

November 12, 2025

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
30 Brady
218-1-4

I have reviewed the application of Alice and Dennis Rutherford seeking to demolish an existing three-bedroom single family home and construct a multiple dwelling consisting of 4 units. I offer the following comments:

Comment	Status
1. The Property is located in the R zoning district. Multiple dwelling is permitted subject to special permit and falls under use group "g." Multiple residences are further regulated by § 145-127 of the Villages zoning code.	For Information
2. Application is not subject to GML 239.	For Information
3. Proposed development is subject to special use permit pursuant to Article XVI of the Village's Zoning Code. Applicant shall make an application to the Village Board pursuant to the procedures set forth in § 145-160 through § 145-162.	For Information
4. SEQR: This is an unlisted action. Involved agencies include the Planning Board and Village Board. EAF Comments:	

The Applicant has submitted a Short Form Environmental Assessment Form dated October 21, 2025. • # 2 to be updated to reflect Village Board (Special Permit) • # 12(B) – Applicant to address yes answer. Recommend referral to SHPO I recommend the Planning Board conduct a coordinated review and declare intent to be lead agency.	
5. Pursuant to § 145-127 • Multiple residences shall be constructed to resemble a single-family dwelling. • Multiple residences shall be consistent with the character of the immediate surrounding neighborhood. • The number of dwelling units shall be calculated in accordance with the residential density requirements of § 145-28.G(2)(a) of the Zoning Law. • Wherever space is provided for the parking of four (4) or more vehicles in the open, such spaces shall be individually identified by means of pavement markings. No parking space shall be located in any front yard or within ten (10') feet of any lot line in side or rear yards. The parking of motor vehicles within fifteen (15') feet of any wall or portion thereof is prohibited. No service of any kind shall be permitted to be extended to users of the lot, including automobile service, repair or fueling, and no gasoline, oil, grease or other supplies shall be stored or sold in any such lot or in any garage on such lot. Parking areas shall be screened by a substantial hedge, wall or fence with a height of not less than six and one-half (6 ½') feet, and approved by the Planning Board.	
6. Upon review of the application, the proposed project more closely aligns with the definition of	

"Apartments". I recommend the applicant confirm the same with the Building Inspector.	
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This memorandum represents a review of an initial submission. Future submissions will likely generate additional comments.