

September 17, 2024

**Village of Warwick – Planning Board Application**  
**77 Main Street**  
**Warwick, NY 10990**  
**Attention: Jesse Gallo, Planning Board Chairman**

**Re: Elm Street Restaurant – Site Plan Approval**  
**16 Elm Street**  
**Section 210, Block 12, Lot 14**  
**Job #: FE-24134**

Dear Mr. Chairman,

We are enclosing a Planning Board application for site plan approval for the use of three on-site metal trailers as storage. We are also seeking approval for two field changes as outlined in a letter from Engineering & Surveying Properties, dated July 12, 2024, to the Village's Building Inspector.

We have enclosed the following information for your review:

- Site Plan Application, Checklist and fees.
- Eight sets of the site plan dated 09/17/24.
- Engineering & Surveying Properties Letter, dated July 12, 2024.
- EAF, dated 09/17/24.

Sincerely  
Friedler Engineering, PLLC



Brian Friedler, P.E.

Village of Warwick Planning Board 77  
 Main Street, PO Box 369  
 Warwick, New York 10990  
 Tel: (845) 986-2031, ext. 7  
 Email: [planning@villageofwarwick.org](mailto:planning@villageofwarwick.org)

## OFFICE USE ONLY:

Date Received: 9/19/24App. Fee Received: ✓Escrow Received: ✓**APPLICATION FOR SITE PLAN****(Preliminary Review / Final Approval / Amendment to Site Plan)**

[All information must be completed. If not applicable, note N/A. Must be signed &amp; notarized.]

1. Project Name ELM STREET RESTAURANT (YESTERDAYS)2. Tax map designation: Section 210 Block 12 Lot 143. Zoning District – please circle: R LO MR-SC CCRC CB GC LI TND PAC AD*\*See Article II Zoning Districts and Zoning Maps. \*All applications are subject to ARB review, except as specified by the VC.*4. Is the property located in the Historic District? Yes \_\_\_\_\_ No X*\*See Historic District Map. If 'yes', applicant must complete an AHDRB application and go before the AHDRB.*

For questions 5 – 10 use Article III Use Regulations of the V. of Warwick Zoning Code, Table of General Use Requirements

5. Type of Existing Use: EATING / DRINKING ESTABLISHMENT6. Proposed Type of Use: NO CHANGE7. Circle Applicable Category for Project's Proposed Use: P\* C\* S\* P8. Proposed Project's Use Group(s): K9. Proposed Project's Special Conditions: NONE *\*last column in Table of General Use Requirements*

10. Per Article III Use Regulations of the Village of Warwick Zoning Code, Table of General Use Requirements, does the project additionally require:

- Conditional Use Permit: Yes No

*\*If 'yes' applicant must complete a Conditional Use Permit Application.**\*Applicants to review ARTICLE XI Conditional Use Review and Approval & Article XII Conditional Use & Special Use Permit Use Standards.*

- Special Use Permit: Yes No

*\*If 'yes' applicant must complete a Special Use Permit Application**\*Applicants to review Article XII Conditional Use & Special Use Permit Use Standards.*

11. Type of Project: check one

- ☐ Preliminary Site Plan Review
- ☐ Final Site Plan Review
- ☐ Amendment to Approved Site Plan

12. Application Fee(s), payable to the Village of Warwick, submitted as separate checks with the application:

- Application for Preliminary Site Plan Review Fee: \$350.00 Check # \_\_\_\_\_
- Supplementary Final Site Plan Fee: \$150.00 Check # \_\_\_\_\_
- \*Supplementary Fee in combination with initial Preliminary Site Plan Review Application Fee will satisfy Application for Final Site Plan Fee.*
- Application for Final Site Plan Fee: \$500.00 Check # \_\_\_\_\_
- Application for Amendment to Site Plan Fee: \$350.00 Check # \_\_\_\_\_

**TO BE SIGNED AND NOTARIZED**

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

COUNTY OF Orange  
STATE OF NY SS:

I, John Christison, hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true.

Sworn before me this

Signature

1st Day of Oct. 2024

Title

KRISTIN A. BIALOSKY  
A Notary Public of New Jersey  
Notary Public # 50208896  
My Commission Expires April 10, 2028

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PROXY STATEMENT (Completion required ONLY if applicable)

COUNTY OF Orange  
STATE OF New York SS:

John Christison, being duly sworn, deposes and says that he resides at (116 Elm St.) 3 Polk Ave Greenwood LK in the County of Orange and State of NY (Owners Address) 10925

And that he is the (owner in fee) President of the Yesterday's 16 Elm St Realty (Official Title)  
(corporation which is the owner in fee) of the premises described in the foregoing application and that he has authorized Brian Friedler to make the foregoing application for Planning Board approval as described herein and to represent him on all Planning Board matters.

Sworn before me this

1st Day of Oct. 2024

[Signature]  
Owner's or Official's Signature

KRISTIN A. BIALOSKY  
A Notary Public of New Jersey  
Notary Public # 50208896  
My Commission Expires April 10, 2028

13. **Escrow Fee**, payable to the Village of Warwick, submitted as separate checks with the application:

• Base Escrow (Preliminary/Final /Amendment): \$2,000 Check # \_\_\_\_\_

*\*Applicants must also complete the attached Escrow Account for Consultant Review Form.*

*\*Base escrow for Preliminary Site Plan Review will be applied toward Final Site Plan escrow.*

14. Applicant's Name 16 ELM STREET REALTY, LLC Phone \_\_\_\_\_  
Address P.O. BOX 602, GREENWOOD LAKE, NY 10925 Email yesterdays16elm@gmail.com  
(Street Number & Name) (Post Office) (State) (Zip Code)

Owner's Name JOHN CHRISTISON Phone \_\_\_\_\_  
Address P.O. BOX 602, GREENWOOD LAKE, NY 10925 Email yesterdays16elm@gmail.com  
(Street Number & Name) (Post Office) (State) (Zip Code)

Applicant's Representative's Name BRIAN FRIEDLER, P.E. Phone 845-544-5662  
Address 9 LOCUST ST., WARWICK, NY 10990 Email friedlerengineering@outlook.com  
(Street Number & Name) (Post Office) (State) (Zip Code)

Plan Preparer's Name FRIEDLER ENGINEERING Phone 845-544-5662  
Address 9 LOCUST ST., WARWICK NY 10990 Email friedlerengineering@outlook.com  
(Street Number & Name) (Post Office) (State) (Zip Code)

Attorney's Name \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_ Email \_\_\_\_\_  
(Street Number & Name) (Post Office) (State) (Zip Code)

Meeting Notification Name JOHN CHRISTISON Phone \_\_\_\_\_ Email yesterdays16elm@gmail.com

15. Total acreage 3.70 +/- AC Number of lots 1

16. This application is for the use and construction of METAL CONTAINER TRAILERS FOR THE USE  
OF STORAGE. FOR THE APPROVAL OF FIELD CHANGES.

17. Is any variance from Article IV Bulk Requirements requested? Yes / ~~No~~

If so, for what? \_\_\_\_\_

18. Has the Zoning Board of Appeals granted any variance or has the Village Board granted any special use permit concerning this property? Yes / ~~No~~

If so, list Applicant Name \_\_\_\_\_ (Attach entire ZBA & VB approval.)

19. Estimated area of disturbance NO ADDITIONAL GROUND DISTURBANCE

# Short Environmental Assessment Form

## Part 1 - Project Information


### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

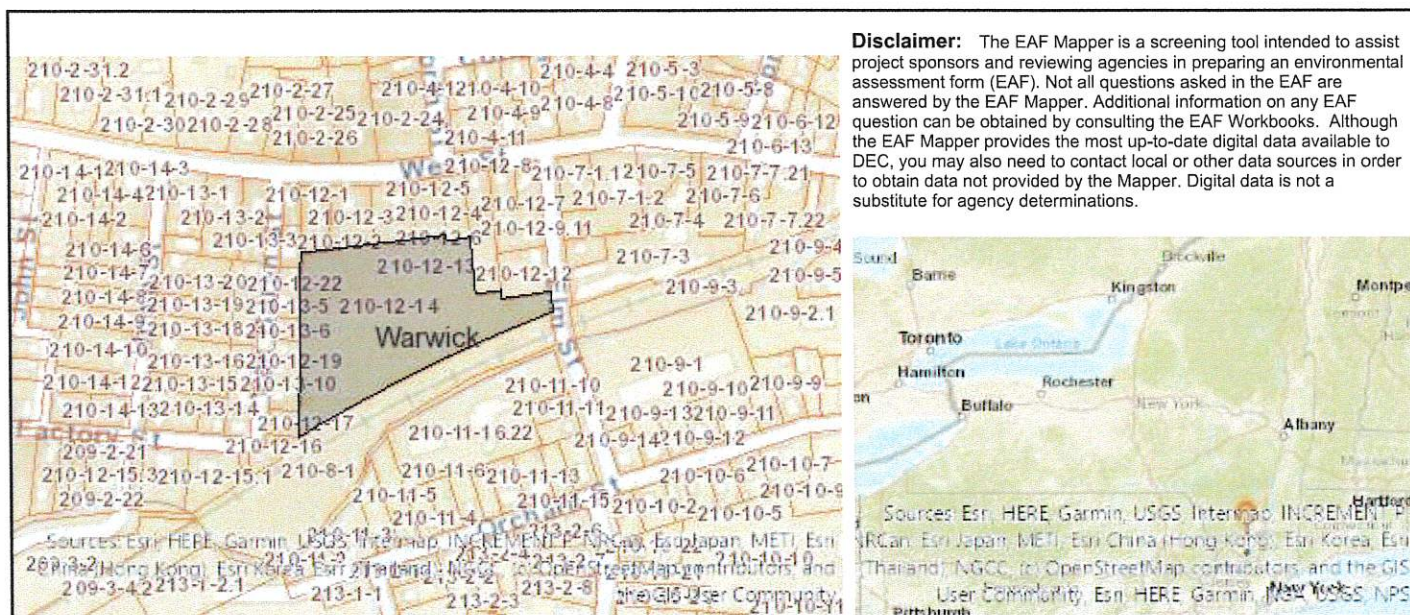
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Elm Street Restaurant (Yesterdays)			
Project Location (describe, and attach a location map): 16 Elm Street, Warwick, NY 10990			
Brief Description of Proposed Action: Site Plan approval for three metal container trailers for storage use. Also for the approval of field changes as outlined in a letter from Engineering Properties dated July 12, 2024 to the Village of Warwick's Building Inspector.			
Name of Applicant or Sponsor: John Christison		Telephone:  E-Mail: yesterday16elm@gmail.com	
Address: P.O. Box 602			
City/PO: Greenwood Lake		State: NY	Zip Code: 10925
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Village of Warwic Planning Board		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		3.70 +/- acres 0 acres 3.70 +/- acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Indiana Bat	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, <div style="margin-left: 40px;">           a. Will storm water discharges flow to adjacent properties?            b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?         </div> If Yes, briefly describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: <u>Brian Friedler, PE</u> Date: <u>09/17/24</u> Signature: <u></u> Title: <u>Project Engineer</u>		





Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Indiana Bat
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	Yes



**VILLAGE OF WARWICK PLANNING BOARD**  
**PRELIMINARY / FINAL SITE PLAN / AMENDMENT TO SITE PLAN**  
**CHECKLIST**

The following items shall be submitted with a completed checklist to the Planning Board secretary at least 3 weeks prior to the Planning Board Meeting before consideration for being placed on a Planning Board agenda.

INITIAL SUBMISSION

- ☐ ☒ Project Cover Letter, including a narrative describing the existing and proposed use(s) of the property.
- ☐ ☒ Completed Application for Preliminary / Final Site Plan Approval / Amendment to Approved Site Plan
- ☐ ☒ Application fee payable to the Village of Warwick. The memo on the application fee check must indicate the project name and type of payment.
- ☐ ☒ Escrow deposit payable to the Village of Warwick. The memo on the escrow deposit check must indicate the project name and type of payment.
- ☐ ☒ Completed Escrow Account for Consultant Review Form.
- ☐ ☒ Prior approved site plan, if applicable
- ☐ ☒ Deed and if applicable, confirmation of corporate ownership and proxy.
- ☐ ☒ Short or Full Environmental Assessment Form (EAF), as appropriate, completed using the NYSDEC online mapper.  
[https://www.dec.ny.gov/permits/357.html#EAF\\_Part\\_1;](https://www.dec.ny.gov/permits/357.html#EAF_Part_1;)  
[https://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/seafpartone.pdf](https://www.dec.ny.gov/docs/permits_ej_operations_pdf/seafpartone.pdf)
- ☐ ☒ Permit Application for Development in Flood Hazard Areas, if applicable.
- ☐ ☒ Six collated sets of the Site Plan (4 full size sets, 2 of 11"x17" reduced sets, and entire submittal emailed to [planning@villageofwarwick.org](mailto:planning@villageofwarwick.org) in pdf format) bearing the signature and seal of a NYS licensed land surveyor or professional engineer. Refer to Site Plan Requirements for additional requirements.

SUBSEQUENT SUBMISSIONS

Subsequent submissions shall include a cover letter with itemized responses to the Planning Board's review comments and six sets of plans as described above.

SUPPORTING DOCUMENTS

The applicant shall submit reports, correspondence and/or approvals by other agencies, and other documents regarding the proposed project. These might include:

- Correspondence from the Village Board, Architectural and Historic Review Board, and Zoning Board of Appeals
- Environmental Reports (e.g. wetlands, endangered species, site remediation)
- Cultural resources reports
- Traffic studies
- Stormwater Pollution Prevention Plan (SWPPP) or other drainage studies
- Copy of all offers of cession, covenants, deed restrictions, and easements in effect or proposed.

SITE PLAN REQUIREMENTS

1. ☒ Title block including the project name, the name, address, license number, seal, and signature of the design professional who prepared the drawings, and the dates of preparation and of each revision.
2. ☒ Property boundaries and right-of-way locations, certified by a licensed land surveyor.

3. ☒ Name(s) & address(es) of owner(s) and applicant(s).
4. ☒ Parcel(s) tax map ID (Section, Block and Lot)
5. ☒ Vicinity map. Show zoning district boundaries, if applicable
6. ☒ Bulk table showing zoning district(s), applicable use group(s), and bulk requirements together with compliance information.
7. ☒ Required yards and setbacks drawn on the plan.
8. ☒ North arrow, written and graphic scale.
9. ☒ The proposed use, location, height, and designs of all existing and proposed buildings and structures, including exterior renderings and details.
10. ☒ Locations of existing utilities on and near the project site.
11. ☒ Approval block near the lower right-hand corner.

The Planning Board can waive one or more of the following site plan elements that it deems to be not applicable to the proposed project:

12. ☒ Existing contours, at intervals of two feet or less, extending at least 50 feet beyond the property boundary.
13. ☒ Existing watercourses, intermittent streams, wetland areas, rock outcrops, trees with a diameter of 8 inches or more 3 feet above ground level, wooded areas, and any other significant features.
14. ☒ Location and description of all existing and proposed site improvements, including but not limited to drainage pipes, drains, culverts, ditches, bridges or other drainage works, retaining walls, curbs, pavement, sidewalks, and fences. Provide applicable details.
15. ☒ Wetland boundaries, including the name and address of delineator and date of delineation, and jurisdictional agency (NYSDEC or USACE).
16. ☒ Boundaries of areas subject to flooding as per the FEMA Flood Insurance Study.
17. ☒ Proposed contours, at intervals of two feet or less, with spot grades as needed to clarify proposed grading.
18. ☒ Finished floor elevations.
19. ☒ Proposed divisions of buildings into different uses.
20. ☒ Road design layout information, profiles, and details.
21. ☒ Existing and proposed water supply facilities, including profiles of proposed water mains.
22. ☒ Existing and proposed sanitary sewer facilities, including profiles of proposed sewer mains.
23. ☒ Erosion control measures, including locations, maintenance notes, and details.
24. ☒ The location, type, and screening details for solid waste disposal facilities and containers.
25. ☒ Existing signs, and locations and details of proposed signs.
26. ☒ Landscaping plans and details.
27. ☒ Lighting plans, details, and manufacturer's information on proposed fixtures.
28. ☒ Design of parking and loading areas, with calculations.
29. ☒ Locations of any outdoor storage facilities, with details of proposed screening measures.
30. ☒ Locations, height and design of lighting, power and communications facilities.
31. ☒ Location of fire and other emergency zones including location of nearby fire hydrants. Provide defined access and egress drives with truck turning radius shown where necessary.
32. ☒ Location, height, design and direction of all exterior rooftop structures and facilities including placement of any generators, exterior equipment, exhaust systems, noise baffles and appropriate screening.
33. ☒ Location and design of all parking and access facilities as are required for the handicapped pursuant to the NYS Building Code.
34. ☒ Inventory and quantity of hazardous materials anticipated for on-site storage and/or use.
35. ☒ Plans for the disposal of construction and demolition waste, whether on-site storage and/or use.

- 36. NA Sight distances at each proposed driveway or roadway.
- 37. NA Profiles of all driveways in excess of ten percent slope.
- 38. NA Maximum number of employees, maximum seating capacity, hours of operation, etc. specific to the proposed use(s).
- 39. NA Match lines.
- 40. ☒ Locations of traffic safety devices and directional flow of traffic shown.
- 41. NA For projects involving more than one phase, a site plan indicating the ultimate development of the entire property.
- 42. ☒ Special mitigation measures required by the SEQRA review process, whether conducted by the Planning Board or another agency.

This list is provided as a guide only and is for the convenience of the applicant. The Village of Warwick Planning Board may require additional notes or revisions prior to granting approval. The applicant shall review the Village Code and all applicable State, including SEQRA documents in accordance with NYCRR §617 and Federal requirements for additional information required.

**Preparer's Acknowledgement:**

The plat for the proposed plan has been prepared in accordance with this checklist and the Village of Warwick Ordinances, to the best of my knowledge.

By: \_\_\_\_\_

*B. Friedler*

Signature of Licensed Professional

Date: \_\_\_\_\_

9/17/24

Printed Name: \_\_\_\_\_

BRIAN FRIEDLER, P.E.