## Village of Corinth Zoning Board of Appeals 244 Main Street Corinth, New York 12822 654-2012

**ZBA Chairman** Timothy Murphy 654-2083 **ZBA Secretary** Lynn Summers **ZBA Board** Paul J. Pacco

**Attorney** Stephanie D. Bitter 792-2117 ext 6419

Dear Applicant,

Welcome and thank you for your interest in the Village of Corinth. The Zoning Board of Appeals was established in 2004 by the Board of Trustees of the Village of Corinth to hear and decide, upon appeal from a decision or determination of the Code Enforcement Officer, interpretation of the Local Zoning Law and on variances to the Local Zoning Law in area or in use and signage. We are committed to encouraging proper growth and development within the Village of Corinth.

Attached is an application packet. Please complete this packet as fully as possible. A Plot Plan and SEQR application must be included. Bring the original and eight copies of the application to the Village Clerk at least six days prior to a scheduled Zoning Board of Appeals meeting. The zoning Board of Appeals meets on a monthly basis at 7:00PM at the Village Hall located at 244 Main Street, Corinth. Please check with the Village Clerk for any changes. The Board will consider your application at the next meeting following receipt of it. When your application is considered complete, you will be asked to submit the required non refundable fee of \$100.00 before a public hearing can be scheduled.

If you have questions or need assistance, please feel free to contact any of the members of the Zoning Board of Appeals, or attorney. Copies of the Village Code are located at the Village Hall and the Corinth Free Library. We look forward to working with you.

Sincerely.

The Village of Corinth Zoning Board of Appeals

Enclosures:

Zoning Variance Application Guidelines and Instructions for Application Notice to Adjacent Property Owners Form Affidavit by Applicant Form Short Environmental Assessment Form

# APPLICATION TO THE ZONING BOARD OF APPEALS OF THE VILLAGE OF CORINTH

To be completed by Zoning Officer: Application for: \_\_\_\_\_Use Variance Case Number \_\_\_\_\_ Area Variance Submittal Date \_\_\_\_Sign Variance Application Complete \_\_\_\_\_ \_\_\_\_\_ Interpretation SEQR Determination \_\_\_\_\_ The applicant hereby appeals to the Zoning Board of Appeals of the Village of Corinth in Saratoga County, New York from the decision of the Zoning Inspector and denying application for a: ( ) Building Permit (attach copy) () Certificate of Occupancy (attach copy) () Sign Permit (attach copy) ( ) Other attach copy) \_\_\_\_\_ 1. Applicant's Name Telephone 2. Mailing Address 3. Address of subject property \_\_\_\_\_ 4. Name of applicant's attorney (if applicable) \_\_\_\_\_\_ 5. Attorney's address \_\_\_\_\_ 6. County Tax Map: \_\_\_\_\_ Section \_\_\_\_\_ Block \_\_\_\_ Lot \_\_\_\_ 7. Name of owner of record \_\_\_\_\_ 8. Applicant acquired subject property by deed (attach copy) from 9. Applicant is lessee (attach copy of lease and a written statement signed by the owner and notarized permitting the applicant to act on the owner's behalf) of subject property from 10. Zoning district in which the property is located \_\_\_\_\_ a. Is property located in the Adirondack Park? Yes \_\_\_\_\_\_ No \_\_\_\_\_ 11. Current use of property \_\_\_\_\_ 12 Length of time so used \_\_\_\_\_ 13. The relief sought is

ZBA Page 2 of 11

A. <u>Area / Sign Variance</u> reducing:			
Front yard setback from	feet to	feet, sec	
Side yard setback from	feet to	feet, sec.	
Rear yard setback from	feet to	feet, sec	
Lot area from	feet to	feet sec,	
Other	feet to	feet, sec	
For Area/Sign Variance, submit site the Variance request.  1. How would you benefit from		-	wing the location of
2. What effect would the requence nearby properties?	ested Variance hav	e on the character of the n	eighborhood and
3. Could the benefit sought be	achieved by some	feasible method other than	n a Variance?

4. Is the Variance sought substantial relative to the Zoning Law?
5. What impact will the proposed Variance have on the physical or environmental
Conditions in the neighborhood or district?
6. Is the requested Variance the minimum necessary to relieve the alleged practical difficulty?

Note: If property abuts a State or County road, the variance must be reviewed by the Saratoga County Planning Board.

B. Use	e Variance to allow subject premises to be used for
	on the grounds that applicant cannot derive a
Reaso	nable return from any of the uses allowed in(zoning district).
	ollowing questions reflect the criteria for granting this type of variance. Please lete them, using additional sheets if needed.
1.	What competent financial evidence can you provide to demonstrate that the applicant cannot
	realize a reasonable return and that lack of return is substantial of the property is used for a permitted use?
2.	How is the alleged hardship unique and not applicable to a substantial portion of
	the district or neighborhood?
3.	Would the use variance, if granted, alter the essential character of the neighborhood?
4.	Is the alleged hardship self-created?
5.	Is the requested variance the minimum necessary to relieve the alleged hardship?

		ge Code to allow
<del></del>		
been omitted. I understand that	ments to it, is true, corre a decision by the ZBA o tain any necessary build	ct and complete and no material facts have of any appeal or request for a variance <b>SHAL</b> ling permit or comply with the conditions of
Applicant's Signature		Date
I hereby designate to represent me before the Zonin relative to the above application	ng Board of Appeals of t	he Village of Corinth in all procedures
Applicant's Signature		Date
	AUTHORIZAT	ION
, th	e owner of	in the Village of
orinth, do hereby authorize the Ap	plicant	
d act as my agent for an:	1	, to apply to the Village of Corintl
d act as my agent for an: rea Variance Use Variance	•	, to apply to the Village of Corintl
ea Variance Use Variance nderstand the details of the Applic	Sign Variance (please cation and have been adv	circle the applicable application) vised that the terms and conditions of the
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#### **SECTION 138-30 C. 2**

As part of the Public Hearing process, the Applicant is to provide notice of the public hearing and data regarding the substance of the appeal to the owners of all property abutting that property held by the Applicant and all other owners within five hundred (500) feet, or such additional distances that the Board of Appeals may deem advisable, of the land involved in such appeal. Notice shall be provided by certified mail at least five (5) calendar days prior to the hearing, with compliance with this notification procedure certified to by a US Postal Service receipt. The names of owners notified shall be taken from the last completed tax roll of the Village.

## List of Adjoining Property Owners

	NAME	ADDRESS
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

#### **GUIDELINES**

# INSTRUCTIONS FOR APPLICATION FOR ZONING VARIANCES AND INTERPRETATIONS

#### **GENERAL:**

- 1. Discuss the need for a Variance or interpretation with the Code Enforcement Officer. If a Variance or interpretation is required, obtain an application from the Code Enforcement Officer or Village Clerk. The Code Enforcement Officer will assist you in the completion of the application. (Please type or print clearly.)
- 2. **DEADLINE** Applications must be received no later than three o'clock p.m. on the deadline date. Deadline dates for submissions are six days prior to the regularly scheduled ZBA meeting. Meetings are normally held on a monthly basis. Check with the Village Clerk for the date and time.
- 3. A plot plan drawn to a scale of no less than one (1) inch equals fifty (50) feet (see 138-30B. 4 of the Zoning Law) or other appropriate scale must be submitted with an application. The site plan shall show the size and placement of the lot, including Tax Map reference numbers, (Section, Block, Lot), surrounding land use, design and location of proposed buildings, driveways, parking areas, landscaping and screening, proposed drainage and utility systems, existing and proposed contours of the land, legend, scale, orientation arrow and any other information deemed necessary by the Zoning Board of Appeals.
- 4. Upon determination by the Zoning Board of Appeals, a public hearing date will be assigned. Applicants <u>must</u> then send notices of the hearing to each property owner within 500 feet of <u>all</u> exterior boundaries of the subject parcel. Notices <u>must</u> be sent certified mail <u>at least 5 days prior</u> to the public hearing. Return receipt requested is recommended. Bring proof of the mailing with you to the hearing. Included with this application is an Affidavit by Applicant as to Serving Notice to Adjacent Property Owners. This must be completed and signed by a Notary Public and returned to the Zoning Board of Appeals no later than the date of the public hearing. Applicants or their representative must attend the zoning meeting/hearing involving the Variance under consideration. It is suggested that the applicant solicit endorsements from neighbors that that may be affected by the Variance.
- 5. Applicants within the Adirondack Park are responsible for obtaining an APA jurisdiction review, if needed, before they proceed with their application before the Village.
- 6. ADDITIONAL INFORMATION The Board may request such additional information as it considers necessary in order to evaluate your request thoroughly.

#### AREA/SIGN VARIANCES:

In making a determination, the Zoning Board of Appeals is instructed by statute to "take into consideration the benefits to the applicant if the Variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community." The following criteria will be considered in making the Board's determination.

- A. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
- B. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
- C. Whether the proposed Variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- D. Whether the alleged difficulty was self-created, which consideration will be relevant to the decision of the Board of Appeals, but will not necessarily preclude the granting of the area variance.

#### USE VARIANCES:

In making its determination, the Zoning Board of Appeals must request that the applicant prove unnecessary hardship by demonstrating that for each and every Permitted use in the district:

- A. The applicant cannot realize a reasonable return, provided that lack of return is Substantial as demonstrated by competent financial evidence;
- B. That the allege hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;
- C. That the requested use variance, if granted, will not alter the essential character of the neighborhood; and
- D. That the alleged hardship has not been self-created.

#### **INTERPRETATIONS:**

In making a request for interpretation of any provision of the zoning law, an applicant may ask for:

# NOTICE PURSUANT TO SECTION 138-30 C. 2 OF THE VILLAGE OF CORINTH ZONING ORDINANCE

# TO ALL OWNERS OF PROPERTY WITHIN 500 FEET OF THE EXTERIOR LIMITS OF SUBJECT PROPERTY

	ION NUMBER		
LOCATION	OF SUBJECT PRO	OPERTY:	
Section	_Block	Lot	Zoning District
<b>TO:</b> Dear Property C	Owner:		
	ed that I have applied for within 500 feet of sai		on the above named parcel and you are recorded as
for the		t	the Village of Corinth Zoning Board of Appeals _PM at the Corinth Village Hall, 244 Main St., s may be heard.
Type(s) of App	lication: ( ) Area Varia	ance () Use V	Variance ( ) Sign ( )Interpretation
Description of F	Requests(s):		
	ntacting Village of Cori		n the Clerk of the Zoning Board of Appeals and may be oard of Appeals Clerk, 244 Main St., Corinth, NY
Signed:			
Address:			

# VILLAGE OF CORINTH ZONING BOARD OF APPEALS CORINTH VILLAGE HALL 244 MAIN STREET CORINTH, NY 12822

AFFIDAVIT BY APPLICANT AS TO SERVING NOTICE TO ADJACENT PROPERTY OWNERS

APPLICATION N	O			
In the Matter of Applic	eation for Approval.			
Section	Block	Lot		
State of New York County of Saratoga Co	ounty			
Name		being duly s	sworn, deposes and says:	
I reside at				
and on or before the		day of	, 20	
be heard at the Corinth	Village Hall, 244 M	rsons named, a written no ain St., Corinth, NY 128	22 on the	ay of
that application relates	to premises describe	atat above.		PM and
		ertified Mail. A list of the of the letter being sent ou		s been
		rth in the preceding parts et of the premises affected		on the tax
Applicant's S	Signature			
Jurat				
Sworn and subscribed	before me			
This	day of	20		
Notar	ry Public			

# 617.20 Appendix B Short Environmental Assessment Form

### **Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information					
Name of Action or Project:					
Project Location (describe, and attach a location map):					
Brief Description of Proposed Action:					
Name of Applicant or Sponsor:	Telepl	none:			
	E-Mai	1:			
Address:					
City/PO:		State:	Zip	Code:	
1. Does the proposed action only involve the legislative adoption of a plan, l	ocal lau	, ordinance		NO	YES
administrative rule, or regulation?	ocai iaw	, ordinance,		110	1123
If Yes, attach a narrative description of the intent of the proposed action and may be affected in the municipality and proceed to Part 2. If no, continue to			that		
2. Does the proposed action require a permit, approval or funding from any				NO	YES
If Yes, list agency(s) name and permit or approval:					
3.a. Total acreage of the site of the proposed action?		acres			
b. Total acreage to be physically disturbed?  c. Total acreage (project site and any contiguous properties) owned		acres			
or controlled by the applicant or project sponsor?		_acres			
4. Check all land uses that occur on, adjoining and near the proposed action					
□ Urban □ Rural (non-agriculture) □ Industrial □ Comm	ercial	□ Residential (subur	ban)		
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (	(specify)	):			
□ Parkland					

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?			
b. Consistent with the adopted comprehensive plan?			
6. Is the proposed action consistent with the predominant character of the existing built or natural	•	NO	YES
landscape?			
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Al If Yes, identify:	rea?	NO	YES
If Tes, identify.			
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
b. Are public transportation service(s) available at or near the site of the proposed action?			
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed ac	tion?		
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If the proposed action will exceed requirements, describe design features and technologies:			
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
If No, describe method for providing potable water:			
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
If No, describe method for providing wastewater treatment:			
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic		NO	YES
Places?  b. Is the proposed action located in an archeological sensitive area?			
b. Is the proposed detroit rocated in an archeological sensitive area.			
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	n	NO	YES
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	1		
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check a		apply:	
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successi☐ Wetland ☐ Urban ☐ Suburban	ional		
☐ Wetland ☐ Urban ☐ Suburban  15. Does the site of the proposed action contain any species of animal, or associated habitats, listed		NO	YES
by the State or Federal government as threatened or endangered?		110	ILS
16. Is the project site located in the 100 year flood plain?		NO	YES
To its the project she isotated in the 100 year isota plant.		110	ILS
17. Will the proposed action create storm water discharge, either from point or non-point sources?		NO	YES
If Yes, a. Will storm water discharges flow to adjacent properties? □ NO □ YES			
h Will storm water discharges he directed to established conveyance systems (munoff and storm dusi-	ne)?		
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drain If Yes, briefly describe: ☐ NO ☐ YES	18) (		

18. Does the proposed action include construction or other activities that result in the impoundment of	NO	YES
water or other liquids (e.g. retention pond, waste lagoon, dam)?		
If Yes, explain purpose and size:		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed	NO	YES
solid waste management facility?		
If Yes, describe:		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or	NO	YES
completed) for hazardous waste?		
If Yes, describe:		
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE	BEST O	F MY
KNOWLEDGE		
Applicant/sponsor name: Date:		
Signature:		
51511111111111111111111111111111111111		

**Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2.** Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

		No, or small impact may occur	Moderate to large impact may occur
1.	Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2.	Will the proposed action result in a change in the use or intensity of use of land?		
3.	Will the proposed action impair the character or quality of the existing community?		
4.	Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5.	Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6.	Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7.	Will the proposed action impact existing: a. public / private water supplies?		
	b. public / private wastewater treatment utilities?		
8.	Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9.	Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.				
	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.				
	Name of Lead Agency	Date			
Print or Type Name of Responsible Officer in Lead Agency		Title of Responsible Officer			
Signature of Responsible Officer in Lead Agency		Signature of Preparer (if different from Responsible Officer)			