

**Village of Tivoli  
Zoning Board of Appeals  
Draft Minutes  
June 7, 2021**

**Present**

Jonathan Trombly – Chair  
Karen Cleaveland  
Mark Bennett  
Bob Zises  
Elizabeth Kiefer - Alternate

**Also Present**

Alexandr Neratoff

**Absent**

Ethan Palmer

The meeting was held as an in-person meeting in the Historic Watts de Peyster Village Hall; it opened at 7:08. The applicant, Alexandr Neratoff, attended the meeting remotely on zoom.

Ellie Kiefer was introduced and welcomed to the board as a new alternate member to the ZBA.

**80 Montgomery St. - Area Variance for Side Set Back**

The ZBA granted a side set back variance of 3'-8" from the minimum required for narrowest side yard set back to 80 Montgomery St on March 1, 2021. The variance reduced the narrowest side yard from 10 feet to 6 feet 4 inches and extended the length of the proposed plans on the submitted drawing A-003.01 last revised 11/25/20. The applicant has returned to amend the variance or seek and additional variance to extend the length of the variance 3'10" to the west along the northern property line.

Jonathan Trombly began by asking the applicant to speak about his application.

Alexandr Neratoff recounted that when he sought the recent variance, it was for the addition of a front porch to the plans, and he thought the 2005 variance would be augmented or amended. During the process of the review, the ZBA was advised that the 2005 variance was not relevant because the dwelling it was associated with no longer existed. The plans he submitted were based on the premise that he would utilize the 2005 variance, and he had focused on the front porch, not other changes. After being granted a new variance and upon returning to the plans, he found a drawing error in the plans. To remedy that error and to improve the plans, an additional 3'10" to the west, along the northern property line requires a variance of 2 feet to the minimum 10 foot side setback.

Karen Cleaveland asked if it is an amendment to the variance or a new variance. Jonathan Trombly answered that the previous variance had been granted, so it should be a separate variance. The BIZEO said the issue needed to return to the ZBA.

Karen Cleveland asked how soon the applicant planned to break ground. He answered before the building season ends.

Jonathan Trombly noted that the next regular ZBA meeting falls on Independence Day Observed. The ZBA can schedule a special meeting or wait until the August meeting.

Jonathan Trombly called for a motion for SEQR.

Karen Cleaveland made a motion to declare the action a Type II action; Mark Bennett seconded it. All in favor. The action was declared to be Type II requiring no further review.

The next meeting date was discussed. The applicant said it was fine to wait until the August meeting. The board discussed a site visit. Previously the front corner had been staked. The applicant was asked to stake the back corner.

Karen Cleaveland made a motion to schedule a public hearing on August 2, 2021 at 7pm; Mark Bennett seconded it. All in favor. A public hearing will be held on the application on August 2, 2021 at 7pm.

A site visit was scheduled for August 2 at 6:30 pm.

### **Minutes**

The minutes were reviewed from March 1, 2021.

Mark Bennett made a motion to approve the minutes; Bob Zises seconded it. All in favor. The minutes from March 1, 2021 were approved.

Karen Cleaveland made a motion to close the public hearing; Bob Zises seconded it. All in favor. The meeting was closed at 7:26.

Respectfully submitted,

Laura Gail Tyler  
Deputy Village Clerk