

Village of Tivoli  
PO Box 397 • 86 Broadway  
Tivoli, New York 12583  
[www.tivoliny.org](http://www.tivoliny.org)

## **Planning Board Agenda**

**July 22, 2024**

**Come to Order:**

**Approval of Minutes:**

July 8, 2024 Planning Board Meeting

**Review of Old Business:**

68 North Rd – New Single Family Home -  
Review of revised site plans

**Review of New Business:**

**Other Business:**

**Adjourn:**

Village of Tivoli  
Planning Board  
Minutes - draft  
July 8, 2024

The meeting was opened at 7:00 p.m. on the 3<sup>rd</sup> floor of the Historic Watts de Peyster Village Hall.

**PRESENT:** Lisa Schwarzbaum, Pamela Morin, J.P. Ward, Wendy Hansen, Miles Sweeny

**ABSENT:** Andrew Tejerina, Donna Matthews

**ALSO PRESENT:** Susan Ezrati, Virginia LaBarbera

**MINUTES:** The Minutes of the May 20, 2024 meeting had 1 correction to "1 abstain, not 1 oppose" on the Resolution regarding 63 Broadway and then were approved by Motion 1 J.P. Ward, 2nd by Pamela Morin; all in favor; none oppose.

**68 NORTH RD – NEW SINGLE FAMILY:**

Virginia LaBarbera explained how she has lived at 68 North Road since age 7. She lost the home to a fire last year and has plans to place a new modular home on site. She is currently in a mobile home on site. They are working with insurance company, an architect (Christie Billeci), Alvarez Modular Homes in Hudson, NY and the Village of Tivoli Pattern Book.

The applicant and the Planning Board discussed the plans, the images, the porch, gables, windows, symmetry, trim, siding, and trees. It was determined that a public hearing was not necessary. They will meet again on July 22, 2024 to further discuss the new home and revised site plan.

The Planning Board complimented Virginia LaBarbera on saving as many trees as she did during and after the fire.

Virginia LaBarbera expressed how grateful she was for all of the community support and assistance she received after the fire.

**OTHER BUSINESS:**

Wendy Hansen spoke of the Red Hook Conservation Advisory Council and a grant they are seeking for a natural resources inventory that would include the Village of Tivoli. The Council's request for a letter of support from the Village of Tivoli's Planning Board in support of the application was informally approved by all present.

**ADJOURN:** Motion made to adjourn the meeting at 7:45 p.m. made by Pamela Moran, 2nd by Miles Sweeny; all in favor; none oppose.

Respectfully submitted,  
Bonnie Day  
Deputy Clerk

## **Resolution Granting Site Plan Approval to LaBarbera Single-Family Dwelling**

**Name of Project:** LaBarbera Single-Family Dwelling

**Name of Applicant:** Virginia LaBarbera

**Whereas,** the Village of Tivoli Planning Board has received an application for Site Plan approval from Virginia LaBarbera to construct a single-family dwelling to replace a dwelling that was destroyed by a fire on a ± 3.89-acre parcel (Tax Parcel ID No. 134803-6175-04-501203) located at 68 North Road in the Residence 1 Acre (R-1A) and Historic Overlay (H-O) Zoning Districts in the Village of Tivoli, Dutchess County, New York; and

**Whereas,** the Planning Board has reviewed a Site Plan, including Floor Plans and Building Elevations, prepared by C.W.B. Architect (Sheet A dated July 18 2024); and

**Whereas,** the Planning Board has reviewed the Site Plan application against the requirements of § 231-22.2 of the Zoning Law and has found that the proposal is consistent with the requirements of the H-O District and the Tivoli Pattern Book; and

**Whereas,** the Planning Board has reviewed the Site Plan application against the requirements of Article IX of the Village of Tivoli Zoning Law and has found that the proposal complies with all applicable sections of the Zoning Law; and

**Whereas,** after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on July 8, 2024, determined that the proposed project is a Type II action that meets the thresholds found in 6 NYCRR 617.5(c)(11) and, therefore, SEQR does not apply; and

**Whereas,** on July 8, 2024, the Planning Board determined that a public hearing on the Site Plan application was not necessary; and

**Whereas,** the Planning Board has deliberated on the application and all the matters before it.

**NOW THEREFORE BE IT RESOLVED,** that the Planning Board has determined that no new residential building lots or dwelling units will be created since the proposed dwelling will replace a dwelling that was destroyed by a fire, and thus deems not applicable to this application the requirement for set-aside of recreation or other open space land or the alternative payment of a cash-in-lieu-of-land recreation fee.

**BE IT FURTHER RESOLVED,** that the Planning Board hereby grants Site Plan approval to Virginia LaBarbera to construct a single-family dwelling in accordance with the plans and specifications heretofore enumerated upon the following conditions:

- A. The Planning Board authorizes the Chairwoman or her authorized designee to sign the Site Plan after compliance with the following conditions:

2. The Site Plan shall be revised to include the Building Size.
3. Submission of Site Plan drawings for stamping and signing in the number and form specified under the Village's Zoning Law, including all required stamps and signatures.
4. Payment to the Village of Tivoli of any outstanding fees due and owing for the review of this application.
5. Payment of any and all outstanding escrow balances for consultant review.

When the above conditions have been satisfied, three (3) sets of the above referenced plans shall be submitted for Planning Board Chairwoman endorsement. One (1) set will be returned to the applicant, one (1) set will be retained by the Planning Board, and one (1) set will be provided to the Building Department. The applicant must return for approval from the Planning Board if any changes from the endorsed plans are subsequently desired.

B. The following conditions shall be fulfilled prior to the issuance of a Certificate of Occupancy (CO):

1. All proposed improvements have been completed in accordance with the approved Site Plan.

**BE IT FURTHER RESOLVED**, that within five (5) business days of the adoption of this resolution, the Chairwoman or other duly authorized member of the Planning Board shall cause a copy of this resolution to be filed with the Village Clerk, and a copy sent to the applicant.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and a vote of  
 \_ for, \_ against, \_ absent, and \_ abstaining, this resolution was \_\_\_\_\_ on  
 \_\_\_\_\_.

Resolution Certified, Filed with the Village Clerk and Mailed to the Applicant

\_\_\_\_\_  
 Bonnie Day, Clerk to the Board

\_\_\_\_\_  
 Date