

**Village of Tivoli
Zoning Board of Appeals Meeting Minutes
July 23, 2012**

CALL TO ORDER / DETERMINATION OF QUORUM

The meeting, held at the Historic Watts dePeyster Hall, was opened at 7:01 pm and a quorum was determined to be present for the conduct of business. Chair Tyler welcomed a new member to the ZBA, Tim Lynch.

ZBA Attendees:

Chair Laura Gail Tyler
Karen Cleaveland
Tim Lynch
Bob Zises

Also present:

Michele Greig (applicant)
Mike Billeci (Planning Board Chair)

Public:

Eric Roff

Absent:

Sam Merritt
Bob Juliano

The first item of business was to approve the draft minutes from the June 25, 2012 meeting. In the first paragraph under "New Business" the sentence "She is doing a 2 foot front yard setback" was removed and replaced with "She is seeking an area variance for a front yard setback that is 2 feet less than the required 20 feet." Bob Zises moved to approve the minutes as amended, Karen Cleaveland seconded, all in favor. Motion carried.

OLD BUSINESS

45 Montgomery Street - Area Variance: As discussed last month, this area variance is a Type II action for SEQR. Applicant Michele Greig and Chair Tyler discussed amending the application to be for a 17.5' front set-back after measuring the existing set-back at the site visit. The existing set-back varies with the sidewalk and the extra six inches will ensure that the addition has the proper variance. Ms. Greig would like to put an addition onto her house. It will be on the side of the house which will be in the front set-back which is required in the R15 zoning district. It requires a 20' set-back from the road and her addition will be 17.5' from the road. She needs an area variance for the 2.5'. The public hearing was opened at 7:07 pm.

Eric Roff, 50 Montgomery Street: he commented that there should be more detailed information in the public hearing notice so residents will be more informed. The Board agreed and will try and include more details in future public hearing notices.

Bob Zises moved to close the public hearing at 7:11 pm, Karen Cleaveland seconded. All in favor, motion carried.

The denial letter the applicant received from the building department was read by Chair Tyler. The Board then considered the five items to consider for an area variance and the determinations were:

1. An undesirable change will not be produced in the character of the neighborhood. The addition will be in keeping with the original house and will conform to other houses in the neighborhood.
2. Other ways to add onto this house have been considered, but they would either involve too much structural change to the existing house or would be less aesthetically pleasing. The roof line has been designed to best complement the existing house.
3. The 2.5' set-back is not substantial.
4. The addition will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood. However, the applicant was advised to check into the drainage issues that the addition may cause.
5. The situation was self-created since the applicant wants the addition and the set-back; but the relationship with the house and street is not self-created because the house has been there for 140 years.

Chair Tyler asked for a motion for a decision. Bob Zises made a motion to approve the area variance for the front yard set-back to be reduced to 17.5 feet. Karen Cleaveland seconded the motion. All in favor.

A discussion followed with the applicant and the Board concerning the length of time that variances and building permits are valid. Chair Tyler advised she would look into it. The applicant left the meeting.

The Board then discussed the Zoning Board of Appeals Procedures. Chair Tyler advised that she would have copies of her suggested changes distributed to the Board for their review before the next meeting. The next meeting will wait until there is business to be discussed. The draft minutes of this meeting will be sent to the Board. Chair Tyler would like them reviewed now in preparation for the next meeting.

ADJOURNMENT

Tim Lynch moved to adjourn the meeting at 7:27 pm. Bob Zises seconded, all in favor. Motion carried.

Respectfully submitted,

Claire Roff, ZBA Secretary