

**Village of Tivoli
Zoning Board of Appeals
Draft Minutes
February 1, 2021**

Present

Jonathan Trombly – Chair
Karen Cleaveland
Mark Bennett
Bob Zises
Ethan Palmer

Also Present

Alexandr Neratoff

The meeting was held as a remote meeting due to the pandemic; it opened at 7:05.

Mayor Joel Griffith explained the procedure for an online meeting and public comment and started the live stream for the meeting.

80 Montgomery St. - Area Variance for Side Set Back for a front porch and Area Variance for Minimum Total Side Yards

Jonathan Trombly began the meeting with an update on the application. In the previous meeting, the board had questions about the status of the property, the application and a previous variance. The board questioned whether the application is for a renovation or for a new structure. Jonathan Trombly had stated that the board would consult with the village attorney and would require funds in escrow for consultation. Since the last meeting, the attorney has given an estimate of \$1200 to request for escrow, and a check was received today from the applicant. A memo clarifying the status of the property and former variance will be requested from the attorney.

Alexandr Neratoff commented that it was noted on the demolition permit for the house that only the wooden upper portions of the building would be demolished. It was clear that the foundation was to be left in place. The property was considered vacant for tax purposes only.

Mark Bennett asked for clarification about the issue. Jonathan Trombly said that there is a question about whether it is a new building or a renovation and how that effects the non-conforming parts. Mark said “a lawyer issue”. Yes.

Jonathan Trombly said that in reading over the previous meeting minutes he had a question about whether the applicant planned to demolish and rebuild a portion of the existing foundation.

Alexandr Neratoff answered that the foundation for the original part of the house that was rubble is mostly gone. At the time of the demolition it was tipped into the ground.

Jonathan Trombly clarified that it is no longer a foundation. Alexandr Neratoff said it is pretty much buried and will need to be excavated.

Jonathan Trombly stated that the application was on hold until the next meeting when there should be an answer from the attorney. The public hearing will be left open until the next meeting. He asked if everyone was able to do a site visit and see the stakes placed by the applicant.

Karen Cleaveland said yes and that it was well marked. Mark said yes.

Jonathan Trombly asked if there were any other questions. No.

Mark Bennett made a motion to continue the public hearing at the next meeting on 3/1/21 at 7pm. Ethan seconded. All in favor. The public hearing was continued.

Karen Cleaveland questioned whether Bob Zises could hear. He was connected to the meeting but could not be heard.

Minutes

The board reviewed the minutes from the January 4, 2021.

Karen Cleaveland said there were no problems with the minutes.

Karen Cleaveland made a motion to approve the minutes from December 7, 2020. Mark Bennett seconded. All in favor. The minutes were approved.

Karen Cleaveland asked about whether the demolition permit that the applicant referenced was in the property file and available for review since the applicant referenced it.

Ethan Palmer asked if the next meeting would also be remote. Yes. Otherwise, he said that he would not be available for an in person meeting on March 1.

Mark Bennett made a motion to close the meeting. Karen Cleaveland seconded. All in favor. The meeting was closed at 7:28.

Respectfully submitted,

Laura Gail Tyler
Deputy Village Clerk