

**Village of Tivoli  
Zoning Board of Appeals Meeting Minutes  
June 25, 2012**

**CALL TO ORDER / DETERMINATION OF QUORUM**

The meeting, held at the Historic Watts dePeyster Hall, was opened at 7:02 pm and a quorum was determined to be present for the conduct of business.

ZBA Attendees:

Chair Laura Gail Tyler  
Karen Cleaveland  
Bob Zises

Also present:

Trustee Susan Ezrati  
Michele Greig (applicant)  
Mike Billeci (Planning Board Chair)

Public:

Tim Lynch  
Steven Tran

Absent:

Bob Juliano

The first item of business was to approve the draft minutes from the April 23, 2012 meeting. The date of the meeting on the minutes was corrected to April 23 instead of April 24. Bob Zises moved to approve the minutes as amended, Karen Cleaveland seconded, all in favor. Motion carried.

**OLD BUSINESS**

**5111-5115 Route 9G – Application for Interpretation:** Chair Tyler stated that the next item on the agenda was the continuation of a public hearing from the April 23 meeting for applicant Jack Grumet. It was for an interpretation of the RB zoning district and whether self-storage would be allowed as part of light industry. Chair Tyler announced that the public hearing will not be opened tonight since there is now a six-month moratorium on all applications and permits in the RB district except for one and two family dwellings. There is no moratorium on interpretations and it does not apply to the process that was started. However, the applicant has decided to wait, since the zoning that the Board will be interpreting may not exist in six months.

Trustee Ezrati then spoke about the moratorium on non-residential construction in the RB district that the Village Board had voted on. There had been a public hearing and some people had come forward to speak on this. There has been a Zoning Review Committee in place for about three months and they are addressing the zoning in the RB district. This is a continuation of a process that has been ongoing since 2005 when Tivoli passed a comprehensive plan which was a vision of what Tivoli should look like. It also has very explicit ideas of what the 9G corridor should be. The village has also been urged by the Town of Red Hook to update that zoning because they have updated the zoning on the other side of the road. The village has a draft law which includes some changes in principle uses. Light industry in that draft law is no longer a principle use or a special permitted use. There is a schedule which lists the principled uses and special permitted uses which are uses which will be permitted if the Planning Board determines that the property is suitable for that particular use. They would look at such things as traffic issues, location, access in and out and ample parking before they would permit that use. There are also accessory uses, for example someone adding a hair salon or craft studio to their residence, which are also permitted under this draft law. Trustee Ezrati explained that there are a number of things that need to be done to get this codified into law, including a complete SEQR review, hold a public hearing, ask the Planning Board to discover whether the draft law is consistent with the LWRP. The members of the Zoning Review Committee are Chair Tom Cordier, Martin Clarke, Mark Bennett and Jennifer Harris. Susan Ezrati is the Board liaison to the Zoning Review Committee.

Chair Tyler then announced that we will continue the public hearing on Monday, January 28, 2013 at 7:00 pm. She is holding the public hearing open so that should Jack Grumet's application be relevant and he wants to proceed, he will not need to re-notice for the public hearing.

## **NEW BUSINESS**

**45 Montgomery Street – Area Variance:** Applicant Michele Greig would like to add on one bedroom to her house. She is seeking an area variance for a front yard set-back that is two feet less than the required 20 feet. Addition would be set back 2 feet from the front façade of the house. The house is 16 feet from the road and the addition would be 18 feet from the road. The setback starts from the road pavement. The applicant stated that she lost 2 feet of setback when they paved the road. The roof line of the addition will follow the roof line of the main structure. The application and maps were reviewed by the Board and a discussion followed.

Chair Tyler asked a question about parking. Applicant said there is gravel parking on the side of the house. She has 24 feet between the addition and the property line. She only needs 18 feet for two parking spaces. She would rather have one car park behind the other. There's usually one car parked there now. The applicant completed a short EAF since this is a type II action.

A public hearing is scheduled for July 23, 2012 at 7:00 pm for an area variance. A site visit is scheduled for 6:30 pm on the same date.

**ADJOURNMENT**

Karen Cleaveland moved to adjourn the meeting at 7:36 pm. Bob Zises seconded, all in favor.  
Motion carried.

Respectfully submitted,

Claire Roff, ZBA Secretary