

**Town of Corinth
600 Palmer Avenue
Corinth, NY 12822
Zoning Board of Appeals
518 654-7793 ex. 5
Fred C. Mann Jr.
Administrator**

Minutes of May 4, 2006

A meeting of the Corinth Zoning board of Appeals was held on Thursday May 4, 2006 at the Corinth Town Hall 600 Palmer Avenue, Corinth, New York and was called to order at 7:00 P.M. by the Chairman Bill Clarke.

Present: Sigrid Koch X Christopher Ross X Glen Tearno X Bill Clarke X Philip Girodano X Jeff Fedor X Attorney Pozefsky X Fred Mann Jr. X Linda Hamm, Secretary X

Public: Donald Olson, Arleen Springer, Mary Baugh, Ted Madison, Barbara Weatherwax.

Chairman Clark opened the meeting at 7:00 P.M. with a roll call. All are present. As the April minutes were omitted from the Boards folders they will be added to next month's meeting.

Old Business: Mr. Ted Madison is here for a public hearing on the variance he was here for last month to build his garage. Letters were sent to the neighbors along with the ones across the street.

Case 2-2006

Chairman Clarke opens with asking Mr. Madison if he addressed the return receipts to your residence? Mr. Madison stated yes I did, and you only received one signed card from Cathy Tubbs? Mr. Madison stated yes, he doesn't know what happened to the others. We have had tampering with our mail box before. Attorney Pozefsky asks the Chairman if he could interject for one moment on this. If you know that peoples to whom these are sent to sometimes don't pick up their mail, or they are away on vacation, or something happens or someone tampers with mail, I would recommend to the board that if the board were to grant an approval for example tonight that they condition it on him bring in the receipts or letters or if neither of those, they can bring in a signed letter stating they have no objection. Mr. Madison stated that he has been to the post office (4) four times and they said they were sent back to me, but I have not received them. Attorney Pozefsky states the reason for that is you don't want to punish the applicant,

but you do want the return receipts or signed letters.

Chris Ross asked Mr. Madison if he considered going the other way 24 wide and 60 deep? Mr. Madison stated yes that was his first thought but, it would be a lot more expense for me in driveway and its very, very wet in the back. This spot is the driest I have where the pool is. If I go deeper, and you can ask Fred it is way too wet out there and I would have build it up much higher and it would cost me between \$35,000.00 and \$45,000.00. Chairman Clarke asks Mr. Madison if he had considered cutting it down to a three bay garage? The reason I am going four is I have three vehicles and I have no basement so I have no storage, so that's my reasoning there. Mrs. Koch says according to this you have 11 ' to the fence? Mr. Madison stated yes, and I gave myself three feet past the fence because I had to stake it off because it is so wet. I am taking the fence down because part of it has been blown down.

Chairman Clarke asks Mr. Madison who owns the property next to the line where the fence is? Mr. Madison states it's his sister Colleen Perry. Which that note was sent to her husband Joe Perry. Mrs. Koch asked Mr. Madison what the distance would be between the house and the garage. Mr. Madison stated it would be 15'. I want a breezeway would be connecting the garage with a hot tub. The pool would be in the back yard. Mrs. Koch asks then you plan to connect the house and the garage? Yes. Mrs. Koch asks if the property is 200' deep? Yes. Mr. Madison stated that there really is two lots there, one is in my wife's name and the other in mine.

Chris Ross asks if the buildings are all going to be on one lot, or are they going to be on yours and hers? Mr. Madison stated that they will be between us. The garage will be on the lot in my name, the house is on the lot in her name. So there's two different lots? Basically. Mr. Giordano asks where is the line between the lots, with the proposed building and the existing building? Because, wouldn't there be a set back that would have to be honored on that side also? Mr. Madison shows the board on the plot plan where the two separate lots are and where the garage will be build. Mr. Giordano states that then according to this the proposed garage will be inches or a foot from the line? Mr. Madison stated yes.

Attorney Pozefsky addresses the Chairman stating that if there are two different ownerships then he has a couple of choices. If he still wants to do this, then he should probably move the lot line, for example combine the ownership and move the lot line. Chairman Clarke asks one deed? Yes, with either one name or both names on the deed. This is something that the Planning Board should be notified of and make sure they agree that this would be a lot line adjustment. Chairman Clarke stated to Attorney Pozefsky that our decision would be contingent upon joining the deeds of both of these lots? Attorney Pozefsky stated yes to make one big lot. Chairman Clarke stated if we agree? Yes.

Mrs. Koch states she is a very visual person asked Mr. Madison if he could please submit a better site plan as this one is not very accurate as things are portrayed. I would like to see the whole thing. Mr. Madison stated with showing where the pool and everything is going to be? Your saying that the garage is 60' there is 15' between the house and the garage and what ever the length of the house is, its going to look like a motel basically expanding that whole thing. Mr. Madison stated that its going to be a

breezeway expanding into the house. Chairman Clarke asked Fred Mann if he had any comment? Yes, the house is a two story home , and the garage is going to be a one story so it isn't going to look like a motel. They just poured a nice porch there so that way it is going to be connected and you will easily tell the difference. I think Mr. Chairman when I was looking here he is R-3 not RR for zoning so looking at the setbacks it is 40 front 20 side and 15 rear, not the 30, 30, 30 as thought, so he is looking for a distance of 5' not the 10 or 15'. Chairman Clarke asks Mr. Mann if he had a better to visualize this? Mr. Mann states no because, we have no permit yet.

Chairman Clarke asks the public if they have any input on this variance? No one spoke up.

Mr. Tearno makes a motion to approve the application with condition of joining the lots, a review of the Planning Board along with copies of the signed certified letters or returned notification cards or the entire letter back with the notifications still attached.

Seconded by Chris Ross. A roll call vote was taken

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

All are in favor. AYES 5 NAYS 0

New Business:

Case 3-2006

Mr. Donald Olson comes to the board needing an area variance to put an in ground pool in.

Chairman Clarke states to Mr. Olson, you want to put an in ground pool in? Yes, but I can't meet the set backs because of the leach fields. The system goes out too far. Chairman Clarke asks, the leach is a large system? Mr. Olson states there is 300' of leach field. Mrs. Koch asks, so your back yard is 300' deep? Mr. Olson states no, actually the leach field runs 5 of 6 wide some of them are 57' long and one is 24' long. They go out about 90' from the back of the house. Chairman Clarke asks how many acres is your lot? Mr. Olson states its 1.7 acres. Chairman Clarke states to Mr. Olson that he will have to put Mr. Olson in touch with Linda to notify your neighbors, and we will schedule you for a public hearing for next month. I apologize for the process , but your neighbors need to be notified by certified mail. Linda lets Mr. Olson know she is in the office from 8:00 a.m.-4:00 p.m. Monday - Friday. I need to give you a letter in which you will mail to your neighbors, certified receipt. I must have the signed cards returned to me before the hearing which will be June 1, 2006 at 7:00 p.m. Chairman Clarke reiterates the process it to notify your neighbors of the project for the public hearing. Then we can hear any input and possibly consider it and possibly grant you approval next month.

Chairman Clarke asks if anyone has anything else regarding this application? Okay then with no other comments or questions, we will get at this as quickly as we can. Chairman Clarke asks Fred if the edge of the cement going to be for the variance or is it the pool. Mrs. Koch asks is it the cement to the property line or the pool. Fred states he would say just the pool. We just don't want him getting over to his leach field where he might have to tear something up to get into it. If the pool is 10' from the leach field we will be fine there. As long as he only lays 4' of concrete he will still be able to get to the leach field if needed. Attorney Pozefsky states in his town, that is how they consider it. It's from the edge of the pool. Thank You , Mr. Olson we apologize but it's part of the process so we will see you next month.

Linda states to the board that the April minutes will be submitted at next months meeting. Chairman Clarke asks if there is any other matters to be discussed tonight. Does the Board members have anything they would like to discuss?

Mr. Tearno, addresses the chairman and states he would like to make a motion at this time to adjourn the meeting until the next scheduled one on June 1, 2006.

Seconded by: Sigrid Koch. A roll call vote was taken.

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

All are in favor, our next meeting will be on June 1,2006 at 7:00 P.M.

This meeting was closed at 7:40 P.M.

Respectfully,

Chairman