

VILLAGE OF TIVOLI
AREA & BULK REGULATIONS:
Recommendations for Amendments to the
Village Code
14feb08

Submitted by the
Architectural Review Committee
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FINAL REPORT ON BULK REGULATIONS

By the Architectural Review Committee

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I. INTRODUCTION

A. BACKGROUND

In August 2003 a committee of volunteer-citizens submitted to the Village Board of Trustees a Comprehensive Plan that was the result of three years effort.

On February 16, 2005 the Board ratified and adopted the Comprehensive Plan which, according to New York State law, then became the document of record and the legal basis for planning decisions in the Village.

In early 2004, Mayor Marcus Molinaro, anticipating the ratification of the Plan, took the first steps in bringing Village law into compliance with the Comprehensive Plan by establishing an ARCHITECTURAL REVIEW COMMITTEE. The mandate of this committee was to translate into village policy and, where applicable, into law, that section of the Comprehensive Plan that aims “to preserve the unique physical character of Tivoli and the intimate social life of the village as it is reflected in and reinforced by the structures in which we live, work, and play”.

Our committee initially focused on architectural details such as roof pitch, gables, façade elements, and porches – details that had been amply inventoried by architect Robert Butscher in his 1996 report “A SURVEY OF TIVOLI’S ARCHITECTURE” [see Appendix 2]. However, it soon became clear that to fulfill our goal to preserve the traditional look of the village, we needed to address more basic issues such as the siting of buildings, the bulk of new residences and additions, building heights, and so forth.

Thus, Mayor Molinaro, with the compliance and support of then Deputy Mayor Tom Cordier, who served as the committee’s liaison to the Board of Trustees, expanded our mandate to include revision of the Village’s Bulk Regulations.

Subsequently, the committee split into two subgroups:

- ❑ The Architectural Guidelines Working Group whose job was to prepare a booklet of architectural elements that are characteristic of the Village with suggestions and guidance for builders and homeowners
- ❑ The Legislative Working Group whose job was to revise the Bulk Regulations

What you have in hand is the result of the Legislative Group’s labors.

B. THE COMPREHENSIVE PLAN

There are three pages in the Comprehensive Plan [pages 41 to 43 which are included in this report in Appendix 1] that specify the typical architectural elements that define the unique physical character of Tivoli whose old housing stock dates primarily from the 19th and early 20th century. These elements include, for example:

- ❑ Front porches
- ❑ Detached and setback garages/barns
- ❑ Steeply pitched roofs
- ❑ Narrow streets
- ❑ Homes sited relatively close to the street
- ❑ Residences of modest size

Repeatedly the Comprehensive Plan states that the architectural preservation of neighborhoods is most simply achieved by making sure that all new construction is “in harmony with surrounding structures.”

There is also a “vision” articulated in these three pages, that can be summarized as follows:

- ❑ We who live in Tivoli love the way the village looks. [aesthetic value]
- ❑ The design of the old neighborhoods promotes a rich community interaction that we treasure. [social value]
- ❑ Maintaining the village’s traditional look enhances the economic value of individual residences, neighborhoods, and the village as a whole. [economic value]

The Architectural Review Committee faced a dual challenge:

- ❑ How do we quantify directions such as a new building should be “in harmony with surrounding structures”?
- ❑ How do we translate this “vision” into a workable, enforceable Code?

C. METHODOLOGY

The current Bulk Regulations, which were adopted in the 1980s, are based on a model which is inappropriate to Tivoli. For example, they require deep setbacks from the road typical of suburban subdivisions but inimical to 19th century village design.

To revise the Bulk Regulations to reflect the architectural and design norms of the Village, we had to establish just what those NORMS are. That is, what is the typical setback on Montgomery Street or North Road or Spring Street?

We used several strategies to gather this data:

- Nita Micossi and Tom Cordier walked around the old stock neighborhoods and measured housing setbacks from the road, setback to front porch, and house widths for each of the 149 residences.
- Bob Butscher used Tax Maps to make lists of front lot widths in different neighborhoods
- The Dutchess County Real Property Tax Service Agency pulled raw data from the Agency's database and gave us, for every taxable parcel in Tivoli, information such as:
 - Square footage of each building
 - Building footprints
 - Parcel frontage

A CD containing all this data is on file in the Village office.

In addition to this primary data

- We gathered model codes and guidelines from other towns and villages with comparable historical patterns and significance
- And we solicited the on-going counsel of numerous planning professionals, including, but not limited to
 - John Clarke, chief of development and design, Dutchess County Department of Planning and Development
 - Noela Hooper, senior planner, Dutchess County Department of Planning and Development
 - Ted Fink and Michelle Grieg, Greenplan, planning consultants to the Village
 - Alan Neuman; preservation and landmark expert
 - Steve Buso, Zoning Code Enforcement Officer, Village of Tivoli

D. BULK REGULATIONS

The following six-page grid summarizes the Bulk Regulations for each of the Zoning Districts in the Village. It replaces the one-page “Village of Tivoli Schedule of Bulk Regulations” currently in the CODE OF THE VILLAGE OF TIVOLI [see Appendix 5].

Note several changes and additions to the format of the grid:

1. Zoning Districts R15, R1A, and R2A have each been sub-divided into two “micro-districts” based on the consistency of structures within them; different standards have been applied to each of the micro-districts to maintain the harmonious architectural look of these neighborhoods. Rationales for these choices are explained below.
2. Distinctions have been made for homes & businesses in RB – a unique hybrid of residential & commercial zoning on 9G. Rationales are presented below.
3. Standards for the following have been added in the proposed Bulk Regulations:
 - a. Façade siting
 - b. Building width
 - c. Front setback: maximum
 - d. Front, side, and rear setbacks for Accessory Buildings
 - e. Heights for Accessory Buildings
 - f. Maximum square footage & maximum footprint for the Principal Building
 - g. Maximum square footage and maximum footprint for Accessory Buildings
 - h. Maximum square footage of all Accessory Buildings combined
 - i. Garage siting
4. Maximum Floor Area Ratio has been omitted

The two sections that follow the grid discuss each element for which a Regulation has been proposed. To help you understand the thinking behind each of the Committee’s choices, we state our goals and those of the Comprehensive Plan, offer data and analysis to support our conclusions, and set forth recommendations for regulatory change.

Since new data was collected primarily in old stock neighborhoods concentrated in zoning districts R15, R1A, and parts of R2A, these three districts are summarized in the first three pages of the grid and discussed together. The remaining zoning districts – R3A, GB, and RB – are subsequently grouped and discussed.

One final note: Although we approach here each item in the grid separately, the different parameters – house size, residential setbacks, lot frontage width, and so forth – are intimately interconnected. The distinctive village look that we enjoy and wish to maintain is the result of a harmonious interplay between these and other architectural features. Thus, in this report we often and unavoidably discuss one element in the context of another and we frequently repeat ourselves. In our many hours of discussion, committee members constantly revisited and adjusted elements to make sense with changes proposed to other elements. No piece of the puzzle can be treated alone.

E. GRID: PROPOSED AREA & BULK REGULATIONS

➔ MUST BE PHYSICALLY INSERTED [6 pp]

II. BULK REGULATIONS: The Grid R15, R1A, and R2A

A. Minimum Land Area Per Dwelling → NO CHANGE

B1. Minimum Lot Frontage Width at Street

GOALS

Under current law there is a Village-wide stipulation calling for a 50 foot minimum of lot frontage width at the street and no maximum. There is also a law that stipulates the width of the lot at the front building line to be 100' in R15, 175' in R1A, and 225' in R2A. And there is no limit on how wide a house can be.

The consequences of these regulations taken together is the encouragement of wide, shallow building lots with wide, shallow homes, that is, a pattern typical of American suburban subdivisions in the second half of the 20th century. These laws also encourage subdivision into “flag lots”, that is, squarish parcels of land accessible only by very long narrow strips leading from a main road. Flag lots allow houses to be built behind houses.

In contrast, Tivoli’s Comprehensive Plan calls for a pattern known as “piano key lots”, that is “residential lots that are long and narrow, consistent with the neighborhood, thereby retaining village density without sacrificing private yards.” The ARC’s goal was to determine parameters and propose regulations that support this goal.

DATA

To establish Village norms, data on actual lot frontages in R15, R1A, and R2A were gleaned from official tax maps and are summarized as follows:

Lot Frontages

Street	Mean	Median	Mode	N	Adjusted N*
Montgomery	75' [86']	65' [84']	40-60'	59	52
Spring	68' [86']	70' [77']	50-77'	13	9
Feroe	59' [70']	55' [59']	34-55'	12	11
Washburn	43'	45'	34-50'	6	6
Pine Street [north side]	31' [51']	32' [32']	30-32'	6	4
North Road	112' [139']	100' [100']	100'	35	29
Clay Hill	165' [202']	180' [184']	151-200'	17	13

*Two calculations of the Mean and Median were done because most of the streets include egregious extremes which are clearly outside the neighborhood norm. The figure presented is based on an adjusted population that eliminates these extremes [=Adjusted N]. Figures in parentheses include all properties on the street [=N].

ANALYSIS

Because of their similarities on the issue of lot frontage [plus housing setback, width, and square footage] the following streets are treated as separate micro-districts, each adhering to a single neighborhood norm:

- Montgomery and Spring; plus Broadway east of the creek, Tivoli Acres, and Friendship Street [R15]
- Feroe and Washburn; plus Broadway west of the Creek [R15]
- Pine Street [R1A]
- North Road [R1A]
- Clay Hill and the rest of the R2A zone excluding the Broadway Gateway [R2A]

The Broadway Gateway [that is, lots adjacent to Broadway running west from Route 9G to R15 beginning at the Clay Hill intersection (on the north side) and the bridge (on the south side) is also treated as a separate micro-district, with proposed regulations similar in many ways to R1A, in some ways to R2A, and in at least one element unique to itself.

The rationale for this distinction is that the Gateway – as its name suggests -- serves a special and singular purpose in the design of the Village. The Comprehensive Plan notes Tivoli’s “density consistent with a village pattern, that is, very dense at the core and less dense at the fringes where housing gradually gives way to open rural land.” Thus at the core we find districts R15 and R1A, with R2A and R3A – allowing for much more open space – at the fringes. The Gateway, while located in R2A, is not at the “fringe” of the village but is rather a welcoming “front door” to the dense core of the Village. While we recommend at the end of this report that a Gateway overlay district be eventually created, we offer these adjusted parameters in the meantime.

RECOMMENDATIONS

We recommend a minimum lot frontage width at the street of 50 feet for R15 and for Pine Street since the proportions of Pine Street homes and lots are akin to R15, despite its current inclusion in Zone R1A. From data collected by Bob Butscher from village tax maps, 73% of the residences on Montgomery, Spring, Washburn, Feroe, and Pine currently conform to this 50 foot minimum.

We recommend a minimum lot frontage width at the street of 100 feet for the rest of R1A and for both R2A neighborhoods in order to:

- encourage piano key lots
- discourage flag lot development
- accommodate the widest house permitted [see B5]

Note that in IV. Recommendations for Further Action, we also urge the adoption of Cluster Development legislation. Under such law we would recommend that parcels in R2A [“all others”] be developed according to the principles of “cluster development”, within the limits of “minimum land area per dwelling”. For example, a 20 acre parcel in R2A can still only support a maximum of 10 dwellings. If parcels are developed according to cluster development regulations, the road frontage minimum in R2A can be reduced.

B2. Minimum Width of Lot at Front Building Line

Committed to the “piano key” concept of design, the simplest way to achieve this is to maintain consistency of lot width from the street frontage back to the front building line. Thus, we recommend that both of these measurements be the same in each of the zoning districts with the exception of R3A.

B3. Maximum Lot Coverage

This provision replaces “maximum building coverage” in the current Schedule of Bulk Regulations (see Appendix 5).

Maximum lot coverage includes the entire unvegetated, “man-made” area of the lot including, but not limited to, the area covered by all principal and accessory structures; plus driveways, patios, terraces, decks, pools, sports courts, tennis courts, and impervious paved areas. (For limitations on building-only footprints see F2 and G2.)

GOAL & RECOMMENDATIONS

The goal is to maintain coverage in keeping with village patterns and scale, that is, increasing density at the residential core changing to ever more rural and open landscapes at the edges. To this end we suggest:

- ❑ increasing the allowable coverage in the densest sections of the village – R15 and R1A/Pine Street – from 30% to 35%
- ❑ keeping unchanged the current coverage limit of 30% in R1A
- ❑ decreasing the allowable coverage in R2A from 30% to 25%

B4. Façade Siting

GOAL & RECOMMENDATION

Planners and architects note that the siting of homes in typical village neighborhoods create a streetscape that is akin to a communal “living room” which promotes social interaction. The resulting sense of community is a prized feature of life in Tivoli and repeatedly cited in the Comprehensive Plan as one of the quality of life elements we wish to support.

Several design features, including housing setbacks [see C1] and a consistent siting of façades, help to create a physical space congenial to the desired social outcome.

To this end we recommend that all principal building facades be built parallel to the lot frontage line.

B5. Maximum Building Width

GOAL

The design model promoted by the current Bulk Regulations encourages buildings that are wide and not very deep, on wide, shallow lots. With no restrictions on the width of a house, new construction and renovations often spread out laterally and give the impression of massive bulk.

On the other hand, homes constructed in the village are typically deeper than they are wide. They echo the long, narrow rectangular shape of the “piano key” lots on which they are built. This design permits relative density at the village core and allows for spacious homes while de-emphasizing building mass at the street front. Our goal is to keep new homes and add-ons in harmony with the traditional housing stock around it.

DATA

See Appendix 3. for building width measurements taken of the 149 residences on Washburn, Spring, Montgomery, North Road, Pine, Broadway Gateway, and Feroe.

Note that 85% of all homes are less than or equal to 42 feet in width. Ninety-five percent are less than or equal to 48 feet in width. Broken down by neighborhood, we see how many homes already comply with these norms:

	<u>Current Compliance</u>	
	Less than or equal to 42'	less than or equal to 48'
Washburn	100%	100%
Spring	85%	85%
Montgomery	87%	88%
North	70%	93%
Pine	100%	100%
Broadway/gateway	100%	100%
Feroe	100%	100%
TOTAL	85%	95%

RECOMMENDATION

Given the clear limit on housing width in established neighborhoods, we recommend that the total width of a principal building, including new construction and older homes with new additions, be no greater than 48' in R15, R1A, and R2A/Gateway. For the rest of R2A we suggest a 58' limit.

Width is measured parallel to the street at the building's widest point. "Building" includes all attached and enclosed structures including bays, garages, projections, and so forth.

The committee considered further restrictions [as was done in the Town of Warwick Regulations] to visually divide a wide house façade into smaller increments to reduce its apparent size and contribute to a human-scale impact. For example, the mass of a building might be de-emphasized through architectural details such as divisions or breaks in materials, window bays, separate entrances and entry treatments, variations in roof lines, awnings, or the use of sections that are projected or recessed.

We decided that this was too cumbersome a solution to include in the Regulations and will, instead, include these suggestions in the Guidelines. We wish, however, to make clear our aim to restrain façades that give the impression of massive bulk.

C1. Principal Building: Front Setbacks

GOALS

One of the most conspicuous differences between the traditional design of a village like Tivoli and housing developments built in the second half of the 20th century is the front setback of buildings. Homes in Tivoli are typically set much closer to the street, creating a shared social space at the front of the lot and much more generous backyards for privacy.

Current Regulations in Tivoli have no maximum setback requirements and a visual survey of the village shows that new construction is typically set back much farther than the more consistent siting lines of adjacent older buildings. The effect is to create a "gap tooth" in the piano key presentation of the neighborhood.

The village's Comprehensive Plan recommends "placement of a new structure on property *consistent* with older residences, to create an inviting walking street, encourage neighborly interaction, and provide the homeowner with a large private backyard."

What, then, is the standard for such consistency?

DATA

See Appendix 3. for setback measurements taken of residences on Washburn, Spring, Montgomery, North Road, Pine, Broadway Gateway, and Feroe. These data were used to establish setback norms for various neighborhoods. They were also used, along with other information, to justify the specification of micro-zones such as the clustering of Washburn, Feroe, and Broadway [between Stoney Creek and the Central Business District] into a micro-zone distinct from the rest of R15.

Look, for instance, at the data on Montgomery Street [R15]. Though setbacks of the 60 residences measured range from 18 feet to 400 feet, nearly 80% of all the homes on the street are set back 50 feet or less. And the median setback is 30 feet. Setbacks over 70 feet are the anomaly and describe only 15% of the houses, most of which are post-WWII constructions.

A similar picture of consistency is found in the data on North Road [R1A]. The setback range of the 30 homes measured is 27 feet to 140 feet. But 80% of all homes are set back less than 70 feet with the most common setbacks at 40 feet and 50 feet.

Similar analyses were made for the other neighborhoods.

RECOMMENDATIONS

To codify the norms that have evolved in the old stock neighborhoods and to create continuity with older homes sited close to the street, we recommend that the current Bulk Regulations on front setbacks be amended to include maximum as well as minimum setbacks. We propose the following ranges based on old stock standards :

- ❑ R15 [Montgomery, etc]: 20'-50'
- ❑ R15 [Washburn, etc]: 20'-30'
- ❑ R1A [Pine Street only]: 20'-30'
- ❑ R1A: 40'-70'
- ❑ R2A [Gateway only]: 50'-100'
- ❑ R2A: 50' minimum and no maximum

Given the more rural nature of most of R2A (excluding the Broadway Gateway), the committee decided to exempt R2A from maximum setback requirements.

NOTES:

- ❑ Setbacks are measured from the edge of the road pavement to the front façade of the house.
- ❑ Setbacks do not include the front porch; open porches may encroach up to 10 feet into the setback.
- ❑ Minimum and maximum setbacks are broad ranges reflecting neighborhood norms. To maintain a harmonious street front, the setback of any new construction may be as close but no closer to the road than either of the existing adjacent setbacks. Thus, a new home on North Road [R1A] may be setback as close as 27 feet if one of the houses on either side is so situated.

C2. Principal Building: Side Setbacks

NO CHANGE.

We recommend that R2A/Broadway Gateway conform to the same side setback allowances as R15 and R1A.

C3. Principal Building: Rear Setbacks

NO CHANGE.

We recommend that R2A/Broadway Gateway conform to the same rear setback allowances as R15 and R1A.

D1. Accessory Buildings: Front Setback

In Tivoli's older neighborhoods, homes are often accompanied by a variety of out buildings including barns, sheds, and carriage houses, typically set back a distance from the main house. Garages were not in widespread use when most of these homes were built and, with a few exceptions [all relatively new constructions or additions], you will not see a garage sited at or near the front façade of a building. The absence of garages attached to or side-by-side with homes is one of the village's most striking characteristics, and one that clearly sets it apart from conventional contemporary housing developments where the garage is given pride of place at the front façade.

Current Bulk Regulations do not specify front, side, or rear setbacks for accessory buildings. But the committee, keen to address the issue of garages, felt that it was important to do so. There was a great deal of controversy around this question. Some members wanted to maintain the classic pattern and require that garages be detached and built behind the rear wall of the principal building. Others argued in favor of contemporary tastes and needs. We concluded that individuals should be able to build a garage close enough to the house for practical access and far enough from the front plane of the house to indicate its ancillary status.

RECOMMENDATIONS

We thus recommend that accessory buildings in R15, R1A, and R2A be set back a minimum of 20 feet from the front façade of the principal building.

NOTE: Accessory buildings include all structures built on a permanent foundation including, but not limited to garages, barns, and studios.

NOTE: We strongly recommend that the Zoning Commission investigate allowances for secondary residences [eg mother-in-law apartments] in accessory buildings. [See IV. Recommendations for Further Action below.]

D2. Accessory Buildings: Side Setbacks

We recommend that there be two side yards with a total width of not less than 30 feet. The width of the narrower of the two side yards shall not be less than 10 feet.

D3. Accessory Buildings: Rear Setback

We recommend a ten foot rear setback minimum for all accessory buildings in R15, R1A, and R2A.

E1. Principal Building: Maximum Height

NO CHANGE.

NOTE: Building height is measured from the center line of the roof slope.

E2. Accessory Buildings: Maximum Height

We recommend that accessory buildings in R15 and R1A/Pine Street be limited to a maximum height of 25 feet.

We recommend that accessory buildings in R1A and R2A be limited to a maximum height of 30 feet.

F1. Principal Building: Maximum Square Footage

There are no limits on the size of a new home under current Bulk Regulations. The only restriction specified is maximum building coverage.

For example, in R15 builders are allowed a maximum coverage of 30%. Thirty percent of a 15,000 square foot lot [minimum for R15] is 4500sf. Theoretically, one could build a two-story 9,000 square foot house with a 4500sf footprint.

Thirty percent coverage is also allowed in R1A and, again theoretically, a two-story 26,000 square foot house with a 13,000sf footprint is possible on a one acre [43,560sf] lot.

Although such enormous homes sound absurd in a village of Tivoli's scale, other villages and small towns have succumbed to the "chop and pop" building trend where small houses on modest lots are purchased, razed, and replaced with very large homes. Building outsized homes next to a row of cottages is too common to ignore.

GOALS

Recognizing these trends, Tivoli's Comprehensive Plan states: "in an effort to forestall the building of inappropriately large houses in established neighborhoods, we recommend a ... cap on maximum square footage and maximum footprints for residential structures..."

What, we asked, is a reasonable cap?

DATA & ANALYSIS

We asked the DUTCHESS COUNTY REAL PROPERTY TAX SERVICE AGENCY to pull raw data from the Agency's database for every taxable parcel in Tivoli. This data [See Appendix 4; also available on CD format in the Village Hall] was collated and submitted to the Committee on May 2, 2006 by Eric Axelsen of the Agency and includes for each parcel:

- ❑ Tax identification number
- ❑ Street address
- ❑ Land use codes
- ❑ Lot depth and width
- ❑ Square footage of buildings by each story
- ❑ Number of stories in each building
- ❑ Total square footage of each building

The data describe primarily single-family dwellings, however it does include 18 two-family, and three-family dwellings. It excludes condominium and apartment complexes such as those in Tivoli Acres and Provoost Park.

There are 373 line items listed in the report. Some line items share a single tax ID number, but the separate line item listings indicate that some tax ID property parcels have multiple dwellings. Calculations were based on discrete dwellings. Some line items are missing square footage data.

Three hundred and twelve line items indicate total square footage for the building.

The following 19 items were omitted from calculations because they were either exceptionally small and unlikely to be used as dwellings, part of old estates and vastly outside the scale of Village residences, or clearly not residences:

- Estates [land use code = 250]
 - #42 Callendar/Livingston Estates = 4 line items
 - #11 Rose Hill/Rose Hill Estate = 3 line items
 - #35-39 Hudson Bluffs = 2 line items
 - #50 River = 4 line items
- Under-sized buildings [all less than or equal to 500sf]
 - #23 ½ Montgomery Street [288sf]
 - North Road [500sf]
 - 5045 Rt 9G [496]
- #73 Broadway/Church:Milagros
- North Road/Masonic Hall
- #23 North Road [omitted due to obvious typographical error]

Thus, we have 293 line items from the report – residences with square footage indicated – on which to base our calculations and conclusions.

Based on these 293 residences, we have determined that the average size of a dwelling in the Village is **1602 square feet**.

The median is approximately **1500 square feet** and the mode, or most common size house, is in the range of **1001-1500 square feet** [this describes 42% of all houses]

The smallest dwelling used in our calculations is 600 square feet and the largest [a two-family structure] is 5125 square feet.

The distribution of housing sizes is as follows:

- | | |
|------------------------------|--------|
| □ 26 houses are 501-1000sf | [9%] |
| □ 123 houses are 1001-1500sf | [42%] |
| □ 95 houses are 1501-2000sf | [32%] |
| □ 35 houses are 2001-2500sf | [12%] |
| □ 7 houses are 2501-3000sf | [2%] |
| □ 2 houses are 3001-3500sf | [<1%] |
| □ 1 house is 3501-4000sf | [<.5%] |
| □ 1 house is 4001-4500sf | [<.5%] |
| □ 2 houses are 4501-5000sf | [<1%] |
| □ 1 house is 5001-5500sf | [<.5%] |

We looked at the seven homes that are 3001sf or larger to determine if they are clustered in one part of the Village, thus warranting special consideration as a separate “neighborhood norm.” We found no such clustering. These homes are disbursed

throughout the Village. We did discover that four of these larger dwellings are coded as multi-family structures [220/230] and one as a “multi-purpose” structure [280].

We also looked at the seven homes that are 2501-3000sf. Likewise, these homes are disbursed throughout the Village and three are coded as multi-family. Six of these seven are less than 2600sf.

Thus, 83% of the houses in Tivoli are 2000 square feet or smaller; 95% are 2500 square feet or smaller.

RECOMMENDATION

The committee recommends a MAXIMUM of 2600 SQUARE FEET for all single-family dwellings in R15, R1A/Pine Street, R1A, and R2A/Gateway. Square footage is measured as follows: the first floor equals the gross square footage, that is, external measurements; the second and third floors equal the net square footage, that is, internal measurements. This formula has been used by Tax Assessor Frank Orlando and confirmed by Susan B. Davis, chair of the Village Zoning Commission.

In calculating total square footage we include all contiguous space in the residence, *including* an attached garage (*but excluding unenclosed covered porches*). We urge all new construction and additions to include a detached garage that is setback from the residence. This strategy both conforms to Village design and allows living space in a home to be maximized.

This recommendation is based on an analysis of current housing data. Our goal is to establish a reasonable limit on the size of new construction and renovations of older homes that is in keeping with Village norms.

We appreciate that many families currently seek increasingly larger living spaces. And we acknowledge that surrounding communities and the Town of Red Hook can amply accommodate those desires. The residents of Tivoli, however, have endorsed the vision of their Comprehensive Plan to keep new development and renovation in harmony with the appearance and scale of the Village’s traditional housing stock.

Over 97% of the Village’s current housing stock complies with the proposed square footage limit of 2600 square feet.

Finally, buildings in the rest of R2A are exempt from this square footage limit.

F2. Principal Building: Maximum Footprint/Coverage

DATA & ANALYSIS

The data used in our calculations are the same as above and the number of line items taken into consideration are likewise 293. To determine a house's "footprint" we used the square footage of the first floor only (not including unenclosed porches).

The distribution of housing footprints is as follows:

- | | |
|---|--------|
| ❑ 3 houses have a footprint of <500sf | [1%] |
| ❑ 65 houses have a footprint of 501-750sf | [22%] |
| ❑ 83 houses have a footprint of 751-1000sf | [28+%] |
| ❑ 96 houses have a footprint of 1001-1250sf | [33%] |
| ❑ 27 houses have a footprint of 1251-1500sf | [9%] |
| ❑ 11 houses have a footprint of 1501-1750sf | [4%] |
| ❑ 4 houses have a footprint of 1751-2000sf | [1+%] |
| ❑ 1 house has a footprint of 2001-2250sf | [.3%] |
| ❑ 3 houses have a footprint >2251sf | [.9%] |

The footprints of 285 of the 293 homes in the report are less than or equal to 1750square feet. These represent more than 97% of all houses.

Of the remaining eight homes, three substantially exceed the 2600 recommended cap of a total square footage and one is a multi-family dwelling.

RECOMMENDATION

Seventy-nine percent of homes in the Village are multi-stories, primarily two stories. Ninety percent of the old housing stock in the Village are multi-stories. However, some families and elderly residents prefer to maintain their living space on a single floor. After analyzing first-floor only square footage, we recommend that the *footprint* of a home, regardless of the number of floors, be capped at 1750 square feet in R15, R1A/Pine Street, R1A, and R2A/Gateway. *The footprint includes attached garages and excludes unenclosed covered porches.*

The rest of R2A is exempt from a cap.

The proposed housing footprint limit of 1750 square feet describes more than 97% of the Village's current housing stock.

G1. Accessory Buildings: Maximum Square Footage of Any One Building

In keeping with the scale of buildings established above, we recommend a maximum total square footage cap of 1300sf for any one accessory building in R15, R1A/Pine Street, R1A, and R2A/Gateway. R2A is exempt.

G2. Accessory Buildings: Maximum Footprint of Any One Building

We further recommend that the maximum footprint of any one accessory building be kept to a maximum of 750 square feet in these zoning districts. *The footprint excludes unenclosed covered porches.*

R2A [excepting Pine Street] is exempt.

G3. Accessory Buildings: Total Square Footage Combined [Total Bulk]

Finally, we recommend that the total square footage of ALL ACCESSORY BUILDINGS COMBINED do not exceed 2600 square feet.

R2A [“all others”] is exempt.

H. Garage Siting

As described elsewhere in this report, one of the most defining characteristics of traditional villages in general and of Tivoli in particular is the absence of garages. The pre-eminence of cars in American society after World War II is nowhere more dramatically demonstrated than in the housing trend that conspicuously places the family garage parallel to the façade of a residence. In some cases, the garage *is* the house façade.

Tivoli’s Comprehensive Plan repeatedly stresses the value of ours as a walking village and a place that prefers to keep the car in its place – behind buildings and out of sight as much as possible.

Although the committee recognizes the difficulty of enforcing a law requiring detached and setback garages, we do strongly recommend one that disallows garage doors facing the street as any part of the house façade or in the same plane as the façade or in front of the façade.

III. BULK REGULATIONS: The Grid R3A, GB, and RB

A. Minimum Land Area Per Dwelling → No Change

B1. Minimum Lot Frontage Width at Street

Under current law there is a Village-wide stipulation calling for a 50 foot minimum of lot frontage width at the street and no maximum.

We propose that the minimum lot frontage width at the street be changed for R3A to 100’

We propose that the minimum lot frontage width at the street be changed for GB to 20’.

We propose that the minimum lot frontage width at the street be changed for RB to 200’ in order to allow greater flexibility to developers. Most of the current lot frontages in RB are 100’.

B2. Minimum Width of Lot at Front Building Line

We propose to change the minimum width of lot at front building line for R3A from 350’ to 250’. We acknowledge that residences in R3A need not be held to the same building size restrictions found elsewhere in the Village. We also recognize that an exceptionally large residence in the Village is best sited off the main roads. Therefore, R3A is the one district where the “flag lot” concept is appropriate and minimum lot frontage width [100’] and minimum width of lot at front building line [250’] are not the same.

We also propose to change the minimum width of lot at front building line for GB from 50’ to 20’ to keep it consistent with the minimum lot frontage width. As noted in section B2. for R15, R1A, and R2A, the simplest way to achieve the piano key design in the village is to maintain consistency of lot width from the street frontage back to the front building line.

For RB → NO CHANGE

B3. Maximum Lot Coverage

This proposal replaces Maximum Building Coverage in current Bulk Regulations.

Except for RB[residential] we suggest changes in maximum lot coverage as follows:

- ❑ R3A: from 30% to 20%
- ❑ GB: from 60% to 90%
- ❑ RB [residential] → NO CHANGE
- ❑ RB [business] from 30% to 40%

Maximum lot coverage includes the entire unvegetated, “man-made” area of the lot including, but not limited to, the area covered by all principal and accessory structures; plus driveways, patios, terraces, decks, pools, sports courts, tennis courts, and impervious paved areas. (For limitations on building-only footprints see F2 and G2.)

B4. Façade Siting

Buildings in R3A and RB are exempt from façade siting restrictions.

Buildings in GB should be required to face the street in keeping with typical commercial patterns.

B5. Maximum Building Width

Buildings in R3A, GB, and RB [business] are exempt from maximum building width.

Whereas buildings in RB [residential] should be restricted to a maximum width of 48’ in keeping with housing stipulations elsewhere in the village.

C1. Principal Building: Front Setbacks

We propose that the minimum front setback for principal buildings in R3A be changed from 75’ to 150’, and that there be no established maximum.

GB: To maintain a relatively consistent pattern in the commercial district, we propose that the front setback of any new construction or renovation be as close, but no closer, to the road than either of the existing adjacent structures. We further propose no maximum restrictions.

For RB → NO CHANGE

Note that businesses currently or recently in this district conform to the 50’ front setback [Ralph’s = 52’; Champlin’s Deli = 52’]

C2. Principal Building: Side Setback Minimum [on each side]

C3. Principal Building: Rear Setback Minimum

We propose that side and rear setback minimums for R3A be increased from 35' to 50'.

Regarding GB: Structures in the business district can be sited as close to side and rear property lines as fire codes permit. However, to protect private residential privacy, all structures and buildings constructed on lots which abut residential districts shall conform to the Bulk Regulations of the neighboring residential zone as pertains to whichever business district property lines are at issue. For example, all structures on a GB lot whose rear abuts R15 must conform to the rear setback minimum stipulated for R15.

For RB [residential & business] → NO CHANGE

D1. Accessory Buildings: Front Setback Minimum

D2. Accessory Buildings: Side Setback Minimum [on each side]

D3. Accessory Buildings: Rear Setback Minimum

Note that in the current Bulk Regulations there are no special stipulations for Accessory Building Setbacks. The committee decided to treat these buildings separately – even though our recommendations at present do not differ from Principal Building Setbacks – because we anticipate changes elsewhere in the Village Code to accommodate a growing need and desire for outbuildings.

Our proposals are as follows:

- R3A
 - Front setback: 150' minimum
 - Side setback [on each side]: 50' minimum
 - Rear setback: 50' minimum
- GB: Accessory structures in the business district can be sited as close to side and rear property lines as fire codes permit. However, in order to protect residential privacy, all structures and buildings constructed on lots which abut residential districts shall conform to the Bulk Regulations of the neighboring residential zone as pertains to whichever business district property lines are at issue.
- RB [residential & business]
 - Front setback: 50' minimum
 - Side setback [on each side]: 30' minimum
 - Rear setback: 35' minimum

E1. Principal Building: Height

R3A, GB, RB → NO CHANGE

E2. Accessory Building: Height

We recommend that accessory buildings in R3A, GB, and RB [business] be capped at 35’

For RB [residential] we recommend that accessory building heights be capped at 30’ in keeping with residential norms elsewhere in the village.

F1. Principal Building: Maximum Square Footage

We propose no limits on square footage for principal buildings in R3A because properties are typically expansive enough to accommodate residences larger than the village norm, or in GB because properties are typically small and self-limiting.

In RB [residential] we propose a cap of 2600sf on principal buildings, in keeping with the village residential norm documented elsewhere in this report.

In RB [business] we propose a cap of 7,500sf to reasonably accommodate commercial development on Route 9G. Note that Ralph’s Automotive Services, the main business currently in this zone, is approximately 3200sf. To strike a reasonable balance between encouraging small-scale enterprise, suitable to a village such as ours, and allowing flexibility in our commercial development, we further propose that, for “permitted uses” in RB, additional square footage may be allowed with a special permit that requires citizen input and review.

NOTE: In cases where a property owner applies for a mixed use permit: (a) the residential component of the plan is restricted to RB[res] limits, and (b) the total square footage and footprint of all structures on the property [business plus residential] are subject to the RB[biz] limits stated here.

F2. Principal Building: Maximum Footprint/Coverage

Whereas in B3 we are concerned with total lot coverage including all structures and unvegetative areas, here we address only coverage of the principal residence or commercial building.

We propose no limits on footprint for principal buildings in R3A because properties are typically expansive enough to accommodate residences larger than the village norm.

In GB we propose a cap of 60% of lot size for all buildings [principal and accessory] combined.

In RB [residential] we propose a cap of 1750sf on principal buildings, in keeping with the village residential norm documented elsewhere in this report. *The footprint includes attached garages and excludes unenclosed covered porches.*

In RB [business] we propose a cap of 5000sf to reasonably accommodate commercial development on Route 9G.

G1. Accessory Building: Maximum Square Footage of Any One Building

For R3A and GB we propose no limitations on the maximum square footage of any one accessory building for the same reasons as stated above in F1.

For RB [residential] we propose a maximum square footage on any one accessory building of 1300sf in keeping with village residential norms documented elsewhere.

For RB [business] we propose a maximum square footage on any one accessory building of 5000sf, an allowance that we believe is generous while in keeping with the scale of the principal structure. As with F1, we propose that, for “permitted uses” in RB, additional square footage may be allowed for accessory structures with a special permit that requires citizen input and review.

G2. Accessory Building: Maximum Footprint/Coverage of Any One Outbuilding

For R3A we propose no limitations.

For GB we note that accessory buildings are included in the calculation of “60% of lot size for all structures combined” as stipulated in F2.

For RB [residential] we propose a maximum footprint for any one accessory building of 750sf in keeping with village residential norms documented elsewhere. *The footprint excludes unenclosed covered porches.*

For RB [business] we propose a maximum footprint of any one outbuilding of 2600sf.

G3. Accessory Building Bulk

This provision recommends limits on the total square footage of all outbuildings combined. Note that “outbuilding” includes, but is not limited to: shed, garage, barn, studio; see §231-4 for definition of “building, accessory.”

R3A and GB are exempt.

We suggest that the total square footage of all outbuildings combined in RB [residential] do not exceed 2600sf.

We suggest that the total square footage of all outbuildings combined in RB [business] do not exceed 5,000sf.

H. Garage Siting

We suggest no legal provisions for garage siting in R3A, GB, and RB, but strongly urge builders to refrain from siting garages for either residential or commercial purposes in ways that dominate the property and primary building façades.

IV. RECOMMENDATIONS FOR FURTHER ACTION

1. We recommend a review and revision of PERMITTED USES in all Zones. Special attention should be given to the following:
 - RB: permitted uses in RB should reflect the aim of the Comprehensive Plan to put businesses in RB that are inappropriate to GB. Permitted uses in RB should also respect and reflect Tivoli's character, and we suggest for example: startup technology and design firms; light industry; craft industries; plant nurseries; wood shops, and other low-impact enterprises
 - GB: appropriate businesses include retail, entertainment, and professional services
 - R1A: multi-family dwellings should be disallowed in R1A under 'special permitted uses', as incompatible with neighborhood design and historical patterns.

We emphasize that this review should be undertaken as soon and as thoroughly as possible. It is the conclusion of this committee that the architectural character of the Village is intimately connected to permitted usage, as well as to Bulk Regulations and specific architectural design.

2. We urge a review of the ZONING CODE and consideration of the following CHANGES:
 - We recommend that Pine Street [residential, north side] be *rezoned* to R15, since the scale and character of the neighborhood is more in keeping with R15 than R1A
 - To preserve the integrity of the residential neighborhood that already exists on Pine Street, the ARC recommends that the south side of the street be *rezoned* from business to residential [R15], with generous accommodations made for commercial use variances
 - In view of its unique status in the village as the primary welcoming entrance, we suggest that the Broadway Gateway be:
 - Either be *rezoned* as R1A, and/or
 - Be handled with special *overlay zoning* provisions

3. ACCESSORY APARTMENTS. To support flexible family arrangements, to allow aging residents maximum use of their property, and to protect the economic investments of Tivoli families, we strongly recommend new legislation that allows for accessory apartments and residential outbuildings in residential zones.

4. CLUSTER DEVELOPMENT. In order to protect open space, sustain village density patterns, and promote the most efficient development of residential building lots, we recommend that the village adopt new laws for Cluster Development.

5. MULTI-FAMILY DWELLINGS IN GB: The Comprehensive Plan supports “zoning in the General Business District that accepts the co-existence of businesses and residences.” To maintain the mixed-use function of the GB, we recommend that current law be amended so that

- ❑ multi-family dwellings are a conforming use in the General Business District
- ❑ existing single-family dwellings, including the ground floor, may be converted to multi-family housing.

6. ARCHITECTURAL REVIEW COMMISSION. As specified in the Village Code, we recommend that a permanent committee be established to review the architectural impact of all substantial new constructions and renovations, both commercial and residential. The Commission should have powers of building permit approval and disapproval as described in Village Code §5-13, §5-14, §5-15.

V. ARCHITECTURAL GUIDELINES: preview

As described in the Introduction to this report, the Architectural Review Committee split into two groups. The mandate of the Guidelines Working Group is to prepare a booklet that describes and illustrates architectural elements that are characteristic of the Village with suggestions and guidance for builders and property owners.

These guidelines do not mandate a particular architectural style, but rather, are intended to help preserve Tivoli's architectural character which is the result of identifiable design patterns and the generally harmonious relationship between diverse styles. Diversity of architectural styles, in fact, adds vitality to the Village and is one of its most charming aspects. [See Appendix 2. Butscher.]

The ARCHITECTURAL GUIDELINES catalogue and illustrate such elements as:

- Façade symmetry and detailing
- Roof pitch
- Articulation of stories
- Gables
- Window placement and proportion
- Porches
- Siding, roofing, and casement materials
- Garages and garage doors
- Fences
- Architectural details such as columns, pediments, and moldings
- Landscaping

Although these elements are often treated as merely aesthetic matters, there are also great economic benefits to property owners when new construction and renovation of older buildings respect the community's traditional and distinctive patterns.

With this in mind, the GUIDELINES also give special attention to the design needs and features of the General Business District.

VI. APPENDICES

Appendix 1. Comprehensive Plan: Architectural Vision

VISION: Preservation of our Traditional Village Architecture

Our vision is to preserve the unique physical character of Tivoli and the intimate social life of the village as it is reflected in and reinforced by the structures in which we live, work, and play. We aim to protect and maintain the traditional scale and architectural look of the village as new residential and commercial structures are built and old ones rehabilitated and remodeled.

DESIGN PATTERNS & PRINCIPLES

While Tivoli has a great variety of buildings, it enjoys an overall architectural coherence and harmony, and a visual appeal and charm. What sets apart structures that are pleasing to the eye and inviting versus those that appear stark and charmless are often just a few simple elements or the particular placement of a building in relation to its neighbors.

The village's consistent and pleasing look is the result of (1) the repetition of certain *design patterns* and (2) the *harmonious relation* between most buildings and their surroundings. We propose to establish these patterns and principles as village standards with variations respectful of neighborhood differences:

(1) Design Patterns Characteristic of Tivoli

- Front porches: make a home more inviting and gracious
- Gables facing the streets: give Tivoli much of its characteristic charm while providing an opportunity for decorative detail
- Detached and setback garages: emphasize the centrality of people rather than cars in our village
- Architectural detail such as columns, scrolled porch brackets, crown & dentil woodwork, pediments, fan shapes, moldings, cornices, brackets, and panels: keep a building in harmony with most of the older buildings in the village
- Historically compatible building colors
- Façades with symmetrical elements, for example windows on two floors centered above and below, and symmetrical placement of windows in relation to the roof line
- Vertical windows that are taller than wide with a ratio of at least 3:2 and windows of the same size on any given floor
- Steeply pitched roofs, that is, between 6" to 12" of rise for every foot of run
- Characteristic siding materials such as wood clapboard, wood vertical board and batten, and brick

(2) Principles that Promote a Harmonious Relation between a Building & its Surroundings

- Density consistent with a village pattern, that is, very dense at the core and less dense at the fringes where housing gradually gives way to open rural land.
- Placement of a new structure on property consistent with older residences, to create an inviting walking street, encourage neighborly interaction, and provide the homeowner with a large private backyard; specifically:
 - Houses placed near the front of the lot with residential *front setbacks* consistent with neighboring structures
 - Maximum *limits on lot frontages* that favor residential lots that are long and narrow consistent with the neighborhood, thereby retaining village density without sacrificing private yards
 - Appropriate *side setbacks* of a structure on a lot to enhance village density principles
- Structures principally built to heights of two stories, with a maximum of three
- Building heights consistent with neighboring structures
- Maximum size of a structure -- including height, footprint, and bulk -- in keeping with the scale of the neighboring structures.
- Streets as narrow as possible to calm traffic -- NOTE: in neighborhoods where streets are already wider than the norm, trees should be planted along the side of the road
- Front yard gardens in place of vast expanses of unused lawn
- Sustained tree lines along streets: create a natural vault that makes pedestrians feel safe and comfortable, provide shade, enhance the *economic value* of any neighborhood, disguise architectural disappointments, and are essential to our vision of a "walking village"

MEANS OF IMPLEMENTATION

The variety of buildings in Tivoli shows that there is already great diversity in specific details and how they are applied. Plus there are many examples of simple additions or modifications that demonstrate how a property can be transformed at little or no expense. To articulate and enforce a village architectural and design standard we, thus, propose to:

- Develop design guidelines for the siting and construction of new buildings and the alteration and expansion of existing ones based on the above principles and patterns; all guidelines should be illustrated with drawings and photographs of good and bad examples
- Develop a code that discourages national chains and franchises and pre-empts "chain store" architecture
- Apply design guidelines to both residential and commercial buildings
- Following the principle that new development should be in harmony with surrounding structures, include in the guidelines variations (regarding, for example, building mass

- Central Business District
- 9G Corridor
- North Road
- Montgomery Street, including Pine, Feroe, Spring, and Washburn Streets
- Riverfront
- Woods Road
- Tivoli Acres, including single family dwellings and condominiums
- Clay Hill District
- River Estates (including Kaatsbaan)
- Gateway Overlay District (see VISION: Route 9G)
- Provide property owners with an architectural guideline tip sheet
- Amend the Zoning Code as necessary under the guidance of planning consultants and a licensed architect
- Review and amend Zoning as regards parking, lighting, signage, and landscaping for both commercial and residential projects
- Revise site plan standards for commercial and residential developments, with special attention to the gateways and 9G, and with appreciation of neighborhood differences
- Recommend that the Planning Board applies these guidelines and standards to the review of all residential and commercial building projects
- Engage an architectural advisor to the Building Inspector and the Planning Board to review all projects
- Encourage the preservation of existing buildings that have their historical detail intact and the rehabilitation of older buildings that have degraded over the years
- Establish a public policy that recognizes and supports historic preservation of existing buildings in the service of land conservation and economic development
- Enthusiastically support the Tree Committee and the Streetscape Committee's tree planting program
- Where appropriate, encourage houses which have detached garages that are set back from the house; and, to enable this, support flexibility regarding side setback variances
- Develop tax and other incentives, and explore public grant funds to assist in maintaining and restoring the architectural integrity of specific buildings (see addenda for sources)
- Create incentives for planting trees in front yards and along public streets
- In keeping with the ideals of village density, establish narrow lot frontages and maximum setbacks that conform to old neighborhood "build to" lines
- Encourage back alley service and utility access where possible
- Inventory structures that have historical, architectural, social, and/or cultural significance for the village and that would benefit from historic preservation and rehabilitation
- Support special projects that enhance the village's architectural heritage, for example:
 - Restoration of the Tivoli Union Free School
 - Burying of phone and utility lines in the General Business District
 - Beautification of the new firehouse

- Restoration of flagstone sidewalks on Woods Road consistent with ADA requirements
- In an effort to forestall the building of inappropriately large houses out of scale with neighboring properties, consideration of a Zoning Code cap on maximum square footage and maximum footprints for residential structures with variations in keeping with different zone lot sizes (that is, R15, R2A, R3A, and so forth)

Appendix 2. A SURVEY OF TIVOLI'S ARCHITECTURE

By Robert Butscher, architect

November 12, 1996

Tivoli is a remarkable community. People are drawn to live in and visit the village for a number of reasons, most of which can be attributed to its ambiance or character. The people, the natural surroundings, the low crime rate, the modest amount of traffic and the quality of its buildings all work together to make up what we know as Tivoli. The loss of any one of these qualities would change the village irrevocably.

Tivoli has been relatively untouched by modern development. As a result, there is a great deal of coherence to the architecture of the village. There is hardly a single building that seems out of place here. There is nothing mysterious about the reasons for this. They are all quite simple. The purpose of this brief study is to identify these reasons and to propose that they serve as guidelines for any future construction or alterations that take place here.

A short walk around the village will reveal that there are a small number of patterns that repeat themselves from building to building. The repetition of these patterns is what gives the village its quality and consistency. Not all buildings contain all of these patterns. There are successful exceptions to every pattern, but every building that feels like a genuine part of Tivoli contains at least several of these patterns. The buildings that feel wrong or out of place are those that lack these patterns. The patterns I will describe are found in the older portions of the village. The buildings in the development off Woods Road have their own set of patterns with their own consistency that do not apply to the rest of the village. The patterns that are most obvious are as follows:

1. Gables Facing the Street:

This is perhaps the single most important pattern in the entire village. Most buildings face the street with the triangular end of a gable. The simplest buildings, such as the row houses on the south side of Broadway simply have their roof ridge perpendicular to the street. Larger more complicated buildings have either an 'el' arrangement where one wing of the 'el' faces the street or they have their main roof ridge run parallel to the street and at least one gable dormer facing the street. There is a welcoming quality to a building that faces the street in this way. A relationship is established between the body of the building and the front door. The gable itself is an opportunity for decorative detail. Windows or doors centered on these gables reinforce the overall shape of the building. It is important that the slope of the gable fall somewhere between 6" of rise for every foot of run and 12" for every foot. Shallower pitched roofs seem out of place. When an exception is made to this pattern and a building in the residential sections of the village does not have a gable facing the street there is almost always a front porch running the width of the building. When an exception occurs in the commercial district there is always a strong cornice to emphasize the top of the building.

2. Number of Stories:

Most buildings in Tivoli have two stories. This consistency of height lends much to the overall consistency of the village, particularly when buildings are in close relationship to each other. This two story arrangement reinforces the basic separation between the functions of a house, with the more public kitchen, living and dining rooms below and private bedrooms above. In commercial buildings this two story arrangement reinforces the separation between retail or office space below and apartments above.

3. Porches:

It is surprising how many buildings make use of this pattern. A front porch serves many uses. It provides shelter from the weather as you enter and leave a building. It provides a place to sit and view the world and a transition zone between inside and outside. It brings the height of a two story building down at the entry to a more approachable one story and presents a welcoming aspect and a sense of generosity to the front of a house.

4. Garages Set Back:

There are very few garages outside the Woods Road development in Tivoli. The reason for this is, of course, that there were few cars available when these buildings were first built. On the other hand, there are quite a number of barns and small outbuildings in the village, all set well back from the road. The car has done much to change the landscape of America. Our extensive highway system and the strip mail development that accompanies it are examples of this. In a small village like Tivoli it is the way the garages are pushed close to the street and aligned with the front of buildings that makes cars a bigger presence than people. It is unreasonable to ask people to not build garages with their homes. When they do so they should be built as detached buildings set toward the back or side of the property. When an exception is made to this and the garage is attached to the house it should be set back at least eight feet from the face of the building and the garage door turned ninety degrees to the street if possible. Under no conditions should a garage door be aligned with the front of a house and contained under an extension of the main roof.

5. Window Proportion, Size and Alignment:

This pattern is perhaps the simplest and subtlest of all. The vast majority of windows in Tivoli are double hung types which are taller than they are wide. Their proportions of height to width are at least three to two. So many modern buildings including the typical builder's ranch house have windows that are too squat. This is completely at odds with the windows found in Tivoli and should be avoided. A second important component of the window pattern has to do with window size. The windows on any given floor are nearly always the same size. This is particularly true of windows facing the street. A third component of the window pattern has to do with alignment. When windows occur in a two story building they are almost always the same width and are aligned above and below one another. When aligned in this way, the height of the second floor windows is equal to the height of one sash of the window below. This pattern of vertically aligned, vertically proportioned windows is responsible for much of the serenity and the consistency of the façades in the village.

6. Symmetry:

The façades of the buildings in Tivoli are seldom absolutely symmetrical but are often symmetrical in their pieces or are arranged in two, three or five vertical rows laid out symmetrically across the building. When there are three rows of windows the door is typically substituted for one of the lower windows at the far left or right of the building. In five row buildings (there are few four row types) the door is substituted for the center lower window. In an 'el' shaped building the gable façade that faces the street is typically composed symmetrically. Decorative windows or fan patterns in the gables reinforce this symmetry. Were all the buildings absolutely symmetrical, the result would be too rigid while less symmetry would yield façades without any sense of order. This relaxed symmetry lends much to the charm of the village.

7. Trim and Details:

The degree of architectural detail varies greatly from building to building. Architectural moldings and brackets were common manufactured items in the late nineteenth and early twentieth century. Almost every building dating from that time shows examples of this woodwork. Examples include columns and scrolled porch brackets, crown and dentil moldings at roof eaves, small cornices and pediments above windows and doors, fan shapes and circular windows centered on gables and brackets and scrolled barge rafters at the gable overhangs. North Road and much of Broadway abound in such detail. Extensive architectural woodworking can be costly but every building should have at least some trim around its windows and doors, even flat 1x4's. Without this the building seems blank and characterless. A few simple flourishes of detail on porch columns or brackets, a small cornice above the door or a crown molding at the roof eaves go a long way toward enhancing the character of a building. Commercial buildings, because of their public aspect, have a greater responsibility to observe this pattern.

8. Siding Materials and Color:

There is a variety of siding materials in Tivoli, some are desirable, some are not. Wood clapboard, wood vertical board and batten and brick fit best with the character of the village. Vinyl siding, though not ideal, is acceptable when there still remain trim boards around the windows and doors. Vinyl is objectionable only when all other trim has been left out and the siding material goes right up the window. Asphalt siding and asbestos siding, which have ruined many old buildings are luckily seldom used today. Tivoli makes use of a broad palette of colors and nothing suggests that this should be limited. A simple rule should be observed, however, that all buildings have a contrasting trim and siding color. Buildings that are simple monochrome blocks are completely lacking in character. An exception should be made to this rule only in the case of buildings with rich decorative detail.

Exceptions:

The village abounds in exceptions and it is the exception, as they say, that proves the rule. The richness of Tivoli's architecture is due as much to the carefully done exception as it is to the places where there is complete consistency. Take for example the dynamism of the south side of Broadway just west of the cross roads. Here there is a complete exception to the pattern that says that all buildings be two stories tall. There are one, two and three story buildings successfully side by side. They are knit together by the repetition of other patterns – the proportions of their windows and the details of their cornices. It is this cohesion that allows them to make exception to the pattern about height. As mentioned before, not all buildings exhibit every pattern. Where an exception is made there should be an abundance of other patterns present that connect the building to its surroundings.

Summary:

The following is a summary of the patterns found in Tivoli that work together to give its architecture such quality and consistency. You will see that they are few in number. There are others that would be revealed by closer inspection, but these seem at first glance to be the most important ones:

1. Gable Facing the Street
2. Number of Stories
3. Porches
4. Garages Set Back
5. Window Proportion, Size and Alignment
6. Symmetry
7. Trim and Details
8. Siding Materials and Color

Recommendations:

It is my recommendation that architectural guidelines be established for the construction of new buildings and the alternation and expansion of existing ones based on what has been revealed about the recurring architectural patterns found in the village. This preliminary survey should be expanded on with drawings and photographic evidence and rewritten in the form of a loose code that the Planning Board use to review all building projects in Tivoli. The additional bureaucracy of a separate architectural review board seems too cumbersome. Possibly an architectural advisor to the Building Inspector and the Planning Board be established to review all construction projects. The following criteria should be used to judge all projects: simply, that every building be designed to reinforce the existing architectural character of the Village and that they do so by making used of at least four or five of these patterns. Additionally, there should be provisions in the code specifically written to ensure the preservation of existing buildings that still have their historic detail intact and to encourage the rehabilitation of older buildings that have degraded over the years.

There is the perception that architectural guidelines limit a person's choices, that they impose a taste or style on the property owner and contribute to the cost of a building. Most people coming to Tivoli move or visit here to be part of its ambiance. One of the clearest ways to do this is to construct, alter or add to their building in a way that successfully contributes to the character of the village. Most people want to do this. They don't simply because they don't know how or believe that it would be too difficult or expensive. Even developers wishing to build in Tivoli should recognize that the product they are selling is a piece of that ambiance and that it makes sound development sense to building buildings that contribute to this. If people are drawn to Tivoli in a general way they will be even more attracted if the homes that are offered are designed to be a part of the community.

It does not take much to produce buildings that have this quality. It can be done without a great deal of expense, often without any at all. It simply takes opening ones eyes and looking around. As can be seen by the great variety of buildings in the village, these patterns leave a great deal of freedom of choice. I will close with the following example as a case in point of how a simple alteration to a stock modular home helped to blend it into its surroundings.

Example:

The building on Broadway immediately west of the old church now known as DePeyster Commons (Bruno's Deli) was a typical two story row house that was struck by a car several years ago. The house was torn down and replaced with a modular home. Two simple things were done to modify the standard way these common and inexpensive buildings are usually arranged. The building was turned on the site so that the gable end faced the street and a simple front porch was added to it. The lot is a narrow one so the decision to turn the building at ninety degrees to its usual orientation may have been made out of necessity. The front porch was added, I'm certain, because of the memory the owners had of their old house and its porch. Regardless of their reasons these two changes substantially alter the perception of the house. Even though only these two patterns are present the building goes a long way toward fitting in with its surroundings. This example should be proof enough that following these patterns need not be a complicated or expensive affair and that a wide variety of options will remain open to the owner of any property.

Appendix 3. Data: Housing Setbacks & Building Widths

Village of Tivoli

ARCHITECTURAL REVIEW COMMITTEE:

Bulk Regulations Raw Data

21 June 2005

The following data were gathered by Nita Micossi & Tom Cordier June 13 & 14 2005. Calculations were subsequently made by Micossi.

NOTES:

- (1) Where the side of the street has sidewalks, the setback measurement includes 5' of public sidewalk [except where noted; eg North Road]; where the side of the street has no sidewalks, measurement is taken from the edge of the road
- (2) Setback measurements were taken with a laser device; house width measurements were estimated by pacing out the frontage from the street or sidewalk
- (3) Setbacks greater than 100' are estimates
- (4) The inclusion of all planes of a staggered façade depends on visual impact from road; eg #99 North Road includes both planes; #21 only includes front plane. Inclusion of more than one plane is noted.

File/micossi: "village measurements ~ jun05" [13pp]

ARCHITECTURAL REVIEW COMMITTEE

June 2005

Address	Setback From road*	House width	Setback to porch	Notes
=====				
WASHBURN STREET				
[south side/sidewalk]				
#1	28'	18'	--	
#3	28'	18'	--	
#5	28'	18'	--	
#7	28'	48'	21'	double wide house
#9	28'	24'	21'	
#11	28'	18'	--	

NEIGHBORHOOD: WASHBURN

N = 6

	<u>Setbacks</u>	<u>House widths</u>
MEDIAN =	28'	18'
MEAN =	28'	24'
MODE =	28'	18'

*where the street has sidewalks, the setback measurement includes 5' of public sidewalk [except where noted; eg North Road]; where the street has no sidewalks, measurement is taken from the edge of the road

ARCHITECTURAL REVIEW COMMITTEE

June 2005

Address	Setback From road*	House width	Setback to porch	Notes
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SPRING STREET

[north/sidewalk]

#4	18'	21'	12'	
#6	18'	21'	--	
#8	18'	36'	--	
#10	18'	36'	??	
#12	37'	66'		suburban with front garage
#14	28'	45'	--	staggered façade
#16	20'	75'		suburban with front garage

[south/no sidewalk]

#17	24'	20'	--	has front door/mudroom cube projected in front of façade
#13	26'	24'	--	
#11	27'	20'	--	
#7	30'	22'	22'	
#5	30'	22'	22'	
#3	30'	22'	22'	

NEIGHBORHOOD: SPRING STREET

N = 13

	<u>Setbacks</u>	<u>House widths</u>
MEDIAN =	26'	22'
MEAN =	25'	33' adjusted average = 26' [w/o #12, #16]
MODE =	18'	22'

ARCHITECTURAL REVIEW COMMITTEE

June 2005

Address	Setback From road*	House width	Setback to porch	Notes
=====				
MONTGOMERY				
[east side/sidewalk]				
#11/15?	20'	40'	13'	duplex/double wide
#17	20'	20'	13'	
#19	20'	20'	13'	
#21	28'	24'	--	
#23	25'	24'?	18'	
#25	25'	45'?	18'	
#27	26'	27'	--	
➔ Spring Street intersection				
#31	26'	39'	--	
#33	40'	42'	30'	
#35	20'	51'	--	
➔ LOT				
#39	200'**	40'	--	Pease property
#45	18'	27'	15'	
#47	100'**	30'	92'	
#49	90'**	36'	82'	
#51	48'	39'	--	
#53	47'	42'	39'	
#59	47'	42'	40'	
#63	32'	20'	--	trailer
#65/67?	300'**	30'	--	
#69	70'	37'	--	
#71	27'	42'	22'	raised ranch
#73	24'	20'	--	
#75	65'	24'		
➔ 3-4 LOTS				
#85	32'	27'	26'	Hogan
#87	42'	42'	--	
#91	30'	24'	--	
#93	42'	36'	--	
#95	29'	78'	--	
#101	400'**	24'	--	Edi's Hairdressing
**estimate				

ARCHITECTURAL REVIEW COMMITTEE

June 2005

Address	Setback From road*	House width	Setback to porch	Notes
MONTGOMERY				
[west side/no sidewalk]				
#12	24'	29'	16'	rowhouses
#14	24'	29'	--	"
#16	24'	29'	--	"
#18	24'	29'	--	"
#20	24'	29'	--	"
➔ Feroe Street intersection				
#22	24'	29'	--	"
#24	24'	29'	--	"
#26	24'	24'	--	"
#28	24'	21'	--	
#30	24'	32'	--	
#32	30'	45'	25'	
➔ LOT				
#36	25'	40'	--	
➔ LOT?				
#40	200'**	39'	--	
#42	40'	42'	32'	Bree Gallagher
➔ LOT				
#46	28'	27' [to end of porch]	20'	Gallagher property
#50	53'	30'	--	one-story house
#52	25'	42'	--	no siding on house
#56?	45'	48'	35'	
➔ LOT				
#60	350'**	52'	--	raised ranch
➔ LOT				
#64	70'	32'	64'	garage near front
➔ LOT				
#68	35'	39'	--	
➔ LOT				
#72	31'	42'	--	
#74	25'	42'	--	

#78	37'	39'	32'
#80	32'	24'	--
#82	300'**	30'	--
#84	23'	42'	18'
#86	39'	24'	--
#90	40'	45'	35'
➔ 2-3 Lots			
#98	300'**	24'	--
➔ LOT			
#102	30'	52'	24'

NEIGHBORHOOD: MONTGOMERY

N = 60

	<u>Setbacks</u>	<u>House widths</u>
MEDIAN =	30'	32'
MEAN =	64'	34'
	34' [adjusted mean w/o #39, 40,60,65,82,98,101]	33' [adjusted w/o #95]
MODE =	24'	10@42';9@24'

NEIGHBORHOOD: UPPER MONTGOMERY #11-36 [north of Pease property]

N = 22

MEDIAN =	24'	29'
MEAN =	24'	31'
MODE =	24'	29'

ARCHITECTURAL REVIEW COMMITTEE

June 2005

Address	Setback From road***	House width	Setback to porch	Notes
NORTH ROAD				
[east side/sidewalk]				
#11	30'	50'	26'	
#13	40'	40'	35'	Carmody
#17				church/Morin [not included in calculations]
#19	110'	80'	90'	includes 2-car garage [Brad]
#21	75'	24'	69'	Cordier
#23	40'	28'	--	Heilbling
#25	40'	30'	--	
#27	40'	32'	32'	Joyce
➔ frontage of Akst LOT				
#45	100'	82'	94'	includes converted garage & modular home [Marcotte]
➔ North Road & Charlotte Lane intersection				
➔ 2 buildable LOTS [Cleaveland/Weiss]				
➔ Potts' Farm ➔ many LOTS				
#79	70'	43'	--	Potts
➔ LOTS				
#91	39'	32'	31'	row house/Waterhouse
#99	46'	48'	--	double staggered façade/Eng
#101	31'	32'	22'	row house
#105	60'	44'	--	
➔ LOT				
#115	45'	48'	40'	double staggered façade/ Tieger/NOTE: half of property is outside village

***house setback is measured from the edge of the paved road; on North Road the road is 9-10' from the front property line, almost twice what it is on Montgomery Street

ARCHITECTURAL REVIEW COMMITTEE

June 2005

Address	Setback From road	House width	Setback to porch	Notes
NORTH ROAD				
[west side/no sidewalk]				
#12	60'	40'	--	corner lot
#14	40'	30'	30'	McCarthy
#16	50' [to bay]	42'	[6' deep porch]	On these 4 houses the porch front is aligned with a bay window or the wall from which the bay projects and forms an extension of the façade [rather than jutting out from the façade as is the case in other houses]. Thus, if the porch were removed it would not change the setback distance.
#18	50' [to bay]	42'	[6' porch]	
#20	50' [to bay]	42'	[10' porch]	
#22	50' [to bay]	48'	[10' porch]	
#24	50'	40'	40'	
➔ LOT				
#58	36'	30'	--	Armstrong
#64	100'	30'	92'	Franck
#68	54'	48'	--	LaBarbera
#76	140'	36'	--	double (?) staggered façade
➔ LOT				
#84	106'	36'	95'	"German" house
#94	55'	42'	45'	Blum/barn in rear
➔ 2-3 LOTS				owned by Blum
#106	27'	30'	21'	
#110	60'	36'	--	attached & setback garage
➔ LOT/Village begins				
#114	36'	42'	28'	

NEIGHBORHOOD: NORTH ROAD

N = 30

	<u>Setbacks</u>	<u>House widths</u>
MEDIAN	50'	40'
MEAN	57'	adjusted = 52 [w/o #19,76] 36' adj = 33' [w/o #19,45, both have garages]
MODE	40' [=5] & 50 [=5]	30' [=5] & 42' [=5]

ARCHITECTURAL REVIEW COMMITTEE

June 2005

Address	Setback From road*	House width	Setback to porch	Notes
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PINE STREET: RESIDENTIAL ZONE [north side of the street]

#7	30'	38'
#9	20'	22'
#11	20'	22'
#13	20'	22'
#15	20'	22'

NEIGHBORHOOD: Pine Street¹

N = 5

	<u>Setbacks</u>	<u>House widths</u>
MEDIAN =	20'	22'
MEAN =	20'	22'
MODE =	20'	22'

NOTE: Except for one contemporary ranch house all of the houses on Pine Street are consistently the same width and setback. #7 was not, therefore, included in the normative calculations.

NOTE: Since the character and norms are similar to Feroe, we recommend that Pine Street be subject to the same Bulk Regulations.

Data c/o of Tom Cordier 22jun05.

ARCHITECTURAL REVIEW COMMITTEE

June 2005

Address	Setback From road*	House width	Setback to porch	Notes
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BROADWAY: RESIDENTIAL GATEWAY

[south side/no sidewalk]

R2A:

➔ Broadway & 9G intersection

➔ many LOTS

#10 800' 42' post 1950s design

➔ many LOTS

#18 60' 30' 52'

#20 350' 40' --

R15:

➔ Broadway & Clay Hill intersection

#28 42' 30' Frontier

➔ LOT

#32 26' 42' --

➔ LOT

➔ Bridge

➔ LOT

#38 50' 36' 40'

#40 40 40' 34'

#42 200-250' 40' 192' barely visible from street

#44 12' 28' -- Champlain

#46 35' 30' 27'

ARCHITECTURAL REVIEW COMMITTEE

June 2005

Address	Setback From road*	House width	Setback to porch	Notes
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BROADWAY: RESIDENTIAL GATEWAY

[north side/sidewalk begins after #19]

R2A:

#1?	36'	40'	--	
#3	200'	32'	140'	behind Monument Hill
➔ "Pump House"/village land				

R15:

#19	42'	15+6+15=36'		triple staggered façade
#21	30'	30'	--	row house design
#25	300'	32'	--	Harrar
➔ private road to Patsy's acreage				
➔ LOTS				
#29	39'	32'	--	row house
#31?	200'	36'	--	Mandeville/with barn
➔ Bridge				
#35	38'	40'	--	
#37	15'	32'	--	
#39	23'	32'	18'	
#41	22'	34'	14'	
#43	22'	32'	14'	Tedesco
#45	22'	42'	14'	
#47	20'	42'	--	Butscher

NEIGHBORHOOD: BROADWAY: RESIDENTIAL GATEWAY

N = 24

	<u>Setbacks</u>	<u>House widths</u>
MEDIAN =	38/39'	35'
MEAN =	110'	35'
MODE =	22'##	32'

##given the one-tailed distribution this is a meaningless figure:

distribution:

- 12'
- 15'

- 20'
- 22' x3
- 23'
- 26'
- 30'
- 35'
- 36'
- 38'
- 39'
- 40'
- 42' x2
- 50'
- 60'

- 200' x2
- 225'
- 300'
- 350'
- 800'

NOTES ON SETBACK: (1) 75% of the homes are within 12'-60'. The mean of the houses in this group = 43'. The median of this group = 30-35'..... (2) 67% of the homes are within 20'-60'. The mean of the homes in this group = 34'. The median of this group = 35/36'.

RECOMMENDATION: To maintain the village "feel" at the gateway while allowing more diversity than is found in other neighborhoods, I recommend a wide setback range of 20'-60'. This embraces 2/3 of current homes and excludes those that are exceptionally close to and distant from the road.

ARCHITECTURAL REVIEW COMMITTEE

June 2005

Address	Setback From road*	House width	Setback to porch	Notes
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FEROE STREET

[west side]

#3	23'	20'	17'	
#5	23'	20'	16.5'	
#7	23'	20'	17'	
#9	23'	20'	17'	
#11	23'	20'	17'	
#13	23'	20'	17'	
➔ LOT				
#17	23'	24'	--	
#19	40'	48'	--	ranch style w/garage

[east side]

#4	23'	20'	17'	
#6	23'	20'	17'	
➔ LOT				
#10	23'	20'	15'	

NEIGHBORHOOD: FEROE¹

N = 11

	<u>Setbacks</u>	<u>House widths</u>
MEDIAN =	23'	20'
MEAN =	23'	20'
MODE =	23'	20'

NOTE: Except for one contemporary ranch house all of the houses on Feroe are consistently the same width and setback [with the exception of #17 which is slightly wider]. ¹This ranch house was not therefore included in the normative calculations.

Appendix 4. Data: Housing Square Footage & Footprints
[source: Dutchess County Real Property Tax Service Agency]

➔ MUST BE PHYSICALLY INSERTED [12pp]

Appendix 5. Schedule of Bulk Regulations [current law]

➔ MUST BE PHYSICALLY INSERTED [1 pp]

END