

**PLANNING BOARD
VILLAGE OF WARWICK
MARCH 12, 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, March 12, 2024, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was: Chairperson, Jesse Gallo, Board Members: Bryan Barber, Kerry Boland, Scot Brown, Bill Olsen and Alternate, Vanessa Holland. Also, present was Planning Board Secretary, Kristin Bialosky, Village Engineer Keith Woodruff, Village Attorney Robert Dickover, David Getz, Mrs. Getz, Barry Cheney, Elizabeth Cassidy, Amy Sliter and David Sliter.

Chairperson, 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 Bryan Barber and carried for the Acceptance of Planning Board Minutes: January 9, 2024.

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

Jesse Gallo Aye Bryan Barber Aye Kerry Boland Aye

Scot Brown Aye Bill Olsen Aye

Applications

1. 18 Galloway Rd. – <https://villageofwarwick.org/18-galloway-rd/>

- Lot line change
- Engineering & Surveying Properties comments
- Robert Dickover, Esq. Comment

The applicants Mr. and Mrs. Sliter presented the lot line changes for Corwin's florist and 12-16 Galloway Rd. and 18 Galloway Rd. residence and stated it has been an entity for 80 years having the lots of the business and the residence intermingled. They wanted to have the lots clearly separated between the business and residence.

Board member Scot Brown wanted to know how large the lot would be, and it was determined to be approximately a half-acre. Village attorney Mr. Dickover recommends the applicants go in front of the ZBA to get a variance based on the proximity of existing structures to the proposed side yards. Village Engineer, Keith Woodruff recommended new lot line changes to Mr. and Mrs. Sliter whereas the applicants would not have to go to the Town of Warwick for approval, as some of the land is in the Town and not the Village. Mr. and Mrs. Sliter were amiable to that suggestion and agreed to draw up new plans to be presented to the ZBA for a variance. The Board all agreed that the applicants should go to the ZBA for an approval for a variance. Village attorney Rob Dickover recommended the Planning Board not declare the Board as lead agency tonight as the Zoning Board would want to do that for their review. He declared that because it is a lot line change the Board has the option or not to hold a public hearing and thought there would not be much public interest in the application. He suggested the planning board consider waving the public hearing requirement which would help streamline the application. The applicants were advised by Mr. Dickover to submit a revised plan, owner's endorsement form and file an application to the ZBA. The Planning Board all agreed.

Discussion

Meeting Procedure in absence of Chairperson – Chairman Jesse Gallo had Village Attorney Robert Dickover review the code which is below:

NYS Village Law § 7-718 Planning board; creation, appointment

Currentness

1. Authorization. The village board of trustees of each village is hereby authorized by local law to create a planning board consisting of five or seven members. Members and the chairperson of such planning board shall be appointed by the mayor subject to the approval of the board of trustees. In the absence of a chairperson the planning board may designate a member to serve as chairperson.

Mr. Dickover explained that only in the absence of the Chairperson may the Planning Board designate a member to serve as chair during the meeting. There is no local code provision in the Village of Warwick relative to the election or appointment of a Vice Chairperson. Mr. Dickover stated he felt it was not necessary to have the Village Board create a local law for the above matter. He suggested that in the event the appointed Chairperson was absent the Board determine who the acting Chairperson would be. He suggested determining that by seniority of the Board members present. Chairperson, Jesse Gallo agreed and thought it would be most fair to the applicant to determine the Chair before the meeting took place. Mr. Dickover also said it was fairer to the Board, so they were to know who the Chair would be if the appointed Chairperson was unable to attend the Planning Board meeting. The Board agreed if the

appointed Chairperson was unable to attend that it would be the most senior of the Board members present who would be the acting Chairperson during the absence of the appointed Chairperson.

Chairperson Jesse Gallo said we could put this into our procedures and amend the Rules of Meeting Procedure to be reviewed and adopted at the next planning board meeting.

Public Comment – Agenda Items Only

Village Attorney, Robert Dickover suggested that we amend the Rules of Meeting procedure, after a discussion with the Board. He explained that applicants get in front of the Board by filing a fee and an application. The Board is then to review that application. There is a time and a place for public comment on those applications and it is during public hearings, that is what the law provides for. Further, the Board should not vary that process was his recommendation. It was determined to amend the Public Comment section of the rules of Meeting Procedure to state: The Public may speak only during the Public Comment period of a Public Hearing.

Executive Session, if applicable

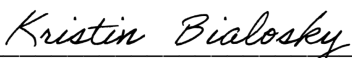
Adjournment

A **MOTION** was made by Bill Olsen, seconded by Scot Brown, and carried to adjourn the regular meeting at approximately 8:45 p.m.

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

Jesse Gallo Aye Bryan Barber Aye Kerry Boland Aye

Scot Brown Aye Bill Olsen Aye



Kristin A. Bialosky, Planning Board Secretary