

**TOWN OF CORINTH
ZONING BOARD OF APPEALS
600 PALMER AVENUE
CORINTH, NEW YORK 12822
518 654-9232 EXT 5
FRED C. MANN JR.
ADMINISTRATOR**

*July 6, 2006
Minutes*

A meeting of the Corinth Zoning Board of Appeals was held on Thursday July 6, 2006 at the Corinth Town Hall 600 Palmer Avenue, Corinth, New York and was called to order at 7:00 P.M. by Chairman Clarke.

Present : Sigrid Koch X Chris Ross X Glen Tearno X Bill Clarke X Philip Giordano X Jeffrey Fedor X Attorney Pozefsky X Fred Mann Jr. X Linda Hamm Secretary X

Public: Arleen Springer, Mary Baugh, Barbara Weatherwax, Russell Springer

Approval of June 1, 2006 minutes:

Motion was made by Sigrid Koch and they were seconded by Philip Giordano. A roll call vote was taken.

Christopher Ross X Glen Tearno X Chris Ross X Bill Clarke X Philip Giordano X

AYES 5 NAYS 0

Chairman Clarke addresses Mrs. Springer in regard to the minutes we were wondering, we have a third paragraph here on the fourth page of the minutes where some of your comments are in the minutes, in regard to a swimming pool. Sigrid Koch reads from the minutes that it says Mrs. Springer was never notified a swimming pool being put in as close as 8', and no one came to me and said they were placing a trailer in for an elder cottage, etc. Mrs. Koch said I don't think that was your wording. No I said, people have to notify neighbors because of 8', yet somebody can put in a trailer in next to a property

without neighbor notification. That's what I said. Chairman Clarke asks Jeff Fedor if he received a copy of the direst. Yes ! Were the minutes correct as to what you discussed last week? Chairman Clarke, asked the secretary if the minutes were in cronologicly in order? Linda states yes, they are taken right off the tape. Sigrid Koch makes a motion to accept the minutes and it was seconded by Philip Giordano.

A roll call was taken.

Chris Ross X Glen Tearno X Bill Clarke X Philip Giordano X Sigrid Koch X

AYES X NAYS X

New Business : Mr. Mike Arnold of Wilton Mountain Road is looking for an area variance to build a garage. He will have to move the shed that exists at the end of his driveway first.

Chairman Clarke states to Mr. Arnold that the board has his application and we are going to be scheduling you for our meeting for next month. Do you have anything you would like to add as far as this? Mr. Arnold states that it is about the only place I can put the garage, other than in the middle of my back yard, and have the driveway all the way around my house. Chairman Clarke states that one of the questions that Sigrid has is are you going to remove the shed and build a garage in that location? Yes. Chairman Clark states that sometimes in reading the application, we have a hard time understanding exactly, all the information is here but we have a hard time understanding exactly what it is you are doing here. What we are going to have to do here is a public notice and put it in the local paper. You can get with Linda the secretary to notify your neighbors. Secretary, states to Mr. Arnold that she will notify him when she has the letter ready for him to mail to his neighbors. Sigrid Koch asks what the dimensions of the garage are? Mr. Arnold states 44x 30. Your public hearing will be scheduled for August 3, 2006 at 7:00 P.M.

Chairman Clarke asks the secretary where do we stand with the Ted Madison case? Linda states she has not heard from anyone, and doesn't know if Mr. Madison had gone to the Planning Board for his boundary line adjustment as of yet or not. Chairman Clarke asks if there is anything from the board? Mrs. Sigrid Koch stated she just wanted to mention the class that she and other board members attended in Saratoga Springs . This was a work shop put on by BS&K on ethical issues for Zoning and Planning Board members. It covered many of the same things that we heard at last year's workshop, but there were a couple points worth mentioning. Among them, ethical considerations are really a very, very important issue because so much of what we deal with is the public perception of whether things are fair, and objective. The point is that innocent public trust can be challenged if they feel there is any kind of indiscretion. Among other things discussed there was Mr. Robert Bristol from Saratoga Associates, had been on the Planning Board in Saratoga and it was difficult, because he is in architecture, so

many of the contacts that come before them are people he had dealings with, and when do you recuse yourself from situations and when not. One of their members, Mr. Alderdice said that too, that so many of the contractors deal with him for their building materials, so a lot of the discussion was on when is it ethical and when isn't it ethical, is it business association. One of the things that they said they concluded on in their annual swearing in, is a disclosure, that could be very general but then it is on public record so all the officers have the job that you hold the organizations you belong to so that if someone does come in that is on the record. The other thing he suggested was, is that you are informed so that would go back to the applicant, for when they make their application. Do you, or do you have an affiliation with any of the members on this board? That way it would lead you to know if you are going to be able to sit impartially and judge the situation, or yes you do have an association that might affect it. That way you are kind of laying the ground work and protecting yourself from things coming back later. I thought that might be something we could look at for on our forms. The other thing they suggested was alternate members is very important. Particularly they talked about communities where they have a lot of snow birds. It makes it very difficult for the remaining people to have to make decisions. They suggest that having a board of (5) five should have (2) alternates. That allows for vacations, illness, recusions everything and you could still have enough for a vote. One of the questions that we didn't know, it said that the code of ethics was mandated in 1970 for local communities. . Marty? I can tell you my home town does, and Milton does but I don't think it's been around since 1970. I think you only literally, as needed. Mrs. Koch stated they didn't know if they even had one. The other thing they spent a lot of time on was the importance of being open to the public.

He mentions the open meetings law, e-mails, instant messaging. I believe he said that there was one community, I believe was Saratoga that they were actually getting the hardware off peoples computers. I don't know much about computers but I guess they were having meetings through e-mails. There were problems and you should be very careful. They went over what an open meeting is and the laws and the fact that you want as much as possible to be very open. Marty could you clarify that a little more, I'm a little shaky on that. Discussions with applicants outside of the presence of the rest of the board or public. It's a little tricky, your at Stewarts, you get a cup of coffee somebody walks in, has an application pending and wants to bend your ear. It creates issues. Now this is an impropriety. I recommend to all my boards to just not discuss the project in public and with out the other members. It's a natural thing but you just need to be careful. Sigrid Koch, yes the approach would be to talk with the staff instead of the board members. Then say if they talked with Linda they could ask her what the legal specks were and she would be able to give them the correct information.

This was a very good class, even though there was not that many of us. They also mentioned the wording of the decisions, you could have (2) drafts, one in favor and the other opposing. Then you don't have to spend a lot of additional time in delaying the situation. Member Chris Ross states that in regard to the e-mails, they have become a tool for the attorneys now. It's very powerful, you can't stop e-mails from coming but you better be careful what you open. If you open them you'll reply and once you reply

your hooked. If you can go (10) ten years on the Zoning Board with out a law suit against you. Consider yourself lucky. It's says a lot about what is going on here in the community.

Chairman Clarke asks Linda if there is any classes coming up for certification of board members? Linda states that she hadn't received anything in the mail. Chairman Clarke stated he believed that something was coming up around August from the County. Linda states she would check with Mr. Lawrence's office at the county.

Barbara Weatherwax states that today at the Town Board workshop they made a decision and they voted on repealing the elder cottage law from the book. They felt there are (3) three other alternatives that are available to people that want to take on an elder into their house, as long as its not being made into an apartment with a kitchen. The other being that they apply for an application like any body else. Until this if filed with the state, it will not be considered a law and they are thinking of putting a notice in the Pennysaver or some how putting out notification to people because they don't need to go any farther because they all ready had there public hearing all ready. This is what I wanted you to know that this is the discussion coming here that there was a decision made today, its been voted on and its a done deal.

A motion to adjourn the meeting was made by Glen Tearno and it was seconded by Philip Giordano. A roll call vote was taken.

Sigrid Koch X Christopher Ross X Bill Clarke X Glen Tearno X Philip Giordano X

AYES 5 NAYS 0

This meeting closed at 7:27 p.m. Our next meeting will be held on August 3, 2006 at 7:00 p.m.

Chairman William Clarke