

VILLAGE OF WARWICK
ZONING BOARD OF APPEALS
JULY 20, 2021

The monthly meeting of the Village of Warwick Zoning Board of Appeals was held on Tuesday, March 16, 2021. Present were: John Graney, Jonathan Burley, Scot Brown, and Zoning Board attorney, Robert Fink. Other's present were: Jordan Novak, Caitlyn Bennett, Sundeep Bisla, Mary Koch and others.

The meeting was held in Village Hall.

The June 21, 2021 Zoning Board minutes could not be approved due to lack of quorum.

1 COTTAGE ST.

AREA VARIANCE

JORDAN NOVAK

Mr. Graney read the public hearing notice.

Ms. Novak – Essentially, I have what begins to be a very narrow driveway and originally when I bought the house the neighbors had a fence that came up about have way down where technically I could get in and out of my car, but my kids would exit on their property just because of how narrow the driveway is. Recently I was told that they will be putting up a fence that comes as far up as they are allowed to bring it, which had me panicked on where were the kids going to get in and out of the car. At the time I was not aware of the laws and I made a call and a guy came out just to look and he said that” if you want to do this today we could pave this right now and you could be parking in this by next week.” I asked him if he needed to check with someone and he said “I do business in Warwick all the time and it is no problem”. Then half way through the day I see him speaking with someone and he then tells me “you have to have some type of gravel, you can’t have pavement but everything else is fine.” He never let me know that the Building Inspector had come by. So now there is item 4 gravel there and I received a letter indicating that I had a seating area in the front yard. I had the Building Inspector come by and we discussed that this is not allowed and we talked about other parking possibilities. We talked about a place in the back but the grade is too steep along with a problem doing a curb cut. We discussed widening the driveway but there is a utility pole on either side of the driveway and there is just no other way to solve the problem.

Mr. Burley – The utility pole, were you able to inquire with O&R about moving the pole?

Ms. Novak – I started the process but it was such an exorbitant amount of money that it was just not possible to move forward with that.

Mr. Graney – I don't understand what the utility pole has to do with parking cars on the side of the house.

Mr. Burley – I just want to know what the distance is between the porch and the sidewalk because it looks like you could maybe get a standard size sedan which could potentially impede pedestrian traffic with the sidewalk.

Mr. Novak – Do you mean if I park parallel to the house?

Mr. Burley – It doesn't matter how you park. If you get approved parking in front of your house you can park anywhere you want.

Mr. Fink – I could be restricted.

Mr. Burley – Yes, but who will police that?

Mr. Graney – I don't think there is enough space to go ahead on parking.

Mr. Burley – With that said, now we are talking turning radius as well. You would have to use the sidewalk to turn on to that.

Ms. Novak – I tried it and it is possible without going on the sidewalk.

Mr. Burley – I personally see a major safety issue and concern for the future and then there is the appearance of a car in someone's front yard at any given time. If you were able to move that utility pole you could probably get the space you need for the turning radius at least to get into the driveway. How many cars do you expect to park in your current driveway?

Ms. Novak – Two, I own two cars.

Mr. Graney – So, again, I don't understand, if you have two cars parked on the driveway why do you want to park in front of the house?

Ms. Novak – At the current moment the fence does not exist yet and I, myself would be able to get in and out but there is not room to let my kids in and out of the car.

Mr. Graney – What about everybody out on the same side, I guess that is what you are going to have to do, if in fact a fence does go up. I have concerns about safety with parking and from a visual standpoint that law is there for a reason. It will completely change the way the block looks if you start parking cars on the front lawn.

Ms. Katelyn Bennett-2& 4 Cottage St. – My main concern is the safety of the children. We have a very active group of children on our street, about 20 children. I too was looking at the angle of how to get into that space without going on the sidewalk and it is not possible unless you go up the driveway and back in somehow, which is a hazard. I also think it is an eyesore, we have renters on one side and looking at the item 4 and the pavement does not look like the rest of the neighborhood, it does not fit in. But safety is the first thing. She does have a very long driveway and a lot of us have the similar issues with moving our cars around, we have to plan things in the morning, how are kids get out of the car and I think that is just part of living in the Village. Please consider the whole street and the good of the neighborhood when you are making your decision.

Mr. Sundeep Bisla -5 Cottage St. – The look of it is out of place with the rest the houses on the street. It brings down the look of the whole neighborhood because it is the first house you see into the neighborhood and suggests a different type of neighborhood. The problem is she wants

to park 3 cars and I don't think this is the best solution. If the back area is not graded correctly, I am sure you can get a big dump truck and dump a bunch of rocks. I know it would be expensive but if she had talked to us before maybe she could have saved the money. I don't see why she can't level out the backyard.

Ms. Novak – I had a professional come out and tell me.

Ms. Mary Koch -6 Cottage St. – I agree with Katelyn that it is an eyesore and it will bring down the value of our properties to have anyone parking in the front yard. It is an inconvenience to move the cars back and forth but it is what it is.

Mr. Fink – Are there any other home with parking in the front yard.

Mr. Burley – I went through the entire Village and I saw one on North and Cottage but it doesn't impede the sidewalk and it looks like it has been there 100 years but I saw nothing else in the Village.

A MOTION was made by John Graney, seconded by Scott Brown and carried to close the public hearing. (3 Ayes)

The Board went through the criteria's:

Undesirable Change – Yes, visual safety

Achieved by Another Method – No

Substantial – Yes, numerically

Adverse Effect – No

Self-Created - Yes

A MOTION was made by Scot Brown, seconded by Jonathan Burly to grant the variance as advertised. (3 -Nay – John Graney, Jonathan Burley, Scot Brown)

The motion did not pass, and the application was denied.

Respectfully submitted,

Maureen J. Evans,
ZBA secretary