

Village of Warwick Planning Board 77
Main Street, PO Box 369
Warwick, New York 10990
Tel: (845) 986-2031, ext. 7
Email: planning@villageofwarwick.org

OFFICE USE ONLY:

Date Received: _____

App. Fee Received: _____

Escrow Received: _____

APPLICATION FOR SITE PLAN**(Preliminary Review / Final Approval / Amendment to Site Plan)**

[All information must be completed. If not applicable, note N/A. Must be signed & notarized.]

1. Project Name PROULX RESIDENCE2. Tax map designation: Section 213 Block 1 Lot 83. Zoning District – please circle: (R) LO MR-SC CCRC CB GC LI TND PAC AD**See Article II Zoning Districts and Zoning Maps. *All applications are subject to ARB review, except as specified by the VC.*4. Is the property located in the Historic District? Yes _____ No ✓**See Historic District Map. If 'yes', applicant must complete an AHDRB application and go before the AHDRB.*

For questions 5 – 10 use Article III Use Regulations of the V. of Warwick Zoning Code, Table of General Use Requirements

5. Type of Existing Use: GARAGE6. Proposed Type of Use: RESIDENCE7. Circle Applicable Category for Project's Proposed Use: (P*) C* S* P8. Proposed Project's Use Group(s): b9. Proposed Project's Special Conditions: — **last column in Table of General Use Requirements*

10. Per Article III Use Regulations of the Village of Warwick Zoning Code, Table of General Use Requirements, does the project additionally require:

• Conditional Use Permit: Yes (No)**If 'yes' applicant must complete a Conditional Use Permit Application.***Applicants to review ARTICLE XI Conditional Use Review and Approval & Article XII Conditional Use & Special Use Permit Use Standards.*• Special Use Permit: Yes (No)**If 'yes' applicant must complete a Special Use Permit Application***Applicants to review Article XII Conditional Use & Special Use Permit Use Standards.*

11. Type of Project: check one

☒ Preliminary Site Plan Review☐ Final Site Plan Review☐ Amendment to Approved Site Plan

12. Application Fee(s), payable to the Village of Warwick, submitted as separate checks with the application:

• Application for Preliminary Site Plan Review Fee: ✓ \$350.00 Check # 732

• Supplementary Final Site Plan Fee: \$150.00 Check # _____

**Supplementary Fee in combination with initial Preliminary Site Plan Review Application Fee will satisfy Application for Final Site Plan Fee.*

• Application for Final Site Plan Fee: \$500.00 Check # _____

• Application for Amendment to Site Plan Fee: \$350.00 Check # _____

TO BE SIGNED AND NOTARIZED

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.

COUNTY OF _____
STATE OF _____ SS:

I, _____, hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true.

Sworn before me this _____ Day of _____ 20____ Signature _____
Title _____

Notary Public

PROXY STATEMENT (Completion required ONLY if applicable)


COUNTY OF Orange
STATE OF New York SS:

Peter Proulx, being duly sworn, deposes and says that he resides
at 17 Scenic View Road, Monroe NY 10950 in the County of Orange and
State of New York (Owners Address).

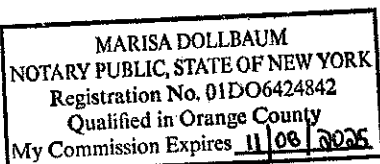
And that he is the (owner in fee) Owner of the 9 Campbell Road, Warwick NY
(Official Title)

(corporation which is the owner in fee) of the premises described in the foregoing application and that he has authorized Joe Irace to make the foregoing application for Planning Board approval as described herein and to represent him on all Planning Board matters.

Sworn before me this 3rd Day of Jan 2024


Owner's or Official's Signature

Marisa Dollbaum
Notary Public



TO BE SIGNED AND NOTARIZED

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.

COUNTY OF _____
STATE OF _____ SS:

I, _____, hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true.

Sworn before me this _____ Day of _____ 20 _____
Signature _____
Title _____

Notary Public

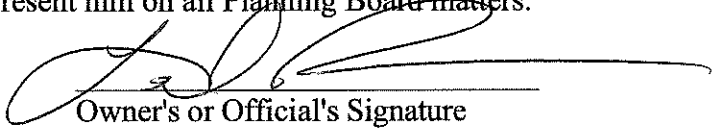
PROXY STATEMENT (Completion required ONLY if applicable)

COUNTY OF Orange
STATE OF New York SS:

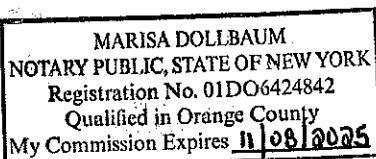
Laila Proulx, being duly sworn, deposes and says that he resides
at 17 Scenic View Road, Monroe NY 10950 in the County of Orange and
(Owners Address)
State of New York.

And that he is the (owner in fee) Owner of the 9 Campbell Road, Warwick NY
(Official Title)
(corporation which is the owner in fee) of the premises described in the foregoing application and that
he has authorized Joe Irace to make the foregoing application for Planning Board
approval as described herein and to represent him on all Planning Board matters.

Sworn before me this
3rd Day of Jan 2024


Owner's or Official's Signature

Marisa Dollbaum
Notary Public



VILLAGE OF WARWICK PLANNING BOARD
PRELIMINARY / FINAL SITE PLAN / AMENDMENT TO SITE PLAN
CHECKLIST

The following items shall be submitted with a completed checklist to the Planning Board secretary at least 3 weeks prior to the Planning Board Meeting before consideration for being placed on a Planning Board agenda.

INITIAL SUBMISSION

- ☐ ☒ Project Cover Letter, including a narrative describing the existing and proposed use(s) of the property.
- ☐ ☒ Completed Application for Preliminary / Final Site Plan Approval / Amendment to Approved Site Plan
- ☐ ☒ Application fee payable to the Village of Warwick. The memo on the application fee check must indicate the project name and type of payment.
- ☐ ☒ Escrow deposit payable to the Village of Warwick. The memo on the escrow deposit check must indicate the project name and type of payment.
- ☐ Completed Escrow Account for Consultant Review Form.
- ☐ ☒ Prior approved site plan, if applicable
- ☐ Deed and if applicable, confirmation of corporate ownership and proxy.
- ☐ ☒ Short or Full Environmental Assessment Form (EAF), as appropriate, completed using the NYSDEC online mapper.
https://www.dec.ny.gov/permits/357.html#EAF_Part_1;
https://www.dec.ny.gov/docs/permits_ej_operations_pdf/seafpartone.pdf
- ☐ ☒ Permit Application for Development in Flood Hazard Areas, if applicable.
- ☐ ☒ Six collated sets of the Site Plan (4 full size sets, 2 of 11"x17" reduced sets, and entire submittal emailed to planning@villageofwarwick.org in pdf format) bearing the signature and seal of a NYS licensed land surveyor or professional engineer. Refer to Site Plan Requirements for additional requirements.

SUBSEQUENT SUBMISSIONS

Subsequent submissions shall include a cover letter with itemized responses to the Planning Board's review comments and six sets of plans as described above.

SUPPORTING DOCUMENTS

The applicant shall submit reports, correspondence and/or approvals by other agencies, and other documents regarding the proposed project. These might include:

- Correspondence from the Village Board, Architectural and Historic Review Board, and Zoning Board of Appeals
- Environmental Reports (e.g. wetlands, endangered species, site remediation)
- Cultural resources reports
- Traffic studies
- Stormwater Pollution Prevention Plan (SWPPP) or other drainage studies
- Copy of all offers of cession, covenants, deed restrictions, and easements in effect or proposed.

SITE PLAN REQUIREMENTS

1. ☒ Title block including the project name, the name, address, license number, seal, and signature of the design professional who prepared the drawings, and the dates of preparation and of each revision.
2. ☒ Property boundaries and right-of-way locations, certified by a licensed land surveyor.

3. ☒ Name(s) & address(es) of owner(s) and applicant(s).
4. ☒ Parcel(s) tax map ID (Section, Block and Lot)
5. ☒ Vicinity map. Show zoning district boundaries, if applicable
6. ☒ Bulk table showing zoning district(s), applicable use group(s), and bulk requirements together with compliance information.
7. ☐ Required yards and setbacks drawn on the plan.
8. ☒ North arrow, written and graphic scale.
9. ☒ The proposed use, location, height, and designs of all existing and proposed buildings and structures, including exterior renderings and details.
10. ☒ Locations of existing utilities on and near the project site.
11. ☒ Approval block near the lower right-hand corner.

The Planning Board can waive one or more of the following site plan elements that it deems to be not applicable to the proposed project:

12. ☐ Existing contours, at intervals of two feet or less, extending at least 50 feet beyond the property boundary.
13. ☐ Existing watercourses, intermittent streams, wetland areas, rock outcrops, trees with a diameter of 8 inches or more 3 feet above ground level, wooded areas, and any other significant features.
14. ☐ Location and description of all existing and proposed site improvements, including but not limited to drainage pipes, drains, culverts, ditches, bridges or other drainage works, retaining walls, curbs, pavement, sidewalks, and fences. Provide applicable details.
15. ☐ Wetland boundaries, including the name and address of delineator and date of delineation, and jurisdictional agency (NYSDEC or USACE).
16. ☐ Boundaries of areas subject to flooding as per the FEMA Flood Insurance Study.
17. ☐ Proposed contours, at intervals of two feet or less, with spot grades as needed to clarify proposed grading.
18. ☐ Finished floor elevations.
19. ☐ Proposed divisions of buildings into different uses.
20. ☐ Road design layout information, profiles, and details.
21. ☐ Existing and proposed water supply facilities, including profiles of proposed water mains.
22. ☐ Existing and proposed sanitary sewer facilities, including profiles of proposed sewer mains.
23. ☐ Erosion control measures, including locations, maintenance notes, and details.
24. ☐ The location, type, and screening details for solid waste disposal facilities and containers.
25. ☐ Existing signs, and locations and details of proposed signs.
26. ☐ Landscaping plans and details.
27. ☐ Lighting plans, details, and manufacturer's information on proposed fixtures.
28. ☐ Design of parking and loading areas, with calculations.
29. ☐ Locations of any outdoor storage facilities, with details of proposed screening measures.
30. ☐ Locations, height and design of lighting, power and communications facilities.
31. ☐ Location of fire and other emergency zones including location of nearby fire hydrants. Provide defined access and egress drives with truck turning radius shown where necessary.
32. ☐ Location, height, design and direction of all exterior rooftop structures and facilities including placement of any generators, exterior equipment, exhaust systems, noise baffles and appropriate screening.
33. ☐ Location and design of all parking and access facilities as are required for the handicapped pursuant to the NYS Building Code.
34. ☐ Inventory and quantity of hazardous materials anticipated for on-site storage and/or use.
35. ☐ Plans for the disposal of construction and demolition waste, whether on-site storage and/or use.

- 36. ☒ Sight distances at each proposed driveway or roadway.
- 37. ☒ Profiles of all driveways in excess of ten percent slope.
- 38. ☒ Maximum number of employees, maximum seating capacity, hours of operation, etc. specific to the proposed use(s).
- 39. ☒ Match lines.
- 40. ☒ Locations of traffic safety devices and directional flow of traffic shown.
- 41. ☒ For projects involving more than one phase, a site plan indicating the ultimate development of the entire property.
- 42. ☒ Special mitigation measures required by the SEQRA review process, whether conducted by the Planning Board or another agency.

This list is provided as a guide only and is for the convenience of the applicant. The Village of Warwick Planning Board may require additional notes or revisions prior to granting approval. The applicant shall review the Village Code and all applicable State, including SEQRA documents in accordance with NYCRR §617 and Federal requirements for additional information required.

Preparer's Acknowledgement:

The plat for the proposed plan has been prepared in accordance with this checklist and the Village of Warwick Ordinances, to the best of my knowledge.

By:  Date: 1/3/24
Signature of Licensed Professional

Printed Name: JOSEPH IRACE AIA

Village of Warwick Building Department
77 Main Street/P.O. Box 369
Warwick, NY 10990

WATER AND SEWER PERMIT APPLICATION

Date: 1/3/24

Property Owner Information

Name: LAILA + PETER PROULX
Street Address: 9 CAMPBELL ROAD
City/State and Zip: WARWICK, NY 10990

Mailing Address: _____
City/State and Zip: _____

Telephone Number: _____ Cell: 845.721.5500
Email: LAILA PROULX @ YAHOO.COM

Location of Proposed Construction

Property-Section/Block/Lot 213 - 1 - 8
Street Address 9 CAMPBELL ROAD
Nature of Use Property RESIDENCE + GARAGE
Number of Dwelling Units Served by Water Connection 1

Proposed Construction (use the back of this page if more space is need)

Water Service Pipe Diameter 1" Ø Water Line Length 90' +/-
Sewer Line Length 90' +/- Approximate Anticipated Water Usage _____ gal/day
Describe Location & Nature of Proposed Line (Provide Plan) SEE SITE PLAN

Fees (For Office Use/Circle all that Apply)

Water Fees:

Water Fees	Amount	Service Required (check all that apply)	Payment Received (Check # / Cash)	Date Payment Received
Water Service Application Fee per tap	\$1,600			
Cost of service pipes and tap up to and including 1" service	\$9,000			
Cost of service pipes over 1" service	Actual Cost to Village			
Cost of service pipes with service line in excess of 12', per linear foot	Actual Cost to Village			
Water Inspection Fee per tap	\$1,200			

Water Meter Installation Fees:

Water Meter Installation Fees	Amount	Service Required (check all that apply)	Payment Received (Check # / Cash)	Date Payment Received
Meter installation charges up to and including 1"	\$1,200			
Meter installation exceeding 1"	Actual cost to Village			

Sewer Fees:

Sewer Fees	Amount	Service Required (check all that apply)	Payment Received (Check # / Cash)	Date Payment Received
Sewer Permit Application Fee, per tap	\$1,200			
Sewer Tap-In Fee, per tap	\$7,000			
Service line in excess of 12', per linear foot	\$150			
Sewer Inspection Fee, per tap	\$1,000			

Total Fees: \$ _____**Customer Certification**

I certify that I am the property owner, or an agent of the owner, of the address listed on this application, and that the information provided is true and correct. I certify that I understand the terms of this application as stated on the information sheet, and agree to all terms.

Lata Prodx
Printed Name – Property Owner

Bate Prodx
Signature – Property Owner

1/3/23
Date

Boris Rudzinski
VOW Building Inspector

Mike Moser
VOW DPW Supervisor

Christopher Bennett
VOW Water Distribution Supervisor

Date

Date

Date

Water Billing Office Use Only

1. Date Received by Water Billing Department: _____ 2. Date Account Created in Edmunds: _____
3. Date Work Order Created for Installation: _____ 4. Date New Meter Details Entered in Edmunds: _____

Village of Warwick Building Department
77 Main Street/PO Box 369
Warwick, NY 10990
(845) 986-2031 Ext. 107 FAX (845) 987-1215
building@villageofwarwick.org

BUILDING PERMIT APPLICATION

Date: 1/3/24

Property Owner Information:

Name: LAILA + PETER PROULX
Street Address: 9 CAMPBELL ROAD
City/State and Zip: WARWICK, N.Y. 10990
Telephone Number: _____ Cell: 845-721-5500
Email: LAILA PROULX @ YAHOO.COM

Contractor Information:

Name: _____
Street Address: _____
City/State and Zip: _____
Telephone Number: _____
Email: _____ Cell: _____

Architect or Engineer Information:

Name: JOSEPH BRACE AIA
Street Address: 15 ELM STREET
City/State and Zip: WARWICK, N.Y. 10990
Telephone Number: 845-988-0198

Location of Proposed Construction:

Street Address: PROPOSED 2500 S.F., 3 BED RM HOME
Is this location in a floodway? NO Is this location in a flood zone? NO

Proposed Construction (use the back of this page if more space is needed):

WOOD FRAMED

Estimated Cost of Construction:

\$ 500,000 +/-

Permit Fee (basic)

\$ _____ *See Village of Warwick Schedule of Fees

Additional Fee:

\$ _____ *See Village of Warwick Schedule of Fees

Additional Fee:

\$ _____ *See Village of Warwick Schedule of Fees

Total Fee

\$ _____

I certify that I am the property owner, or an agent of the owner, of the address listed on this application, and that the information provided is true and correct. I certify that I understand the terms of this application as stated on the information sheet and agree to all terms.

Date: 1/3/24 Property Owners Signature: _____

Joyce L. L. (REPRESENTATIVE)

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 I 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			
PROPOSE PROULX RESIDENCE			
Name of Action or Project: PROULX AREA VARIANCE			
Project Location (describe, and attach a location map): 9 CAMPBELL ROAD, WARWICK, N.Y.			
Brief Description of Proposed Action: PROPOSED NEW RESIDENCE TO BE BUILT ON EXIST LOT. NEED WATER + SEWER. EXIST 2 CAR GARAGE TO REMAIN IF ALLOWED,			
Name of Applicant or Sponsor: JOSEPH TRACE AIA		Telephone: 845.988.0198 E-Mail: TRACEAIA@YAHOO.COM	
Address: 15 ELM STREET			
City/PO: WARWICK, N.Y.		State: N.Y.	Zip Code: 10990
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: VARIANCE + BUILDING PERMIT		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.187 acres	
b. Total acreage to be physically disturbed?		1,200 acres SQ FT	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.187 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input checked="" 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			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<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?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

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?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	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,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
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:	NO	YES
_____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
_____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
_____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>JOSEPH IRACE AIA</u> Date: <u>1/3/24</u> Signature: <u><i>Joseph Irace</i></u> Title: <u>ARCHITECT</u>		



PRINT FORM

DETERMINATION OF THE ZONING BOARD OF APPEALS
OF THE VILLAGE OF WARWICK, NEW YORK

WHEREAS, MICHAEL & KERRY DEMETROULES have applied to this Board for a variance of the Bulk Area Requirements of the Code, and

WHEREAS, a public hearing on this application and the amended application of said applicants were held at 77 Main Street, Warwick, New York on 5/18/08 and continued on 9/16/08, 1/20/09, 6/15/09, 7/20/09 and 8/17/09, and

WHEREAS, at aid hearing(s) all interested persons were given an opportunity to be heard, the Board finds as follows:

FINDINGS OF FACT

1. The Estate of Welling Thomas is the owner of premises located at 9 Campbell Road, Warwick, New York, designated on the Village tax map as Section 213 Block 1 Lot 8.

2. The application has been made for a variance of the Zoning Law reducing lot area from 20,000 sq. ft to 9,000 sq. ft.; lot width from 100 ft to 65 ft.; total yard setback from 50 ft. to 35 ft.; street frontage from 80 ft. to 65 ft. for the purpose of construction of a 30 ft. X 44 ft. single family dwelling and reduction of side yard setback from 10 ft. to 6.9 feet and rear yard setback from 10 ft. to 3.6 ft. for an existing garage.

3. An inspection of the site, and the evidence and testimony as summarized from the meeting(s) show that:

The original application was filed by Kerry Demetroules to convert an existing garage on tax lot #8 to a single family dwelling (sfd). The garage was the sole structure on the lot and illegal because it was an accessory and not a principal use, and apparently, less than 10 feet from the rear and 1 side line. No survey was produced showing the garage "as built", the only survey produced showed the garage as "staked out".

It was determined that the lot was actually owned by the Welling Thomas Estate and permission for the variance request was ultimately filed by the Estate.

As the meetings progressed, the application evolved from conversion of the existing garage into a sfd to leaving the garage as is and constructing a 30 foot X 44 foot, 2-story sfd in the approximate center of the lot. Ultimately, the Board, applicant and concerned neighbors appeared to agree that the best plan would be to either remove the garage entirely and construct a sfd in the approximate center of the lot or move the garage to the approximate center of the lot and convert it to a sfd and perhaps expand it. The maximum footprint of the building was to be not more than 30 feet X 44 feet and a 2-story sfd was thought to be the best configuration. The time within which construction could begin was discussed and a 6 month extension of Section 145-152.L was deemed reasonable under the circumstances.

Under the final scenario, the following variances would be required: reduction of lot area from 20,000 sq. ft. to 9,000 sq. ft., lot width from 100 ft. to 65 ft., 1 side setback from 20 feet to 17 ½ (+/-) feet and total side yard setback from 50 ft. to 35 ft., and street frontage from 80 ft. to 65 ft.

There was concern that (+/-) was vague so that the Board decided to place a limitation of 6 inches.

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. The large (30 foot X 30 foot) existing garage which appears to have less than the required setbacks and an apparent detriment to the adjacent property owner will be removed. The character of the neighborhood will not be changed by allowing an additional sfd on the lot. Even though the lot area is less than required by the Code, it is typical of other lots in the neighborhood.

B. The benefit sought by the applicant (construction of a sfd) cannot be achieved by some method, feasible for the applicant to pursue, other than the variances. No other land is available to enlarge the lot.

C. The requested variances are numerically substantial. However, this is an existing lot and typical of many lots in the neighborhood.

D. The proposed variances will not have an adverse effect or impact upon the physical or the environmental conditions in the neighborhood or district.

E. The alleged difficulty is self-created. The lot line could be eliminated.

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.

4. The proposed action is an Unlisted action and will not result in any significant adverse environmental impact for the reasons hereinbefore set forth.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED, that it is determined, based on the information and analysis presented to the Board, that the proposed action will not result in any significant adverse environmental impact.

The foregoing resolution was submitted by Pamela Arace and seconded by John Prego

For the Resolution Against the Resolution Abstaining Absent


John Graney				X
John Prego	X			
Pamela Arace	X			
Jonathan Burley	X			
Matthew Blaskovich	X			

NOW, THEREFORE, BE IT RESOLVED, that the application for the following Bulk Area variances be granted: reduction of lot area from 20,000 sq. ft. to 9,000 sq. ft., lot width from 100 ft. to 65 ft., 1 side setback from 20 feet to 17 ½ (+/- 6 inches) feet, total side yard setback from 50 ft. to 35 ft., and street frontage from 80 ft. to 65 ft.; and that a 6 month extension of Section 145-152.L be granted thereby giving the applicants 12 months from the date of granting the variances to commence construction. The variances are conditioned upon (1) the sfd having a footprint of not larger than 30 feet X 44 feet and being a 2-story building, and the side setbacks being 17 ½ (+/- 6 inches) feet on both sides and (2) the applicants razing the garage or moving it to the approximate center of the lot and converting it to a sfd, and thoroughly removing the concrete pad and restoring that area to its natural condition, and no CO shall be granted before the condition is satisfied.

The foregoing resolution was submitted by Matthew Blaskovich and seconded by Pamela Arace

	For Resolution	Against Resolution	Abstaining	Absent
John Graney				X
John Prego	X			
Pamela Arace	X			
Jonathan Burley	X			
Matthew Blaskovich	X			

Dated: Warwick, New York
August 17, 2009



JOHN PREGO, Asst. Chairman

SK 3/

Unless construction is commenced and diligently prosecuted within 12 months of the date of the granting of a variance, such variance shall become null and void.

Construction cannot commence until a building permit is issued.

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
☐ Yes ☒ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
☐ Yes ☒ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

No

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

No

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

No

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

No

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

No

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

None

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

None

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?

☐ Yes ☒ No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

☐ Yes ☒ No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☒ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.

Village of Warwick Zoning Board of Appeals

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Chairman

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

NGIS

Revised