

**VILLAGE OF SOUTH BLOOMING GROVE  
PLANNING BOARD  
Regular Meeting  
August 31, 2023**

**Members Present:**

Chairman Solomon Weiss (departed at 8:35 PM)  
Dov Frankel  
Abraham Klepner  
Simon Schwartz  
Eli Hiller - Alternate Member

**Members Absent:**

Yoel Ungar

**Also Present:**

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

A quorum being present and Alternate Member Eli Hiller subsequently arriving and being recognized as a member of the Board for purposes of acting in place of missing members, the meeting was called to order by Chairman Solomon Weiss at 8:05 PM followed by a pledge to the flag.

**Approval of Previous Minutes**

Tom Shepstone distributed minutes of the August 17, 2023 meeting and asked if any members had comments or requests for revisions. A motion was made by Solomon Weiss, seconded by Simon Schwartz and unanimously carried to approve the minutes.

**OLD BUSINESS**

**Sleep Inn Site Plan Amendment**

A motion was made by Eli Hiller, seconded by Simon Schwartz and unanimously carried to close the public hearing on this project. Todd Maurizzio then reviewed engineering comments. Tom Shepstone proceeded to review a proposed Environmental Assessment and a motion was made by Simon Schwartz, seconded by Abraham Klepner and unanimously approved to approve a Negative Declaration. A motion was subsequently made by Solomon Weiss, seconded by Eli Hiller and unanimously carried to grant Conditional Final Approval subject to meeting the requirements of the Village Engineer and paying all applicable fees due.

#### **4 Heights Trail Subdivision**

Tom Shepstone noted receipt of written comments received since the last meeting and posted on the Village website. There being no further comment, a motion was made by Abraham Klepner, seconded by Eli Hiller and unanimously carried to close the public hearing.

Shepstone proceeded to review a proposed Environmental Assessment and a motion was made by Abraham Klepner, seconded by Simon Schwartz and unanimously approved to approve a Negative Declaration.

A motion was then made by Simon Schwartz, seconded by Abraham Klepner and unanimously carried to grant Conditional Final Approval subject to meeting the requirements of the Village Engineer, paying all fees due (including parkland fees) and providing cross-easements and a private driveway maintenance agreement for access to lots.

#### **Prospect Gardens**

Kirk Rother, P.E. provided an update on this project, noting the completion of all required studies and reports, including detailed discussions of how sewer and water are to be provided. The applicant has agreed to a fair share of Prospect road street improvements and, also, to dedicate five acres of land to the Village for eventual construction of wastewater treatment facilities although the immediate plan is to connect with the existing Village system.

Tom Shepstone reviewed Part of 3 a proposed Environmental Assessment in detail and a motion was then made by Simon Schwartz, seconded by Abraham Klepner and unanimously carried to issue a Negative Declaration.

A motion was then made by Eli Hiller, seconded by Abraham Klepner and unanimously carried to approve the following resolution granting Conditional Final Approval to the Prospect Gardens subdivision:

***RESOLUTION -AUGUST 31, 2023  
APPROVING A CONDITIONAL FINAL SUBDIVISION  
PLAN FOR THE PROSPECT GARDENS PROJECT***

***WHEREAS***, the Village of South Blooming Grove Planning Board has received the application of BGN Development, LLC for a subdivision known as "Prospect Gardens" and consisting of 51 individual lots each with the potential for a single family home and accessory apartment, and

***WHEREAS***, this Prospect Gardens project has been before the Planning Board since March 6, 2023 when application was first made, and

***WHEREAS***, the Village of South Blooming Grove Planning Board has, following a Notice of Intent to other involved agencies, declared itself as Lead Agency under the State Environmental Quality Review Act (SEQRA) after noting the objection of the Town of Blooming Grove and recognizing it as an interested agency, and

**WHEREAS**, all documents related to the Prospect Gardens project application have been made available to the general public, via the Village of South Blooming Grove website, and

**WHEREAS**, all of Prospect Road, the basis for the Town's interest in the application, is located within the Village of South Blooming Grove, and the Village of South Blooming Grove Planning Board has received no other comments from the Town of Blooming Grove, and

**WHEREAS**, the Village of South Blooming Grove Planning Board conducted an extended public hearing on the Prospect Gardens project application from April 20, 2023 through July 20, 2023, and

**WHEREAS**, the Village of South Blooming Grove Planning Board has received numerous public comments in person and in writing related to the Prospect Gardens project application and has recorded the same in minutes of its meetings and posted the same on the Village website, and

**WHEREAS**, the Village of South Blooming Grove Planning Board has been guided in its review of the Prospect Gardens project application by the Village Engineer and Village Planner,

**NOW THEREFORE, BE IT RESOLVED:**

Section 1. The Planning Board hereby specifically grants final conditional approval of the aforementioned Prospect Gardens subdivision in sections as may be appropriate to ensure orderly development, conditioned on the following requirements:

1. Providing to the Village of a detailed estimate of the costs associated with all public improvements that are part of the subdivision plan, for purposes of Village Engineer review and acceptance; and
2. Posting of a bond or other satisfactory financial guarantee authorized by Village law in the approved amounts in a form acceptable to the Village Attorney and to be approved by the Village Trustees; and
3. Providing of funds for an escrow account for site inspections as shall be acceptable to the Village Engineer; and
4. Dedication to the Village of additional right-of-way for Prospect Road widening as may be necessary as determined by the Village Engineer and a fair share costs of otherwise improving such road; and
5. Compliance with all other recommendations of the Village Engineer.
6. Payment of all fees for Village Engineer and consultant services connected with the subdivision as well as parkland dedication fees in the amount of \$5,500 per new lot or dwelling.

7. *Creation of a property owners association, condominium or other similar entity for purposes of owning and maintaining public improvements to be owned in common, the legal arrangements being subject to the review and approval of the Village prior to filing with the County Clerk and State Attorney General's in the event the latter is required.*

A motion was then made by Abraham Klepner, seconded by Dov Frankel and unanimously carried to approve the following resolution granting Conditional Final Approval to the Prospect Gardens subdivision:

**RESOLUTION -AUGUST 31, 2023  
APPROVING A CONDITIONAL SITE PLAN  
FOR THE PROSPECT GARDENS PROJECT**

**WHEREAS**, *the Village of South Blooming Grove Planning Board has received the application of BGN Development, LLC for a multi-family development known as "Prospect Gardens" and consisting of 72 multifamily units to be constructed as four buildings having 18 units each, and*

**WHEREAS**, *this Prospect Gardens project has been before the Planning Board since March 6, 2023 when application was first made, and*

**WHEREAS**, *the Village of South Blooming Grove Planning Board has, following a Notice of Intent to other involved agencies, declared itself as Lead Agency under the State Environmental Quality Review Act (SEQRA) after noting the objection of the Town of Blooming Grove and recognizing it as an interested agency, and*

**WHEREAS**, *all documents related to the Prospect Gardens project application have been made available to the general public, via the Village of South Blooming Grove website, and*

**WHEREAS**, *all of Prospect Road, the basis for the Town's interest in the application, is located within the Village of South Blooming Grove, and the Village of South Blooming Grove Planning Board has received no other comments from the Town of Blooming Grove, and*

**WHEREAS**, *the Village of South Blooming Grove Planning Board conducted an extended public hearing on the Prospect Gardens project application from April 20, 2023 through July 20, 2023, and*

**WHEREAS**, *the Village of South Blooming Grove Planning Board has received numerous public comments in person and in writing related to the Prospect Gardens project application and has recorded the same in minutes of its meetings and posted the same on the Village website, and*

**WHEREAS**, *the Village of South Blooming Grove Planning Board has been guided in its review of the Prospect Gardens project application by the Village Engineer and Village Planner,*

**NOW THEREFORE, BE IT RESOLVED:**

*Section 1. The Planning Board hereby specifically grants final conditional approval of the aforementioned Prospect Gardens project application in sections as may be appropriate to ensure orderly development, conditioned on the following requirements:*

- 1. Providing to the Village of a detailed estimate of the costs associated with all public improvements that are part of the site plan, for purposes of Village Engineer review and acceptance; and*
- 2. Posting of a bond or other satisfactory financial guarantee authorized by Village law in the approved amounts in a form acceptable to the Village Attorney and to be approved by the Village Trustees; and*
- 3. Providing of funds for an escrow account for site inspections as shall be acceptable to the Village Engineer; and*
- 4. Dedication to the Village of additional right-of-way for Prospect Road widening as may be necessary as determined by the Village Engineer and a fair share costs of otherwise improving such road; and*
- 5. Compliance with all other recommendations of the Village Engineer.*
- 6. Payment of all fees for Village Engineer and consultant services connected with the subdivision as well as parkland dedication fees in the amount of \$5,500 per new lot or dwelling.*
- 7. Creation of a property owners association, condominium or other similar entity for purposes of owning and maintaining public improvements to be owned in common, the legal arrangements being subject to the review and approval of the Village prior to filing with the County Clerk and State Attorney General's in the event the latter is required.*

### **19-21-23 Mangin**

The applicant presented plans revised to address the Village Engineer's comments and no new comments were offered. Tom Shepstone then reviewed a proposed Environmental Assessment and a motion was made by Simon Schwartz, seconded by Abraham Klepner and unanimously approved to issue a Negative Declaration.

A motion was then made by Abraham Klepner, seconded by Dov Frankel and unanimously carried to grant Conditional Final Approval subject to meeting the requirements of the Village Engineer and paying all fees due (including parkland fees).

### **3-5 San Marcos**

The applicant presented plans for this project. Tom Shepstone then reviewed a proposed Environmental Assessment and a motion was made by Eli Hiller, seconded by Dov Frankel and unanimously approved to issue a Negative Declaration.

A motion was subsequently made by Simon Schwartz, seconded by Eli Hiller and unanimously carried to grant Conditional Final Approval subject to meeting the requirements of the Village Engineer and paying all fees due (including parkland fees).

## **NEW BUSINESS**

### **14 San Antonio**

This proposed subdivision was briefly reviewed and a motion was made by Abraham Klepner, seconded by Eli Hiller and unanimously carried to set a public on the application for 8:10 PM on October 26, 2023.

### **Other Business/Adjournment**

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