

**ZONING BOARD
VILLAGE OF WARWICK
NOVEMBER 18, 2025**

Minutes

**LOCATION:
VILLAGE HALL
77 MAIN STREET, WARWICK, NY
7:00 P.M.
MAXIMUM OCCUPANCY- 40**

The Regular Meeting of the Zoning Board of Appeals of the Village of Warwick was held on Tuesday, November 18, 2025, at 7:00 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was: Chairman John Graney, Board Members: Wes Burley, Nikki Delille, Margaret Politoski and John Prego. Also present was Zoning Board Administrator, Kristin Bialosky and ZBA Attorney, Will Frank. Others present: David L. Jones, Brian Friedler, Matthew Morales and Clement J. Truitt.

The Zoning Board of Appeals Chairman, John Graney, called the meeting to order.
Kristin Bialosky held the roll call.

Acceptance of Minutes

A **MOTION** was made by Nikki Delille, seconded by Wes Burley for the Acceptance of Minutes: October 28, 2025.

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

John Graney Aye Wes Burley Aye Margaret Politoski Aye

John Prego Aye Nikki Delille Aye

Applications

1. 24 Howe St. – SHED

<https://villageofwarwickny.gov/zba-24-howe-st-shed/>

Chairman Graney read the Public Hearing Notice:

VILLAGE OF WARWICK
ZONING BOARD OF APPEALS

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Zoning Board of Appeals of the Village of Warwick, New York on Tuesday, November 18, 2025, at 7:00 p.m., or as soon thereafter as can be heard on said date. The public hearing will take place at the Village Hall, located at 77 Main Street, Warwick, New York, 10941. The public hearing will cover the application of David Jones and Cecille Jones as applicants and property owners, for an area variance from §145-41 and §145-50 of the Village's Zoning Code (the "Code") to allow for the installation of a 10' x 24' prefabricated shed on their property. The proposed addition would: i) reduce the side yard setback from 10 feet to 3 feet requiring a variance of 7 feet; and ii) reduce the side yard setback from 10 feet to 3 feet requiring a variance of 7 feet. The property is located in the Residential Zoning District. The Applicants' property is located at 24 Howe Street, Warwick, New York, tax lot (S-B-L): 210-14-13.

The Zoning Board of Appeals will consider all verbal and/or written statements from all persons interested in the proposed variance at the above time and place. The Zoning Board of Appeals will also consider such further relief as it finds necessary. Copies of the application, Environmental Assessment Form, plans and any other information submitted in support of it are available for review, during normal business hours, at the Planning and Zoning Department located at Village Hall.

The Village of Warwick will make every effort to assure the hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Village Clerk's Office at (845) 986-2031.

Dated: October 30, 2025

BY ORDER OF
THE ZONING BOARD OF APPEALS
VILLAGE OF WARWICK
JOHN GRANEY, CHAIRMAN

The applicant came forward to speak with the Board. He explained that the site plan, identifies three variances: the setback from the wall and the required distance between the existing structure and the proposed shed. The code requires a minimum separation of 15 feet; the proposed distance is 14 feet 7 inches. This clarification was noted for the record, and Mr. Jones confirmed he was comfortable with the measurement.

The applicant stated that his intention is to make better use of the space, which is currently significantly underutilized. The property contains an old, non-conforming wooden shed and a small plastic shed, both of which he plans to remove and replace with a new, single shed.

A wooden fence currently encloses the property. He plans to remove the fence section on the side and along the rear to allow delivery and installation of the new shed. He confirmed he will reinstall the section on the side afterward. He is uncertain whether he will replace the rear section, as it may depend on discussions with his neighbor, John, who already has a metal fence

along the property line. If the neighbor prefers the wooden fence reinstated for visual reasons, he is open to doing so.

He also noted the presence of a large oak tree near the proposed work area. Preserving the tree and avoiding any damage to its root system is a priority, and that may limit how much of the fencing he is able to reinstall.

A Board member asked whether removing the fence would impact the tree in any way; the applicant confirmed that it would not.

Mr. Frank the ZBA attorney, confirmed that all required mailing notifications were received.

The Board opened the public hearing for 24 Howe St. regarding a proposed one-story addition.

Open Public Hearing, 24 Howe St.; November 18, 2025

A **MOTION** was made by John Prego, seconded by John Graney, and carried to open the public hearing for November 18, 2025.

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

John Graney Aye Wes Burley Aye Margaret Politoski Aye

John Prego Aye Nikki Delille Aye

It was clarified that the applicant had appeared before the Planning Board, and the Planning Board referred the applicant to the Zoning Board. The question was raised as to whether a SEQRA determination had been made, and whether the action had been classified as Type II. The Board noted that if the application were not a Type II action, the Zoning Board could not take action before the Planning Board completed its review, as the Planning Board would ordinarily serve as Lead Agency.

It was confirmed that the application is a **Type II action under SEQRA**, requiring no further environmental review.

A Board member noted that, going forward, SEQRA determinations could be written directly on the application materials so that the information is readily available if the Board wishes to take action at the same meeting.

The Board then opened the floor to the public. With no comments received, and after asking twice for any additional input, it was determined that there were no public comments.

Close the Public Hearing, 24 Howe St.; November 18, 2025

A **MOTION** was made by John Graney, seconded by Margaret Politoski, and carried to close the public hearing for November 18, 2025.

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

John Graney Aye Wes Burley Aye Margaret Politoski Aye
John Prego Aye Nikki Delille Aye

The Board went through the balancing test. It was determined to grant the three variances sought by the applicant.

Grant the three variances requested by the applicant for 24 Howe Streets Shed

A **MOTION** was made by John Prego, seconded by Wes Burley, and carried to grant the three variances requested by the applicant for 24 Howe Street shed.

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

John Graney Aye Wes Burley Aye Margaret Politoski Aye
John Prego Aye Nikki Delille Aye

Attorney Mr. Frank to prepare the appropriate Resolution consistent with the vote reflected by the ZBA Board

A **MOTION** was made by Wes Burley, seconded by John Prego, and carried to grant the three variances requested by the applicant for 24 Howe Street shed.

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

John Graney Aye Wes Burley Aye Margaret Politoski Aye
John Prego Aye Nikki Delille Aye

The Board explained the next steps to the applicant: the attorney will draft the variance resolution, the Chairman will sign it, and the signed resolution must be attached to the applicant's plans before resubmission to the Planning Board. Because the submission deadline for December has already passed, the applicant will need to return to the Planning Board in January.

2. **23 Wheeler Ave. – Two Story Addition**

<https://villageofwarwickny.gov/zba-23-wheeler-ave-two-story-addition/>

Discussion:

At the meeting, the applicants for 23 Wheeler Avenue returned to continue their request for approval of a two-story addition to their home. Since their last appearance, their two lots had been officially merged into a single parcel with one SBL number, which was required before moving forward. The applicants explained that the purpose of the addition is to create more space so they can care for the homeowner's mother, who now lives with them and has dementia. The board reviewed the updated plans and the variances needed. With the updated information reflecting the merged lots, the board agreed that the next step is to schedule a public hearing for the requested variances. The board discussed availability and decided to hold the public hearing on December 23 at 7:00 PM, maintaining the regular meeting date. A motion was made to schedule the hearing.

Schedule a Public Hearing for December 23, 2025 at 7:00 pm for 23 Wheeler Ave.

A **MOTION** was made by Margaret Politoski, seconded by John Prego, and carried to schedule a Public Hearing for December 23, 2025, at 7:00 pm for 23 Wheeler Ave.

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

John Graney Aye Wes Burley Aye Margaret Politoski Aye

John Prego Aye Nikki Delille Aye

The board explained the next steps required for the upcoming public hearing. The applicants were told that Kristin will provide the official public hearing notice prepared by Mr. Frank, Esq. and Kristin will also provide the list of address's within the required notification radius the public hearing must be mailed to. They will need to send certified mail notices of the hearing to those neighbors and bring the mailing receipts back to the office before the hearing date. Kristin will also publish the notice in the newspaper. Once the applicants receive the notice and mailing list, they should send out the notifications as soon as possible. It was clarified that the project was a type II action under SEQR. The board then thanked the applicants and wished them a happy Thanksgiving.

3. **10 Cottage – Subdivision Application**

<https://villageofwarwickny.gov/zba-10-cottage-st-subdivision-sbl-210-3-13-1-2/>

Discussion:

The applicant appeared before the Board to discuss a proposed two-lot subdivision of the existing Cottage Street property, which currently contains one two-family home. The intent is to

divide the parcel into two smaller lots in order to sell the newly created lot for potential residential construction. The Board reviewed the history of the property and clarified that while the larger parcel had been part of an older subdivision decades ago, the existing lot itself had not been previously subdivided. The applicant's representative outlined that multiple variances would be required for both the new lot and the lot with the existing house, including lot area, lot width, side yard setbacks, and floor-area-ratio-related relief due to the reduced parcel sizes. The Board confirmed that all variances must be obtained before the Planning Board can act on the subdivision application, and any future purchaser would assume those approved variances. Questions were raised regarding the number of variances needed, existing site conditions such as a well and a fence encroachment, and the general process for evaluating area variances. It was explained that the Board cannot indicate its inclination prior to the public hearing and will consider public input and the required statutory criteria at that time. With no further questions, the Board agreed to schedule a public hearing for the requested variances at the next available meeting date. The Board agreed to move the application forward and schedule a public hearing for the variances associated with the proposed minor subdivision at 10 Cottage Street. The hearing was set for December 23 at 7:00 p.m., or shortly thereafter, and the applicants confirmed they would be available to attend. A motion was made and approved with no opposition. As with prior applications, the attorney noted that he will prepare the public hearing notice, and Kristín will provide the required mailing addresses to the applicant once the notice is provided.

Schedule a Public Hearing for December 23, 2025 at 7:00 pm for 10 Cottage – Subdivision Application.

A **MOTION** was made by John Prego, seconded by John Graney, and carried to schedule a Public Hearing for December 23, 2025, at 7:00 pm for 10 Cottage – Subdivision Application.

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

John Graney Aye Wes Burley Aye Margaret Politoski Aye
John Prego Aye Nikki Delille Aye

Adjournment

A **MOTION** was made by Wes Burley, seconded by Nikki Delille, and carried to adjourn the regular meeting at approximately 8:00 p.m.

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

John Graney Aye Wes Burley Aye Margaret Politoski Aye
John Prego Aye Nikki Delille Aye

Kristin A. Bialosky, Zoning Board Administrator

No Executive Session was held

Link to YouTube of meeting: <https://studio.youtube.com/video/9nyYcaJypEo/edit>