PLANNING BOARD
VILLAGE OF WARWICK
APRIL 14, 2026

Minutes

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

The Regular Meeting of the Planning Board of the Village of Warwick was held on Tuesday, April 14, 2026, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was Chairman Jesse Gallo, Board Members: Bryan Barbar, Scot Brown, Bill Olsen, Vanessa Holland and Alternate Matthew LoPinto. Also, present was Planning Board Administrator, Kristin Bialosky, Planning Board Engineer Keith Woodruff, Attorney Elizabeth Cassidy, Raymond Maher, Walter Merdak, Brian Singer, James McAteer and Christopher Kimiecik.

Chairman, Jesse Gallo called the meeting to order and led in the Pledge of Allegiance.
Kristin Bialosky held the roll.

Acceptance of Planning Board Minutes

A **MOTION** was made by Scot Brown, seconded by Bryan Barber and carried for the Acceptance of Planning Board Minutes March 10, 2026

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

Bryan Barber Aye Scot Brown Aye Jesse Gallo Aye

Bill Olsen Aye Vanessa Holland Aye

Applications

1. **28 Wheeler Ave** –James McAteer & Christoper Kimiecik
   https://villageofwarwickny.gov/28-wheeler-ave/
   Site Plan

VILLAGE OF WARWICK
PLANNING BOARD
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Planning Board of the Village of Warwick will hold a public hearing at the Village of Warwick Village Hall, 77 Main Street, Warwick, NY 10990 on April

14, 2026 at 7:30 p.m. or as soon thereafter as possible on the application of Christopher Kimiecik and James McAteer for site plan approval for an addition to an existing single-family dwelling, located at 28 Wheeler Avenue, Warwick (SBL 207-2-26). A copy of the application is available for review in the Building/Planning Department located at 77 Main Street, Warwick, NY 10990 during regular business hours.
By Order of the Planning Board of the Village of Warwick,

Jesse Gallo
Chairman
DATED: MARCH 11, 2026

Discussion:

The Planning Board began with the application for 28 Wheeler Avenue, addressing both the site plan review and the public hearing. The applicant provided the site plan, and the board's consultants indicated there were no significant outstanding comments beyond minor items previously noted in correspondence from the prior year, which could be easily addressed. Board members did not raise additional concerns and acknowledged familiarity with the project from prior review. With no further discussion, the board proceeded to open the public hearing. Chairman Gallo read the public hearing above.

Open the Public Hearing for 28 Wheeler Ave

A **MOTION** was made by Bill Olsen, seconded by Scot Brown and carried to Open the Public hearing for 28 Wheeler Ave.

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

Bryan Barber Aye Scot Brown Aye Jesse Gallo Aye

Bill Olsen Aye Vanessa Holland Aye

Elizabeth Cassidy, Esq., confirmed that proper notice had been provided. The applicant described the project as improvements to an existing two-bedroom, single-bath home, where a deteriorating rear eat-in kitchen and an extended wood deck had been removed due to structural issues. The proposal involves constructing a new two-story rear addition within a reduced footprint compared to what previously existed, resulting in a three-bedroom, two-and-a-half-bath home with updated living space better suited for a single-family residence. It was noted that the applicant had appeared before the Zoning Board and obtained necessary variances related to the corner lot and pre-existing nonconforming conditions, despite some discussion that the reduced footprint might not have required relief. With no members of the public coming forward to speak, and no written correspondence received the Board moved to close the public hearing.

Close the Public Hearing for 28 Wheeler Ave

A **MOTION** was made by Scot Brown, seconded by Vanessa Holland and carried to Close the Public hearing for 28 Wheeler Ave.

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

Bryan Barber Aye Scot Brown Aye Jesse Gallo Aye

Bill Olsen Aye Vanessa Holland Aye

Elizabeth Cassidy, Esq. read her draft resolution into the record for the Board's review and discussion. The resolution outlined that the applicants were seeking site plan approval for the enlargement of a nonconforming single-family dwelling located in the R zoning district with a limited office overlay, where such use is permitted subject to site plan approval. It summarized the submitted application materials, including revised documents dated February 18, 2026, and noted the application history, including a prior proposal to convert the dwelling to a two-family residence that is no longer under consideration. The Board acknowledged that the project is classified as a Type II action under SEQRA and is not subject to county referral and further incorporated the Zoning Board of Appeals determination issued February 9, 2026, granting floor area ratio relief. It was confirmed that a duly noticed public hearing was held and closed on April 14, 2026, with no public comment received. The Board's findings concluded that the proposed project is consistent with the intent of the residential zoning district, would not create adverse environmental impacts, and would not alter the character of the neighborhood, as the improvements are contained within the existing structure. The resolution included standard conditions requiring submission of final plans, payment of all applicable fees, and satisfaction of all conditions prior to plan signing, with a 12-month period to meet these requirements unless extended by the Board. Additional conditions required the applicant to address any outstanding engineering comments and comply with the ZBA determination. Minor clarifications, including survey references and parking details, were discussed. Following these revisions and subject to correction of typographical errors, the Board moved to approve the site plan by resolution, which was seconded and adopted unanimously. The Board concluded discussion and prepared to entertain a motion to approve the resolution.

A motion was made to approve the resolution as drafted, with the noted revisions.

Approve Resolution as Drafted for 28 Wheeler Ave.

A **MOTION** was made by Scot Brown, seconded by Vanessa Holland and carried to Approve Resolution as Drafted for 28 Wheeler Ave.

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

Bryan Barber Aye Scot Brown Aye Jesse Gallo Aye

Bill Olsen Aye Vanessa Holland Aye

Following the approval, the Board discussed next steps for finalizing the plans and resolution. Elizabeth Cassidy noted that she would clean up the resolution and circulate a revised version, incorporating minor edits. The Board advised coordinating with the applicant's engineer to submit updated PDF plans for review prior to printing, allowing the Planning Board Engineer and the Engineer to confirm all revisions before final signature. It was discussed that the engineer would update the plans, share them with the Board's engineer for final confirmation, and address any remaining details, including measurements and prior comments. Once all revisions are verified and any outstanding fees and escrow requirements are satisfied, the finalized site plans would be printed and then signed.

2. **Village View** –Robert Silber
   https://villageofwarwickny.gov/village-view/
   Review Local Law and provide any recommendations or comments back to Village Board by March 12, 2026

Discussion:

The Planning Board then considered a request for a 180-day extension for the Village View project. The applicant summarized ongoing coordination with the Village regarding the proposed water storage tank, noting progress through discussions with Village officials on elevations and water line connections, as well as anticipated timelines aligning with a target of having the tank operational by the end of 2027. Additional updates included resolution of prior annexation-related administrative matters and initial site clearing activities. The applicant explained that while full buildout is dependent on the future water storage tank, initial phases of the development could proceed using existing water pressure, allowing for construction of several homes while outside agency approvals—including Board of Health, DEC, and utility extensions—are pursued. It was acknowledged that further extensions may be needed as the project advances through these approvals.

After confirming the timing of the current approval, the Board adjusted the extension dates accordingly. A motion was made to grant a 180-day extension of the final site plan and subdivision approval, extending the approval from May 12, 2026 to November 12, 2026. The motion was seconded and approved unanimously.

Village View Estates 180-day Extension on the conditional final site plan and subdivision approval from May 12, 2026 until November 12, 2026.

A **MOTION** was made by Bryan Barber, seconded by Scot Brown and carried to approve a 180-day extension to Village View Estates on the conditional final site plan and subdivision approval from May 12, 2026 until November 12, 2026.

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

Bryan Barber Aye Scot Brown Aye Jesse Gallo Aye

Bill Olsen Aye Vanessa Holland Aye

3. **67 South Street**
https://villageofwarwickny.gov/67-south-street/
Site Plan

The Planning Board then took up the application for 67 South Street for site plan approval, which involved a complex situation centered on the property's use as a potential three-family dwelling. The applicant, Brian Singer, explained that he became involved with the property in October 2023 during a foreclosure situation and undertook a full rehabilitation of the building based on plans prepared for a three-family residence. He stated that the structure historically functioned as a three-family dwelling, citing documentation and occupancy dating back to at least 1972, and noted that the renovations did not expand the building footprint or alter its structural layout beyond what was permitted. However, when seeking a certificate of occupancy, the Building Department determined that the property was only recognized as a two-family dwelling and denied approval for the third unit, stating there was no official record supporting a legal three-family use. The applicant expressed significant frustration with the process, explaining that he had attempted to resolve the issue through multiple channels over an extended period, including discussions with Village officials, and believed he was directed to appear before the Planning Board and Village Board before proceeding to the Zoning Board of Appeals (ZBA). He argued that the property should qualify as a pre-existing nonconforming three-family use, given its long history and the absence of earlier zoning restrictions requiring such approvals prior to 1988. He also highlighted practical challenges with bringing the property into compliance with current zoning requirements, particularly parking, noting that while the physical space could accommodate multiple vehicles, only one compliant parking space could be provided under current code, making a new approval for a three-family configuration likely unfeasible. The Board and its counsel clarified that the Planning Board does not have jurisdiction to determine whether the property qualifies as a legal pre-existing nonconforming use, nor can it override the Building Inspector's determination. Elizabeth Cassidy, Esq. explained that such a determination must be appealed to the Zoning Board of Appeals, which is the proper body to evaluate the evidence and decide whether the third unit can be recognized. It was further noted that a denial from the Building Inspector constitutes sufficient grounds to file an appeal directly with the ZBA, and that the applicant may not need prior Planning Board or Village Board action to pursue that route. While the Board acknowledged the applicant's situation and the complexity of the history, they emphasized that they are bound to review the application based on the Building Department's current interpretation, which treats the property as a two-family dwelling. Ultimately, the Board indicated that, without a determination from the ZBA, they lacked the authority to meaningfully act on the application as presented. Elizabeth Cassidy, Esq. stated she would confer with the Village Attorney to clarify the procedural history and next steps and advised the applicant that his arguments and supporting documentation would be more appropriately presented to the ZBA. The discussion concluded without formal action on the site plan, and the meeting was adjourned shortly thereafter.

With no further business before the Board, a motion was made and seconded to adjourn, and the motion carried unanimously.

Adjournment

A **MOTION** was made by Bryan Barber, seconded by Scot Brown and carried to adjourn the regular meeting at approximately 8:30 p.m.

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

Bryan Barber Aye Scot Brown Aye Jesse Gallo Aye

Bill Olsen Aye Vanessa Holland Aye

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Kristin Bialosky, Planning Board Administrator

WATCH THE MEETING ON YOU TUBE:
April 14, 2026, PB Meeting: https://www.youtube.com/live/rH-IDiSoA_c