

August 15, 2024

Solomon Weiss, Planning Board Chairman
Village of South Blooming Grove
811 NYS Route 208
Monroe, NY 10950

Dear Chairman Weiss

I have reviewed the site plan application, short eaf, engineer comments and offer additional commentary for project known as 363 Lake Shore Drive SBL: 205-4-10

Application & Site Plan

Original site plan drawing and material reviewed with comment on 7/18/2024 by Alfred Fusco Jr P.E. was prepared and submitted by Shmiel Breuer 2 Stonegate Dr Monroe NY at Draw Me as "applicant"

Subsequently a revised site plan has been prepared and submitted by Josip Medic P.E. 379 Brookfield Dr Jackson NJ on 7/31/2024

Landowner is stated as 363 Lakeshore Dr LLC 363 Lakeshore Dr Monroe, NY 10950

The site plan application requires a that a notarized **Certification of Landowner** must be executed by each owner or beneficial owner with a 5% or more interest, in the case of corporations, cooperatives or other entities jointly holding the properties involved.

The site plan application requires a *Certification of applicants* affirming that the applicant(s) are familiar with the requirements of Village of South Blooming Grove Code pertaining to the application and attests to the best of the applicants knowledge, that the application complies with such requirements and that all information is true and correct

NY Gen Mun L § 809 (2023) Disclosure in certain applications.

Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.

Comment: Neither the Certification of Land Owner(s) or the Certification of Applicants have been properly completed according to the aforementioned disclosure requirements

The application state "Site plan approval for two structures on one lot based on village code."

comment: The intent of the application needs clarification as the revised site plan by Josep Medic PE, drawing and bulk requirement table clearly indicate Lot #1 and Lot#2 however

the subdivision line states "future lot line by others" and engineer note 7. *The property cannot be re-subdivided.*

The Site Plan identifies an adjoining land owner as "Village of South Blooming Grove"

comment: The Site plan should also properly identify the property as "Merriewold Lake:

The bulk requirement Min Frontage requirement is 50' for zoning District RB

comment: both lots will require a variance as Lot #1 is 48.84' and Lot #2 is 49.28'

The bulk requirements table indicates max height (stories) and Max Height (feet) as TBD.

comment: because the proposed action lies with-in an established residential lake community max building height should be a clear component of site plan.

The proposed dwelling are stated each at 2707.26 sq'

comment: should be clearly stated as per floor with total sq' per building and total number of units per dwelling including basement apartments.

The required parking spaces for zone RB equals 2 per unit

comment: The site plan does not indicate number of bedrooms per dwelling, therefore the parking spaces cannot be calculated properly. Construction Plans should be included with this application

Village of South Blooming Grove Zoning Code

Article VIII 235-35 C. Off street parking requirements for

Principal Use - Residential Multifamily as 1 space per dwelling unit plus ½ space per bedroom in each dwelling unit.

Accessory Use- Accessory apartment to Single Family house 1 space per dwelling plus ½ space per bedroom in each dwelling unit

The site plan indicates a min rear yard setback for Lot #1 as 48' and Lot#2 as 40'

comment: The Village of South Blooming Grove Zoning Overlay Map indicates that the proposed action lies with-in the boundaries of the Surface Water Overlay District

Zoning code 235-41.4 E. Surface Water Overlay District.

(1) Applicability.

(a) A one-hundred-foot buffer strip shall be maintained along the edge of any stream, lake, pond, or other water body, including wetlands and any associated one-hundred-year floodplain boundary. This setback shall apply to all uses. Setbacks shall be measured horizontally from the mean high water line of the watercourse.

(b) For the purpose of protecting surface waters and providing flood protection in the Village of South Blooming Grove, the provisions and standards shall be in addition to the use, bulk and site development regulations applicable to any use located in any district to which the Surface Water Overlay District is applied.

(2) Use regulations.

(a) Permitted uses, special permit uses, accessory uses, dimensional standards and special requirements shall be as established by the underlying zoning district, unless specifically modified by the requirement set forth herein.

(b) The following uses shall be specifically prohibited within the Surface Water Overlay District: motor vehicle service stations.

(3) Site plan approval requirement.

(a) Within the Surface Water Overlay District, applications for building permit, site plan approval, area variance, use variance, or other land development proposal, including the subdivision of land, occurring wholly or partly in the Surface Water Overlay District shall be submitted to the Planning Board. This shall be required for the following:

[1] Construction of any structure greater than 500 square feet in footprint area or 4,500 cubic feet.

[2] Within any one-year period:

[a] Filling or excavation of an area in excess of 5,000 square feet.

[b] Clear-cutting of more than 5,000 square feet of vegetation on any parcel.

[c] Grading or other alteration of more than 10,000 square feet of the natural landscape.

(b) Within the Surface Water Overlay area, the site plan approval requirement shall not apply to:

[1] The repair and maintenance of existing structures.

[2] Activities carried out pursuant to a previously approved site plan or special use permit application.

c) Applications for development within the Surface Water Overlay District will be evaluated by the Planning Board to ensure that:

[1] The proposed development will not result in degradation of scenic character and will be aesthetically compatible with its surroundings.

[2] The proposed development prevents non-point source pollution to the maximum extent possible, by taking into account site conditions such as slope, soil type and erosivity, and vegetative cover.

[3] The proposed development will not result in any modifications to the floodplain area or floodway so as to cause any increased flooding on any other properties within the Village.

[4] Grading and removal of vegetation at a development site is minimized and erosion and sediment control measures are in place and properly installed.

[5] The Planning Board may require that no application of chemicals, vegetation removal, and/or mowing be permitted in the one-hundred-foot stream buffer.

(4) Erosion and storm water control plan requirement. For any special permit, site plan, or subdivision application in which land to be disturbed lies partially within the Surface Water Overlay area, an erosion and sediment control plan, prepared pursuant to New York State Department of Environmental Conservation standards, shall be required if the total disturbed area (including portions outside the Surface Water Overlay area) exceeds 10,000 square feet.

Short EAF

Site Plan Approval with 2 structures

comment – needs clarification as stated previously

4. Check all land uses that occur on, are adjoining or near proposed action

comment: Applicant should also check box 'Aquatic as the project borders Merriewold Lake

5. Is the proposed action,

a) a permitted use under the zoning regulations -

b) Consistent with the adopted comprehensive plan? Applicant checked 'yes'

comment: This is factually incorrect as The Village of South Blooming Grove has not adopted a comprehensive plan.

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? The applicant checked 'yes'

Comment: with the exception of one newly constructed monstrosity 4 family home at the corner

of Lake Shore Drive and Robyn lane the neighborhood is very predominately a lake community consisted of individual bi-level, split-level and/or colonial style single family homes between 2000-3000 sq' lot sizes range from .25 to .60 acre. The proposed multifamily dwellings at approx. 8000sq' each does not conform to the existing built or natural landscape of the Lake Community.

13. a) Does any portion of the site of the proposed action, or lands adjoining the proposed action contain wetlands or other waterbodies regulated by federal, state, or local agency? The applicant checked 'yes'

Comment: the applicant failed identify the wetland or waterbody and extent of alterations in square feet or acres. NYS Dept of Environmental Conservation Environmental Resource Mapper Merriewold Lake
National Wetlands Inventory
Attribute: PUBHh
Type: Freshwater Pond
Acres: 10.747358787648562

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: Applicant checked Urban and Suburban

Comment: applicant should have also identified 'shoreline' and 'wetland' as the project site adjoins Merriewold Lake

15. Does the site of the proposed action contain any species of animal, or associated habitats listed by the State or Federal Government as threatened or endangered? Applicant checked yes and indicated "Indiana Bat, Northern Long-Eared Bat

Comment: applicant failed to disclose additional information - According to the NYS Dept of Environmental Conservation Division of Fish & Wildlife, New York Heritage Program the attached report from the Environmental Resource Mapper also indicates that the location is in the vicinity of plants listed as endangered, threatened or rare by NYS and that environmental impacts may need to be addressed.

16. Is the project site located in the 100-yr Flood Plain? Applicant correctly check 'yes'

Comment: the project is also located with-in a 500-year floodplain

Thank you for taking the time to consider the comments made herein

Respectfully,



Jodie LoMeli
PO Box 320
Washingtonville, NY 10992

- CC: Tom Shepstone
- Isaac Ekstein, VOSBG
- Joel Stern, VOSBG
- Daniel Kraushaar, Esq
- Alfred A Fusco, Jr., P.E.
- Meghan Tennermann, AICP OCP
- Tracey O'Malley - NYS DEC Region #3

Attached DEC Resource Mapper. —

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Heritage Program

625 Broadway, Fifth Floor, Albany, NY 12233-4757

Phone: (518) 402-8935 | Fax: (518) 402-8925

www.dec.ny.gov

08/13/2024

The attached report from the Environmental Resource Mapper includes information from the New York Natural Heritage Program database with respect to the location indicated on the map below. This letter, together with the attached report from the Environmental Resource Mapper, is equivalent to, and carries the same validity, as a letter from the New York Natural Heritage Program, including for projects where a Natural Heritage letter is required.

If your location of interest does not fall within an area covered by the Rare Plants and Rare Animals layer or in the Significant Natural Communities layer, then New York Natural Heritage has no records to report in the vicinity of your project site. Submitting a project screening request to NY Natural Heritage is not necessary.

If the attached report lists that your location of interest is in the vicinity of state-listed animals, including state-listed bats, please consult the [EAF Mapper](#) to obtain a list of the species involved. (You do not have to be filling out an Environmental Assessment Form in order to use the EAF Mapper). Then consult the appropriate [NYSDEC Regional Office](#) for information on any project requirements or permit conditions.

If the attached report lists unlisted animals, rare plants, or significant natural communities, and if you would like more information on these, please submit a project screening request to [New York Natural Heritage](#). For more information, please see the DEC webpage [Request Natural Heritage Information for Project Screening](#).

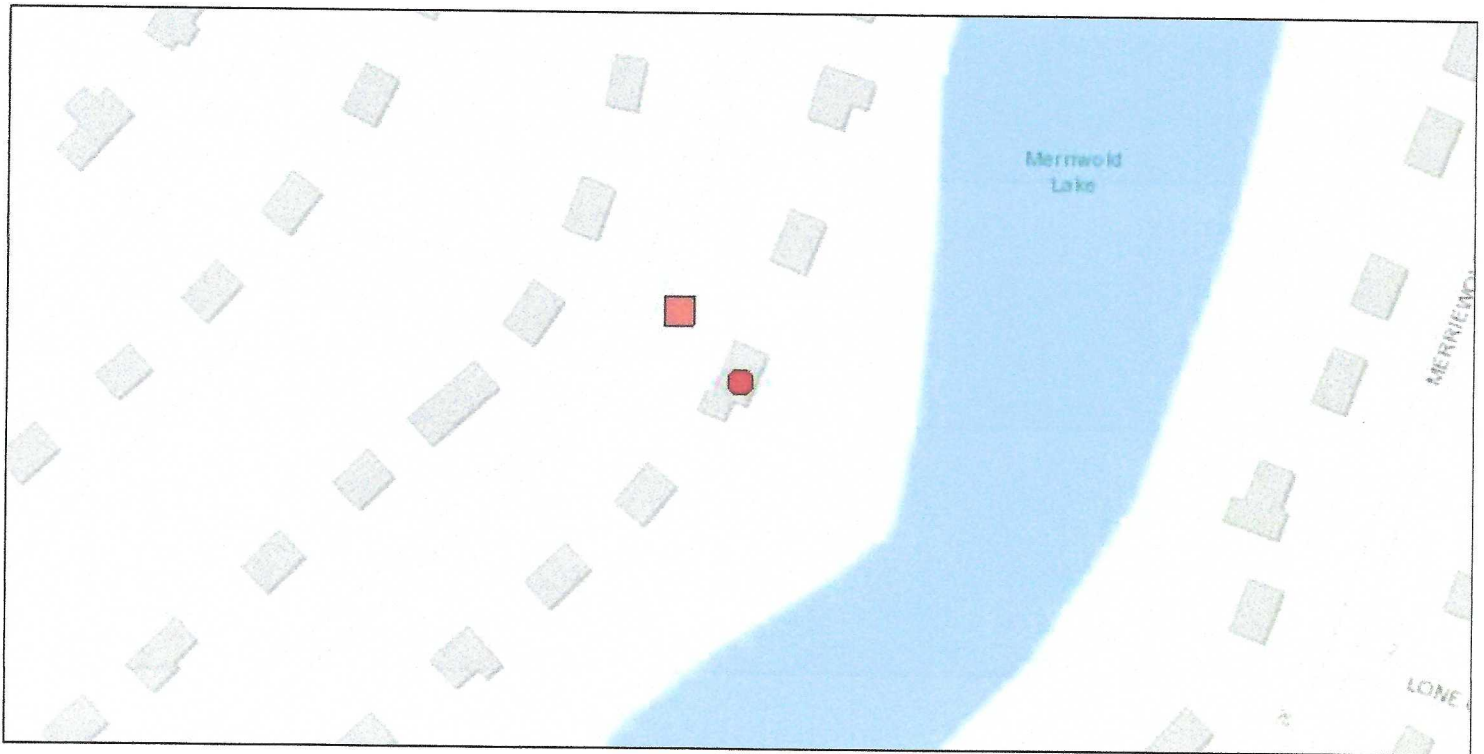
The absence of data does not necessarily mean that rare or state-listed species, significant natural communities, or other significant habitats do not exist on or adjacent to the proposed site. Rather, NYNHP files currently do not contain information that indicates their presence. For most sites, comprehensive field surveys have not been conducted. NYNHP cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other resources may be required to fully assess impacts on biological resources from a proposed project.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities, and other significant habitats maintained in the NYNHP database.

New York Natural Heritage Program

<https://www.nynhp.org/>.

Environmental Resource Mapper



The coordinates of the point you clicked on are:

UTM 18

Easting: 568046.284812382

Northing: 4580493.078731159

Longitude/Latitude

Longitude: -74.18630269191979

Latitude: 41.37308723975935

The approximate address of the point you clicked on is:

363 Lake Shore Dr, Monroe, New York, 10950

County: Orange

Town: Blooming Grove

Village: South Blooming Grove

USGS Quad: MONROE

Rare Plants and Rare Animals

This location is in the vicinity of Plants Listed as Endangered, Threatened, or Rare by NYS

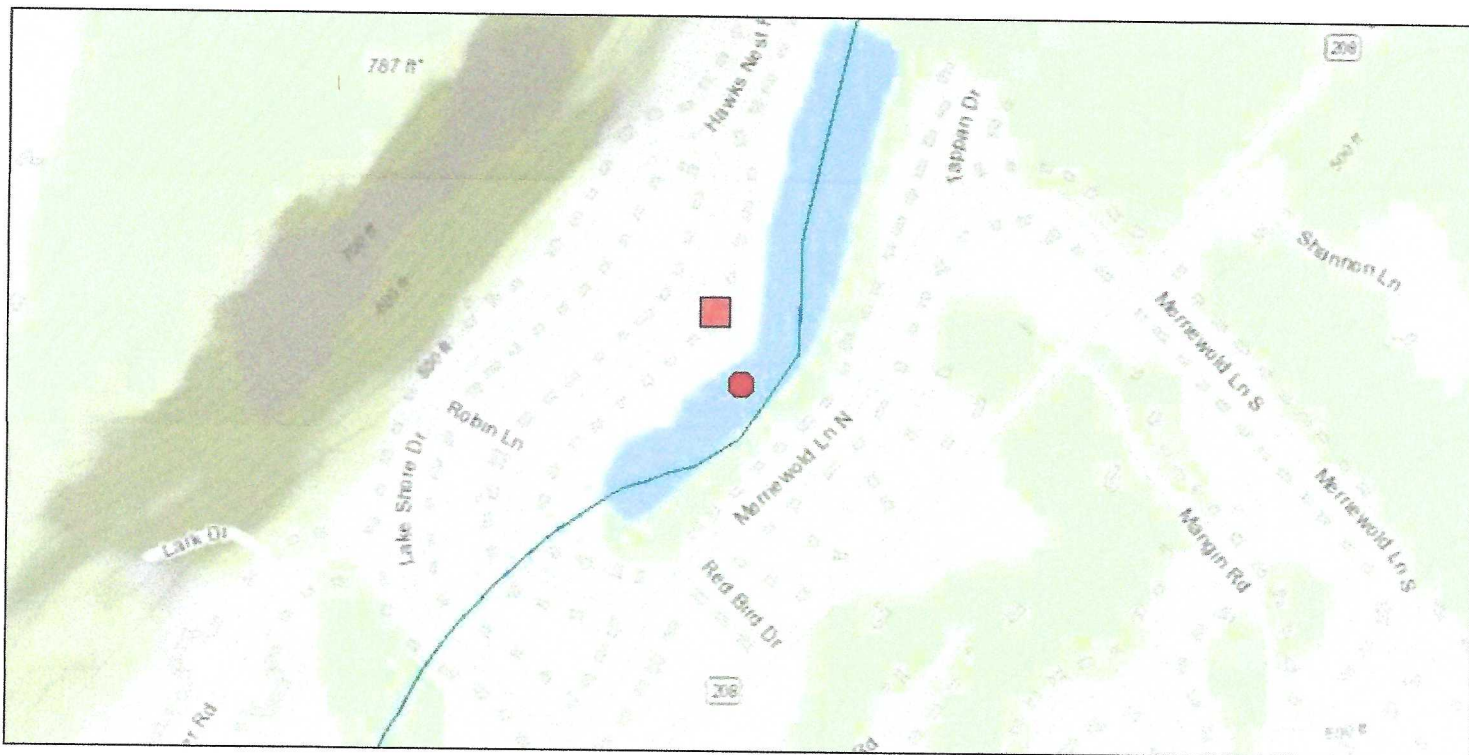
This location is in the vicinity of Bats Listed as Endangered or Threatened -- Contact NYSDEC Regional Office

If your project or action is within or near an area with a rare animal, a permit may be required if the species is listed as endangered or threatened and the department determines the action may be harmful to the species or its habitat.

If your project or action is within or near an area with rare plants and/or significant natural communities, the environmental impacts may need to be addressed.

The presence of a unique geological feature or landform near a project, unto itself, does not trigger a requirement for a NYS DEC permit. Readers are advised, however, that there is the chance that a unique feature may also show in another

Environmental Resource Mapper



The coordinates of the point you clicked on are:

UTM 18	Easting:	568070.8984089379	Northing:	4580422.854900715
Longitude/Latitude	Longitude:	-74.18601627530599	Latitude:	41.37245267018546

The approximate address of the point you clicked on is:
351-375 Lake Shore Dr, Monroe, New York, 10950

County: Orange
Town: Blooming Grove
Village: South Blooming Grove
USGS Quad: MONROE

Rare Plants and Rare Animals

This location is in the vicinity of Plants Listed as Endangered, Threatened, or Rare by NYS

This location is in the vicinity of Bats Listed as Endangered or Threatened -- Contact NYSDEC Regional Office

National Wetlands Inventory

Attribute: PUBHh
Type: Freshwater Pond
Acres: 10.747358787648562

For more information about the National Wetlands Inventory wetlands visit <http://www.fws.gov/wetlands/>