

TOWN OF DAY PLANNING BOARD – MINUTES

Regular Meeting – February 6, 2006 – 7 P.M.

Members: David Cox, Chairman
Ted Mirczak
Nancy Morris
Dick Traeger
Jack Vaillancourt
Attorney, David Avigdor

Absent: None

Pledge

Motion by Jack Vaillancourt, seconded by Ted Mirczak to approve the Minutes of the January 4, 2006 Regular Meeting. Ayes: David Cox, Jack Vaillancourt, Ted Mirczak, Nancy Morris, Dick Traeger. Carried 5-0.

Old Business:

Barrett, Edward J. – PB05-03SUB – Tax Map #25.1-16

Mr. Barrett presented the Board with a new survey map with the right-of-way indicated. Mr. Barrett stated this parcel would be sold to Buddy and Cheryl Allen who also own the parcel immediately adjacent to it. The Allens wished to keep this parcel separate from their other parcel. Chairman Cox indicated he understood the right-of-way to be at the end of Rice Road and continuing up to Pine Ridge Road to North Shore Road eventually going into the Hollow. Board Member Vaillancourt stated there is a question on the proper line and where it appears on the map. He further stated he had consulted with the surveyors of the Alexander property and inspected that map and the right-of-way appeared to be in different area. Attorney Avigdor inquired which surveyor did the Alexander map. Board Member Vaillancourt stated it was Dave Barrass. Mr. Barrett stated Donald Pidgeon did his map.

Chairman Cox asked if any Board Members had any further questions for Mr. Barrett. There were none. Board Member Vaillancourt stated if there were any further questions regarding the right-of-way, they could be addressed at the Public Hearing. Chairman Cox agreed. Chairman Cox inquired of Attorney Avigdor if this application required County Planning approval. Attorney Avigdor stated it did not due to not being within 500 feet of a County road.

Motion by Ted Mirczak, seconded by Dick Traeger, to accept the application for the preliminary submission for a minor subdivision as complete and set it for a Public

Hearing on March 6, 2006 at 7 p.m. Ayes: David Cox, Jack Vaillancourt, Ted Mirczak, Nancy Morris, Dick Traeger. Carried 5-0.

New Business:

Brown III, William A. – PB 06-01SUB – Tax Map #43.6-2-50

Chairman Cox stated a review of the application indicated that it meets the criteria for lot size for lakefront residential district and road frontage requirements. Board Member Vaillancourt inquired if the well and leech field were 100 feet apart. Attorney Avigdor stated that was a Department of Health enforcement. Chairman Cox stated there was a problem with the driveway on the second parcel because the grade was so steep. Board Member Mirczak stated parcel A also has an existing structure on it. The applicant would need to indicate if there would be a joint driveway agreement. Chairman Cox agreed and stated because of a clause in the Town of Day Ordinance regarding grades, the applicant would need to meet those requirements and show this Board an acceptable driveway(s) for both parcels. Board Member Vaillancourt stated it would also need to be approved by the highway department. Chairman Cox directed the Secretary to write a letter to the applicant stating this Board needed further information regarding the driveway.

Board Member Traeger stated there are new regulations regarding more elaborate septic systems and if this would impact this application. Board Member Mirczak stated a pre-existing, non-conforming system that is operative and working would not be held to the new regulations. If the applicant chooses to replace the system, it would have to meet the current State codes. Chairman Cox stated if a new structure with four bedrooms were constructed, the current system would not be sufficient.

Board Member Mirczak stated there was an issue with the well and the source of potable water for the second residence. The application did not indicate if the residences would be sharing the well or if a new well would be drilled. Chairman Cox stated not having this information also affects the viability of the subdivision and this Board would need that information in order for the application to be complete. The Secretary was instructed to include the issue of potable water in the correspondence also. Attorney Avigdor stated an easement agreement allowing use of the well by the second parcel, if the applicant chooses to share the well, would be needed. He further stated if the applicant chose not to include the well, this Board should require a notation on the

filed subdivision that the potential buyer of the parcel would not have a water supply.

Motion by Ted Mirczak, seconded by Jack Vaillancourt, to send a letter to Mr. Brown to provide the Board with information on accessing each parcel by driveway in accordance with the Town of Day Ordinance and what his plans for potable water would be for the current residence and the future residence. Ayes: David Cox, Jack Vaillancourt, Ted Mirczak, Nancy Morris, Dick Traeger. Carried 5-0.

Correspondence None.

Secretary's Report None.

Public Participation None.

Motion to Adjourn by Ted Mirczak seconded by Jack Vaillancourt to adjourn the meeting at 7:30 p.m. Ayes: David Cox, Ted Mirczak, Jack Vaillancourt, Nancy Morris, Dick Traeger. Carried 5-0.

Respectfully submitted,

Diane R. Byrne
Secretary