

MAY 4, 2006

The Town Board of the Town of Corinth held a workshop meeting on May 4, 2006 at 4:00 pm at the Town Hall.

Present: Richard Lucia, Supervisor  
Charles Brown, Councilman  
John Major, Councilman  
Edward Byrnes, Councilman  
Mitchell Saunders, Councilman  
Rose E. Farr, Town Clerk  
Joan Smead, Deputy Town Clerk  
Fred Mann, Code Enforcement Officer  
Louise Reed, Planning Board Chairman

Public Present: Arleen Springer, Sigrid Koch, Stan Goldberg, Robert Kelley, Eleanor Kelley, Joyce Day, Mary Baugh, Barbara Weatherwax, Charles Weatherwax, Leif Sandwick, Russ Melville, Rose Bovee, Louise Kirkpatrick, Alex Pellizzi, Jack Abbott, Susan Abbott, Carroll and Ginny Ogden, Meredith Smith, James Martin.

After Roll Call the following business was conducted:

**ELDER COTTAGE**

Supervisor Lucia stated that there are several options for Elder Cottages:

1. No Elder Cottage
2. More stringent rules
3. In-law apartments
4. Nothing

Greenfield and Wilton have in-law apartments with similar language. Councilman Major stated that he wrote down some language and that he was leaning toward assisted living, not just for the elderly, but anyone who needs assistance whether it is physical, mental or medical with no age limit. Thinking about cost with 600 or 800 square foot construction and septic and when it is no longer needed it must be removed and is subject to Planning Board review. Move toward add on where an application with building department for permit would be needed. Councilman Major defined assisted living and family members (Mother, Father, Brother, Sister) extend it out to provide basic supervision and support to maintain a quality of life.

Councilman Brown said he thought about doing away with it entirely. He said don't make it too restricted, it will be harder to enforce. He supports going with in-law apartment, less involvement and better-assisted living and only need building permit.

Councilman Saunders stated that he is leaning toward in-law apartment, sub-division okay if there is enough property to divide. Also extended family might include mother-in-law and father-in-law and not put an age on the person who is in need.

Councilman Byrnes again talked about the expense of an elder cottage, putting one in and then taking it out. He is leaning towards the in-law apartment as the best way to go. It was brought to his attention the other day whether we can or cannot dictate what year mobile home can be used if it is an older one, what are we doing to the neighborhood. Elder cottages must be removed within 90 days after the death could pose a problem; it takes some people longer to get over the grief. The in-law apartment would make it possible for the care of the person, if they fell some one would be there to help them.

Meredith Smith said she was not surprised that Town is talking about doing away with elder cottages. Definition: An “accessory apartment “ typically exists where a single-family home is built or modified to include a complete apartment for use by an elderly person (usually a parent or grandparent); or where an elderly person modifies his or her home to include a separate apartment that can be rented as a source of additional income and or for the security and companionship of a housemate. Each unit typically has its own kitchen, bedroom, bathroom, living area, and a separate entrance. As with many senior housing options, there are currently no state-level statutes or regulations in New York, pertaining to accessory apartments.

Definition: It is the general intent of this local law to address an identified need for alternative affordable and practical housing options for elderly residents by more effective utilization of existing swellings causing a minimal impact on the environment, municipal finances and neighborhood structure. It is the specific intent that subject to certain conditions, accessory apartments of limited size may become established within existing single-family dwellings. This is intended to increase moderately priced rental housing, and meet certain life cycle housing needs of elderly persons, as well as single individuals, couples, childless families for whom existing housing stock is not now available. It is also the purpose and intent of this law to preserve and stabilize neighborhood values by allowing only owner occupied dwellings to be eligible for the addition of an accessory apartment.

Councilman Saunders does not want the apartment to become a rental income, to prevent this from happening we don't allow kitchens and only one entrance to house.

Jim Martin—three main components of a kitchen, bedroom and bath and someone can be in that unit and be self-sustained. If you are missing any one of the 3 components then you do not have a complete dwelling unit. When you have all of these components, especially when they are in a sectioned off area of the structure, now you are doing a separate dwelling unit. And that is something you can regulate.

There is a need out there to help the elderly. You have to come to the conclusion do you want to have complete second dwelling there or a single-family neighborhood.

Councilman Brown the reason we opened up this discussion in the beginning is that what we had was too hard to enforce.

Councilman Major asked are we going to limit it to 55 or is it going to be assisted living. We want to help people that may have a family situation, be it physical, medical or mental.

Meredithe Smith—we have gotten to the point where everyone is in agreement that the way to go is with the in-law apartment. Now it is a building permit issue.

Now we are at a crossroads, I think the best thing to do is pass a resolution rescinding the public hearing. (Resolution # 138) I would like everyone to think about this and at the next workshop taking action on whether we are just moving the elder cottage stipulation in there we don't need to do anything else. We could also add some language and definitions for accessory use.

We still have to have a public hearing to get comments, we have to come up with new language and present it to Attorney Hafner so he can put it together for us for a new resolution for a public hearing.

Louise Reed stated she did not like the idea of rescinding the public hearing on the elderly cottage, because she thinks the elderly should be taken care of and she really didn't want them put in an in-law apartment either.

After much discussion the Board decided to rescind resolution #138.

**RESOLUTION # 143**  
**RESCIND RESOLUTION #138 TO REVISE LOCAL LAW ON ELDERLY COTTAGES**

A motion was made by Councilman Brown and seconded by Councilman Saunders the following resolution was

ADOPTED    Ayes 5   Lucia, Brown, Major, Byrnes and Saunders  
                 Nays 0

RESOLVED that resolution # 138 to hold a public hearing to revise Local Law on elderly cottages be rescinded.

Supervisor Lucia stated that we now need to instruct the LA Group and Attorney Hafner on how to proceed either eliminate the elder cottage or do nothing. The overall agreement is to eliminate the elderly cottage and go with the in-law apartment. We still have to take care of the elderly. Meredith will get in touch with Attorney Hafner on Monday.

Supervisor Lucia reported that he had gotten a reply from Greenfield as to what they did with old tires. There is a place in Hagan called DECD where they accept all size car tires. They bring in a dumpster and pick it up when full or Town takes care of it themselves. Superintendent Plummer has been busy with the roadwork, so Mr. Lucia has not had a chance to discuss this with him.

Supervisor Lucia—We should begin penciling down our goals that we want to achieve on the Zoning changes regarding regulating waste disposal facilities. Even if we have it done today it would take at least a month to get it together. They cannot be outright banned, so you have to have a law to regulate it.

After some discussion, Jim Martin said we have three things to do:

1. define it
2. regulate it
3. decide where it goes

This falls into the right to commerce by regulating you can define where or where not.

The definition of a “Waste disposal facility” –Any facility employed beyond the initial waste collection process, including but not limiting to: storage areas or facilities; transfers stations; rail-haul or barge-haul facilities; processing facilities; landfills; disposal facilities; solid waste incinerators; refuse-derived fuel processing facilities; pyrolysis facilities; waste to energy facilities; construction and demolition debris processing facilities; land application facilities; composting facilities; surface impoundments; used oil storage, reprocessing and re-refining facilities; recyclables handling and recovery facilities; waste tire storage facilities; human waste processing facilities; medical waste treatment facilities; solid waste storage, management, disposal, processing or incineration facilities; hazardous waste storage; management, disposal, processing or incineration facilities; radioactive waste storage, management, disposal, processing or incineration facilities; and nuclear waste storage, management, disposal, processing or incineration facilities; and special waste (including but not limited to paper sludge) storage, management, disposal, processing or incineration facilities. The term includes but is not limited to all structures, appurtenances and improvements on the land use in connection with a waste disposal facility.

Addition: composting facility definition to include organic products (leaves, grass, pine needles, plants, garden wastes, branches and brush. And inorganic materials such as food and/or animal products and by-products.

Councilman Major says importation is the problem; anything generated on site is ok. There has to be a way to regulate bringing in outside waste. That’s the bottom line.

Councilman Brown says first of all he doesn’t like the landfill on the river it is a health and safety issue not only for Corinth, but surrounding communities. The whole thing we are dealing with would be solved if we could ban importation of outside waste. We told

these people before they purchased this property that there was a law in effect that prevented anyone from putting anything imported in the landfill.

Are we comfortable with the definition of waste facilities? That is a start. You have 2 ways to go site plan review or special permit. We have to decide who is to be the lead agency. Any law that is drafted will have to be reviewed by the Attorney, then the County and a public hearing.

Code Enforcement Officer Mann responded to the question regarding the mobile home on Miner Road that is not habitable. Mr. Mann said that they were in court on Tuesday night and the Judge has it set up that they have to return next week. The mobile home and camper must be removed. They have a time limit.

Supervisor Lucia will talk to Mary Ellen Hill-Pierce regarding the assessments. Will be put on agenda to be discussed.

Supervisor Lucia talked about the illegal driveway in Locust Ridge Estates---The State is taking care of this issue.

Supervisor Lucia said the Town can erect the Stop sign on corner of Angel and Stark Roads. There will be an ad in Pennysaver stating that the sign will be erected and also that it is a misdemeanor to steal the signs.

Supervisor Lucia told the board to advise the public that letters should be directed to the Town Board and not directly to the Attorney.

Supervisor Lucia said he had reports that Petruzzo has garbage by his building. The Code Enforcement Officer investigated and it was not garbage it was styrofoam. Code Enforcement Officer Mann suggested that maybe he should keep door shut when not using it.

Supervisor Lucia spoke about the variance for Petruzzo. He said it cannot be acted on because it is still incomplete. He said that we have requested copies of his permits from DEC and still have not received them.

Supervisor Lucia said Emergency service vehicles get fuel from the Village, and the Village is replacing the tanks in the next week or two. Therefore these vehicles will be using the Town tanks.

**RESOLUTION #144**  
**AUDIT OF CLAIMS**

On a motion of Councilman Saunders and seconded by Councilman Major, the following resolution was

ADOPTED    Ayes 5            Lucia, Brown, Major, Byrnes and Saunders  
                 Nays 0

Resolved that the bills be paid as audited, with any exceptions in the following:

|       |   |             |
|-------|---|-------------|
| A---  | #20060627, 0633-0642, 0657, 0661-0663, 0666-0667, 0669-0670 | \$29,296.37 |
| B---  | #20060628, 0643-0646, 0658, 0660, 0664, 0668, 0671-0672     | \$ 5,601.51 |
| DA--- | #20260648   | \$ 420.00   |
| DB--- | #20060629, 0649-0655, 0659, 0673                            | \$28,975.95 |
| SL--- | P#20060674-0676   | \$ 1,012.46 |
| TA--- | #20060630, 0632, 0656, 0665                                 | \$18,650.94 |

With no further business, on a motion of Councilman Major and seconded by Councilman Brown, the meeting was adjourned at 5:55 PM. Carried unanimously.

Respectfully Submitted,

Joan Smead  
Deputy Town Clerk

