

**PLANNING BOARD
VILLAGE OF WARWICK
DECEMBER 10, 2024
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, December 10, 2024, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was Chairman Jesse Gallo, Board Members: Kerry Boland, Scot Brown, Bill Olsen, and Alternate Vanessa Holland. Board member Bryan Barber was absent. Also, present was the Planning Board Secretary, Kristin Bialosky, Village Engineer Keith Woodruff, Planning Board Attorney Elizabeth Cassidy, Planning Board Alternate Engineer Jason Pitingaro, Brian Friedler, John Christison, Patty Bossolina, Charlie Bossolina, Christopher Collins and Joseph Irace.

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

Acceptance of Planning Board Minutes

A **MOTION** was made by Scot Brown, seconded by Bill Olsen and carried for the Acceptance of Planning Board Minutes: November 12, 2024, with minor revisions.

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

Jesse Gallo Abstain Kerry Boland Aye
Scot Brown Aye Vanessa Holland Aye Bill Olsen Aye

Applications

1. **Yesterday's – John Christison** -<https://villageofwarwick.org/yesterdays-16-elm-st/>

Amended Site Plan Review

Discussion:

Chairman Jesse Gallo introduced the application and Planning Board Engineer Mr. Woodruff recused himself from the application due to a conflict. Alternate Planning Board Engineer Mr. Pitingaro was introduced. The Applicant provided updates on several site modifications. These included the removal of all storage units, widening the fire apparatus turnaround to meet the 25-foot width requirement, and

reseeding an existing gravel area near the restaurant to enhance the aesthetics. Additionally, the Applicant reported removing an existing gate to create a more welcoming environment for visitors. Chairman Jesse Gallo stated he did not recall any discussion of a requirement to have a gate. Ms. Cassidy, Esq. wanted to make sure there were no SEQR (State Environmental Quality Review) implications related to the gate removal. Ms. Cassidy, Esq. explained how the memo process works by taking an initial comment and then showing revision dates. New material or updates to the memo are highlighted in bold, making it easier to identify any new comments or changes. The attorney outlined several important considerations regarding the Applicant's project. First, the Planning Board needs to determine whether a public hearing is necessary, as this is a discretionary decision. The project is considered an "unlisted action" under SEQR, meaning it does not require a more detailed environmental review. Additionally, since the Applicant is not proposing any new structures, no Architectural Review is needed, as addressed in Comment 5. The attorney also noted that provisions related to storage containers have been removed, resolving the concerns raised in Comments 8, 10, and 11. The project is located within a floodplain, and the attorney requested that the engineer assess the impact of changes to the pavement on the floodplain permit. Regarding the sign, it must be relocated, as stated in Comment 13. Furthermore, a railroad-type planter was identified on the site, which appears to be pre-existing and predates the Applicant's ownership. As a result, the approval should specify that it does not authorize any encroachments related to this planter. The relocation of dumpster facilities and the required screening are to be addressed by the Planning Board. Additionally, a fire access road has been shifted from its originally approved location, and the Applicant must address the impact of this change on parking, stormwater, and drainage. The total number of parking spaces has significantly changed from the original approval, and the Applicant is required to ensure consistency with previous approvals, addressing the impact on stormwater and drainage. While the latest plans reference a revised stormwater management and landscape plan from June 5, 2024, this plan has not yet been submitted to the Planning Board. Finally, the attorney pointed out that there is a timing constraint for the temporary Certificate of Occupancy, and the Applicant has been informed of this deadline. Chairman Jesse Gallo wanted to revisit the planter, and he established that it is pre-existing and is a remnant. Ms. Cassidy, Esq. recommended if it was damaged in any way that it should be removed and not replaced. She reiterated that the sign needed to be moved. Board member Bill Olsen wanted to make sure that gravel would not have an impact on the flood plain. Alternate Board member Vanessa Holland wanted clarification if there were fewer or more parking spaces. The discussion then shifted to updates on the site plan in response to comments from the attorney and engineer. Key revisions included ensuring the fire access road complied with dimensional requirements, addressing the land-banked parking configuration, and relocating signage and dumpster facilities. The Applicant assured the Board that the garbage dumpsters would be properly screened. Regarding lighting, it was confirmed that all fixtures were consistent with approved locations, with no deviations. The Applicant committed to submitting a revised stormwater management plan and landscaping plan for further review. Concerns about floodplain impacts were addressed, with the Applicant noting that the fire access lane in this area would remain millings. They clarified that the millings used in the lane would compact well enough to support fire apparatus without creating impervious surface issues. The Board requested assurance that this approach complied with all relevant environmental and safety standards. Parking was another focal point of the discussion. The Applicant proposed 56 paved spaces and 26 land-banked spaces, a total of 82 spaces, which represented a reduction from the originally approved 106 spaces (45 paved and 61 land-banked). The Board requested the Applicant ensure consistency with the previously approved parking layout by showing the full extent of the land-banked parking. Additionally, there was a discussion on how to delineate the fire lanes clearly to prevent them from being obstructed. The Applicant agreed to include signage or other measures to address this. Updated spot elevations were requested to confirm that handicap spaces, ramps, and building elevations would meet ADA accessibility standards and other compliance requirements. Ms. Cassidy, Esq. explained to the Board, pursuant to section §145-96 the Board should determine if a public hearing is required. Board member Bill Olsen asked if it was required to submit SEQR and Ms. Cassidy, Esq. explained that the Board can conduct a consistency analysis or adopt a secondary Negative Declaration, relying on the previous SEQR analysis, as long as any new

impacts raised since the prior review are adequately addressed. The Board's immediate task is to decide whether a public hearing is necessary. If a public hearing is required, it should be scheduled for that evening. If not, the Applicant would need to submit a revised application based on the comments provided, with potential action taken at next month's meeting. The SEQR findings would then be addressed and documented as necessary. Ms. Cassidy, Esq. explained that the plans are far enough along that the Board can decide whether or not a public hearing is needed. Alternate Board member Vanessa Holland commented that she felt a public hearing was not needed and clarified that if the storage bins are being removed, their repositioning should not create issues for neighbors or detract from the property's appearance. Board member Scot Brown expressed that changes outlined in the plan do not appear significant enough to cause noticeable differences from the property line. Adjustments such as pavement realignment and gravel placement seem minimal, and as long as large metal boxes are not introduced, the property's exterior appearance is unlikely to be noticeably altered.

16 Elm Street– Waive the Public Hearing pursuant to §145-96

A **MOTION** was made by Scot Brown, seconded by Vanessa Holland, and carried to waive the public hearing pursuant to §145-96.

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

Jesse Gallo Aye Kerry Boland Abstain

Scot Brown Aye Vanessa Holland Aye Bill Olsen Aye

Chairman Gallo emphasized the importance of addressing Alternate Planning Board Engineer Mr. Pitingaro's first general comment in preparation for the next meeting. He suggested providing a summary comments letter, similar to what was done previously, that addresses each point, outlines how issues were resolved or changes made, and include justifications for any modifications. This approach would be helpful for the review process.

2. 15 Elm Feed & Grain – Irace - <https://villageofwarwick.org/15-elm-feed-grain/>

Flood Plain Application

Discussion:

The discussion centered on the short Environmental Assessment Form (EAF) and the issues identified using the mapping tool. Key points included discrepancies between pre-populated answers from the mapper and manual changes made by the Applicant to align with personal assessments. It was clarified that altering pre-filled mapper data is not recommended, as the mapper's role is to provide a standardized basis for review. Any conflicts or inaccuracies in the mapper's results should be addressed through supplemental explanations or documentation rather than modifying the original data. The mapper often identifies broad issues (e.g., wetlands or historical sites) that may not directly impact the specific project. These potential concerns can often be resolved quickly or dismissed with supporting evidence. It was emphasized that the mapper's output must remain unaltered for transparency and consistency, with additional explanations or documentation appended as necessary. Specific items discussed included issues like wetlands and historical sites that triggered "Yes" responses from the mapper, even when deemed

irrelevant to the project. The group agreed that these should be left as-is and addressed during the review process, focusing on significant impacts and resolving minor ones efficiently. For future applications, maintaining the mapper's data unchanged while providing clarifications. For question 20, it was clarified that the project does not involve remediation but rather enhancements to an existing parking lot. Adjustments to the answer were discussed to reflect the project's scope accurately. Regarding question 9, the group agreed that compliance with the state energy code should typically be answered "Yes," as non-compliance is rare and not applicable in this case, given that no new construction is involved. Archeological concerns (question 17) were addressed due to the site's proximity to a creek, which often triggers sensitivity. However, prior findings from the original site plan review indicated no significant archeological issues, and current modifications, which involve adding fill, do not affect sensitive areas. The group also emphasized that answers on the EAF should not be manually altered to contradict the mapper's outputs. Instead, supplemental findings, such as prior assessments, should be attached to ensure consistency and transparency. The goal was to align the form's responses with regulatory standards while addressing any minor discrepancies through proper documentation. The discussion covered several topics related to the project, including site cleanup, required documentation, and floodplain considerations. It was noted that the site had undergone prior site plan review, and existing findings could be referenced, as no new significant impacts were anticipated. The current proposal includes adding fill, creating planters, and improving the site without removing any trees or vegetation. Historical references to previous structures were briefly mentioned, but no physical evidence remains. The group addressed procedural items, including the need for full-size plans to be submitted to the Board for record-keeping, particularly for the building inspector to close out the floodplain permit. The addition of an approval block to the plans was confirmed. The requirement for an elevation certificate was discussed, noting that while it is not mandatory unless flood insurance is involved, it could serve as valuable documentation for the municipality. It was suggested that the Board consider including the elevation certificate as a condition for final approval. Lastly, the discussion touched on the benefits of having an elevation certificate, such as documenting compliance with floodplain regulations (e.g., the requirement to be two feet above the 100-year flood elevation). While not required in this instance, such documentation could benefit the municipality in future funding efforts related to floodplain management. The group also noted that an "as-built" request remains an ongoing consideration for finalizing project documentation. The discussion focused on the implications and requirements related to elevation certificates and flood insurance for a property. It was noted that while having an elevation certificate could provide long-term benefits for future property owners and document the property's floodplain status, it is not currently required unless specified as a condition of site plan approval. The Board agreed that requesting an elevation certificate could be a prudent recommendation rather than a binding condition, considering the expense and lack of immediate necessity for the Applicant. It was suggested that the certificate, if obtained, be filed with the Village to aid in future property transactions or insurance considerations. Ultimately, the Board leaned toward framing the request as a "strong recommendation" to avoid placing undue burden on the Applicant while still promoting good documentation practices. It was emphasized that the Village is not issuing an opinion on whether the Applicant should obtain flood insurance, leaving that decision to the property owner. The Board discussed the process for finalizing the approval of a construction project. It was confirmed that a public hearing had already been held, and the Applicant had submitted an amended EAF on December 4, 2024. The board acknowledged the previous SEQR determination related to the significant renovation of the silo and clarified that any future development of townhouse units, if applicable, would require a separate SEQR review. The Board agreed that the proposed plans conform to previous comment memos, with customary conditions including landscaping in perpetuity, as well as conditions from the prior approval. It was noted that no new landscaping had been proposed but that existing grass would be maintained. The Applicant will need to provide an as-built survey after the completion of the project. The Board will reaffirm the previous negative declaration and find that there are no significant changes affecting the SEQR findings. A motion for approval, subject to the conditions discussed, will be drafted and ratified at the next meeting.

15 Elm Street– Project proposal is consistent with previous SEQR Findings

A **MOTION** was made by Scot Brown, seconded by Kerry Boland, and carried that the project proposal at 15 Elm St. is consistent with previous SEQR findings.

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

Jesse Gallo Aye Kerry Boland Aye
Scot Brown Aye Vanessa Holland Aye Bill Olsen Aye

15 Elm Street– Approve the Flood Plain Permit subject to the Conditions outlined by Ms. Cassidy, Esq.

A **MOTION** was made by Bill Olsen, seconded by Scot Brown, and carried to approve the Flood Plain Permit subject to the Conditions outlined by Ms. Cassidy, Esq.

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

Jesse Gallo Aye Kerry Boland Aye
Scot Brown Aye Vanessa Holland Aye Bill Olsen Aye

3. 19 Welling Place - Bossolina - <https://villageofwarwick.org/19-welling-place/>

Site Plan Approval – Conditional Use Permit - 2 Businesses 1st Floor & 3 Apartments 2nd Floor –
Public Hearing.

Discussion:

Chris Collins, representing the property owners Patty and Charlie Bossolina, discussed the renovation project for 19 Welling, formerly Mr. Bill's Auto Repair. The project includes alterations to the roofline, which was previously a concern due to its impact on the floor area ratio. The Applicant's team updated the plans and determined that the roofline change would eliminate the floor level of the addition, reducing the floor area ratio. As a result, the floor area ratio remains the same or even slightly smaller, and the project does not require approval from the Zoning Board of Appeals (ZBA). The Building Inspector, Boris Rudzinski issued the project a determination letter confirming this. Mr. Collins confirmed that the project is in front of the Planning Board and is ready for their public hearing, as the issue regarding the floor area ratio has been resolved.

19 Welling Place– Open the Public Hearing

A **MOTION** was made by Scot Brow, seconded by Vanessa Holland, and carried to Open the Public Hearing.

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

Jesse Gallo Aye Kerry Boland Aye
Scot Brown Aye Vanessa Holland Aye Bill Olsen Aye

Ms. Cassidy, Esq. confirmed receipts of the mailing were received. Chairman Jesse Gallo wanted the record to reflect that no one from the public was in attendance and the Planning Board secretary confirmed no written correspondence was received. Chairman Jesse Gallo read the Public Hearing Notice,

VILLAGE OF WARWICK
PLANNING BOARD
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Village 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 December 10, 2024 at 7:30 p.m. or as soon thereafter as possible on the application of C Bossolina Group LLC for a conditional use permit to allow for the conversion of the existing structure from automotive repair and one apartment to professional office space and 3 apartments, at 19 Welling Place, Warwick SBL 207-5-25. 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.

By Order of the Planning Board of the Village of Warwick,

JESSE GALLO
CHAIRPERSON
DATED: NOVEMBER 14, 2024

19 Welling Place– Close the Public Hearing

A **MOTION** was made by Kerry Boland, seconded by Scot Brown, and carried to Close the Public Hearing.

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

Jesse Gallo Aye Kerry Boland Aye
Scot Brown Aye Vanessa Holland Aye Bill Olsen Aye

The Board reviewed the authority to consider off-site parking using municipal lots or street parking. There were updates on the SHIPO (State Historic Preservation Office) referral, with

additional information provided by the Applicant, and confirmation from SHIPO was pending. The Board also discussed the parking requirements for the property, noting that the existing use would require nine spaces, while the new use would require 16 spaces. It was highlighted that nearby parking options include the Spring Street lot and CVS lot, though these spaces are limited to 12-hour parking. The Board considered whether the additional seven parking spaces could be accommodated in these municipal lots. Concerns were raised about the off-site parking spaces secured by the Applicant in the Chase parking lot being tied up indefinitely and whether the Applicant should be required to maintain them in perpetuity. The spaces are several blocks away from the project site and unlikely to be used considering there are two municipal lots adjacent to the property. Suggestions were made to release the three purchased spaces, as the building's office spaces and residences would not require all of the parking at peak times. It was noted that some street parking spaces could potentially be added, and the possibility of changing parking regulations in the area was discussed. Ultimately, the Board was satisfied with the current parking arrangement, though further suggestions were made to improve parking in the vicinity.

19 Welling Place– Off Street Parking is Adequate

A **MOTION** was made by Scot Brown, seconded by Vanessa Holland, and carried that off street parking for 19 Welling Place is adequate.

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

Jesse Gallo Aye Kerry Boland Aye
Scot Brown Aye Vanessa Holland Aye Bill Olsen Aye

The Board discussed the ongoing review of the application, with the main outstanding issue being the SHPO review. It was suggested that the approval be made contingent upon the receipt of SHPO confirmation, assuming no issues arise from their findings. The Applicant submitted a letter dated December 6, 2024, stating that the property is not eligible for listing in the State or National Registers of Historic Places, and the project has been approved by the Architectural and Historic District Review Board. As the project is a Type 2 action, no negative declaration is required. The approval will be subject to the terms and conditions set by the Board and other customary conditions. It was noted that the plans should be updated to reflect the required water service size, as discussed with the fire protection company. The sprinkler system design and the final water service plan are to be approved by the village engineer. The sewer connections were confirmed as appropriate for the site. The Board moved to approve the site plan application, contingent upon the completion of these conditions.

19 Welling Place– Approve the Site plan Application subject to listed comments

A **MOTION** was made by Scot Brown, seconded by Vanessa Holland, and carried to approve the Site plan application subject to listed comments.

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

Jesse Gallo Aye Kerry Boland Aye

Scot Brown Aye Vanessa Holland Aye Bill Olsen Aye

Adjournment

A **MOTION** was made by Vanessa Holland, seconded by Scot Brown, and carried to adjourn the regular meeting at approximately 9:30 p.m.

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

Jesse Gallo Aye Kerry Boland Aye
Scot Brown Aye Vanessa Holland Aye Bill Olsen Aye

Kristin Bialosky, Secretary to the Planning Board

<https://www.youtube.com/live/3xMeM7qOLEo> Please go to the link to watch the Planning Board Meeting.