, 7 Main Street
Post Office Box 369
Warwick, NY 10990
www.villageofwarwickny.gov

(845) 986-2031 EXT 107
FAX (845) 987-1215
building@villageofwarwick.org
planning@villageofwarwick.org

VILLAGE OF WARWICK
INCORPORATED 1867

ORIGINAL

Zoning Board of Appeals
Application Instructions

This document provides general information and instructions for completing an application to the Village of Warwick Zoning Board of Appeals ("ZBA").

Before applying to the ZBA an applicant generally starts at the Planning Board with a proposed site plan or subdivision and is referred to the ZBA because certain elements thereof do not comply with the zoning regulations and there is a need for one or more area variances. Alternatively, an applicant can apply directly to the ZBA based on a Denial or Determination from the Building Inspector. For example, if an applicant applies for a building permit for something that does not require Planning Board approval and it is denied because the applicant needs a variance, the applicant can apply to the ZBA from the Building Inspector's Denial. A Denial or Determination from the Building Inspector is always required in order to apply for a use variance. In addition to area variances and use variances, the ZBA also has jurisdiction to hear appeals from certain actions or interpretations made by the Building Inspector.

In order for the ZBA to adequately review your application, the following items must be received by the ZBA Secretary no later than 4:00 pm three weeks prior to the regularly scheduled meeting:

- ☐ Completed Application (choose type)
  - ☑ Area Variance
  - ☐ Use Variance
  - ☐ Appeal of an Action or Interpretation by the Building Inspector
- N/A ☐ A copy of the Denial or Determination from the Building Inspector or a copy of the Referral from the Village of Warwick Planning Board
- ☑ A Short Environmental Assessment Form Part 1 completed utilizing the NYSDEC EAF Mapper available at https://gisservices.dec.ny.gov/eafmapper/
- ☑ Interest Disclosure Affidavit Pursuant to Section 809 of the General Municipal Law
- ☑ Survey or plot plan, showing street(s), setbacks, buildings and dimensions, and any other details or exhibits applicable to your application
- ☑ Application Fee(s)
- ☑ Escrow Deposit for Consultant Review & Complete Escrow Account for Review Form

Applicants must submit eight (8) sets of the application materials to the ZBA Secretary together with checks for the Application fee(s) and Escrow deposit made payable to the Village of Warwick A digital copy of the entire submission must be emailed to Planning@Villageofwarwick.org. Checks for. ***If all items are not received three weeks prior to the regularly scheduled meeting, the application will be considered incomplete and will not be reviewed until a complete submission is made.***

After receipt of a complete application, it will be forwarded to the ZBA attorney and it may also be required to be reviewed by the Orange County Department of Planning if your property is located within 500 feet of certain features, such as a municipal boundary or a County or State Road. The ZBA attorney will prepare a public hearing notice for publication in the official Village newspaper. The applicant is required to pay the cost of publishing the public hearing notice prior to the public hearing.

A copy of the public hearing notice will be supplied to you and/or your attorney/representative designated to act on your behalf, along with a list of names and mailing addresses of property owners within three hundred feet (300') of the property lines of your property. It is the responsibility of the applicant to mail the public hearing notice to all property owners within three-hundred feet (300') of the applicant's property by certified mail, return receipt requested, at least ten days before the date of such hearing and submit the mailing receipts at the meeting.

ZBA meetings are held on the fourth Tuesday of the month at 7:00 pm (subject to change).You should expect to attend at least two (2) ZBA meetings in connection with your application.

Consultant Review & Fees

All fees for consultant review that the ZBA incurs during the review of an application will be the responsibility of the applicant. An advanced deposit for these fees will be required to be placed in an escrow account with the Village of Warwick. ***No review of the application will commence until the escrow deposit is received.*** In addition, if the escrow balance falls below 80% of the initial deposit, the applicant will be required to make an additional deposit to bring the balance back to the original amount, prior to any further review of the application by the ZBA. ***Decisions of the ZBA will not be signed unless the escrow account is current.***

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VILLAGE OF WARWICK
INCORPORATED 1867

Zoning Board of Appeals

Area Variance Application

Administrative Section only

Date Received: 7/1/25

Escrow Fee: Residential $1,500.00 - CHK# 387 pd.

Digital Copy Provided: _____

Escrow Fee: Commercial $ N/A

8 Hard Copies Provided: _____

Fee: Residential $ 200.00 CHK# 386 ☑ Paid

Fee: Commercial $ _____ ☐ Paid

Date of Public Hearing: _____

Date of Final Action: _____

Applicant – Please complete the following:

Applicant's Name: John + Lauren Peruso

Applicant's Address: 24 Wheeler Ave, Warwick NY 10990

Day/Evening Phone: 845-742-9286

Email: perusoj@gmail.com

Owner of Property (if different from Applicant): Same as applicant

Owner's Address: Same as applicant

Location of Property: 24 Wheeler Ave Warwick, NY 10990

Section, Block and Lot (SBL) Number: 207-2-24 Zoning District: Limited office Overlay (LO)

Present use of Property: Primary Residence

Proposed use of Property: Two Family

This form is to be completed by persons applying for an **Area Variance.**
(If unsure, contact the Building Inspector.)
Submit the below information for each section of Village Code for which you are requesting an **Area Variance.**
Please answer all questions and give a detailed explanation. *Attach additional sheets if necessary.*

1. Variance Description (include Village Code Section(s) from which variance(s) are requested):

   Area Variance for 24 Wheeler Ave (Lot 5,782 sq ft) (22,500 is minimum) to Reclassify as a two family dwelling under LO overlay. Required relief from §145-90 / §145-52 / §145-25, and §145-131(E) to permit change of use from single to two family on a legally pre existing non conforming lot + any applicable unit size requirements.

2. Statement of Need:
   Please explain why the requested **Area Variance(s)** is/are necessary.

   The subject property at 24 Wheeler Ave was developed prior to current zoning standards and is legally non-conforming in lot size at approx. 5,782 sq ft, significantly below the 22,500 sq ft minimum required for a two family dwelling in the Limited office Overlay Zone. The requested area variance is necessary solely to allow the reclassification of the home from a sigle family to a two family dwelling. NO changes are being made to the buildings footprint, exterior, or layout. The property functions well as a two-family and is already configured accordingly, the requested relief addresses zoning compliance. This request aligns with the intent of the LO Overlay, which permits two-fam homes and encourages housing variety in walkable, mixed-use area The variance will allow the property to be used more efficiently while maintaining neighborhood character, and poses no adverse impact on health, safety, or neighboring properties. The relief sought is the minimum necessary focused only on dimensional non-conformities due to historical lot constraints, not any proposed physical changes. Relief is also requested in the event of any minimum unit size requirement

3. New York State Review Criteria for an Area Variance:

When requesting an **Area Variance** (permission to use property in a manner that is not allowed by the dimensional or physical requirements of the zoning regulations), NYS law requires the Applicant to show that the benefit of the Variance ot the Applicant will outweigh any detriment to the health, safety and welfare of the neighborhood or community. Please comment on the following criteria that the ZBA must consider in making its determination:

a. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the Area Variance(s).

Granting this area variance will not result in an undesirable change to the character of the neighborhood, nor will it create a detriment to nearby properties. The proposed use is fully consistent with the existing makeup of the area. Directly across the street is a four family home, two homes to the left is a two family, behind my subject property is an apartment complex, both corner lots at the end of the block/intersection across street from each other are two family homes, as are several others further up on the street and several homes on adjacent Cherry Street. Multi-family homes are common and appropriate in this neighborhood. Importantly, the home will maintain the appearance of a single family dwelling. The conversion will occur within the existing footprint, structure, and floorplan, maintaining the residential look + feel of the property and streetscape. In fact, many of the existing two family and multi-unit homes in the neighborhood are visibly distinct. That will not be the case here. Over the past two years, I have invested heavily into restoring and improving the exterior of the home - securing proper permits and using licensed professionals. Numerous members of the neighborhood have thanked me for the improvements to the street and people often stop to take photos and compliment it. I also took the initiative to repaint the Rusted Bridge railings on both sides of the street (with the mayors permission of course) at my own expense and time to enhance the appeal of the immediate area. From a health and safety perspective, the proposed unit will comply with all applicable building and fire/egress safety codes.

The project will not add density beyond what already exists in the neighborhood and will instead provide a safe, high quality living space that supports reasonable housing growth without compromising the welfare of the community.

b. Whether the benefit sought by the Applicant can be achieved by some method, feasible for the Applicant to pursue, other than an Area Variance(s).

The benefit sought, permission to formally classify this home as a two-family dwelling can not be achieved by any other ~~method~~ feasible method. The home already contains a separate living area that functions as an independent unit (own kitchen, bathroom, entrance, etc.) and no physical expansion or structural alteration is proposed. The intent is to legalize this existing and bring the property to full compliance. Seeking a variance is the only practical and lawful path to achieve this goal. Other options such as applying for an accessory apartment permit, are not suitable because such designations are ~~not~~ temporary and typically become void upon transfer of ownership or if the primary resident no longer occupies the property. In contrast, a two family is permanent, transparent, and ensures long term compliance. The requested variance allows for responsible, code-compliant use of the property while maintaining its visual appearance and structural footprint. There is no method available to provide the same long term benefit without a variance. Important even with a variance in place, the home can still be used as a sigle family dwelling in the future if desired. The variance just offers flexibility and legal clarity without imposing any permanent or physical changes to the structure.

c. Weather the requested Area Variance(s) is/are substantial.

Not substantial in context. The proposed use remains fully residential and the structure will remain entirely within its existing footprint and continue to appear as a sigle family residence. No exterior changes are proposed. In neighborhood context, its consistent with surrounding uses, many of which are multi-family with more visualy substantial impact. In contrast, the property will appear no different than it does today. Considering the scale of the variance and the fact it does not involve new construction, increased lot coverage, or excessive density, it should be viewed as reasonable and not substantial in nature

d. Whether the requested Area Variance(s) will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

The requested variance will have no adverse effect on the physical or environmental conditions of the neighborhood. The structure will remain unchanged, with no additions, site disturbance, or increased lot coverage. The property will contine to remain well-maintained. The proposed use aligns with existing nearby multi-family properties and does not introduce any new environmental burden or infrastructure demand.

e. Whether the alleged difficulty is self-created.

While the need for the variance may be considered self-created, this factor does not preclude approval. The intent is to bring the property into full compliance with current zoning, in a manner that is consistent with the surrounding neighborhood and without expansion or alteration of appearan The request reflects a responsible effort to legalize an existing use, not to create new impacts. Granting the variances will result in a safe, code-compliant, and appropriately used property that supports the character of the area.

I, the undersigned, am the Owner, or their Authorized Agent.
(If the Applicant is not the Property Owner, then attach the notarized Owner Endorsement form which gives authorization to the Applicant.)

Applicant's Signature: John Pernoo Date: 6/30/25

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

N/A

OWNER'S ENDORSEMENT

STATE OF New York :
SS:
COUNTY OF Orange :

John Peruso + Lauren Peruso being duly sworn, deposes and says that he/she
(name)

resides at 24 Wheeler Ave Warwick NY in the County of Orange,
(owner's street address)

State of New York and that he/she is the owner in fee (or the N/A
(official title)

of N/A which is the owner in fee) of the premises described in the
(corporate entity)

forgoing application and that he/she/it has authorized Brian Friedler to make the
(applicant)

Foregoing area variance application to the Village of Warwick Zoning Board of Appeals as described therein and agrees to be bound by all statements, conditions and representations contained therein as if he/she/it had so petitioned.

Signature

Dated: 7/1/25

Sworn to before me this 1st
day of July, 2025

KRISTIN A. BIALOSKY
A Notary Public of New Jersey
ID# 50208896
My Commission Expires April 10, 2028

Notary Public

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mayor@villageofwarwick.org
clerk@villageofwarwick.org

VILLAGE OF WARWICK
INCORPORATED 1867

Interest Disclosure

Affidavit Pursuant to Section 809 of the General Municipal Law

ZONING BOARD OF APPEALS: VILLAGE OF WARWICK

In the matter of the Application of 24 Wheeler Ave Warwick NY 10990

State of New York)
)ss.:
County of Orange)

I, John + Lauren Peruso, being duly sworn, herby deposes and says:

That I am the owner or the agent for the owner of the property described in the within application to the Zoning Board of Appeals of the Village of Warwick, Orange County, New York, and if not the owner I have been duly and properly authorized to make this application and to assume the responsibility for the owner in connection with the application.

That there is no State officer, Orange County Officer or employee, Town of Warwick officer or employee or Village of Warwick officer or employee nor his or her spouse, brother, sister, parent, child or grandchild, or a spouse of any of these relatives who is the applicant or who has an interest in the person, partnership or association making this application, petition or request; or is an officer, director, partner or employee of the applicant; or, if this applicant is a corporation, legally or beneficially owns or controls any stock of the applicant (excluding ownership of less than 5% of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges); or, if the applicant is an association or a partnership, is a member or partner of the applicant; or is a party to an agreement with the applicant, express or implied, whereby such officer or employee may receive any payment or other benefit, whether or not for service rendered, which is dependent or contingent upon the favorable approval of this application, petition or request.

That to the extent that the same is known to your applicant, and to the owner of the subject premises, there is disclosed herewith the interest of the following officer or employee of the State of New York or of the County of Orange or of the Town of Warwick or of the Village of Warwick in the petition, request, or application or in the property of subject matter to which it relates: **(If none, so state)**

1. Name and address of officer or employee:

2. Nature of interest:

Owner

3. If stockholder, number of shares:

N/A

4. If Officer or partner, nature of office and name of partnership:

N/A

5. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such State, County, Town or Village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing in such ownership.

N/A

6. In the event of corporate ownership: A list of all directors, officers and stockholders of each corporation owning more than five (5%) percent of any class of stock, must be attached if any of these are officers or employees of the State of New York, or of the County of Orange, or of the Town of Warwick, or of the Village of Warwick.
7. In the event there is any change in the information set forth herein between the date hereof and the final determination of this application, a supplement affidavit will be filed to provide that further information

I, John + Lauren Peruso, do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

Applicant's Signature

24 Wheeler Ave Warwick NY 10990
Applicant's Mailing Address

State of New York
County of Orange

Sworn to before me this 1st
day of July, 20 25

Notary Public

KRISTIN A. BIALOSKY
A Notary Public of New Jersey
ID# 50208896
My Commission Expires April 10, 2028

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VILLAGE OF WARWICK

INCORPORATED 1867

Zoning Board of Appeals

Escrow Deposit
Affidavit of Owner's Obligation to
Comply with Village Code Section
Reimbursement of costs and expenses.
[Amended 3-5-2012 by L.L. No. 5-2012]
Requiring Escrow Deposit to
Pay Professional Review Fees

Re: 24 Wheeler Ave
Escrow Amt: Area V. $1,500.00 Use V. $2,500.00

State of New York)
County of Orange)ss:
Village of Warwick)

I, John + Lauren Peruso, being duly sworn, hereby depose and say:

1. That I have been advised of the requirement of Village Code 64-3, which states:

§ 64-3 **Reimbursement of costs and expenses.**
[Amended 3-5-2012 by L.L. No. 5-2012]

A. The applicant for approval of any land use or land development proposal shall reimburse the Village for all of the Village's reasonable and necessary consulting costs, as described herein, incurred by the Village in connection with the review and/or approval of the application. Said fees and expenses are deemed application fees. Reimbursement shall be made in accordance with this chapter. For the purposes of this chapter, the term "land use or development" shall include, but not be limited to, a subdivision, lot line change, site plan, conditional use permit, a change of use application, special permit, wetlands permit, variance, interpretation, appeal to the Zoning Board of Appeals, or any modification or amendment of any of the foregoing.

B. Initial Planning and Zoning review escrow deposits pursuant to the fee schedule established by this chapter shall be delivered to the Village Clerk as part of the original application.

C. No review shall be undertaken by the consultants, nor shall the matter be scheduled before the Planning Board, Zoning Board, or Village Board, until the initial fee and escrow deposit, as

set forth in this chapter or the incorporated fee schedule, is paid. A fee schedule shall be established, and changed as needed, by resolution of the Village of Warwick Board of Trustees. A copy of the fee schedule is on file with the Village Clerk's office and the Village of Warwick Planning Department. In addition to the above-referenced fee schedule, the Planning Board may require an applicant to pay an added amount, to be held in escrow and ultimately disbursed, to pay the costs incurred by the Village for all consulting services it may reasonably seek to engage, including, but not limited to, archaeological, engineering, planning, legal and clerical costs incurred in processing and review of a subdivision or other application. Such amount deemed necessary for escrow shall be reasonably related to costs attendant to the Village's review, and such amount shall be computed by the reviewing Board in consultation with the applicant. Further, if such escrow payment is deemed necessary, this fee shall be in addition to and exclusive of any fee(s) properly assessed to the applicant in connection with the SEQRA process.

D. In addition to the application fees required to be paid by an applicant, the applicant shall also reimburse the Village for any and all fees paid by the Village in connection with the review of such application by the Planning Board, Zoning Board of Appeals, or Board of Trustees. With regard to applications to the Zoning Board of Appeals for variances, the Village Board for zone change applications and the Planning Board for subdivisions, conditional use permits, change of use applications, lot line changes and site plan, the respective Board, as the case may be, shall set an amount, in consultation with the Village Engineer, Planner and Attorney, to be placed in an escrow account to be maintained by the Village for the purpose of paying the fee statements of the Village professionals in connection with the review of the application. Applicants before the respective Boards for other relief shall pay the fee statements for Village professionals within 30 days of presentation. All applicants shall be presented with a fee statement or statements for such review and/or payment on a periodic basis or upon request.

E. If the escrow account falls below 80% of the initial deposit, the applicant shall, unless waived by resolution of the applicable Board, pay additional funds into the escrow account to maintain that account at 80% of the initial deposit.

F. In the event that an applicant shall withdraw his application at any stage of the proceedings or when the application review and approval process has been completed, the balance of funds in the applicant's account after all current outstanding fees are paid shall be either remitted to the applicant within 60 days of final action by the board or, if so directed by the applicant, remain on deposit as the applicant's initial payment toward post-approval inspection requirements (if required).

G. The applicant shall remain responsible for reimbursing the Village its invoiced costs and expenses in reviewing the applicant's land use application, notwithstanding that the escrow account may be insufficient to cover such costs and expenses.

H. In the event that the applicable board, in the course of reviewing an application, determines that the proposed action requires a positive declaration under SEQRA, all costs incurred by the board for review of any environmental impact statements, whether of a professional or clerical nature, shall be borne by the applicant pursuant to 6 NYCRR 617.8(a). Such costs shall be covered by an escrow account to be established pursuant to this section within 15 days of issuance of said positive declaration in an amount to be set by the applicable board pursuant to the fee schedule set forth as part of this chapter.

I. All applicants with matters described herein pending before the Village Board, Planning Board or Zoning Board of Appeals as of the effective date of this chapter shall be required to comply with the new fees and escrow account maintenance provisions contained herein.

J. In cases where the complexity of an application (or lack thereof) or unusual circumstances surrounding the matter require that the initial fee or the percentage of that initial fee to be maintained in escrow be modified, the reviewing board is authorized to grant such modification within the following guidelines:

(1) The amount of any initial fee modification shall be reasonably related to the costs attendant to the Village's review of the application.

(2) The amount of any escrow maintenance percentage shall be reasonably related to the complexity of the project as well as the stage to which the project has progressed as of the time of modification.

K. Each of the Village's engineering, legal and/or planning consultants who render services pertaining to a land use or development application shall submit monthly itemized vouchers to the Village Board (through the Clerk to the Planning Board and/or Zoning Board), reasonably setting forth the services performed and amounts charged for such services.

L. Copies of said itemized vouchers shall be transmitted to the applicant simultaneously with their delivery to the Village Board, together with a notice notifying the applicant that the failure to object to payment of the amount of the charges contained in said itemized voucher out of escrow funds within 15 days of the sending of said notice shall constitute an agreement by the applicant as to the reasonableness of the charges. Presentation of such statements shall be deemed complete when mailed by the Village to the applicant's designated representative.

M. The Planning Board and/or the Zoning Board (as appropriate) shall review vouchers for services rendered to each and shall communicate its approval of same to the Village Board. The Village Board shall review and audit all such vouchers and shall determine, in its discretion, the engineering, legal and planning fees which are reasonable in amount and necessarily incurred by the Village in connection with the review and/or approval of the land use or development application. A fee or expense of part thereof is reasonable in amount if it bears a reasonable relationship to the customary fee charged by engineers, attorneys or planners within the region for services performed on behalf of applicants or reviewing boards in connection with

applications for land use or development. The Village Board may also take into account any special conditions for considerations as the Village Board may deem relevant. A fee and expense or part thereof is necessarily incurred if it was charged by the engineer, attorney or planner for a service which was rendered in order to:

(1) Assist in the protection or promotion of the health, safety or welfare of the Village or its residents;

(2) Assist in the protection of public or private property or the environment from potential damage that otherwise may be caused by the proposed land use or development;

(3) Assure or assist in compliance with laws, regulations, standards or codes which govern land use and development;

(4) Assure or assist in the orderly development and sound planning of a land use or development;

(5) Assure the proper and timely construction of public improvements, park and other facilities which affect the public welfare;

(6) Protect the legal interest of the Village;

(7) Avoid claims against and liability of the Village; or

(8) Promote such other interests that the Village Board may specify as relevant.

N. After review and audit of such voucher by the Village Board, the Board shall authorize payment of same and shall provide to the applicant a copy of the voucher as audited.

O. The Planning Board and Zoning Board are hereby authorized, at the time of action on any project, to require that payment of any amount overdue be a condition of approval. No plat or plans will be signed, and no building permit or other permit or certificate of occupancy shall be issued, until such time as all reimbursement of costs and expenses has been fully paid. The Village Board, Planning Board, and Zoning Board of Appeals reserve the right, at their discretion, to deny action to any applicant with an overdue balance, until the account is brought into compliance with this section.

P. Amounts paid pursuant to this chapter shall be placed in a trust and agency liability account to fund expenses incurred by the Village in processing the application as provided for in Subsection **A** above. The Village shall keep a record of the name of the applicant and project and of all such monies deposited and withdrawn. Monthly vouchers submitted by the Village's engineers, attorneys and/or planners shall be reviewed and audited by the Village Board and provided to the applicant, and the applicant may appeal said audit amount as provided herein. The Village reserves the right to redact any voucher as deemed necessary.

Q. All fee and expense reimbursement payments are due and payable within 15 days after delivery of a copy of an itemized voucher to the applicant as provided for in Subsection **L** above. Interest shall accrue on any unpaid itemized voucher at the rate of 9% per annum. The

pursuance of an appeal under this section or § **64-4** shall not affect the obligation to pay interest on any unpaid balance ultimately determined to be due.

R. Any applicant who disputes any fee statement presented to him pursuant to this chapter may bring a proceeding in the Supreme Court of the State of New York, in and for the County of Orange, pursuant to Article 78 of the Civil Practice Law and Rules of the State of New York, within 30 days after presentation of such disputed fee statement. The commencement of such a proceeding shall not stay the obligation of the applicant to pay any fee statement presented to him pursuant to this chapter.

S. Failure to reimburse fees. Any fee statement imposed by this chapter which remains unpaid at the time the Village certifies its annual tax roll shall become a lien upon the premises for which the application was made. Such unreimbursed fees shall thereupon be levied against the said premises, as if a tax on real property, and in addition to all other taxes, fees, rents or charges which would otherwise be so levied. In the event the affected premises comprises more than one tax lot, then the Village Treasurer shall distribute such levy equally among each such tax lot without regard to assessed value or any other factor.

T. The provisions of this chapter are severable. If any clause, sentence, paragraph, section, word or part of this chapter shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, word or part thereof directly involved in the controversy in which such judgment shall have been rendered. If any portion of this article is found to be in conflict with any other provision of any other local law or ordinance of the Code of the Village of Warwick, the provision which establishes the higher standard shall prevail.

§ 64-4**Appeals.**

A. An applicant may appeal, in writing, to the Village Board for a reduction in the required reimbursement amount. An appeal must be filed with the Village Board no later than 15 days after mailing or other delivery to the applicant of the contested voucher.

B. Failure to file an appeal within 15 days of the mailing of the voucher shall constitute waiver of any objection to the charge.

C. Upon such appeal, the Village Board, in its discretion, may determine that an applicant is not required to reimburse the Village for that part of an engineering, legal or planning fee incurred by the Village for services performed in connection with an application matter for which the Village Board determines the applicant bears no responsibility and which was beyond the reasonable control of the applicant.

D. The Village Board's determination shall be in writing and shall be made no later than 45 days after receipt of the applicant's appeal.

§ 64-5 **Payment of fees.**

All fees shall be payable to the Village of Warwick by certified funds or bank check.

§ 64-6 **Supersedence.**

This chapter is enacted pursuant to the authority of Subparagraphs a(11), a(12) and d(3) of § 10(1)(ii) of the Municipal Home Rule Law and § 22 of the Municipal Home Rule Law. To the extent that Village Law or any other provision of law does not specifically authorize the Village Board, Planning Board or Zoning Board of Appeals to require the reimbursement to the Village and the advance deposit of funds for engineering, legal and planning fees and expenses incurred by the Village in connection with land use, variance and development applications, it is the express intent of the Village Board to supersede such statutes. Further, to the extent such statutory provisions do not specifically authorize the deferral or withholding of decisions or other conduct by the Village's boards in the event such fees and expenses are not reimbursed to the Village, such statutory provisions are expressly superseded.

§ 64-7 **Severability.**

The invalidity or unenforceability of any particular provision of this chapter shall not affect the validity or enforceability of other provisions of this chapter, which provisions shall continue to be both enforceable and valid.

§ 64-8 **When effective.**

This chapter shall take effect upon the filing of certified copies thereof with the Office of the Secretary of State in accordance with the Municipal Home Rule Law.

2. I agree to comply with the requirements of Village Code Section §64-3

John Peruso: _____

Lauren Peruso: _____

Applicant's Signature

24 Wheeler Ave, Warwick NY 10990

Applicant's Mailing Address

State of New York

County of Orange

Subscribed and sworn before me this 1st

day of July 2025

KRISTIN A. BIALOSKY
A Notary Public of New Jersey
ID# 50208896
My Commission Expires April 10, 2028

_____

Notary Public

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planning@villageofwarwick.org

VILLAGE OF WARWICK

INCORPORATED 1867

Zoning Board of Appeals
Proxy Statement

Date: 7/1/25

I, John + Lauren Peruso, owner of the property located at:
24 Wheeler Ave in Warwick, NY 10990, give my permission
to: Brian Friedler to obtain the following:

- [ ] Zoning Board of Appeals – Use Variance
- [x] Zoning Board of Appeals – Area Variance
- [ ] Zoning Board of Appeals – Appeal of an Action or Interpretation by the Building Inspector

Signature of Owner John Peruso Lauren Peruso

State of NY

County of Orange

Subscribed and sworn before me this 1st
day of July, 20 25

Notary Public

KRISTIN A. BIALOSKY
A Notary Public of New Jersey
ID# 50208896
My Commission Expires April 10, 2028

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

Name of Action or Project:
PERUSO PROPERTY

Project Location (describe, and attach a location map):
24 WHEELER AVE, WARWICK NY

Brief Description of Proposed Action:
PROPOSED CONVERSION OF A SINGLE-FAMILY DWELLING INTO A TWO-FAMILY DWELLING

Name of Applicant or Sponsor:	Telephone:
JOHN A. PERUSO	E-Mail:

Address:
24 WHEELER AVE

City/PO:	State:	Zip Code:
WARWICK	NY	10990

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? 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 government Agency? If Yes, list agency(s) name and permit or approval: VILLAGE ZBA, PLANNING BOARD & BLDG. DEPT.	☐	☑

3. a. Total acreage of the site of the proposed action? 0.13 acres
   b. Total acreage to be physically disturbed? 0 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.13 acres

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

5. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☑ Commercial ☑ Residential (suburban)
   ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):
   ☐ Parkland

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

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ☑ Urban ☐ Suburban

	NO	YES
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? Indiana Bat	☐	☑
16. Is the project site located in the 100-year flood plan?	☑	☐
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?	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☑	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	☑	☐
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:	☑	☐
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: THERE ARE NO RECORDS OF A HAZARDOUS WASTE SPILL FROM THE NYSDEC.	☐	☑

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

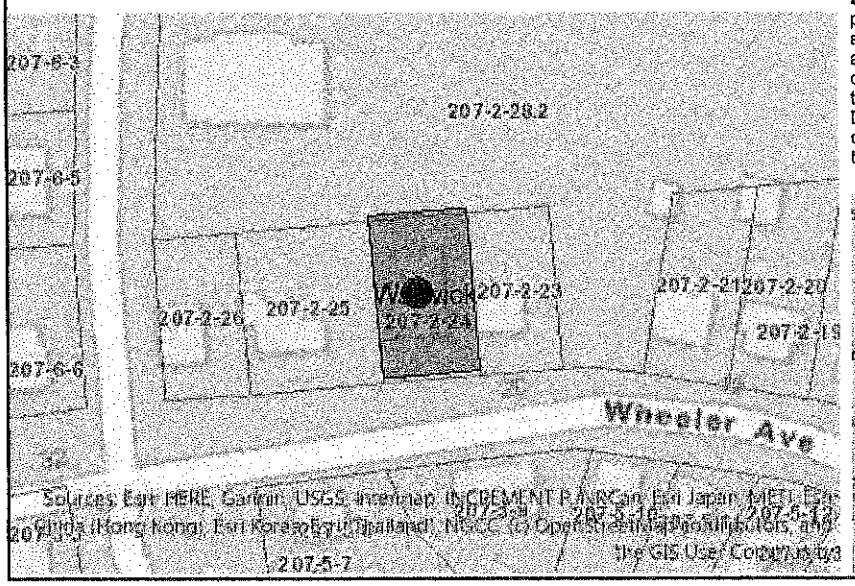
Applicant/sponsor/name: BRIAN FRIEDLER, P.E. Date: 6/23/25

Signature: Title: ENGINEER

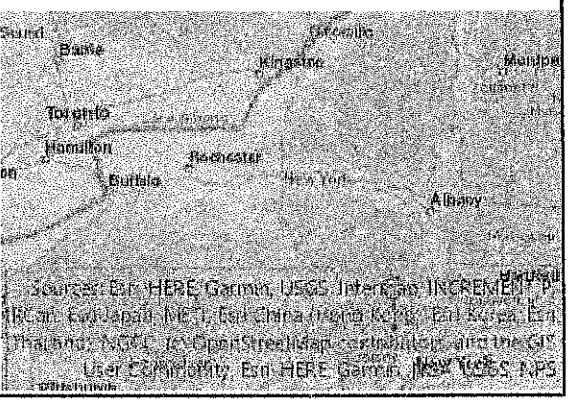
PRINT FORM

EAF Mapper Summary Report

Monday, June 23, 2025 3:25 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources to confirm data provided by the Mapper or to obtain data not provided by the Mapper.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Indiana Bat
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes