

November 6, 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 Warwick LLC
8 Forester
SBL 207-3-3

I have reviewed the application of Warwick LLC to convert approximately 1,100 square feet of existing office space (third floor) to a two-bedroom apartment together with enclosed stairs and roof top deck.

I offer the following comments:

Comment	Status
1. The Property is located in the CB zoning district	For Information
2. The site was previously the subject of a Special Use Permit Application. By resolution dated January 2, 2024, the Village Board classified the proposed use as "Multiple Residence" and granted a special use permit for the construction of six apartments within the existing structure. Based upon that precedent and the proposed changes to the exterior of the building, I recommend that the matter be referred to the Village Board for an amendment to the existing special use permit to expand the number of apartments.	

3. The applicant seeks a waiver of site plan pursuant to 145-99. The proposed use, however, appears to be an expansion of the existing multiple residence, a special permit use as set forth on the Use Table. See § 145-31. There is no authority in the Village Code for the Planning Board to waive special use approval. Pursuant to § 145-23(D), special permit uses are deemed prohibited until special permit use approval is granted by the Village Board Board. Such approval shall be granted in accordance with Article XVI of the Village's zoning code. I am of the opinion that a waiver of site plan cannot be issued to modify a special use permit.	
4. The property is located in the Historic District. Applicant to demonstrate compliance with 145-24.	