multi-family density was established or how commercial and other non-residential uses are permitted.

- Easements for access to water need clarification.
- The area offers a scenic overview and how this will be protected should be addressed.
- How will water and sewer needs be addressed? Will municipal systems be accessed?
- Traffic impacts on Prospect Road are a serious issue as is the ownership of the road.
- DOT maps suggest Prospect Road is a Town Road by a survey by Joe Haller indicates the road is entirely within the Village.
- What will the dwelling unit sizes be and will there be accessory dwelling units?
- How will water supply be addressed? The Village already has serious water issues.
- Lighting from the development will be an issue.
- Prospect Road is already heavily traveled compared to its condition. Route 208 is a better location for new development.
- The development of this property will yield new water supplies for not only the projec, but also the Village as a whole.
- Previously cut brush represents a fire hazard and must be cleaned up immediately.
- School bus traffic will be an issue for Prospect Road.
- There is a severe lack of adequate housing to accommodate Village growth.
- Setback will be important.
- The developer should contribute its fair share of the cost of upgrading Prospect Road.
- The Haller survey should be made available.
- Case law suggests the Town does have rights with respect to its involvement with Prospect Road.
- It was noted there is an intergovernmental agreement with respect to Prospect Road maintenance.

Following the public hearing comments, a motion was made by Solomon Weiss, seconded by Yoel Ungar and unanimously carried to continue the public hearing for purposes of written comments until at least June 15, 2023.

Planner Shepstone also reviewed draft correspondence to the Town of Blooming Grove reading as follows:

Dear Supervisor Jeroloman;

I serve as the Village Planner for the Village of South Blooming Grove, acting as the staff for the Village of South Blooming Grove Planning Board. I have, in that capacity, been asked to respond to your correspondence of April 5, 2023 wherein you indicate you do not consent to the Village Planning Board serving as SEQRA Lead Agency for purposes of reviewing the environmental impacts of the proposed Prospect Gardens residential development. You requested, in that letter, to be Co-Lead Agency with the Planning Board. This is not possible as no Town entity qualifies as an "Involved Agency" under SEQRA. This is why you did not receive the Notice of Intent from the Village.

Under SEQRA "Involved Agency means an agency that has jurisdiction by law to fund, approve or directly undertake an action." "Actions" involve "projects or physical activities, such as construction or other activities that may affect the environment by changing the use, appearance or condition of any natural resource or structure, that: (i) are directly undertaken by an agency; or (ii) involve funding by an agency; or (iii) require one or more new or modified approvals from an agency or agencies. None of

these items apply with respect to the Town and the Prospect Gardens project, as the land involved and Prospect Road on which it fronts are entirely within the boundaries of the Village of South Blooming Grove.

This fact is confirmed by a land survey performed by Joseph Haller, L.S. at the time the Village was created. It indicates the entirety of Prospect Road is located within the Village boundaries and, therefore, any actions with respect to it will be taken by the Village, not the Town. The Village Planning Board will recognize the Town as "Interested Agency" which means one "that lacks the jurisdiction to fund, approve or directly undertake an action but wishes to participate in the review process because of its specific expertise or concern about the proposed action. Regardless, I have advised the Planning Board to keep the Town notified so it can participate in the review process and the members have agreed. Co-Lead Agency, though, is not possible. I have advised the Planning Board to proceed accordingly and it has approved this letter.

Sincerely,

*Thomas J. Shepstone
Village Planner*

A motion was made by Solomon Weiss, seconded by Yoel Ungar and unanimously carried to approve this correspondence.

4 Heights Trail Subdivision

Planner Shepstone noted the public hearing on this subdivision had remained open for written comments but none had been received. A motion was made by Solomon Weiss, seconded by Dov Frankel and unanimously carried to close the hearing. Yoel Ungar had left the meeting at this point and did not vote.

Shepstone also reviewed the Short Form EAF in detail and was made by Solomon Weiss, seconded by Simon Schwartz and unanimously carried to declare there were no significant negative environmental impacts from this proposed action.

The planner proceeded to recommend Conditional Final Approval of the subdivision subject to:

1. Compliance with all Village Engineer recommendations, and
2. Payment of \$11,000 in parkland fees pursuant to the Village Code.

A motion was made by Solomon Weiss, seconded by Simon Schwartz and unanimously carried to grant Conditional Final Approval of the subdivision subject to these conditions.

35 Virginia Subdivision

Planner Shepstone noted the notices to nearby properties had been done improperly with the last public hearing and that it needed to be rescheduled. A motion was made by Solomon

Weiss, seconded by Simon Schwartz and unanimously carried to reschedule the public hearing for 8:05 PM on June 15, 2023.

NEW BUSINESS

277-279 Prospect School

The applicant made a brief presentation of the project concept, which involves combining two residential properties, demolishing the existing dwelling units and creating a new private school for up to 450 students in grades pre-school to eighth grade.

A motion was made by Solomon Weiss, seconded by Simon Schwartz and unanimously carried to issue a Notice of Intent to involved and interested agencies for the Planning Board to serve as SEQRA lead agency on this project. The Superintendent of the Monroe-Woodbury School District was present and indicated this project potentially raised various issues for the District.

A motion was then made by Solomon Weiss, seconded by Simon Schwartz and unanimously carried to set a public hearing on the project at 8:10 PM on June 15, 2023.

2 Michael Court Subdivision and Site Plan

A brief presentation of this two-lot subdivision and site plan was made, followed by a motion made by Solomon Weiss, seconded by Simon Schwartz and unanimously carried to set a public hearing on the project at 8:15 PM on June 15, 2023.

2 & 4 Pennsylvania Subdivision

A brief presentation of this two-lot subdivision was made, followed by a motion made by Solomon Weiss, seconded by Dov Frankel and unanimously carried to set a public hearing on the project at 8:20 PM on June 15, 2023. The applicant was also informed the plat presented needed improvement to be more readable and to include a bulk table.

Village of Monroe Comprehensive Plan

Planner Shepstone noted the the Village of Monroe is updating its Comprehensive Plan and Zoning Law and requested comments from the Village of South Blooming Grove. A motion was made by Solomon Weiss, seconded by Simon Schwartz and unanimously carried to comment that:

1. House of worship and school provisions are unnecessarily complex.
2. More commercial land area is needed.
3. Houses of worship and schools should be permitted in all commercial districts.
4. Higher density housing (e.g., duplexes in SR districts) should be permitted.
5. Reuse of larger homes for multi-family occupancy should not be discouraged.

Other Business/Adjournment

There being no other business to come before the Planning Board, Solomon Weiss moved to adjourn the meeting. This was seconded by Simon Schwartz and unanimously carried.