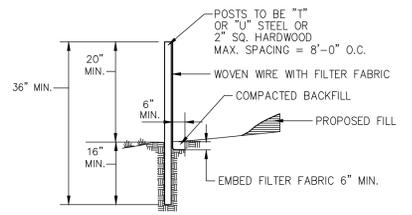


207-2-28.2
N/F
HERITAGE GREEN, INC

207-2-25
N/F
MERDAK & DORSEY

SOIL EROSION CONTROL NOTES

- SILT FENCE BARRIERS SHALL BE INSTALLED PRIOR TO CONSTRUCTION.
- DISTURBANCE TO BE LIMITED TO THE MINIMUM NECESSARY FOR THE GRADING AND CONSTRUCTION OF THE PROPOSED IMPROVEMENTS.
- TEMPORARY SEEDING WITH ANNUAL RYE GRASS OR OTHER RAPID GROWING MIXTURE SHALL BE PERFORMED ON DISTURBED SOIL REMAINING VACANT FOR MORE THAN ONE MONTH AS FOLLOWS:
 - LOOSEN SEEDS BY DISING TO 4" DEPTH.
 - FERTILIZE AS PER SOIL TEST OR APPLY 5-10-10 FERTILIZER (20 lbs. per 1000 s.f.)
 - SEED WITH PERENNIAL RYEGRASS (20 lbs. per 1000 s.f.)
 - MULCH WITH STRAW MULCH (90 lbs. per 1000 s.f.)
- ALL DISTURBED AREAS TO BE MULCHED TO PREVENT EROSION. THE CONTRACTOR SHALL COMPLY WITH ALL REQUESTS OF THE TOWN ENGINEER OR BUILDING INSPECTOR DURING CONSTRUCTION WITH REGARD TO EROSION CONTROL DEVICES.
- EROSION CONTROL MEASURES SHALL REMAIN IN PLACE AND BE MAINTAINED BY THE CONTRACTOR UNTIL PERMANENT STABILIZATION HAS BEEN ESTABLISHED.



SILT FENCE DETAIL
N.T.S.

NOTES:

- WHERE TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER, THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED.
- MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.
- SILT FENCE FABRIC TO BE MIRAFI 100X OR APPROVED EQUAL.
- WOVEN WIRE FENCE (MIN. 14.5 GAUGE, MAX 6" MESH SPACING)

LIST OF DRAWINGS:

- AMENDED SITE PLAN
- ZONING BOARD OF APPEALS

LEGEND

- EXISTING PROPERTY LINE
- OVERHEAD UTILITY LINES
- EXISTING CONTOUR

APPROVED FOR FILLING:

OWNER(S) _____ DATE _____

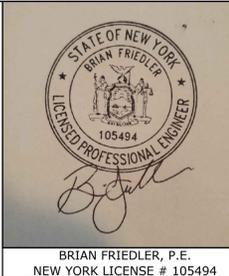
APPROVED AS A FINAL SITE PLAN BY A RESOLUTION OF THE PLANNING BOARD OF THE VILLAGE OF WARWICK ON _____

CHAIRMAN _____ DATE _____

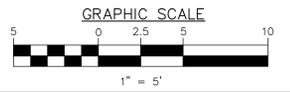
VILLAGE ENGINEER _____ DATE _____

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BRIAN FRIEDLER, P.E.
NEW YORK LICENSE # 105494



GENERAL NOTES

- TAX MAP DESIGNATION: SECTION 207, BLOCK 2, LOT 26
28 WHEELER AVENUE, WARWICK, NY 10990
- RECORD OWNER / APPLICANT:
JAMES McATEER & CHRISTOPHER KIMECIK
802 UNION CORNERS ROAD
FLORIDA, NY 10921
- PROPERTY AREA: 4,863 ± SQ.FT.
- ZONING DISTRICT: LIMITED OFFICE OVERLAY (LO)
- EXISTING WATER SUPPLY: VILLAGE OF WARWICK WATER SYSTEM
- EXISTING SEWAGE DISPOSAL: VILLAGE OF WARWICK SEWER SYSTEM
- SURVEY INFORMATION PROVIDED BY PAUL ROGEMAN, P.L.S., DATED APRIL 7, 2025, TOPOGRAPHY INFORMATION TAKEN FROM ORANGE COUNTY IMAGE MATE.
- EXISTING USE: SINGLE-FAMILY, 2-BEDROOM DWELLING
- PROPOSED USE: SINGLE-FAMILY, 3-BEDROOM DWELLING

ZONING DATA :

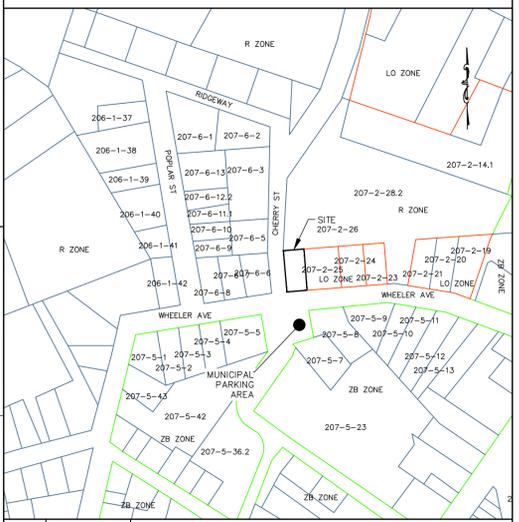
ITEM	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA	20,000 SQ.FT.	4,863 SQ.FT.(*)	4,863 SQ.FT.(*)
MIN. LOT WIDTH	100 FT.	50.0 FT.(*)	50.0 FT.(*)
FRONT SETBACK	35 FT.	10.5 FT.(*)	10.5 FT.(*)
MIN. FRONT YARD	35 FT.	10.5 FT.(*)	10.5 FT.(*)
MIN. REAR SETBACK	35 FT.	42.8 FT.	36.6 FT.
MIN. REAR YARD	10 FT.	12.1 FT.	12.1 FT.
MIN. SIDE SETBACK	20 FT.	15.8 FT.(*)	15.8 FT.(*)
TOTAL SIDE SETBACK	50 FT.	(***)	(***)
MIN. SIDE YARD	10 FT.	12.0 FT.	12.0 FT.
MIN. STREET FRONTAGE	80 FT.	147 FT.	147 FT.
MAX. BLDG. HEIGHT	35 FT.	25 FT.	25 FT.
DEVELOPMENT COVERAGE	35%	36% ±(**)	31% ±
MIN. LOT DEPTH	125 FT.	97.3 FT.(*)	97.3 FT.(*)
LIVABLE FLOOR AREA	1250 SF	1,092 SF	1,577 ± SF
FLOOR AREA RATIO	0.25	0.22	0.32 (***)

(*) NON-CONFORMING, PRE-EXISTING CONDITION
 (**) EXISTING: 1,750 SQ.FT. / 4,863 SQ.FT. = 0.359
 PROPOSED: 1,505 SQ.FT. / 4,863 SQ.FT. = 0.309
 (***) CORNER LOT: A FRONT YARD AND FRONT SETBACK SHALL BE REQUIRED ON A CORNER LOT FROM EACH STREET LINE. THERE SHALL BE DESIGNATED ON THE SITE PLAN WHICH OF THE REMAINING YARDS OR SETBACKS SHALL BE THE SIDE AND REAR YARD OR SETBACK, RESPECTIVELY.
 (****) VARIANCE NEEDED

SCHEDULE OF USE AND PARKING SPACE REQUIREMENTS:

REQUIRED: 1.5 SPACES / BEDROOM; 2 SPACES / 2 OR MORE BEDROOMS
 EXISTING SPACES: 2
 MUNICIPAL PARKING AVAILABLE WITHIN 55-FT OF THE PROPERTY

VICINITY MAP
SCALE: 1" = 200'±



ISSUE	DATE	DESCRIPTION
3	02/18/26	VILLAGE OF WARWICK PLANNING BOARD REVIEW
2	12/02/25	VILLAGE OF WARWICK ZONING BOARD OF APPEALS REVIEW
1	10/06/25	VILLAGE OF WARWICK BUILDING DEPARTMENT REVIEW

PROPOSED DWELLING ADDITION SITE PLAN

28 WHEELER AVE

SECTION 207 BLOCK 2 LOT 26
VILLAGE OF WARWICK
ORANGE COUNTY, NEW YORK

FRIEDLER ENGINEERING, PLLC

PH. 845.544.5662
30 WARWICK LAKE PKWY WARWICK, NEW YORK 10990
FRIEDLERENGINEERING@OUTLOOK.COM

DRAWN BY	CHECKED BY	SCALE	JOB NO.	SHEET NO.
BjF	BjF	AS SHOWN	FE-25045	1 OF 2

VILLAGE OF WARWICK
ZONING BOARD OF APPEALS

RESOLUTION of Variance Determination upon Application of JAMES MCATEER and CHRIS KIMECICK

Decision and Order

28 Wheeler Avenue
Tax Map SBL 207-2-26

At a meeting of the Village of Warwick Zoning Board of Appeals duly convened on January 27, 2026 at 7:00 p.m.

Present: John Graney, Chairman
Wes Burley, Member
Nikki Delille, Member
Margaret Politoski, Member

Absent: John Prego, Member

MOTION made by J. Graney, seconded by W. Burley, and the following voting in favor:

ALL members present, and the following voting in opposition: NONE, to open the public

hearing in the above-referenced matter:

This is an application filed by James McAteer and Chris Kimiecik ("Applicants") for an area variance from the Village Zoning Code with respect to the property located at 28 Wheeler Avenue, Warwick, New York, designated on the Village tax map as Section 207, Block 2, Lot 26, and located in the Residential Zoning District to:

A. Allow a Floor Area Ratio of 33%, increased from the cap of 25%

The variance is sought for the purpose of constructing an addition to the existing home in place of a previously existing deck.

RESOLUTION of Variance Determination upon Application of James McAteer and Chris Kimiecik

Chris Kimiecik appeared on behalf of both Applicants and presented their proposal for the expansion of the Floor Area Ratio. The proposal is to remove an existing wood deck and to replace it with a 2-story one-bedroom addition and an enclosed porch. The overall footprint of the property would actually be less than half of the original wood deck, but it would result in the interior Floor Area Ratio increasing over the current cap of 25% to 33%. The proposal would add a third bedroom and second bathroom to the existing single-family residence, would square off the rear of the residence and include the removal of an existing portion of the house with a failing foundation.

The Board and attendees were invited to ask further questions or share comments, and no objections or comments were made by the public. No correspondence was received by the Board in connection with the instant application.

MOTION made by J. Graney, seconded by W. Burley, and the following voting in favor: ALL members present, and the following voting in opposition: NONE, with J. Prego absent, to close the public hearing.

The Board discussed the level of SEQRA review and determined that the application was previously determined by the Village Planning Board to be a Type II action and no further review was required.

MOTION made by N. Delille, seconded by J. Graney, and the following voting in favor: ALL members, and the following voting in opposition: NONE, with J. Prego absent, the following resolution was adopted:

Following the conclusion of the public hearing, the Board makes the following findings:

RESOLUTION of Variance Determination upon Application of James McAteer and Chris Kimiecik

RESOLVED, that this application has previously been designated as a Type II under the State Environmental Quality Review Act and no further environmental review is necessary; and it is further

RESOLVED, that with regard to requested area variance to increase the Floor Area Ratio for the property from 25% to 33%, the following findings are hereby made:

A. Pursuant to proper notice, a public hearing was convened at the Warwick Village Hall on the 27th day of January, 2026 at 7:00 p.m. Kristin Bialosky, Secretary of the Zoning Board of Appeals, confirmed that she had received proof that the necessary notices of the public hearing had been mailed to the neighboring property owners, and that the required newspaper publications and conspicuous postings of the notice had timely occurred.

B. Following the motion to close the public hearing, the Board proceeded to deliberate in open session on the Application.

C. Based upon the oral testimony and evidence in the record, the Board renders the following conclusions with respect to the area variance sought in the instant application:

i. that the benefit to the Applicants cannot be achieved by other means feasible to the Applicants due to the layout of the Property;

ii. that there will be no undesirable change in neighborhood character or detriment to nearby properties;

iii. that the requested area variance is substantial with respect to the increase in the Floor Area Ratio;

iv. that the request does not have any adverse physical or environmental effects;

v. that the alleged difficulty to the Applicants is self-created; and

RESOLUTION of Variance Determination upon Application of James McAteer and Chris Kimiecik

vi. that the benefit of the requested relief to the Applicants would outweigh the potential detriment, if any, to the health, safety, and general welfare of the community.

Based on the foregoing, it is hereby

RESOLVED, that the requested Area Variance is hereby **GRANTED**.

The foregoing is the Decision and Order of the Zoning Board of Appeals.

Dated: February 9, 2026
Resolution Approved:

BY ORDER OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF WARWICK

John Graney
JOHN GRANEY, CHAIRMAN

I, Raina Abramson, Village Clerk, do hereby certify that the foregoing Determination was filed in the Office of the Village Clerk on February 9, 2026, and copies provided to the Building Inspector and emailed to the Applicant.

Raina Abramson
RAINA ABRAMSON, CLERK
VILLAGE OF WARWICK, NEW YORK

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ZONING BOARD OF APPEALS

28 WHEELER AVE

SECTION 207 BLOCK 2 LOT 26
VILLAGE OF WARWICK
ORANGE COUNTY, NEW YORK

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