

October 21, 2025

Village of Warwick – Planning Board Application
77 Main Street
Warwick, NY 10990
Attention: Planning Board Chairman

Re: Rutherford Property – Site Plan Approval
30 Brady Road
Section 218, Block 1, Lot 4
Job #: FE-25159

Dear Mr. Chairman,

We are enclosing a Planning Board application for site plan approval for the removal of an existing 3-bedroom, single-family dwelling and the construction of a two-story, multi-family dwelling. The existing parking area will be modified and improved to accommodate the proposed use.

We have enclosed the following information for your review:

- Site Plan Application.
- Site Plan Check List.
- Electronic copy of the site plan and 6 hard sets (4 full-size & (2)11" x 17") dated 10/21/25.
- Property Deed.
- EAF, dated 10/21/25.

Sincerely
Friedler Engineering, PLLC



Brian Friedler, P.E.

Village of Warwick Planning Board 77
Main Street, PO Box 369
Warwick, New York 10990
Tel: (845) 986-2031, ext. 7
Email: planning@villageofwarwick.org

OFFICE USE ONLY:	
Date Received:	_____
App. Fee Received:	_____
Escrow Received:	_____

APPLICATION FOR SITE PLAN
(Preliminary Review / Final Approval / Amendment to Site Plan)
[All information must be completed. If not applicable, note N/A. Must be signed & notarized.]

- Project Name 30 Brady Road
- Tax map designation: Section 218 Block 1 Lot 4
- Zoning District – please circle: **(R)** LO MR-SC CCRC CB GC LI TND PAC AD
**See Article II Zoning Districts and Zoning Maps. *All applications are subject to ARB review, except as specified by the VC.*
- Is the property located in the Historic District? Yes ___ No x
**See Historic District Map. If 'yes', applicant must complete an AHDRB application and go before the AHDRB.*

For questions 5 – 10 use Article III Use Regulations of the V. of Warwick Zoning Code, Table of General Use Requirements

- Type of Existing Use: 3-bdrm, single-family dwelling
- Proposed Type of Use: Multi-family dwelling, 4-units total
- Circle Applicable Category for Project's Proposed Use: P* C* **(S*)** P
- Proposed Project's Use Group(s): 9
- Proposed Project's Special Conditions: 145-127 **last column in Table of General Use Requirements*
- Per Article III Use Regulations of the Village of Warwick Zoning Code, Table of General Use Requirements, does the project additionally require:

- Conditional Use Permit: Yes / No
**If 'yes' applicant must complete a Conditional Use Permit Application.
Applicants to review ARTICLE XI Conditional Use Review and Approval & Article XII Conditional Use & Special Use Permit Use Standards.
- Special Use Permit: Yes / No
**If 'yes' applicant must complete a Special Use Permit Application
Applicants to review Article XII Conditional Use & Special Use Permit Use Standards.

- Type of Project: check one
 - Preliminary Site Plan Review
 - Final Site Plan Review
 - Amendment to Approved Site Plan

- Application Fee(s), payable to the Village of Warwick, submitted as separate checks with the application:

• Application for Preliminary Site Plan Review Fee:	<u>\$350.00</u>	Check # <u>520</u>
• Supplementary Final Site Plan Fee:	<u>\$150.00</u>	Check # <u>520</u>
<i>*Supplementary Fee in combination with initial Preliminary Site Plan Review Application Fee will satisfy Application for Final Site Plan Fee.</i>		
• Application for Final Site Plan Fee:	<u>\$500.00</u>	Check # _____
• Application for Amendment to Site Plan Fee	<u>\$350.00</u>	Check # _____

13. Escrow Fee, payable to the Village of Warwick, submitted as separate checks with the application:

- Base Escrow (Preliminary/Final /Amendment): \$2,000 Check # 521
**Applicants must also complete the attached Escrow Account for Consultant Review Form.*
**Base escrow for Preliminary Site Plan Review will be applied toward Final Site Plan escrow.*

14. Applicant's Name Dennis Rutherford Phone _____
 Address 30 Brady Road, Warwick NY 10990 Email [REDACTED]
(Street Number & Name) (Post Office) (State) (Zip Code)

Owner's Name ~~Richard~~ ^{Alice} Rutherford Phone _____
 Address 30 Brady Road, Warwick NY 10990 Email [REDACTED]
(Street Number & Name) (Post Office) (State) (Zip Code)

Applicant's Representative's Name Brian Friedler, P.E. Phone 845-544-5662
 Address 30 Warwick Lake Pkwy, Warwick, NY 10990 Email friedlerengineering@outlook.com
(Street Number & Name) (Post Office) (State) (Zip Code)

Plan Preparer's Name Friedler Engineering, PLLC Phone 845-544-5662
 Address 30 Warwick Lake Pkwy, Warwick, NY 10990 Email friedlerengineering@outlook.com
(Street Number & Name) (Post Office) (State) (Zip Code)

Attorney's Name _____ Phone _____
 Address _____ Email _____
(Street Number & Name) (Post Office) (State) (Zip Code)

Meeting Notification Name Brian Friedler, PE Phone 845-544-5662 Email friedlerengineering@outlook.com

15. Total acreage 0.52 Acres Number of lots 1

16. This application is for the use and construction of Multi-family residential home dwelling

17. Is any variance from Article IV Bulk Requirements requested? Yes No

If so, for what? _____

18. Has the Zoning Board of Appeals granted any variance or has the Village Board granted any special use permit concerning this property? Yes / No

If so, list Applicant Name No (Attach entire ZBA & VB approval.)

19. Estimated area of disturbance Under 1 acre

TO BE SIGNED AND NOTARIZED

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

COUNTY OF _____
STATE OF _____ SS:

I, _____, hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true.

Sworn before me this _____ Day of _____ 20____ Signature _____
Title _____

Notary Public

PROXY STATEMENT (Completion required ONLY if applicable)

COUNTY OF Orange
STATE OF New York SS:

Alice Rutherford, being duly sworn, deposes and says that he resides at 107 Center Court Goshen NY 10924 in the County of Orange and State of New York.
(Owners Address)

And that ~~he~~ is the (owner in fee) Owner of the 30 Brady Rd Warwick NY 10990
(Official Title)

(corporation which is the owner in fee) of the premises described in the foregoing application and that she has authorized Dennis Rutherford to make the foregoing application for Planning Board approval as described herein and to represent him on all Planning Board matters.

Sworn before me this 17 Day of October 2025
Alice Rutherford
Owner's or Official's Signature

[Signature]
Notary Public

CHERYL A. MCCLEAVER
Notary Public, State of New York
No. 01M00059299
Qualified in Orange County
Commission Expires November 12, 2026

VILLAGE OF WARWICK PLANNING BOARD
PRELIMINARY / FINAL SITE PLAN / AMENDMENT TO SITE PLAN
CHECKLIST

The following items shall be submitted with a completed checklist to the Planning Board secretary at least 3 weeks prior to the Planning Board Meeting before consideration for being placed on a Planning Board agenda.

INITIAL SUBMISSION

- Project Cover Letter, including a narrative describing the existing and proposed use(s) of the property.
- Completed Application for Preliminary / Final Site Plan Approval / Amendment to Approved Site Plan
- Application fee payable to the Village of Warwick. The memo on the application fee check must indicate the project name and type of payment.
- Escrow deposit payable to the Village of Warwick. The memo on the escrow deposit check must indicate the project name and type of payment.
- Completed Escrow Account for Consultant Review Form.
- ~~NA~~ Prior approved site plan, if applicable
- Deed and if applicable, confirmation of corporate ownership and proxy.
- Short or Full Environmental Assessment Form (EAF), as appropriate, completed using the NYSDEC online mapper.
https://www.dec.ny.gov/permits/357.html#EAF_Part_1;
https://www.dec.ny.gov/docs/permits_ej_operations_pdf/seafpartone.pdf
- ~~NA~~ Permit Application for Development in Flood Hazard Areas, if applicable.
- Six collated sets of the Site Plan (4 full size sets, 2 of 11"x17" reduced sets, and entire submittal emailed to planning@villageofwarwick.org in pdf format) bearing the signature and seal of a NYS licensed land surveyor or professional engineer. Refer to Site Plan Requirements for additional requirements.

SUBSEQUENT SUBMISSIONS

Subsequent submissions shall include a cover letter with itemized responses to the Planning Board's review comments and six sets of plans as described above.

SUPPORTING DOCUMENTS

The applicant shall submit reports, correspondence and/or approvals by other agencies, and other documents regarding the proposed project. These might include:

- Correspondence from the Village Board, Architectural and Historic Review Board, and Zoning Board of Appeals
- Environmental Reports (e.g. wetlands, endangered species, site remediation)
- Cultural resources reports
- Traffic studies
- Stormwater Pollution Prevention Plan (SWPPP) or other drainage studies
- Copy of all offers of cession, covenants, deed restrictions, and easements in effect or proposed.

SITE PLAN REQUIREMENTS

1. Title block including the project name, the name, address, license number, seal, and signature of the design professional who prepared the drawings, and the dates of preparation and of each revision.
2. Property boundaries and right-of-way locations, certified by a licensed land surveyor.

3. Name(s) & address(es) of owner(s) and applicant(s).
4. Parcel(s) tax map ID (Section, Block and Lot)
5. Vicinity map. Show zoning district boundaries, if applicable
6. Bulk table showing zoning district(s), applicable use group(s), and bulk requirements together with compliance information.
7. Required yards and setbacks drawn on the plan.
8. North arrow, written and graphic scale.
9. The proposed use, location, height, and designs of all existing and proposed buildings and structures, including exterior renderings and details.
10. Locations of existing utilities on and near the project site.
11. Approval block near the lower right-hand corner.

The Planning Board can waive one or more of the following site plan elements that it deems to be not applicable to the proposed project:

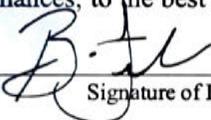
12. Existing contours, at intervals of two feet or less, extending at least 50 feet beyond the property boundary.
13. Existing watercourses, intermittent streams, wetland areas, rock outcrops, trees with a diameter of 8 inches or more 3 feet above ground level, wooded areas, and any other significant features.
14. Location and description of all existing and proposed site improvements, including but not limited to drainage pipes, drains, culverts, ditches, bridges or other drainage works, retaining walls, curbs, pavement, sidewalks, and fences. Provide applicable details.
15. NA Wetland boundaries, including the name and address of delineator and date of delineation, and jurisdictional agency (NYSDEC or USACE).
16. NA Boundaries of areas subject to flooding as per the FEMA Flood Insurance Study.
17. Proposed contours, at intervals of two feet or less, with spot grades as needed to clarify proposed grading.
18. Finished floor elevations.
19. Proposed divisions of buildings into different uses.
20. NA Road design layout information, profiles, and details.
21. Existing and proposed water supply facilities, including profiles of proposed water mains.
22. Existing and proposed sanitary sewer facilities, including profiles of proposed sewer mains.
23. Erosion control measures, including locations, maintenance notes, and details.
24. The location, type, and screening details for solid waste disposal facilities and containers.
25. NA Existing signs, and locations and details of proposed signs.
26. Landscaping plans and details.
27. Lighting plans, details, and manufacturer's information on proposed fixtures.
28. Design of parking and loading areas, with calculations.
29. Locations of any outdoor storage facilities, with details of proposed screening measures.
30. NA Locations, height and design of lighting, power and communications facilities.
31. Location of fire and other emergency zones including location of nearby fire hydrants. Provide defined access and egress drives with truck turning radius shown where necessary.
32. Location, height, design and direction of all exterior rooftop structures and facilities including placement of any generators, exterior equipment, exhaust systems, noise baffles and appropriate screening.
33. Location and design of all parking and access facilities as are required for the handicapped pursuant to the NYS Building Code.
34. NA Inventory and quantity of hazardous materials anticipated for on-site storage and/or use.
35. Plans for the disposal of construction and demolition waste, whether on-site storage and/or use.

- 36. Sight distances at each proposed driveway or roadway. **EXISTING DWY**
- 37. Profiles of all driveways in excess of ten percent slope.
- 38. Maximum number of employees, maximum seating capacity, hours of operation, etc. specific to the proposed use(s).
- 39. Match lines.
- 40. Locations of traffic safety devices and directional flow of traffic shown.
- 41. For projects involving more than one phase, a site plan indicating the ultimate development of the entire property.
- 42. Special mitigation measures required by the SEQRA review process, whether conducted by the Planning Board or another agency.

This list is provided as a guide only and is for the convenience of the applicant. The Village of Warwick Planning Board may require additional notes or revisions prior to granting approval. The applicant shall review the Village Code and all applicable State, including SEQRA documents in accordance with NYCRR §617 and Federal requirements for additional information required.

Preparer's Acknowledgement:

The plat for the proposed plan has been prepared in accordance with this checklist and the Village of Warwick Ordinances, to the best of my knowledge.

By:  Date: 10/21/25
Signature of Licensed Professional

Printed Name: BRIAN FRIEDLER P.E.

This Indenture,Made the 16th day of August,
1978

Nineteen Hundred and Seventy-eight

Between

LEER 2107 PAGE 850

State of New York

County of _____

Recorded on the _____ day
of _____ A. D., 19 _____ at
_____ o'clock _____ M. in Liber
of DEEDS at page
and examined.

Clerk

JENNIE LEEPER, residing at no number Brady Road, Town
of Warwick, County of Orange and State of New York,

party of the first part, and

RICHARD RUTHERFORD, 26 Point Breeze Drive, Hewitt,
State of New Jersey, and ALICE O'SHEA, residing at188 Clinton Place, Hackensack, New Jersey, as joint tenants
with right of survivorship and not as tenants in common.Witnesseth that the party of the first part, in consideration of _____
parties of the second part,ONE and 00/100-----Dollar (\$ 1.00----)
lawful money of the United States, and other good & valuable consideration
paid by the parties of the second part, does hereby grant and release unto the
parties of the second part, their heirs and assigns forever, all
that certain plot, piece or parcel of land, situate, lying and being
in the Town of Warwick, County of Orange and State of New York,
described as follows:BEGINNING in the middle of the South Street as extended up the
mountain; and in the line of the lands of Thomas Welling, the said
point being seventeen and nine-tenths feet from a nail driven in a
cherry tree on the westerly side of the street, and runs thence along
the said street (1) North 18° and 5' East, 300 feet; thence (2) North
71° 55' West, 151.2 feet to a stake in the line of the said lands of
Thomas Welling; thence along the latter (3) South 8° 40' East, 336
feet to the place of beginning, and containing fifty-two hundredths
of an acre of land more or less.BEING the same premises described in a deed from
Vincent Coughlin to Jennie
Leeper by deed dated February 22nd, 1967 and recorded in Orange County
Clerk's Office January 15, 1974 in Liber 1967 of Deeds at Page 349.SAID premises are described in a survey by Floyd C. Carr, dated
August 11, 1978, as follows:BEGINNING at a point in the westerly side of Brady Road, said
point being in the easterly line of Lot 142 as shown on a map entitled
"Final Map, Section 4, Warwick Country Estates", Village of Warwick,
Orange County, New York, dated April 9, 1973, filed in Orange County
Clerk's Office January 17, 1974 as Map No. 3133; running thence from
said beginning along the easterly boundary line of said Warwick
Country Estates North 12° 37' 27" West 342.16 feet to a point; thence
along the lands now or formerly of Ball, South 76° 52' 39" East 157.12
feet to a point in the westerly side of the abovementioned Brady Road;
thence along the westerly side of said Brady Road south 14° 42' 00"
West 308.31 feet to the place of beginning.

CONTAINING 0.556 acres of land more or less.

Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

We have and in hold the premises herein granted unto the parties of the second part, their heirs and assigns forever.

And the party of the first part covenants that she has not done or suffered anything whereby the said premises have been incumbered in any way whatever.

And That, in Compliance with Sec. 13 of the Lien Law, the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the party of the first part has hereunto set her hand and seal the day and year first above written.

In Presence of

Jennie Leeper
Jennie Leeper

State of New York } On this 16th day of July, August
County of Orange } ss. Nineteen Hundred and Seventy-Eight
before me, the subscriber, personally appeared

JENNIE LEEPER

to me personally known and known to me to be the same person described in and who executed the within Instrument, and she acknowledged to me that she executed the same.

Lawrence Stage
Notary Public
LAWRENCE STAGE
Notary Public, State of New York
Qualified in Orange County
Commission Expires March 30, 1920

STATE OF NEW YORK, COUNTY OF ORANGE ss:
 I, Kelly A. Eskew, County Clerk and Clerk of the Supreme and County Courts, Orange County, do hereby certify that I have compared this copy with the original thereof filed or recorded in my office 8/18/1978 and the same is a correct transcript thereof in witness whereof, I have hereunto set my hand and affixed my official seal 10/16/2025

Kelly A. Eskew
 County Clerk & Clerk of the Supreme County Courts
 Orange County

RECEIVED
 10:20
 REAL ESTATE
 10 AUG 18 1978
 TRANSFER
 ORANGE
 COUNTY

78-11-32616 10⁰⁸
 4070 CT



Covenant Against Grantor with Lien Decreased

JENNIE LEEPER

TO

RICHARD RUTHERFORD and
 ALICE O'SHEA

Dated, July 19th 1978

Orange County Clerk's Office, s.s.
 Recorded on the 18th day
 of August 1978 at 8:37
 o'clock P.M. in Liber 2107
 at page 85 1/2
 and Examined.

Kelly A. Eskew
 R.T.R.
 Clerk

BEATTIE Y KRANNIK EDS
 2 BANK ST.

WARWICK, NY 10990

XXXXXXXXXXXXXXXXXXXX
 XXXXXXXXXX 4070
 XXXXXXXXXX 70
 XXXXXXXXXX

Chicago