

SEPTEMBER 15, 2011

The Town Of Corinth Town Board held a joint workshop meeting with the Planning Board, Zoning Board and Revision Committee on September 15, 2011 at 4:30 PM at the Town Hall.

Town Board

Present: Richard Lucia, Supervisor
Charles Brown, Councilman
John Major, Councilman
Edward Byrnes, Councilman
Mitchell Saunders, Councilman
Michael Hill, Town Attorney
Leon Hickok, Code Enforcement Officer
Rose E. Farr, Town Clerk

Excused: Shawn Eggleston, Highway Superintendent

Planning Board

Present: Joan Beckwith, Board Member
Althea Rivette, Board Member
Louise Reed, Board Member
Daniel Willis, Alternate Member
Martin Pozefsky, Planning Board Attorney
Kate Halliday, Secretary

Excused: C. Eric Butler, Chairman
Philip Giordano, Board Member

Zoning Board of Appeals

Present: William Clarke, Chairman
Sigrid Koch, Board Member
Jeffrey Fedor, Board Member
Martin Pozefsky, Zoning Board Attorney
Linda Hamm, Secretary

Excused: Christopher Rudolph, Board Member
Timothy Sullivan, Board Member

Revision Committee

Present: William Clarke
Daniel Willis

Excused: Glen Tearno
Shelli Evarts

LA Group: James Martin

Public: Ray Bush, and Jim Murray, Sr.

After Roll Call the following business was conducted:

Supervisor Lucia read the following into record the letter he received from Glen Tearno:

Richard Lucia

From: Glenn Tearno [glenn.tearno.hdlh@statefarm.com]
Sent: Thursday, September 15, 2011 3:56 PM
To: Richard Lucia (rlucia@townofcorinthny.com)
Cc: James Martin (jmartin@thelagroup.com)
Subject: FW: meeting @ 4:30

Dick

As much as I have tried to be available for this afternoon's meeting it is just not possible.

I reviewed the items/questions with Jim Martin.

I would like to stress the importance for the town to update the subdivision regulations. Without updated regulations that align with the Comprehensive Plan and the new Land Use Code the vision for growth will be lost.

In regards to the Mobile home concerns

Existing Mobile homes are allowed to be replaced in ANY district whether they are destroyed by catastrophic loss or the owner has elected to bring in a new mobile home.

The decision to allow for the placement of new mobiles in only R-2 was based on the public survey and input on the Comp Plan. The survey results showed that the town's residents did not want to encourage the growth or expansion of mobile homes.

As a practical matter the growth and expansion of mobile homes is a moot issue. Low cost Modular house and code requirements do not make the mobile the low cost alternative it once was. For some reason this is an emotionally charged issue. It should not be Mobile homes are a single family residential house choice and there for should be permitted anywhere a single family home is permitted.

I regret not being able to attend the afternoon meeting

Glenn

Glenn T. Tearno
Fire Claim Reinspector
State Farm Insurance
cell 518-281-5431
Sent via Blackberry

Attorney Pozefsky

Attorney Pozefsky told the group that the Planning Board had three meetings where they discussed this subject .

He said that the Planning Board had following concerns.

- The lot size would increase in some of the zones. He said that the lots would go from a 2 acre lot to a 5 acre lot and the Planning Board was concerned that this would affect the affordability of the lot.
- He said another concern was that mobile homes were not going to be allowed in certain areas of the Town.
- Attorney Pozefsky said the Planning Board has concerns that Zoning was new in 2004 and now this was further restrictions and that brought up the same concerns about the loss of people's rights.

Attorney Pozefsky said that he felt this was a good document legally and that they had cleaned up a lot of the language since the Town's original document of 2004.

Councilman Saunders explained that the Town Board asked the committee to look at this due in a large part to Global Foundries coming to Malta. He said that they were asked to look at neighboring towns to see what their land use laws were and what impact the Town would have if they did not change their land use laws to conform to neighboring towns.

Jim Martin

Jim Martin said that the APA governs lot sizes of any property in the Town that is located within the APA boundaries. Mr. Martin told the board that they were attempting to have a law that managed the growth of the town. He said he would like to be apprised of the exact detail of where this would be burdensome.

Councilman Major

Councilman Major said that after he reviewed the document he found that it only effects one zone and that is the R-3 to the RR. He said that the RR has gone from 2 acres to 5 acres. Councilman Major said he was not seeing the increase to 5 acres across the board but only in one zone.

Jim Martin

Jim Martin said he was hearing the affordability issue for the 5 acres but on the other hand he was hearing keep the rural character of the town in balance. He said when you take those two things into consideration and try to apply them you run into a conflict.

A discussion between Councilman Major and Jim Martin regarding this matter was had.

Daniel Willis

Dan Willis said that the property to be developed was located on the two main entry ways to the Village.

William Clarke

William Clarke spoke about the neighboring communities and how the committee attempted to have the Town of Corinth as close to the neighboring town's land use laws.

A discussion was had regarding 5 acre lot size and clustering but using the 5 acre density so the lots could be smaller.

Daniel Willis spoke about self-sustained communities.

Jim Martin said that the Town really needs to update their subdivision regulations. He spoke about a subdivision with a lot for open space. He said the problem is who will own and take care of that open space lot.

Attorney Michael Hill

Attorney Michael Hill spoke about the APA area of the town where the RR is on both sides of the APA line. He said he spoke to APA regarding the difference in lot sizes between the town and the APA. He said that the APA has some communities that have approved Land Use Plans approved by the APA that have smaller lots than are required by APA. He said the man from APA said that they have small lot sizes(Smaller than minimum lots approved by APA) but the overall density is the same as APA. He said this could be done by the Subdivision Regulations being amended.

Attorney Hill said that this could be accomplished by stating lots inside the APA must be one way and lots outside the APA must be another way.

Attorney Hill asked Attorney Pozefsky if they had a great number of subdivisions within the APA coming before them. Attorney Pozefsky said that he thought they had more some time ago and it didn't seem like many were coming before them at the present time.

Jim Martin

Mr. Martin said that there were two major changes in this revision. He said they were as follows:

- The R-3 Zone was eliminated;
- The RR lot sizes went to 5 acres.

Mr. Martin said there seems to be a lot of overlap between R-2, R-3 and RR districts.

A discussion about the uses of the districts and where they are located was had. Jim Martin said that they were not trying to be a burden to the property owners in the town. Councilman Saunders discussed clustering and self sustainable homes with the group. Jim Martin said he would like to have a group sit down with Code Enforcement Office Hickok to discuss a self sustainable subdivision and if it could happen in Corinth.

Joan Beckwith said her concern was the people who could not afford 5 acres of land to build a home on. Code Enforcement Officer Hickok said his concern was that a family had a subdivision and the lot was 5 acres, the driveway into the lot would have to be 500 feet so that an emergency vehicle could get in and turn around and this would have to be maintained throughout the winter. Councilman Major said that this was only if the lot did not have road frontage. Code Enforcement Hickok said that this is what is being seen. Jim Martin again talked about small lots but keeping the 5 acre density.

Althea Rivette said that she felt the revision was making a decision for the people. She said some people would mind buying five acres and paying taxes on it when on the other side some people would want only 2 acres and would be forced to buy the 5 acres and pay taxes on something they did not want,

Mrs. Rivette then asked if a person had a three acre parcel left after subdividing what could be done with that parcel? Would it go to the State? Would you have to continue to pay taxes on it?

Jim Martin said that he did not believe the State would take over that land. Linda Hamm said that on County Route 10 and in South Corinth the State was buying all sorts of land.

Althea Rivette, Joan Beckwith and Councilman Major had a discussion regarding the new acreage and if a person had to buy 5 acres and only wanted 2 acres. Joan Beckwith said if someone now owns acreage and only uses part of the acreage they can do as they please with the remainder of the acreage but in the revisions that cannot be done. She said the revisions govern what you do with the other acreage. Mr. Martin said that would only be if the seller put in certain deed restrictions.

A discussion was had regarding the affordability of some people to be able to purchase 5 acres of land and then build a house on that 5 acres. Councilman Major said this would only be for future subdivisions and what is there now is there now.

Jim Martin said that there could be a compromise where a subdivision could have lots of 3 acres but the density would have to be for 5 acre lots.

Jeff Fedor said that it comes down to an affordability issue versus a rural character issue.

Louise Reed spoke about Family Subdivisions and if they also had to give 5 acres even if you wished to give 2 acres. Councilman Major said that this was questioned before and it was decided that family subdivisions would be treated the same as any other subdivision. Bill Clarke and Jim Martin said that this was discussed and it was the consensus of the committee that family subdivisions be treated the same as any other subdivision. Jim Martin said that there are ways that we can adjust this. Again he mentioned that the lot size could be less but the density be 5 acres.

Jim Martin said the committee looked at the community, the rural character and the open space deal. He said he was trying to think of a way to accommodate family subdivisions. Louise Reed said all she could come up with is a Family Exemption Subdivision Law. Mr. Martin said that sounds wonderful but are you sure the lots will remain in the family and not be sold.

Councilman Major said that when the discussion was had family subdivision fees were exempt.

Councilman Byrnes brought up a question regarding the open space. He said if a person develops the front of his or her land and left the back as open space how would that show the rural character? Jim Martin told the group that if a conservation subdivision was to be handled properly then the first step would be a sketch plan phase, in this phase they only show where the open space is and the lots are not laid out yet. He said once that is agreed upon then it goes to preliminary with the lots laid out. Mr. Martin said it would be just like a regular subdivision with a discussion between the developer and the Planning Board.

Mr. Martin said that where we are right now is we have a Comprehensive Plan and now how far do we go to effectuate that. He said the decision is if affordability is a concern, the family subdivisions is a concern or if we want to keep the open space a concern. He said this is a great discussion to have.

Councilman Byrnes said that this all goes back to Global Foundries and the effect it will have on the growth of the town.

Councilman Saunders said that when he came back to the community who would have thought that houses in South Corinth would go for \$150,000.00 but now they go for \$250,000.00. He said that he felt a plan would have to be given to the public and get their feedback. Jim Martin said that a land plan that is responsive to the needs of the various sectors of the community. He said that we want to make housing available to all segments of that population.

Supervisor Lucia said he thought one of the questions was if the board wanted to continue with the 5 acre increase or something different. Councilman Saunders said he thought this should be put out to the public. He said that there appears to only be two major changes and the public could give the board their feedback.

Attorney Hill asked Mr. Martin if based on the economics, the demography, the income and the layout of the area did he feel that the way the plan is laid out and what has been proposed would result in housing stock that will meet the needs across the spectrum of the community. Mr. Martin said that he thought it would. He said the only thing is that this is not set in stone forever it should be looked at again within the next five years. He said that this is only a 3 to 5 year window and should be revisited within that time. He said he thought this plan was a very good plan and the committee did a lot of thinking to get this plan as far as it is.

Jim Martin said that he felt an individual with a \$35,000.00 annual salary could find a very nice way of living in this community.

Supervisor Lucia spoke about how long it took for zoning to get adopted. He said we had open houses, etc. and he thought we were at that point in time again. Supervisor Lucia said then if the public comes back with areas that a majority of them feel should be looked at again that could be done.

Councilman Saunders suggested that if we look at the plan and come up with the pros and cons of elimination of the district, the change in lot sizes and the major changes that the plan suggests and have one more workshop to identify those changes. He said perhaps a one page document outlining these items could be given to the public at the Open House and they could make their feelings known on those items. It might be an easier way to go than reading the whole plan. Bill Clarke said that would be an expensive process.

Bill Clarke stated that the committee looked at the manufactured homes and mobile homes. He said that they found only 20% of the town are manufactured homes or mobile homes. Jim Martin said that manufactured homes and mobile homes are not the only option now.

Councilman Byrnes said that he spoke to people and there is a great concern about manufactured homes. He said a person could buy a three bedroom mobile home for \$30,000.00 and a modular home could cost \$60,000.00. He said young adults just out of college that have student loans would like to have their own home and some can only afford a mobile home especially if their parents gave them the land.

Councilman Byrnes asked if it wasn't social engineering if the board told citizens they could only have mobile homes in specific areas and not along with expensive homes. He asked if someone lived in a \$300,000.00 to \$400,000.00 and they lost their job would they be treated different just because they could not afford to keep their home?

Dan Willis stated that if he owned a \$300,000.00 home should he not be allowed to have the comfort of knowing that the stick built house next to him would appreciate in value and not depreciated as a mobile home would. Councilman Byrnes told him that Attorney Mark Schachner told the Town Board at an earlier meeting that having a mobile home located next to a stick built home does not depreciate the value of the home because the assessment is based on the value of that stick built home not the value of the mobile home.

Jeff Fedor asked if the land, next to where the committee was proposing the 5 acres, were zoned 5 acres in Wilton and Greenfield? Joan Beckwith said that the Town of Corinth isn't the Town of Greenfield or the Town of Wilton. Councilman Saunders said we are in this area that we need to sit and somehow manage what is going to happen. He said who would have believed that Malta, New York would have a \$6,000,000.00 business located there but it happened and we have to plan ahead for what will happen in Corinth. Councilman Saunders said that the developers would eat us up if we don't go ahead and plan accordingly.

Councilman Byrnes spoke about what he had planned in the beginning for his property. He said that the plan was restricting mobile homes from RR then why not restrict them from R-1 and R-2 as well, why just RR?

A discussion was had between Councilman Byrnes and Councilman Saunders regarding this matter.

Althea Rivette said that there are some people that need these mobile homes, to use as a starter home. She said Corinth does not have a major industry to add to its tax base as does Wilton. She said some people work two jobs just to keep their heads above water. Mrs. Rivette said that Corinth is not a rich community and there are people who cannot afford a stick built home but only can afford a mobile home. She said she thinks this plan is discriminating against these people. Councilman Saunders said suppose we keep our land use just the way it is with 1 acre lots and the experts come in and let this area know that the power consumption for this area will increase twenty fold. Councilman Saunders said that if the Town does nothing then they will attract low to medium income people.

Councilman Saunders said that if we do nothing then in ten years we are going to be in tougher shape. He said he agrees that people need starter homes.

Councilman Byrnes discussed the need for mobile homes in Corinth. Councilman Saunders gave the group his opinions on why we need to have a plan, if not this plan, in effect for future growth.. Councilman Byrnes said he didn't think mobile homes should be banned from certain areas of the town. Supervisor Lucia told the group about people that have come in to his office who cannot afford their homes and wish to downsize.

Daniel Willis said that the current land use law says that mobile homes are only allowed by right in one district. They are not allowed in RR district. He said that when R-3 went away 75% of the land was put in R-2 and 25% of the land was put

in RR. Mr. Willis said that when you look at the proposed plan there is more land available for mobile homes than there was before.

Councilman Saunders spoke about the property in South Corinth where the mobile homes are not allowed. Councilman Byrnes stated his opinion in this matter. Councilman Saunders said that a stick built home would retain its value. He said that a person could not get financing for a new mobile home. Councilman Saunders and Councilman Byrnes had a discussion back and forth about this matter.

Councilman Major said that the question is does this plan accommodate everybody? He said he thought he would hear more than just about mobile homes and stick built homes. He said he thought that there would be some discussion on industrial zones being next to residential.

Joan Beckwith asked about the questions that they gave to the Town Board regarding this plan. Jim Martin said he is prepared to discuss the questions. Councilman Major said he would assure the Planning Board that he was looking over the questions presented by the Planning Board.

Jim Martin told the boards that he was ready to answer the Planning Board questions if that is what the board wanted done. He said that he again wanted to state that he feels that this plan will meet the demographics of this community. Mr. Martin said that the bottom line is, it is the Town Board's decision on what they want and where.

Attorney Michael Hill said that there had been a lot of discussion and a lot of point made during this meeting. He said he thought the meeting should adjourn and review what had been discussed. Jim Martin suggested that the next meeting be set up with any agenda to go over a certain number of pages and stick to that. Supervisor Lucia said that the next meeting on this topic could not be set because the current meetings will be taken up with the budget process.

Councilman Major suggested that we start getting this plan out to the public. Supervisor Lucia said that he did not think it was ready to go to the public at this point. Joan Beckwith said that she felt that what Councilman Saunders had recommended regarding getting a list of the proposed changes together and giving them to the public might be the best way to go.

Councilman Byrnes said that he appreciated all the hard work that went into preparing this document. Jim Martin told the board that there are tough decisions to be made. Councilman Saunders asked if these meeting could be open to the public. Supervisor Lucia said that all meetings are open to the public only the public cannot speak at a workshop. A discussion was had on whether the Town Board was ready to put this document out to the public. Councilman Saunders said that he wanted to hear from the public before he made any decisions.

RESOLUTION #242

MOTION TO ADJOURN

On a motion by Councilman Byrnes and seconded by Councilman Brown, at 7:00 PM the meeting was adjourned.

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

Resolved that the meeting was adjourned.

Respectfully Submitted,

Rose E. Farr, RMC
Town Clerk