

**BOARD OF TRUSTEES  
VILLAGE OF WARWICK  
JUNE 17, 2019  
AGENDA**

**Call to Order  
Pledge of Allegiance  
Roll Call**

1. Introduction by Mayor Newhard.
2. **Public Hearing on the proposed Local Law No. 2 of the Year 2019 entitled: "A Local Law to amend Village Code Chapter 135 "Vehicles and Traffic," Section 18 "Parking prohibited at all times in certain locations," to restrict parking on certain streets to single side parking and Section 37 "Pavement Markings" to allow the Village Board to amend the list of highways with pavement markings by resolution."**
3. Acceptance of Reports – May 2019: Clerk's Office, Justice, Building, Planning Board & ZBA.
4. Authorization to pay all approved and audited bills in the amount of \$ \_\_\_\_\_.
5. Police Report

**Presentation**

1. Village View – Reduced Scale Alternative Design

**Announcement**

1. 2019 Village of Warwick Summer Recreation Programs – Registration will take place on Monday, June 24<sup>th</sup> and Tuesday, June 25<sup>th</sup> from 6:00 p.m. to 7:30 p.m. at the Warwick High School Cafeteria. Programs run from July 1, 2019 through August 2, 2019. All programs are closed on Thursday, July 4<sup>th</sup> and Friday, July 5<sup>th</sup> for the July 4<sup>th</sup> holiday.
2. First Annual Family Day Bicycle Rodeo and Fun Field Races will take place at the Warwick Valley Community Center on Sunday, June 23, 2019 from 12:00 p.m. to 3:00 p.m. with a rain date of Sunday, June 30<sup>th</sup>. The Bicycle Parade will begin on the corner of Campbell Road and Welling Avenue with participants gathering at 11:30 a.m. This fundraiser will include a bicycle rodeo with an obstacle course and bicycle maintenance station along with multiple races and games for children ages three years through adult.

### **Correspondence**

1. Play By Design - Revised Certificate of Substantial Completion for Stanley-Deming Playground
2. Letter from Village Accountant, Michael Vernieri – Annual Justice Court Audit
3. Letter from Elizabeth K. Cassidy, PLLC – Village View Subdivision Public Comment

### **Privilege of the Floor**

(Please limit your comments to **five (5)** minutes. If reading a document, please submit a copy to the Clerk. Please note all remarks must be addressed to the Board as a body and not to individual Board members. Please state your name clearly before speaking). These rules are taken from the Handbook for Village Officials – New York State Conference of Mayors and Municipal Officials.

### **Motions**

#### **Trustee Cheney's Motions:**

##### **1. Resolution Approving Outside User Agreement**

WHEREAS, the Village Board of the Village of Warwick has received a request from Arkadiusz Kwapinski and Sylwia Kubasiak to enter into an Outside User Agreement to provide municipal central water service to certain real property located at 11 Hathorn Road, Warwick, New York 10990, which is designated on the tax map as SBL 52 - 1- 5.1 and which is located outside of the boundaries of the Village; and

WHEREAS, a proposed Outside User Agreement has been prepared, a copy of which is attached hereto, and

WHEREAS, the Village Board has is willing to enter into the said Outside User Agreement based on the terms and conditions set forth therein;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the grant of an outside user agreement constitutes a Type II action under the State Environmental Quality Review Act; and

2. That the Village Board hereby agrees to enter into the annexed Outside User Agreement, conditioned upon payment of the required the Water Service Application fee as well as all other applicable fees and compliance with the terms and conditions recited in the Outside User Agreement; and

3. That Arkadiusz Kwapinski and Sylwia Kubasiak, shall submit a TP-584 form and shall be responsible for payment of all fees necessary for recording of the Outside User Agreement in the Office of the County Clerk; and

4. That the Village Board hereby authorizes the Mayor to execute the Outside User Agreement and all documents necessary to effectuate the terms therein.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting \_\_\_\_\_

William Lindberg, Trustee, voting \_\_\_\_\_

Eileen Patterson, Trustee, voting \_\_\_\_\_

George McManus, Trustee, voting \_\_\_\_\_

Michael Newhard, Mayor, voting \_\_\_\_\_

2. **MOTION** to return the Planning Board escrow balance of \$12.50 to Warwick Valley BBA, LLC for the Solar Site Plan Approval located at 25 Church Street. All invoices

have been paid as per the email from Village Engineer, Dave Getz and Planning Board Attorney, Robert Dickover.

3. **MOTION** to return the Planning Board escrow balance of \$1,540.00 to JJLV Properties / Laviano & Sons for Site Plan Approval of 10 Colonial Avenue. All invoices have been paid as per the email from Village Engineer, Dave Getz and Planning Board Attorney, Robert Dickover.

**Trustee Lindberg's Motions:**

4. **RESOLUTION ACCEPTING DEDICATION OF WARWICK PLAYGROUND OF DREAMS**

WHEREAS, heretofore the Village of Warwick accepted an Irrevocable Offer Of Dedication from Warwick Playground Dreams ("WPD") for replacement of the playground equipment in Stanley-Deming Park; and

WHEREAS, WPD has completed the work and provided the materials under the said Offer Of Dedication, and a Certificate of Substantial Completion has been received; and

WHEREAS, the Village of Warwick is satisfied that the work and materials provided by WPD complies with the said Offer Of Dedication;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board hereby determines that the work performed, and the equipment installed in Stanley-Deming Park substantially complies with the approved plans and specifications; and

2. That the Village Board accepts dedication of the work and materials provided by Warwick Playground Dreams for the replacement of the playground equipment in Stanley-Deming Park; and



3. On behalf of the Village of Warwick, the Village Board extends its thanks to Warwick Playground Dreams for this project.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting \_\_\_\_\_

William Lindberg, Trustee, voting \_\_\_\_\_

Eileen Patterson, Trustee, voting \_\_\_\_\_

George McManus, Trustee, voting \_\_\_\_\_

Michael Newhard, Mayor, voting \_\_\_\_\_

5. **RESOLUTION ADOPTING VILLAGE OF WARWICK LOCAL LAW NO. 2 OF 2019**

WHEREAS, the Village Board has before it a proposed local law amending Village Code Chapter 135 entitled "Vehicles and Traffic" to impose parking restrictions on Elm Street, Park Lane, and Wheeler Avenue and to allow the Village Board to amend the list of highways with pavement markings by resolution; and

WHEREAS, following due notice the Village Board held a public hearing on the proposed local law;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That this is Type II Action under SEQRA;
2. That the Village Board hereby adopts the proposed local law amending Village Code Chapter 135 entitled "Vehicles and Traffic";
3. That the said local law shall be effective upon publishing, posting and filing the same in the Office of the Secretary of State in Albany.

\_\_\_\_\_ presented the foregoing resolution which was  
seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting \_\_\_\_\_

William Lindberg, Trustee, voting \_\_\_\_\_

George McManus, Trustee, voting \_\_\_\_\_

Eileen Patterson, Trustee, voting \_\_\_\_\_

Michael Newhard, Mayor, voting \_\_\_\_\_

**Trustee Patterson's Motions:**

6. **RESOLUTION SUPPORTING THE "PROTECT OUR COURTS ACT"**  
**(A.2176 / S.425)**

WHEREAS, U.S. Immigration and Customs Enforcement ("ICE") is tasked with, among other law enforcement activities, apprehending undocumented immigrants; and

WHEREAS, ICE currently apprehends individuals in all venues and locations, including in and around federal, state and local courthouses; and

WHEREAS, apprehending individuals alleged by ICE to be undocumented immigrants while such individuals are appearing at or attending civil or criminal proceedings in a courthouse could adversely impact the operation of the justice system in the United States by deterring people from attending court as litigants, crime victims, or witnesses, out of fear of being apprehended and/or mistakenly apprehended by ICE; and

WHEREAS, the benefits of ICE be able to apprehend individuals in courthouses are outweighed by the aforesaid adverse impacts that such activity will have on our justice system; and

WHEREAS, this is a matter of interest to the Village of Warwick as the Village maintains a local justice court and supports all of its residents; and

WHEREAS, the New York State Legislature currently has pending before it the proposed "Protect Our Courts Act" (A.2176/S.425), which would address the problem of ICE apprehending individuals in courthouses by exempting people from civil arrest by ICE while going to, remaining at, or returning from court proceedings.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That, on behalf of the Village of Warwick, the Village Board hereby expresses its support for the proposed "Protect Our Courts Act" (A.2176/S.425); and
2. That certified copies of this resolution shall be sent to the New York State Senator Jen Metzger and State Assemblymen Karl Brabenec.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting \_\_\_\_\_

William Lindberg, Trustee, voting \_\_\_\_\_

Eileen Patterson, Trustee, voting \_\_\_\_\_

George McManus, Trustee, voting \_\_\_\_\_

Michael Newhard, Mayor, voting \_\_\_\_\_

## **Reports**

**Trustee Cheney's Report:** Liaison to Planning & Zoning, Town of Warwick, Public Works Daily Operations, Engineering and Infrastructure, Green Building Practices/Alternative Energy Options, Citizens Awareness Panel/Jones Chemical, Orange County Planning.

**Trustee Lindberg's Report:** Liaison to Parks & Recreation, Weekender Bus & Transportation Issues, Traffic and Parking, Liaison to Warwick Fire Department, Safety Committee, Crosswalk & Pedestrian Issues, and Employee Training – Workplace Violence/Sexual Harassment.

**Trustee Patterson's Report:** Liaison to Merchants, Chamber of Commerce, Tourism, Issues of Public Health, Senior Citizens, Public Interface and Outreach, Government Efficiency, St. Anthony Community Hospital, Bon Secour, and Orange County Department of Health.

**Trustee McManus' Report:** Liaison to Albert Wisner Library, Warwick Valley Schools, Police, Ethics, Cablevision, Altea (WVT), and Issues of Emergency and Homeland Security, WYDO and Warwick Valley Community Center, Coalition for Prevention.

**Mayor Newhard's Report**

**Final Comments from the Floor**

**Final Comments from the Board**

**Executive Session, if applicable**

**Adjournment**

77 Main Street  
Post Office Box 369  
Warwick, NY 10990  
www.villageofwarwick.org



(845) 986-2031  
FAX (845) 986-6884  
mayor@villageofwarwick.org  
clerk@villageofwarwick.org

VILLAGE OF WARWICK  
INCORPORATED 1867

**NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that the Village Board of the Village of Warwick will hold a public hearing on the 17th day of June, 2019, at 7:30 o'clock p.m., at Village Hall, 77 Main Street, Warwick, New York 10990, on a proposed Local Law No. 2 of the Year 2019 entitled: "A Local Law to amend Village Code Chapter 135 "Vehicles and Traffic," Section 18 "Parking prohibited at all times in certain locations," to restrict parking on certain streets to single side parking and Section 37 "Pavement Markings" to allow the Village Board to amend the list of highways with pavement markings by resolution."

The local law proposes to amend Sections 18 and 37 of Village Code Chapter 135 "Vehicles and Traffic" to restrict parking on Elm Street, Park Lane, and portions of Wheeler Avenue to a single side of the street to reduce congestion and improve visibility for the safety of residents and to allow the Village Board to amend the list of highways with pavement markings by resolution so that markings may be added and removed expeditiously for the safety of residents when necessary.

A copy of the proposed local law is on file in the office of the Village Clerk and available for inspection by interested persons during Village Clerk's business hours.

The Village Board will at the above date, time and place hear all persons interested in the subject matter hereof. Persons may appear in person or by agent. All written communications addressed to the Board must be received by the Board at or prior to the public hearing.

BY ORDER OF THE VILLAGE BOARD  
VILLAGE OF WARWICK  
RAINA ABRAMSON  
VILLAGE CLERK

Dated: June 3, 2019

# KIRK ROTHER, P.E.

CONSULTING ENGINEER, PLLC

5 SAINT STEPHENS LANE

Phone (845) 988-0620

WARWICK, NY 1099

Email [krother@kirkrother.com](mailto:krother@kirkrother.com)

June 12, 2019

Michael Newhard, Mayor  
Village of Warwick Village Board  
77 Main Street  
Warwick, NY 10990

**Re: Village View Estates  
KRE Project #04170.0**

Dear Mayor Newhard and Village Board Members:

Village View Estates has revised their cluster subdivision application in response to feedback from the Village Board, the Village Planning Board and the public. The Village of Warwick Planning Board has initiated a process of preparing a Supplemental Environmental Impact Statement for the new design which is known as the Reduced Scale Alternative. The project sponsor seeks to get feedback from the Village Board on the Reduced Scale Alternative Plan before the SEQR review gets to far underway. To that end we ask that the matter be placed on a Village Board agenda for discussion.

Also open ended is the amount of the fee to be paid to the Village for each lot gained above the base lot count. With the introduction of two-family townhouse units on the present application, the question also arises as to whether the fee should be the same for a two-family dwelling unit versus a single-family dwelling unit. We ask that this topic also be discussed at the next available Village Board meeting.

Enclosed are the latest Reduced Scale Alternative Plan, a sketch of the proposed through road connection plan through adjacent land in the Town of Warwick, as well as concept renderings of the proposed one-family and two-family dwellings.

Should you have any questions, or require anything further, please contact this office.

Respectfully,



Kirk Rother, P.E.

cc: Client  
Jay Myrow, Esq.



Play By Design  
119 West Buffalo Street,  
Ithaca, NY 14850  
(607) 351-5160  
PBDplaygrounds.com

## CERTIFICATE OF SUBSTANTIAL COMPLETION

June 4, 2019

Warwick Playground Dreams Corp  
Village of Warwick  
77 Main Street  
PO Box 369,  
Warwick, NY

This certifies that the playground at Stanley-Deming Park was built in compliance with all current Consumer Product Safety Commission (CPSC) guidelines, ASTM International standards, and Americans with Disabilities Act guidelines.

The playground at Stanley-Deming Park was constructed in accordance with the plans and specifications prepared by Play by Design

At the end of construction, a Play by Design consultant (certified by the National Recreation & Parks Association as a Certified Playground Safety Inspector) inspected the playground and provided Village of Warwick with a punch list of items to be completed.

Play by Design has received the signed and completed punch list. Therefore, the work is hereby declared to be substantially complete.

Lee Archin, CPSI  
Co-Founder, Play By Design

MICHAEL VERNIERI  
*Certified Public Accountant*  
9 Oakland Avenue  
P.O. Box 630 Warwick, NY 10990  
(845) 986 - 7636 • (845) 651 - 7636

Michael Vernieri, CPA  
Diane Scocozza


255 Greenwich Avenue  
Goshen, NY 10924  
(845) 294 - 6922

Michael Newhard, Mayor  
Village of Warwick  
77 Main Street  
P.O. Box 369  
Warwick, NY 10990

I have examined the books and records of the Village of Warwick – Justice Court as of May 31, 2018 in order to provide an internal audit to comply with section 2019-a of the Uniform Justice Court Act.

The annual audit checklist is enclosed with this report.

I have found that all reporting and record keeping is being completed in a timely manner and the reports are in compliance with New York State requirements. There were no major record keeping deficiencies discovered in this fiscal year.



May 2, 2019



LAW OFFICE OF ELIZABETH K. CASSIDY, PLLC  
7 GRAND STREET  
WARWICK, NEW YORK 10990  
P: 845.987.7223 | F: 888.549.3886  
WWW.EKCASSIDYLAW.COM

May 29, 2019

RECEIVED

MAY 31 2019

VILLAGE OF WARWICK  
VILLAGE CLERKS OFFICE

Village of Warwick Planning Board  
Village of Warwick  
77 Main Street  
Warwick, NY 10990

Re: Village View Subdivision Public Comment  
Our File: 307-001

Dear Chairman Aulen and Members of the Planning Board:

I represent Lugene and Raymond Maher. I have continued to monitor the Village View Subdivision Application. Since my letter of October 18, 2018, I have reviewed the most recent submissions to both your board and to the Town Planning Board. I have also watched video recordings of the several meetings where the application was discussed.

First, I wish to thank the Planning Board and its consultants for recognizing that there are significantly greater impacts than initially identified by the applicant and commend the Board for requiring a supplemental environmental impact statement. Given the subdivision layout together with the speed that a concept plan was submitted to the Town for the Town parcel, it appears that plans for future development were underway and environmental review was being segmented in contravention of the State Environmental Quality Review Act (SEQR)

The revised plans still fail to meet both the intent and the requirements for cluster subdivision as set forth in both Village and State Law as I set forth in my October 2018 letter. Village Law 7-738(b) states, "A cluster development shall result in a permitted number of building lots or dwelling units which **shall in no case exceed** the number which could be permitted, in the planning board's judgment, if the land were subdivided into lots conforming to the minimum lot size and density requirements of the zoning local law applicable to the district or districts in which such land is situated and conforming to all other applicable requirements." (Emphasis added). The Planning Board must apply § 7-738 and the applicant is limited to 28 lots under state law. Likewise, the applicant's concept plan for the Town parcel provides 23 lots on the yield plan yet seeks 25 lots on the cluster plan adding additional lots in violation of State and Town Law.

I also note that it appears that the revised plans continue to propose development in primary conservation areas. It further appears that the proposed plan is in violation of § 145-29(c)(1) which permits only 25 percent of units to be two family or town house units. The plan shows 18 units rather than the 10 permitted.<sup>1</sup> Section 145-29(c)(1) bases the limitation on units

<sup>1</sup> Ten two-family/townhouse units further assumes the applicant overcomes the legal requirements of Village Law 7-738(b) and the calculation is based on 42 units. If based on 28 units, only 7 townhouse/two family units would be permitted.

rather than the number of residences so it cannot be argued that the code authorizes 10 two-family residences (i.e. 20 dwelling units).

Lastly, as part of the SEIS process, the Board should evaluate the impacts of potential annexation of the Town parcel into the Village as an alternative. Given the site's location together with the applicant's desire to build higher density housing, annexation appears to be a very real possibility. I also ask that in light of the significant changes that the Board hold a second public hearing to allow the public to provide input.

In conclusion, I ask the Board to continue its thoughtful and transparent review of this project.

Very truly yours,



Elizabeth K. Cassidy

Cc: Benjamin Astorino, Chairman, Town of Warwick Planning Board.  
Mayor Michael Newhard and the Village Board of Trustees

EKC/kc  
Enclosure

## **OUTSIDE USER WATER AGREEMENT**

AGREEMENT made as of the \_\_\_\_ day of \_\_\_\_, 2019 between the VILLAGE OF WARWICK, a municipal corporation of the State of New York, with offices at Village Hall, 77 Main Street, Warwick, New York 10990 (hereinafter the "VILLAGE") and ARKADIUSZ KWAPINSKI and SYLWIA KUBASIAK residing at 11 Hathorn Rd., Warwick, New York 10990 (hereinafter "KWAPINSKI and KUBASIAK"),

### **W I T N E S S E T H**

WHEREAS, the VILLAGE has established and presently operates and maintains the Village Municipal Central Water System for the purpose of providing municipal central water service; and

WHEREAS, KWAPINSKI AND KUBASIAK are the owners of premises located in the TOWN OF WARWICK at 11 Hathorn Rd., Warwick, New York 10990, and designated on the tax maps as SBL 52 - 1- 5.1 (hereinafter the "PROPERTY") which is located outside of the boundaries of the VILLAGE; and

WHEREAS, KWAPINSKI AND KUBASIAK have requested that the VILLAGE provide municipal central water service to the PROPERTY under an outside user agreement; and

WHEREAS, the VILLAGE, by duly adopted resolution of the VILLAGE BOARD has consented to enter into such an outside user agreement upon the terms and conditions set forth herein;

NOW, THEREFORE, in consideration of the provisions hereinafter set forth, the VILLAGE and KWAPINSKI AND KUBASIAK agree as follows:

1. This Outside User Agreement supersedes and supplants all prior covenants, reservations of rights, contracts, and agreements of any kind, written or oral, by and between the parties, their privies and predecessors in regard to provision of water service to the PROPERTY, and any and all such prior covenants, reservations of rights, contracts, and agreements shall be deemed null and void as of the date of execution hereof.

2. The VILLAGE shall permit KWAPINSKI AND KUBASIAK to connect the PROPERTY to the Village's Municipal Central Water System so as to provide municipal central water service to the PROPERTY. Provided, however, that KWAPINSKI AND KUBASIAK must submit all plans for lines and connections to the VILLAGE for review and approval by the VILLAGE and the VILLAGE's engineer prior to undertaking any work on the said connection.

3. The connection to the VILLAGE's existing municipal central water system shall be made at such a location as the engineer for the VILLAGE shall designate. All construction of lines and connections shall be subject to review and approval by the engineer for the VILLAGE. Service line beyond the curb stop is the responsibility of KWAPINSKI AND KUBASIAK.

4. KWAPINSKI AND KUBASIAK agree to pay to the VILLAGE the Water Service Application fee, the Cost of Service Pipes fee and Water Meter Installation fee as established in the Village's Schedule of Fees in effect at the time the work is performed. Further, KWAPINSKI AND KUBASIAK shall be responsible for all costs, including engineering and attorneys' fees, incurred by the VILLAGE in the approval of this agreement and in making the connection of the said property to the VILLAGE's Municipal Central Water System.

5. KWAPINSKI AND KUBASIAK agree to pay the charges for outside users as prescribed in the VILLAGE's Schedule of Fees, including, without limitation, the cost of

operation and maintenance as well as payment for the cost of capital improvements including repayment of bonded indebtedness. These charges will be sent quarterly to KWAPINSKI AND KUBASIAK, or the successor owner of the PROPERTY, at the address for the PROPERTY and shall be due and payable thirty (30) days after mailing.

6. In the event that KWAPINSKI AND KUBASIAK or the successor owners fail to make timely payment, the VILLAGE may commence litigation to recover any delinquent amounts plus interest at the legal rate in the State of New York. If the VILLAGE recovers a judgment in litigation for collection of payment on delinquent bills, KWAPINSKI AND KUBASIAK or their successor owners shall be responsible for payment of the VILLAGE's legal fees in such litigation. Any such litigation shall be venued in Orange County, New York.

7. This agreement shall inure to the benefit of KWAPINSKI AND KUBASIAK their successors, heirs and assigns and shall run with the land. Provided, however, that the VILLAGE reserves the right to terminate this agreement on thirty (30) day's written notice service via first class mail to the mailing address for the PROPERTY in the event of failure to timely pay amounts due and owing hereunder and, further, the VILLAGE reserves the right to terminate or suspend this Outside User Agreement in the event that the VILLAGE's water facilities lack sufficient capacity to serve the needs of users within the VILLAGE.

8. Except as may be provided otherwise herein, the provisions of Village Code Chapter 141 shall be applicable to this Agreement and binding upon KWAPINSKI AND KUBASIAK, their successors, heirs and assigns in regard to provision of water service to the PROPERTY

9. The VILLAGE and KWAPINSKI AND KUBASIAK agree that following execution of this agreement by all parties, a fully executed original shall be recorded in the

Orange County Clerk's Office and cross-referenced by the County Clerk to the deed for the PROPERTY. The terms and conditions, obligations and benefits shall bind the parties to this agreement, their successors and assigns. All costs and expenses of such recording shall be borne by KWAPINSKI AND KUBASIAK.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the date first above written.

VILLAGE OF WARWICK

By: \_\_\_\_\_  
Michael J. Newhard, Mayor

\_\_\_\_\_  
Arkadiusz Kwapinski

\_\_\_\_\_  
Sylwia Kubasiak

STATE OF NEW YORK :  
: ss.  
COUNTY OF ORANGE :

On the \_\_\_\_ day of \_\_\_\_\_, in the year 2019, before me, the undersigned, a Notary Public in and for the State, personally appeared MICHAEL J. NEWHARD personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

STATE OF NEW YORK :  
 : ss.  
COUNTY OF ORANGE :

On the \_\_\_\_ day of \_\_\_\_\_, in the year 2019, before me, the undersigned, a Notary Public in and for the State, personally appeared ARKADIUSZ KWAPINSKI personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

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Notary Public

STATE OF NEW YORK :  
 : ss.  
COUNTY OF ORANGE :

On the \_\_\_\_ day of \_\_\_\_\_, in the year 2019, before me, the undersigned, a Notary Public in and for the State, personally appeared SYLWIA KUBASIAK personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

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Notary Public



77 Main Street  
Post Office Box 369  
Warwick, New York 10990  
www.villageofwarwick.org



(845) 986-2031  
FAX (845) 986-6884  
mayor@villageofwarwick.org  
clerk@villageofwarwick.org

**VILLAGE OF WARWICK**  
INCORPORATED 1867

Building and Planning Department

**Escrow Release Request for Balance of Funds**

August 8, 2018

Requested Payee – Warwick Valley BBA, LLC  
Escrow Acct.

Re: Solar Site Plan Approval

**Total Balance - \$ 12.50**

According to Sec. 64-3 of the Village of Warwick Local Law E: In the event that an applicant shall withdraw his application at any stage of the proceedings or when the application review and approval process has been completed, the balance of funds in the applicant's account after all current outstanding fees are paid shall be either remitted to the applicant with 60 days of final action by the board or, if so directed by the applicant shall remain on deposit as the applicant's initial payment toward post-approval inspection requirements (if required).



77 Main Street  
Post Office Box 369  
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(845) 986-2031  
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clerk@villageofwarwick.org

VILLAGE OF WARWICK  
INCORPORATED 1867

Building and Planning Department

**Escrow Release Request for Balance of Funds**

June 7, 2019

Requested Payee – JLV Properties, LLC/Laviano & Sons  
10 Colonial Ave.  
Escrow Acct.

Re: Site Plan Approval

Total Balance -**\$ 1,540.00**

According to Sec. 64-3 of the Village of Warwick Local Law E: In the event that an applicant shall withdraw his application at any stage of the proceedings or when the application review and approval process has been completed, the balance of funds in the applicant's account after all current outstanding fees are paid shall be either remitted to the applicant with 60 days of final action by the board or, if so directed by the applicant shall remain on deposit as the applicant's initial payment toward post-approval inspection requirements (if required).

Respectfully;

Maureen J. Evans,  
Planning Board secretary

**VILLAGE OF WARWICK**  
**LOCAL LAW NO. 2 OF THE YEAR 2019**

A Local Law to amend Village Code Chapter 135 "Vehicles and Traffic," Section 18 "Parking prohibited at all times in certain locations," to restrict parking on certain streets to single side parking and Section 37 "Pavement Markings" to allow the Village Board to amend the list of highways with pavement markings by resolution.

Section 1. Purpose:

The purpose of this Local Law is to amend Sections 18 and 37 of Village Code Chapter 135 "Vehicles and Traffic" to restrict parking on Elm Street, Park Lane, and portions of Wheeler Avenue to a single side of the street to reduce congestion and improve visibility for the safety of residents and to allow the Village Board to amend the list of highways with pavement markings by resolution so that markings may be added and removed expeditiously for the safety of residents when necessary.

Section 2. Amendment of Village Code.

1. Village Code Section 135-18 is hereby amended to delete the following provisions:

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
"Wheeler Avenue	East	From the northerly curblin of West Street northerly for a distance of 37 feet"
"Wheeler Avenue	West	From the intersection of West Street to a point 90 feet North of the intersection of West Street"

2. Village Code Section 135-18 is hereby amended to add the following provisions in the Section in their place in alphabetical order:

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Elm Street	West	From the southerly curblin of West Street southerly for a distance of 30 feet

Elm Street	East	From the southerly curblin of West Street southerly for a distance of 30 feet
Park Lane	West	From the southerly curblin of Parkway northerly for a distance of 30 feet
Park Lane	East	From the southerly curblin of Parkway northerly for a distance of 30 feet
Wheeler Avenue	East	From the northerly curblin of West Street northerly for a distance of 32 feet
Wheeler Avenue	West	From the northerly curblin of West Street northerly for a distance of 80 feet
Wheeler Avenue	East	From the north side of McEwen Street 175 feet to 350 feet

3. Village Code Chapter 135-37 is hereby repealed and re-enacted to read as follows:

“Pavement markings in accordance with the standards and specifications established by the Department of Transportation shall be applied on certain highways or portions of highways as provided on a list maintained in the office of the Village Clerk which list may be amended from time to time by resolution of the Village Board such list shall be deemed incorporated herein by reference.”

Section 3. Severability:

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances, and the Village Board of the Village of Warwick hereby declares that it would

have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 4. Effective Date:

This Local Law shall become effective upon filing with the Secretary of State of the State of New York subsequent to having been duly adopted by the Village Board.

# KIRK ROTHER, P.E.

CONSULTING ENGINEER, PLLC

5 SAINT STEPHENS LANE

Phone (845) 988-0620

WARWICK, NY 1099

Email [krother@kirkrother.com](mailto:krother@kirkrother.com)

June 12, 2019

Michael Newhard, Mayor  
Village of Warwick Village Board  
77 Main Street  
Warwick, NY 10990

**Re: Village View Estates  
KRE Project #04170.0**

Dear Mayor Newhard and Village Board Members:

Village View Estates has revised their cluster subdivision application in response to feedback from the Village Board, the Village Planning Board and the public. The Village of Warwick Planning Board has initiated a process of preparing a Supplemental Environmental Impact Statement for the new design which is known as the Reduced Scale Alternative. The project sponsor seeks to get feedback from the Village Board on the Reduced Scale Alternative Plan before the SEQR review gets to far underway. To that end we ask that the matter be placed on a Village Board agenda for discussion.

Also open ended is the amount of the fee to be paid to the Village for each lot gained above the base lot count. With the introduction of two-family townhouse units on the present application, the question also arises as to whether the fee should be the same for a two-family dwelling unit versus a single-family dwelling unit. We ask that this topic also be discussed at the next available Village Board meeting.

Enclosed are the latest Reduced Scale Alternative Plan, a sketch of the proposed through road connection plan through adjacent land in the Town of Warwick, as well as concept renderings of the proposed one-family and two-family dwellings.

Should you have any questions, or require anything further, please contact this office.

Respectfully,



Kirk Rother, P.E.

cc: Client  
Jay Myrow, Esq.





# VILLAGE VIEW CLUSTER SUBDIVISION

## VILLAGE OF WARWICK ORANGE COUNTY, NY



### BULK REQUIREMENTS

#### R-1 ZONE

##### CLUSTER DEVELOPMENT

	MINIMUM REQUIRED
LOT AREA (S.F.)	10,000
LOT WIDTH (FT.)	50
FRONT YARD (FT.)	15
REAR YARD (FT.)	25
ONE SIDE YARD (FT.)	5
BUILDING SEPERATION (FT.)	10

	MAXIMUM ALLOWED
BUILDING HEIGHT (FT.)	35
LOT COVERAGE (%)	35

### SHEET INDEX

SHEET #1	COVER SHEET
SHEET #2	SUBDIVISION PLAT
SHEET #3	SITE PLAN
SHEET #4	SUBDIVISION PLAN
SHEET #5	SUBDIVISION PLAN
SHEET #6	SUBDIVISION PLAN
SHEET #7	ROAD A PROFILE
SHEET #8	ROAD A PROFILE
SHEET #9	ROAD B PROFILE
SHEET #10	EROSION CONTROL PLAN
SHEET #11	DETENTION POND DETAILS
SHEET #12	BIORETENTION AREA DETAILS
SHEET #13	DETAILS
SHEET #14	DETAILS

### OPEN SPACE AREAS CALCULATION

	EXCLUDING PROPOSED GRADING & STORMWATER AREAS	INCLUDING PROPOSED GRADING & STORMWATER AREAS
TOTAL AREA OF PARCEL	20.3 AC.	20.3 AC.
OPEN SPACE AREA "A"	0.84 AC.	0.89 AC.
OPEN SPACE AREA "B"	0.72 AC.	0.77 AC.
OPEN SPACE AREA "C"	5.61 AC.	7.75 AC.
TOTAL CONSERVED AREA	7.17 AC.	9.41 AC.
% CONSERVED LAND	35% ±	46% ±

### RECORD OWNER / APPLICANT

ROBERT SILBER  
VILLAGE VIEW ESTATES, LLC  
4 FOSSE COURT  
ARMONT, N.Y.



### LOCATION MAP

SCALE: 1" = 2,000'

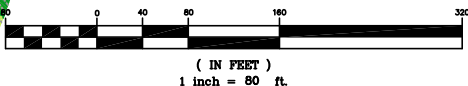
### GENERAL NOTES:

- VILLAGE OF WARWICK TAX MAP DESIGNATION: SEC. 201, BLK. 1, LOTS 1.1, 1.2, 1.3 & 2.
- TOTAL AREA OF PARCELS IN VILLAGE: 20.31 ACRES.
- ENTIRE PARCEL IS LOCATED IN THE R-1 ZONING DISTRICT.
- TOTAL NUMBER OF RESIDENTIAL LOTS WITHIN THIS SUBDIVISION: 25
- PARCEL IS LOCATED WITHIN THE WARWICK VALLEY CENTRAL SCHOOL DISTRICT.
- PROPOSED SUBDIVISION TO BE SERVED BY VILLAGE OF WARWICK PUBLIC WATER & SEWER.
- BOUNDARY & TOPOGRAPHY INFORMATION SHOWN TAKEN FROM DRAWING ENTITLED: "SURVEY OF PROPERTY FOR RALPH FREDDOLINO" PREPARED BY JOHN MCGLOIN, P.L.S. ON APRIL 6, 1993.
- A.C.O.E. WETLANDS AS FLAGGED & VERIFIED BY: PETE TORGERSON IN AUGUST 2017.
- PLAN APPROVAL IS LIMITED TO 5 YEARS. TIME EXTENSIONS FOR PLAN APPROVAL MAY BE GRANTED BY THE ORANGE COUNTY DEPARTMENT OF HEALTH BASED UPON DEVELOPMENT FACTS AND THE REALTY SUBDIVISION REGULATIONS IN EFFECT AT THAT TIME. A NEW PLAN SUBMISSION MAY BE REQUIRED TO OBTAIN A TIME EXTENSION.
- THE APPROVED PLANS MUST BE FILED WITH THE ORANGE COUNTY CLERK'S OFFICE PRIOR TO OFFERING LOTS FOR SALE AND WITHIN 60 DAYS OF THE LAST APPROVAL OF THE FINAL PLANS.
- ALL UTILITIES SHALL BE INSTALLED UNDER GROUND.
- THE DESIGN AND LOCATION OF SANITARY FACILITIES (WATER AND SEWER) SHALL NOT BE CHANGED.

### LEGEND

EXISTING PROPERTY LINE	---
PROPOSED PROPERTY LINE	---
PROPOSED EASEMENT LINE	---
PROPOSED BUILDING SETBACK	---
EXISTING STONEWALL	---
PROPOSED EDGE OF PAVEMENT	---
EXISTING EDGE OF PAVEMENT	---
EXISTING WETLAND LIMIT	---
EXISTING STREAM	---

### GRAPHIC SCALE



### VILLAGE VIEW CLUSTER SUBDIVISION REDUCED SCALE ALTERNATIVE

VILLAGE OF WARWICK,  
ORANGE COUNTY, NEW YORK

### COVER SHEET

### KIRK ROTHER, P.E.

CONSULTING ENGINEER, PLLC

5 St. Stephens Lane, Warwick, NY 10990  
(845) 988-0620

DATE	REVISIONS
06-11-18	REV. TWO FAMILY RATIO
02-12-18	REDUCED SCALE ALTERNATIVE
09-22-18	REV. PER ENGINEER'S COMMENTS
09-01-18	REV. PER ENGINEER'S COMMENTS
08-16-18	ADD SPRING
04-04-18	ADDITIONAL DESIGN
03-01-18	DETAILED DESIGN
10-06-17	GENERAL REVISIONS
03-29-17	REV. PER VILLAGE ENGINEER'S COMMENTS
02-12-16	INITIAL PREPARATION

DATE	REVISIONS	KIRK ROTHER, P.E.	N.Y.S. LIC. NO. 079053	DATE
06-11-18	REV. TWO FAMILY RATIO	N.A.	N.A.	N.A.
02-12-18	REDUCED SCALE ALTERNATIVE	N.A.	N.A.	N.A.
09-22-18	REV. PER ENGINEER'S COMMENTS	N.A.	N.A.	N.A.
09-01-18	REV. PER ENGINEER'S COMMENTS	N.A.	N.A.	N.A.
08-16-18	ADD SPRING	N.A.	N.A.	N.A.
04-04-18	ADDITIONAL DESIGN	N.A.	N.A.	N.A.
03-01-18	DETAILED DESIGN	N.A.	N.A.	N.A.
10-06-17	GENERAL REVISIONS	N.A.	N.A.	N.A.
03-29-17	REV. PER VILLAGE ENGINEER'S COMMENTS	N.A.	N.A.	N.A.
02-12-16	INITIAL PREPARATION	N.A.	N.A.	N.A.





LOCATION MAP  
SCALE: 1" = 2,000'

GENERAL NOTES:

1. TOWN OF WARWICK TAX MAP DESIGNATION: SEC. 43, BLK. 1, LOTS 3 & 4.2 AND SEC. 31, BLK. 2, LOTS 84.1, 84.2 & 85.2.
2. TOTAL AREA OF PARCELS: 73.4+ ACRES.
3. ENTIRE PARCEL IS LOCATED IN THE SL ZONING DISTRICT.
4. TOTAL NUMBER OF RESIDENTIAL LOTS WITHIN THIS SUBDIVISION : 25
5. PARCEL IS LOCATED WITHIN THE WARWICK VALLEY CENTRAL SCHOOL DISTRICT.
6. PROPOSED SUBDIVISION TO BE SERVED BY INDIVIDUAL WELLS AND SEPTIC.
7. BOUNDARY & TOPOGRAPHY INFORMATION SHOWN TAKEN FROM DRAWING ENTITLED: "SURVEY OF PROPERTY FOR RALPH FREDDOLINO" PREPARED BY JOHN MCGLOIN, P.L.S. ON APRIL 6, 1993.

RECORD OWNER / APPLICANT

ROBERT SILBER  
VILLAGE VIEW ESTATES, LLC  
4 FOSSE COURT  
AIRMONT, N.Y.

VILLAGE VIEW  
TOWN PARCEL

TOWN OF WARWICK,  
ORANGE COUNTY, NEW YORK

PROJECT TITLE

THROUGH ROAD  
CONNECTION  
OVERALL PLAN

DRAWING TITLE

KIRK ROTHER, P.E.  
CONSULTING ENGINEER, PLLC

5 St. Stephens Lane, Warwick, NY 10990  
(845) 988-0620

DATE	REVISIONS
04-22-19	INITIAL PREPARATION

KIRK ROTHER, P.E. N.Y.S. LIC. NO. 076083

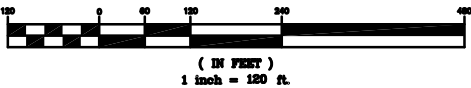
DATE	REVISIONS	D.O.T. SHEET #	D.E.C. SHEET #	O.C.H.D. SHEET #	SHEET #
		N/A	N/A	N/A	1 OF 3
		CAD # 04170	PROJECT # 04170.0	SCALE AS SHOWN	
		CLUS 4-19			

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LEGEND

EXISTING PROPERTY LINE	=====
PROPOSED PROPERTY LINE	=====
PROPOSED EASEMENT LINE	-----
USDA SOIL TYPE LINE	=====
PROPOSED BUILDING SETBACK	-----
EXISTING STONEWALL	=====
PROPOSED EDGE OF PAVEMENT	=====
EXISTING EDGE OF PAVEMENT	=====
EXISTING WETLAND LIMIT	=====
EXISTING STREAM	=====

GRAPHIC SCALE





FRONT ELEVATION



SIDE ELEVATION

2-2-18

3 - BEDROOM - 2 1/2 BATH:

FIRST FLOOR:

MUDROOM/LAUNDRY/PANTRY/PDR

SECOND FLOOR: 2 BEDROOM, BATH W/ LAUN.,

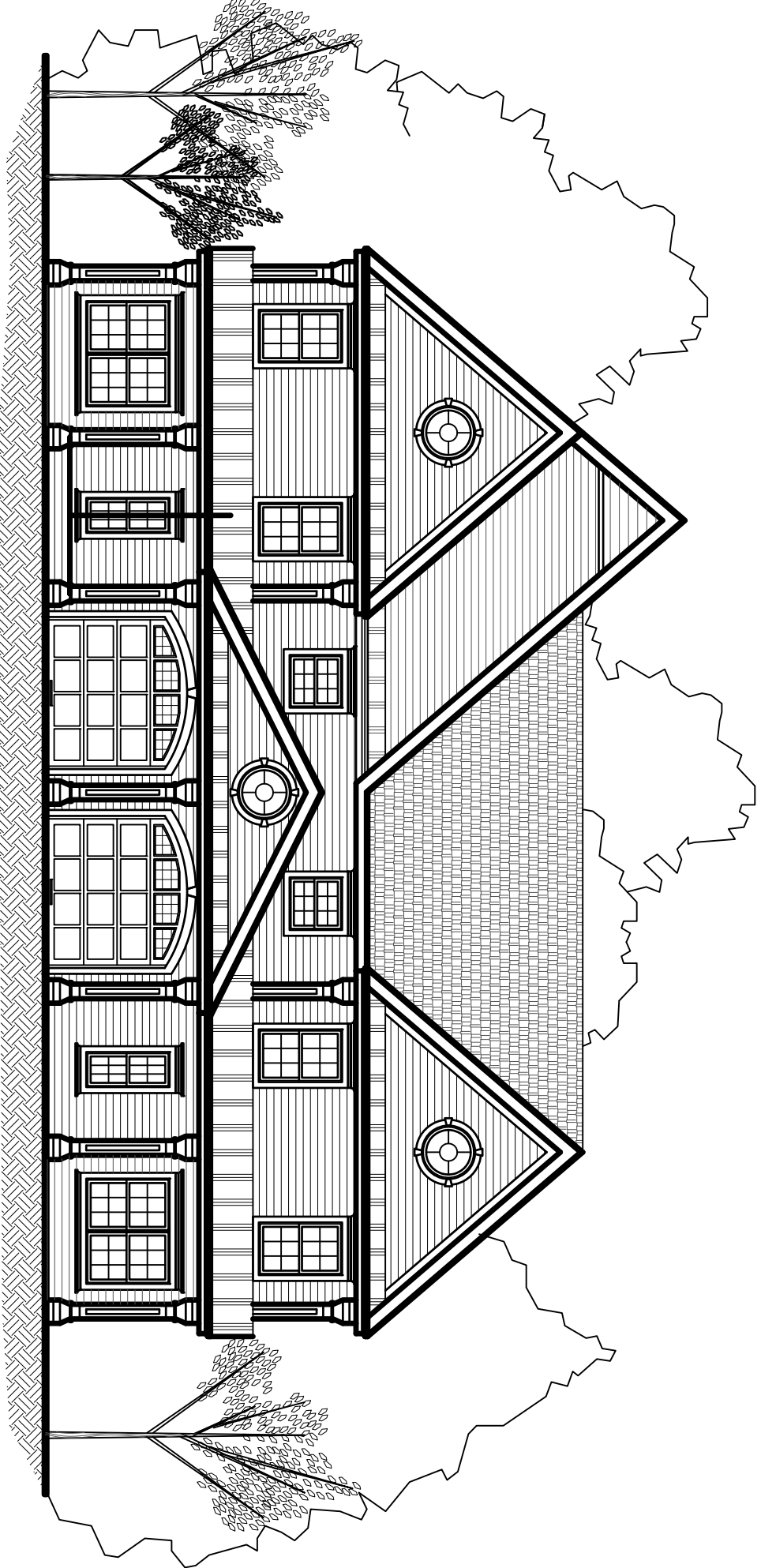
STUDY, MASTER BEDROOM ENSUITE

SQUARE FEET: 2,326 BONUS SQUARE FEET: 588

COTTAGE 'A'  
'WARWICK VIEW'  
VILLAGE OF WARWICK, NEW YORK

**IRACE**  
**ARCHITECTURE**  
60 MAIN STREET, SUITE #3B  
WARWICK, NEW YORK 10990  
P-845-988-0198  
F-845-988-0298





WARWICK VIEW  
DUPLEX

FRONT ELEVATION

**IRACE**  
**ARCHITECTURE**  
60 MAIN STREET, SUITE #3B  
WARWICK, NEW YORK 10990  
P—845—9888—01990  
F—845—9888—02998

FIRST FLOOR	937 SQ. FT.
SECOND FLOOR	1,090 SQ. FT.
TOTAL	2,027 SQ. FT.
GARAGE	307 SQ. FT.