

**Village of Tivoli
Zoning Board of Appeals
Minutes
December 7, 2020**

Present

Jonathan Trombly

Karen Cleaveland

Ethan Palmer

Bob Zises

Absent

Mark Bennett

Also Present

Alexandr Neratoff

Mayor Joel Griffith (to administer the zoom)

The meeting was held remotely on zoom and was streamed live. It opened at 7:06.

Mayor Joel Griffith explained the format of the meeting and began the live streaming.

Jonathan Trombly opened the meeting and said there were two agenda items: approval of the minutes from 10/5/20 and a new application for 80 Montgomery.

80 Montgomery - Area Variance for Side Set Back for a front porch

Jonathan Trombly started by asking the applicant about the current state of the property in question. Alexandr Neratoff answered that the building had been demolished and a foundation remains in the western part of the parcel.

Alexandr Neratoff explained the project. The original house was encroaching on the side yard and it did not have a front porch. The earlier variance was for an addition on the back of the house that needed a side set back variance. Since no change was being made to the front, the variance was not for a front porch. Now the northern 4 feet of the front porch will be in the side set back. The choices are to eliminate the front porch or to seek the variance. Also when he was drawing the plans he realized the side entrance on the southern side of the house will also require a variance as it reduces the total side yards to less than the required minimum.

Jonathan Trombly asked again if the site is empty, and the answer was no, there is a foundation three feet out of the ground.

Bob Zises asked what the front set back is. The answer given was about 30 feet.

Karen Cleaveland asked for clarification about where the porch in question is located on the plans. She also asked how many variances and what variances are being requested.

Alexandr Neratoff went over the proposal. The non-conforming side set back of the original house was 6'4". He indicated the proposed northern side set back for the front porch is 6'4" and the proposed southern side set back is 15'2" for a total of 21'6" of side yard. 30 feet total is required.

Jonathan Trombly estimated that each side yard is two thirds of the required amount.

Jonathan Trombly moved on to discuss scheduling a public hearing. The next regular meeting is January 4th. Alexandr Neratoff asked if the meeting would be in person or remote. Bob Zises asked if it could be held remotely. Mayor Joel Griffith explained that the public hearing could be remote and explained how public comment could be received. Jonathan Trombly asked whether board members would be available on 1/4. Ethan Palmer will not be available.

Karen Cleaveland made a motion to schedule the public hearing at 7:00 on January 4, 2021. Bob Zises seconded. All in favor. The public hearing was scheduled.

Noticing was explained to the applicant.

Karen Cleaveland complimented the design of the house and stated that the board should schedule a site visit. She suggested that the site visit could be made independently by board members. Alexandr Neratoff said that he could make himself available for a site visit. Jonathan Trombly asked him to stake out the footprint of the building so that its location will be obvious to board members. Alexandr Neratoff commented that the foundation will be obvious.

Karen Cleaveland asked if physical plans were available in the office because the scanned versions were hard to understand. Yes.

Jonathan Trombly asked if there were any other questions. The board discussed a timeline for the property to be staked and requested that it be brightly marked.

Minutes

The board started to review the minutes from the October 5, 2020. Only Karen Cleaveland and Bob Zises were able to comment as they had been present, but Bob Zises could not access the minutes in email. It was decided to wait to review the minutes at the January meeting.

Bob Zises made a motion to close the meeting. Ethen Palmer seconded. All in favor. The meeting was closed at 7:42.

Respectfully submitted,

Laura Gail Tyler
Deputy Village Clerk