

**PLANNING BOARD
VILLAGE OF WARWICK
JANUARY 13, 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, January 13, 2026, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was Chairman Jesse Gallo, Board Members: Bryan Barber, Kerry Boland, Scot Brown, and Bill Olsen. Alternate Vanessa Holland was absent. Also, present was Planning Board Administrator, Kristin Bialosky, Planning Board Engineer Keith Woodruff, Attorney Elizabeth Cassidy, Mr. and Mrs. Scanion, Mr. and Mrs. Smith, Brian Fridler, Nick McElray, David Jones and Chris Collins.

Chairperson, 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: December 9, 2025.

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

Bryan Barber Aye Kerry Boland Aye Scot Brown Aye
Bill Olsen Aye Jesse Gallo Aye

Applications

1. **25 Park Ave**
<https://villageofwarwickny.gov/25-park-ave-one-story-addition/>
Site Plan Application- Public Hearing

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 January 13, 2026 at 7:30 p.m. or as soon thereafter as possible on the application Tim and Amy

Smith for site plan approval to permit construction of a single-story addition, at 25 Park Avenue, Warwick (SBL 214-5-3).

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, Chairman

DATED: December 12, 2025

Discussion:

The applicant appeared before the Planning Board with a proposal to construct a side yard addition to an existing single-family residence, which included a public hearing. Prior to opening the public hearing, the Board noted there was no business from the previous meeting, no resubmissions, and no revisions to the site plan since the last review. Staff reported having no outstanding comments on the application. A motion was then made and seconded to open the public hearing, and the motion carried unanimously.

Open the Public Hearing for 25 Park Ave

A **MOTION** was made by Scot Brown, seconded by Bill Olsen and carried to Open the Public hearing for 25 Park Ave.

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

Bryan Barber Aye Kerry Boland Aye Scot Brown Aye

Bill Olsen Aye Jesse Gallo Aye

Jesse Gallo read the Public Hearing above. It was noted that the applicant previously obtained the required area variances from the Zoning Board of Appeals, and a signed ZBA decision was on file. The applicant confirmed receipt of and compliance with comments from Planning Board counsel and the Board's consulting engineer, which had been incorporated into the revised plan set. The applicant provided an overview of the 25 Park Avenue proposal, which consists of a 12-foot, single-story addition located on the left side of the residence when viewed from the street. The addition is designed to be architecturally consistent with the surrounding neighborhood and will provide additional living space, including a relocated laundry room to improve accessibility. The applicant also noted that the project had been referred to the Zoning Board of Appeals and that the required variances were granted and incorporated into the submitted plans following a public hearing. The Planning Board confirmed receipt of a letter from Mr. Fein, which was posted on the Village website, and he expressed support for the project; therefore, no response

from the applicant was required. With no members of the public wishing to speak, a motion was made and seconded to close the public hearing, and the motion carried unanimously.

Close the Public Hearing for 25 Park Ave

A **MOTION** was made by Bill Olsen, seconded by Scot Brown, and carried to Close the Public hearing for 25 Park Ave.

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

Bryan Barber Aye Kerry Boland Aye Scot Brown Aye
Bill Olsen Aye Jesse Gallo Aye

The Planning Board reviewed a draft resolution of approval for the 25 Park Avenue site plan application submitted by Tim and Amy Smith, which seeks site plan approval pursuant to Village Code §145-90(A)(1) for the construction of a 12-foot by 30-foot, single-story addition to an existing single-family dwelling located in the Residential (R) zoning district. The Board reviewed the application materials, including the application and attachments dated May 20, 2025, a Short Environmental Assessment Form, survey and site plan prepared by John McCoy, PLS, and the Zoning Board of Appeals Decision and Order dated November 18, 2025, which granted the required area variances. The Board noted the application was not subject to GML §239 referral and determined the action to be a Type II action under SEQRA, requiring no further environmental review. A public hearing was convened and closed on January 13, 2026, with no public comment received, and the Board acknowledged receipt of correspondence dated January 6, 2026, from Paul and Patricia Fine in support of the project. The Planning Board found that the proposed addition is consistent with the character of the surrounding neighborhood, will not adversely impact traffic or access, and satisfies the site plan review standards of the Village Code. The Board discussed and finalized standard conditions of approval, including submission of final plans, payment of all applicable fees, satisfaction of professional review comments, construction hour limitations, and compliance with expiration provisions of the Village Code. Following discussion, a motion was made and seconded to approve the resolution of site plan approval with conditions, and the motion carried unanimously.

Draft Resolution for 25 Park Ave

A **MOTION** was made by Scot Brown, seconded by Kerry Boland, and carried to Draft the Resolution for 25 Park Ave.

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

Bryan Barber Aye Kerry Boland Aye Scot Brown Aye

Planning Board Attorney Elizabeth Cassidy explained the post-approval process to the applicant and Board. Ms. Cassidy stated that she would clean up typographical errors, finalize the adopted resolution, and insert the Planning Board's voting information. She advised that the finalized resolution would be completed the following day and forwarded to Village staff (Kristin) for distribution to the applicant. She recommended that, prior to printing, sealing, and stamping the final plan set, the applicant first submit the revised plans to Ms. Cassidy, Esq. and the Village Engineer, Mr. Woodruff for confirmation that the remaining minor comments had been satisfactorily addressed. Ms. Cassidy, Esq. noted that this step was intended to avoid unnecessary reprinting and that, based on the discussion, only a minor labeling correction remained outstanding. She further reminded the applicant that all applicable review, engineering, legal, and escrow fees must be paid in full prior to plan signature. Once the corrected plans are provided to Village staff, staff will coordinate with Planning Board Chair Gallo for signature of the approved plans. Ms. Cassidy explained that, following plan signature, the applicant may apply to the Building Department for a building permit. She also reminded the applicant that construction must commence within twelve (12) months of the approval unless an extension is granted in accordance with Village Code. Ms. Cassidy, Esq. clarified that the Planning Board resolution does not need to be incorporated into the plans in the same manner as a Zoning Board of Appeals Decision and Order and noted that the applicant's engineer may contact her directly with any questions. She concluded by wishing the applicant well and the Board moved on to conclude the matter.

2. **40 High Street; Two Mixed Use Buildings; Jason Hartman**
<https://villageofwarwickny.gov/40-high-street-two-mixed-use-buildings-apartments-and-commercial/>
Site Plan Application

Discussion:

The Planning Board continued its review of the application for a mixed-use building at 40 High Street, noting that revised plans had been submitted in response to comments from the prior meeting. The applicant explained that the project had been significantly modified since the last review. The revised proposal eliminates the previously proposed second building and now consists of a single, three-story mixed-use structure containing commercial space on the first floor and ten (10) residential apartment units on the second and third floors. The applicant stated that residential use had been removed from the first floor and that the project now conforms to zoning requirements for apartments above commercial space within the Light Industrial (LI) zoning district. The applicant further noted that review of this project revealed an inconsistency in the Village bulk table, which has since been corrected to reflect adopted local law permitting residential apartments above commercial uses. The Board confirmed that the proposal is subject to conditional use permit review.

The applicant explained that the second building was removed in part to avoid disturbance within the 100-year floodplain and floodway, including the need for retaining walls. Planning Board Attorney Elizabeth Cassidy reviewed her comment letter and summarized outstanding issues. She noted that the applicant must confirm whether the property is located within 500 feet of Route 17A, which would trigger a required GML §239 referral to the Orange County Department of Planning. Based on staff review, the parcel was determined to be within 500 feet, and referral would be required. Ms. Cassidy also reviewed zoning and application corrections, including updating the plans to reflect Use Group J, clarifying that the project requires a conditional use permit, and correcting typographical errors in the submission materials.

Ms. Cassidy discussed SEQRA issues, noting that while the applicant had submitted a Short Environmental Assessment Form, several “yes” responses remain outstanding, including potential impacts related to Indiana bat and bog turtle habitat, stormwater runoff to the adjacent creek, development within the 100-year floodplain, and a potential hazardous materials response triggered by mapping. She stated that the applicant indicated a SHPO referral would be made and that additional environmental documentation may be required. Given the scale and complexity of the project, the Board may wish to consider whether a long-form Environmental Assessment Form is more appropriate. Ms. Cassidy also noted that revised parking calculations had been submitted and should be reviewed and confirmed by the Village Engineer for adequacy.

The Board and staff reviewed parking layout and site design issues, including confirmation that certain parking spaces do not encroach into required side yards, clarification of setback requirements under the LI zoning district, and the need to demonstrate compliance with Village landscaping and screening standards. The applicant was advised that the plans remain conceptual and must be further developed to address landscaping, grading, drainage, water and sewer service, and daily demand calculations. The applicant was also advised that the regulated floodway, in addition to the floodplain, must be clearly depicted on the plans.

The Board discussed the importance of the applicant identifying a proposed commercial use for the first-floor space, even if conceptual, in order to properly evaluate zoning compliance, parking requirements, and potential impacts. Ms. Cassidy explained that different commercial uses may have different parking and bulk requirements, and suggested the applicant consider evaluating multiple potential use scenarios or a representative use to avoid future amendments. The applicant confirmed that three commercial units are proposed on the first floor, with flexibility to combine units depending on tenant needs.

Additional discussion addressed building height, massing, and architectural character. The applicant stated that the design inspiration was drawn from nearby brick buildings in the area, including properties along High Street and Forester Avenue, and that the building was designed to appear compatible with the surrounding context. The Board discussed site elevation, noting that the property is generally flat relative to neighboring buildings, with more pronounced grade change toward the rear of the site.

The Board and staff also discussed whether the project should be treated as a renovation or a demolition and new construction. It was recommended that the applicant seek an early determination from the Building Inspector regarding whether portions of the existing foundation

would be retained, as this may affect setback compliance and zoning interpretation. The applicant was advised that demolition and reconstruction would require full compliance with current setback requirements unless determined otherwise by the Building Inspector.

Village Engineer Keith Woodruff reviewed additional site access and safety considerations, including driveway width requirements for fire access, shared driveway and curb cut issues affecting the adjacent property at 30 High Street, and the desirability of eliminating unused or redundant curb cuts. The applicant was encouraged to coordinate with the neighboring property owner to address access, potential relocation of curb cuts, and eliminate encroachments or safety concerns. The Board also discussed improving driveway alignment to better accommodate one-way traffic on High Street.

The applicant noted that a surveyor is currently collecting detailed water and sewer information, including invert elevations, and that more detailed utility plans will be submitted. The applicant also stated that the project was submitted to the Architectural Review Board as recommended, though it is not located within a designated historic district.

The Board concluded that while the revised proposal represents a substantial improvement and zoning compliance has been clarified, additional revisions, environmental review items, and plan details are required before the application can proceed to referral, public hearing, or further action. The applicant was thanked for the revisions and discussion, and the Board indicated that further review would continue once the outstanding items are addressed.

3. 24 Howe St; Shed; DL Jones
<https://villageofwarwickny.gov/24-howe-st-site-plan-shed/>
Site Plan Application

Discussion:

The Planning Board reviewed the site plan application for 24 Howe Street, noting that the applicant had previously been referred to the Zoning Board of Appeals and had obtained the required variances. The applicant returned to the Planning Board for site plan approval only, with no additional variance relief required.

Planning Board Attorney Elizabeth Cassidy reviewed her memorandum and explained that the remaining issues are primarily limited to plan cleanup and labeling corrections, and that the applicant does not need to return to the Zoning Board of Appeals. Ms. Cassidy clarified that the previously granted variances remain valid and adequate. She explained that, because the property is a corner lot, both Factory Street and Howe Street must be identified as front yards, and the bulk table and plan labels must be revised accordingly. Ms. Cassidy emphasized that these corrections do not alter the approved variances, as both front yards are pre-existing nonconforming conditions and are not being modified by the proposal.

Ms. Cassidy further explained the distinction between yards and setbacks, noting that yards are less restrictive than setbacks, which resolved her earlier concern regarding compliance. She reviewed the necessary revisions to the bulk table, including adding a separate front yard setback line for Factory Street and ensuring that all setback dimensions are correctly reflected. To assist the applicant, Ms. Cassidy provided a diagram illustrating the proper designation of front, side, and rear yards. The applicant and Board discussed how the revised bulk table could be corrected and incorporated into the final plan set prior to printing.

The Board discussed whether the plan revisions could be completed without a licensed professional's seal. Ms. Cassidy explained that, because the revisions involve labeling, dimensions, and setback clarification rather than structural design or surveying, and because the plans reference an existing certified survey, the updates may be completed without violating Education Law, provided that the underlying survey itself is not altered.

Ms. Cassidy also confirmed that the proposed shed is intended solely for storage purposes and not for use as a home occupation, and she stated that this limitation would be included as a condition of approval.

Ms. Cassidy advised the Board that, procedurally, because the application required a variance, it is subject to site plan review with a public hearing before the Planning Board. She recommended that no further plan revisions be finalized until after the public hearing is held. The Board agreed to schedule the public hearing for its February 10 meeting, with the expectation that the application could be finalized at that time.

A motion was made and seconded to schedule the public hearing for February 10, and the motion carried unanimously.

Public Hearing to be held on February 10, 2026 for 24 Howe Street

A **MOTION** was made by Scot Brown, seconded by Bryan Barber and carried for a Public hearing to be held on February 10, 2026 for 24 Howe Street.

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

Bryan Barber Aye Kerry Boland Aye Scot Brown Aye

Bill Olsen Aye Jesse Gallo Aye

Village Engineer Keith Woodruff advised that the plan set he reviewed was subsequent to the version currently before the Board and that many of his earlier comments had been addressed. He noted that, due to enlargement of the plans, the graphic scale would need to be updated and additional notations added to the second sheet. He further advised that the plan set should be clearly labeled as a complete submission (e.g., "Sheet 1 of 2" and "Sheet 2 of 2"). Mr. Woodruff stated that these items were not substantial and could be addressed through conditions of approval. He recommended that the applicant not resubmit revised plans prior to the public

hearing, noting that the plans are sufficient to provide the public with an understanding of the proposal and that the project has already been reviewed by the Zoning Board of Appeals. It was agreed that no plan revisions should be made until after the February public hearing to avoid duplicative effort.

Planning Board Attorney Elizabeth Cassidy explained that, assuming no unforeseen issues arise at the public hearing, the applicant would likely be in a position to receive a conditional approval at the February meeting. She noted that such approval would clearly outline all remaining requirements so the applicant would have a definitive list of items to address without risk of changing conditions. This approach was recommended for efficiency and to avoid unnecessary resubmissions should public comments result in additional changes.

Ms. Cassidy and the applicant briefly discussed a prior variance referenced in earlier materials. Ms. Cassidy reviewed the prior variance and determined that it was a nominal area variance related to a previous addition to the main house and did not impose any conditions that needed to be carried forward for the current application. She confirmed that the prior variance was not relevant to the instant application and required no further action.

Discussion then turned to fencing and screening along the property lines. Ms. Cassidy noted that existing fencing is shown on the survey and recommended that the applicant provide photographs of the existing fencing for the Board's reference, so the Board can better evaluate existing screening conditions relative to adjoining properties. She explained that while screening is not strictly required, it is something the Board may consider due to setbacks and proximity to neighboring properties, and it could be addressed as a condition of approval if warranted. Ms. Cassidy further explained that chain-link fencing may be acceptable, including with privacy inserts, depending on context and Board discretion.

The applicant described the existing fencing conditions, including a chain-link fence owned by an adjacent neighbor along one property line and a wooden privacy fence on another side of the yard. The applicant stated that removal of a portion of the fence would be necessary to allow installation of the shed and that he had spoken with the adjacent neighbor, who expressed no objection to relocation or removal of the fencing. Ms. Cassidy recommended that the applicant obtain written confirmation from the neighbor to place on the record, noting that such documentation helps protect all parties should concerns arise in the future.

Additional discussion addressed maintenance access around the proposed shed, the relationship between the structure and fencing, and the applicant's desire to avoid disturbance to a mature tree on the property. Ms. Cassidy clarified that a previously raised concern regarding building coverage was withdrawn and should be disregarded. She also confirmed that a 14.7-foot setback dimension shown on the plans relates to a bulk regulation for which a variance has already been granted and does not require further modification or notation in the bulk table.

Ms. Cassidy concluded that the remaining items, including fencing details and bulk table updates, can be addressed after the public hearing. She advised that Village staff would prepare and circulate the public hearing notice and mailing materials. Village staff confirmed that the applicant would receive the public hearing notice and mailing list by email and would be

responsible for re-mailing notices and providing proof of mailing for the February public hearing. The applicant acknowledged the process, thanked the Board and staff, and indicated he would follow up as required prior to the next meeting.

Adjournment

A **MOTION** was made by Scot Brown, seconded by Bill Olsen, and carried to adjourn the regular meeting at approximately 9:15 p.m.

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

Bryan Barber Aye Kerry Boland Aye Scot Brown Aye
Bill Olsen Aye Jesse Gallo Aye

Kristin Bialosky, Planning Board Administrator