TOWN OF DAY ZONING BOARD OF APPEALS
PUBLIIC HEARING & REGULAR MEETING-DRAFT MINUTES
October 19, 2026

A PUBLIC HEARING of the Zoning Board of Appeals of the Town of Day, County of Saratoga, State of New York, was held in Day Town Hall, 1650 North Shore Rd., Hadley, NY 12835 on October 19, 2026.

The meeting was called to order by Chairwoman April Schmick at 7:02 pm with the following answering roll call: Jeremy Allen, Rob Zeglen, James Pieniazek, Chairwoman April Schmick and Attorney Matt Fuller.

Motion, made by Chairwoman April Schmick, seconded by Jeremy Allen to approve the September 21, 2026, Regular meeting minutes.
Ayes: Jeremy Allen, Rob Zeglen, James Pieniazek, Chairwoman April Schmick
Carried: 4-0

Discussion of Application Forms: Neil Sheehan, 34 Rosebloom Rd. (private road) Parcel #42.11-2-12.11, approached the podium to reiterate to the board the reasoning for his appeal to his denial letter for a building permit to add a garage to his property. The board found in favor of Mr. Sheehan's appeal and announced that no variance would be needed for this project pursuant to Section 8.5A (Existing Small Lots) of the zoning law.

Gary DuBois, 37 Rosebloom Rd. (private road) Parcel #42.11-2-41.2, approached the podium to reiterate to the board the reasoning for his appeal to his denial letter for a building permit to build a single-family home. The board found in favor of Mr. Dubois' appeal and announced that no variance would be needed based on the outcome of Mr. Sheehan's appeal as he applied for the same building permit and on Sections 8.5A (Existing Small Lots) and 9.4 (General Exemption to Minimum Lot Area Requirements) of the zoning law.

Charles and Sara Heigel, 28 Overlook Terrace East (private road) Parcel $33.18-1-7, approached the podium to discuss their area variance application with the board. Member Rob Zeglen made a motion for a Resolution stating that Mr. & Mrs. Heigel's denial letter was incorrect and no variances are needed for their project to build a single-family home pursuant to section 8.5A (Existing Small Lots) and Section 8.5B (Front yard depth Seconded by Chairwoman April Schmick,

George Bolotin, 38 Rosebloom Rd. (private road) Parcel #42.11-2-11, approached the podium to discuss his area variance application with the board. Chairwoman April Schmick made a motion for a Resolution stating that Mr. Bolotin's denial letter was incorrect and no variance is needed for his project to build a home on an existing footprint pursuant to section 8.5A (Existing Small Lots). Seconded by Member James Pieniazek,

Motion made by member Rob Zeglen to close public hearing seconded by Member Jeremy Allen.
Ayes: Jeremy Allen, Rob Zeglen, James Pieniazek, Chairwoman April Schmick
Carried: 4-0

Timothy Frame, 14 Overlook Terrace West (private road) Parcel #33.18-1-71, approached the podium to discuss his area variance application with the board. Chairwoman April Schmick made a motion for a Resolution rendering Mr. Frame's variance application "moot" and will not move to a public hearing pursuant to Section 8.5A (Existing Small Lots) ; no variance is needed. Seconded by Member Rob Zeglen.

Christopher Smith, L48 W. Kinney St. (private road) Parcel #42.8-1-48, approached the podium to discuss his area variance application with the board. Chairwoman April Schmick made a motion for a Resolution rendering Mr. Smith's variance application "moot" and will not move to a public hearing pursuant to Section 8.5A (Existing Small Lots) ; no variance is needed. Seconded by Member James Pieniazek.

Brandon Ferguson of Environmental Design Partnership represented his client, Doris O'Connor, 1174 Frank Kathan Rd. Parcel #33.11-2-22, approached the podium to discuss the area variance application with the board on behalf of Ms. O'Connor, The application references Ms. O'Connor's requests for a front yard setback of 33' where 40' is required, a side yard setback of 10' where 17.5' is required, a rear yard setback of 8' where 15' is required and a shoreline setback of 57' where 75' is required. Chairwoman April Schmick asks the board if they feel the application is complete, the board replies they feel the application is complete. Chairwoman April Schmick states that this application can move forward to a public hearing.

The public hearing is scheduled for Monday, November 16, 2026 at 7:00 pm.

Motion made by Chairwoman April Schmick to go into Executive Session to discuss litigation, seconded by Rob Zeglen at 8:32 pm.
Ayes: Jeremy Allen, Rob Zeglen, James Pieniazek, Chairwoman April Schmick
Carried: 4-0

Motion made by Chairwoman April Schmick to come out of Executive Session, seconded by Jeremy Allen at 9:07 pm.
Ayes: Jeremy Allen, Rob Zeglen, James Pieniazek, Chairwoman April Schmick
Carried: 4-0

Motion made by Chairwoman April Schmick to adjourn the meeting, seconded by Rob Zeglen at 9:09 pm.
Ayes: Jeremy Allen, Rob Zeglen, James Pieniazek, Chairwoman April Schmick
Carried: 4-0

Michelle Gannon, General Clerk