

Village of Tivoli
Zoning Board of Appeals
Draft Minutes
July 6, 2020

Present

Karen Cleaveland - Acting Chair

Ethan Palmer

Mark Bennett

Bob Zises

Also Present

Lisa Sanditz

The meeting was opened at 7:05 at the Historic Watts de Peyster Village Hall.

Karen Cleaveland opened the meeting and stated that it was a meeting for a public hearing for variances requested at 101 North Rd. She stated that there was a notice published in the paper on 6/25 and that 8 out of the 11 receipts from the certified mailings to neighboring properties had been returned. She also stated that the project was declared a Type II action under SEQR because they are area variances for a residential property. Ethan Palmer read the public notice.

Mark Bennett made a motion to open the public hearing. Ethan Palmer seconded. All in favor. The public hearing was opened.

101 North Road - Area Variances for Front Set Back and for Maximum Building Width

Lisa Sanditz was present to represent the project. Elevations, a floor plan and a site plan of the addition, a letter from the applicants and measurements from other properties on North Road (19, 45, 68, 120, 121, and Charlotte Lane) were presented.

Lisa Sanditz introduced the project. She stated the original portion of the house was a hundred years old and an addition was added in the 50's. She and her husband would like to add another addition to the house. They would like to remove a secondary front porch, expand the space and replace it with a mudroom with a shed roof set back from the front building line. To the south of the mudroom, they would like to build a one story addition, in line with the front building line of the original house, with a gable roof parallel to the road. As it is an older house, it was built in what is now the front set back; the existing front set back is the requested 28'9". Their family enjoys music and the new space would be used as space to pursue that activity with space for their piano. The exterior details will be consistent with the existing house: windows tied into the existing windows and clapboard siding.

Bob Zises asked if the second porch will be enclosed. Lisa Sanditz answered, it is being removed and is being built out, expanded, and the roof raised.

Karen Cleaveland asked if the mudroom is recessed by a couple of feet from the front building line. Yes, it is.

No members of the public were present and none submitted comments in writing.

Mark Bennett made a motion to close the public hearing. Ethan Palmer seconded. All in favor. The public hearing was closed.

Karen Cleaveland stated that she would like to consider the two variances separately. The board must weigh the benefit to the applicant versus the detriment to the community, and the board must grant the minimum variance necessary.

The board discussed the front setback variance first. Karen Cleaveland stated that the house already exists in the current front setback and the front porch projects even farther into the front set back. The house is existing non-conforming. The design proposed matches the style of the existing house to maintain the historic character.

Mark Bennett stated that the front set back variance was the lesser of the variances to be considered. There are no alternatives because there is the screened in porch on the back and if the addition was farther back, it would obstruct the windows on the south side of the house. The proposal is the least intrusive to the existing house if the goal is to retain those windows.

Ethan Palmer and Mark Bennett agreed that it is not substantial as the house was built before the current setback. The house currently exists in the front setback.

The board worked to draft the "Resolution Granting Front Setback Variance."

Bob Zises made a motion to accept the resolution. Mark Bennett seconded. All in favor. The resolution was accepted and the front setback variance was granted.

Next the variance for the maximum building width was discussed. The properties presented by the applicant for comparison were discussed. The board discussed whether they were comparable because many of them included garages.

Karen Cleaveland stated that with current zoning, if the garage is attached it counts towards the building width. Ethan Palmer asked how to address the technicality of whether the width included a garage. Karen Cleaveland stated that it is more a matter of how the width affects the character of the neighborhood.

Lisa Sanditz stated that she and her husband were asking for less of a variance than existed at the other properties.

The board discussed the alternatives again. The floorplan flows with the existing house. The screened in porch on the rear and the windows on the south side of the house are preserved with the requested variances.

The design was discussed again. The original house is sided in aluminum clapboard. The addition will also have clapboard siding, likely wood. There are several window designs on the

front of the house: 6 over 6 and 2 over 2. The windows of the addition will match. The paint will be white like the house. The style and character of the house will be maintained.

The board discussed whether the change is substantial. Bob Zises stated that he thought that a twenty percent change was substantial. The board discussed that it is mathematically substantial but that the overall effect was not substantial.

The board drafted the “Resolution Granting a Variance for Maximum Building Width.”

Ethan Palmer made a motion to accept the resolution. Bob Zises seconded. All in favor. The resolution was accepted and the variance for the maximum building width was granted.

Minutes

The board reviewed the minutes from the June 1, 202 meeting which was held online.

Mark Bennett made a motion to approve the minutes as amended. Ethan Palmer seconded. All in favor. The minutes were approved.

Mark Bennett made a motion to close the meeting. Ethan Palmer seconded. All in favor. The meeting was closed at 7:53.

Respectfully submitted,

Laura Gail Tyler
Deputy Village Clerk