

VILLAGE OF SOUTH BLOOMING GROVE
BOARD OF TRUSTEES
REGULAR MEETING
MONDAY
AUGUST 8, 2022
8:00 P.M.

****THE MEETING WILL BE CONDUCTED VIRTUALLY UTILIZING ZOOM WEBINAR****

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/89325505249?pwd=a1BQQkpFRUNWc2N5eEU5QmZ5UVNtZz09>

Passcode: 425178

Or One tap mobile :

US: +19292056099,,89325505249#,,, *425178# or
+13017158592,,89325505249#,,, *425178#

AGENDA

- 1. 8:00 P.M. Pledge of Allegiance**
- 2. Call to order**
- 3. Roll Call**
- 4. Mayor Comments**
- 5. Correspondence:**
 - Planning Board Intent to be Lead Agency 15 Bailie Lane
 - Planning Board Intent to be Lead Agency 585 Clove Road
 - 8.5.2022 (received 8.8.2022) – Orange County Planning Department Comments regarding proposed amendments to Chapter 235 and Chapter 110 of the Village Code.
- 6. Public Comment**
- 7. Resolutions**
 - *Resolution of the Village Board of the Village of South Blooming Grove setting the date and hours of the Village's September 11, 2022 Candlelight Vigil.*
- 8. Abstract**
- 9. Discussion**
- 10. Trustee Comments**
- 11. Executive/Attorney Client Session**
- 12. Motion to Close**



Steven M. Neuhaus
County Executive

Orange County Department of Planning

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Alan J. Sorensen, AICP
Commissioner

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County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l, m, & n

Local Referring Board: Village of South Blooming Grove Bd/PB **Referral ID #:** SBG 03-22M

Applicant: Village Board of South Blooming Grove

Tax Map #: Municipal-wide

Project Name: Local Law No. 4 of 2022

Local File #: N/A

Proposed Action: A Local Law Amending Streets and Sidewalks Chapter 110 and Zoning Chapter 235 of the Village of South Blooming Grove Code

Reason for County Review: Amendment of local law, as per §239-m.

Date of Full Statement: June 28, 2022

Comments:

The Department has reviewed the proposed local law amending Chapters 110 and 235 of the Village Code to take the following actions:

- Chapter 110, Streets and Sidewalks Code: increase the width of residential roads
- Chapter 235, Zoning Code:
 - Add definitions for House of Worship classifications
 - Add zoning categories R-B Residence B District and R-M Residence-Multiple Dwelling
 - Amend Use Requirements for Senior Housing Floating District
 - Amend language for Rural Residential, Rural Crossroads I and Rural Crossroads II districts
 - Amend requirements for accessory dwelling units
 - Amend regulations for approval of houses of worship, removing from Village Board jurisdiction and granting approval authority to Building Department and/or Planning Board at the discretion of the Code Enforcement officer
 - Amend Table of Use Requirements and Table of Bulk Requirements to include new zoning districts R-B and R-M

The Department has reviewed the local law in accordance with Section 239, paragraphs l & m of the NYS General Municipal Law and has found the Proposed Action, as written, could result in intermunicipal or countywide impacts. Therefore, our office recommends **Modification** of the Proposed Action. The following binding comments should be addressed and may not be acted contrary upon except by a majority plus one vote of the members of the Village of South Blooming Grove Board or by disapproving the action.

1. Accessory Dwelling Units: The Village is correct in that accessory dwelling units are an important aspect to housing affordability. The Village is overlooking that the accessory dwelling unit effectively doubles housing density in areas that may not have sufficient infrastructure and capacity to support it. Therefore, the proposed language should be modified as follows:
 - a. §235-45.6.A should be modified to read: “Accessory apartments are an important aspect in housing affordability. One accessory apartment per primary attached or detached single family residence may be allowed through obtaining a special use permit from the Village Planning Board, subject to the following requirements:” and continue from there with the proposed language.
 - b. §235-45.6.A.10 and §235-45.6.B.8 should be retained.

2. Houses of Worship: The proposal to have houses of worship, a resource intensive use, approved only by the Code Enforcement Officer and Building Department, or referred to the Planning Board at the sole discretion of the Code Enforcement Officer, is troubling. Houses of worship, because they require substantial resources in terms of water and wastewater usage, parking, and other land use requirements, should remain as conditional uses and should only be authorized by the Planning Board or other elected or appointed board of Village officials.
3. Rural Crossroads I and II regulations: The applicant proposes several amendments:
 - a. All proposed amendments are misaligned to the existing code sections. Please fix the typos.
 - b. §235-14.2.B has increased the potential density on these lots threefold by permitting 2-6 unit buildings on lots as of right. We support retaining the existing language of the section that permits duplexes as of right, but additional density beyond this should be evaluated by the Village Planning Board for infrastructure impacts.
 - c. §235-14.J is proposed to allow the transfer of excess dwelling units permitted by the “density bank” to be placed in areas outside the zoning district. This would have the effect of significantly increasing density in zones and areas that may not be equipped to handle additional residential density. We cannot support this and therefore the existing language for this code section should be retained.

Additionally, this Department offers the following **advisory comments** for your consideration.

Streets and Sidewalks Modifications: The Village has chosen to increase the required minimum pavement widths of residential streets by seven feet in each category. The Village should consider adopting a “Complete Streets Policy.” Complete Street designed roadways offer better transportation options, improve public health, support aging populations, encourage economic development, support safe routes to school programs, and keep people safe while biking and walking. Adopting a Complete Streets Policy would integrate the consideration of bicycle, pedestrian, and public transportation facility into the planning, design and construction phases of street, sidewalk, trail, and pathway projects within the Village and help to promote a safe and accessible transportation network. For more information about the benefits of Complete Streets please refer to: <https://smartgrowthamerica.org/program/national-complete-streets-coalition/what-are-complete-streets/>

Definitions: The proposed definitions are sufficient to differentiate the three categories of Houses of Worship and are substantially similar to the examples provided for you last year. We appreciate your attention to this matter.

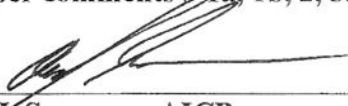
Senior Housing Floating Zone: The amendments proposed to the regulations for this district are in keeping with standard regulations throughout the County and the State of New York for similar development. We have no objection to the regulations as set forth in this proposed local law.

Rural Residential District Regulations: The applicant proposes to remove protections for trees over 12” dbh and hedgerows. We advise the Village that mature and large trees should be protected to retain carbon sequestration and improve air quality; however if they wished to include only trees over 18”dbh, that would be a reasonable modification that we would be able to support.

County Recommendation: Approval subject to modifications per comments #1a, 1b, 2, 3a, 3b and 3c.

Date: August 5, 2022

Prepared by: Megan Tennermann, AICP
Senior Planner



Alan J. Sorensen, AICP
Commissioner of Planning

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available on-line at www.orangecountygov.com/planning.

Resolution No.: ____ of 2022

**THE VILLAGE OF SOUTH BLOOMING GROVE
VILLAGE BOARD**

Names	Roll Call Vote			
	Ayes	Noes	Abstain	Absent
<i>Mayor</i> Mr. George Kalaj				
<i>Trustee</i> Mr. Abraham Weiss				
<i>Trustee</i> Mr. Yitzchok Feldman				
<i>Trustee</i> Mr. Asher Guttman				
<i>Trustee</i> Mr. Zalmon Rosner				
TOTAL				

The following was presented

By _____

Seconded by _____

Date of Adoption August 8, 2022

**RESOLUTION OF THE VILLAGE BOARD OF THE
VILLAGE OF SOUTH BLOOMING GROVE SETTING THE
DATE AND HOURS OF THE VILLAGE'S
SEPTEMBER 11, 2022 VIGIL**

WHEREAS, the Village Board of the Village of South Blooming Grove wishes to hold a Vigil at the Village's September 11th Memorial Sculpture on Sunday, September 11, 2022, at 12:00 p.m., in memory of those lives lost on September 11, 2001;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Village Board of the Village of South Blooming Grove hereby schedules the Village's Candlelight Vigil to be held on Tuesday, September 11, 2022, at 12:00 p.m., with light refreshments to be served at Village Hall after the vigil sponsored by Peppermint/UJC.

**BY ORDER OF THE VILLAGE BOARD OF
THE VILLAGE OF SOUTH BLOOMING GROVE, NEW YORK**

DATED: August 8, 2022

Kerry Dougherty, Village Clerk