

ZONING DISTRICT: CB - CENTRAL BUSINESS

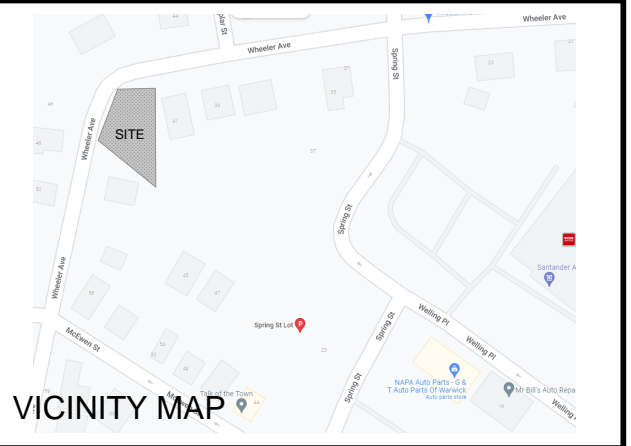
BULK REQUIREMENTS

USE GROUP	REQUIRED (G RESIDENTIAL)	REQUIRED (K CB)	PROPOSED
LOT AREA:	22,500 SF	5,000 SF	6,800 SF
LOT WIDTH:	125 FT	50 FT	49.52 FT
FRONT SETBACK:	40 FT	10 FT	10 FT
FRONT YARD:	40 FT	10 FT	10 FT
SIDE SETBACK:	25 FT	10 FT	10 FT
SIDE YARD:	15 FT	10 FT	10 FT
REAR SETBACK:	35 FT	10 FT	10 FT
REAR YARD:	10 FT	10 FT	10 FT
STREET FRONTAGE:	90 FT	50 FT	74.23 FT
BUILDING HEIGHT:	35 FT	40 FT	23 FT
DEVELOPMENT COVERAGE:	35%	100%	32.8%
LOT DEPTH:	125 FT	50 FT	120 FT
LIVABLE FLOOR AREA/DWELLING UNIT:	900 SF	N/A	1,224 SF

PROJECT NAME:
43 WHEELER AVENUE, WARWICK, NY

DRAWING TITLE:
SITE PLAN

REVISIONS:
R0 5/10/2023
R1 6/2/2023
R2 6/11/2023
R3 6/26/2023



VICINITY MAP

APPROVED FOR FILING

OWNER _____ 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 _____

SITE PLAN
FOR

**PATRICK CORCORAN
&
HAZELYN CORCORAN**

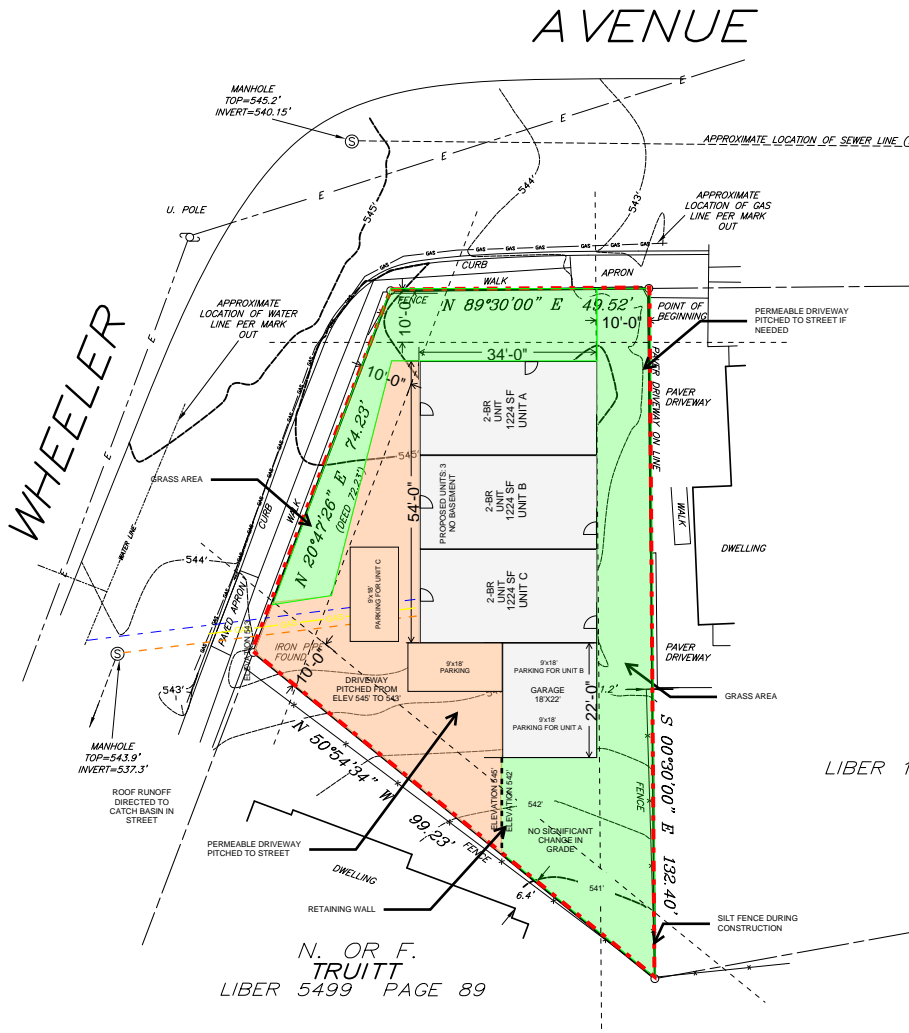
VILLAGE OF WARWICK
SCALE: 1" = 20'

ORANGE COUNTY, N.Y.
AREA = 0.156±ACRES

N. OR F.
MURPHY
LIBER 15020 PAGE 1026

MAP NOTES:

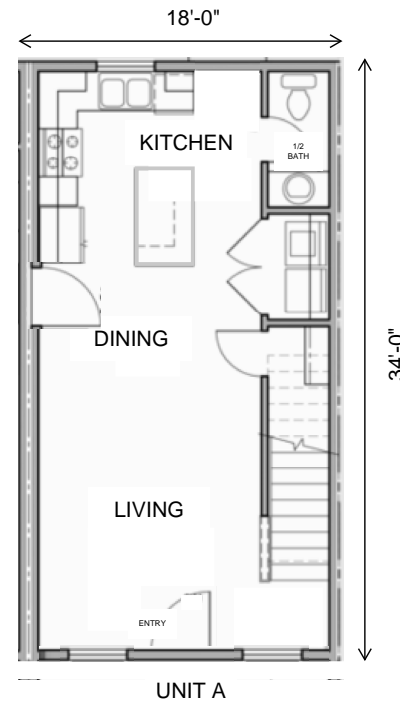
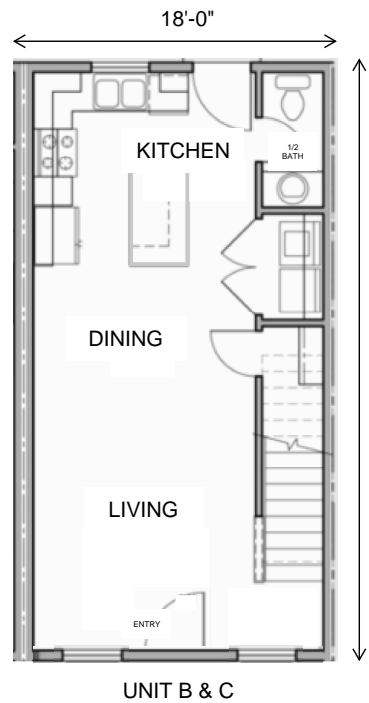
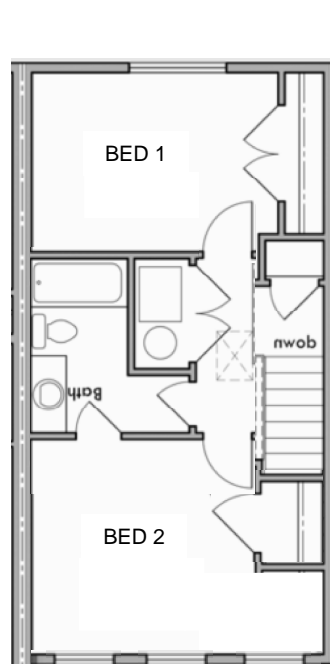
1. TAX MAP DESIGNATION: SECTION 207, BLOCK 5, LOT 1.
2. DEED REFERENCE: LIBER 12064, PAGE 829.
3. UNLESS ILLUSTRATED AND NOTED BY POINT OF REFERENCE UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS, IF ANY, ARE NOT SHOWN HEREON.
4. SURVEY SUBJECT TO THE FINDINGS OF AN UP TO DATE ABSTRACT OF TITLE.
5. MISSING PROPERTY CORNERS WERE NOT PLACED AS PART OF THIS SURVEY.
6. TOPOGRAPHIC DATUM: NAVD 88.
7. UNDERGROUND UTILITIES SHOWN HEREON ARE PER MARKING BY OTHERS.
8. WATER SUPPLY: VILLAGE WATER SUPPLY.
9. SEWAGE DISPOSAL: VILLAGE SEWER.
10. ZONING DISTRICT: CENTRAL BUSINESS.
11. RECORDED OWNER: PATRICK & HAZELYN CORCORAN.
12. APPLICANT: PATRICK & HAZELYN CORCORAN.



ELEV. 570'

FF ELEV 546'

GARAGE FF ELEV. 545'



PROJECT NAME:
43 WHEELER AVENUE, WARWICK, NY

DRAWING TITLE:
ELEVATION AND PLANS

REVISIONS:
R0 5/10/2023
R1 6/2/2023
R2 6/11/2023
R3 6/26/2023

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

1. 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.
2. 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:
 - a) reducing Lot Area from 22,500 sq. ft. to 6,800 sq. ft.;
 - b) reducing Lot Width from 125 ft. to 49.52 ft.;
 - c) reducing Side setback from 25 ft. to 7 ft.;
 - d) reducing Side yard setback from 15 ft. to 10 ft.;
 - e) reducing Rear setback from 35 ft. to 5 ft.;
 - f) reducing Rear yard setback from 10 ft. to 5 ft.;
 - g) reducing Street Frontage from 90 ft. to 49.52 ft.;
 - h) reducing Lot Depth from 125 ft. to 120 ft.
3. Upon review the application was amended to seek approval to reduce the Bulk Area Requirements of the Code as follows:
 - a) Reducing Lot Area from 22,500 sq. ft. to 6,800 sq. ft.;
 - b) Reducing Lot Width from 125 ft. to 49.52 ft.;
 - c) Reducing Side setback from 25 ft. to 10 ft.;
 - d) Reducing Side yard setback from 15 ft. to 10 ft.;
 - e) Reducing Rear setback from 35 ft. to 10 ft.;
 - f) Reducing Street Frontage from 90 ft. to 74.23 ft.;
 - g) Reducing Lot Depth from 125 ft. to 120 ft.
4. An inspection of the site, and the evidence and testimony as summarized from the meeting show that:
 - A. 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			
Wes Burley	X			
Wayne Greenblatt				X
Margaret Politoski	X			

Dated: Warwick, New York
April 11, 2023


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).

PROJECT NAME:
43 WHEELER AVENUE, WARWICK, NY

DRAWING TITLE:
APPROVED VARIANCES

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.

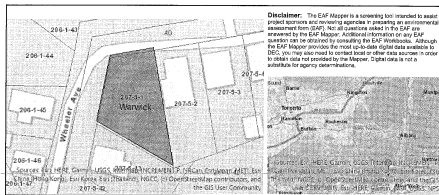
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

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: 946-879-1486	
E-Mail: patrick_corcoran@nycmail.com	
Address: 43 Wheeler Ave	
City/PO: Warwick	State: NY
Zip Code: 10990	
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(ies) name and permit or approval. When of filing, State or Federal.	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?	0.000 sq. ft. acres 1.034 sq. ft. acres 0.000 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	

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EFAP Mapper Summary Report

Wednesday, May 10, 2023 1:10 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 (Archaeological Sites)	Yes
Part 1 / Question 13a (Wetlands or Other Regulated Waterbodies)	No
Part 1 / Question 15 (Threatened or Endangered Animals)	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 - 46 Railroad - please see attached

3. 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 recommendations or bicycle routes available on or near the site of the proposed action?	NO YES <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
9. Does the proposed action meet or exceed the same 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 the site 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 checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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9/10/23, 3:38 PM

Environmental Site Remediation Database Search



Environmental Site Remediation Database Search
Details

Site Record

Document Repository

Site-related documents are available for review through the DECinfo Locator on line at DECinfo.locator

Administrative Information

Site Name: New Grange Properties
Site Code: 330001
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: 41.26605614
Longitude: -74.35071693
Site Type: STRUCTURE
Estimated Size: 1 Acres

Insttutional 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/other/decapps/tenormat/metadata.cfm?app=3>

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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? Indiana Bat = <u>1 TREE ON SITE WHICH WILL REMAIN</u>	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 (sewer 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 (ingest or completed for hazardous waste)? If Yes, describe: <u>please see attached</u>	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/Owner Name: Patrick Corcoran	Date: 5/9/2023
Signature: <u>[Signature]</u>	Title:

PRINT FORM

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9/10/23, 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 1800s and was used as 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/other/decapps/tenormat/metadata.cfm?app=3>

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PROJECT NAME:
43 WHEELER AVENUE, WARWICK, NY

DRAWING TITLE:
EFAP MAPPER