

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

Members Present:

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

Members Absent: None

The last meeting minutes were reviewed and a correction was submitted by Chairman David Cox. The motion made to refer this issue back to the Town Board with a recommendation that the Town **not avail itself** of any possible transfer of development rights resulting from state acquisition of Finch Pryne lands within the Town. This correction is noted.

Motion by Jack Vaillancourt and seconded by Eileen Brennan to approve the minutes as corrected. Ayes: Mirczak, Traeger, Cox, Brennan, and Vaillancourt. Carried 5-0.

Old Business:

**Brennan, Harry & Eileen
Golden, John & Geraldine
Tax Map No. 16.-1-17.1 & 2
(MYLAR MAP)**

Regarding the boundary line adjustment for Brennan/Golden; Eileen Brennan brought in the map that was authorized by the land surveyor, Donald L. Pidgeon, Jr. This was reviewed by the Planning Board. David Cox stated he needs the deed to be filed to verify this is a boundary line adjustment and not a subdivision. David Avigdor said he is representing Eileen for this and will draft as long as the board is satisfied with what is going on with the boundary line adjustment. The map was submitted for file. This is approved pending the receipt of the combined deed.

**Garrahan, Colleen
Cochrane, Robert
Prior Tax Map #42.8-1-55
New Tax Map #42.8-1-55.1 & 55.2**

Regarding Garrahan/Cochrane there is no record of a deed filed. We are still waiting for the corrected deed. This will be taken off the agenda until there is a filing of the corrective deed.

January 7, 2013

Hertzel, Ronald
Tax Map's 44-1-8 & 44-1-65
(Previous Boundary Line Adjustment)
Tax Map #44.-1-19.2
(Previous Subdivision)

Regarding Hertzel subdivision, this cannot be done without a zoning variance. David Avigdor stated that this cannot be grandfathered in as Mr. Hertzel thought as he did not own the property before the rules and regulations were implemented. The subdivision cannot be done because of lack of road frontage, so he needs a zoning variance. We need to send Mr. Hertzel a letter regarding this issue. Brenda to draft the letter with advisement from David Avigdor and David Cox to sign before sending to Mr. Hertzel.

New Business:

Keller, Thomas & Andrea
Tax Map #31.11-1-8

Regarding Thomas and Andrea Keller permit for shoreline erosion fix with rip rap. Mr. Keller was in attendance for the meeting. He was advised by Mr. Avigdor that he did not have his Short Environmental Assessment form in the packet we received. Mr. Keller did bring this with him and a copy of this is in his file. Mr. Keller said they will be doing this as soon as they can get to the shoreline in the spring. Board advised him to read over DEC regulations and make sure to follow the regulations.

Motion by Ted Mirczak and seconded by Richard Traeger to approve the permit.
Ayes: Mirczak, Traeger, Cox, Brennan, and Vaillancourt. Carried 5-0.

Saratoga County Zoning and Planning Conference for 2013 is on January 30th and all applications should be in before January 16, 2013.

Motion made by Eileen Brennan, seconded by Jack Vaillancourt to **adjourn** the meeting at 7:15 p.m. Ayes: Cox, Vaillancourt, Brennan, Mirczak and Traeger. Carried 5-0.

Respectfully submitted,



Brenda Ward
Secretary