

**PLANNING BOARD
VILLAGE OF WARWICK**

June 10, 2025

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, June 10, 2025, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was Chairman Jesse Gallo, Board Members: Kerry Boland, Scot Brown and Bill Olsen. Board member Bryan Barbar and Alternate Vanessa Holland were absent. Also, present was the Planning Board Clerk, Kristin Bialosky and Planning Board Engineer Keith Woodruff and Planning Board Attorney Elizabeth Cassidy. David L. Jones, and Mr. and Mrs. Peruso, were also present.

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

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: May 13, 2025.

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

Jesse Gallo Aye Bryan Barbar Absent Kerry Boland Abstain

Scot Brown Aye Vanessa Holland Absent Bill Olsen Aye

Applications

1. **24 Howe St.- Site Plan- David and Cecille Jones**
<https://villageofwarwick.org/24-howe-st-site-plan-shed/>
Site Plan Application for a 10' x 24' Shed

Discussion:

The applicant, Mr. Jones, appeared before the Planning Board to discuss the proposed shed.

The Planning Board reviewed Mr. Jones' application for the installation of a shed at 24 Howe Street, which requires dimensional variances due to the proposed placement on the property. Ms. Cassidy, Esq. read her memo dated June 6, 2025. The applicant plans to locate the shed approximately 12 feet from the principal structure, which falls short of the 15-foot minimum separation. Although the shed is approximately 9 feet in height, the code specifies that the distance between a principal and accessory structure must be no less than the height of the accessory structure or 15 feet, whichever is greater. As such, the current proposal does not meet the code and will require a variance. The applicant clarified that the shed is intended solely for personal storage and not for any business or home occupation use, referring to it informally as a "junk shed." The Board confirmed that this intended use does not trigger any additional requirements under Village Code §145-120.3. Attention was then turned to the bulk table included in the submission, where the Board noted several issues, including labeling inconsistencies regarding the rear and side yards, and a need to recalculate developmental coverage to determine whether the addition of the shed would cause the property to exceed the permitted maximum. Planning Board Engineer Mr. Woodruff noted that if the developmental coverage exceeds 35%, it will require an additional variance, which should be included in the referral to the Zoning Board of Appeals (ZBA). The Board also reviewed the survey, which had not been signed or sealed by a licensed professional. The applicant explained that their surveyor was currently on vacation but would provide an updated signed and sealed version as soon as possible. During this review, the applicant confirmed that a six-foot wooden privacy fence already exists along the rear of the property. The Board requested that this be reflected on the updated plans, as the fence provides important screening from neighboring properties. A discussion followed about how the various yard setbacks apply, given that the property is a corner lot. The presence of two front yards complicates the designation of side and rear yards. The Planning Board attorney, Elizabeth Cassidy, advised the applicant that they have the discretion to designate which yard functions as the rear, but that choice must be consistently applied throughout the plan. This designation is critical for determining which setbacks the shed effects and which variances are ultimately required. The applicant was advised to work with a design professional to make the necessary corrections, including finalizing the chosen rear yard designation, confirming the shed height and its exact distance from the house, recalculating the overall development coverage, and properly labeling all yard setbacks on the plan. This application is a Type II action under SEQR, which will not require further environmental review.

Refer application of 24 Howe St. to the ZBA subject to confirmation of dimensions by Planning Board Engineer Keith Woodruff.

A **MOTION** was made by Scot Brown, seconded by Bill Olsen and carried for the Village of Warwick Planning Board to declare referral of application of 24 Howe St. to the ZBA subject to confirmation of dimensions by Planning Board Engineer Keith Woodruff.

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

Jesse Gallo Aye Bryan Barbar Absent Kerry Boland Aye

Scot Brown Aye Vanessa Holland Absent Bill Olsen Aye

A motion was made and approved to refer the application to the Zoning Board of Appeals, contingent upon confirmation from the Village Engineer that all required variances—including for structure separation, rear yard setback, side yard setback, and development coverage—are correctly identified. The applicant was instructed to submit the revised plans to the Planning Board Clerk, who will forward them to the Planning Board Engineer for review. Once all required variances are confirmed, the applicant may formally file with the ZBA and, following their determination, return to the Planning Board for final site plan approval.

2. 24 Wheeler Ave – Site Plan -John Peruso Jr.
<https://villageofwarwick.org/24-wheeler-ave/>
Two - Family Dwelling Application

Discussion:

The Planning Board reviewed an application submitted by Mr. John Peruso Jr. to convert an existing residence at 24 Wheeler Avenue into a two-family dwelling. The property is located in the residential zone with a limited office overlay. The Board noted that due to the property's proximity—approximately 470 feet—to Route 94, confirmation is needed to determine whether referral to Orange County Planning under GML §239 is required. It was ultimately confirmed that the property is within 500 feet of a state road, and therefore, the application must be referred to the County. A joint submission to the county will be sent on behalf of both the Planning Board and the Zoning Board of Appeals. Two-family dwellings are a permitted use in the zone as Use Group G, but a public hearing will be required. The current site is a pre-existing, nonconforming lot that does not meet several dimensional requirements, including front yard, side yard, total side yard, rear yard setbacks, and street frontage. The applicant is effectively increasing the degree of nonconformity by shifting from a less restrictive Use Group B (single-family) to Use Group G (two-family), which triggers the need for area variances. The Board discussed that the minimum livable floor area for each unit is 900 square feet. Mr. John Peruso Jr. indicated that the structure is over 2,000 square feet, but architectural verification is needed to confirm each unit's compliance with this minimum. If one of the units is under 900 square feet, the applicant may either revise the layout to meet the requirement or seek a variance. Regardless of the outcome, the dwelling must also meet Uniform Building Code requirements, including appropriate egress and room sizes. The applicant clarified that the residence is currently functioning as a “mother-daughter” setup and that the conversion would formalize this into a legal two-family dwelling. He explained that the upper and lower levels of the home would serve as separate living units, with minimal physical changes required. A firewall or rated door may need to be installed

between the units. The garage was discussed as both a potential location for additional living space and as a required off-street parking space. Mr. John Peruso Jr. stated he preferred to keep the garage intact and use it to satisfy parking requirements, rather than creating a third parking space in the front yard, which is not permitted under the Village Code. The Board supported that approach and advised him to ensure the garage is denoted on the site plan with clear labeling so it could be counted toward parking compliance. Concerns were raised regarding lot development coverage, which appeared close to the 35% maximum. The applicant was advised to have the development coverage calculations verified. If the limit is exceeded, that would constitute an additional area variance. The Board also requested a copy of the 2022 record survey and updated plans that properly illustrate parking layouts, architectural square footage, and a corrected Environmental Assessment Form (EAF) that reflects the current application. The revised EAF will be necessary for the County submission. The project involves no exterior construction; therefore, it would ordinarily be classified as a Type II action under SEQR. Due to the number of required variances, the Board recommended treating it as an unlisted action for environmental review purposes. The applicant was instructed to revise and resubmit the short form EAF accordingly. Once those documents are submitted and reviewed, the Planning Board Engineer will confirm all relevant dimensional data, including development coverage and livable floor area. Upon confirmation, the Planning Board Clerk will forward the referral to the ZBA and submit the joint GML §239 referral to the County. A motion was made and approved to refer to the application to the Zoning Board of Appeals for the necessary variances, subject to the Village Engineer's confirmation of the required dimensional data and livable floor area. The Board emphasized that this procedural structure was intended to streamline the process and prevent the applicant from needing to return for an additional meeting simply to initiate the ZBA referral.

Refer application of 24 Wheeler Ave. to the ZBA subject to confirmation of dimensions by Planning Board Engineer Keith Woodruff.

A **MOTION** was made by Scot Brown, seconded by Kerry Boland and carried for the Village of Warwick Planning Board to declare referral of application of 24 Wheeler Ave. to the ZBA subject to confirmation of dimensions by Planning Board Engineer Keith Woodruff.

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

Jesse Gallo Aye Bryan Barbar Absent Kerry Boland Aye

Scot Brown Aye Vanessa Holland Absent Bill Olsen Aye

GML §239 as a joint letter submittal from the Planning and Zoning Board

A **MOTION** was made by Bill Olsen, seconded by Scot Brown and carried for GML §239 as a joint submittal from the Planning and Zoning Board.

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

Jesse Gallo Aye Bryan Barbar Absent Kerry Boland Aye

Scot Brown Aye Vanessa Holland Absent Bill Olsen Aye

Adjournment

A **MOTION** was made by Bill Olsen, seconded by Scot Brown, and carried to adjourn the regular meeting at approximately 8:20 p.m.

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

Jesse Gallo Aye Bryan Barbar Aye Kerry Boland Absent

Scot Brown Aye Vanessa Holland Aye Bill Olsen Aye

Kristin Bialosky, Planning Board Clerk

Please go to the link to watch the Planning Board Meeting:

<https://www.youtube.com/live/dS49SqHZ3D8>