

**PLANNING BOARD
VILLAGE OF WARWICK**

October 14, 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, October 14, 2025, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was Chairman Jesse Gallo, Board Members: Bryan Barbar, Kerry Boland, Scot Brown, Bill Olsen, and Alternate Vanessa Holland. Also, present was the Planning Board Administrator, Kristin Bialosky, Planning Board Engineer Keith Woodruff and Planning Board Attorney Elizabeth Cassidy. David Ghiloni, Giselle Ghiloni, Tom Herman, Leslie Noble, Dana and Michael Fody, Ilysa Memmer and Kevin Wilson.

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

The Board discussed the acceptance of the Planning Board minutes from September 9. Board member Kerry Boland had a few comments and requested some modifications. However, the proposed changes were not seen by the entire Board, so approval was postponed. The edits will be circulated to the full Board for review, and the minutes will be discussed at the next meeting.

Applications

1. 12 Oakland Ave; Noble Pies; Leslie Noble

<https://villageofwarwickny.gov/12-oakland-ave-noble-pies-sbl-210-10-8/>

Change of Use Waiver Application

Discussion:

The Board reviewed the change of use waiver application for 12 Oakland Avenue, submitted by Noble Pies, to convert the property from a Realty office into a retail pie store with limited on-site seating. The applicants explained that the primary business will be selling whole pies for take-out, with slices of pie and coffee available, and that seating is mainly for customer comfort rather than a full-service dining experience. The property is located in the Central Business Zoning District, where an eating and drinking establishment is a permitted use under Use Group K. Board members noted comments from PB Engineer, Keith Woodruff and Planning Board Attorney Elizabeth Cassidy regarding parking, sewer, and water usage. The applicants clarified that the building contains six on-site parking spaces, with additional parking available through village-provided street parking and the nearby First Street lot. Two of the on-site spaces are used by tenants, and the proposed business would require fewer spaces than a full-service eating

establishment, with an estimated maximum of 24 seats. The Board discussed potential impacts on water and sewer usage, and the applicants confirmed that, as a primarily take-out business, additional water usage will be minimal. The Board also reviewed requirements for exterior modifications, including signage, as the property is located in the Historic District. The applicants confirmed that prior approvals for signage have already been obtained, and no exterior modifications are planned at this time. Discussion included potential conditions for approval, including limiting the hours of operation, adhering to the business model as primarily take-out with a maximum of 24 seats, and compliance with any required Health Program approvals. The Board noted that any future changes in business operations, such as converting to a sit-down restaurant or adding kitchen facilities, would require returning for review and potentially another waiver or site plan approval. After discussion, a motion was made and seconded to grant the change of use waiver with the conditions outlined, including hours of operation, adherence to the stated business model, seating limitations, and Health Program compliance. The motion passed unanimously, and the waiver was approved.

Change of Use Waiver Application approved for 12 Oakland Ave with Conditions

A **MOTION** was made by Scot Brown, seconded by Kerry Boland and carried for the Village of Warwick Planning Board to approve the Change of Use Waiver Application for 12 Oakland Ave with Conditions.

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

Bryan Barber Aye Kerry Boland Aye Scot Brown Aye

Vanessa Holland Aye Bill Olsen Aye Jesse Gallo Aye

2. **36 Colonial Ave- Parking Lot - Memmer-**
<https://villageofwarwickny.gov/36-colonial-ave-memmer-parking-lot-sbl-208-1-3/>
Site Plan Application- Public Hearing

Discussion:

Chairman Jesse Gallo asked the applicant if any modifications had been made to the parking, and requested that Planning Board Engineer Keith Woodruff and Planning Board Attorney Elizabeth Cassidy review their comments. They noted that most previous concerns had been addressed by the applicants. Discussion focused on compliance with Section 145-25 of the Zoning Code for the limited office overlay district, including requirements for lighting, landscaping, and overall design standards. The Board requested that the applicant provide additional information regarding proposed light fixtures on the building and within the parking area, or alternatively, indicate on the plans that no commercial-grade fixtures will be installed, to prevent potential impacts on neighboring properties. A construction detail for the designated handicap parking

space, including dimensions and striping, was also requested to ensure compliance with accessibility standards.

Landscaping was a significant topic of discussion. The revised site plan shows multiple Arborvitae plantings along both sides of the parking area, including 11 trees on one side and four on the other, with two trees proposed for removal to accommodate these plantings. The Board emphasized that the final landscaping installed should match what is shown on the submitted plans to ensure accuracy and transparency. Signage requirements were also highlighted, and the applicants were asked to confirm the proposed signage and landscaping details.

Parking adjustments were reviewed, with the applicants reducing the number of spaces to six, including the handicap space and access aisle, from a larger initial proposal. The Board noted that some existing vegetation would need to be managed to maintain safe access to the parking area, particularly near the fire department property. Stormwater management was deemed unnecessary and removed from the overall site plan.

Finally, prior to the public hearing, Attorney Cassidy confirmed with the Planning Board Administrator that proof of publication and mailing of the Public Hearing notices had been received. The Board concluded that the application is ready to proceed to the public hearing, with the understanding that all requested clarifications and details will need to be addressed to ensure compliance with applicable regulations.

Chairman 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 October 14, 2025 at 7:30 p.m. or as soon thereafter as possible on the application of Ilysa Memmer for the conversion of an existing single-family residence into Professional Office (counseling office) together with the creation of an accessory parking lot, at 36 Colonial Avenue, Warwick (SBL 208-1-3).

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: SEPTEMBER 18, 2025

Open Public Hearing for 36 Colonial Ave.

A **MOTION** was made by Scot Brown, seconded by Bryan Barber and carried to open the public hearing 36 Colonial Ave..

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

Bryan Barber Aye Kerry Boland Aye Scot Brown Aye

Jesse Gallo Aye Vanessa Holland Aye Bill Olsen Aye

Chairman Gallo asked to give a brief overview of the project, it was stated Ms. Memmer's business is going to be a Counseling Center. The proposed parking is actually far less than what's allowed under zoning. The parking lot will be paved up to the dotted line just past the handicap spot, which we added to make the building more accessible. The building itself isn't fully ADA compliant yet in terms of stairs, ramps, and railings, but the applicant and contractor explained they have done our best to minimize changes to the site. The driveway entrance stays in the same location, and there's very little disturbance aside from removing an old shed. Chairman Gallo asked if there was anyone from the public that would like to speak. The owner of 27 Colonial Ave, and he and his wife were concerned regarding the traffic on Colonial Ave and if it would increase significantly and it was explained that Ms. Memmer is not a clinic or an outpatient hospital. Mr. Gallo asked if there was no further comments the public hearing could be closed. The attorney Mrs. Cassidy asked if any written comments were submitted and it was confirmed that no written comments were submitted.

Close Public Hearing for 36 Colonial Ave.

A **MOTION** was made by Bryan Barber seconded by Scot Brown and carried to close the public hearing at 36 Colonial Ave.

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

Bryan Barber Aye Kerry Boland Aye Scot Brown Aye

Jesse Gallo Aye Vanessa Holland Aye Bill Olsen Aye

Planning Board Attorney Elizabeth Cassidy reviewed the standards applicable to the transitional LO zoning district, noting that the district is designed as a buffer between residential areas and nearby commercial uses. She emphasized that the architecture of the proposed use must be compatible with the existing neighborhood character and should not create adverse impacts on neighboring residential properties. She confirmed that parking must be screened and generously landscaped, and that drive-through or drive-in services are not permitted. Parking should be located to the rear of the building to the maximum extent practical, and anticipated trip generation must be consistent with the residential character of the neighborhood. Where appropriate, pedestrian or vehicle interconnections with neighboring properties may be required

to protect health, safety, and welfare, although in this case, there are no nearby sidewalks, making such connections unnecessary.

Attorney Cassidy also discussed exterior lighting, stating that all lighting—including walkways and parking areas—must be low-level, fully shielded, and designed in a residential style. She clarified that no commercial vehicle or construction equipment storage, outdoor display of goods, or outdoor storage of equipment is permitted, and no alteration to the exterior of the principal residential building is allowed that would change its character, except for a single sign not exceeding two square feet, which must comply with all other applicable sign regulations. The proposed use must not generate solid waste, sewage discharge, noise, glare, odors, heat, fumes, smoke, or electrical interference beyond what is typical for residential use. Deliveries and truck traffic should average less than three per day, and the project does not fall into any prohibited categories.

Attorney Cassidy noted that the Board’s recommendations would be incorporated as conditions of approval. These include providing a construction detail for the handicap parking space, adjusting the landscaping plan to maintain two existing healthy trees rather than removing them for new Arborvitae plantings, and including a note regarding exterior lighting consistent with village code. She also confirmed that the applicant has already completed all required due diligence for signage. Finally, she stated that the project qualifies as a Type II action because it involves the conversion of an existing structure rather than new construction. Following this review, the Board proceeded to a motion to approve the project with the stated conditions.

Approval for Attorney to draft Resolution for 36 Colonial Ave. with stated Conditions along with the proposed project being a Type II Action under SEQR;

A **MOTION** was made by Bryan Barber seconded by Bill Olsen and carried to draft the Resolution for 36 Colonial Ave with stated Conditions along with the proposed project being a Type II Action under SEQR.

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

Bryan Barber Aye Kerry Boland Aye Scot Brown Aye

Jesse Gallo Aye Vanessa Holland Aye Bill Olsen Aye

3. 10 Oakland Ave; Medi Spa; Dana Fody

<https://villageofwarwickny.gov/wp-content/uploads/10-Oakland-Ave-Unit-2-1-Medi-Spa.pdf>

Change of Use Waiver Application

Discussion:

Mrs. Fody explained her background as a nurse for over ten years and as a board-certified Family Nurse Practitioner for an additional ten. Mrs. Fody currently works part-time in New Jersey as a Sexual Assault and Strangulation Examiner and previously managed an orthopedic/neuro step-down hospital unit. This new business would be her own independent part-time practice. The discussion focused on determining the appropriate zoning classification for the proposed use. Although the applicant referred to the business as a “Medi Spa,” the term “spa” in the Village Code is grouped with “Health Club, Spa, Fitness Center, and Gymnasium,” which is not a permitted use in this zoning district. After review and consultation among the Planning Board Engineer, Attorney, and Building Inspector, it was determined that the most accurate and permissible classification is “Personal Service Store,” defined as an establishment providing specialized personal care services such as barber or beauty shops. The Building Inspector confirmed this as the appropriate use category. The proposed space is approximately 450 square feet, with two on-site parking spaces to remain as previously provided. Additional municipal parking is available nearby. Estimated water usage is approximately 210 gallons per day, based on one employee and three clients. Any exterior changes, including signage, must be reviewed and approved by the Architectural and Historic District Review Board. The applicant confirmed that no structural changes are planned at this time. The Board agreed that the proposed use as a Personal Service Store is a permitted use within the zone. The applicant will revise the application accordingly to reflect the correct use classification and operational details.

Change of Use Waiver Application approved for 10 Oakland Ave Unit 2-1 with Conditions

A **MOTION** was made by Kerry Boland, seconded by Scot Brown and carried for the Village of Warwick Planning Board to approve the Change of Use Waiver Application for 10 Oakland Ave Unit 2-1 with Conditions.

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

Bryan Barber Aye Kerry Boland Aye Scot Brown Aye

Vanessa Holland Aye Bill Olsen Aye Jesse Gallo Aye

The attorney advised the Board that she had recently spoken with the Mayor regarding ways to simplify and expedite the review of minor change of use applications. She explained that one of the most effective ways to streamline the process is by improving and clarifying the definitions within the Village Zoning Code so that applicants and staff can easily determine which category a proposed use falls under. Currently, she and the Planning Board Engineer frequently need to confer on how to classify various business types because many definitions are vague or inconsistent. She noted that updating these definitions is on her to-do list, emphasizing that much of the review process “hinges on that initial definition.” Clear, well-written definitions can make the process smoother, while poor or conflicting definitions cause confusion and delay. As an example, she mentioned another municipality she works with that had separate definitions and standards for “eating and drinking establishments” and “restaurants,” which led to unnecessary complexity and inconsistency. She suggested that before the Village considers other code

changes, it should focus on reviewing and revising its zoning definitions for clarity and consistency to better support local business development and administrative efficiency.

Discussion

During the Public Hearing for 36 Colonial Ave board member Scot Brown raised a concern about the way public hearings were being conducted, specifically noting discomfort with how members of the public directly questioned the applicant during the meeting. Planning Board attorney Mrs. Cassidy explained that a public hearing is intended as an opportunity for the public to make comments or ask general questions for the record, not to engage in a back-and-forth or “Q and A” session with the applicant. In larger projects, the process typically involves the applicant and their consultants taking public comments, reviewing them afterward, and then submitting formal written responses, rather than responding on the spot. For smaller, simpler applications, a limited verbal exchange may be acceptable if it helps move the process along efficiently, provided it remains respectful and controlled. The attorney acknowledged that the meeting remained civil but Mr. Brown noted that one particular question—asking the applicant who her clients would be—was inappropriate, as the applicant is not required to answer that type of personal or business-specific inquiry. It was suggested that, in future hearings, the Board could intervene in similar moments to maintain proper decorum. The attorney also reminded the Board that in more formal or heavily attended public hearings, standard procedures should be followed: each person states their name, makes their comment for the record, and the Board thanks them without engaging in dialogue. It was noted that this approach helps prevent the conversation from becoming derailed and maintains a fair and professional process.

Blain Town Square Development in the Town of Warwick –

The Board discussed the Blain Town Square project, noting that while the Village could be considered an interested party, the Village has no approval authority over the application, which falls under the jurisdiction of the Town of Warwick. The Planning Board Attorney clarified this distinction. It was mentioned that the Town is utilizing a project management portal called Muni Collab, which is available on the Town’s website, which makes project materials easy to access. The most recent plan set for Blain Town Square was displayed for review.

During discussion, Planning Board Member Bryan Barber expressed concern that all of the proposed residential units within the development were one-bedroom apartments, noting that this raised issues worth further consideration. He recommended that the project be referred to the Village Board for review. The Board agreed that the Village Board should be notified, as the size and scope of the project could have potential impacts on the Village, particularly regarding future demand on water and sewer resources.

The Planning Board Engineer, Mr. Woodruff, explained that the developer may need to extend water and sewer lines from the Village if sufficient well capacity could not be found on-site. He emphasized that while the developer might explore sourcing from the Village, this does not mean the Village would be obligated to provide service. Given the possible impacts on Village infrastructure, it was agreed that a letter from Chairman Gallo would be prepared and sent to the Village Board to formally refer the project and highlight these concerns.

Adjournment

A **MOTION** was made by Scot Brown, seconded by Bryan Barber, and carried to adjourn the regular meeting at approximately 8:50 p.m.

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

Bryan Barber Aye Kerry Boland Aye Scot Brown Aye

Vanessa Holland Aye Bill Olsen Aye Jesse Gallo Aye

Kristin Bialosky, Planning Board Administrator

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

<https://youtube.com/live/G9mVxPIHeGk>