

TOWN OF DAY PLANNING BOARD – MINUTES

Regular Meeting – January 4, 2006 – 4 P.M.

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

Absent: None

Pledge

Motion by Ted Mirczak, seconded by Jack Vaillancourt to approve the Minutes of the December 5, 2005 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

Chairman Cox stated Mr. Barrett had made an application to the Zoning Board of Appeals for an area variance for the 300 feet road frontage requirement (one lot has only 230 feet) and that Public Hearing is scheduled for January 19, 2006. If Mr. Barrett is granted that variance, he will appear before this Board on his subdivision application.

Chairman Cox stated that in this Board's last communication with Mr. Barrett, there was also mention of a notation which was needed on the subdivision map, which indicates right-of-way clauses, which appear in his deed. Board Member Vaillancourt stated an extension of Pine Ridge Road was a public right-of-way and inquired if it is accessible after a number of years. Attorney Avigdor stated he was unsure if Pine Ridge Road was a public road and if it were a public road, the Town may have abandoned it if it was not used in a number of years and there were no homes located on it. If this occurred, the Town would have had to make a resolution to abandon the road and to find this out would require extensive research. Attorney Avigdor stated this Board should presume it is not a road and it was the obligation of Mr. Barrett to do the research and present it to this Board. Board Member Vaillancourt stated there was a farm in that vicinity which would have been serviced by that road. Attorney Avigdor stated if it were a road in the legal sense, he does not know. He pointed out that there are whole subdivisions on South Shore Road, which are located on private roads.

New Business None.

Correspondence None.

Secretary's Report None.

Public Participation None.

Motion to Adjourn by Jack Vaillancourt, seconded by Dick Traeger to adjourn the meeting at 4:10 p.m. Ayes: David Cox, Jack Vaillancourt, Dick Traeger, Ted Mirczak, Nancy Morris. Carried 5-0.

Respectfully submitted,

Diane R. Byrne
Secretary