

TOWN OF CORINTH ZONING BOARD OF APPEALS

AUGUST 4, 2011

DRAFT

Present : William Clarke Attorney Pozefsky  
Sigrid Koch Leon Hickok – Zoning Administrator/CEO  
Jeffrey Fedor Linda Hamm- Secretary  
Tim Sullivan Chris Rudolph- alternate

Absent with Excuse: Glen Tearno

Public : David Barrass, Beverly French, Ricky French

APPROVAL OF JULY MINUTES: Motion was made to accept the minutes as written by Chairman Clarke and seconded by Jeffrey Fedor

All are in Favor

Case 1. Mrs. French returns for her public hearing for an area variance for her property.

Chairman Clarke asked Mr. Barrass if there was anything more he would like to add to the French application? I have this letter that Mrs. French received from the bank in regard to the reverse mortgage. It is pretty much self explanatory. Whether we are talking a reverse mortgage or anything, she is never going to be able to get any equity out of her home she can't sell it or get a loan on it because you have to have a deed. Before Land Use went into effect they could have subdivided the property, but didn't, yes this is self created but there is not a negative impact on the neighborhood because the two home have been there for years.

Chairman Clark states at this time I am opening the public hearing to the public for comments and input to this area variance. The time is 7:07 P.M. that we opened. Leon do you have anything you would like to add ? Mr. Hickok stated he has been thinking about this and knows we don't do things like this but, I am proposing a way that they can almost meet

their setbacks. This is to change the location of entry of to the back door of the mobile home. What the law says is that they have to meet the setbacks and frontage by the door they use as their access. Also if they move their driveway to the side and come around her garage, take the access doors from their garage and move them to the other end the garage will 14.1 inches from the property line. Chris Rudolph asks what do you see for the septic? Mr. Hickok stated he has the proposed septic but, they both use the same well. Mr. French would have to put in his own well. If something happened to his mother he would have his own septic and well. Mr. Rudolph stated if they are going to be separate lots they need to stand on their own. Mr. Hickok stated he agreed , also that there would only be one substandard lot and that would be his mothers. Leon also stated that he agrees with Mr. Barrass as this is the only way they will be able to get a deed. Mr. Fedor stated to Mr. Hickok if we were to agree to this you are saying that Mr. French would be using his back door as main entrance, the garage doors would be moved to the other end of the garage and he would need his own well, correct? Yes stated Mr. Hickok. Mr. French stated he wouldn't need a well until and if he decided to sell the property. No, stated alternate board member Chris Rudolph. If your property is going to be a standalone lot it needs the water and well before being subdivided.

Attorney Pozefsky stated to Chairman Clarke that this would be a requirement from the Planning Board as well, so if you were to impose these conditions I am sure the Planning Board would jump right on it. After lengthy discussion Chairman closed the public hearing and discussed among the Zoning Board of Appeals members.

Jeffrey Fedor made a motion to deny the application before us tonight. Stating code 89-48 (C), A-1 and A-2. Sigrid Koch seconded.

Mr. Barrass stated that to the board may I ask before your vote what exactly is the burden to detriment to the health, safety and welfare of the neighborhood is by creating a substandard lot is? Mr. Fedor stated as I read C-1.A and 2. Mr. Barrass asks what are the other methods you feel that would apply to the applicant? Mr. Fedor states he feels there were a few other methods that were mentioned here tonight. Chairman Clarks asks Attorney Pozefsky for input and Attorney Pozefsky stated that you are looking at your (5) guide lines for area variances and it is applicable. As you vote if you have a reason for their vote they can also put that on the record also.

Roll Call Vote: Y Sigrid Koch Y Jeffrey Fedor Y Chairman Clarke Y Chris Rudolph Y Tim Sullivan

Sigrid Koch stated her reason for her vote is that in Article 4 being 4.4 not creating a substandard lot.

Actual                    4 AYES                    0 NAYS

Alternate Chris Rudolph voted making it 5 AYES but there was a quorum so his vote does not count.

Motion to adjourn was made by Sigrid Koch and Seconded by Jeff Fedor.

All in Favor.

Next meeting will be September 1, 2011 at 7:00 P.M.