

**Town of Corinth  
Building Department  
Zoning Board of Appeals  
600 Palmer Avenue  
Corinth, NY 12822  
Phone: 518 654-9232 -x 5  
Fax: 518 654-7751**

*A meeting of the Corinth Zoning Board of Appeals was held on Thursday November 1, 2007 at 7:00 P.M. and called to order by Chairman William Clarke.*

**Present:** *X Sigrid Koch, X Jeffrey Fedor, X Bill Clarke, X Glen Tearno, X Philip Giordano, X Fred Mann, X Cheri Sullivan*

**Absent** *Attorney Pozefsky with permission.*

**Public:** *Victoria Darby, Shalon Mattison, Kevin Mitchell and Mitch Saunders*

*Approval of October minutes: A motion was made by Philip Giordano and seconded by Glen Tearno*

*Roll Call Vote: Y Sigrid Koch, Y Jeffrey Fedor, Y Bill Clarke, Y Glen Tearno and Y Philip Giordano.*

*All In Favor:*

**5 AYES**

**0 NAYS**

*Chairman Clarke asks who are public is this evening? Students from Hadley student government class.*

*Chairman Clarke states that he would like to review a class that he and Sigrid attended on Water Quality. The Mayor and Supervisor gave their view of what has been going on and what their vision is for the community. Mr. Jack Kelley was there from the Saratoga Economic and Development and gave the over view of what is going on in particular with the forest. The Strategic Planning committee will share the results with the Town / Village Boards.*

*Chairman Clarke asks Glen Tearno if he has seen the survey? Yes I have. The survey its self is still in the process of being prepared. Chairman Clarke asks Glen when they expect the comprehensive plan will be completed. Glen states that the*

*survey won't be done until the end of November beginning of December so I imagine the survey itself will go out in January some time. Chairman Clarke states the ones being hit the worst with cost of housing are the seniors and younger people. Chairman Clarke states that from a past class he had attended that this is where the affordable housing is needed every where. Chairman Clarke asks Fred Mann if he had completed all of his training? Yes, stated Fred I did most of it in the beginning of the year. I went to New York City and got (12) hours then up to Lake Placid for (24) hours with extra classes in between, I have got probably (40) hours in this year. Sigrid states that the training class she attended on Columbus Day in Saratoga that was put on by New York State was a benefit to all of us. There were people there from Buffalo, Plattsburgh; we are all facing the same problems through out the state to some degree. You learn a lot attending these meetings.*

*Fred states to Chairman Clarke in regard to the question you asked me about Mr. & Mrs. Allen. No I have not heard anything from them. I do believe they are working on the situation with the Mortgage Company but I have not heard from them. If I don't hear from them before the next meeting getting close I will pay them a visit and see what is going on or ask them to attend the next meeting to fill in the board. Sigrid asks Fred about the case where the gentleman went to the Town Board is there a building permit or a certificate of occupancy? No, this is in litigation. There was no permit issued and when I went to give him the "Stop Work Order". I was accused of littering his property. Normally this would have come to the Town Courts but Town Counsel is now taking it to Supreme Court. Sigrid asks if he is going this route, don't you need a certificate of occupancy to get insurance? Yes and there is no way that I am going to sign for that foundation, I didn't see it or the framing. This is going to be a (2) story building that is attached to his house. Sigrid asks what is the time frame here? When I tell them they need a permit and serve a "Stop Work Order" I give them (10) days in which to comply, but the work is to stop immediately. He kept on working and never stopped. Chairman Clarke states that person has to bare the responsibility for the addition being built to building codes. Sigrid asks, is that individual doing all the work himself? Because most contractors know they need the permit and insurance. Fred states yes, himself and a few neighbors I believe.*

*Jeff asks Fred if assuming he gets a permit later on, you have the authority to ask him to dig up the foundation and have him show you how deep the footings are? Fred states he wouldn't probably issue him a permit unless the Town Board told me too do that as long as it has gone to this point. If they did, he would have to go through the complete steps. Certainly! Jeff asks on this note when, is a certificate of occupancy issued as far as completion goes? I see some homes with just some siding not on. Fred states he had given a temporary certificate of occupancy to one on County Route 24 because winter set in. They did get the siding on. Jeff said, so then there is a temporary certificate of occupancy. Fred states yes, but I don't give to many of them out. I have issued one and that's the one on County Route 24. Jeff asks is that for a year or six months? I usually specify the time. Chairman Clarke states if you went by the letter of the law, technically you wouldn't have to have siding on the*

*home for a certificate of occupancy. Fred agrees, but it does have to be covered with something. With the new energy code there are a lot of things you need to do that you didn't use to have to. Like the cellar didn't use to have to be insulated. It does now.*

*Chairman Clarke states as long as things are safe. We rely on Fred's good judgment. Chairman Clarke states that this is one of the classes he attended at the New York Planning Federation and the State is, mandating more in terms of energy conservation. Fred states, they are really hitting mobile homes hard now. You now have to have a frost wall. That's something they never had to do before. This may be a little different for your mobile home parks because they move in and out so often. Now the skirting has to be insulated skirting. I am checking on this other way of digging down 16'' and 3' wide come up to 5' and put 6 mil. Poly down and have the insulated skirting. This is something that came into play in September of this year.*

*Sigrid stated she attended a meeting of the Saratoga County Planning and Zoning Conference. I brought back copies for everyone for the January class. The fee is \$40.00 and the application must be in by January 4th, 2008. Class is on Monday, January 21, 2008. This particular one is on wetlands and the gentleman that held this was Casey Wholsworth, who is a biologist with the Department of Environmental Conservation out of the Warrensburg Office. He covers all of Saratoga County. Mr. Wholsworth went through article 24 of the wetland act, and explained what he uses to determine what are wet lands. Basically the DEC uses the vegetation as their criteria. Then he went into a lot of discussion about permits and what's involved, and how they do try to work with people as much as possible. Because there is more and more building going on in Saratoga County, so there is wet lands being infringed upon. The Department of Environmental Conservation is encouraging people to go to their own Building Department and find out where you are on the wet land map, give them the information and they will filter through and hope to save you a considerable amount of money. They don't want to see people making a lot of investment for subdivision, placements of septic systems etc. Only to find out, they can't use it and they are in the buffer zone. He just encouraged everybody to call and they will come out and do a visual. They don't have very many people but will make every effort. They also encourage people to use consultants because they work very well with the Army Core of Engineers. They are responsible for all the freshwater in the United States. There is a lot of information out there.*

*Drame Rhodes out of Clifton Park took pictures of property located in Charlton for DEC review of the wet lands. They are suppose to be done every (3) years but there are not enough people. A firm like theirs handles 90% more cases than the Planning Board. DEC is really encouraging Planning Boards to keep up on things. They talked about contingent building permits, then they said probably not a good thing because if it necessitates making changes, then they have to go back and do the whole process again in front of the Planning Board. Chairman Clarke asks Fred Mann how do we in the Building Department handle and identify wet lands? Fred states that we use the wet land maps and the GIS program on the computer from Saratoga County. We find that on the computer it does a good job of picking it up.*

*If I feel it is too much I ask them to call the Department of Environmental Conservation and ask them to flag the wet lands for them. You have to have a (100') buffer in order to build and have room for the septic and well. You can put a well near the buffer but not a septic. Sigrid states that DEC said that they issue temporary building permits because sometimes-heavy equipment needs to be in that (100') buffer. When the work is completed the permit ends. He suggest that people either put up perhaps a stone wall or some other vegetation to mark the (100') buffer. Otherwise people have a tendency to start building sheds etc a little too close. Fred states he doesn't believe that happens too much, but it would be a good idea. Jeff Fedor asks Fred if that is something that the town should enforce? Fred states no, the buildings that are perhaps going back there are small sheds that do not require building permits. There fore we wouldn't even know they were there. I think what they are saying is over the years people begin to mow farther and farther back and don't realize they are into the wet lands. That's how it begins.*

*Chairman Clarke states weren't we here in Saratoga County a pilot for delineating wet lands and letters were sent out to the residents? Fred states yes, if you had wet lands and it was unbuildable they gave you a little break on your taxes. Glen asked if they talked at all about the impact on ground water? As we develop land, pave roads and create highways, septic systems we direct water away from wet lands, and the aquifer we send it down storm sewers. Sigrid states he didn't go into detail, I guess there is going to be another class coming up on storm water drainage and everything. It was just an overview of the importance of the wet lands, because most people don't think about how the impact is and where the clean water is coming from and with all the chemicals people use, the pesticides and herbicides getting into the water supply. Glen stated he just wondered if they now realize that protecting the wet lands now is just not enough? You have to protect the water that is getting into the wet lands as well. Chairman Clarke states that some classes he took at the New York Planning Federation Conference was about just this. The professor asked if this had been taken to the Highway Department Superintendent? Keeping gutters cleaned out along the roadways so when the rains run and drain into the storm drains it is not taking filth and papers etc with it. The County came here and gave a class at the end of September and gave a storm water presentation. They are pretty on top of it down there in Ballston Spa. It was nice of them to come up and share their information with us and on the developing. Chairman Clarke states he feels it is a benefit to live in a small city within Saratoga County. Sigrid states she was looking forward to the class on how to modify zoning, but Saratoga lost total power. With luck after lunch, the gentleman had his presentation on his laptop computer. The other class was on property maintenance. This is the one all the building inspectors were complaining a lot about how hard it is, because there are so many regulations. Yet there are so many people that have the trailers, the junky cars and they are having difficulties to stay on top of it, and being able to follow through with these. Some are talking about in their communities they are having junk days. Where they open up the dumps encourages the community to come in with their junk. This is a draw back for some of the people are the cost. Something I was disappointed about was the "Fame or Shame" not what I thought it was going to be about. I thought it was going to be*

*more about facades on buildings and like that. She was very interesting, when she talked about our space that everybody likes and how clean and the accessibility to everything. If you have store windows, you have to have space for looking in the window.*

*Chairman Clarke states if you take Saratoga Springs look at the sidewalks and the store fronts down there. There is plenty of room for people walking down the street and for those that are window-shopping. There are little sidewalk cafes, chain stores and restaurants, and signs to be placed outside. This is with good comprehensive planning. Abstractly much more pleasing.*

*Sigrid states at last years meeting Mr. Ed Mcman pointed out that there are (3) types of business people, they make plans for the town, plans for a business or a combined set of plans. This is by having a plan, one set of standards. Chairman Clarke states by enacting local laws. Chairman Clarke asked Glen how far have you gone as far as looking at old master plan? Have you started or using that as a base plan? Glenn states, we have had access throughout with the current comprehensive plan. Right now we are focusing on developing a new questionnaire to be sent out in the mail. Will we rely on the old plan, yes to an extent? For example, the Adirondack Park Land, our ability to use that land is dictated by the state, to a certain degree. The wet lands, again there is not much use, so those types of things are not going to change. So a lot of what we look at in the valley way, will be based on the results of the survey along with some sort of community day type meeting. The exact format of that has not been decided, for (2) reasons. One- we need the results of the survey question them self and (2) we want to see what the demographics are before planning the community day. If say the age bracket is 30-40 that responds to the survey, you have to find a way to pull in the other two segments in for input. Chairman Clarke states the old master plan is about 10-15 years old, it's time to revise. Sigrid states that another technique is using and building web sites. Particurly because the younger people are computer savvy, you would get more of their involvement. You put the information on the web site, your minute's etc, and have 1 or 2 contact people available for the public to talk to about their ideas or concerns. Not everyone is comfortable speaking in front of a large group of people. Chairman Clarke asks if anyone knows what day January 30th falls on. Saratoga County is having the next class with New York State and a lot of the same issues and problems I am sure will be discussed at that time. Chairman Clarke also states that Charlton has many similar problems as Corinth does. Perhaps an inclusive zone would be a good mechanism for bringing in affordable housing to the community. Glen Tearno asks to the Hadley Luzerne students and wonders if they chose to come here to this meeting? Do you get credit for it? Student stated they could go here or to Wilton to attend a meeting. You are doing this for your government class? Yes, stated one of the students. Glen asks if they have any questions on what usually goes on at a regular zoning board meeting? Student states she would like to know what kinds of normal issues are dealt with do you dictate what size are the streets, and the distance needed between boundary lines and if there is enough. If not they come to you? Glen states what people come to us for are land use issues. Let's say someone wants to put an addition on his or her house or*

*build a garage. We have land use laws that dictate how far from their boundary they can put that, or what size structure they can put. They will go to Fred and Linda in the Building Department and ask for a permit and they will check it out and decide if they are too close to the boundary line, then they will come to us and explain why they might need to change that to get a variance. Sometimes it is very simple and sometimes they're not so straightforward. Chairman Clarke states what Glen explained to you was an Area Variance, the other more difficult variance we sometimes do is a Use Variance, where say someone wants to build a gas station in a residential area. Think about that, what if someone wanted to put a gas station next to your house. All the traffic, the smells of gasoline. It's a highly probable thing to do but it's something that zoning law says you have to have that out on Route 9N or on Main Street. You can't have it there. So the company comes to us and says we found a great place for it, on Mechanic Street. We would like to put a gas station there. That would be more difficult to say okay your 15' from the boundary? Fortunately we have not had to deal with something like that but may have to at some point. Glen states that another thing we do is if they don't like the decision that Fred made in the Building Department, we will also take a look at that, and make a decision.*

*Sigrid states that she was talking to two of the boys that came to the Town Board meeting two weeks ago, there was a discussion about a gentleman that wants to build a commercial shop in the hamlet. The hamlet doesn't allow for that so, he was referred to the Planning Board then was sent to the Zoning Board for an interpretation and our interpretation was that the way the land use law was written it did not fit into those definitions. So he had the option of going for a use variance or having the law changed. So that is the route that has been taken to expand the definition that is in there to allow this particular kind of business in the hamlet. One of the things we have to be very careful of is to not have spot zoning. So if you wanted to do something on your property, and then they said no, you couldn't do it. Well we'll just go to litigation. It's important to go through the process, which this gentleman is probably very tired of at this point. Basically our role in this is the Judicial Role. We agreed with this gentleman, his project was a good project but we have to go by what is in the law. The Planning Board is the Executive Branch and the Town Board is the Legislative Branch.*

*Chairman Clarke states that last year when we were looking for Zoning Board and Planning Board members, I asked a question at a Planning Board Conference of how do other people get people to come and do this job? One of the responses from the Department of State was, do they teach civics in your school? If so, they may be good future candidates for they Zoning Board, Planning Board or an Elected Official. Jeff Fedor asks the Chairman do we have an alternate yet? Chairman Clarke says that Louise Reed; Dick Lucia and himself will be setting up interviews soon. Sigrid states she spoke with Supervisor Lucia about possibly getting an over head projector. I find with attending these meetings it is difficult with several papers being shuffled around it is hard to hear no one really knows what is going on. Would it be possible to get the projector so we could just put the papers down and project them on the wall or something? This is so that when people give up their time to come to a meeting to get*

*involved they can't hear what is being said with all the noise. Here you can have one explanation given and everyone can hear and see it. Supervisor Lucia said he does have money that will be going into next years budget and hopefully if we write a letter of request this could happen. This is something that all the boards could use.*

*Jeff states with the cost these days, they might want to look into a projector that hooks into a computer. I wouldn't really cost that much more than a projector and you would be putting yourself into the 20th century. Sigrid says that Councilman Charlie Brown said you could use power point. Yes but we are talking about people coming in with their projects and presentations, not ours. Phil Giordano said you could also scan it and Jeff states also take a digital picture and that will project with the computer.*

*Motion to adjourn the meeting was made by Glen Tearno and seconded by Philip Giordano.*

*Roll Call Vote: Y Sigrid Koch Y Jeffrey Fedor Y Bill Clarke Y Glen Tearno Y Philip Giordano*

**5AYES**

**0 NAYS**

*Next meeting will be on December 6, 2007 at 7:00 P.M. here at the Town Hall.*

*Respectfully,*

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*William Clarke,  
Chairman*