

8/14/25 ✓ # 150 - 6002806198

8/14/25 ✓ # 300 - 6002806199

Village of Warwick Planning Board
Change of Use Waiver Application

For Office Use Only:

Action Date: ✓

Date Received: 8/14/25

Fees Paid/Amt: ✓

Received By: KAB

Has the ZBA granted any variances or special permits for this property?:
(Attach a copy of any variance or special permit to this application)

Please include a copy of the most recent or previously approved Site Plan. Resolution attached *

Owner's Name: John Schlaffer

Address: PO Box 652 Branchville NJ 07826

Telephone: Home: _____

Business: 862-268-472

Applicant's Name: Leslie Noble/Noble Pies

Address: 90 Minturn Rd Warwick NY 10990

Telephone: Home: 845-987-4734

Business: _____

Tax Map ID:

Section: 210

Block: 10

Lot(s): 8

Project Location: 12 Oakland Ave

Zoning District: CB

Parcel Area (SF/Acres): _____

Applicant to complete the following questions:

1. Identify the EXISTING & PROPOSED category of use(s) of the property & building (Check all that apply):

See Section 145-30 Use Table for uses within each category (Included as Attachment 1

EXISTING

Type of Use

Residential

Mixed Uses

General Uses

Business and Service Uses

X

PROPOSED

Type of Use

Residential

Mixed Uses

General Uses

Business and Service Uses

X

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Revised: April 2, 2010

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2. Identify the EXISTING & PROPOSED use(s) of the property and building (Complete the following table):

Building Story	Existing Use	Existing Area (SF)	Proposed Use	Proposed Area (SF)
First Floor	Business Real Estate	1402	Eating/Drinking	1402
Second Floor	2 Apartments		2 Apartments	
Third Floor				

Describe the PROPOSED use(s): Pie Shop

3. Identify the Specific Use and Use Group that applies to the proposed use(s): P CB Use Group K Eating/Drinking Es
(See Section 145-31 for the Use Table and specific uses - Included with this form as Attachment 1)

4. Is the property located within the Historic District? (Y/N): Y

5. Are there any physical changes proposed to the property or exterior of the building? (Y/N) (If Yes, Describe.
If No, skip Questions 6, 7, & 8): N

6. Complete the following table for the applicable Bulk Zoning Requirements for the proposed use/use group:
(See Chapter 145 ZONING, Article IV BULK REQUIREMENTS of the Village of Warwick Code - Attachment 2)

	Required	Existing	Proposed
Min Lot Area (SF)			
Lot Width (FT)			
Front Setback (FT)			
Side Setback (FT)			
Total Side Setback (FT)			
Side Yard (FT)			
Side Yard w/in 25' of a R Zone			
Rear Setback (FT)			
Rear Yard (FT)			
Rear Yard w/in 25' of a R Zone			
Street Frontage (FT)			
Max Height (FT)			
Development Coverage (%)			
Building Coverage (%)			
Floor Area Ratio (F.A.R.)			
Lot Depth (FT)			
Livable Floor Area/Unit (SF)			
Lot Area/Dwelling Unit (FT)			
Bedrooms/Acre Lot Area			

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7. Are there any EXISTING easements for access, drainage, sewer/water utility lines, underground/above ground utility rights-of-way, street rights-of-way, etc.? (Y/N) If yes, identify each by type, size, and location:

(All existing easements & ROWs should be shown on the property survey submitted with this application**)**

8. Will any of the EXISTING easements identified above be altered, changed, or effected by the proposed change of use? (Y/N):

If the project is located within the Historic District it must be referred to the Village of Warwick AHDRB

9. Are there any physical changes proposed to the interior of the building? (Y/N) (Describe): Painting Walls, Moveable Counter, Seats, Table

10. Is the property located wholly or partially within a FEMA designated Floodplain (Y/N)? N/A
(FEMA Floodplain maps available for review at Village Hall)

11. Identify the total EXISTING and PROPOSED water and sewer usage rates for each use in gallons per day (GPD):
(See Water Billing Clerk for past data) (See Attachment 3 for standard usage rates)

	Existing Use	Proposed Use
Water Use (GPD)	12,000	12,000 840
Sewer Use (GPD)	12,000	12,000 840

12. Is on-street parking available near the site? (Y/N): Y

13. Is a Municipal Parking Lot available within 300-FT of the site? (Y/N) Identify Location: Y Oakland Ave/First St

14. Identify the number of on-site parking spaces Provided for the EXISTING and PROPOSED use(s):

	Existing Use	Proposed Use
# Spaces Provided	8	6

15. Identify the total EXISTING and PROPOSED number of persons occupying the site as employees, customers, or otherwise:

	Existing Use	Proposed Use
# Employees	2	2
# Customers	15	5
# Other Users	No	No

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16. Identify the number of deliveries per day for the EXISTING and PROPOSED use(s):

	Existing Use	Proposed Use
# Deliveries/Day	N/A	1 X 3 Days/Week

17. Identify the number, location, and size of loading spaces for the EXISTING and PROPOSED use(s):

	Existing Use	Proposed Use
# Loading Areas	0	
Loading Area Size	N/A	
Loading Location	N/A	

18a. Identify the amount of solid waste/garbage generated by the EXISTING and PROPOSED use(s):

	Existing Use	Proposed Use
Cans of Waste Generated/Wk.	One Container	Two Containers

18b. Identify the method of solid waste disposal for the EXISTING and PROPOSED use(s):

	Existing Use	Proposed Use
Waste Disposal Method	Once a week	Once a week

(i.e. How often is waste collected?
Will individual cans or a dumpster
be used?)

18c. Identify the location of any outdoor storage of solid waste for the EXISTING and PROPOSED use (S):

	Existing Use	Proposed Use
Outdoor Waste Storage Location		N/A

19. Will the PROPOSED use increase the location, amount of, and intensity of exterior lighting? (Y/N): N

If YES, Describe:

20. Will there be any change in the existing drainage or stormwater detention areas? (Y/N) If YES, Describe: N

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21. Will there be any Increase in demand of municipal services such as fire, police, ambulance, school services, etc? (Y/N): N If yes, please describe: _____

22. Will the proposed use routinely produce odors? (Y/N) If YES, Describe: N

23. Will the proposed use produce operating noise exceeding the local ambient noise levels? (Y/N) N

If YES, Describe: _____

24. Identify the hours of operation for the EXISTING and PROPOSED use(s):

	Existing Use	Proposed Use
Hours of Operation		8AM-8PM Mon-Sun

26. Are any other outside agency approvals required for the PROPOSED use? (Y/N) If yes, list all approvals:

AHDRB Sign Approval Granted Aug 5, 2025

****Applicant to certify that the above information is complete and correct. All required information must be completed in order for the Change of Use Waiver Application to be heard at a Planning Board meeting****

Signature of Applicant: _____

Date: 8/14/25

Signature of Owner/Agent: _____

Date: 08/14/2025

To be completed by the Village of Warwick Planning Board Secretary:

****Note: The Planning Board Secretary is authorized to review this application for completeness purposes only. Once the application has been deemed complete it will be forwarded to the Planning Board for formal action.****

1. Has the information in this Waiver Application been reviewed for completeness? (Y/N):

Yes

2. Has the Applicant submitted a current certified property survey? (Y/N):

NO

K. A. B. B. B.
Signature of Planning Board Secretary

8/14/25

Date

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To be completed by the Village of Warwick Planning Board:

1. Has the information in this Waiver Application been reviewed by the Planning Board for completeness and accuracy? (Y/N): YES

2. Does this application require formal Site Plan Review/Approval by the Planning Board? (Y/N) (Describe): NO

Waiver Approval: YES ☒ NO ☐ Date: 10/14/25

Does the Planning Board have any specific comments or conditions on this Waiver Approval? _____


Signature of Planning Board Chairman

10/14/25
Date

Rec
12/31/2013

RESOLUTION OF APPROVAL

SITE PLAN

FOR

12 OAKLAND AVENUE, LLC

Nature of Application

12 Oakland Ave., LLC has applied for Site Plan approval allowing conversion of an office to retail use on the first floor together with use of the second floor for two residential apartments all within an existing building on a single existing parcel of land 11,824 sq. feet in size approximate.

Property Involved

The property affected by this resolution is shown on the Tax Maps of the Village of Warwick as parcel 210 – 10 – 8.

Zoning District

The property affected by this resolution is located in the commercial business (CB) zoning district of the Village of Warwick.

Plans

The Site Plan materials being considered consist of the following one (1) sheet set of plans originally dated 06-18-13 and last revised 08-22-13:

1. Site Plan entitled "Lands of 12 Oakland Ave. LLC"

History

Date of Application

The application was filed with the Planning Board on or about 07/31/2013.

GML 239 Referral

This application was required to be referred to the Orange County Planning Department for review. By letter dated October 2, 2013 that department determined that the project showed no evidence that significant intermunicipal or county wide impacts would result from its approval and was therefore one for local determination.

SEQRA

Lead Agency:

The Village of Warwick Planning Board is the lead agency in regard to this action. The Planning Board's status as lead agency was established on 09/25/13.

Type of Action:

On 09/25/13 The Village of Warwick Planning Board typed this action as a Type I action under the State Environmental Quality Review Act because the property is located in the village Historic District.

Declaration of Significance:

On 09/25/13 the Village of Warwick Planning Board undertook a review and examination of the Long Form EAF provided by the applicant. The Board determined that the project involves no significant changes to the existing exterior or interior of the building that would impact negatively upon the Historic District. Accordingly, the Planning Board determined that no negative impacts would result and therefore no negative environmental issues were presented. Thereupon the Board resolved that a Negative Declaration be issued.

Public Hearing

A public hearing on this application was convened on October 17, 2013, and concluded and closed on the same date.

Findings

The Planning Board has determined that final approval of this site plan will substantially serve the public convenience, safety and welfare in that the changes depicted on the Site Plan may be implemented as shown on the site plan.

No approval is intended to be given or is given by this resolution for site plan elements depicted on adjoining properties.

Resolution of Approval

NOW, THEREFORE, THE PLANNING BOARD RESOLVES to grant final approval to the site plan application of 12 Oakland Ave., LLC as depicted on the plans identified above and upon the conditions outlined below, and the Chairperson (or his designee) is authorized to sign the plans upon satisfaction of those conditions below noted to be conditions precedent to such signing.

Specific Conditions

1. The applicant is to pay all fees prior to signing of the site plans by the chairman.

In Favor 3 Against 0 Abstain 0 Absent 2

Dated: October 17, 2013



GEORGE AULEN, CHAIRMAN
VILLAGE OF WARWICK PLANNING BOARD

NOTE: The owner of the premises which is subject to this approval, their successors, heirs, and assigns, are hereby advised to apprise themselves of the provisions of Village Code Section 145-98 which provides for the expiration of approved site plans. The provisions of Section 145-98 provide in part that:

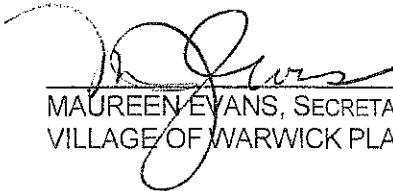
A. Every Site Plan approval shall expire if the work authorized has not commenced within twelve (12) months from the date of its approval, subject to any extension or has not been completed within twenty-four (24) months from the date of Site Plan approval unless the applicant has requested and been granted a phased construction schedule.

B. If construction has not been commenced within one (1) year from the approval of the Site Plan or phased construction schedule has not been completed, the holder of the approval may apply to the Planning Board for an extension not to exceed one (1) additional year and such application for extension must be filed prior to the end of the one year period. Upon the payment of one-half (1/2) of the application fees required for the original Site Plan approval and any professional review fees incurred, the Planning Board may, in its discretion and for due cause, extend the approval for a period not to exceed one (1) additional year from the date of its expiration.

C. Failure to receive an extension or complete work within the time prescribed, if any specified in the approval, shall require that a new Site Plan approval application be filed and a new approval issued before any work may commence or continue.

STATE OF NEW YORK)
)ss:
COUNTY OF ORANGE)

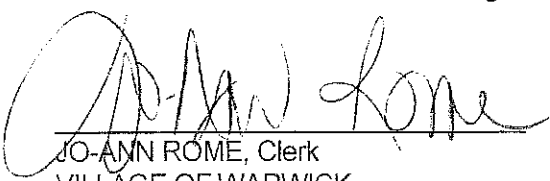
I, MAUREEN EVANS, Secretary of the Planning Board of the Village of Warwick, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the Planning Board at a meeting of said Board held on October 17, 2013.



MAUREEN EVANS, SECRETARY
VILLAGE OF WARWICK PLANNING BOARD

I, JO-ANN ROME, Clerk of the Village of Warwick, does hereby certify that the foregoing Resolution was filed in the Office of the Village Clerk on

12/31/13.



JO-ANN ROME, Clerk
VILLAGE OF WARWICK

LAW OFFICE OF ELIZABETH K. CASSIDY, PLLC
7 GRAND STREET
WARWICK, NEW YORK 10990
P: 845.987.7223 | F: 888.549.3886
WWW.EKCASSIDYLAW.COM

September 5, 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 John Schlaffer as owner and Leslie
Noble/Noble Pies as Tenant and Applicant
12 Oakland Avenue
210-10-8

I have reviewed the application of Leslie Noble for a Change of Use Waiver Application pursuant to § 145-99 of the zoning code.

In preparation of this memorandum, I have reviewed the following:

Application dated August 14, 2025

I offer the following comments:

Comment	Status
1. The Property is located in the CB (Central Business) zoning district. Eating/drinking establishment is a permitted use falling under Use Group K.	For Information
2. The Planning Board is authorized to grant a waiver of site plan approval where it determines that the change in use proposed will not result in any increase in the intensity of the use of the buildings or land which will significantly affect the characteristics of the site and/or Village. I draw	



Montgomery Office:

71 Clinton Street
Montgomery, NY 12549

Goshen Office:

262 Greenwich Ave, Ste B
Goshen, NY 10924

(845) 457 - 7727

www.EngineeringPropertiesPC.com

September 2, 2025

**VILLAGE OF WARWICK PLANNING BOARD
77 MAIN STREET
WARWICK, NY 10990**

ATT: JESSE GALLO, CHAIRMAN

**RE: CHANGE OF USE APPLICATION – NOBLE PIES
12 OAKLAND AVENUE
SECTION 210, BLOCK 10, LOT 8
WO# 1802.89**

Dear Mr. Gallo and Planning Board Members:

We have reviewed the change of use waiver application submitted for the existing building located at 12 Oakland Avenue. The applicant proposes to change the use from a real estate office to an eating and drinking establishment, identified as Noble Pies.

The site is a 0.27± acre parcel located in the Central Business (CB) zoning district and is located within the Historic District. The parcel is located outside all designated FEMA Special Flood Hazard Areas (SFHA). The proposed use is allowed in the CB district. The existing use of business/professional office would fall under Use Group 'j', whereby the proposed use of eating/drinking establishment would fall under Use Group 'k'. In comparing the different use groups, there are no differences in the bulk requirements that this change of use would impact.

Review Comments:

1. Applicant shall seek review and approval from the Village's Architectural and Historic District Review Board (AHDRB) for any exterior building modifications, including signage.
2. The property appears to contain parking spaces in the rear of the building (accessible from Orchard Street); will the applicant be provided access to these parking spaces by the property owner? Additionally, the application denotes a change in parking from 8 spaces existing to 6 spaces proposed, applicant to provide additional information.

3. The applicant has estimated the floor area of the building to be 1,402 square feet. A business office use would require 5 parking spaces whereby an 'eating & drinking place' use would require 17 parking spaces; yielding an increase of 12 parking spaces. The First Street Lot is approximately 300 feet from the application, providing 16 metered parking spaces and 5 overnight permit parking spaces.
4. The applicant should provide an estimated number of seats to be provided within the business so an estimate for the increase/decrease in water and sewer usage can be calculated. The current application depicts no change in the existing water and sewer usage.

Sincerely,

Engineering & Surveying Properties, PC, Village Engineers

A handwritten signature in black ink, appearing to read 'Keith Woodruff', with a long horizontal flourish extending to the right.

Keith Woodruff, CFM, CPESC
Senior Engineer

cc: Elizabeth Cassidy, Planning Board Attorney

Planning

From: Elizabeth Cassidy <ecassidy@ekcassidy.com>
Sent: Monday, October 27, 2025 5:51 PM
To: Planning; Keith Woodruff (Keith@ep-pc.com)
Subject: RE: Conditions for Nobel Pies, Medi-Spa and 36 Colonial Ave

OMG – today has been crazy so I missed this email.

Conditions as follows:

Hours 8 a.m. to 8 p.m.

Applicant to maintain all required Health Department Approvals.

No cooking/baking of food on premises.

Seating capacity limited to 24 seats.

Water Usage to be approximately 840 gallons per day with no dishwasher on premises.

In the event the use changes, capacity increases or water usage increases substantially, the applicant shall return to the Planning Board for further approval.

Thanks.

From: Planning <Planning@villageofwarwickny.gov>
Sent: Monday, October 27, 2025 11:56 AM
To: Elizabeth Cassidy <ecassidy@ekcassidy.com>
Subject: RE: Conditions for Nobel Pies, Medi-Spa and 36 Colonial Ave

Conditions for Noble Pies too please-

*Kristin Bialosky
Building, Planning, Zoning & ADRB Administrator*

*Village of Warwick
77 Main Street/P.O. Box 369
Warwick, NY 10990*