

LAW OFFICES
FABRICANT LIPMAN & FRISHBERG, PLLC

ONE HARRIMAN SQUARE
POST OFFICE BOX 60
GOSHEN, NEW YORK 10924
Writer's E-Mail: nfrishberg@nfrishberg.com

Telephone 845-294-7944
Fax: 845-294-7889

Neal D. Frishberg*

Herbert J. Fabricant (1915-1987)
Alan S. Lipman (1934-2021)

Phil Dropkin, Esq.

*Also admitted in NJ and FL

Legal Assistants

Michelle Morgan
Rebekah Dahma
Cathy Lanzo
Salimah Harrison-Ramsey
Joseph Bisono
Jesse Williams

April 23, 2024

Sent via Email

Mr. John Graney
Chairman
Zoning Board of Appeals
Village of Warwick
77 Main Street
Warwick, NY 10990
Email: clerk@villageofwarwick.org

Re: Zoning Board of Appeals Application of Lila and Peter Proulx
Premises: 9 Campbell Road, Warwick, New York

Dear Mr. Graney:

This office represents Frances and Neil Sinclair who own 40 Oakland Avenue, which is to the left of the above-referenced property. I reviewed the site plan but, unfortunately, will not have an opportunity to comment on the same as I am on vacation in the state of Florida. I also will not be able to attend the meeting tonight because I will not be arriving until after 7:00 p.m. from the state of Florida. I had hoped a colleague could attend the meeting on my behalf; however, this is also the second night of Passover, and he is observing the same.

Accordingly, by this letter I am requesting that you keep the public hearing open until the next meeting. This will allow me an opportunity to comment on the new site plan.

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I note preliminarily, the new site plan includes the garage which ZBA had directed to be removed. The applicant has not demonstrated a change in circumstances indicating that he is entitled to relief from ZBA's prior decision and order, and the applicant has not submitted an amended ZBA application.

Further, the variance continues to be substantial:

1. The lot width. The required lot width is 100 feet and the proposed lot width is 65 feet - a difference of 35 feet. Stated differently, it is 65 percent of the minimum lot width.

2. The lot area variance is also substantial: The required lot area for a dwelling is 20,000 square feet. The proposed lot area is 8,125 square feet, a difference of 11,875 square feet or a percentage difference of 59.38 percent.

3. The maximum development coverage is 35 percent. The proposed maximum development coverage is 40 percent, a difference of 5 percent or a percentage difference of 14.29 percent.

4. One side setback has a requirement of 20 feet. The proposed side setback is 12 feet or a difference of 8 feet or percentage difference of 40 percent. The rear side setback apparently is acceptable.

5. The total side setback requirement is 50 feet and the proposed total side back is 32 feet. This is a difference of 18 feet or a percentage difference of 36 percent.

6. The total footprint also requires a variance.

Lastly, the applicant does not address the distance between the proposed garage and the proposed dwelling.

Respectfully submitted,

Neal D. Frishberg

cc: Neil and Francis Sinclair