

**VILLAGE OF SOUTH BLOOMING
GROVE
SPECIAL MEETING
TUESDAY
JUNE 21, 2022
8:00 PM**

➤ **Call to order**

Mayor Kalaj called to order the Village Board Meeting at 8:1pm on June 21, 2022, via Zoom Webinar ID: 88699123366 for the Village of South Blooming Grove located at 811 State Route 208, within the Village of South Blooming Grove, and having a mailing address of Monroe, New York.

➤ **Roll call**

The following persons were present:

- George Kalaj – Mayor
- Abraham Weiss – Deputy Mayor
- Zalmon Rosner – Trustee
- Isaac Ekstein- Legislative Aide to Mayor
- Al Fusco, Village Engineer
- Scott Ugell Esq.- Village Attorney
- Asher Guttman- Trustee
- Joel Stern – Confidential Assistant to the Mayor
- Absent - Yitzchok Feldman– Trustee

➤ **Discussion :**

- **Mayor Kalaj** an unfortunate thing happened last Sunday afternoon, a vehicle hit a young child and luckily the child was not hurt. Therefore, he just wanted to tell the residents that it is summer time, kids are off from school and a lot of children are on the roads, please drive carefully, it is very important, take a couple of minutes to slow down. He also must say that it is not always the motorist fault, it happened to him and on occasions a child goes downhill and cannot stop and runs right in front of the car or one of their toy bikes, the other day a child on a bike came face to face with his vehicle. Please be extra careful, there are a lot of kids and they are not in school.
- **Engineer Fusco** regarding 5 Mangin Road, the village board needs to pass a special use permit in order for them to go to the planning board for approval. The planning board has seen some of the material and they will take appropriate action on it. We have had discussions with the engineer for the program, I believe they were Stonegate and they seem to have a pretty good handle on it. He has provided them with comments. At this point there should be a motion to approve Village Board Special Use Permit, subject to site plan approval by the Planning Board. **Isaac Ekstein** isn't a public hearing required for that or is it approved by the village board without a public hearing? **Al Fusco** they would refer it to the planning board and the planning board has a public hearing. **Ekstein** the planning board is the lead agency on this and they are doing everything, they are just coming before the village board for the special use permit. **Fusco** advised the planning board will be the lead agency. **Attorney Ugell** as far as he is concerned it meets every

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- requirement and the way it is being done by public hearing through the planning board meets the due process requirement that is expected of us, so he can't see there being an issue with that. The question you have is the board passing a resolution tonight authorizing the special use permit, that is your question? **Matt Checca of Stonefield Engineering and Design** presented the Kosher Market plan for 5 Mangin Road, everything that you have been talking about is accurate and factual, they met with the planning board last week. They are seeking a special use permit for the application which is the reason why they are here today. Mr. Fusco and his team provided us some comments that he can address for the next planning board meeting, this is just another step in the process to get you comfortable and we need the approval from this board to move forward with the project. He shared his screen and described that the site is on the corner of NYS Route 208 and Mangin Road, 5 Mangin Road. The idea would be to build a temporary grocery store on the corner of this intersection while keeping the existing residents in place. The reason for temporary is that we are just building a pad here temporarily and then in a future phase they will be developing more of a concrete structure, the existing single family that is here today has been occupied and it will be an intracal part of the temporary structure for storage or office or something like that, it is that simple. They are seeking the special use permit from this board and they will then if accepted go and speak with the planning board next month, meeting all of Engineer Fusco's comments he had last week during our planning board presentation. **Mayor Kalaj** asked the existing house is a residential property. **Mr. Checca** advised that currently the use is for a residential property and that house today will remain temporarily and isn't in use today, but that applicant plans on using it for the grocery store development, not as a residence. **Mr. Ekstein** advised they are before this board today to obtain a special use permit to utilize since this is on the Route 208 intersection to ask to use as a kosher grocery store. In order to continue with planning board they need approval or denial for that use. Al says we can vote on this today because it is going to planning board. **Mayor Kalaj** the planning board will have a hearing we can only vote on it. **Al Fusco** stands corrected, he looked up the code and it is a little bit different on this special use permit, house of worship have been a little different. For a special use permit, the village board will refer it to the planning board for a report, the planning board will give you a report back to the village board and the village board will have a public hearing for the retain space/grocery store. A motion is needed to refer it to the planning board for a report. He suggests that planning board do SEQRA because they are set up for that and already did that and they will bring it back to the village board with a recommendation and then within 60 days of that time period, the village board can set up a public hearing.
- **Trustee Feldman** asked when will the public hearing be held regarding the zoning code changes. **Al Fusco** advised there would be a framework of a local law and the framework of this basically that we are looking for some text changes and it will be presented as a local law for the House of Worship to clarify some of the questions that we were asked tonight about large, small, this and that and that would be clarified, and the procedure would be clarified. In addition there are some discussions about accessory apartments and to allow them and to limit the size of it but also to loosen up some of the requirements therefore. This would assist in the village in having some affordable housing because that would be a major step forward in having affordable housing for

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elderly and or young people getting started. The other area we were looking at to possibly do a floating zone for seniors so that we could put some senior housing in different areas based on a floating zone. Also, they are looking at re-establishing some of the older zoning codes. Right now you have a lot of non-conforming uses because they don't conform to the new code and the RB code and the RM code would be considered to be reestablished to create these areas that would no longer be non-conforming and would allow other areas in those districts to move forward. On the RM code and RC1 Code is to look at the depth, also we are looking at the bulk table to look at some changes particularly where there is water and sewer have lots of 10,000-12,000 square feet that is going to be investigated and looking for some wider streets wherever we have subdivisions that would allow parking and room for snow removal purposes and everything else, that is just the thumbnail of it, there is a lot more to it, but what we are looking for at this point is to allow the village board to move forward with this and we are requesting authorization for a notice of intent for the village board to be lead agency and we will publish this along with 239 to the Orange County of Planning, area neighborhoods, it would be referred to the Orange County Department of Planning as well as the Village of South Blooming Grove Planning Board and the neighboring communities once we are solid with the verbiage on the local law. Basically we are looking for a motion to request notice of intent to be lead agency for this local law. **Mr. Ekstein** explained further that we set a public hearing at the previous meeting for July 25, 2022; part of that process is that you have to sound everything to the County Planning, the Town of Monroe, Palm Tree, all the neighboring communities and to the Village Planning Board for comment with regard to the proposed changes. First the Village is doing intent to be lead agency in case anybody else wants to be a joint lead agency, like the County or whoever else, they have 30 days to respond to the village board that they want to be a part of that lead agency. For example, Clovewood there is a joint lead agency, planning and village board. He want to send it for comments where if any body has any comments then can respond back with their comments, objections or whatnot.

- **Engineer Fusco** we are working diligently on the water lines for the emergency water, we ran into a minor situation where we have to complete SEQRA on Clovewood in order to move forward with the water line construction and that is because we are going to need a permit from the State, SPDES permit for the disturbance of the soil where we are putting the road and the water line. We had done SEQRA previously, however the DEC established that they believe that we should do the entire project rather than just the water line. At this point he would like to recommend that we set up a joint meeting with he Village Board and the Planning Board because you are both lead agencies and move forward towards completing SEQRA. We have spoken to special counsel, they are aware of that, and at this point he would like to urge both the Village Board and the Planning Board to set up a joint meeting and complete SEQRA. He thinks you should come up with a mutual date. **Mayor Kalaj** asked Mr. Ekstein and Mr. Stern to arrange for the meeting so that we can move forward. **Engineer Fusco** advised the board after question that the original SEQRA was not completed for Clovewood. They did a DEIS (a draft environmental impact statement) and that was approved and then they just recently did a FEIS (a final environmental impact statement) which is still up in the air a little bit. He has made comments,

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your special counsel has made comments and changes have been made appropriately. That needs to be laid to rest and the joint board needs to establish that yes, the FEIS is the voice of the village. All issues were addressed to Engineer Fusco's satisfaction, there are a few technical issues on the legal end of it which are being worked out and at that point then they can accept the FEIS and prepare a findings statement. The findings statement indicates that upon the review of the village planning board, that they may have some special conditions in the findings that possibly you feel the project should be phased or something of that nature and that would be put into the findings statement, or that it needs more parking or needs more open space as examples that the village and planning board will look at after they review the FEIS and all the comments and responses. This is the finalization for SEQRA for the project. **Mr. Stern** advise that they will arrange with the chairman of the planning board and with the village board that this meeting should be facilitated so that we can proceed with the finalization of SEQRA and reviewing the FEIS. Obviously for the village it is dire because of the water, especially now that we are in the summer months and always have shortages and whatnot, so we will make sure this takes place in a short period of time. It is important to note that we are in steady contact with the village special counsel and so is Mr. Fusco to make sure that there is a lot of technical details that everything falls into place and is 100% as it is supposed to be. We anticipate this meeting taking place shortly.

- **Trustee Guttman** noticed that there are new lights that we installed on Route 208, **Mr. Stern** as discussed at a village meeting two weeks ago or last week the samples have finally arrived and we are almost completed with the sample installation, there is a 5th model supposed to be going up late in the day tomorrow. Tonight, I think we can already see some of them working, we did not have much sun out there today, but tomorrow night everything should be functional and the village residents will have a change to stop by and decide for themselves which one they like the most. Obviously, we have to gage by performance before aesthetics but this project is taking place and a week from now we will choose the winner. The Mayor will have the honor to make that decision and the project is going to start and we will install at the intersections.
- **Mayor Kalaj** had a couple of people approach him about the sidewalks and we need to in the near future, try and do something about it. People have been asking him why they have to walk the streets when they can have their own sidewalk to walk on and we would avoid a lot of accidents and stuff. It would be nice if we had some sidewalks. **Isaac Ekstein** advised we should look into some grants. Al maybe can look into that. **Engineer Fusco** advised there is a safe roads program that he has been looking into and attended a couple of seminars. The criteria relates to accidents and particularly the safe road program is if there is a school or churches which people walk in certain areas and we can show a safety need that we can try and get some grants. He will report back to the board.
- **Mr. Stern** at the last meeting we brought up setting up a parks commission. They would be in charge of parklands and how it is being utilized and where we get them done and what we do with the parkland and to be allocated to that. We would have to discuss more in depth but there is

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such an idea as creating a transportation commission. A lot of towns and villages it is called a DOT Commission, Transportation Commission, there are many names. Where that commission is basically in charge of all traffic and road safety and improvements throughout the municipality starting from street lights, sidewalks and whatnot and then to enforce such as a future subdivision and the funds have to be collected, there will definitely be some subdivisions where the existing houses are that we hope to put in place a fee schedule. If something is new, they can have the applicant put in some funds that will eventually be used to place a sidewalk, streetlight or other safety improvement on that street. We will discuss further and form a final concept. **Mayor Kalaj** received a letter from Orange County Human Resources about a recreation commission, we need to respond to that. Gentlemen we need to work on that.

➤ **Correspondence**

- **Isaac Ekstein** there is one application for a special use permit for a Kosher Grocery on 5 Mangin Road.
- There is a House of Worship Application for 379 Lakeshore Drive for Congregation Lakeshore. They submitted an application with the plans and fees. If the board would like later on they could do resolutions for public hearings or whatnot.

➤ **Business**

- **Resolution No. (072)** – Resolution of the Village Board of the Village of South Blooming Grove authorizing the Mayor to submit a Community Development Block Grant Program Application for the fiscal year 2023. Motion to accept by Trustee Rosner, seconded by Deputy Mayor Weiss. *5Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Rosner, Trustee Feldman and Trustee Guttman.*
- **Resolution No. (073)** Resolution of the Village Board of the Village of South Blooming Grove that the Village of South Blooming Grove participates in Fair Housing and supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. Motion to accept by Trustee Feldman, seconded by Trustee Guttman. *5Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Rosner, Trustee Feldman and Trustee Guttman.*
- **Resolution No. (074)** – Resolution of the Village Board of the Village of South Blooming Grove referring special use permit for 5 Mangin Road to the Planning Board for recommendations. Motion by Mayor Kalaj, seconded by Trustee Guttman. *5Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Rosner, Trustee Feldman and Trustee Guttman.*
- **Resolution No. (075)** – Resolution of the Village Board of the Village of South Blooming Grove referring the House of Worship -Large Application for 379 Lakeshore Drive to the Planning Board for comment/recommendations. Motion to accept by Deputy Mayor Weiss, seconded by Trustee Guttman. *5Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Rosner, Trustee Feldman and Trustee Guttman.*
- **Resolution No. (076)** – Resolution of the Village Board of the Village of South Blooming Grove declaring intent to be lead agency on proposed local law for zoning changes. Motion to accept by Trustee Guttman, seconded by Trustee Feldman. *5Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Rosner, Trustee Feldman and Trustee Guttman.*

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- **Resolution No. (077)** – Resolution of the Village Board of the Village of South Blooming Grove authorizing the Mayor to submit 239 General Municipal Law sent out to all required agencies with regard to the proposed local law for zoning changes (Type 1 Action). Motion to accept by Trustee Feldman, seconded by Trustee Guttman. *5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Rosner, Trustee Feldman and Trustee Guttman.*

➤ **Adjournment**

- Motion to close the meeting at 8:43pm. by Mayor Kalaj, seconded by Trustee Rosner. *5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Rosner, Trustee Feldman and Trustee Guttman.*

Minutes respectfully submitted by
Kerry Dougherty, Village Clerk