

VILLAGE OF WARWICK  
ZONING BOARD OF APPEALS  
OCTOBER 15, 2018

The monthly meeting of the Village of Warwick Zoning Board of Appeals was held on Monday, October 15, 2018. Present were: John Graney, John MacDonald, Lynn Ruvolo and Zoning Board attorney, Robert Fink. Others present were: James Tomaselli and Robert Schmick.

The acceptance of the September 17<sup>th</sup> 2018 minutes could not be accepted due to the lack of a quorum. The minutes will be placed on the November 19, 2018 agenda for approval.

116 SOUTH ST. EXT.                      AREA VARIANCE                      JAMES TOMASELLI

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Mr. Tomaselli submitted the mailing receipts.

The Board waived the reading of the public hearing notice do to the lack of public attendance.

Mr. Schmick – This house is the second house up from Larry’s Deli. All along South St. Ext. the houses are the same distance off the road. Historically this was 2 lots and I do not remember when it was recombined as one but now the applicant would like to build a house for himself on the second lot and sell the existing house. You can see from the map that the property extends into the Town. We needed variances for the lot because it is in the Village and it is a little bit under but he has square footage located in the Town part of the lot, it is one lot located in the Village and the Town. The lots are 70ft.& 90 ft. wide. He has received approval from the DEC, the DPW Supervisor has signed off on the existing culvert.

Secretary – The DPW Supervisor sent a memo to the Planning Board per their request that they do not need an easement from the applicant for the culvert because they Village is abandoning that culvert because it is a non-functioning culvert.

Mr. Schmick – It is actually a mowed lawn right now. The other lots down the street are about this size, so it is keeping with the characteristics of the neighborhood.

Mr. Fink – To summarize what they are looking for, the proposed lot 1, the minimum lot area is 17,309 sq. ft. where 20,000 is required. The lot width is 90.27 ft. and 100 are required. The front setback already exists, the front yard already exists and the side yard setback already exists.

Proposed lot 2, the lot width is 70ft. and 100ft. is required, side setback is 15.5ft. where 20ft. is required, the total side setback is 38ft. and 50ft. is required and the street frontage is 70ft. and 80 is required.

Mr. Schmick – We could have balanced out the acreage but it makes more sense to use the natural delineation point of the former parcels.

Mr. Fink – You have already been through the Planning Board. I am assuming that the Planning Board is fine with this.

Secretary – The Planning Board was waiting to see if the applicant would receive a DEC permit to build. Once the applicant received the DEC permit, the Planning Board sent him to the Zoning Board of Appeals for any and all variances required.

Mr. Graney – Can this be voted on tonight?

Mr. Fink – No, we have not received comments from the Orange County Dept. of Planning as of yet and it has not been 30 days and we cannot vote conditionally or in any manner. What we can do is take a consensus and if the consensus is to pass it the applicant wouldn't even need to come next month and then we would formally go through the criteria.

The Board was polled:

John Graney, Chairman – Aye

John MacDonald – Aye

Lynn Ruvolo – Aye

Mr. Fink – Since we have to review what the County said we have to keep the public hearing open until the November 19, 2018 meeting at that time we can close the public hearing and go through the criteria's.

The Board agreed.

A MOTION was made by John MacDonald, seconded by Lynn Ruvolo and carried to adjourn the meeting.

Submitted by;

Maureen J. Evans,  
ZBA secretary