

VILLAGE OF WARWICK
ZONING BOARD OF APPEALS
AUGUST 17, 2021

The monthly meeting of the Village of Warwick Zoning Board of Appeals was held on Tuesday, August 17, 2021. Present were: John Graney, John Prego, Dylan Geiber, Margaret Politoski and Zoning Board attorney, Robert Fink. Other's present were: Jeffrey Alario, Marina Case, Jane & Sandy Glazman, Michael Bertolini, Mr. & Mrs. Eubanks and others.

The meeting was held in Village Hall.

A MOTION was made by John Graney, seconded by Margaret Politoski and carried to accept the May 17, 2021 Zoning Board minutes. (4 Ayes)

The July 20, 2021 Zoning Board minutes could not be approved due to lack of quorum.

ROBIN BRAE

AREA VARIANCE

JEFFREY ALARIO

Mr. Graney read the public hearing notice.

Mr. Alario – We are looking for a variance to put a single-family home on property at the end of a cul-de-sac and there is only 50ft. of road frontage.

Ms. Case – We sited the house and did the setbacks on the survey.

Mr. Fink – Is this an owned lot or part of a subdivision?

Mr. Alario – No.

A MOTION was made by John Prego, seconded by John Graney and carried to open the meeting to the public. (4 Ayes)

Ms. Eubanks – Mr. Graney, you are a neighbor.

Mr. Graney – Yes, I am.

Ms. Eubanks – Do you have a vote?

Mr. Graney – I will see how things go. I can recuse myself or not but trust me I will do what is right.

Ms. Eubanks – We are probably the most affected because we live right across from the woodlands. There are a number of issues, 1) the woodlands are a Village park 2) there is quite a bit in information missing from the application, as far as the impact of this on the park, we get a lot of people come down there with their cars and blocking the road and my concerns are emergency vehicles trying to get to that home because there is no road there and the snow plow comes down there, the sewer is an ongoing issue.

Mr. Fink – I would like to interject one thing and that is that they are here before the ZBA because they made an application for a Building Permit and it was denied because they do not have the required street frontage. That is what this appeal is all about, street frontage. Not the fact that a home will go there or not. It is what affect would a variance have reducing the required street frontage. It is a lot for a residential dwelling, the road really has nothing to do with it.

Mr. Eubanks – There has been no environmental impact sheet filled out.

Mr. Graney – What we are all about is that very thing that is before us, street frontage. That is what this Board is going to decide on.

Mr. Glazman – This is not a Village Street, it is dead-end, it is just a dirt road.

Secretary – According to the DPW Supervisor, Robin Brae is a Village Street.

Mr. Fink – Well if this turns out to not be a public road then they would require another variance.

Mr. Graney recused himself from the application.

A MOTION was made by John Prego, seconded by Margaret Politoski and carried to close the public hearing. (3 Ayes)

Mr. Fink – This application is before the Board because the Zoning Law requires 80ft. of road frontage. The applicant has 280 ft. of frontage but there is only 50.1 ft. of road.

The Board went through the criteria's:

- 1) Undesirable – No, it is existing
- 2) Achieved by Another Method – No, only 50.1 ft. of road exists
- 3) Substantial – Yes, numerically
- 4) Self-Created – Yes
- 5) Adverse Effect – No

A MOTION was made by John Prego, seconded by Dylan Geiber and carried to type this as an Unlisted Action with no adverse effect under the SEQR. (3 Ayes)

A MOTION was made by John Prego, seconded by Dylan Geiber and carried to grant the application as advertised for a variance to allow a 50.1 ft. road frontage where an 80ft. road frontage is required.

Respectfully submitted,

Maureen J. Evans,
Zoning Board of Appeals