

RESOLUTION OF APPROVAL  
FOR SITE PLAN AND CONDITIONAL USE PERMIT  
FOR  
C. Bossolina Group LLC  
SBL 207-5-25

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**Nature of Application**

C. Bossolina Group LLC has applied for site plan approval and a conditional use permit to permit the conversion of an existing mixed-use building located at 19 Welling Place. The existing two-story, approximately 4,484 square foot building was previously occupied by an automotive repair facility (Mr. Bill's Auto Repair) on the first floor, with a single apartment and office on the second. The proposed application would renovate and convert the building into two (2) commercial spaces on the first floor and provide three (3) 2-bedroom apartments on the second floor.

**Zoning District:**

The property affected by this resolution is located in the Central Business (CB) zoning district of the Village of Warwick. The proposed uses are permitted uses subject to a conditional use permit within the CB Zoning district.

**Plans**

Application materials being considered consist of the following:

1. Application, received October 16, 2024
2. Short form Environmental Assessment Form dated October 15, 2024
3. Site Plan prepared by Friedler Engineering, PLLC, dated October 15, 2024, last revised November 18, 2024
4. Elevations prepared by Base 10 Architecture PLLC, dated October 10, 2024

**History**

Date of Application

The Planning Board undertook its first review of the instant application on November 12, 2024

GML 239 Referral

This application was subject to review by the Orange County Planning Department. By letter dated December 4, 2024, the County Planning Department indicated "Local Determination" and provided no advisory comments.

SEQRA

Lead Agency & Type of Action:

The Village Planning Board is the lead agency in regard to this action. The project is classified as a Type II action pursuant to 6 NYCRR 617.5 (c) (9) and is not subject to further environmental review.

### Public Hearing

A duly noticed public hearing was held on December 10, 2024 and no members of the public appeared either in person or in writing.

### **Findings**

The Planning Board has determined that final approval of the site plan will substantially serve the public convenience, safety and welfare in that the permitted construction of the proposed renovations and second floor apartments is in the best interest of the applicant and the Village.

With respect to parking, pursuant to its authority set forth in § 145-70(A)(3)(a)(5) of the Village of Warwick Code, the Village Planning Board discussed and considered whether surrounding off-site parking areas would sufficiently accommodate the site's parking needs. There are multiple municipally owned parking areas less than 300 feet from the premises. In addition, the previous use of the building also relied on off-site parking. The Planning Board specifically finds that these off-site parking areas were sufficient for the proposed project.

In accordance with § 145-120 of the Village of Warwick Code, the Planning Board makes the following findings:

The location, size and character of the proposed use will be in harmony with the appropriate and orderly development of the district in which it is situated and will not be detrimental to the site or adjacent properties.

The location and size of the proposed use, the nature and intensity of the proposed operations and its site layout and its relation to access streets are such that it is not hazardous to both pedestrian and vehicular traffic.

The location and height of the building, the location, nature and height of walls and fences and the nature and extent of landscaping on the site are such that the use will not hinder or discourage the development and use of adjacent land and buildings.

The proposed use will not require such additional public facilities or services or create such fiscal burdens upon the Village greater than those which characterize uses permitted by right.

### **Resolution of Approval,**

NOW, THEREFORE, THE PLANNING BOARD RESOLVES to grant site plan and conditional use permit application of C. Bossolina Group LLC as depicted on the plans identified above upon and subject to the conditions outlined below, and the Chairperson (or his designee) is authorized to sign the plans upon satisfaction of those conditions below noted to be conditions precedent to such signing.

### **General Conditions**

1. This approval is conditioned upon the applicant submitting all necessary copies of the plans to be signed, as required to the Village of Warwick Planning Department.
2. This approval is further conditioned upon the applicant paying or depositing into escrow all applicable review, inspection and any other applicable fees.
3. This approval is further conditioned upon the applicant delivering (prior to signing plans) proof, in writing, that all fees - engineering, legal and otherwise - in regard to this project have been fully paid.

4. The plans shall not be signed until proof, satisfactory to the chair, has been presented showing that all conditions of this approval have been fulfilled or otherwise satisfied.
5. All conditions of this conditional approval shall be fulfilled within twelve (12) months from the date set forth at the foot of this resolution unless the applicant shall, within said twelve (12) month period and prior to expiration of said time, file with the Planning Board a request for an extension of this conditional approval and prove to the satisfaction of the Planning Board that such extensions is justified based upon such matters as are outside the control of the applicant. Upon expiration of said twelve (12) month period without an extension having been granted this conditional approval shall lapse.
6. All conditions precedent to this approval shall be satisfied prior to issuance of a Building Permit for the new structure.
7. No approval is intended to be given or is given by this resolution for site plan elements depicted on adjoining properties.
8. "As-built" plans shall be provided to the Village Engineer for review and approval upon completion of the improvements. The Village Engineer may require a preliminary "as-built" plan sooner if he/she determines that such a preliminary "as-built" plan is required to ensure the suitability and safety of the ongoing construction.
9. Construction hours at the project site shall be limited to the hours of 7:00 am and 7:00 pm on weekdays and 8:00 am and 7:00pm on Saturdays. There shall be no construction on Sundays.

### Specific Conditions

10. Site Plan approval is expressly conditioned on the terms and conditions of the approval of the Architectural and Historic District Review Board (AHDRB), dated November 8, 2024 and any amendments thereto.
11. Waterline and sprinkler specifications to be approved by the Village Engineer.
12. Applicant to address comments of Keith Woodruff, P.E., dated December 3, 2024 to satisfaction of Village Engineer.
13. Pursuant to § 145-20(E), the property owner shall permit entry for inspection with reasonable notice to permit the Building Inspector to determine continued compliance with this approval.

Motion by Member Brown, Second by Member Holland

In Favor	5	Against	0	Abstain	0	Absent	0
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Resolution vote: December 10, 2024

Resolution Ratified: January 14, 2024

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JESSE GALLO, Chairman  
VILLAGE OF WARWICK PLANNING BOARD

Filed in the Office of the Planning Board Clerk on this \_\_\_\_\_ day of January 2024

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Kristin Bialosky  
Planning Board Clerk

I, Raina Abramson, Clerk of the Village of Warwick, does hereby certify that the foregoing resolution was filed in the Office of the Village Clerk on \_\_\_\_\_.

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Raina Abramson, Clerk  
Village of Warwick