

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

ZBA Chairman
Timothy Murphy
654-2083
Secretary
Renee C. Hala

ZBA Board
Paul J. Pacco
Kelly Peris
Attorney
Stefanie 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 an on needed basis 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. Zone _____

5. Attorney's Name and address (if applicable)

6. County Tax Map: _____ Section _____ Block _____ Lot _____

7. Name of owner of record _____

8. Applicant acquired subject property by deed (attach copy) from _____
_____, or,

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 _____

14. Section of the Village Code relief is sought from

15. Are there any zoning violations on the property? Yes____No____If yes, please explain

16. Has this property been part of a previous Zoning Board action? Yes No_ If yes,
Give date and explanation. Attach additional pages if necessary.

A. Area / Sign Variance 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. _____

The following questions reflect the criteria for granting this type of variance. Please complete them, using additional sheets if needed.

For Area/Sign Variance, submit site photographs and a photo location sketch showing the location of the Variance request.

- 1. How would you benefit from the granting of this Variance?

- 2. What effect would the requested Variance have on the character of the neighborhood and nearby properties?

- 3. Could the benefit sought be achieved by some feasible method other than 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 Variance** to allow subject premises to be used for _____
_____ on the grounds that applicant cannot derive a

Reasonable return from any of the uses allowed in _____ (zoning district).

The following questions reflect the criteria for granting this type of variance. Please complete 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?

C. **Interpretation** of section_____of the Zoning Ordinance of the Village of Corinth and/or Chapter 407 of the Village Code to allow _____

To the best of my knowledge, information and belief, the information presented in this Application, and any attachments to it, is true, correct and complete and no material facts have been omitted. I understand that a decision by the ZBA of any appeal or request for a variance **SHALL** expire if the applicant fails to obtain any necessary building permit or comply with the conditions of said authorized permit within one (1) year from the date of authorization.

Applicant's Signature

Date

I hereby designate _____
to represent me before the Zoning Board of Appeals of the Village of Corinth in all procedures relative to the above application.

Applicant's Signature

Date

AUTHORIZATION

I, _____, the owner of _____ in the Village of Corinth, do hereby authorize the Applicant _____, to apply to the Village of Corinth and act as my agent for an:

Area Variance Use Variance Sign Variance (please circle the applicable application)

I understand the details of the Application and have been advised that the terms and conditions of the Approval which will be extended by the Village of Corinth will run with the land.

Signed _____

Dated: _____

Print Name: _____

Address: _____

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, or such additional distances that the Board of Appeals may deem advisable, of the land involved in such appeal. Notice shall be provided by Regular 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 **must** then send notices of the hearing to each adjacent property owner of **all** exterior boundaries of the subject parcel. Notices **must** be sent by Regular Mail **at least 5 days prior** 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 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***

APPLICATION NUMBER _____ **Date** _____
Applicant _____

LOCATION OF SUBJECT PROPERTY:

Section _____ Block _____ Lot _____ Zoning District _____

TO:

Dear Property Owner:

Please be advised that I have applied for a Variance on the above named parcel and you are recorded as the adjacent property owner within 500 feet of said property.

A public hearing on the above matter has been set by the Village of Corinth Zoning Board of Appeals for the _____ day of _____ at _____ PM at the Corinth Village Hall, 244 Main St., Corinth, NY 12822, at which time interested persons may be heard.

Type(s) of Application: () Area Variance () Use Variance () Sign () Interpretation

Description of Requests(s): _____

Copies of the proposed variance have been filed with the Clerk of the Zoning Board of Appeals and may be reviewed by contacting Village of Corinth Zoning Board of Appeals Clerk, 244 Main St., Corinth, NY 12822. (518-654-2012.

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 NO. _____

In the Matter of Application for Approval.

Section _____ Block _____ Lot _____

State of New York
County of Saratoga County

_____-being duly sworn, deposes and says:
Name _____

I reside at _____

and on or before the _____ day of _____,
20_____

I mailed by Regular Mail to each of the persons named, a written notice stating that this application would be heard at the Corinth Village Hall, 244 Main St., Corinth, NY 12822 on the _____ ay of _____, 20_____ at _____ PM and that application relates to premises described above.

The notice was served on the persons by Regular Mail. A list of the names and addresses has been attached to this affidavit, along with a copy of the letter being sent out.

No person other than those served, as set forth in the preceding parts of this affidavit, is listed on the tax rolls as an owner of property affected by this application.

Applicant's Signature

Jurat

Sworn and subscribed before me

This _____ day of _____ 20_____

Notary 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:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			YES
			☐
			☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
			☐
			☐
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned 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 ☐ Commercial ☐ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____			
☐ Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☐	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	☐	☐	
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 action?	☐	☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	☐	☐	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	☐	☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	☐	☐	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	☐	☐	
	☐	☐	
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? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	☐	☐	
	☐	☐	
14. Identify the typical habitat types that occur on or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	☐	☐	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	☐	☐	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES _____ _____	NO	YES	
	☐	☐	

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

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)

PRINT

SARATOGA COUNTY PLANNING BOARD

50 West High Street
Ballston Spa, New York 12020
518-884-4705 518-884-4780(F)
ahargrave@saratogacountyny.gov

- I. Municipality: City, Town, Village of _____
Referring Agency: Zoning Board of Appeals ☐ Planning Board ☐ Legislative Body ☐
Submitting Officer: _____ Date: _____
Mailing Address: _____
Telephone #: _____ FAX #: _____
- II. Type of Referral
Variance: Use ☐ Area ☐ Area (signage) ☐ Interpretation ☐
Special Use Permit ☐ Site Plan Review ☐ Subdivision Review ☐
Zoning Amendment: Map ☐ Text ☐ PDD ☐ Moratorium ☐
Comprehensive Plan ☐
- III. Name of Applicant: _____ Owner's Name: _____
Property Address: _____ Mailing Address: _____

- IV. Project Name: _____
Brief Description of Proposal: _____

Primary Road Frontage: Name _____ Length _____
Acreage _____ No. of Lots _____ Building Size/Coverage _____
- V. This proposal is referred to your agency, as required by the General Municipal Law, Sections 239-1, m, and n, because it would affect real property lying within a distance of 500 feet from a boundary of:
- a) the City, Town or Village of _____
 - b) an existing or proposed county or state park or other recreation area. Such park or recreation area is: _____
 - c) an existing or proposed right-of-way of a county or state parkway, thruway, expressway, road or highway. Such road is: _____
 - d) an existing or proposed right-of-way of any stream or drainage channel owned by the county or for which the county has established channel lines. Such right-of-way is: _____
 - e) an existing or proposed boundary of any county or state-owned land on which a public building or institution is situated. Such land is: _____
 - f) a farm operation located in an agricultural district as defined by Article twenty-five – AA of the Agriculture and Markets Law, except this shall not apply to the granting of area variances. Use the provided Agricultural District Referral Form.

VI. Required Information

The following information is required for the application to be considered a completed full statement for expeditious review by the Saratoga County Planning Board.

1. Property Location: (Tax Parcel #)_____ Current Zoning District:_____
2. A map (if the application is for a variance, special permit or site plan review) showing, at a minimum, the following:
 - a) location, setback, height and use of all existing and/or proposed buildings on subject and adjacent lot or parcel, if applicable
 - b) adjacent land uses and current zoning designation
 - c) location of existing and proposed streets, driveways and off-street parking facilities, if applicable
 - d) location and type of water supply and sewage disposal, if applicable
 - e) existing and proposed contours as per preliminary submission
 - f) drainage-ways, if applicable
 - g) location of existing watercourses, wetlands, and floodplains, if any
 - h) location, size and construction materials of all proposed signage, if any
 - i) location, size and construction materials of all outdoor storage, if any
3. Subdivision plat as required for preliminary submission by local subdivision regulations.
4. A copy of the Postal Verification Form provided to Saratoga County Emergency Services Department. (Subdivision Only)
5.
 - a. If application is for an amendment to the zoning map, enclose a map of the area proposed to be rezoned.
 - b. If application is for amendment to the zoning ordinance, enclose the text of the proposed changes (with additions and deletions denoted).
 - c. A copy of any report or recommendation to the legislative body from the municipal planning board should be provided along with any initial statement of intent and purpose.
 - d. Does proposed zoning conform to municipal comprehensive/master plan? Yes ☐ No ☐
 - e. Provide a copy of present PDD legislation if an amendment is being sought.
6. Is proposal subject to review under the New York State Environmental Quality Review Act?
Yes ☐ No ☐ Not Yet Determined ☐
If yes, submit **completed** copy of the Environmental Assessment Form.
7. Other involved agencies (with permitting authority): SCDPW ☐ NYSDOT ☐ NYSDOH ☐ NYSDEC ☐
Adirondack Park Agency ☐ Other (specify): _____
8. Has the lead agency been designated? Yes ☐ No ☐ Lead agency _____
9. Date of Public Hearing_____
10. Date referring agency proposes to act on the application_____

Signature of Referring Official

Title