VILLAGE OF SOUTH BLOOMING GROVE
PLANNING BOARD
Regular Meeting
March 16, 2023

Members Present:

Chairman Solomon Weiss
Simon Schwartz
Dov Frankel
Abraham Klepner

Members Absent:

Yoel Ungar

Also Present:

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

The meeting was called to order by Chairman Weiss at 8:00 PM followed by a pledge to the flag.

Approval of Previous Minutes

Planner Shepstone distributed minutes of the February 16, 2023 meeting and asked if any members had comments or requests for revisions. There being none, a motion was made by Solomon Weiss, seconded by Abraham Klepner and unanimously carried to approve these minutes.

12 Old Town Road

Planner Shepstone indicated the Applicant proposes to subdivide the existing parcel into a four (4) lots. It is planned to utilize the existing residence for one (1) lot while creating three (3) new lots each of which would be occupied by a duplex. The CDRC reviewed this project and recommended single driveways connecting both parking areas on each lot will result in half the new driveways proposed and much improved safety.

That change has been made. The project was referred to the County for review and to the Village Engineer for comments. Those comments were posted on the Village website. The County concurred on driveways and advised stormwater provisions, indicating approval was a local determination.

Based on this Planner Shepstone recommended Conditional Final Approval, subject to complying with Village Engineer recommendations and payment of all professional and recreation fees due.

Prior to taking action, Part 2 of the EAF was reviewed in detail by Shepstone with a recommendation for a Negative Declaration, which was unanimously accepted on a motion by Simon Schwartz and seconded by Dov Frankel.

This was followed by a motion from Solomon Weiss, seconded by Abraham Klepner and unanimously carried to grant Conditional Final Approval, subject to complying with Village Engineer recommendations and payment of all professional and recreation fees due.

1 Treza Lane

Planner Shepstone explained the proposal for a 17-lot subdivision, which is intended to accommodate 35 potential dwelling units in the RB District. The project encompasses two existing parcels of land that will be accessed via Treza Lane off of Duelk Avenue. Two existing dwellings accessed off Sleepy Hollow Road will be removed.

The application was forwarded to the Village Engineer for initial review and comments have been received.

Also, a public hearing have been scheduled, Simon Schwartz made a motion, seconded by Solomon Weiss and unanimously carried to open the public hearing.

Kirk Rother, P.E., representing the applicant, briefly explained the project.

Public comments included the following:

- The increased density created is irresponsible.
- Village infrastructure deficiencies suggest no capacity to serve the project.
- The project is acceptable to neighbors.
- Stormwater management will be critical.
- Sue Anne Vogelsberg of 242 Prospect Road specifically commented as follows:

  "To approve this project, which will have significantly higher housing and accompanying resident density than is currently allowed, would I feel, be an irresponsible act by all Boards involved-Village, Planning and Zoning-considering the historical and still current problems with infrastructure, including water availability, waste disposal, etc. If the Village permits this development to move forward having knowledge of these ongoing infrastructure deficiencies, it seems to me they'd be negligent with respect to the best interests of the Village of South Blooming Grove residents. I think it would be more

prudent to address and correct the infrastructure issues than to approve additional development that can only exacerbate these problems."

- Attorney Paul E Johnson offered written comments on the access to Sleepy Hollow Road that are attached hereto.

Following these comments, Solomon Weiss made a motion to close the public hearing on this subdivision. This was seconded by Simon Schwartz and unanimously carried.

During discussion Attorney Kraushaar suggested the bulk table address each lot and that a copy of the plan be submitted to the Fire Department for possible comments. Planner Shepstone noted the CDRC recommended Conditional Final Approval of this application subject to several conditions. He explained, though, that other agencies are involved for purposes of SEQRA and, therefore, the only action that could be taken was to declare Lead Agency status. Solomon Weiss made a motion, seconded by Simon Schwartz and unanimously carried to recognize the subdivision as an Unlisted Action, declare intent to serve as SEQRA Lead Agency and circulate the EAF with a Notice of Intent.

58 Fort Worth Place

Planner Shepstone noted this was a proposal for a 4-lot subdivision and site plan review in the RB District. The project encompasses two existing parcels of land that will be accessed from Fort Worth Place. He also explained this application was forwarded to the Village Engineer for review and Orange County for a GML § 239 review. A new agreement with Orange County, though, has eliminated the necessity of County review in this instance. He further noted the Village Engineer's comments on both subdivision, and site plan elements, had been received.

Also, a public hearing having been scheduled, Solomon Weiss made a motion, seconded by Abraham Klepner and unanimously carried to open the public hearing.

Public comments included the following:

- There is no housing proposed at this time but future density could be an issue.
- Village infrastructure deficiencies suggest no capacity to serve the project.
- Stormwater management will be critical.
- Sue Anne Vogelsberg of 242 Prospect Road specifically commented as follows:

  "To approve this project, which will have significantly higher housing and accompanying resident density than is currently allowed, would I feel, be an irresponsible act by all Boards involved-Village, Planning and Zoning-considering the historical and still current problems with infrastructure, including water availability, waste disposal, etc. If the Village permits this development to move forward having knowledge of these ongoing infrastructure deficiencies, it seems to me they'd be negligent with respect to the

best interests of the Village of South Blooming Grove residents. I think it would be more prudent to address and correct the infrastructure issues than to approve additional development that can only exacerbate these problems."

Following these comments, Solomon Weiss made a motion, seconded by Abraham Klepner, and unanimously carried to close the public hearing.

Planner Shepstone noted the CDRC recommended Conditional Final Approval of both the subdivision and site plan at this time, subject to complying with Village Engineer recommendations and payment of all professional and recreation fees due. There are no other agencies involved for purposes of SEQRA and, therefore, the Planning Board is Lead Agency.

Please to taking action, Part 2 of the EAF was reviewed in detail by Shepstone with a recommendation for a Negative Declaration, which was unanimously accepted on a motion by Solomon Weiss and seconded by Abraham Klepner.

This was followed by a motion from Solomon Weiss, seconded by Simon Schwartz and unanimously carried to grant Conditional Final Approval of the subdivision and site, subject to complying with Village Engineer recommendations, payment of all professional and recreation fees due and securing Village Board consent to adjusting the borders of its property.

9 Pine Hill Road

Planner Shepstone and the project engineer explained this was a proposal for a 2-lot subdivision in the RB District with both lots intended for two-family dwellings that will be accessed from Pine Hill Road in one case and Mangin Road in the other. He noted the application was forwarded to the Village Engineer for review and those comments had been received.

Also, a public hearing having been scheduled, Simon Schwartz made a motion, seconded by Dov Frankel and unanimously carried to open the public hearing.

Public comments included the following:

- Future density is an issue.
- This is an absentee owner.
- There is a dangerous turn involved and Pine Hill Road is only 10 feet in width.
- Sue Anne Vogelsberg of 242 Prospect Road specifically commented as follows:

  "To approve this project, which will have significantly higher housing and accompanying resident density than is currently allowed, would I feel, be an irresponsible act by all Boards involved-Village, Planning and Zoning-considering the historical and still current problems with infrastructure, including water availability, waste disposal, etc. If the Village permits this development to move forward having knowledge of these

ongoing infrastructure deficiencies, it seems to me they'd be negligent with respect to the best interests of the Village of South Blooming Grove residents. I think it would be more prudent to address and correct the infrastructure issues than to approve additional development that can only exacerbate these problems."

Following these comments, Simon Schwartz made a motion, seconded by Dov Frankel and unanimously carried to close the public hearing.

Planner Shepstone noted the CDRC recommended Conditional Final Approval at this time, subject to complying with Village Engineer recommendations and payment of all professional and recreation fees due. There are no other agencies involved for purposes of SEQRA and, therefore, the Planning Board is Lead Agency.

Please to taking action, Part 2 of the EAF was reviewed in detail by Shepstone with a recommendation for a Negative Declaration, which was unanimously accepted on a motion by Solomon Weiss and seconded by Dov Frankel.

This was followed by a motion from Solomon Weiss, seconded by Simon Schwartz and unanimously carried to grant Conditional Final Approval, subject to complying with Village Engineer recommendations, payment of all professional and recreation fees due and widening of Pine Hill Road at the driveway intersection at applicant expense prior to final approval.

51 Mangin Road

Planner Shepstone and the project engineer explained this was a proposal for a 3-lot subdivision in the RB District with two new lots intended for two-family dwellings that will be accessed from Mangin Road. This application was forwarded to the Village Engineer for review and comments were received.

Also, a public hearing having been scheduled, Abraham Klepner made a motion, seconded by Dov Frankel and unanimously carried to open the public hearing.

Public comments included the following:

- Future density is an issue and the lot is only 0.86 acres.
- Village infrastructure deficiencies suggest no capacity to serve the project.
- Sue Anne Vogelsberg of 242 Prospect Road specifically commented as follows:

  "To approve this project, which will have significantly higher housing and accompanying resident density than is currently allowed, would I feel, be an irresponsible act by all Boards involved-Village, Planning and Zoning-considering the historical and still current problems with infrastructure, including water availability, waste disposal, etc. If the Village permits this development to move forward having knowledge of these

ongoing infrastructure deficiencies, it seems to me they'd be negligent with respect to the best interests of the Village of South Blooming Grove residents. I think it would be more prudent to address and correct the infrastructure issues than to approve additional development that can only exacerbate these problems."

Following these comments,Solomon Weiss made a motion, seconded by Abraham Klepner and unanimously carried to close the public hearing.

Planner Shepstone noted the CDRC recommended Conditional Final Approval at this time, subject to complying with Village Engineer recommendations and payment of all professional and recreation fees due. There are no other agencies involved for purposes of SEQRA and, therefore, the Planning Board is Lead Agency.

Please to taking action, Part 2 of the EAF was reviewed in detail by Shepstone with a recommendation for a Negative Declaration, which was unanimously accepted on a motion by Solomon Weiss and seconded by Simon Schwartz.

This was followed by a motion from Solomon Weiss, seconded by Simon Schwartz and unanimously carried to grant Conditional Final Approval, subject to complying with Village Engineer recommendations, payment of all professional and recreation fees due, dedication of additional right-of-way as indicated on the plans for Route 208 widening and movement of current Route 208 facing stoop to the side or rear to avoid visual conflicts with future traffic.

NEW BUSINESS

Prospect Gardens

Planner Shepstone and project engineer Kirk Rother indicated the applicant proposes a 51 lot fee simple subdivision and four 18 unit multifamily structures with accessory uses including two community centers and a playground. The single-family units will be clustered and the multifamily units will be developed to R-M District standards. Density was calculated using the total project acreage of 73.4 acres which consists of six existing tax parcels lying in the Village's RR Zoning District. The fee simple lots were computed at a rate 1.33 acres per lot and the density for the multifamily units was based on density of 3,000 SF per dwelling unit. Access to the site will be by means of new proposed roadways that will connect to Prospect Road. It is proposed the project be served by village water and sewer via extensions of those municipal services to the project site. Street lights will also be provided. The applicant is in the process of securing SEQRA related studies including traffic, plant and animal species and archeology. Shepstone stated this application needs both Village Engineer and Orange County GML § 239 review. A public hearing is also warranted, along with SEQRA declaration as Lead Agency.

Solomon Weiss made a motion that, upon receipt of a detailed subdivision plat and and further accompanying documents, this subdivision be forwarded to the Village Engineer for review and

Orange County for a GML § 239 review. This motion was seconded by Simon Schwartz and unanimously carried.

Solomon Weiss then made a motion to issue a Notice of Intent for the Village of South Blooming Grove Planning Board to serve as SEQRA Lead Agency. This motion was seconded by Abraham Klepner and unanimously carried.

Solomon Weiss also made a motion to set a public hearing on this project for 8:05 PM on Thursday, April 20, 2023. This motion was seconded by Abraham Klepner and unanimously carried.

4 Heights Trail

Planner Shepstone noted the applicant proposes a 3-lot subdivision of a 0.85 acre parcel fronting on Mountain road, Delano Grove and Heights Trail. Two parcels will be 0.25 acre in size and the third will be 0.358 acre. Each of the lots fronts on a different street an all three comply with recommended RB District setbacks. Mountain Road is County Road No. 44 and GML § 239 referral to the County DPW is required. Because no other agencies are involved the Planning Board is automatically lead agency.

Simon Schwartz made a motion to refer this subdivision to the Village Engineer for review and Orange County DPW for a GML § 239 review. This motion was seconded by Solomon Weiss and unanimously carried.

Simon Schwartz also made a motion to set a public hearing on this project for 8:10 PM on Thursday, April 20, 2023. This motion was seconded by Dov Frankel and unanimously carried.

35-37 Virginia

Planner Shepstone indicated the applicant proposes a 3-lot subdivision of a parcel fronting on Virginia Avenue. Two parcels will be 12,740 square feet in size and the third will be 14,514 square feet. The location is within the RB District and meets setbacks, but the plat lacks metes and bounds as yet. Because there are fewer than 5 lots no GML § 239 referral is required but Village Engineer review is required. A public hearing is also warranted.

Solomon Weiss made a motion to refer this subdivision to the Village Engineer for review. This motion was seconded by Simon Schwartz and unanimously carried.

Solomon Weiss also made a motion to set a public hearing on this project for 8:15 PM on Thursday, April 20, 2023. This motion was seconded by Abraham Klepner and unanimously carried.

30 Merriewold Lane South

Planner Shepstone explained that the applicant proposes a 2-lot subdivision of a parcel fronting on Merriewold Lane South with a property line running between (zero lot line development) and a proposed addition to create a 2-family dwelling. The location is within the RB District and otherwise meets setbacks, but the plat lacked metes and bounds as yet. Because there are fewer than 5 lots no GML § 239 referral is required. A full application and EAF was provided. Village Engineer review is required. A public hearing is also warranted.

Abraham Klepner made a motion to refer this subdivision to the Village Engineer for review. This motion was seconded by Simon Schwartz and unanimously carried.

Simon Schwartz made a motion to set a public hearing on this project for 8:20 PM on Thursday, April 20, 2023. This motion was seconded by Solomon Weiss and unanimously carried.

Other Business/Adjournment

Planner Shepstone then asked if there was any other business to come before the Planning Board at the meeting or rather someone cared to make a motion to adjourn. Solomon Weiss moved to adjourn the meeting. This was seconded by Simon Schwartz and unanimously carried.