



VILLAGE OF WARWICK
INCORPORATED 1867

**RESOLUTION GRANTING SPECIAL USE PERMIT FOR A
SIX-APARTMENT MULTIPLE DWELLING AT 8 FORESTER AVENUE**

WHEREAS, the applicant, Warwick LLC, owns certain real property located at 8 Forester Avenue, Warwick, New York (Section 207, Block 3, Lot 3); and

WHEREAS, the said property is located in a Central Business District (“CB”); and

WHEREAS, the applicant has submitted an application proposing to convert existing first floor office space to two one-bedroom apartments and one two-bedroom apartment and to establish two one-bedroom apartments and one two-bedroom apartment on the second floor of the building on the said property;

WHEREAS, under the Village Zoning Code the proposed apartment building constitutes a “Multiple Residence”; and

WHEREAS, the Table of Use Requirements in the Village Zoning Code lists Multiple Residence as a use permitted in the CB District subject to grant of a special use permit from the Village Board and grant of site plan approval by the Planning Board; and

WHEREAS, the Planning Board, as lead agency in review of the project under the State Environmental Quality Review Act, has determined that it is an Unlisted Action and has issued a Negative Declaration; and

WHEREAS, the applicant has now applied to the Village Board for a special use permit pursuant to Village Code §145-127 for establishment of the proposed multiple dwelling; and

WHEREAS, under the Village Code, an application for approval of a multiple dwelling must meet the standards set forth in §145-120 as well as the particular requirements set forth in §145-127; and

WHEREAS, the Village Board has duly noticed and held a public hearing on the application for a special use permit;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board does hereby make the following findings pursuant to Village Code §145-120:

A. The proposed development of the subject property is of such location, size, and character that it will be in harmony with the appropriate and orderly development of the neighborhood in which it is situated and will not be detrimental to adjacent properties. The subject property is an existing building located in a neighborhood in which re-use of it as an

apartment building will be consistent with existing uses in the area. Further, it will help increase the Village's stock of entry level housing.

B. The proposed use and development of the subject property as multiple dwelling does not pose any undue hazards to pedestrian and vehicular traffic. There is ample off-street parking on the property, and sight distances are not a concern for ingress and egress from the property.

C. The location and height of the building on the property is not of such nature, size, appearance or location that it will hinder or discourage use or development of other properties in the neighborhood or the district. Most of the property in the neighborhood is already built out. Thus, the physical dimensions of the building will not hinder or discourage use or development or re-development of other properties in the neighborhood or the district.

D. The proposed development of the property as a multi-family dwelling will not result in a need for additional public facilities or services, or create such fiscal burdens upon the Village greater than those which characterize uses permitted by right under applicable zoning. If the new residential use on the property results in any increase in the need for public facilities or services, or creates a greater fiscal burden upon the Village than the commercial use would create, it will be nominal.

2. That the Village Board does hereby make the following findings in regard to the applicant's ability to meet the "special conditions" criteria set forth in Village Code §145-127:

A. The applicant's property consists of .62 acres, and therefore meets the requirement that the subject property have a minimum lot size of 22,500 square feet.

B. The applicant has satisfied the requirement that the multiple residence must be constructed to resemble a single-family dwelling. The building is being constructed with a single main entrance for the apartments and, overall, it "resembles" a single-family dwelling to extent that it can.

C. The applicant meets the requirement that the multiple residence must be consistent with the character of the immediate surrounding neighborhood on the grounds set forth above.

D. Village Code §145-127 goes on to state additional standards which must be met if the applicant proposes to construct multiple buildings on a lot, but here the applicant proposes to construct a single mixed use commercial and residential structure, so these considerations do not apply here.

3. That the Village Board hereby grants the requested special use permit.

Trustee Cheney presented the foregoing resolution which was seconded by

Trustee Foster,

The vote on the foregoing resolution was as follows: **APPROVED**

Barry Cheney, Trustee, voting Aye

Carly Foster, Trustee, voting Aye

Thomas McKnight, Trustee, voting Absent

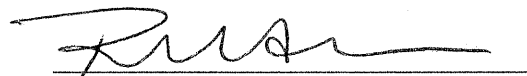
Mary Collura, Trustee, voting Aye

Michael Newhard, Mayor, voting Aye

I, RAINA ABRAMSON, Village Clerk of the Village of Warwick, in the County of Orange, State of New York HEREBY CERTIFY that the above motion was made at the regular meeting of the Village Board of the Village of Warwick duly called and held on Tuesday, January 2, 2024 and has been compared by me with the original minutes as officially recorded in the Village Clerk's Office in the Minute Book of the Village Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matter.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Warwick this 3rd day of January 2024.

SEAL


Raina M. Abramson, Village Clerk