

**TOWN OF DAY PLANNING BOARD  
REGULAR MEETING  
MARCH 5, 2012, 7 P.M.**

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

**Members Absent:** None

**Motion** by Jack Vaillancourt, seconded by Board Member Traeger to approve the minutes with the following correction on Page 5, Local Law Review Committee, third paragraph, first sentence: "Viewshed requirements utilize of balloons..." change to "Viewshed requirements utilize balloons..." Ayes: Cox, Mirczak, Vaillancourt, Traeger. Recusal: Brennan. Carried: 4-0.

**New Business:**     **LOCKEY, Raymond**  
Tax Map #42.-2-22.12 & 23 & 24  
Revert to Tax Parcels Prior to 2003 Subdivision

The Secretary stated Dave Barrass, surveyor and representative of Mr. Lockey stated the application will be submitted for the April 2<sup>nd</sup> meeting.

**Old Business:**     **DAllaird, Donald and Rebecca**  
PB12-02SPR, Tax Map #42.12-1-73

Chairman Cox stated a sketch of the site indicating all locations utilized on the grounds around the house for commercial use requested at the February meeting had been received and made part of the file. The Board, on the advice of Town Attorney Avigdor at the February meeting, will restrict the breeding to Chihuahuas only. The applicants were in full agreement to this condition. There were no other comments from Board Members.

**Motion** by Eileen Brennan, seconded by Board Member Mirczak to approve the site plan review of Donald and Rebecca DAllaird, Tax Map #42.12-1-73, PB12-02SPR for the breeding of dogs restricted to Chihuahuas only. Ayes: Cox, Mirczak, Vaillancourt, Traeger, Brennan. Carried: 5-0.

**OTHMER, Karl E. and OTHMER ANDERSON, Janet S.**  
**TOBIN, Christine A.**  
PB11-05BLA, Tax Map #44.-1-69 and 44.5-1-29

Town Attorney Avigdor has not received the deed language from Mr. Othmer's attorney. The Secretary requested direction on the handling of this application as normally it remains on the agenda for six months pending action. Town Attorney Avigdor stated it would not need to remain on the agenda and he will report to the Board when he has received the deed language.

Chairman Cox stated it is possible that no further information is received by this Board. Town Attorney Avigdor stated if the deed is filed without approval, it would be deemed by County Real Property as an illegal subdivision and be referred back to the Planning Board.

**Correspondence:** New York Planning Federation Planning Conference to be held in Saratoga April 15-17. Chairman Cox will be attending. If any other Board Members are interested in attending, they should contact the Secretary. Registrations are due April 9<sup>th</sup>.

**Secretary's Report:** None

**Public Participation:** None

**Motion** by Dick Traeger, seconded by Board Member Vaillancourt to adjourn the meeting at 7:10 p.m. Ayes: Cox, Mirczak, Vaillancourt, Brennan, Traeger. Carried: 5-0.

Respectfully submitted,

Diane R. Byrne  
Secretary