

**VILLAGE OF SOUTH BLOOMING
GROVE
VILLAGE BOARD & PLANNING BOARD
SPECIAL MEETING
TUESDAY
JULY 5, 2022
8:00 PM**

➤ **Call to order**

Mayor Kalaj called to order the Village Board & Planning Board Special Meeting at 8:01pm on July 5, 2022, via Zoom Webinar ID: 86450725505 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
- Yitzchok Feldman– Trustee
- Zalmon Rosner – Trustee
- Isaac Ekstein- Legislative Aide to Mayor
- Al Fusco, Village Engineer
- Scott Ugell Esq.- Village Attorney
- Joel Stern – Confidential Assistant to the Mayor
- Solomon Weiss – Planning Board Chairman
- Abraham Klepner – Planning Board Member
- Yoel Ungar – Planning Board Member
- Simon Schwartz – Planning Board Member
- Dan Kraushaar, Esq. – Planning Board Attorney

Absent

- Asher Guttman- Trustee
- Dov Frankel – Planning Board Member

➤ **Discussion :**

- **Mayor Kalaj** hopes everyone had a wonderful holiday, Happy 4th of July to all. This is a special meeting about the kosher deli at 5 Mangin Road. We have a planning board, therefore Mr. Weiss, Chairman of the Planning Board please present your case, what your recommendations are.
- **Planning Chairman Weiss** the planning board received the referral for 5 Mangin Road from the Village Board for recommendation to consider granting an approval for special use permit for a kosher food store, which to him is a great idea, it is in the center of the village, it is not going to hold on too much traffic, so does any of the planning board members have anything to say pro or against it?

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- **Simon Schwartz** commented that this is long overdue, we have been waiting for a kosher grocery in our village for a while now, this has been going through the boards for the last, who knows how long already, it seems they plan to provide sufficient parking, they went through DEC and all other agencies, he definitely believes we should move this forward to the next step.
- **Attorney Kraushaar** addressed the boards and advised that at the last meeting of the planning board, the planning board declared itself lead agency and this would also impact what your reviewing with regard to this and we left it that the planning board was seeking permission from the village board to assume lead agency, so he thinks what is in order is for the village board to consider adopting a resolution having the planning board serve as their agent under SEQRA.
- **Mayor Kalaj** thinks the village board should pass a resolution, it is up to the board but he feels we should get a resolution, pass it, so we can get a public hearing, I believe we need 10 days, Mr. Ugell? **Isaac Ekstein** advised we are still waiting for planning board to provide recommendation. **Attorney Ugell** stated that attorney Kraushaar made the proper suggestion of declaring the planning board the lead agency for the purpose of SEQRA so maybe that's the first order of business we should start with now as we proceed, if I may suggest.
- Motion to agree that the planning board will be lead agency by Trustee Rosner, seconded by Trustee Feldman. *4 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Rosner, Trustee Feldman, one absent – Trustee Guttman.* **Attorney Ugell** clarified, for the purposes of this resolution vote, is that the village has declared the planning board the lead agency for the purpose of SEQRA.
- **Engineer Fusco** now that is done, the village board can pass a motion for a special use but it still has to go back to the planning board for a public hearing. **Mr. Ekstein** and **Mayor Kalaj** corrected that it would be the village board, if not mistaken, **Attorney Kraushaar** and **Ugell** agreed and **Kraushaar** advised that SEQRA hasn't been completed. **Fusco** agreed that SEQRA needs to be completed at the Planning Board, but the Village Board can approve the special use permit after the public hearing.
- **Isaac Ekstein** presented/discussed various Planning Board Projects as follows:
- **58 Fort Worth Place** there is application in front of the Planning Board for a religious school. **Chariman Weiss** advised that comments were received from the engineer and provided to the applicant. We need a resolution for intent to be lead agency, motion made by Member Schwartz, seconded by Chariman Weiss. **Al Fusco** advised that this is an unlisted action, it is a special use under SEQRA by the Planning Board, so its special use and it could be conditional. What they are proposing is temporary trailers, so it could be for whatever period that the Planning Board feels appropriate, for example: 5 years, it could be a condition and could be reapproved with planning board approval or whatever they so choose and whatever other conditions they apply,

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- but they do want to eventually build a masonry building at some point but right now they want to start the trade school with trailers on a temporary basis. The special use subject to planning board conditions and site plan approval. **Attorney Kraushaar** advised this will be subject to GML239 as well based on its location. Motion was made see resolution below. **Attorney Ugell** questioned that the discussion about 58 Fort Worth Place, involves only the Planning Board, correct? The Planning Board agreed. Attorney Ugell continued stating no action is asked to be taken of the Village Board at any time during this process. **Attorney Kraushaar** advised that he has not received a copy of the application and as a result he does not know the specific provision in the code. **Mr. Fusco** read the code 239 attachment 1, Village of South Blooming Grove – Table of General Use. Planning Board CU Permit – Use allowed by planning board conditional use permit (and site plan) approval. So it is only the planning board and not the village board.
- **Isaac Ekstein** advised that there is an application submitted recently for a project on Route 208 – SBL 207-1-1.23 a/k/a SouthGrove. **Simon Gelb** of CPC presented the project as follows: on behalf of the property owner, the SouthGrove project is a property located on Route 208, it is between Shannon Lane and Clove Road. The property is fully located in the RC1 Zoning District and there is a proposed subdivision and a site plan which was submitted for the Planning Board, the subdivision is for 25 lots, one of them is proposed as a commercial use fronting Route 208 a proposed wellness center building and the other 4 buildings, which is a total 24 lots for single family homes and is located behind that commercial building which will be screened from Route 208. There is a proposed 50 foot right of way on the left side of the property which is basically on the right side of the current bus parking lot on Route 208 and the proposed project meets all of the Village of South Blooming Grove requirements of the table of bulk requirements, the minimum lot size, the minimum frontage, the minimum front yard, side and rear yard set backs, the maximum height. The proposed project meets all the requirements of that zoning district. In addition, it meets the table of general use requirements which since this is in the RC1 zoning it is designated under site plan which is basically an allowed use and it is subject, just to site plan approval by the planning board. The requirements that you found in the zoning code are being met, there is no variances or any conditional or special uses being requested. One of the restrictions on those kind of projects, for example, is in 235-14-2 which the maximum footprint of each structure should not exceed 10,000 square feet and the five proposed buildings, each of them are less than 10,000 square footprint. All the requirements are being met, we are looking forward for the planning board and again to make this clear, this project does not need any Village Board approvals, it is only the Planning Board and we are looking forward to working with the Planning Board to get this project on the agenda for the next meeting and ask if a public hearing could be scheduled as well as sending out the GML review and designate the SEQRA on this project. Thank you.
 - **Attorney Ugell asked** Attorney Kraushaar if it was unusual to have the village board attend a planning board meeting. **Attorney Kraushaar** it is not typical but a. it's allow, b. its done under

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circumstances such as the first application. **Attorney Ugell** once that application was resolved, everything going forward tonight is all solely planning board agenda. **Mr. Ekstein** reminded attorney Ugell that there was one more thing that he was going to bring up, Rosmarie and the treasurer thing. **Ugell** thanked Mr. Ekstein and moved forward staying with village board business before they say goodnight to the planning board. There was recently a vacancy created by the resignation of Holly Brown as our village treasurer and I believe Mr. Mayor you were going to make a motion tonight for a resolution to appoint Rosemarie Vega as the new village treasurer. See resolution below. **Mayor Kalaj** congratulated Rosemarie Vega.

- **Isaac Ekstein** advised that we have a quote from our current insurance provider for Cybersecurity for a very high price, he went out shopping for a better rate and secured a good quote from Skyscraper Insurance with a 40% discount, less than our current insurance provider. Would the board like to do a motion to go with this insurance, he thinks it is a very important thing that we should secure as soon as possible. This was tabled for the village board meeting on July 11, 2022.
- **Attorney Kraushaar** advised that typically all planning board members have a copy of the application. He does not have any objection to the planning board determine that they wish to be lead agency on the SouthGrove Project.
- **Isaac Ekstein** discussed the application for a house of worship at 379 Lake Shore Drive which was referred to the planning board by the village board. **Chairman Weiss** asked Engineer Fusco to communicate with the applicant to make sure that they provide all that is needed for 379 Lake Shore Drive. **Engineer Fusco** advised that he will have a review ready for the board before the meeting on July 21, 2022. He advised that this is most likely an unlisted action with a non-coordinated review.
- **Isaac Ekstein** advised that the 577 Route 208 project just got their variances awarded at the previous ZBA meeting so the board is free to take action, set a meeting or whatever the board would like to do. **Chairperson Weiss** confirmed that they received the ZBA Resolution for variances that the applicant requested, they can now go ahead and set a public hearing for the site plan approval.

➤ **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**

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- **Resolution No. (079)** – Resolution of the Village Board of the Village of South Blooming Grove declaring the Planning Board Lead Agency for the purpose of SEQRA for 5 Mangin Road. Motion to accept by Trustee Rosner, seconded by Trustee Feldman. *4 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Rosner and Trustee Feldman; 1 Absent, Trustee Guttman.*
Resolution – Resolution of the **Planning Board** to recommend the Village Board grant a special use permit for the kosher food store at 5 Mangin Road. Motion by Chairman Weiss, seconded by Member Ungar. *4 Ayes, Chairman Weiss, Member Klepner, Member Ungar, Member Schwartz, 1 Absent – Dov Frankel.*
- **Resolution No. (080)** Resolution of the Village Board of the Village of South Blooming Grove setting a public hearing for special use permit at 5 Mangin Road for July 18, 2022 at 8:00 PM. Motion to accept by Mayor Kalaj, seconded by Deputy Mayor Weiss. *4 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Rosner and Trustee Feldman. 1 Absent - Trustee Guttman.*
- **Resolution** – Resolution of the **Planning Board** to be lead agency for application of religious school at 58 Fort Worth Place. Motion by Member Schwartz, seconded by Chairman Weiss. *4 Ayes, Chairman Weiss, Member Klepner, Member Ungar, Member Schwartz, 1 Absent – Dov Frankel.*
- **Resolution** – Resolution of the **Planning Board** to send GML239 to County Planning Department and any other involved agency as well for 58 Forth Worth Place. Motion by Member Unger, seconded by Member Schwartz. *4 Ayes, Chairman Weiss, Member Klepner, Member Ungar, Member Schwartz, 1 Absent – Dov Frankel.*
- **Resolution** – Resolution of the **Planning Board** setting a public hearing for conditional use permit application for 58 Forth Worth Place on July 21, 2022 at 8:00 PM. Motion by Member Klepner, seconded by Member Schwartz. *4 Ayes, Chairman Weiss, Member Klepner, Member Ungar, Member Schwartz, 1 Absent – Dov Frankel.*
- **Resolution** – Resolution of the **Planning Board** setting a public hearing for subdivision and site plan application for SouthGrove known as SBL 207-1-1.23 on July 21, 2022 at 8:01 PM. Motion by Member Schwartz, seconded by Chairperson Weiss. *4 Ayes, Chairman Weiss, Member Klepner, Member Ungar, Member Schwartz, 1 Absent – Dov Frankel.*
- **Resolution No. (081)** – Resolution of the Village Board of the Village of South Blooming Grove appointing Rosemarie Vega as Village Treasurer which includes an increase in salary of \$5,000 annually. Motion by Mayor Kalaj, seconded by Trustee Rosner. *4 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Rosner and Trustee Feldman; 1 Absent, Trustee Guttman.*
- **Resolution** – Resolution of the **Planning Board's** intent to be lead agency for subdivision and site plan application for SouthGrove known as SBL207-1-1.23. Motion by Member Unger, seconded by Member Schwartz. *4 Ayes, Chairman Weiss, Member Klepner, Member Ungar, Member Schwartz, 1 Absent – Dov Frankel.*
- **Resolution** – Resolution of the **Planning Board** to send GML239 to County Planning Department and any other involved agency for SouthGrove known as SBL 207-1-1.23. Motion by Chairperson Weiss, seconded by Member Schwartz. *4 Ayes, Chairman Weiss, Member Klepner, Member Ungar, Member Schwartz, 1 Absent – Dov Frankel.*

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- **Resolution** - Resolution of the **Planning Board** setting a public hearing for site plan approval of 379 Lake Shore Drive on July 21, 2022 at 8:03 PM. Motion by Member Schwartz, seconded by Chairperson Weiss. *4 Ayes, Chairman Weiss, Member Klepner, Member Ungar, Member Schwartz, 1 Absent – Dov Frankel.*
- **Resolution** - Resolution of the **Planning Board** declaring lead agency under SEQRA for 379 Lake Shore Drive site plan application. Motion by Chairperson Weiss Schwartz, seconded by Member Unger. *4 Ayes, Chairman Weiss, Member Klepner, Member Ungar, Member Schwartz, 1 Absent – Dov Frankel.*
- Resolution of the **Planning Board’s** intent to be lead agency for subdivision and site plan application for SouthGrove known as SBL207-1-1.23. Motion by Member Unger, seconded by Member Schwartz. *4 Ayes, Chairman Weiss, Member Klepner, Member Ungar, Member Schwartz, 1 Absent – Dov Frankel.*
- **Resolution** - Resolution of the **Planning Board** setting a public hearing for site plan approval of 577 Route 208 on July 21, 2022 at 8:04 PM. Motion by Member Ungar, seconded by Member Klepner. *4 Ayes, Chairman Weiss, Member Klepner, Member Ungar, Member Schwartz, 1 Absent – Dov Frankel.*
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➤ **Adjournment**

- Motion to close the village board meeting at 8:34pm. by Trustee Rosner, seconded by Deputy Mayor Weiss. *4 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Rosner and Trustee Feldman; 1 absent - Trustee Guttman.*
- Motion to close the planning board meeting at 8:42 PM by Chairperson Weiss, seconded by Member Klepner. *4 Ayes, Chairman Weiss, Member Klepner, Member Ungar, Member Schwartz, 1 Absent – Dov Frankel.*

Minutes respectfully submitted by
Kerry Dougherty, Village Clerk