

November 5, 2024
Revised December 10, 2024

MEMO

TO: Village of Warwick Planning Board
Applicant

CC: Kristin Bialosky, Planning Board Clerk
Keith Woodruff, Village Engineer

FROM: Elizabeth K. Cassidy, Esq.

RE: Attorney comments on application of C Bossolina Group LLC
19 Welling Place
207-5-25

I have reviewed the application of C Bossolina Group LLC for the conversion of existing structure from Automotive repair and one apartment to professional offices and 3 apartments.

Comment	Status
1. The Property is located in the CB zoning district	For Information
2. Application is subject to GML 239 due to the site's proximity to NYS Route 94/17A (Main Street).	
3. The proposed use is classified as mixed use with residences on the 2 nd floor being a conditional use, in use group j. Business/Professional/Government offices are a permitted use. See 145-31.	For Information
4. Application is subject to a public hearing. See § 145-112. The Planning Board shall require the applicant to mail notice by certified mail of said hearing to applicant at least ten days before such hearing and to all property owners within three hundred feet (300') of the property line of the applicant's property and shall give	For Information

<p>public notice of said hearing in a newspaper of general circulation in the Village at least five days prior to the hearing.</p>	
<p>5. I note the comment memorandum of Keith Woodruff, dated November 5, 2024.</p>	<p>For Information</p>
<p>6. SEQR: This is a Type II action. (See 6 NYCRR 617.5 (c) (9)).</p>	<p>For Information</p>
<p>7. Bulk table on the proposed plan indicates an increase to the Floor Area Ratio in excess of the maximum permitted by code. (1.14 to 1.34). Applicant to address and if necessary seek variance from the Zoning Board of Appeals.</p> <p>12-3-2024 – Building Inspector has issued a determination dated November 21, 2024 that the alteration of the building’s roof line will result in a F.A.R. equal to or smaller than the existing F.A.R. which the Building Inspector has determined is a pre-existing non-conformity. Applicant should update the bulk table to reflect that existing setbacks are pre-existing non-conformities as per Village of Warwick Code.</p>	<p>Comment Satisfied.</p>
<p>8. Planning board to evaluate parking. The applicant relies on on-street parking. 145-70 (A)(1), permanent off-street parking and loading spaces shall be provided in all districts...when any existing building or structure is enlarged or increased in capacity or when adding dwelling units, guest rooms. Per 145-70(A)(3)(a)(5), “Shared parking should be examined in relation to the availability of such off site, off-street parking existing within 300 feet of the site. Shared parking must be either open to the public, owned or controlled by the applicant, or where a deeded right to shared use has been demonstrated by the applicant.”</p>	
<p>9. The property is located in the Historic District and the application is subject to review pursuant to Chapter 7 of the Village of Warwick Code. Referral to SHPO is recommended.</p>	

12-3-2024 – Applicant indicates referral to SHPO has been made. Applicant has made application to AHDRB.	
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