

**PLANNING BOARD  
VILLAGE OF WARWICK  
NOVEMBER 14, 2023  
AGENDA**

**LOCATION:  
VILLAGE HALL  
77 MAIN STREET, WARWICK, NY  
7:30 P.M.  
MAXIMUM OCCUPANCY- 40**

**Call to Order  
Pledge of Allegiance  
Roll Call**

1. Introduction by Planning Board Chairman, Jesse Gallo.
2. Acceptance of Planning Board Minutes: October 10, 2023.

The vote on the foregoing **motion** was as follows:

Jesse Gallo \_\_\_ Bill Olsen \_\_\_ Bryan Barber \_\_\_  
Scot Brown \_\_\_ Kerry Boland \_\_\_

**Applications**

1. **63 Wheeler Avenue** – <https://villageofwarwick.org/63-wheeler-ave/>

**PLANNING BOARD OF THE VILLAGE OF WARWICK  
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that, pursuant to Sections 145-93.C of the Code of the Village of Warwick that the Planning Board of the Village of Warwick, New York, will hold a Public Hearing on the 14<sup>th</sup> day of November, 2023 at 7:30 PM, or as soon thereafter as the matter can be heard that day, at the Village Hall, 77 Main Street, Warwick, New York, on the application of Shelly Garry, for Final Site Plan approval for a project referred to as “Western Addition LLC” which seeks to convert an existing building last used for and as a dance studio and related storage into a mixed use of a dine-in market, bistro, and a four (4) room boutique hotel. The proposal also seeks to renovate the existing parking areas all at an existing lot located on the lands lying at 63 Wheeler Ave. within said Village, and shown generally on the tax maps as Section 210, Block 5, Lot 3, and for such other purposes as may lawfully come before the Board.

A copy of the plan is available for public inspection at the office of the Planning Board during regular business hours. The proposed plan has been posted on the Village's website at: [www.villageofwarwick.org](http://www.villageofwarwick.org). All written communications addressed to the Planning Board must be received by the Planning Board at or prior to the public hearing.

All persons interested are invited to attend. The meeting is open to the public.

Dated: October 10, 2023

BY ORDER OF THE PLANNING BOARD OF  
THE VILLAGE OF WARWICK, NEW YORK  
BY: JESSE GALLO, CHAIRMAN

**2. 8 Forester Avenue – <https://villageofwarwick.org/8-Forester-Avenue/>**

Final Site Plan application.

**3. 16 Railroad Avenue, Suite 2, Roam on Railroad - <https://villageofwarwick.org/16-railroad-avenue-suite-2-roam-on-rail/>**

Change of Use Site Plan Waiver Application.

**4. Draft Village of Warwick Planning Board Rules of Meeting Procedure.**

**Executive Session, if applicable**

**Adjournment**

**Village of Warwick**  
**Planning Board**  
**Rules of Meeting Procedure**

*Adopted & Effective: TBD*

**GENERAL CONSIDERATIONS**

Public bodies may, by resolution, adopt rules of procedure in addition to what is required by State statute. The purpose of the written Rules of Meeting Procedure is to provide the Planning Board and the public with an outline of how the meeting will be run.

**REGULAR MEETINGS**

The regular meeting of the Planning Board will be on the second Tuesday of each month. Should the second Tuesday of the month fall on a holiday, the meeting shall be held the second Wednesday of the month or such other date as the Planning Board may decide.

The regular meetings will commence at 7:30 P.M. and be held in the boardroom at Village Hall located at 77 Main Street, Warwick, New York.

The regular meetings may be canceled by the direction of the Chairman.

Upon cancellation of a regular meeting, the Secretary to the Planning Board must post notice on the Village's website and front door to Village Hall.

**SPECIAL MEETINGS**

Special meetings of the Planning Board are all those Board meetings other than regular meetings.

A special meeting may be called by the Chairman and upon notice to the entire Board.

Notice may be given to Board members by telephone, in person, email, or in writing at least 72 hours in advance unless an emergency exists.

## **QUORUM**

A quorum of the Planning Board must be present to conduct business.

A quorum of the five-member Planning Board is three members.

## **ALTERNATE MEMBERS**

Per Village Code § 24-1 Appointment, the Village of Warwick Village Board of Trustees may appoint, at its discretion, a resident of the Village of Warwick to serve on the Village of Warwick Planning Board as an alternate member. Such appointment shall be consistent with requirements and procedures of the appointment of any other member of the Board to which the alternate is appointed.

The alternate member shall be allowed to attend every meeting.

## **EXECUTIVE SESSIONS**

Executive sessions will be held in accordance with Public Officers Law § 105.

All executive sessions will be entered into from a properly noticed and convened public meeting.

## **AGENDA**

The agenda of every Planning Board meeting will be prepared by the Secretary of the Planning Board at the direction of the Chairman.

Applications to be placed on the agenda must be provided to the Secretary to the Planning Board in accordance with the Code of the Village of Warwick and Zoning Code of the Village of Warwick.

Items may be placed on the agenda at any time, including during the meeting, by a majority vote of the Board.

The agenda will be prepared by the Secretary to the Planning Board and emailed to Board members and placed on the Village website no later than 4:00 P.M., 7 days prior to the regular scheduled meeting unless in the event of emergency.

If necessary, addendums to the agenda may be distributed to the Planning Board and posted on the Village website by the Secretary to the Planning Board by 4:00 p.m., by the day of the meeting if time allows, but no later than the start of the meeting.

Distribution of the agenda, agenda items, and addendums shall be provided only in digital format unless a request is made to the Secretary to the Planning Board no later than 4:00 P.M., 7 days prior to the regular scheduled meeting.

## **VOTING**

Pursuant to Village Law, each member of the Planning Board has one vote.

A vote upon any question will be taken by “Aye” and “Nay.”

When taking votes, the Secretary to the Planning Board must record in the minutes for each member whether they voted aye, voted nay, abstained from voting, or were absent. Abstentions and absences are not counted as votes. Abstentions and absences are neither positive nor negative votes; they are simply no vote at all.

For the purposes of determining whether a matter passed, the Secretary to the Planning Board must tally the number of “aye” votes.

Unless otherwise specified by State law, a majority vote of the members present and constituting a quorum of the totally authorized voting power of the Board must vote “aye” for any matter to pass.

Per Village Code § 24-5 Alternate Members Voting rights, an alternate member can vote on any issue when a regular member is not present at that meeting as long as the alternate member is fully familiar with the subject matter being called to vote. The alternate member's vote shall be based on the alternate member's own volition and familiarity with the subject matter.

## **MINUTES**

Minutes will be taken by the Secretary to the Planning Board.

Minutes must consist of a record of all motions, proposals, resolutions, and any other matter formally voted upon and the vote thereon.

Minutes must be taken at executive session of any vote taken and must consist of a record of the final determination of the action, and the date and vote thereon.

Minutes must include the following:

- The name of the Board;
- The date, place, and time of the meeting;
- Notation of whether a Board member is present or absent, and the Board member's time of arrival or time of departure if different from the

- time the meeting was called to order and adjourned;
- Vote of each member upon every question, or indicate if member is absent or fails to vote;
- The names and titles of other Village officials, employees and consultants present and the approximate number of attendees;
- A record of communications presented to the Board;
- The time the meeting is adjourned; and
- Signature of Secretary to the Planning Board or person who took the minutes if not the Secretary to the Planning Board.

## **ORDER OF BUSINESS**

- Call to order;
- Pledge of Allegiance;
- Roll call;
- Approval of previous meeting's minutes;
- Correspondence;
- Public Hearing(s) when applicable;
- Application Review(s) and Decisions;
- General Discussion (if applicable);
- Executive Session (if applicable);
- Adjournment.

## **GENERAL RULES OF PROCEDURE**

The Chairman presides at the meeting. In the Chairman's absence, the Vice Chairman presides.

The presiding officer may debate, make motions, and take any other action that other Board members may take.

Board members are not required to rise but must be recognized by the presiding officer before making motions and speaking.

Motions require a second.

A member, once recognized, may not be interrupted when speaking unless it is to call him or her to order. If a member is called to order, they must cease speaking until the question of order is determined. If the member is in order, he or she may proceed.

A member may not be limited in the number of times he or she speaks on a question.

Motions to close or limit debate require a two-thirds vote.

## **GUIDELINES FOR PUBLIC COMMENT**

The public may speak only during the Public Comment period of a Public Hearing and at any other time a majority of the Board allows.

Speakers must be recognized by the presiding officer.

Speakers must step to the front of the room/microphone.

Speakers must give their name

Speakers must limit their remarks to three minutes (this time limit may be changed to accommodate the number of speakers).

Speakers may not yield any remaining time they may have to another speaker.

Board members may, with the permission of the Chairman, interrupt a speaker during their remarks, but only for the purpose of clarification or information.

The Planning Board is not required to accept or respond to questions from the public at meetings but may request that inquiries be submitted in writing to be responded to at a later date.

All remarks must be addressed to the Board as a body and not to individual Board members.

Interested parties or their representatives may also address the Board by written communications.

## **GUIDELINES FOR USE OF RECORDING EQUIPMENT**

All members of the public and all public officials are allowed to tape or video record public meetings.

Recording is not allowed during executive sessions.

The recording must be done in a manner which does not interfere with the meeting.

The Chairman may make the determination that the recording is being done in an

intrusive manner, taking into consideration, but not limited to brightness of lights, distance from the Board, size of the equipment, the amount of noise generated by the activity, and the ability of the public to observe the meeting.

If the Chairman determines that the recording is interfering with the meeting, the Chairman may request the individual alter their behavior to eliminate the interference. If the Chairman's request is not complied with, the Chairman may have the individual removed from the meeting room.

The Board has the authority to adopt reasonable rules governing the use of cameras and recording devices during open meetings and those rules must be written, conspicuously posted, and provided to those in attendance upon request.

## **ADJOURNMENT**

Meetings must be adjourned by motion.

## **AMENDMENTS TO THE RULES OF PROCEDURE**

The foregoing procedures may be amended at any time by a majority vote of the Board.