

**Village of Tivoli**  
**Zoning Board of Appeals**  
**Minutes**  
**June 5, 2023**

**Present**

Jonathan Trombly; Chairperson  
Karen Cleaveland  
Mark Bennett

Ethan Palmer  
Elizabeth Kiefer, alternate

**Absent**

Bob Zises

**Also Present**

Daniel Sachs  
Kevin Lindores

**Call to Order**

The meeting was held in the Historic Watts de Peyster Hall. It was opened at 7:07 PM.

**New Business – 11 Friendship Street Area Variance**

Kevin Lindores was present to represent the application for 11 Friendship. The applicant proposes to build a 410 deck on the rear of the dwelling with a 12' x 12' covered portion. The property is zoned R15,000 and HO. The BIZEO determined (letter dated May 2, 2023) that the proposed deck will require an area variance because the existing dwelling is 2500 sq. ft. and the 410 sq. ft. deck will increase the building size over the maximum allowable building size (2600 sq. ft.) in the HO district. The house is the only one on the street without a rear deck. The roofed portion of the proposed deck is attached to the dwelling with a roof cricket, and the roof will stand on four decorative columns. A building permit has been issued for current interior renovations.

Jonathan Trombly requested that overall exterior dimensions be added to the plans. He also stated that by the Village's definition of "basement" the lowest level will count as a basement and therefore will increase the existing building size.

There was a discussion about whether an open porch should be included in the building size calculation.

There was a discussion about setting a precedent for future determinations on building size and its definition and calculation by granting the variance. The Village attorney has been consulted and the wording of any resolution can be used to attempt to prevent a precedent from being set.

Karen Cleaveland made a motion to declare the action to be Type II under SEQR. Mark Bennett seconded. All in favor. The action has been determined to be Type II.

Dates were discussed for the next meeting which is scheduled for July 3, 2023 due to the July 4<sup>th</sup> holiday.

Karen Cleaveland made a motion to schedule a public hearing for Monday July 3, 2023 at 7pm. Mark Bennett seconded. All in favor. There will be a public hearing at 7 pm on Monday, July 3, 2023.

There will be a site visit that same day at 6:30 pm.

### **Minutes**

The minutes from November 7, 2022 were reviewed.

Mark Bennett made a motion to approve the November 7, 2022 minutes. Karen Cleaveland seconded. All in favor. The minutes were approved.

Mark Bennett made a motion to close the meeting. Karen Cleaveland seconded. All in favor. The meeting was closed at 7:43 PM.

Respectfully submitted,

Laura Gail Tyler  
Deputy Village Clerk