

TOWN OF DAY PLANNING BOARD REGULAR MEETING – NOVEMBER 5, 2007

Members Present: Dave Cox, Chairman
Ted Mirczak
Jack Vaillancourt
Charles Dreyer
David Avigdor, Attorney

Members Absent: Dick Traeger

Motion by Ted Mirczak, seconded by Board Member Vaillancourt to approve the October 1, 2007 minutes with the following correction: Page 2, first full paragraph, fourth line, remove the word “blinking”. Ayes: David Cox, Ted Mirczak, Jack Vaillancourt, Charles Dreyer. Carried 4-0.

Old Business None.

New Business **MURPHY, Peter & Jean**
PB07-10SPR – Tax Map #43.14-1-16

Chairman Cox stated the photo map of the site plan review application of Peter Murphy shows the location of the parcel near Stewart’s Dam not the Sacandaga. Mr. Murphy acknowledged the mistake and clarified the parcel location. Chairman Cox stated in the cross section view of the application, it did not indicate the length of the area to be corrected. Mr. Murphy stated the total frontage is 100 feet and approximately 20-25 feet was washed out. This area would be on both sides of the steps – 25 feet to the left and 15 feet to the right as you walk down the stairs. He further stated the erosion control would be both above the wall toward the house and in front of the wall toward the lake in order to make it all appear consistent.

Board Member Mirczak stated the wall was not shown on the diagram. Mr. Murphy approached the Board and indicated where the wall is located. Board Member Mirczak stated a section mark on the diagram would be helpful. He further inquired if this work would encroach on his neighbor’s property. Mr. Murphy stated it would not.

Chairman Cox inquired if Mr. Murphy had applied to Hudson River Black River Regulating District and the Department of Environmental Conservation for permits. Mr. Murphy stated he has and State Historical Preservation Office is also involved due to the heavy equipment breaking ground and the concern is that

anything archeological may be disturbed. Board Member Mirczak stated the Army Corps of Engineers would need to issue a permit due to the volume of fill involved. Mr. Murphy stated Army Corps of Engineers routinely issues blanket permits and it is not a review per se. Board Member Mirczak inquired if Mr. Murphy had any of the permits in hand currently. Mr. Murphy stated he anticipated securing them by the end of the week and the work would be completed by Red Bud Development who developed the plans.

Motion by Ted Mirczak, seconded by Board Member Dreyer to approve the site plan for shoreline work for beach restoration contingent upon obtaining the necessary permits for the involved agencies. Ayes: David Cox, Ted Mirczak, Jack Vaillancourt, Charles Dreyer. Carried 4-0.

Mr. Murphy inquired if he could commence work immediately upon receipt of the permits and would it be necessary to submit paper copies of the same. Chairman Cox stated Mr. Murphy could commence work as soon as all permits are received and fax all permits to the Secretary.

Correspondence

There was no interest in attending the Bond, Schoeneck and King Zoning and Planning Breakfast on November 30, 2007.

Board Members Dreyer and Vaillancourt attended the Saratoga County Planning Training Session, "How'd That Wetland Get On My Map?" on October 30, 2007 and it stressed the importance of identifying wetlands on subdivision parcels. Board Member Dreyer stated Casey Hallsworth, representative of the Warrensburg Office of DEC would assist in the determination.

Board Member Dreyer stated a seasonal run-off stream could be determined to be wetlands based on the vegetation near it and it could be declared wetlands. Board Member Mirczak stated it should be added to the checklist of items to be provided with an application. Board Member Vaillancourt stated any construction must be 100 feet from the identified wetlands.

Secretary's Report None.

Public Participation None.

November 5, 2007

Motion by Charles Dreyer, seconded by Board Member Vaillancourt to adjourn the meeting at 7:30 p.m. Ayes: David Cox, Ted Mirczak, Jack Vaillancourt, Charles Dreyer. Carried 4-0.

Respectfully submitted,

Diane R. Byrne
Secretary