VILLAGE OF WARWICK ZONING BOARD OF APPEALS SEPTEMBER 15, 2020

The monthly meeting of the Village of Warwick Zoning Board of Appeals was held on Tuesday, September 15, 2020. Present were: John Graney, Jonathan Burley, Scot Brown, Margaret Politoski and Zoning Board attorney, Robert Fink. Others present were: Emily Sevenson, Christopher Smith, Lance O'Byrne, Mrs. O'Byrne and others.

The meeting was held in Town Hall.

The Board recited the Pledge of Allegiance.

A MOTION was made by Jonathan Burley, seconded by Scot Brown and carried to accept the minutes of the February 18, 2020 meeting. (3 Ayes) {1 Abstention – Margaret Politoski}

16 ELM ST. INTERPRETATION OF PATRICK GALLAGHER BUILDING INSPECTOR LETTER

Mr. Fink announced that this application would be adjourned without objection until after the Appeals Court hearing has rendered a decision. At that time, the Board may or may not continue with the hearing.

Ms. Emily Svenson represented Patrick Gallagher, the applicant, and confirmed the without objection regarding adjourning the application.

A MOTION was made by Scott Brown, seconded by John Graney, and carried for the 16 Elm St. application to be adjourned without date and to be scheduled to be heard when we receive the appellate division decision. (4 Ayes)

8 HILLTOP LANE

AREA VARIANCE

LANCE O'BYRNE

The public hearing notice was waived due to the lack of public attendance.

Mr. O'Byrne – I am proposing a 2 car garage approximately 5+- ft. from my sideyard setback. If I were to have the required 10ft. setback half of my garage would be behind the house.

Mr. Burley – What do you mean 5ft. + -?

Mr. O'Byrne – When you are building sometimes the measurement can be off or there was a rock that couldn't be moved and you need to move it over one inch or two, things come up that are not in your control so I thought it would be better not to put an exact number.

Mr. Graney – Maybe it would be better to use 4ft. so there is a definite number.

The Board discussed changing the sideyard number and decided that 4ft. should be used for this application.

The Board reviewed the criteria's:

- 1) Undesirable Change No
- 2) Achieved by Another Method No
- 3) Substantial Numerically
- 4) Adverse Effect No
- 5) Self-Created Yes

A MOTION was made by Scott Brown, seconded by Jonathan Burley and carried to declare this an Unlisted Action with no significant adverse effect under SEQR. (4 Ayes)

A MOTION was made by Margaret Politoski, seconded by John Graney and carried to grant a variance permitting construction of a new garage with a sideyard setback of (4 +-)ft. (4 Ayes)

A MOTION was made by John Graney, seconded by Jonathan Burley and carried to adjourn the meeting. (4 Ayes)

Respectfully submitted;

Maureen J. Evans, ZBA secretary