

**TOWN OF DAY PLANNING BOARD
REGULAR MEETING
NOVEMBER 4, 2013**

Members Present:

Chairman, David Cox
Jack Vaillancourt
Dick Traeger
Eileen Brennan
Ted Mirczak

Members Absent:

None

Also Present:

David Avigdor, Town Attorney

Motion made first by Jack Vaillancourt and seconded by Eileen Brennan to approve the minutes of October 7, 2013. Ted Mirczak abstained as he was absent at the last meeting. Ayes: Cox, Traeger, Vaillancourt, and Brennan.
Carried 4-0

New Business:

**LOUGHRAN, Patrick & Meredith
Tax Map# 31.8-1-4
Site Plan Review
North Country Store**

Chairman, David Cox, stated that we have Patrick and Meredith Loughran here tonight and they would like to open the North Country Store. Patrick spoke to the board about wanting to keep the store as is with homemade food. They will have breakfast and lunch to go. They will have the basic groceries such as milk, bread and eggs. They would also like to make pizza on-site to sell. There will eventually be gas, the state has to come and calibrate the pumps first. He would also like to eventually do a propane bottle exchange. They are applying for a beer and wine license. They do have the kitchen set up with a new hood over the cooking area and double the fire extinguishers needed. The health department has to come in to do an inspection and he also put a chlorinator in the water system. The total seating inside, right now is eight people.

Chairman, David Cox, asked if there would be anything else different in the store. How is the lighting outside? Patrick stated that the lighting outside is already sufficient and there is also a handicap ramp and ice chest outside. Public parking will be about the same, 10-14 parking spaces. They do not plan on moving the gas tanks. They can only have two types of fuel and they are looking at unleaded and kerosene.

Ted Mirczak had a question about the application, where it states food for catering. Do you plan on having a catering business? Patrick said this is solely for take-out.

David Avigdor would like the old application from the store pulled to see how the gas pumps were approved. He also explained that the Town of Day has an APA approval for land use program. We will need to give notice to the APA for approval. Also, we may want to consider having a Public Hearing at our next meeting. Dave Avigdor asked Patrick if they bought the property? Patrick explained that

Jim Duffey is holding the note and it is a 5-year flip right now. Patrick and Meredith have a written agreement right now to operate the business. David Avigdor said we do need a copy of that for our files.

Jack Vaillancourt asked if the plumbing was fixed and also the electric? Patrick said it has all been fixed; no more water in the basement, boiler, generator, etc. He hired someone to come in to make sure everything was up to code.

David Avigdor had a question about the propane bottle exchange; where do you plan on having the bottles? Patrick explained that there is a big boulder on the property and that is the plan for them to be behind that. We should have a site plan, drawing for this; the Loughran's will put this on hold until another meeting.

For now, they would like to open the store with the existing site plan. The propane bottle exchange and gas pumps will be addressed at a later date. They wanted to open this Friday.

David Avigdor explained that the zoning law states we have to refer a copy to the APA and to Saratoga County Planning. We legally have to wait for a response from them, as they are entitled to see any site plan that is within 500' from a county road. However, the board can declare that the application at this time is complete. We can declare the Town of Day Planning Board for lead agency for SEQR; do we need a public hearing at the December meeting?

Motion was made that the application is complete first by Ted Mirczak and seconded By Dick Traeger. Aye: Cox, Traeger, Mirczak, Brennan, and Vaillancourt.
Carried 5-0.

Motion made by Eileen Brennan and seconded by Dick Traeger to declare the Town of Day Planning Board for lead agency for SEQR.
Ayes: Chairman David Cox, Eileen Brennan, Dick Traeger, Ted Mirczak and Jack Vaillancourt.
Carried: 5-0

David Avigdor explained that the negative declaration could be handled at the next meeting after we've received notice from the county.

Motion made first by Jack Vaillancourt and seconded by Dick Traeger that there will **not** be a Public Hearing at next month's meeting.

Ayes: Chairman David Cox, Eileen Brennan, Dick Traeger, Ted Mirczak and Jack Vaillancourt.

Carried: 5-0

Ted Mirczak suggested that if we get an answer before the next meeting; we may have a special meeting so we could approve the application sooner.

David Cox stated that the county will have to approve this at their next meeting and it would probably take until our next meeting on Monday, December 2nd.

He stated that we have declared this complete and we will send it to the APA and Saratoga County Planning. He stated he sees no reason why this will not be approved.

The application will be sent to the APA and Saratoga County Planning on Wednesday morning.

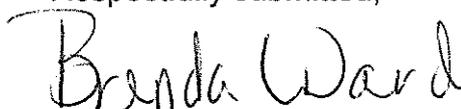
Old Business: None

Correspondence: Sent prior to meeting regarding Environmental Quality Review Act Workshop for December 4th and Planning & Zoning Conference on January 29, 2014.

From the Floor: Ted Mirczak said he recently was reading the Adirondack Explorer and there was an article in it about David Cox doing a presentation at Paul Smiths' College.

Motion to adjourn the meeting first by Dick Traeger and seconded by Jack Vaillancourt at 7:55 p.m. Ayes: Chairman David Cox, Eileen Brennan, Dick Traeger, Ted Mirczak and Jack Vaillancourt.
Carried: 5-0

Respectfully submitted,



Brenda Ward

**TOWN OF DAY PLANNING BOARD
REGULAR MEETING
OCTOBER 7, 2013**

Members Present:

Chairman, David Cox
Jack Vaillancourt
Dick Traeger
Eileen Brennan

Members Absent:

David Avigdor, Town Attorney
Ted Mirczak

Motion made first by Jack Vaillancourt and seconded by Dick Traeger to approve the minutes of September 7, 2013. Ayes: Cox, Traeger, and Vaillancourt. Brennan abstained as she was absent at the last meeting and was not able to open her email.
Carried 3-0

Eileen Brennan stated that she has had a problem with opening her emails. I explained to her that I could copy and paste the emails instead of sending the attachments. I will try to do this for Eileen and if this does not work, the minutes will be mailed to her.

New Business: None

Old Business: None

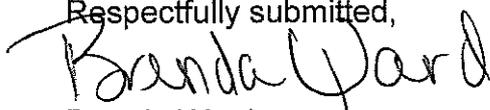
Correspondence: Bond Fall 2013 Zoning & Planning Case Law Update Breakfast Information to each board member

David Cox mentioned that he recently went to a meeting on September 30th in Saratoga Springs which was sponsored by the Saratoga County Chamber of Commerce. This was attended by Planning Board Chairmen from each town in Saratoga County. He also went to Paul Smiths' College to give a presentation on the view shed protection area. He said those attending seemed interested as there was a stack of information about this and most of it was taken.

He also had some information from the Capital District News Letter showing that the two towns lowest in tax rates is Town of Day and Edinburg.

Motion to adjourn the meeting first by Dick Traeger and seconded by Eileen Brennan at 7:10 p.m. Ayes: Cox, Brennan, Traeger, and Vaillancourt.
Carried: 4-0

Respectfully submitted,


Brenda Ward