

RESOLUTION OF APPROVAL
FOR
SITE PLAN
FOR
WESTERN ADDITION LLC (63 WHEELER AVE.)

Nature of Application

Shelly Garry obo Western Addition LLC has applied for site plan approval to convert an existing building last used for and as a dance studio and storage purposes into a mixed use of a dine-in market, bistro, and a four (4) room boutique hotel. The proposal also seeks to renovate the existing parking areas. The property is located on one tax lot identified on the Tax Maps of the Village of Warwick as Section 210, Block 5, Lot 3 being an approximate .549 +/- acre parcel.

Zoning District

The property affected by this resolution is located in the (CB)- Central Business zoning district of the Village of Warwick. The proposed uses are permitted uses within the CB district.

Plans

The Site Plan materials being considered consist of the following:

1. An eight (8) sheet set of plans prepared by MJS Engineering & Land Surveying, BEGA Lighting, and Arterial Landscape Architect, and DeGraw & DeHaan Architects, latest revised 10/26/23 including:

C-1: Site Plan

C-2: Notes

C-3: Existing Conditions & Demolition Plan

C-4: Grading & Drainage Plan

C-5: Details

Lighting Plan

SC-740 Details (Stormtech Chambers)

L-101: Landscape Plan

A1.01: Proposed First Floor Plan

A1.02: Proposed Second Floor Plan

A1.01: Proposed First Floor Plan (Dumpster Enclosure Details)

2. A written Narrative dated October 2nd, 2023 on Degraw & DeHaan letterhead.
3. A short-form EAF
4. Various elevations and Architectural renderings
5. A drainage report prepared by MJS Engineering.

History

Date of Application

The present application for site plan approval is dated 3/3/2022 and was filed with the Planning Board on or about the same date.

The Planning Board undertook its first review of the application on 5/10/2022. At that meeting the project was introduced to the Board. Thereafter, on 9/12/23 the matter was again brought to the Board and on successive dates thereafter the matter has been heard.

GML 239 Referral

This application was not required to be referred to the Orange County Planning Department for review.

SEQRA

Lead Agency & Type of Action:

The Village of Warwick Planning Board is the lead agency in regard to this action. The Planning Board's status as lead agency was established on 9/12/23.

On 10/10/23, the Planning Board determined to Type the project as an Unlisted type action because Pursuant to Section 617.5 "Type II Actions" subsection (c) this action appears to be a Type II action in that the project is one for "(18) Reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceeds any of the thresholds in section 617.4 of this Part".

Declaration of Significance:

Upon typing the project as an Unlisted type action no further environmental review was necessary.

PUBLIC HEARING

A public hearing on this application was convened on November 14, 2023, concluded and closed on the same date. No members of the public spoke in favor or against the project.

Findings**Project**

The Planning Board has determined that final approval of the site plan will substantially serve the public convenience, safety and welfare in that the permitted renovation and use of the building is in the best interest of the applicant and the Village.

Resolution of Approval

NOW, THEREFORE, THE PLANNING BOARD RESOLVES to grant final approval to the site plan application of Western Addition, LLC as depicted on the plans identified above upon the conditions outlined below, and the Chairperson (or his designee) is authorized to sign the plans upon satisfaction of those conditions below noted to be conditions precedent to such signing.

General Conditions

1. This approval is conditioned upon the applicant submitting all necessary copies of the plans to be signed, as required, to the Village of Warwick Planning Department.
2. This approval is further conditioned upon the applicant paying or depositing into escrow all applicable review, inspection and any other applicable fees.
3. This approval is further conditioned upon the applicant delivering (prior to signing of the plans) proof, in writing, that all fees—engineering, legal and otherwise—in regard to this project have been fully paid.
4. The plans shall not be signed until proof, satisfactory to the Chair, has been presented showing that all conditions of this approval have been fulfilled or otherwise satisfied.
5. All conditions of this conditional approval shall be fulfilled within twelve (12) months from the date set forth at the foot of this resolution unless the applicant

shall, within said twelve (12) month period and prior to expiration of said time, file with the Planning Board a request for an extension of this conditional approval and prove to the satisfaction of the Planning Board that such extension is justified based upon such matters as are outside the control of the applicant. Upon expiration of said twelve (12) month period without an extension having been granted this conditional approval shall lapse.

6. All conditions precedent to this approval shall be satisfied prior to issuance of a Building Permit for the new structure.
7. No approval is intended to be given or is given by this resolution for site plan elements depicted on adjoining properties.
8. As-built" plans shall be provided to the Village Engineer for review and approval upon completion of the improvements. The Village Engineer may require a preliminary "as -built" plan sooner if he/she determines that such a preliminary "as-built" plan is required to ensure the suitability and safety of the ongoing construction.
9. Construction hours at the project site shall be limited to the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 8:00 a.m. and 7:00 p.m. on weekends. There shall be no construction on Sundays.

Specific Conditions

10. The owner of the premises shall at all times operate and use the premises in keeping with the use as set forth in the written Narrative referred to herein and upon failure to do so the approval granted hereby shall cease.
11. There shall be no use of the storage area except by the owner of the premises for personal storage use and not for commercial rental purposes absent further site plan approval.
12. The owner shall construct and maintain the premises in keeping with the findings of the AHDRB as recited in its determination made November 9, 2023 and as may be amended by subsequent determination of that Board.

13. The plans shall be amended to label the Arbors located at the end of the walkway to West Street.

In Favor 5 against 0 Abstain 0 Absent 0

Dated: November 14, 2023



JESSE GALLO, CHAIRMAN
VILLAGE OF WARWICK PLANNING BOARD

NOTE: The owner of the premises which is subject to this approval, their successors, heirs, and assigns, are hereby advised to apprise themselves of the provisions of Village Code Section 145-98 which provides for the expiration of approved site plans. The provisions of Section 145-98 provide in part that:

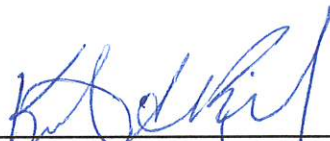
A. Every Site Plan approval shall expire if the work authorized has not commenced within twelve (12) months from the date of its approval, subject to any extension or has not been completed within twenty-four (24) months from the date of Site Plan approval unless the applicant has requested and been granted a phased construction schedule.

B. If construction has not been commenced within one (1) year from the approval of the Site Plan or phased construction schedule has not been completed, the holder of the approval may apply to the Planning Board for an extension not to exceed one (1) additional year and such application for extension must be filed prior to the end of the one-year period. Upon the payment of one-half (1/2) of the application fees required for the original Site Plan approval and any professional review fees incurred, the Planning Board may, in its discretion and for due cause, extend the approval for a period not to exceed one (1) additional year from the date of its expiration.

C. Failure to receive an extension or complete work within the time prescribed, if any specified in the approval, shall require that a new Site Plan approval application be filed, and a new approval issued before any work may commence or continue.

STATE OF NEW YORK)
) ss:
COUNTY OF ORANGE)

I, KRISTIN BIALOSKY, Secretary of the Planning Board of the Village of Warwick, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the Planning Board at a meeting of said Board held on November 14, 2023.



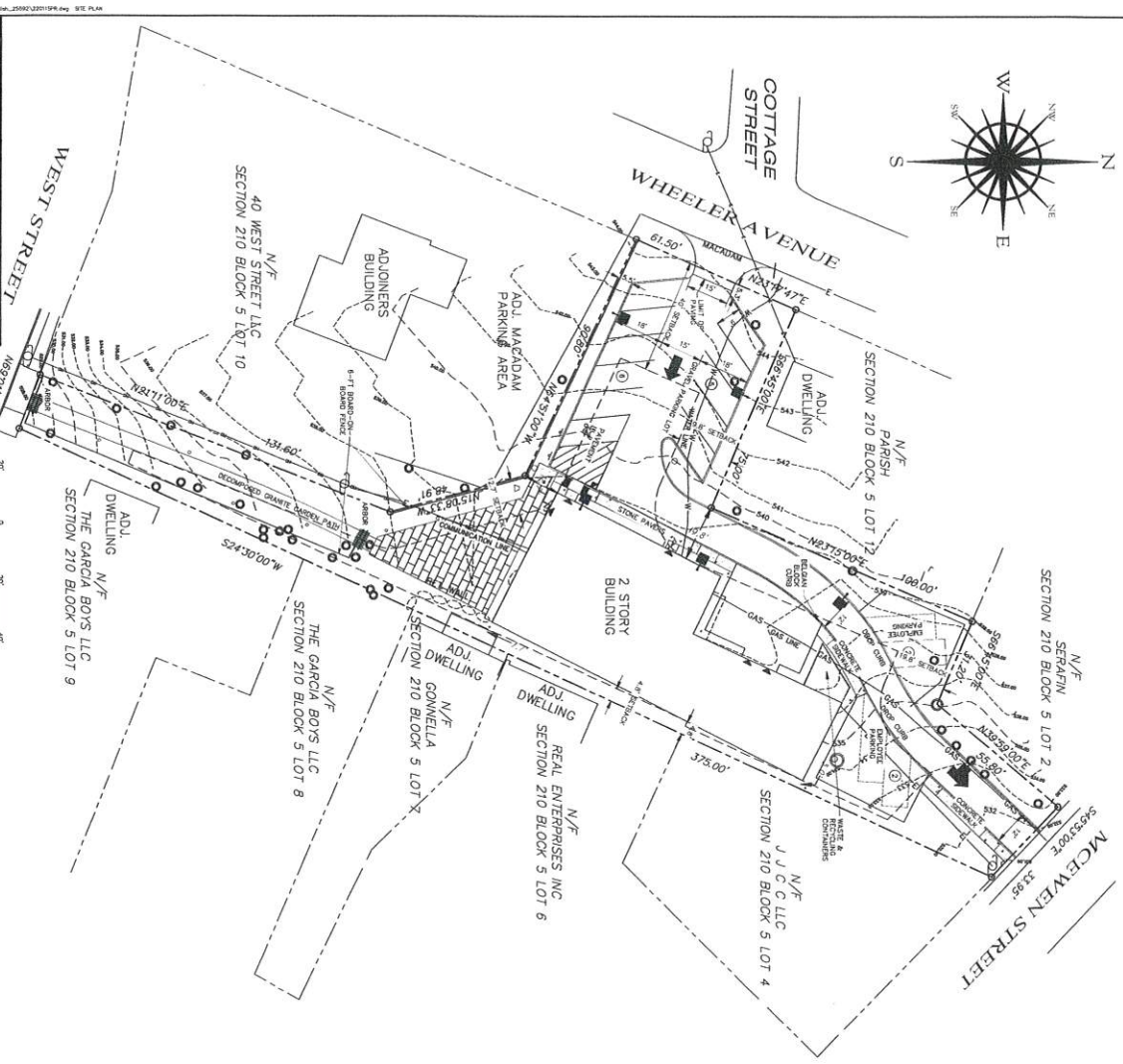
KRISTIN BIALOSKY, SECRETARY
VILLAGE OF WARWICK PLANNING BOARD

I, RAINA ABRAMSON, Clerk of the Village of Warwick, does hereby certify that the foregoing Resolution was filed in the Office of the Village Clerk on January 19, 2024



RAINA ABRAMSON, Village Clerk

H	11/15/23	SUBMITTED FOR SIGNATURE	JCI BOC
G	10/26/23	SUBMITTED TO PLANNING BOARD	JCI BOC
F	09/29/23	SUBMITTED TO PLANNING BOARD	JCI BOC
E	07/21/23	SUBMITTED TO PLANNING BOARD	JCI BOC
D	06/20/23	SUBMITTED TO ZBA	JCI BOC
C	05/02/23	SUBMITTED TO ZBA	JCI BOC
B	04/24/23	SUBMITTED TO PLANNING BOARD	JCI BOC
A	03/27/23	SUBMITTED TO PLANNING BOARD	JCI BOC
NO.	DATE	REVISION	BY



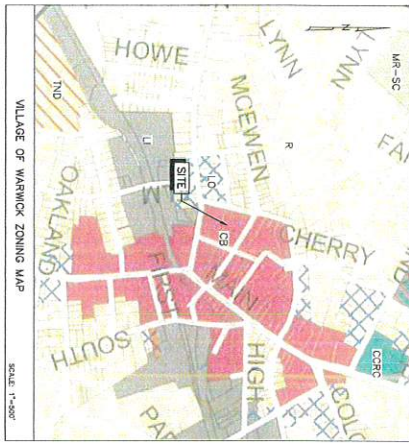
SCALE 1" = 20'

DESIGNED BY: J. DEGENS
DRAWN BY: J. DEGENS
CHECKED BY: J. DEGENS
DATE: 11/15/23

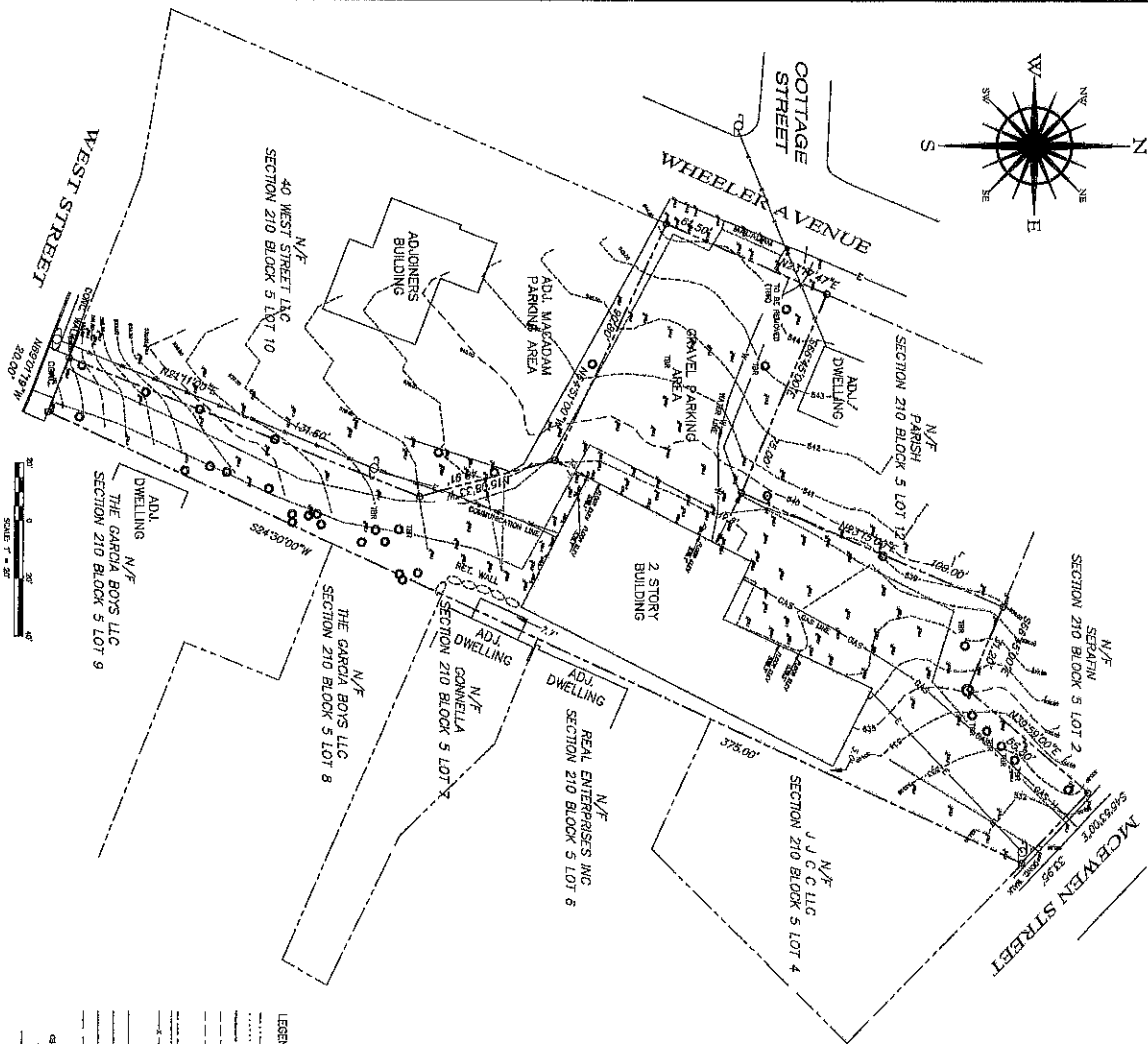
MJS ENGINEERING & LAND SURVEYING, PC
201 Graham Ave
Rd 4-21-4802
For 845-291-8657

SITE PLAN

JOB NAME: **WESTERN ADDITION LLC**
DATE: 04/25/22
JOB NO.: **220115**
SCALE: **1" = 20'**
SHEET 1 OF 8



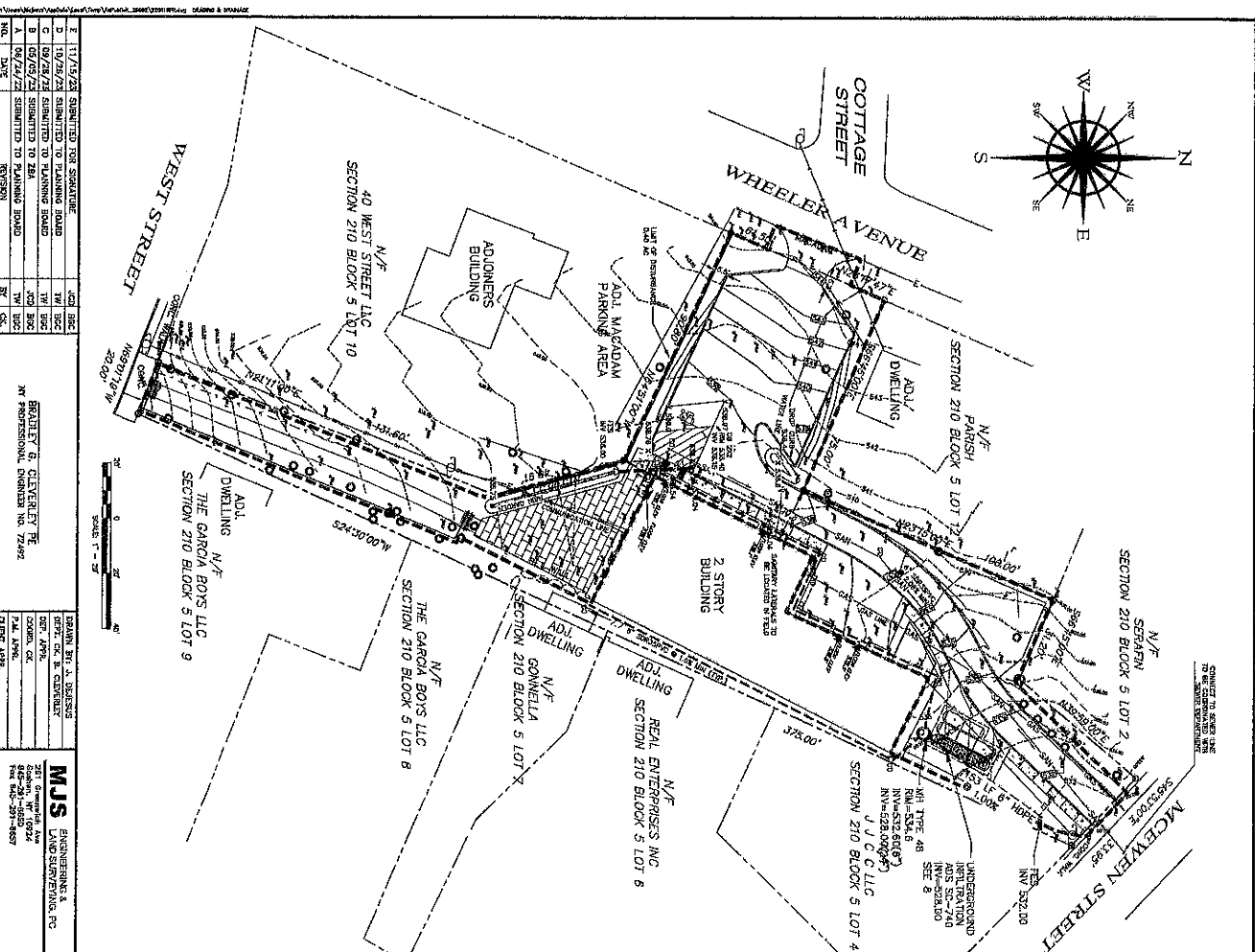
- ### GENERAL NOTES
1. RESPONSE TO REQUEST FOR A LUTHER N. HENRY
 2. APPROXIMATE LOT AREA: 1.01 AC
 3. 1/4" MAP NUMBER: BLOCK 5, LOT 3
 4. DEDICATED: 1/4" MAP 202
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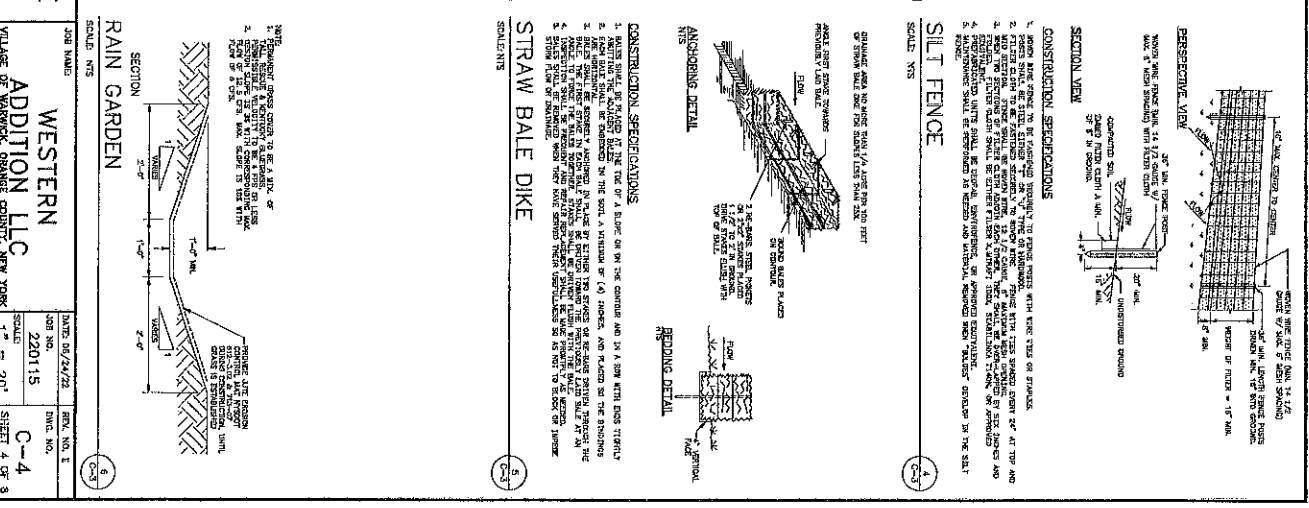
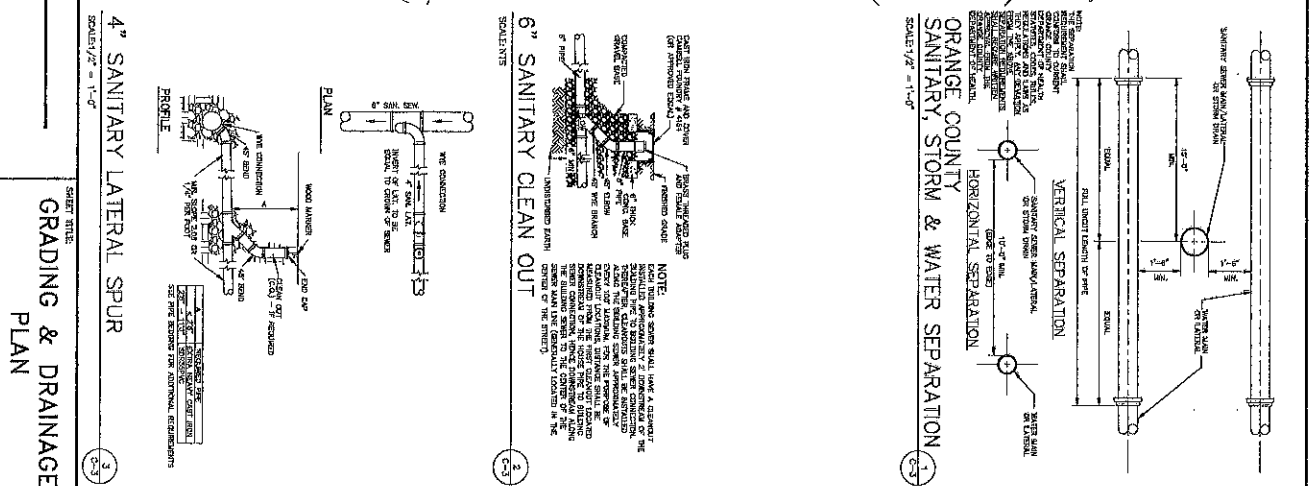
EXISTING CONDITIONS & DEMOLITION PLAN

JOB NAME: WESTERN
ADDITION LLC
VILLAGE OF WARWICK, ORANGE COUNTY, NEW YORK

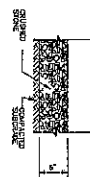
DATE: 06/24/22	REV. NO. 0
JOB NO. 220115	DWG. NO. C-3
SCALE 1" = 20'	SHEET 5 OF 8



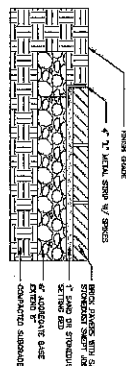
NO.	DATE	REVISION	BY	CHK.
1	11/15/23	SUBMITTED FOR PERMITTING	WJ	WJ
2	01/24/24	SUBMITTED TO PLANNING BOARD	WJ	WJ
3	05/03/24	SUBMITTED TO ZBA	WJ	WJ
4	06/14/24	SUBMITTED TO PLANNING BOARD	WJ	WJ
5		REVISION	WJ	WJ



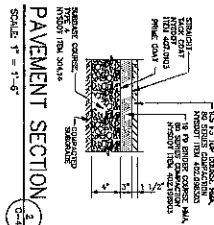
WESTERN ADDITION LLC VILLAGE OF WARWICK, ORANGE COUNTY, NEW YORK	JOB NAME: DATE: 06/24/22 SCALE: 1" = 20' SHEET 4 OF 9	DESIGNED BY: J. J. JONES CHECKED BY: J. J. JONES DATE: 06/24/22
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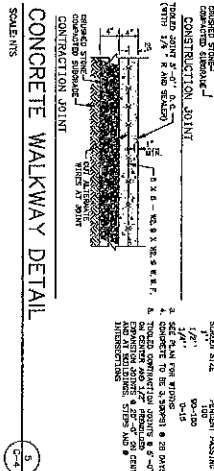
GRAVEL PAD SECTION
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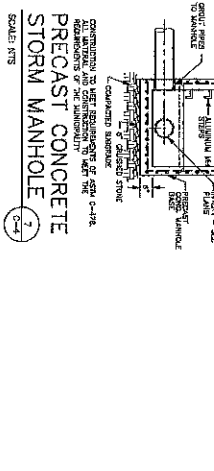
BRICK PAVERS W/METAL STRIP EDGE
SCALE: 1"=1'-0"



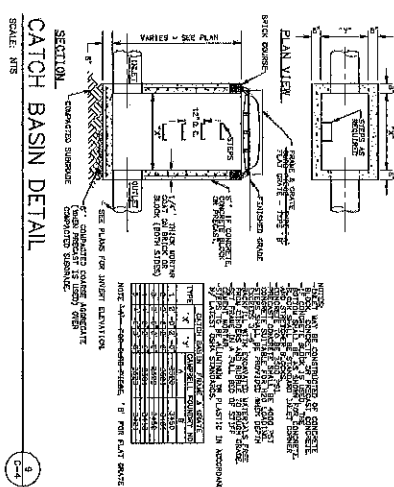
PAVEMENT SECTION
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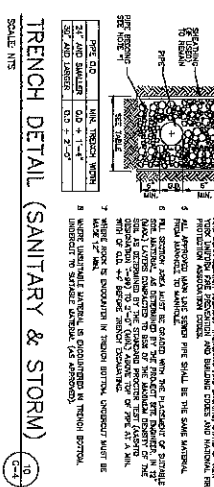
CONCRETE WALKWAY DETAIL
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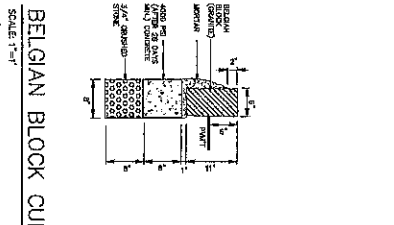
PRECAST CONCRETE STORM MANHOLE
SCALE: 1"=1'-0"



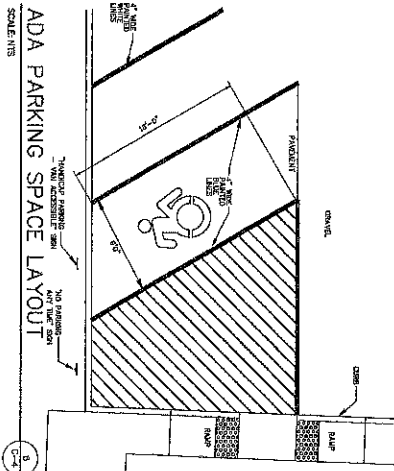
CATCH BASIN DETAIL
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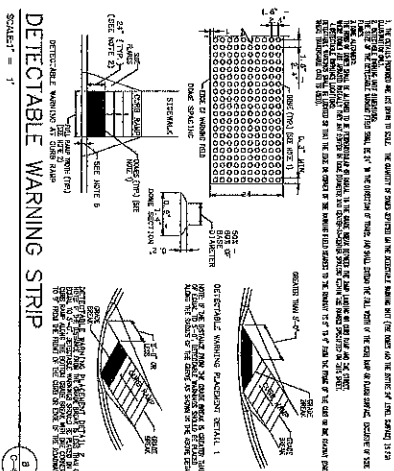
TRENCH DETAIL (SANITARY & STORM)
SCALE: 1"=1'-0"



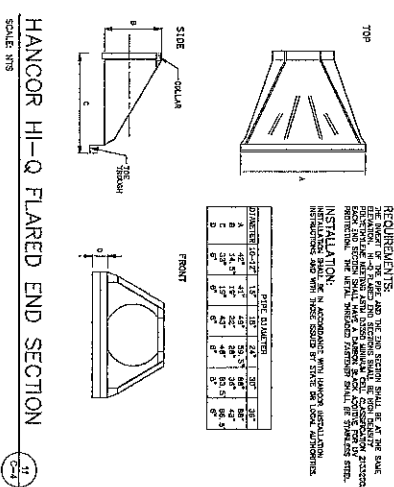
BELGIAN BLOCK CURB
SCALE: 1"=1'-0"



ADA PARKING SPACE LAYOUT
SCALE: 1"=1'-0"



DETECTABLE WARNING STRIP
SCALE: 1"=1'-0"



HANCOR HI-Q FLARED END SECTION
SCALE: 1"=1'-0"

NO.	DATE	REVISION
1	10/24/20	SUBMITTED TO PLANNING BOARD
2	10/24/20	ADJ. DEC.
3	10/24/20	ADJ. DEC.
4	10/24/20	SUBMITTED TO PLANNING BOARD
5	10/24/20	ADJ. DEC.
6	10/24/20	ADJ. DEC.

PROJECT: G. CLEVELAND PI.
NY PROVISIONAL NUMBER: 10-76402

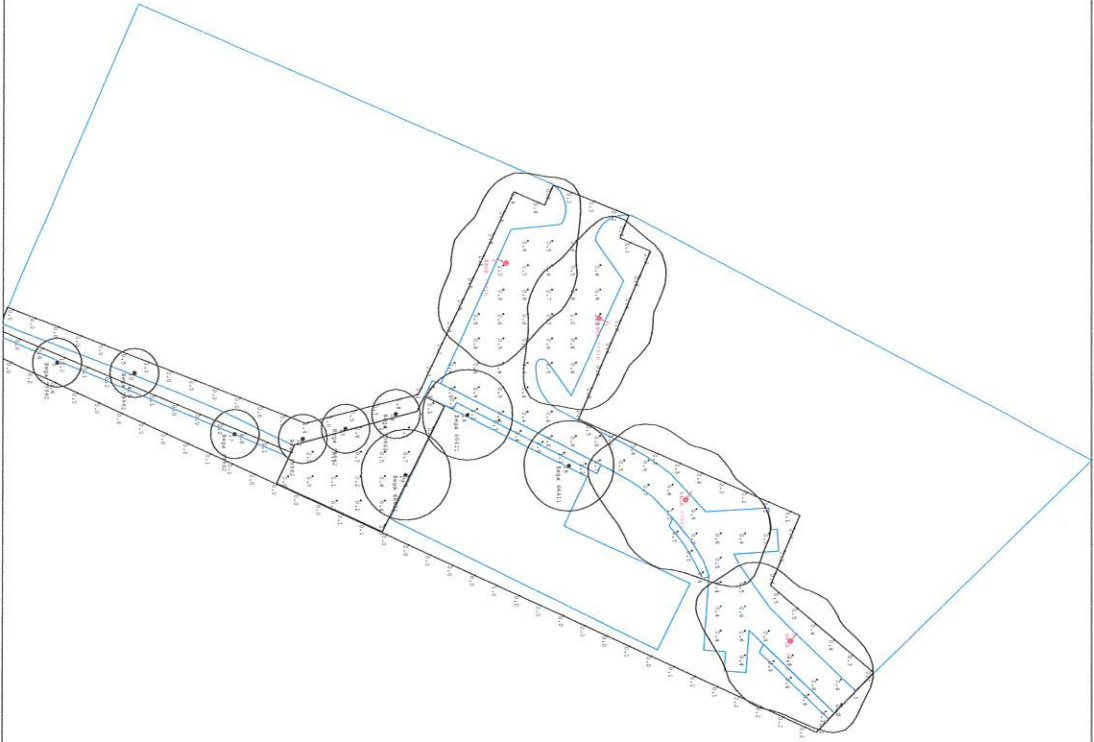
DESIGNED BY: MJS
CHECKED BY: MJS
DATE: 10/24/20

DETAILS

WESTERN ADDITION LLC
VILLAGE OF YANCOCK, ORANGE COUNTY, NEW YORK
AS SHOWN
SHEET 5 OF 8

Luminaire Schedule		
Symbol	Qty	Label
⊙	3	Bega 66411
⊙	6	Bega 99862
●	4	BEGA 77910

Calculation Summary						
Label	CalcType	Units	Avg	Max	Min	Avg/Min
Granate Garden Path	Illuminance	Fc	2.50	12.2	0.0	N.A.
Parking and Drive_Planar	Illuminance	Fc	0.61	1.0	0.3	2.03
Patio_Surface	Illuminance	Fc	0.63	2.6	0.0	N.A.
Property Line	Illuminance	Fc	0.25	1.8	0.0	N.A.



7 of 8

Western Addition LLC

Village of Warwick NY R3

Drawn By: MH
Date: 7/28/2023
For: MJS Engineering

Scale: Not to Scale

#	Date	Comments
1		
2		
3		
4		
5		

Luminaire Calculations Disclaimer:
Luminaire calculations are for lighting design and purposes only. While all necessary steps have been taken to ensure the accuracy of the calculations, it should be noted that all results are only as good as the input data and calculation software used. Therefore, results computed may vary by as much as 30 percent depending on the light loss and layout factors used. The calculation program used. Field results may differ from computer light level readings due to unmodeled factors such as the surface variations, lamp and fixture performance, and actual field conditions such as surface finishes, surface texture, and environmental factors. BEGA LLC does not bear the responsibility for the accuracy of the calculations performed and the results of the lighting levels.

BEGA

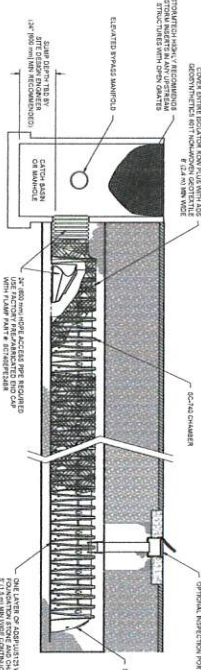
SC-740 STORMTECH CHAMBER SPECIFICATIONS

2. CHARGES ARE NOT SHOWING ON MY STATEMENT OF NET PAY. WHY? (PLEASE ADVISE ME OF ANY CHARGES THAT WILL BE DEDUCTED FROM MY NEXT PAYMENT.)
3. COLLECTED BY THE EMPLOYER FOR A COLLECTION AGENCY. I HAVE BEEN ADVISED THAT MY DEBT WILL BE PAID BY THE EMPLOYER. HOW CAN I BE SURE THAT THE EMPLOYER HAS PAID THE DEBT TO THE COLLECTION AGENCY?
4. THE EMPLOYER HAS NOT PAID MY CHARGES. THE EMPLOYER, MY AGENT, AND THE EMPLOYMENT SECURITY AGENCY HAVE ALL BEEN ADVISED THAT THE EMPLOYER HAS PAID THE CHARGES. HOW CAN I BE SURE THAT THE EMPLOYER HAS PAID THE CHARGES TO THE EMPLOYMENT SECURITY AGENCY?
5. I HAVE BEEN ADVISED THAT MY DEBT WILL BE PAID BY THE EMPLOYER. HOW CAN I BE SURE THAT THE EMPLOYER HAS PAID THE DEBT TO THE EMPLOYMENT SECURITY AGENCY?
6. I HAVE BEEN ADVISED THAT MY DEBT WILL BE PAID BY THE EMPLOYER. HOW CAN I BE SURE THAT THE EMPLOYER HAS PAID THE DEBT TO THE EMPLOYMENT SECURITY AGENCY?
7. I HAVE BEEN ADVISED THAT MY DEBT WILL BE PAID BY THE EMPLOYER. HOW CAN I BE SURE THAT THE EMPLOYER HAS PAID THE DEBT TO THE EMPLOYMENT SECURITY AGENCY?

IMPORTANT - NOTES FOR THE BIDDING AND INSTALLATION OF THE SC-740 SYSTEM

- [illegible]

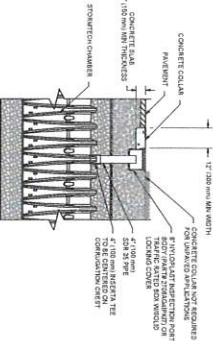
3	SC-740 ISOLATOR ROW PLUS DETAIL
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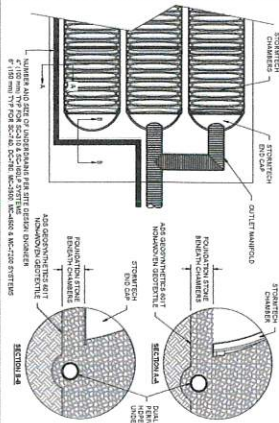
INSPECTION & MAINTENANCE

- [illegible]

4	(SC SERIES CHAMBER)
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5	UNDERDRAIN DETAIL
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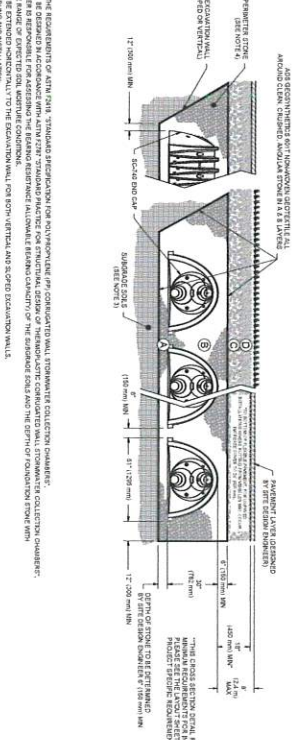
6	INSERT-A-TEE SIDE INLET DETAIL
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[illegible]

2	SC-740 TECHNICAL SPECIFICATIONS
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[illegible]

SC-740 CROSS SECTION DETAIL



ACCEPTABLE FILL MATERIALS: STORMTECH SC-740 CHAMBER SYSTEM

[illegible]

STEP 2: CLEAN OUT ISOLATOR NOW PLUS A. AFTER CLEANING CLEAN

- NOTES**
1. INSPECT EVERY 15 MINUTES DURING THE TEST RUN OF OPERATION. ADJUST THE INSPECTION INTERVAL, BASED ON PREVIOUS RECORDS OF CLEANING CYCLES AND REPAIRS TO THE SYSTEM.
2. CONDUCT A TITRATION AND MEASURED ANALYSIS, ON WHICH INSPECTION ACTIONS AND MAINTENANCE IS NECESSARY.
3. VACUATE PROTECTIVE DAMPS AS RECORDED
4. REFILL ALL COOLERS, WATER FILTERS AND GAS RECORD OBSERVATIONS AND ACTUALLY
5. INSPECT AND CLEAN PIPING AND WHOLE UNIT PARTS OF THE TITRATION SYSTEM.

NOTES:

- [illegible]