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5/6/24

ZONING BOARD OF APPEALS
VILLAGE OF WARWICK, NEW YORK

Petition

Name Natasha Walkowicz Shea

Address 21 Woodside Dr Tele: 845-637-5861

City & State Warwick, NY Zip: 10990

Location of Property 21 Woodside Dr., Warwick, NY 10990

Zone or Use Residential

Section 203 Block 2 Lot 3

Applicant is ☒ Owner ☐ Tenant ☐ Other
Attorney
Or
Representative _____ Tele _____

THIS APPLICATION WILL NOT BE ACCEPTED UNLESS
ACCOMPANIED BY:

- A) Survey or Plot Plan showing street(s), set-back(s), building(s) and dimensions
- B) Any other details or exhibits applicable to the situation
- C) State the hardship and/or practical difficulty involved. (Attach additional sheets if necessary)

Applicants Signature Natasha U. Shea

- 1) The applicant hereby appeals to the Board of Appeals of the Village of Warwick from:
- ☒ An order, requirement, decision, or determination made by the Building Inspector
 - ☐ Other: _____
2. Has an application been made for a Building Permit or a Certificate of Occupancy?
☒ Yes ☐ No If "Yes", attach a copy of the application and/or copy of Order, Requirement, Decision or Determination of the Building Inspector denying or revoking same.
3. State whether the applicant has made an application for a prior variance of any kind affecting the premises:
☐ Yes ☒ No
4. The names and addresses of all owners, including husband and wife, as the case may be, of property abutting that is held by the applicant and all other owners within 300 feet from the exterior boundaries of the property set forth above, as the names of said owners appear on the last completed assessment roll of the Village of Warwick, are annexed hereto. These property owners must be notified by Certified Receipt Mail at least five (5) days prior to the Public Hearing in accord with Article IX, Section 9.3.3 Village of Warwick Zoning Ordinance as amended. *see attachment*
5. Has this Board rendered a decision upon a request for the same or similar relief sought herein for this property?
☒ Yes ☐ No
- If Yes when? _____
6. If the lands or buildings are within five hundred (500) feet of any of the following five items, circle the applicable number: *N/A*
- 1) Boundary of the Town of Warwick
 - 2) Boundary of any existing or proposed State or County Park or other Recreation area
 - 3) Right-of-Way of any existing or proposed State or County Parkway, Thruway, Expressway, Road or Highway
 - 4) Right-of-Way of any existing or proposed stream or drainage channel owned by the County or for which the County has established channel lines
 - 5) Boundary of any existing or proposed State or County owned land on which a public building or institution is or is proposed to be situated.

77 Main Street
Post Office Box 369
Warwick, NY 10990
www.villageofwarwick.org



(845) 986-2031
FAX (845) 986-8884
mayor@villageofwarwick.org
clerk@villageofwarwick.org

VILLAGE OF WARWICK

INCORPORATED 1867

April 26, 2024

Mr. & Mrs. Walkowitz
21 Woodside Drive
Warwick, NY 10990

RE: 21 Woodside Drive; Proposed Construction

Dear Mr. & Mrs. Walkowitz,

The site of the proposed addition has a pre-existing non-conforming structure that does not comply with the Village of Warwick bulk requirements. Based on the plan submitted with the Building Permit Application, the proposed construction will increase the degree of the nonconformity of the structure and/or create a new nonconformity and will require at least one area variance from the Zoning Board of Appeals.

Additionally, the proposed addition will require site plan approval from the Planning Board. Village Code 145-90 A(1) reads, in relevant part, as follows-

A. In all districts, except as provided in § 145-90.C below, Site Plan approval by the Planning Board shall be required for:

(1) The erection or **enlargement of all buildings in all districts**. In all cases where subdivision approval is required from the Village Planning Board, Site Plan approval shall also be required. Exception: Proposed one and two family dwellings on a lot located in a Residential Zone and constructed in compliance with the bulk requirements of this Ordinance and not located in a Flood Zone as depicted on a FEMA Flood Insurance Map, State or Federal Wetland areas, Historic District, or the Village of Warwick Gateways.

For these reasons, your building permit application is denied and you are directed to submit a ZBA Application to request the necessary variance(s) for relief from the applicable Bulk Table requirements.

Please contact our Planning/Zoning Secretary Kristin Bialosky for guidance on the information and fees that must be provided to go before the ZBA and Planning Board. All information has to be provided to the Planning/Zoning Secretary at least three (3) weeks prior to the Zoning Board of Appeals meeting at which review is sought.

Respectfully,

Boris Rudzinski

Village of Warwick Building Inspector/Code Enforcement

77 Main Street/PO Box 369

Warwick, NY 10990

Phone: (845) 986-2031

Email: building@villageofwarwick.org

Natasha Walkowicz Variance Request for 21 Woodside Dr., Warwick, NY 10990

Mary Merite McNally
20 Crescent Ave.
Warwick, NY 10990

Raey Webster WS Trustee
Raey William Snodgrass
22 Crescent Ave.
Warwick, NY 10990

*Webster Living Trust
100 Glenview Pl Apt 608
Naples, FL 34108
**Alternative address for 22 Crescent Ave.*

Kim Paffenroth
24 Crescent Ave.
Warwick, NY 10990

Peter and Erin McCarthy
17 Woodside Dr.
Warwick, NY 10990

Ryan and Jaclyn Ahearn
18 Woodside Dr.
Warwick, NY 10990

Herman and Beth Evrich
19 Woodside Dr.
Warwick, NY 10990

Edmundo and Teresa Ciarfella
20 Woodside Dr.
Warwick, NY 10990

John E. Gorczynski, Jr.
23 Woodside Dr.
Warwick, NY 10990

Micheal J Ragone Warwick
25 Woodside Dr Woodside Dr.
Warwick, NY 10990

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Variance request for 21 Woodside Dr, Warwick, Ry 10990							
Name of Action or Project:							
Variance - addition to existing home							
Project Location (describe, and attach a location map):							
21 Woodside Dr., Warwick, Ry 10990							
Brief Description of Proposed Action:							
Addition of master bed/bath to complete/round out space on side of home.							
Addition of 4ft extension of kitchen & dining room within current footprint.							
Addition of front porch within current footprint.							
Name of Applicant or Sponsor:		Telephone: 845-637-5861					
Natasha Walkowicz Shea		E-Mail: nshea27@gmail.com					
Address:							
21 Woodside Dr							
City/PO:		State:	Zip Code:				
Warwick		Ry	10990				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			<table border="1" style="width: 100%;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.							
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			<table border="1" style="width: 100%;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
If Yes, list agency(s) name and permit or approval:							
3.a. Total acreage of the site of the proposed action?		.34 acres					
b. Total acreage to be physically disturbed?		521 acres sq/ft					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.34 acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)							
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____							
<input type="checkbox"/> Parkland							

USE VARIANCE

You must prove unnecessary hardship to obtain a use variance. In order to prove unnecessary hardship, you must prove all of the following:

- 1) You cannot realize a reasonable return on the property. The lack of return must be substantial and demonstrated by competent financial evidence. Can you show a lack of a substantial return? ☒ Yes ☐ No

What financial evidence are you presenting? use of savings to pay for upgrade & addition to the property variance (ie, additional space). The interior and exterior modifications will help with mobility issues needed due to disability.

- 2) The alleged hardship relating to the property in question must be unique and not applicable to a substantial portion of the district or neighborhood. Is your hardship unique and not applicable to a substantial portion of the district or neighborhood? ☒ Yes ☐ No

State the reason(s) for your answer: Only modification to personal property and not impacting district or neighborhood. The modifications are to help with physical disability and expanded family.

- 3) The requested use variance, if granted, will not alter the essential character of the neighborhood. ☒ Yes ☐ No

The requested use variance, if granted, will alter the essential character of the neighborhood. ☐ Yes ☒ No

State the reason(s) for your answer: The character of the neighborhood will not be impacted; rather we are keeping the integrity of the home as close to 1950s as possible.

- 4) The alleged hardship cannot be self-created.
Is your hardship self-created? ☐ Yes ☒ No

State the reason(s) for your answer: Most of the homes in the neighborhood are close in proximity and would require a variance for modifications. We cannot build upward due to disability and need to modify spaces and add 1 bedroom/bath due to family merger.

AREA VARIANCE

The following information is submitted to support of the application (the law does not require that all of the questions be answered in the negative to obtain a variance)

- 1) Will an undesirable change be produced in the character of the neighborhood or a detriment to nearby properties be created by the granting of the variance(s) you request

☒ Yes ☐ No

State the reason for your answer: The kitchen/dining space extends 4ft, the

master bed/bath extends to fill in space from previous renovation, & porch all extend within current footprint of existing home and character not jeopardized.

- 2) Can the benefit you seek be achieved by some feasible method, other than the

variance(s) ☐ Yes ☒ No

State the reason for your answer: We combined two families and seek additional

space (master bd/ba). Further, the porch & extension of kitchen will help with water (basement) solution. We need to keep 1 floor home due to disability.

- 3) Is the requested variance(s) substantial? ☐ Yes ☒ No

State the reason for your answer: The extensions fit within current footprint

of home and one (master bed/ba) complete the space from a previous renovation.

- 4) Will the proposed variance(s) have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? ☐ Yes ☒ No

State the reason for your answer: They will not extend further to any neighbor

than the current house parameters. Will maintain 1 story house.

- 5) Is the alleged difficulty self-created? ☐ Yes ☒ No State the reason for your

answer: Due to distance between houses, any adjustment will

require a variance. We cannot build upward (2 story) due to disability (MS + back surgery).

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: <u>Possible upgrades to heating system to energy efficiency</u>	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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 a federal, state or local agency?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
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? <u>Indiana bat</u>	NO <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ <input type="checkbox"/> NO <input type="checkbox"/> YES			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Natasha Walkowicz Shea</u>		Date: <u>5-5-24</u>
Signature: <u>Natasha W. Shea</u>		