

**Village of Bloomfield
Planning Board Minutes August 13, 2020**

Planning Board Members: Chair, Ken Martin, Sharol Nixon, Tom Kugris.

Absent: Estelle Hall, Nikki Every

Others Present: Kimberly Rayburn (Secretary), Jim Kier (Building & Zoning) Joe Prestigiaco (Applicant) Rocco Venezia (Surveyor)

Martin opened the meeting at 6:35 pm with the Pledge of allegiance.

I. BVS1-20 Preliminary/Final Bloomfieldth2017, LLC, property located at 170 Heartwood Lane. has applied for a 1 lot subdivision on the Property located between Elm and Main Street formerly of tax map #'s 68.13-1-8.100 & 68.13-1-16.000. Current tax# 68.13-1-16.100. They wish to separate the current construction site from the vacant land for financial reasons.

Martin explained the reasoning for the subdivision, he explained to the Board that there was a meeting held at a prior date at the Town hall. In attendance of that meeting was the Planning Board Chair Ken Martin, the Village Attorney Dan Bryson, the Village Engineer JP. Schepp, The Village Mayor Mark Falsone, The Code Enforcement Officer James (Jim) Kier, the Applicant Joe and Angelo Prestigiaco, and their surveyor Rocco and the Planning Board Secretary Kimberly Rayburn. The Engineer and the Town Attorney along with the group decided what would be needed to move forward with the proposed subdivision and what map requirements would be necessary. That meeting will be considered the Sketch plan meeting, this meeting will be the preliminary/final meeting.

Kugris asked if both parcels would be owned by the same party. He then asked if there was going to be an encumbrance on part of the land? Prestigiaco stated there would be a mortgage on part of it. Venezia stated the existing apartment buildings are being separated from the rest of the land so they can be on a separate mortgage. Then they can move forward with the rest of the development. Martin stated that the intent would be to eventually put the two parcels back together and it would be under one mortgage. Prestigiaco stated that is there intent down the road. Kugris asked if the existing units are all currently occupied, Prestigiaco stated they are. Venezia stated that the access easement wording has been corrected as requested on the new maps.

Nixon asked about the gravel drives on some of the units and if that was permanent, Prestigiaco stated they are not, they will be paved. Kier stated that two (2) of the three (3) buildings have paved driveways. The lower building has gravel driveways as the paving companies were getting ready to shut down for the season. Martin stated that both parties will be responsible for the utilities, Prestigiaco agreed. Kugris asked if they had an estimated completion date. Martin asked if the bank has any issues, Prestigiaco stated that Victor Excavating will start work within the next week, and the preliminary financing is set they are just waiting on this approval. Prestigiaco then stated they are shooting for a completion date by the end of 2021.

Martin stated that he would like to see things completed and issues settled, Kugris stated that things happen and he doesn't feel it changes anything for the project, and he doesn't feel there is any other choice, he would also like to see the project done.

The Board declared SEQR a type II action with no further action required. All Board members voted aye, vote was carried unanimously.

Martin would like to add into the resolution that eventually the parcels would be added back together. Prestigiaco stated that it could be awhile, as they will have two parcels financed, but the intention is to have 1 parcel when the project is done.

RESOLUTION 2021-001

AUTHORIZING SUBDIVISION OF LOT AT PROPERTY KNOWN AS
"THE ELMS" LOCATED AT 170 HEARTWOOD LANE
OWNED BY BLOOMFIELDTH2017

WHEREAS, the Elm & Main LLC n/k/a BloomfieldTH2017, LLC (the "Developer") previously appeared before the Village of Bloomfield Planning Board (the "Planning Board") seeking a special use permit and site plan approval for the development of a Townhouse project consisting of sixty one (61) units on approximately 12.287 acres of land formerly known as tax account # 68.13-1-8.100 and # 68.13-1-16.000 and now identified as tax account # 68.13-1-16.100 (the "Property") in the Village of Bloomfield (the "Project"); approved on May 11, 2017 and whereas there is no change in original declaration on SEQR, and

WHEREAS, the Project identified as "The Elms" was approved by the Planning Board on May 11, 2017, (the "Approval") and

WHEREAS, a copy of the plans and specifications of the Project is on file with the Village of Bloomfield

WHEREAS, to date, three (3) buildings consisting of eighteen (18) townhome units have been developed; and

WHEREAS, in order to secure additional financing for the Project the Developer has requested that the Property be subdivided:

NOW THEREFORE, the Planning Board after due deliberation resolves as follows:

Subdivision approval is hereby granted in accordance with the Map prepared by Venezia Land Surveyors and Civil Engineers, Project #BVS120 Map File #20045 dated 8/10/2020 upon the following conditions:

1. The Owner of Lot 1 shall grant a permanent ingress/egress easement from Elm Street to Lot 2. The easement shall include terms and conditions regarding the construction, repair and maintenance of the shared driveway and shall be recorded simultaneously with the filing of the subdivision map;
2. The Owner of Lot 1 and Lot 2 shall be jointly and severally responsible for maintenance of all site improvements, including but not limited to: sanitary sewers, water system, and storm water management facilities;
3. The Owners of Lots 1 and Lot 2 shall be jointly and severally responsible for completing all site improvements indicated in the site plan prepared by Thornton Engineering as part of the Project;
4. No additional building permits shall be issued until Lot 1 and Lot 2 are stabilized and fully compliant with the approved Stormwater Pollution Prevention Plan for the Project
5. All construction and demolition debris including but not limited to the debris east of the private driveway near station ED11+00 shall be removed and properly disposed of from the site; and
6. Lot 1 and Lot 2 will be combined at the completion of the project, or when fiscally feasible; and
7. Except as amended herein all other terms and conditions of the Approval shall remain the same and in full force and effect

A copy of this resolution shall be filed with the Village Clerk.

3 AYE Kugris, Nixon, Martin

0 NAY

ZBA Decision:

Kugris made a motion to adopt the resolution and maps as provided and Martin seconded the motion for a 1 lot subdivision on the Property located between Elm and Main Street formerly of tax map #'s 68.13-1-8.100 & 68.13-1-16.000. Current tax# 68.13-1-16.100. They wish to separate the current construction site from the vacant land for financial reasons.

Roll call vote: Martin Aye Kugris Aye Nixon Aye

Vote was carried unanimously.

II. BV1-20 Carol Kennedy Potter, property located at 130 Main Street tax map # 67.19-1-49.000

Has applied for an Area Variance to add 4 feet to existing 4 ft 8 inch front porch, making it 8 foot 8 inches. House is pre-existing non-conforming as it sits approximately eighteen (18) feet from the ROW Today's standards are forty (40) ft. The neighbors to the East and West are both closer to the ROW than are closer than Potter.

Martin stated that the existing porch is four (4) feet eight (8) inches. Nixon stated it would make it a more functional space. Kugris stated that the house next doors bump out is approximately three (3) feet to the sidewalk.

Nixon made a motion and Martin seconded the motion to forward the application with the advisory opinion that the proposed is not significant.

II. Minutes:

Minutes of November 14, 2019

Nixon made a motion and Kugris seconded the motion to approve the minutes 11/14/2019

All board members present at the 11/14/2019 meeting voted Aye; Vote was carried unanimously.

IV. Meeting Adjourned: Martin motioned and Kugris seconded and it was carried to adjourn the meeting at 7:00 pm.

Respectfully submitted,

Kimberly Rayburn

Town of East Bloomfield & Village of Bloomfield
Planning Board Secretary
Zoning Board of Appeals Secretary &
Code Enforcement Administrative Assistant