

**TOWN OF CORINTH  
ZONING BOARD OF APPEALS  
600 PALMER AVENUE  
CORINTH, NEW YORK 12822  
FRED C. MANN JR.  
ADMINISTRATOR**

**William Clarke  
Chairman**

**Sigrid Koch  
Vice Chairman**

**Jeffrey Fedor**

**Glen Tearno**

**Philip Giordano**

**May 7, 2009**

**A meeting of the Town of Corinth Zoning Board of Appeals was held on Thursday May 7, 2009 at 7:00 P.M. and was called to order by Chairman Clarke.**

**Present: Y Sigrid Koch Y William Clarke Y Glen Tearno Y Attorney Pozefsky Y Fred C. Mann Jr. Y Linda Hamm, Secretary**

**Absent with excuse is Jeff Fedor and Tim Sullivan**

**Glen Tearno made a motion to accept the April minutes as amended and Sigrid Koch seconded it.**

**Roll Call Vote: Y William Clarke Y Sigrid Koch Y Glen Tearno**

**3AYES            0NAYS**

**New Business: Mr. David Barrass comes representing the DeMarsh's for an area variance on property located on Antone Mountain Road.**

**Chairman asks Mr. Barrass you looking to make a 4-acre and an 8.5-acre lot? Yes stated Mr. Barrass. Mrs. DeMarsh's mother all ready has a home there they are looking for subdivision there for a new home there. It is in the park (Adirondack Park), and they have approached the park agency. The park recognizes it as Rural Use on Corinth side which**

requires the 8.5 acres, as does the Town of Corinth. When the agency looked at the property they realized part was in the Town of Hadley. The owner of this property has agreed by deed that this will never be built on giving the DeMarsh's the acreage needed. With this in mind the park agency has indicated they will go ahead and process a permit application for this subdivision. Still here in the Town of Corinth you still have to have 8.5 acres for a lot in this area.

Chairman Clarke asks Attorney Pozefsky what the legal ramifications of and divided by the town does this mitigate our decision? Attorney Pozefsky states it really shouldn't all we have to do is send a notice to the Town of Hadley letting them know what is going on and that we are going to entertain jurisdiction of it. I know the DeMarsh's also have an application pending in front of the Corinth Planning Board for their subdivision and they are doing the same thing. The planning board is notifying the Town of Hadley. Saratoga County is also being notified of the potential subdivision. The fact that the line runs through it, is just a notice requirement. As long as Hadley is not interested in the out come, or in being involved in the determination, which the notice would give them a chance to do. As long as they don't respond that is all legally has to be done.

Chairman Clarke states in essence if we approve this we are creating two substandard lots in the Town of Corinth according to the current land use code. Mr. Barrass states he doesn't necessarily agree with that, because that property is all one deed. The fact that it is located in two towns I wouldn't think that would have any bearing on this. Attorney Pozefsky states to Chairman Clarke that he doesn't think it does. I think the fact that the acreage is there makes it sufficient. Chairman Clarke asks Mr. Barrass, it's essentially land locked? Yes, states Mr. Barrass. Chairman Clarke states then we can certainly entertain this. Mr. Barrass states he just wanted to point out one more thing. I know one is substandard, and the (4) acres is substantially less than (8) acres how ever I would like to point out that this lot would still be larger than any lot around the neighborhood it except for the one that Mr. & Mrs. DeMarsh would own. The (4) acre lot would still be mostly twice the size of the others in the neighborhood. Mr. Clarke states we will certainly take a ride out there and take a look at the property. We will set you up for next month for a public hearing. This will be June 4, 2008. Linda will get things set

up for you and have a legal ad in the paper for you. Linda states to the DeMarsh's that she will write up a letter that you will mail to the (24) people on the list and any letters returned unsigned along with the green cards will have to be returned to me before the meeting. I will give you a call when the letters are complete and ready for you to mail. I have to have the legal ad in the paper (15) days prior to the meeting. Mr. DeMarsh states he needs to set up an appointment with Fred for a perk test then have the blue prints made up along with having the survey done for the Adirondack Park Agency before they will make a determination. Fred Mann states to call the office to set up an appointment to look over the area as to which you want to build and determine the location of the septic for the perk test.

Motion to adjourn the meeting was made by Glen Tearno and seconded by Sigrid Koch.

Roll Call Vote: Y\_Sigrid Koch Y\_William Clarke Y\_Glen Tearno

3 YEAS    0 NAYS

Meeting closed at 7:17 P.M.

June Meeting will be on the 4th.

Respectfully submitted,

Linda Hamm  
Secretary

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Chairman William Clarke