

**RESOLUTION
APPROVING A CONDITIONAL FINAL SUBDIVISION AND SITE
PLAN FOR THE CLOVEWOOD PROJECT**

Planning Board, moved by Simon Schwartz; seconded by Dov Frankel

WHEREAS, the Village of South Blooming Grove, New York (“Village”) from time to time considers certain land use projects in the Village, including a Project submitted by Simon Gelb, CPC on behalf of Keen Equities, LLC (“Project Sponsor”) and known as the Clovewood Project and also known as Divrei Chaim (the “Project”) located on the East side of NYS Route 208 and County Route 27 (a/k/a Clove Road), and designated on the tax map of the Village as Section 208, Block 1, Lot 2 and 3 and having an address of 1100 NYS Route 208, and 505 Clove Road, Monroe, NY 10950 consisting of approximately 708 acres of land (the “Project Site”); and

WHEREAS, the Project Sponsor is seeking approval to construct 600 single family homes with four associated community facilities, appurtenant roads and other utilities to service the “Project;” and reserve 22 acres of land; and

WHEREAS, the Project Site is located within the Rural Residential (RR) Zoning District with a portion of the project within the Rural Crossroads 1 (RC1) Zoning District; and

WHEREAS, the proposed site plan with subdivision of single family homes constitutes an allowed use subject to compliance with the Village Code which authorizes the Planning Board of the Village of South Blooming Grove (“Planning Board”) to approve Subdivisions (Chapter 163) and Site Plans (Chapter 235) in relation to land use projects in the Village; and

WHEREAS, the Project Sponsor submitted an application and supporting materials including but not limited to a Full Environmental Assessment Form, Final Environmental Impact Statement (FEIS) with associated studies, Stormwater Pollution Prevention Plan (SWPPP), a subdivision and site plan titled “Clovewood,” dated April 10, 2014 with last revision May 19, 2023 prepared by Kirk Rother PE, and additional documentation and studies as addenda to the submittals (the “Application”); and

WHEREAS, the Board of Trustees of the Village (“Trustees”) and the Planning Board assumed co-lead agency status for SEQR purposes, issuing a Positive Declaration for the Project, requiring the preparation of a Draft Environmental Impact Statement (“DEIS”); and

WHEREAS, the co-lead agencies, after conducting public hearings with respect to a proposed Scoping Outline for the DEIS, adopted a Scoping Outline on June 2, 2016; and

WHEREAS, a proposed DEIS was prepared by the Project Sponsor and was accepted

as being sufficient for public comment by the co-lead agency the Planning Board on March 5, 2020 and by the co-lead agency the Trustees on March 16, 2020; and

WHEREAS, public hearings with respect to the DEIS was commenced on August 10, 2020, and continued and completed on January 5, 2021; and

WHEREAS, thereafter, the co-lead agencies caused a FEIS responding to all comments on the DEIS to be prepared, and on behalf of the Project Sponsor, Simon Gelb, CPC prepared and submitted the FEIS on February 8, 2022, stamped by the Village on March 3, 2022; and

WHEREAS, The Trustees and the Planning board accepted the FEIS and determined that it was complete on July 29, 2022 and thereafter the notice of acceptance of FEIS and the FEIS was filed, posted, and published as required by SEQRA; and

WHEREAS, the Trustees and the Planning Board adopted the SEQR findings on August 9, 2022 by Resolution filed with the Village Clerk on August 10, 2022; and

WHEREAS, the Project was referred to the Orange County Planning Department for review in compliance with General Municipal Law 239-m on March 10, 2022 and the County Planning Department deferred to local approvals and provided comments in a letter dated March 23, 2022 that the Project Sponsor responded to, and the Village Planning Board agreed with the response and expressly overrode the comments offered by the County Planning as indicated therein; and

WHEREAS, a public hearing with respect to the preliminary subdivision and site plan was held on March 24, 2022 as required by the Village laws pertaining to subdivision and to site plan approval for the Project and the subject of the public hearing was the Project as set forth in the applications and as more fully described in the EIS involving 600 lots for residential development and ancillary infrastructure and other facilities, and also the subdivision of land containing twelve wells, with access to such wells, which is proposed to be the subject of a license agreement with the Village by the Applicant; and

WHEREAS, subsequent to the public hearing certain changes were made in the site plan and subdivision plat to address comments received from NYSDEC and others; and the Planning Board found that these changes to the site plan and the subdivision plat all served to further less environmental impacts as discussed in the SEQRA statement of findings; and

WHEREAS, the Planning Board verified that the proposed Project complies with the current Village Zoning Codes and subdivision regulations and has made lot count, bulk requirements, and roadway classification determinations; and

WHEREAS, the Applicant proposed to dedicate to the Village: approximately 60

acres of parkland or a portion thereof in accordance with paying the parkland fee referenced in the Village Code, the privately constructed sewer and water system for the Project; the roadways privately constructed per the Village's specifications and all privately constructed stormwater facilities necessary for the continued operation of the Project; and

WHEREAS, the Planning Board granted the Project the Approval for Preliminary Subdivision and Site Plan on August 18, 2022; and

WHEREAS, the final plat is substantially the same as the preliminary plat;

NOW THEREFORE, BE IT RESOLVED:

Section 1. All "WHEREAS" paragraphs are incorporated herein by reference as though set forth in full herein.

Section 2. The Planning Board hereby grants approval for a conditional final subdivision plat and site plan for the Project attached to and incorporated into this resolution, to be developed in sections as may be appropriate to ensure orderly development and to include the Full Application and prior approvals conditioned on the following requirements:

1. Submission of New York State Department of Environmental Conservation approval of the proposed water and sewer systems to the Village;
2. Submission of Orange County Department of Health approval of the proposed water and sewer systems to the Village;
3. Obtaining of Village Trustees approval of the dedication of lands set-aside on the final plat for public purposes to the Village;
4. Retaining, subject to acceptance by the Village, of a qualified Certified Professional in Erosion and Sediment Control to conduct weekly SWPPP Inspections and submit the reports to the Village Engineer;
5. Providing to the Village of a detailed estimate of the costs associated with all public improvements that are part of the Village approved preliminary subdivision plan for the Project, for purposes of Village Engineer review and acceptance; and
6. 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
7. Providing of funds for an escrow account for site inspections as shall be acceptable to the Village Engineer.

Section 3. The Planning Board hereby directs the Clerk to the Planning Board to file the Resolution with the Village Clerk within five (5) days of adoption. A copy of the filed resolution shall be issued to the Project Sponsor.

Section 4. This Resolution shall take effect immediately.

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

Dated: _____

Vote:

Solomon Weiss: Yea

Abraham Klepner: Yea

Eli Hiller: Yea

Simon Schwartz: Yea

Dov Frankel: Yea

Village of South Blooming Grove Planning Board

Solomon Weiss, Planning Board Chair