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April 13, 2026

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
Overlook Drive Warwick LLC
211-10-9

I have reviewed the application of Overlook Drive Warwick LLC seeking to convert an existing 2 family into a 3 family dwelling. I offer the following comments:

Comment	Status
1. The Property is located in the Residential (R) zoning district, multiple residence is permitted a permitted use subject to special permit by the Village Board and to site plan approval by the Planning Board. Multiple Residences fall under use ground "g".	For Information
2. Application is not subject to GML 239.	For Information
3. I note the memorandum of Keith Woodruff, Village Engineer, dated April 8, 2026.	For Information
4. Multiple residences are subject to § 145-127 of the Village's zoning code, "Multiple Residences" and to the general special permit standards set forth in § 145-120.	For Information
Special Permit Standards	
5. Minimum Lot Size of 22,500 Square Feet – <i>Variance required. The Lot is 7,377 sq feet.</i>	

<p>6. Multiple residences shall be constructed to resemble a single-family dwelling</p>	
<p>7. Multiple residences shall be consistent with the character of the immediate surrounding neighborhood.</p>	
<p>8. If there are multiple buildings proposed for a lot, the following shall apply:</p> <ul style="list-style-type: none"> a. The distance between principal residential buildings on the same lot must be equal to the length of the largest building or sixty (60) feet, whichever is greater. – <i>Not Applicable</i> b. There shall be no more than six (6) dwelling units per principal residential building. - <i>Complies</i> c. No building shall exceed one hundred and twenty-five (125) feet in length. – <i>Likely complies, applicant to put the dimension on the plans to confirm.</i> d. The minimum distance between a principal residential building and an accessory building shall be twenty-five (25) feet – <i>Applicant to provide dimension to confirm compliance.</i> e. There shall be provided on the same lot, a suitably fenced children's play area containing not less than one hundred (100) square feet of ground area for each dwelling unit therein. – <i>Matter to be address by Village Board as part of special permit review.</i> f. There shall be no parking areas between the front lot line and a principal residential building. - <i>Complies</i> g. 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 – <i>Applicant to provide calculations</i> h. 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 with 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 	

<p>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. – <i>Plans do not comply. Parking located within 10 feet of lot line.</i></p>	
<p>9. A public hearing is required.</p>	For Information
<p>10. SEQR: This is a Type II action pursuant to SEQR. See 6 NYCRR 617.5(c)(11) (construction or expansion of a single-family, two family or three family residence on an approved lot).</p>	For Information
<p>11. Application materials and plans to be updated to identify new owner. Entity disclosure to be filed with the Planning Board Secretary.</p>	
<p>12. Applicant to identify the number of bedrooms in each unit to calculate necessary parking. The applicant should not rely on stacked parking for a multiple residence. The applicant may wish to consult with the adjoining property owner for the potential of shared parking.</p>	
<p>13. Applicant to address encroachments including driveway at the Southwest corner of the property and garage located at the northern line.</p>	
<p>14. The plan identifies the following non-conformities:</p> <ul style="list-style-type: none"> Lot Area Lot Width Minimum Front Yard Minimum Side Yard Minimum Both Side Yards Minimum Street Frontgage <p>Applicant to seek determination from Building Inspector as to whether these non-conformities are to be treated as pre-existing non-conforming conditions or require a variance.</p>	

These comments are based upon an initial review of the application materials. Future submissions may generate additional comments.