

From: Chris Maderia cmaderia@hhcnds.net
Subject: Standing Objection for June 6, 2024 Public Hearings
Date: June 5, 2024 at 4:06 AM
To: kraushaarlaw@kraushaarlaw.com, tshepstone@vosbg.com, sweiss@vosbg.com

CM

Village of South Blooming Grove Planning Board,

I request the following standing objection be entered into the record for all Public Hearings on the June 6, 2024 VSBG Planning Board Agenda.

The fundamental right of due process is afforded to all citizens of the United States as described in the US Constitution and NY Home Rule Law. On April 15, 2024 I foil requested the Village of South Blooming Grove Comprehensive Plan to which the Village has yet to produce.

Village Law 7-722(1)(c) states; The development and enactment by the Village government of a village comprehensive plan which can be readily identified, and is available for the public, is in the best interest of the people of each Village.

Village Law 7-722(g) states; The Village comprehensive plan is a means to promote the health, safety and general welfare of the people of the Village and to give due consideration to the needs of the people of the region of which the Village is a part.

Village Law 7-722)12 states; The adopted village comprehensive plan and any amendments thereto shall be filed in the office of the village clerk and a copy thereof shall be filed in the office of the county planning agency.

New York requires that zoning be adopted in accordance with a well-considered or comprehensive plan. This requirement reflects both underlying constitutional considerations and a public policy that views zoning as a tool to plan for the future of communities. Over the years, the New York courts have defined the comprehensive plan to be the governing body's process of careful consideration and forethought, resulting in zoning that is calculated to serve the community's general welfare.

The Village's behavior in not providing the public access to its comprehensive plan inhibits the public's right to due process in its review of all projects submitted to the planning board for approval or disapproval and as such I wish the following standard objection be entered into the record;

"Governmental actors violate due process when they frustrate the fairness of a proceeding. The Village's behavior/actions of not providing the public access to The Comprehensive Plan deprives the public of its right to due process in its review of all projects subject to Public Hearing at its May 16, 2024 and upcoming June 6th 2024 agenda."

Thank you,
Chris Maderia
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