

- GENERAL NOTES**
1. TAX MAP DESIGNATION: SECTION 207, BLOCK 5, LOT 1  
43 WHEELER AVENUE, WARWICK, NY 10990
  2. RECORD OWNER / APPLICANT:  
PATRICK & HAZELYN CORCORAN  
37 HIGH STREET  
WARWICK, NY 10990
  3. PROPERTY AREA: 0.156 ± ACRES
  4. ZONING DISTRICT: CENTRAL BUSINESS (CB)
  5. PROPOSED WATER SUPPLY: VILLAGE OF WARWICK WATER SYSTEM
  6. PROPOSED SEWAGE DISPOSAL: VILLAGE OF WARWICK SEWER SYSTEM
  7. SURVEY AND TOPOGRAPHY INFORMATION PROVIDED BY JOHN A. MCGLOIN, P.L.S., DATED DECEMBER 22, 2005. TOPOGRAPHY INFORMATION TAKEN FROM ORANGE COUNTY IMAGE MATE.
  8. EXISTING USE: VACANT LAND
  9. PROPOSED USE: THREE-FAMILY RESIDENCE.

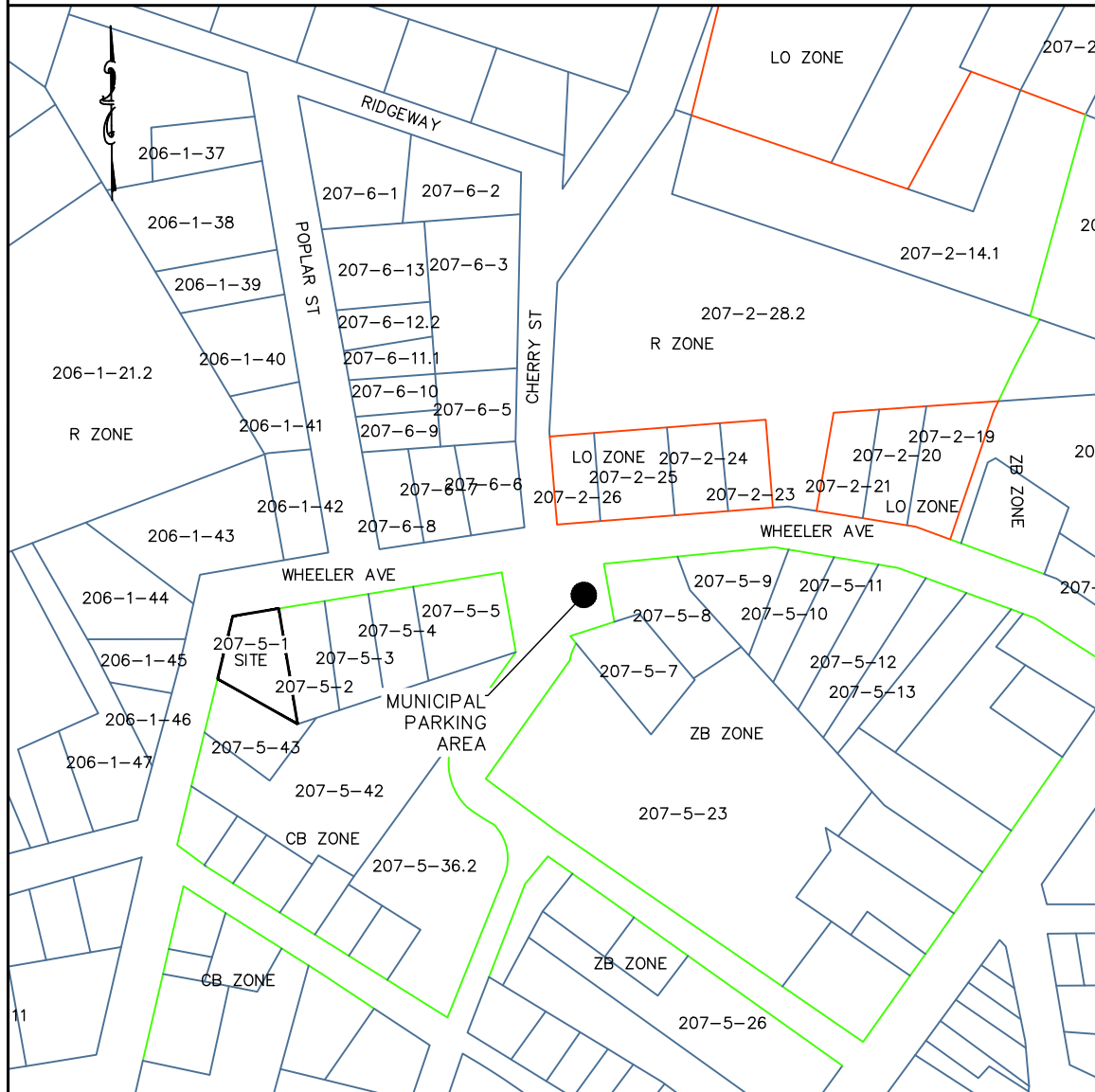
**ZONING DATA :**

ZONING DISTRICT: CENTRAL BUSINESS (g RESIDENTIAL)		
ITEM	REQUIRED	PROVIDED
MIN. LOT AREA	22,500 SQ.FT.	6,800 SQ.FT.(*)
MIN. LOT WIDTH	125 FT.	49.52 FT.(*)
FRONT SETBACK	40 FT.	10 FT.(*)
MIN. FRONT YARD	40 FT.	10 FT.(*)
MIN. REAR SETBACK	35 FT.	10 FT.(*)
MIN. REAR YARD	10 FT.	10 FT.(*)
MIN. SIDE SETBACK	25 FT.	10 FT.(*)
MIN. SIDE YARD	15 FT.	10 FT.(*)
MIN. STREET FRONTAGE	90 FT.	74.23 FT.(*)
MAX. BLDG. HEIGHT	35 FT.	23 FT.
DEVELOPMENT COVERAGE	35%	32.8%
MIN. LOT DEPTH	125 FT.	120 FT.(*)
LIVABLE FLOOR AREA	900 SF	1,224 SF

(\*) VARIANCE GRANTED ON APRIL 11, 2023

**PARKING NOTE:**  
NO PARKING ON UNPAVED AREAS

**VICINITY MAP**  
SCALE: 1" = 200'±



4	12/05/23	VILLAGE OF WARWICK PLANNING BOARD REVIEW
3	11/30/23	VILLAGE OF WARWICK PLANNING BOARD REVIEW
2	07/17/23	VILLAGE OF WARWICK PLANNING BOARD REVIEW
1	07/05/23	VILLAGE OF WARWICK PLANNING BOARD REVIEW
ISSUE	DATE	DESCRIPTION

**DRIVEWAY PAVEMENT NOTE:**  
PAVEMENT SHALL BE SLOPED TO THE STREET.

**CONSTRUCTION NOTES:**

1. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITY LINES, WHETHER IN THE PUBLIC RIGHT-OF-WAY, IN EASEMENTS, OR IN PRIVATE PROPERTY PRIOR TO STARTING ANY EXCAVATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITY LINES THROUGHOUT THE COURSE OF CONSTRUCTION. PROJECT SAFETY SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
2. CALL BEFORE YOU DIG UNDERGROUND FACILITIES PROTECTIVE ORGANIZATION 2 FULL WORKING DAYS BEFORE YOU DIG AT 1-800-962-7962.

**LEGEND**

---	EXISTING PROPERTY LINE
- - -	OVERHEAD UTILITY LINES
X	PROPOSED SILT FENCE
---	SETBACK REQUIREMENTS
- - - 526 - - -	EXISTING CONTOUR
(526)---	PROPOSED GRADE
x. 526	PROPOSED SPOT GRADES

**APPROVED FOR FILLING:**

OWNER(S) \_\_\_\_\_ DATE \_\_\_\_\_

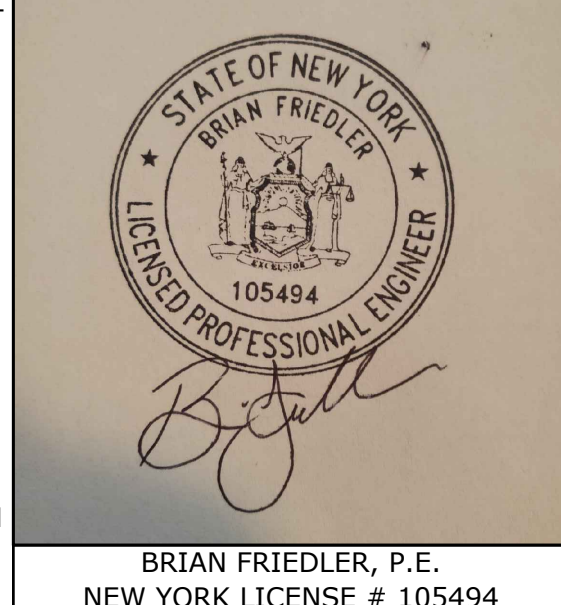
APPROVED AS A FINAL SITE PLAN BY A RESOLUTION OF THE PLANNING BOARD OF THE VILLAGE OF WARWICK ON \_\_\_\_\_

CHAIRMAN \_\_\_\_\_ DATE \_\_\_\_\_

VILLAGE ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

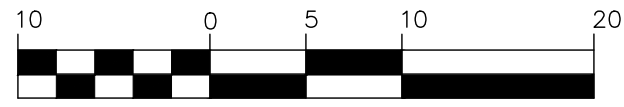
COPIES OF THIS DOCUMENT WITHOUT AN ACTUAL OR FACSIMILE OF THE ENGINEER'S SIGNATURE AND AN ORIGINAL STAMP OR EMBOSSED SEAL SHALL BE CONSIDERED INVALID.

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DOCUMENT BEARING THE SEAL OF A LICENSED PROFESSIONAL ENGINEER IS A VIOLATION OF SECTION 7209 SUBSECTION 2 OF THE NEW YORK STATE EDUCATION LAW.



BRIAN FRIEDLER, P.E.  
NEW YORK LICENSE # 105494

**GRAPHIC SCALE**



1" = 10'

**SITE PLAN**

**43 WHEELER AVE**

SECTION 207 BLOCK 5 LOT 1  
VILLAGE OF WARWICK  
ORANGE COUNTY, NEW YORK

**FRIEDLER ENGINEERING, PLLC**

PH. 845.544.5662  
9 LOCUST STREET WARWICK, NEW YORK 10990  
FRIEDLERENGINEERING@OUTLOOK.COM

DRAWN BY BJF	CHECKED BY BJF	SCALE AS SHOWN	JOB NO. FE-23102	SHEET NO. 1 OF 4
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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: Patrick Corcoran	
Project Location (describe, and attach a location map): 43 Wheeler Ave	
Brief Description of Proposed Action: creating a 3 family dwelling with a total of 8 bedrooms	
Name of Applicant or Sponsor: Patrick Corcoran	
Telephone: 646-879-1458	
Address: 43 Wheeler Ave	
City/PO: Warwick	State: NY
Zip Code: 10990	E-Mail: hazel_corcoran@hotmail.com
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.	NO YES <input type="checkbox"/> <input checked="" type="checkbox"/>
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 of Zoning Board of Appeals	NO YES <input type="checkbox"/> <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	6,800 sq. ft. acres 1,834 sq. ft. acres 6,800 sq. ft. acres
4. Check all land uses that occur on, are adjoining or near the proposed action: 5. <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	

Page 1 of 3

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO YES N/A <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO YES <input type="checkbox"/> <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 YES <input checked="" type="checkbox"/> <input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" 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:	NO YES <input type="checkbox"/> <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 YES <input type="checkbox"/> <input checked="" type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment:	NO YES <input type="checkbox"/> <input checked="" type="checkbox"/>
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" 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? 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:	NO YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Page 2 of 3

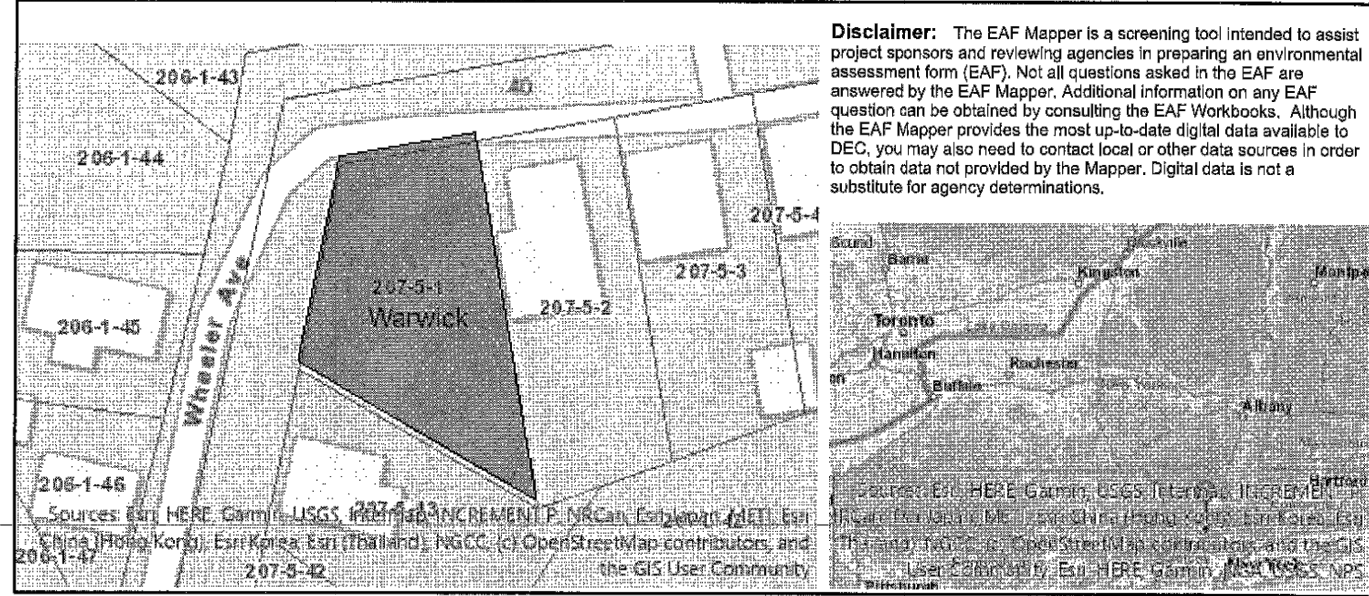
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban	NO YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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 -- 1 tree on site which will remain	NO YES <input type="checkbox"/> <input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plain?	NO YES <input checked="" type="checkbox"/> <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? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO YES <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
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:	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: please see attached	NO YES <input type="checkbox"/> <input checked="" type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: Patrick Corcoran Date: 5/9/2023 Signature: [Signature] Title:	

PRINT FORM

Page 3 of 3

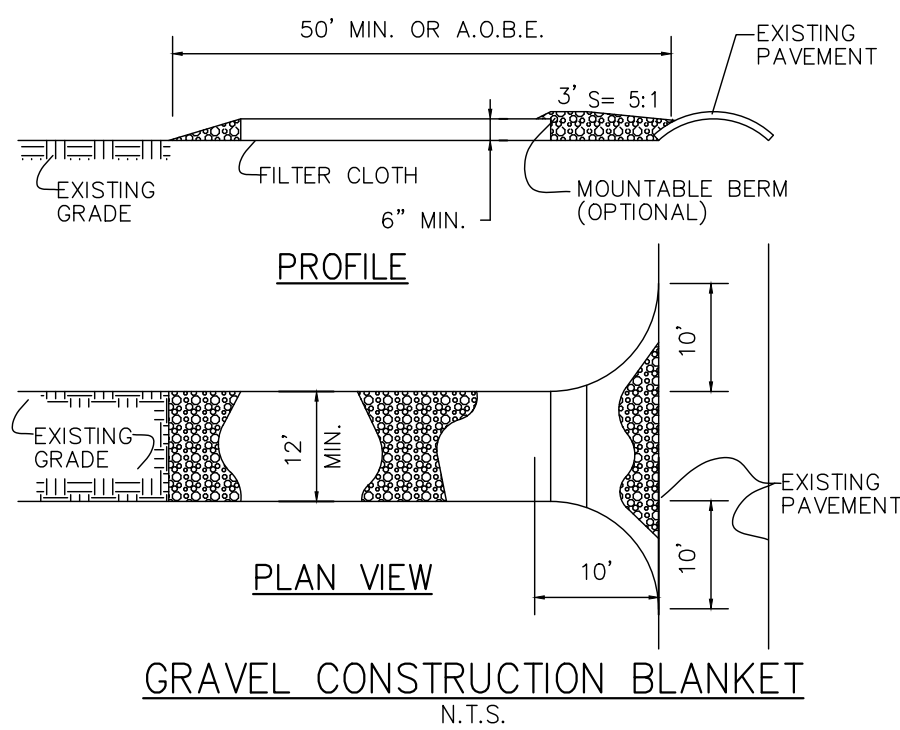
EAF Mapper Summary Report

Wednesday, May 10, 2023 11:10 PM



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]	No
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 - 26 Railroad - please see attached

Short Environmental Assessment Form - EAF Mapper Summary Report

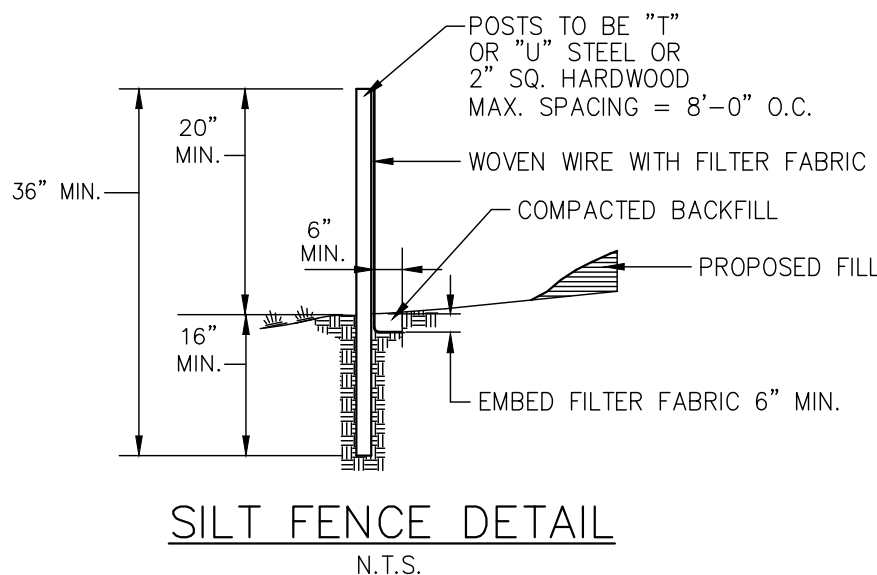


GRAVEL CONSTRUCTION ENTRANCE BLANKET SPECIFICATIONS:

- STONE SIZE – USE 1”–4” STONE AGGREGATE
- LENGTH – 50 FT.
- THICKNESS – 6” MINIMUM THICKNESS.
- WIDTH – TWELVE (12) FT. MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS.
- FILTER CLOTH – WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE. FILTER WILL NOT BE REQUIRED ON A SINGLE FAMILY LOT.
- SURFACE WATER – ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
- MAINTENANCE – THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND AND REPAIR AND/OR CLEAN OUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHT-OF-WAY MUST BE REMOVED IMMEDIATELY.
- WASHING – WHEELS SHALL BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON A AREA STABILIZED WITH STONE AND WHICH DRAINS INTO A APPROVED SEDIMENT TRAPPING DEVICE. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.
- ONCE ONSITE CLEARING, GRADING, AND EXCAVATION IS COMPLETE, THE DRIVEWAY SUBBASE (ITEM 4) CAN BE INSTALLED.

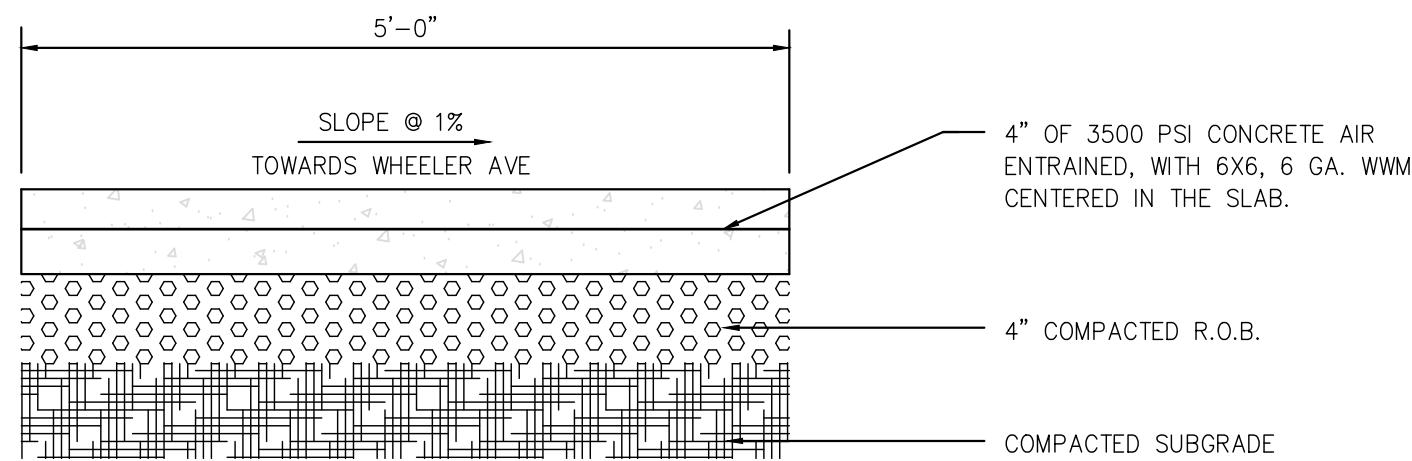
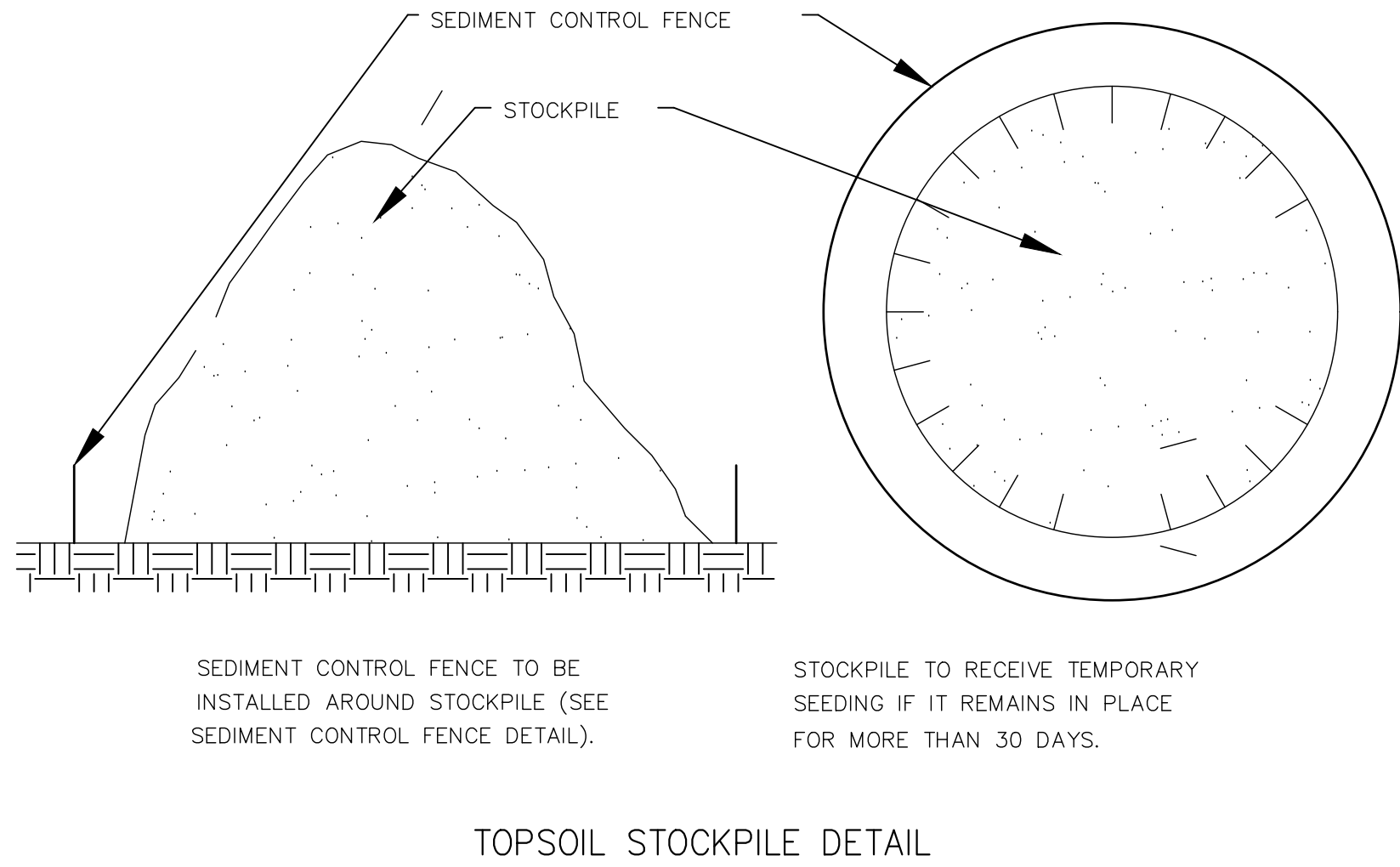
SOIL EROSION CONTROL NOTES

- SILT FENCE BARRIERS SHALL BE INSTALLED PRIOR TO CONSTRUCTION.
- DISTURBANCE TO BE LIMITED TO THE MINIMUM NECESSARY FOR THE GRADING AND CONSTRUCTION OF THE PROPOSED IMPROVEMENTS.
- TEMPORARY SEEDING WITH ANNUAL RYE GRASS OR OTHER RAPID GROWING MIXTURE SHALL BE PERFORMED ON DISTURBED SOIL REMAINING VACANT FOR MORE THAN ONE MONTH AS FOLLOWS:  
a. LOOSEN SEEDING BY DISCING TO 4” DEPTH.  
b. FERTILIZE AS PER SOIL TEST OR APPLY 5–10–10 FERTILIZER (20 lbs. per 1000 s.f.)  
c. SEED WITH PERENNIAL RYEGRASS (20 lbs. per 1000 s.f.)  
d. MULCH WITH STRAW MULCH (90 lbs. per 1000 s.f.)
- ALL DISTURBED AREAS TO BE MULCHED TO PREVENT EROSION. THE CONTRACTOR SHALL COMPLY WITH ALL REQUESTS OF THE TOWN ENGINEER OR BUILDING INSPECTOR DURING CONSTRUCTION WITH REGARD TO EROSION CONTROL DEVICES.
- EROSION CONTROL MEASURES SHALL REMAIN IN PLACE AND BE MAINTAINED BY THE CONTRACTOR UNTIL PERMANENT STABILIZATION HAS BEEN ESTABLISHED.



NOTES:

- WHERE TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER, THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED.
- MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN “BULGES” DEVELOP IN THE SILT FENCE.
- SILT FENCE FABRIC TO BE MIRAFI 100X OR APPROVED EQUAL.
- WOVEN WIRE FENCE (MIN. 14.5 GAUGE, MAX 6” MESH SPACING)



NOTES:

- FINISH TO BE BROOM FINISH AT 90° TO EACH SUCCEEDING SLAB.
- JOINTER TO BE 1” DEEP. JOINT SPACING SHALL BE EQUAL TO WIDTH OF WALK FOR SPACING.
- INSTALL 1/2” PRE-MOLDED EXPANSION JOINT AT 24’ O.C. AND WHERE SIDEWALK IS AGAIST CONCRETE CURBS, BUILDINGS, AND OTHER STRUCTURES.

CONCRETE SIDEWALK DETAIL  
N.T.S.

CONSTRUCTION SEQUENCE:

- ERECT SNOW FENCING AROUND TREES, STRUCTURES, AND OTHER FEATURES TO BE PROTECTED.
- CONSTRUCT STABILIZED CONSTRUCTION ENTRANCE.
- CONSTRUCT SILT FENCE BARRIERS DOWNSLOPE OF ALL AREAS TO BE DISTURBED.
- CLEAR AND GRUB VEGETATION IN AREAS TO BE REGRADED.
- PERFORM DRIVEWAY GRADING, EXCAVATION, CONSTRUCTION OF UTILITIES, PAVING, ETC.
- MAINTAIN SILT FENCE BARRIERS AND OTHER MEASURES IN PROPER CONDITION THROUGHOUT THE CONSTRUCTION PERIOD.
- AS CONSTRUCTION PROCEEDS, ALL DISTURBED AREAS SHALL BE PLANTED, SEED, OR PAVED IN A TIMELY MANNER TO PREVENT UNNECESSARY EROSION. ONCE DISTURBED AREAS HAVE BEEN PROPERLY STABILIZED, SILT FENCE, TEMPORARY BERMS, TEMPORARY SWALES, ETC., SHALL BE REMOVED.
- SILT FENCE BARRIERS, STABILIZED CONSTRUCTION ENTRANCES, AND OTHER EROSION AND SEDIMENT CONTROL MEASURES AS DEEMED NECESSARY BY THE TOWN ENGINEER SHALL BE IMPLEMENTED.

4	12/05/23	VILLAGE OF WARWICK PLANNING BOARD REVIEW
3	11/30/23	VILLAGE OF WARWICK PLANNING BOARD REVIEW
2	07/17/23	VILLAGE OF WARWICK PLANNING BOARD REVIEW
1	07/05/23	VILLAGE OF WARWICK PLANNING BOARD REVIEW
ISSUE	DATE	DESCRIPTION

DETAILS

43 WHEELER AVE

SECTION 207 BLOCK 5 LOT 1  
VILLAGE OF WARWICK  
ORANGE COUNTY, NEW YORK

FRIEDLER ENGINEERING, PLLC

PH. 845.544.5662

9 LOCUST STREET WARWICK, NEW YORK 10990  
FRIEDLERENGINEERING@OUTLOOK.COM

DRAWN BY BJF	CHECKED BY BJF	SCALE AS SHOWN	JOB NO. FE-23102	SHEET NO. 2 OF 4
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DETERMINATION OF THE ZONING BOARD OF APPEALS  
OF THE VILLAGE OF WARWICK, NEW YORK

WHEREAS, PATRICK CORCORAN has applied to the Board for several variances of the Bulk Area Requirements of the Code, and

WHEREAS, a public hearing(s) on this application was held at 77 Main St., Warwick, New York on 3/21/23 and 4/11/2023; and

WHEREAS, at said hearing(s) all interested parties were given an opportunity to be heard, the Board finds the following:

FINDINGS OF FACT

- Applicant is the owner of the premise located at 43 Wheeler Avenue, Warwick, New York, designated on the Village tax map as Section 207 Block 5 Lot 1.
- The application was originally made for area variances to allow construction of a 3-family residence in the CB zoning District whereby the applicant sought to reduce the Bulk Area Requirements of the Code as follows:
  - reducing Lot Area from 22,500 sq. ft. to 6,800 sq. ft.;
  - reducing Lot Width from 125 ft. to 49.52 ft.;
  - reducing Side setback from 25 ft. to 7 ft.;
  - reducing Side yard setback from 15 ft. to 5 ft.;
  - reducing Rear setback from 35 ft. to 5 ft.;
  - reducing Rear yard setback from 10 ft. to 5 ft.;
  - reducing Street Frontage from 90 ft. to 49.52 ft.; and
  - reducing Lot Depth from 125 ft. to 120 ft.
- Upon review the application was amended to seek approval to reduce the Bulk Area Requirements of the Code as follows:
  - Reducing Lot Area from 22,500 sq. ft. to 6,800 sq. ft.;
  - Reducing Lot Width from 125 ft. to 49.52 ft.;
  - Reducing Side setback from 25 ft. to 10 ft.;
  - Reducing Side yard setback from 15 ft. to 10 ft.;
  - Reducing Rear setback from 35 ft. to 10 ft.;
  - Reducing Street Frontage from 90 ft. to 74.23 ft.; and
  - Reducing Lot Depth from 125 ft. to 120 ft
- An inspection of the site, and the evidence and testimony as summarized from the meeting show that:
  - An undesirable change will not be produced in the character of the neighborhood and a detriment to nearby properties will not be created by the granting of the area variances because the immediate structures and uses in the neighborhood are residential and creation of a new residential structure will be in-keeping therewith.

B. The benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than the variances because in order to build the three-family structure with adequate square footage the building needs to be as large as is proposed and therefore the variances are required.

C. The requested variances are numerically substantial being as follows:

AMENDED VARIANCES REQUESTED	REQUIRED	PROPOSED	SIZE OF VARIANCE	PERCENTAGE VARIANCE
Min. lot area	22,500 sf	6,800 sf	15,700 sf	69.78%
Min. Lot width	125 ft	49.52 ft	75.48 ft	60.38%
Min Side Setback	25 ft	10 ft	15 ft	60%
Min. side yard	15 ft	10 ft	5 ft	33.33%
Min. Rear Setback	35 ft	10 ft	25 ft	71.43%
Min Street Frontage	90 ft	74.23 ft	15.77 ft	17.52%
Min. Lot depth	125 ft	120 ft	5 ft	4%

D. The proposed variances will not have an adverse effect or impact upon the physical or the environmental conditions in the neighborhood or district because the neighborhood is substantially residential in character and use. Further, pursuant to the uses allowed in the CB zoning district a structure could be constructed and used for commercial purposes that would have even smaller setbacks which if pursued would bring that use even closer to the neighboring residential properties resulting in a greater negative impact upon the residential neighbors than that proposed by the residential use.

E. The alleged difficulty is self-created because the applicant can pursue other permitted uses that do not require the area variances.

F. These area variances should be granted based upon a consideration of the benefit to the applicant as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

G. The minimum variances necessary and adequate and at the same time, will preserve and protect the character of the neighborhood and the health, safety and welfare of the community have been requested.

5. Several members of the public were heard during the public meeting. The concerns expressed included general comments about the number of units being created, the potential impact on traffic and parking, and the size of the building proposed for construction. Nevertheless, the general consensus of the public heard, most of whom were residential neighbors to the proposed structure, was that they were not opposed to the project for the reason that it would have less negative impact upon their properties

the project for the reason that it would have less negative impact upon their properties than an otherwise permitted commercial structure that could be constructed on the site which is in the CB zoning district.

6. The proposed action is a Type II action and no further environmental review is required.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED, that the application for variances, as amended, of the Bulk Area Requirements of the Code are granted as recited above and within, to wit:

VARIANCES REQUESTED	REQUIRED	VARIANCES GRANTED
Min. lot area	22,500 sf	6,800 sf
Min. Lot width	125 ft	49.52 ft
Min Side Setback	25 ft	10 ft
Min. side yard	15 ft	10 ft
Min. Rear Setback	35 ft	10 ft
Min Street Frontage	90 ft	74.23 ft
Min. Lot depth	125 ft	120 ft

The foregoing resolution was submitted by John Graney, seconded by John Prego and voted upon as follows:

MEMBER	FOR RESOLUTION	AGAINST RESOLUTION	ABSTAINED	ABSENT
John Graney		X		
John Prego	X			
Wea Burley	X			
Wayne Greenblatt				X
Margaret Politoski	X			

Dated: Warwick, New York  
April 11, 2023

*John Graney*  
JOHN GRANEY, Chairman

To appeal this decision, an appeal pursuant to Article 78 of the CPLR must be taken within 30 days of the filing of the decision with the Office of the Village Clerk (Warwick Code Section 145-153).

5/15/23, 3:38 PM

Environmental Site Remediation Database Search



Department of  
Environmental  
Conservation

Environmental Site Remediation Database Search  
Details

Site Record

Document Repository

Site-related documents are available for review through the DECInfo Locator on line at DECInfoLocator

Administrative Information

**Site Name:** New Grange Properties  
**Site Code:** 336061  
**Program:** State Superfund Program  
Classification: C  
**EPA ID Number:**

Location

**DEC Region:** 3  
**Address:** 26 Railroad Avenue  
**City:**Warwick (V) Zip: 10990-  
**County:**Orange  
**Latitude:** 41.25605614  
**Longitude:** -74.35971693  
**Site Type:** STRUCTURE  
**Estimated Size:** 1 Acres

Institutional And Engineering Controls

**Control Type:**  
Deed Restriction

**Control Elements:**  
Ground Water Use Restriction  
Soil Management Plan  
Cover System  
Landuse Restriction  
Building Use Restriction

Site Owner(s) and Operator(s)

**Current Owner Name:** New Grange Properties  
**Current Owner(s) Address:** 12 BURT STREET  
WARWICK,NY, 10990  
**Owner(s) during disposal:** UNKNOWN

<https://www.dec.ny.gov/cfm/cextapps/demxternal/haz/details.cfm?pagelid=3>

1/3

5/15/23, 3:38 PM

Environmental Site Remediation Database Search

Hazardous Waste Disposal Period

**From:** unknown **To:** unknown

Site Description

**Location:** The New Grange Property is located in the center of the Village of Warwick at 26 Railroad Avenue. Wawayanda Creek is downgradient of the site and about 1/8 mile to the north of the property.  
**Site Features:** The approximately 80-foot by 40-foot building at the site has no basement, but is built into a hill such that there are 3 stories on the north side and two on the south side. A courtyard is on the north side of the building, adjacent to Railroad Avenue. Current Zoning and Land Use: The site is currently active, and is zoned for commercial use. The surrounding parcels are currently used for commercial applications. The nearest residential area is less than one eighth of a mile to the southeast.  
**Past Use of the Site:** The first building at the site was constructed in the 1860s and was used a hall/opera house. Various commercial entities occupied the site between that time and the present, including a primary school, automobile storage, and construction equipment storage. The petroleum contamination in the soil and the groundwater can be attributed to releases from former underground fuel oil tanks found in the courtyard. While the source of the chlorinated solvents was not conclusively identified, the contamination was noted in the vicinity of two of the former underground storage tanks. Site Geology and Hydrogeology: The soils underlying the site consist of fill material, then native soil composed mostly of sands with lesser amounts of gravel and silts. The groundwater is found about 3.5 feet below ground surface, and generally flows to the north.

Contaminants of Concern (Including Materials Disposed)

**Contaminant Name/Type**  
tetrachloroethene  
trichloroethene (TCE)

Site Environmental Assessment

Remediation at the site is complete. Prior to remediation, the primary contaminants of concern were TCE, PCE and DCE in groundwater. The residual contamination in groundwater is being managed under a Site Management Plan.

Site Health Assessment

Measures are in place to control the potential for coming into contact with residual contamination remaining in sub-surface soil and groundwater.

<https://www.dec.ny.gov/cfm/cextapps/demxternal/haz/details.cfm?pagelid=3>

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4	12/05/23	VILLAGE OF WARWICK PLANNING BOARD REVIEW
3	11/30/23	VILLAGE OF WARWICK PLANNING BOARD REVIEW
2	07/17/23	VILLAGE OF WARWICK PLANNING BOARD REVIEW
1	07/05/23	VILLAGE OF WARWICK PLANNING BOARD REVIEW
ISSUE	DATE	DESCRIPTION

ZBA DETERMINATION

43 WHEELER AVE

SECTION 207 BLOCK 5 LOT 1  
VILLAGE OF WARWICK  
ORANGE COUNTY, NEW YORK

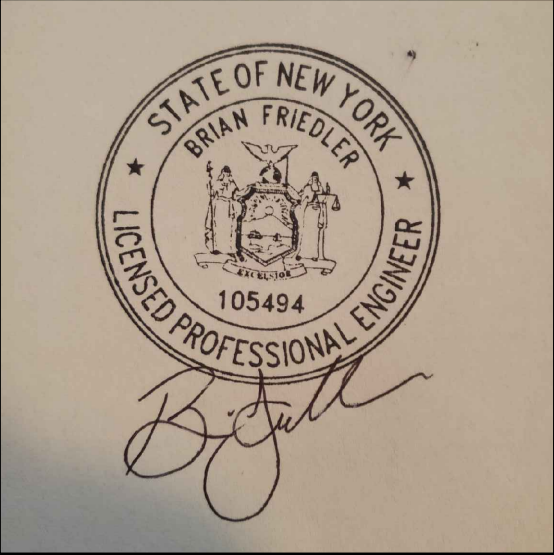
FRIEDLER ENGINEERING, PLLC

PH. 845.544.5662  
9 LOCUST STREET WARWICK, NEW YORK 10990  
FRIEDLERENGINEERING@OUTLOOK.COM

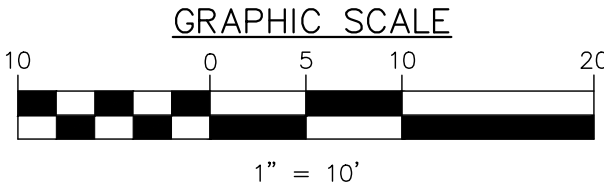
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BRIAN FRIEDLER, P.E.  
NEW YORK LICENSE # 105494





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VILLAGE OF WARWICK  
INCORPORATED 1867

**RESOLUTION GRANTING SPECIAL USE PERMIT  
FOR A THREE-FAMILY DWELLING AT 43 WHEELER AVENUE**

WHEREAS, the applicant, Patrick Corcoran, owns certain real property located at 43 Wheeler Avenue, Warwick, New York; and

WHEREAS, the said property is located in a Central Business District ("CB"); and

WHEREAS, the applicant proposes to establish a three-family dwelling on the said property; and

WHEREAS, under the Village Zoning Code a three-family residential dwelling constitutes a "Multiple Residence"; and

WHEREAS, the Table of Use Requirements in the Village Zoning Code lists Multiple Residence as a use permitted in the CB District subject to grant of a special use permit from the Village Board and grant of site plan approval by the Planning Board; and

WHEREAS, the Planning Board, as lead agency in review of the project under the State Environmental Quality Review Act, has determined that it is a Type II (exempt) action; and

WHEREAS, by resolution dated April 11, 2023, the Village Zoning Board of Appeals granted variances to certain bulk requirements for the proposed development of the property; and

WHEREAS, the applicant has now applied to the Village Board for a special use permit pursuant to Village Code §145-127 for establishment of the proposed three-family home; and

WHEREAS, under the Village Code, an application for approval of a multiple dwelling must meet the standards set forth in in §145-120 as well as at the particular requirements set forth in §145-127;

WHEREAS, the Village Board has duly noticed and held a public hearing on the application for a special use permit.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board does hereby make the following findings pursuant to Village Code §145-120

A. The proposed development of the subject property as a three-family dwelling is of such location, size, and character that it will be in harmony with the appropriate and orderly development of the neighborhood in which it is situated and will not be detrimental to adjacent properties. The subject property is located in a residential neighborhood and will help increase

the Village's stock of entry level housing. Given that the proposed development is a multi-family dwelling, the potential use of the property for short-term rentals presents concerns regarding consistency with the surrounding residential uses, but the applicant has addressed this concern by voluntarily agreeing to accept a prohibition on short term rentals as a condition of approval and a note on the approved site plan.

B. The proposed use and development of the subject property as a three-family dwelling does not pose any undue hazards to pedestrian and vehicular traffic. The Village Board has traffic safety concerns in regard to sight distances and on-street parking on Wheeler Avenue, but the proposed development should not significantly impact the same. Further, the applicant has voluntarily agreed to limit parking of vehicles to two vehicles per residence as a condition of approval and as a note on the approved site plan. In light of the available off-street parking on the property, this limitation should suffice to ensure that the proposed use and development of the subject property will not pose any undue hazards to pedestrian and vehicular traffic.

C. The location and height of buildings on the property will not be of such nature, size, appearance or location that they will hinder or discourage use or development of other properties in the neighborhood or the district. Most of the property in the neighborhood is already built out. The physical dimensions of the proposed construction, as shown on the site plan and the construction rendering, should not hinder or discourage use or development or re-development of other properties in the neighborhood or the district. However, the Village Board has concerns over changing the appearance of the property by removal of the existing bluestone sidewalks. The applicant has addressed this concern by voluntarily agreeing to preserve and maintain the existing bluestone sidewalks as a condition of approval and as a note on the approved site plan.

D. The proposed development of the property as a three-family dwelling will not result in a need for additional public facilities or services, or create such fiscal burdens upon the Village greater than those which characterize uses permitted by right under applicable zoning. The applicant is constructing a three-family but built as, essentially, three attached single-family dwellings. As such, each dwelling unit will not result in a need for additional public facilities or services, or create such fiscal burdens upon the Village greater than those imposed by a single-family dwelling.

2. That the Village Board does hereby make the following findings in regard to the applicant's ability to meet the additional criteria set forth in Village Code §145-127:

A. The applicant does not meet the requirement that the subject property provides a minimum lot size of 22,500 square feet, but the applicant has obtained a variance from the ZBA allowing a minimum lot size of 6,800 square feet.

B. The applicant's satisfaction of the requirement that the multiple residence must be constructed to resemble a single-family dwelling is tenuous, but because of the AHDRB's approval of the proposed design the Village Board finds that it has been met. The design is essentially the same as three conjoined single-family homes and, therefore, it "resembles" a single-family home.

C. The applicant meets the requirement that the multiple residence must be consistent with the character of the immediate surrounding neighborhood on the grounds set forth above.

D. Village Code §145-127 goes on to state additional standards which must be met if the applicant proposes to construct multiple buildings on a lot, but here the applicant proposes only to construct a single residential structure with attached garages and on accessory buildings, so these considerations do not apply here.

3. That the Village Board hereby grants the requested special use permit subject to the following conditions:

(i.) Short term rentals of the dwelling units shall not be permitted, and the applicant shall prepare and submit to the Planning Board for approval a site plan containing a note stating that short term rentals of the dwelling-units shall not be permitted; and

(ii.) Each dwelling unit shall be limited to parking of two (2) vehicles inclusive of the off-street parking spaces on the subject property and in other off-street parking on Wheeler Avenue, and in other on-street parking in the Village inclusive of municipal parking lots. The applicant shall prepare and submit to the Planning Board for approval a site plan containing a note stating the same; and

(iii.) The owner(s) of the subject property shall, at its/their own expense, preserve and maintain the existing bluestone sidewalks on the property. The applicant shall prepare and submit to the Planning Board for approval a site plan containing a note stating the same.

Trustee McKnight presented the foregoing resolution as amended which was

seconded by Trustee Foster,

The vote on the foregoing resolution was as follows: **APPROVED**

Barry Cheney, Trustee, voting Aye

Carly Foster, Trustee, voting Aye

Thomas McKnight, Trustee, voting Aye

Mary Collura, Trustee, voting Aye


Michael Newhard, Mayor, voting Aye

I, RAINA ABRAMSON, Village Clerk of the Village of Warwick, in the County of Orange, State of New York HEREBY CERTIFY that the above motion was made at the regular meeting of the Village Board of the Village of Warwick duly called and held on Monday, November 20, 2023 and has been compared by me with the original minutes as officially recorded in the Village Clerk's Office in the Minute Book of the Village Board and is a true,

complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matter.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Warwick this 29<sup>th</sup> day of November 2023.

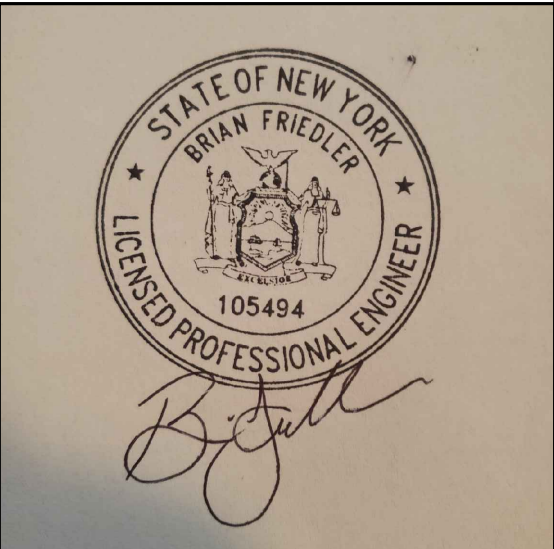
SEAL

  
Raina M. Abramson, Village Clerk

4	12/05/23	VILLAGE OF WARWICK PLANNING BOARD REVIEW
ISSUE	DATE	DESCRIPTION
RESOLUTION GRANTING SPECIAL USE PERMIT		
43 WHEELER AVE		
SECTION 207 BLOCK 5 LOT 1 VILLAGE OF WARWICK ORANGE COUNTY, NEW YORK		
FRIEDLER ENGINEERING, PLLC		
PH. 845.544.5662 9 LOCUST STREET WARWICK, NEW YORK 10990 FRIEDLERENGINEERING@OUTLOOK.COM		
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JOB NO. FE-23102	SHEET NO. 4 OF 4	

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