

# **Town of Day Zoning Board of Appeals Public Hearing – March 7, 2005**

**Members Present: Zoning Board of Appeals:**

Kearney Mason - Chairman  
Judy Traeger  
Ray Ives  
Pat Volpe  
Kathi Prud'homme

**Planning Board:**

David Cox - Chairman  
Ted Mirczak

David Avigdor, Attorney

**Public Present:**

Michael Fennell  
Sally Allen  
Preston Allen

Dianne Cox  
Jason Allen  
Nancy Morris

Linda Reinemann  
David Kaczkowski  
Mary Ann Johnson

This is a joint public hearing with the Planning Board.

Proof of notice having been furnished, the Public Hearing regarding Sally & Preston Allen, Tax Map #23-1-36 was declared open by David Cox, Chairperson for the Planning Board at 7:10pm.

The chairman asked if any public would like to speak regarding this matter.

Attorney David Avigdor explained to the applicants that because this is an application for density, the Adirondack Park Agency needs to be notified and have the right to overturn the decision of the Zoning Board of Appeals under the Memo of Understanding that the Town of Day has signed with the APA. The secretary will send a copy of the resolution to the APA and a copy of the Memo of Understanding will be provided to the Allens.

Sally Allen explained why she wants to turn the upstairs of her existing garage into a studio apartment. This would be for her aging mother who Mrs. Allen feels should not be living totally alone, but this will also give her mother some privacy and let her keep her dignity. Sally Allen also stated that this would only be used for family and never rented out and they would never be looking to actually subdivide this property.

Mary Ann Johnson asked if having an apartment on the same property as an existing house is allowed in the town. David Cox Chairman for the Planning Board explained that this is allowed under Site Plan Approval from the Planning Board.

All persons desiring to be heard have been heard, the public hearing was declared closed by the chairman at 7:15pm.