

TOWN OF DAY PLANNING BOARD REGULAR MEETING – JANUARY 5, 2009

Members Present: David Cox, Chairman
Ted Mirczak
Eileen Brennan
Jack Vaillancourt
Dick Traeger
David Avigdor, Town Attorney

Members Absent: None.

Motion by Ted Mirczak, seconded by Board Member Vaillancourt to approve the minutes of December 1, 2008 meeting. Ayes: Cox, Brennan, Vaillancourt, Mirczak, Traeger. Carried: 5-0.

Old Business **Hilicus, Christine/Peek, Donna**
PB08-02SUB Tax Map #31.15-2-16

Chairman Cox stated this parcel is currently 1.3 acres to be divided into two parcels of .67 acres each. He asked for any further discussion or questions. There were none.

Motion by Dick Traeger, seconded by Board Member Vaillancourt to approve Application PB08-02ZBA, Tax Map #31.15-2-16, Christine Hilicus/Donna Peek, two lot subdivision as submitted. Ayes: Cox, Mirczak, Brennan, Vaillancourt, Traeger. Carried: 5-0.

Mara, Lorraine & Joseph
PB08-10BLA Tax Map #31-2-2.2 & 3

Chairman Cox stated the Maras submitted an application for a boundary line adjustment determination. Mrs. Mara stated they were intending to transfer part of the parcel of 3.29 acres parcel to add additional road frontage to the larger parcel due to the presence of ledge on the existing frontage. She further stated if they made the diagonal adjustment, it would provide a location for the driveway which has been approved by County Highway (driveway permit also submitted). Chairman Cox stated he does not see a figure for the diagonal addition. He stated he would have to assume it would be a 150 foot frontage. Mrs. Mara stated she did not believe it was measured out. It was agreed it would be in excess of 150 feet bringing the road frontage closer to compliance.

Board Member Mirczak inquired if the relocated proposed driveway which is now indicated on the map as being 50 feet to the

right of the power pole was the County approved driveway. Mrs. Mara stated it was at the location the County required.

Motion by Eileen Brennan, seconded by Board Member Mirczak to deem Application No. PB08-10BLA, Tax Map #31-2-2.2 & 3 a boundary line adjustment which is outside the jurisdiction of the Planning Board. Ayes: Cox, Brennan, Mirczak, Traeger, Vaillancourt. Carried: 5-0.

New Business: None.

Correspondence: Received letter from APA reviewing new variance referrals from approved local land use programs which was reviewed. Chairman Cox stated several counties were contesting the new law and it was anticipated there would be legal action taken.

Secretary's Report: None.

Public Participation: None.

Motion by Dick Traeger, seconded by Board Member Vaillancourt to adjourn the meeting at 7:12 p.m. Ayes: Cox, Mirczak, Vaillancourt, Traeger, Brennan. Carried: 5-0.

Respectfully submitted,

Diane Byrne
Secretary