

TOWN OF DAY PLANNING BOARD MINUTES REGULAR MEETING – AUGUST 1, 2005 – 7 P.M.

Roll Call – Members Present: David Cox, Chairman **Absent:** None
Nancy Morris
Ted Mirczak
Jack Vaillancourt
Dick Traeger

Pledge

Chairman Cox called the meeting to order at 7:00 P.M.

Motion By Ted Mirczak, seconded by Jack Vaillancourt to approve the Minutes of the July 7, 2005 Regular Meeting with the following correction: Full paragraph five, first line, last word “graft” to “graph”. Ayes: David Cox, Nancy Morris, Ted Mirczak, Jack Vaillancourt, Dick Traeger. Carried 5-0.

Old Business

The meeting date for September 2005 has been changed from September 8th at 7:00 p.m. to September 7th at 4:00 p.m. due to scheduling conflicts of the Chairman. All members will be able to attend with the exception of Ted Mirczak. Notice will be made with the Post Star.

New Business

Thurnau, Carl – PO99-SPR – Tax Map #44.5-1-23

Carl Thurnau was notified to submit a new permit request at the July meeting and no response was received from Mr. Thurnau.

Kyarsgaard, Victor – Tax Map #33.18-1-7 and #33.18-1-6

Mr. Kyarsgaard submitted engineered on site sewage disposal system site plans for both parcels. This Board had notified Mr. Kyarsgaard previously that they would prefer combining both lots rather than make one undersized lot smaller. Upon review of the tax maps, it was revealed that the tax map was incorrect in its measurements, the lots are 110' x 100' and 120' x 100' approximately and not 50' wide lots. Board Member Mirczak stated that the smaller lot would be increased in size rather than being made even smaller and this was to the benefit of the Town bringing the smaller lot closer to compliance. Mr. Kyarsgaard stated that in order to maintain distances required between septic systems this boundary line adjustment was necessary.

Town Attorney David Avigdor stated this Board must decide whether it has jurisdiction under subdivision regulations or if this is a boundary line adjustment. Discussion ensued on notations on the map which state “NYSDOH Standards for new systems cannot be met for this system due to the site topography and existing lot dimensions.” Further discussion revealed that it was this statement, which necessitated the need for a boundary line adjustment.

Discussion ensued on names of property owners, same family ownership, systems being engineered, lot size, etc.

Motion by David Cox, seconded by Jack Vaillancourt this would be a boundary line adjustment on Mr. Kyarsgaard’s parcels. Ayes: David Cox, Nancy Morris, Ted Mirczak, Jack Vaillancourt, Dick Traeger. Carried 5-0.

Bertha Kenyon – PO-04-04 – Tax Map #30.2-1.11

John Jordan appeared before the Board for any updated information on his difficulties obtaining building permits due to the illegal subdivision by Bertha Kenyon. Chairman Cox stated that Ken Metzler was trying to obtain the current address of Ms. Kenyon to inform her that she needed to submit an application for a subdivision. Mr. Jordan provided the Board with Ms. Kenyon address: 44 Factoryville Road, Crown Point, New York 12928. Mr. Jordan was informed that nothing had transpired since his last appearance before this Board last month.

Secretary’s Report

It was established that each Planning Board member would receive yearly reimbursements rather than monthly or quarterly.

Motion to Adjourn at 7:20 P.M. made by Dick Traeger, seconded by Jack Vaillancourt. Ayes: David Cox, Nancy Morris, Ted Mirczak, Jack Vaillancourt, Dick Traeger. Carried 5-0.

Respectfully submitted,

Diane R. Byrne
Secretary