

**TOWN OF CORINTH  
ZONING BOARD OF APPEALS  
600 PALMER AVENUE  
CORINTH, NEW YORK 12822  
518 654-9232 EXT 5  
FRED C. MANN JR.  
ADMINISTRATOR**

*May 3, 2007  
Zoning Board of Appeals Minutes*

*A meeting of the Corinth Zoning Board of Appeals was held on Thursday May 3, 2007 at 7:00 P.M. and called to order by Chairman Bill Clarke.*

*Present: X Sigrid Koch X Jeffrey Fedor X Bill Clarke X Glen Tearno X Philip Giordano X Attorney Pozefsky X Fred C. Mann X Linda Hamm, Secretary*

*Public: Fred Koch, Arlene Springer, Walter Schlesier*

*A motion was made to accept the minutes as written by Glen Tearno and seconded by Philip Giordano. A roll call vote was taken.*

*YES Sigrid Koch YES Jeffrey Fedor YES Bill Clarke YES Glen Tearno YES Philip Giordano*

*5 AYES 0 NAYS*

*New Business: Mr. Schlesier would like a variance to build his pole barn, he can't meet the setbacks.*

*Chairman Clarke stated he had not had time to get to Mr. Schleiser's property to look at it. Chairman Clarke asks if we put this on as public hearing? Secretary stated no this is a conceptual. Mr. Schleiser, basically you are looking for a setback to reduce the variance from 30' to 15'? Yes, stated Mr. Schleiser it's right on the side of my house is the only good spot for an access to the driveway. My back yard after maybe 80' goes straight down. So it's really the only option I have other than put it in the middle of my back yard. Then I would have to fight with the septic and every thing else. Chairman Clarke asks Mr. Schleiser how much frontage he had. I have around 200' but the lot is an odd shape, it cuts to the left and turns back. Chairman Clarke asks if he had the property surveyed? Yes, it's all staked out. Jeff Fedor states*

*when looking at the picture of the house and garage, there is a single road to swing? Mr. Schleiser states that it's really out front. I am actually looking to put the pole barn behind the trees and there is actually one person that is going to be able to see it, my one neighbor to the left. I am leaving all those trees there so everything is going to be pretty well blocked from the road. Chairman Clarke asks if its going to just be a pole barn. Yes, but I will be having siding on it like my house. Mr. Fedor asks why he doesn't put it close to his garage. Mr. Schleiser states that if he gets it to close to his garage then he is getting close to his septic and everything. Then I am also getting to close to be able to get any equipment to the back property. Chairman Clarks asks Mr. Schleiser if he has any objections to any of the board members to come out and take a look at the site? Not at all. Sigrid makes a motion to put this on the calendar for next month for a public hearing and Glen Tearnio seconded it. A roll call vote was taken.*

X Sigrid Koch   X Jeff Fedor   X Bill Clarke   X Glen Tearnio   X Philip Giordano

5 AYES

0 NAYS

*Public Hearing will be set for June 7 Th at & 7: 05 P.M. Mr. Schleiser I will call you or mail you a copy of the letter that needs to be sent to your people that are listed within 500'. This letter is to be sent out by you certified receipt and the cards must be back to me before the meeting in June.*

*Chairman Clarke states that we have another application here for Mr. Mark Eggleston 4060 Route 9N Corinth. I see he's not here tonight. Secretary stated she called him for a reminder tonight at 5:45. I left a message on the machine. Chairman Clarke asks Fred what the zoning is on the Eggleston property. Linda looked it up on our map and he is zoned R-1 for the Town and RM for Adirondack Park Agency. Mr. Chairman if I can I would like to give you a little information on how this came about. As you are all aware, I have Mr. Eggleston in court. Attorney Cathi Radner and myself were out in the other room and Mr. Eggleston's attorney came and said at one time to keep the one trailer he had to have a variance. I told him that it was the only way he could keep it and use if for storage. The next morning Mr. Eggleston came into the office to get the variance paper work. I called Marty in regard to this, and at the time Attorney Pozefsky stated he believed he could do this. Since then as Marty was reading he found it says you can't file for a variance while in violation.*

*Attorney Pozefsky stated to Chairman Clarke that, as I understand it from what Fred has told me and from talking with Cathi Radner. They did go to court, and he did agree as part of the court order he was given (90) ninety days to clean it up, and he also had to seek the variance. Mr. Eggleston came in the next day to file for the variance. When Fred called me the next day in regard to this, I initially said yes, but since looking at the code, 13.2 it says you can't file for a variance while in violation. So he can file after his (90) ninety days are up. There is a number of ways I think the board can handle it. If he truly needs and he wants a variance he has to clean it up.*

*He is under court order to do so. I would suggest to the board that since he is not here anyway to just table it until next month. Basically let that (90) ninety days start to run. Then next month we can check the progress and then just tell him that he has to clean it up before he can get any variance. Fred states that Mr. Eggleston was in court (2) Two weeks ago and he was given (90) ninety days. I can get that for you out of the office. Chairman Clark asks Fred if Mr. Eggleston's property ever been surveyed? Does he have a clear visual of what his property? Fred states, he told us there was a survey, but I have never seen it. Sigrid states that he would have to present one to us. Attorney Pozefsky states if he has a survey, it would certainly be helpful. Again Sigrid he does not have to have a survey, this board has not always asked for a survey. It certainly would be helpful. Chairman Clarke asks attorney Pozefsky is because of the proximity of the property to 9 N does this require a referral on our part to the County Planning Board? It generally would however; we have a memorandum of understanding with the County, that says if the board doesn't feel it would have "County Wide Impact" even if it is on a County or State highway the County doesn't feel they need to see it. So this board would have to decide if there was some kind of county wide impact to this and then the County would say okay, fine we will look at it.*

*This is subject to referral to the county but the County would be inundated with relatively small matters so they have reached agreements with the towns, and they are allowed to do that by law. If the board feel it's big enough to have a significant countywide impact, you don't have to refer it down to that. I will look at the agreement again to make sure it doesn't have to be referred and since he is not here tonight, nothing is going to be done tonight anyway. I'll report back to the board to make sure I am right. Certainly if the board has any questions or concerns; the easiest thing to do is to send it down. Jeff Fedor asks Fred what the mechanism for letting the Town and us or to know what it is that he has done? Fred states you will be able to see it, I can see if from the road. The trailers and the vehicles you can see from the main highway. You have a picture there that Linda made up for you. The back trailer for sure has to go the one he is asking to keep for storage is the one directly behind the fence. But if you decide to let him keep the one for storage, the kitchen and the bathroom will have to be dismantled. Bill asks, he intend on moving the one mobile home. Fred states yes, that is the court order. Sigrid asks Fred what is happening to all the other junk, the busses and everything. Fred states, I am going to tell you exactly what his attorney said, because that was my exact question. He said, let's get this started and then we'll get the rest of it. So imp going to say that I don't believe that everything will be done in the (90) days, but that is going to be the courts decision. If not, then I will have to site him again that's all. Joe Brennen is his attorney and that is what he said.*

*Sigrid states that it has always been her concern of the proximity to the water. In fact with the Aquifer he's got all these semi-dismantled vehicles and he's storing things. Fred states, there again that will be the decision of the judge, in my own mind I doubt they will get all that stuff out of there. I hope I'm wrong. Glen Tearno asks Fred if manufactured home he plans on using for storage is that currently connected to the septic? Fred states he doesn't know that for a fact, but would say no. Just because of all the stuff that is stored in there. What originally was stated was that this*

*other trailer was the one they were suppose to use as the elder cottage, but the kids had a chance to buy a newer trailer. This one was suppose to go a long time ago. He told the Adirondack Park that it would be out of there. Then they gave him two years to get everything out of there but he never signed the paper work and sent it back to the Adirondack Park Agency. Chairman Clarke asks Fred, the Town still have a junk car law? Fred states yes , that is one plus. You can have some sort of vehicle to plow with. Everybody in the North Country needs to remove their snow. Chairman Clarke states then I believe we will table this until next month. Is that right Marty? Yes, ask the secretary to send him a letter telling him it has been tabled until next month, but he needs to appear before the board action can be taken.*

*Chairman Clarke asks the board members if there is any other business? Any public input? Fred Koch would like to comment about the Eggleston property. Chairman Clarke states for him to go ahead. I believe Fred that when he went to court he was also required to remove the pad. Fred states not according to Attorney Cathi Radner. I will do more checking on that though. I will try to get more clarification from Cathi Radner on that. Fred Koch states he believes that where he wants the mobile for the area variance, he wanted to place the mobile for his kids. Fred states no the one he wants to keep is where it is and he wants to keep it there. Fred Koch states he could empty it and move it, Fred Mann states yes, he could but it would be a long time coming with the amount of stuff in it. Fred Koch states he heard that Mr. Eggleston is moving the mobile. Fred Mann states not that he has been made aware of by either Mr. Eggleston or other wise. Arlene Springer states that when the permit was pulled John Caffney told me that New York State Law says that when a building permit is revoked, anything that was done in accordance with that permit, everything should be pulled. Fred states to Mrs. Springer that he will check with Attorney Radner. Chairman Clark asks if there are any other public comments. Mrs. Springer states that if any one wants to come and check from her property, feel free!*

*Glen Tearno makes a motion to adjourn the meeting and it was seconded by Philip Giordano. A roll call vote was taken.*

*X Sigrid Koch X Jeffrey Fedor X Bill Clarke X Glen Tearno X  
Philip Giordano*

*5 AYES                      0 NAYS*

*Meeting is adjourned at 7:25 P.M. Your next meeting will be on June 7, 2007 at 7:00 P.M.*

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*Chairman William Clarke*

