## TOWN OF WARWICK ZONING BOARD OF APPEALS JUNE 24, 2019

Mark Malocsay, Co-Chairman	
Robert Fink, Attorney	
Kevin Shuback	
Chris Daubert	
Members Absent:	
Diane Bramich	

Jan Jansen, Chairman

Members Present:

**PUBLIC HEARING OF** Brian Pawelski - for property located at north side of Quaker Creek Road, Warwick, New York and designated on the Town tax map as Section 6 Block 2 Lots 4 & 7 and located in an AI District for a variance of the lot depth and front yard setbacks for existing buildings for a lot line change.

ATTORNEY FINK:	So looking at the paperwork submitted, it looks like	
you only need 1 new variance and that's lot area, correct?		
MR. PAWELSKI:	Correct.	
ATTORNEY FINK:	We'll note that the 2 already exist and we'll	
technically grant variances for it because th	ey already exist. Then we'll really look at lot area	
and why it can't be 65 ¾. It was 86+, you need 65, and you're proposing 54. This needs to go to		
the County. Has this gone out?		
CHAIRMAN JANSEN:	We actually looked before the meeting started and	
there is no notation in the file of it being sent. We would have check with Connie. Either way		
we can go through all the motions and it wouldn't be final until next month.		
ATTORNEY FINK:	So we can do everything and assuming it's passed	
and the consensus is favorable, you don't even have to come to next month's meeting, unless		
we hear something back from the County. We would let you know.		
CHAIRMAN JANSEN:	Let's open the Public Hearing. Is there anyone here	
	it open in case we hear back from the County and	
officially close it next meeting. Otherwise, the consensus is to approve.		
MR. PAWELSKI:	Thank you.	

**PUBLIC HEARING OF** <u>Blue Arrow Too, LLC.</u> – for property located at 86 Glenwood Road, Warwick, New York and designated on the Town tax map as Section 24 Block 1 Lot 46.22 and located in a RU & CO Districts for "Renewal" of a variance granted by the ZBA on 6/26/17 pursuant to Section 164.53.B (12) permitting construction of a 80 foot X 200 foot building and a second building 50 feet X 104 feet. **Continued from the May 28, 2019 ZBA Meeting.** 

ready to put it to a vote.	The County has responded and we're pretty much
CHAIRMAN JANSEN: in a timely manner so that additional renew	The County only requests the construction be done vals are not needed for this project.
ATTORNEY FINK: change to the character of the neighborhoo	Will the proposed variance cause an undesirable od or be a detriment to nearby properties?
CHAIRMAN JANSEN:	No.
MR. MALOCSAY:	No.
ATTORNEY FINK: achieved by any other feasible method?	Can the benefit sought by the applicant be
MR. MALOCSAY:	No.
MR. DAUBERT:	No.
ATTORNEY FINK:	Is it a substantial variance?
MR. DAUBERT:	No.
MR. SHUBACK:	No.
ATTORNEY FINK: environmental conditions?	Will it have an adverse effect upon the physical or
MR. MALOCSAY:	No.
MR. SHUBACK:	No.
ATTORNEY FINK:	Is the alleged difficulty self-created?
MR. MALOCSAY:	Yes.

MR. DAUBERT: Yes.

ATTORNEY FINK: Would someone care to type this as "Unlisted"

with no adverse environmental impact?

MR. MALOCSAY: So moved.

MR. SHUBACK: Seconded.

CHAIRMAN JANSEN: All in favor? [4 ayes]

Motion carried.

ATTORNEY FINK: Does anyone care to move that the variance be

granted as advertised?

MR. MALOCSAY: So moved.

MR. SHUBACK: Seconded.

CHAIRMAN JANSEN: All in favor? [4 ayes]

Motion carried.

**PUBLIC HEARING OF Kelly & Michael Hennessy** - for property located at 15 Pine Drive, Warwick, New York and designated on the Town tax map as Section 27 Lot 1 Block 92 and located in an SL District for a variance of Section 164-41.A(1)(a) permitting construction of a 30 ft X 50 ft (1500 sq. ft.) accessory building where the Code permits not more than 1200 sq. ft. in an area.

CHAIRMAN JANSEN: What do we do about this application? No one is here.

ATTORNEY FINK: We'll adjourn it to the next meeting and I'll have Connie ask them if they intend to appear.

CHAIRMAN JANSEN: For this application we did find notation that it was sent to the County on June 10, 2019. No word yet but it's only been 12 days.

ATTORNEY FINK: Hennessy didn't need to go to the County. I think there's been a lack of communication between Connie and myself. I'll speak with her. Anyway, it didn't come back regardless. To be carried over to the next meeting.

## **OTHER CONSIDERATIONS:**

CHAIRMAN JANSEN: Motion to approve the ZBA Minutes from the May 28, 2019 meeting.

MR. DAUBERT: So moved.

MR. MALOCSAY: Seconded.

CHAIRMAN JANSEN: All in favor? [4 ayes]

Motion carried.

Meeting adjourned.

[ZBA Recording Secretary – Mary Hebel]