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## Orange County Department of Planning

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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 Planning Bd   **Referral ID #:** SBG 06-23M  
**Applicant:** Congregation Habones, Inc.   **Tax Map #:** 206-1-7 and 8  
**Project Name:** 277-279 Prospect Road School   **Local File #:** none provided  
**Proposed Action:** Site Plan and Special Use Permit for new construction of two- or three-story school with footprint of 27,300 sq. ft., with appurtenant parking, recreation, and transportation facilities, including swimming pool  
**Reason for County Review:** Within 500 feet of the Town of Blooming Grove/Village of South Blooming Grove boundary  
**Date of Full Statement:** June 26, 2023 (sketch plan)

#### Comments:

The Department has received the above referenced site plan and special use permit and has determined that the intended land use has the potential to cause inter-municipal and countywide impacts. Therefore, 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 Planning Board or by disapproving the action.

1. SEQR Lead Agency: The Village of South Blooming Grove has sent a Notice of Intent to Become Lead Agency for this project and has declared it to be an Unlisted Action. Orange County concurs that this is an Unlisted Action and does not wish to act as Lead Agency in this matter. However, as the traffic impacts resulting from the construction and operation of the proposed school will all take place on Prospect Road, and the Town of Blooming Grove has presented credible evidence that Prospect Road is owned and maintained by the Town rather than the Village, the Town and the Village Planning Boards should act as co-Lead Agencies for purposes of SEQR. Orange County will need additional information beyond the Full Environmental Assessment Form that has been provided in order to make a determination regarding the potential environmental impacts of this project. The Village should therefore furnish the following additional studies:
  - a. A Traffic Impact Analysis studying the effects of the proposed project on Route 208 as well as other local, County, and State roads, and acceptance of that study by the Orange County Department of Public Works and the New York State Department of Transportation. This analysis should at minimum include Prospect Road, Round Hill Road, and the intersections of Prospect Road at Round Hill Road, Prospect Road at Peddler Hill Road, and Peddler Hill Road at NYS Route 208. Both Prospect Road and Round Hill Road are owned and maintained by the Town of Blooming Grove and should be evaluated for condition and capacity. A similar Traffic Impact Analysis has been conducted for the previously proposed Prospect Gardens residential development, which recommends installation of traffic control devices at several intersections including the Route 208/Peddler Hill Road intersection.

- b. An analysis or audit completed within the last three months of the capacity existing in the Village drinking water supply system and the Village wastewater treatment system, including the Village's share of capacity in the Harriman Wastewater Treatment Plant.
  - c. A full Stormwater Pollution Prevention Plan and an Erosion and Sediment Control Plan. These plans should reflect the potential impact of the site on the onsite stream. The Village Planning Board should work with the applicant to incorporate Green Infrastructure/Runoff Reduction techniques in the plans to minimize soil erosion.
2. Water Capacity: The Village of South Blooming Grove, as well as much of Southeastern Orange County, is known to have problems providing sufficient potable water to their residents, particularly in times of drought. The Village notes that this is an issue; a Notice of Intent has been issued to make substantive improvements to the Village's drinking water supply and water delivery infrastructure. The Village must ensure that water supply is sufficient to serve the proposed number of units. This should be determined by the drinking water system audit requested in Comment 1b, as well as any other measures showing that the existing system will be able to serve the project without significant negative impact to surrounding properties.
3. Sewer Capacity: The Harriman Wastewater Treatment Plant, serving the Village of South Blooming Grove as well as the other communities located in Orange County Sewer District No. 1, operates continually at or near capacity due to development pressures in these communities. The Village must ensure that capacity exists in the wastewater treatment system to adequately treat the proposed wastewater resulting from this development without exacerbating water quality issues downstream. The capacity audit requested in Comment 1b, a statement from the Orange County Department of Public Works, or other similar assurances should be obtained by the Village before this project is allowed to proceed.
4. Road Conditions: We note that in the vicinity of the project site, Prospect Road has an average pavement width of approximately 19 feet, no center striping, and crumbling pavement on the road edges; additionally Prospect Road contains multiple curves with poor sight distance. Prospect Road, while able to handle the current very low density residential and agricultural development existing along it, is not designed to accommodate the volume of traffic that will result from full development of this site. The Town of Blooming Grove Highway Department and the Town Fire Department should be consulted regarding the necessary road improvements to safely accommodate the proposed action. Additionally, the Village of South Blooming Grove Planning Board should require a permanent easement along the project frontage of Prospect Road, 25' wide from centerline at minimum, to be granted to the Town and recorded on the Final Plat for highway purposes.

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

Stream Protection and Stormwater Management: There is an onsite stream flowing roughly north-south on the southeastern end of the property; the project proposes to construct a retaining wall adjacent to the stream, with the southerly limits of development all coming close to the stream. The stream is noted as the receiving body for all onsite stormwater drainage. We advise the Village that the increase in stormwater drainage in the onsite stream resulting from the project development will need to be filtered onsite and slowed prior to entering the streambed in order to minimize contamination of the water as well as soil erosion and siltation in the stream corridor.


**Future Submittals:** We note that the project is at the sketch phase, and we appreciate that the Village has submitted this to us early in the process. The Preliminary and Final site plans for this project must also be referred to our office for review under New York State General Municipal Law §239.

**Lighting:** The applicant has proposed 15'-20' pole fixtures in the parking lot, as well as building mounted fixtures. We advise the Village to require the applicant to prepare a lighting plan that includes the following measures: fixtures located only where needed, with energy-efficient LED bulbs; fixtures that comply with International Dark Sky Association (IDA) guidelines for shielding; a lighting curfew that reduces lighting levels for areas that are not in use at a particular time, potentially incorporating motion sensors for areas with infrequent usage; lighting fixture height that is scaled to pedestrians and appropriately sized for the specific location; and any other similar measures that the Village deems necessary. This will reduce energy usage and costs for the applicant as well as reducing light pollution and improving safety for the Village.

**County Recommendation:** Approval subject to modification as per comments # 1a, 1b, 1c, 2, 3, and 4

**Date:** July 14, 2023

**Prepared by:** Megan Tennermann, AICP  
Senior Planner



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**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](http://www.orangecountygov.com/planning).**

