

**TOWN OF DAY ZONING OF APPEALS
MINUTES – REGULAR MEETING
MAY 21, 2007**

Members Present: Hank Lang, Chairman
Judy Traeger
Pat Volpe
Dave Davidson
Ken Johnsen
David Avigdor, Attorney

Members Absent: None

Chairman Lang called the meeting to order at 7 p.m.

Approve Minutes Motion by Dave Davidson, seconded by Board Member Johnsen to approve the minutes of April 23, 2007 meeting. Ayes: Hank Lang, Judy Traeger, Pat Volpe, Dave Davidson, Ken Johnsen. Carried 5-0.

Old Business None.

New Business **PRITCHARD, Robert & Erika 07-02ZBA**
Tax Map #33.11-1-10 Area Variance

Board Member Davidson stated he is listed as one of the adjoining property owners and he would recuse himself. Board Member Traeger stated the application is incomplete because it does not have a plot plan or permit from Hudson River Black River Regulating District. The Secretary was directed to contact the applicant for a copy of each.

Motion by Hank Lang, seconded by Board Member Johnsen to declare this application incomplete and tabled to June 18, 2007 meeting upon receipt of the HRBR permit and plot plan. Ayes: Hank Lang, Ken Johnsen, Judy Traeger, Pat Volpe. Abstention: David Davidson. Carried 4-1.

MURPHY, Peter & Jean 07-03ZBA
Tax Map #43.14-1-16 Area Variance

All Board Members reviewed the application and had no comments or questions with the exception of some misspellings on the CEO's letter. Board Member Johnsen inquired if any of the neighbors had any comments or if they were in agreement. Board Member Traeger stated they may not be aware of the building plans until they are notified

by Mr. Murphy which would not take place until he has a Public Hearing date. It was noted that all drawings, HRBR permit, SEQR, and completed applications were submitted as required.

Chairman Lang stated because there is such a steep pitch to the lake, he would need the grade of the pitch and the height of the peak of the garage. He also inquired if the blacktop of the drive way would continue. Mr. Murphy stated it would and also a new septic system would be installed by Gary Robinson which would be in compliance with all building regulations which will be located in the front yard. He would construct his garage 12 feet above the front door and precedent for that type of construction in this area currently exists. Chairman Lang stated it would be worthwhile for all Board Members to visit the site independently. Mr. Murphy stated he is not currently a full time resident, and he would give his permission for any Board Members to visit the site and instructed the Board Members how to access the site from South Shore Road. Board Member Volpe stated Mr. Murphy had signed the authorization for site visits on his application.

Chairman Lang stated he wished Mr. Murphy to indicate on his plot plan where the septic field would be. Mr. Murphy drew that location on the submitted map to the Board Members and also stated the septic is currently pumped under the deck but that would be changed to several dry wells. He further stated fill will be added and a new retaining wall constructed to hold the added fill. Mr. Murphy stated a new well would be drilled as the current well is a multi-family well. He further stated the screened porch would be constructed first. Chairman Lang inquired if CEO Metzler had approved the porch. Mr. Murphy stated it would increase the percentage of structures on his parcel to 27%.

Chairman Lang stated the Public Hearing would be scheduled for the June 18th meeting. Mr. Murphy inquired if he should be present for Public Hearing. Chairman Lang stated if there should be any comments from adjoining property owners, Mr. Murphy would be there to address them. Board Member Volpe inquired if Mr. Murphy had approached any of his neighbors with his intentions. Mr. Murphy stated he had spoke with a few and no one had any objections. Board Member Traeger stated the view of some neighbors may be blocked. Mr. Murphy stated there are only trees and no buildings. The Secretary had compared the list of adjoining property owners to the one provided and it was determined that several duplicates appeared.

Motion by Judy Traeger, seconded by Board Member Johnsen to accept Application No. 0703ZBA, Peter and Jean Murphy as complete and a Public Hearing is scheduled for

Monday, June 18, 2007 at 7 p.m. Ayes: Hank Lang, Pat Volpe, Judy Traeger, Ken Johnsen, David Davidson. Carried 5-0.

Chairman Lang inquired if the date of the Public Hearing needed to be changed due to a conflict with Mr. Murphy's schedule, would a motion to defer be needed at this time. Town Attorney Avigdor stated it is the Board's prerogative but the Public Hearing has been scheduled at this meeting, all adjoining property owners would be notified of that and if it was adjourned on June 18, those in attendance would be aware of the change. It was felt any interested party would be in attendance at the June 18th and no further notification would be necessary.

Correspondence There was no interest in attending the Zoning and Planning Breakfast Briefing on June 22nd in Saratoga.

Chairman Lang requested members provide phone numbers and email addresses to the Secretary which will be forwarded on to each member.

Secretary's Report None.

Public Participation None.

Respectfully submitted,

Diane R. Byrne
Secretary