

# TOWN OF DAY ZONING BOARD OF APPEALS

REGULAR MEETING MINUTES – DRAFT

APRIL 20, 2026

PAGE 1 OF 4

**A REGULAR MEETING** 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 April 20, 2026.

The meeting was called to order by Chairwomen April Schmick at 7:00pm with the following answering roll call: Board Member Rob Zeglen, Board Member James Pieniasek and Board Member Jeremy Allen, Town Attorney Matt Fuller, Town Codes and Buildings Bill Farr and General Clerk Amanda Prescott

Board Member Jeremy Allen asked to look at page 4 at the organizational scheduled meetings

Chairwomen April Schmick Answered with the Organizational Meeting is to Adopt the Meeting Dates as is, or Board can make own scheduled dates Annual list. Chairwomen asked Attorney Matt Fuller if needed to be changed on meeting minutes from March 16, 2026? Attorney Matt Fuller replied with there is no requirements to approve minutes. If changes need to be made to note them in the future minutes because minutes are set as within 2 weeks of that said meeting minutes. To delete given from Saratoga County on the Organizational Meeting Minutes for next year not in the actual Minutes from March 16, 2026.

**Motion** made by Board Member Jeremy Allen, seconded by Board Member Rob Zeglen to approve March 16, 2026, Regular and Organizational Meeting Minutes

Ayes: Chairwomen April Schmick, Board Member Rob Zeglen, Board Member James Pieniasek, Board Member Jeremy Allen

Carried: 4-0 Passes

**Regular Meeting Conducted to Discuss Revisions made to the Variance Application for Dana and Glenn Wolin: Parcel 32.17-1-27, 2043 North Shore Rd - Hadley NY 12835– Single Family Old Camp Demo to a New Modular Built**

Exact Setbacks to the Front - East side- Rear

Chairwomen April Schmick spoke that the second letter of Determination letter spells out the formula that the Codes and Building Inspector used and the determination calculations, The Board did not have any questions for the letter of determination

Board Member James Pieniasek had asked Property Owner Dana and Glenn Wolin if a new septic is being put in that it was rather large? Glenn Wolin responded with its Elgin Septic System - Property owner Dana Wolin had stated that the 2 bedroom building going up is for that septic

Chairwomen April Schmick had spoke with the Town Attorney Matt Fuller about the note in blue on the Agenda stating "Did not need to be referred to the County" that we still have to submit to the county- General Clerk clarified that note is referenced to March 16, 2026 Zoning Meeting that the Property Owner's Dana and Glenn Wolin did not need to notify the County of The driveway (not putting one in is already there) and the Town of Day does not have Town sewage. County still gets contacted and referrals and submitted files.

Property Owner Dana Wolin had mentioned she contacted the Saratoga County Planning Board Jason Kemper that the County has a waiver with the Town of Day that it is up to the town to go to County or not and she would like to not, that they are already behind on schedule, Chairwomen April Schmick stated it still has to be submitted to the County because they are on a County Road, Property Owner Dana had said they are up on a hill and they are not doing anything with the roadway at all. The existing roadway is their driveway.

Chairwomen April Shmick had spoke with Town Attorney Matt Fuller about signing the Memorandum and 500 feet, has not taken place yet.

The Board Members have stated that they did not have any questions about the Property Owners Application or Letter of Determination

Chairwomen April Schmick asked for a Motion to approve the Wolin's Application and go to a Public Hearing on May 18<sup>th</sup> 2026 7:00pm

**Motion** made by Board Member Rob Zeglen that it is a complete Application and to schedule a Public Hearing for May 18<sup>th</sup> 2026 at 7:00pm Seconded by Board Member James Pieniasek all in favor

**Ayes:** Chairwomen April Schmick, Board Member Rob Zeglen, Board Member James Pieniasek and Board Member Jeremy Allen

Carried 4-0 – **Passes**

Chairwomen April Schmick had mention next step is for the Owners to get Certified mail receipt to the clerk ( 500 foot Neighbors notification) Property owner Dana had asked what that consist of and what is the local paper for the notification for Public Hearing, General Clerk responded with The Post Star gets the Public Hearing Notice and that the 500 foot neighbors list just gets a certified letter stating you notified them and receipt of each letter comes back to clerk to be filed. The neighbors get notification of the public hearing.

Dana and Glenn Wolin said Thank you and exited the meeting.

Chairwomen April schmick said next business was the Memorandum of understanding not part of the Wolin's Application

Attorney Matt Fuller had mentioned he read memorandum before the meeting and his understanding - the County wants to amend the prior agreement (15- 20 years agreement)(1988 even longer) to exempt certain Applications that come before the zoning board for County planning and referral, County to expedite the process for Town Zoning to refer to County and staff from County to review and sign off if not a big deal or major impact. Few Counties are using this process. To ask if Prior Agreement stands or not, Chairwomen April stated to Attorney Matt Fuller that she does not want to do anything with the Memorandum until she hears back from Attorney Matt Fuller in the next meeting, Attorney Matt fuller asked for the Memorandum to be emailed to him. Chairwomen April Schmick stated to put on the agenda for next month to revisit the memorandum.

Chairwomen April spoke about the Proposed marked up version of the Town's Zoning Law that the board would like to view it within the next month and if any questions to ask Attorney Matt Fuller- Attorney Matt Fuller had said the board did not take it up last week, that the board can set a public hearing that could be set up in May for June ( was prepared back in 2024) to speak with Harry. Chairwomen had mentioned this was prepared back in 2024 – (Ted and Dave) Chairwomen April asked if they were to approve it based on their work or revisit, Attorney Matt Fuller said he didn't include any of the subsided Changes that were being talked about before. That he delt with the Structural changes that didn't comply with the town hall (section 10 and 11) and the battery energy storage that the Town Board wants to include which is a subsided change verses a procedural change that the input from the zoning board is needed. The Town Board is a Legislative Body.

Chairwomen asked Harry the Town's supervisor if the new emails were set up for group or for individual access, right now is the individual not a shared one drive.

A discussion within the meeting room about emails and how they are set up to show who they are

Chairwomen April Schmick called

**Executive Session: 7:25pm – Legal Status of Litigation**

**(8:00pm General Clerk in & recorder turned on)**

Before calling the meeting to Adjourn the board had a question for the General Clerk – Do you print the 500-foot list of neighbors for the property owners or do the property owners? Some towns the property owners have to get their own list of neighbors, The Town of Day has the General Clerk research under the Saratoga County web site for the 500 foot radius of Neighbors print off a list and labels of their addresses to give to the property owners to mail out certified copies along with the Affidavit and Letter of Neighbors and return the original paper work and certified receipts to the Town's General Clerk to be filed.

Town Attorney Matt Fuller had mentioned that the town is not legally required to send certified that the municipalities The town can just send regular mail that the certified is just notification and regular mail still can be notification that goes out to the neighbors. The Town just needs proof of notice.

Chairwomen April schmick had said for the Town Zoning to provide a list of duties for the process of the 500-foot neighbors notification for the property owners to follow, General Clerk Amanda had mention to update the list first from Saratoga County because they have updated the process on their end - to use the Property search and PROS. Everything to eventually be on the Town website. The property Owners are to research their neighbors in the 500-foot radius and follow the instructions given form to be made.

Chairwomen April Schmick asked for:

**Motion to Adjourn** from the **Executive Session** and the Regular meeting this evening Board Member Rob Zeglen made **Motion to Adjourn Executive and Regular Meeting Sessions Seconded** by Board Member James Pieniasek

**AYES:** Chairwomen April Schmick, Board Member Rob Zeglen, Board member James Pieniasek and Board member Jeremy Allen

**Carried:** 4-0 PASSES

Next Meeting = Public Hearing May 18, 2026, at 7:00pm

General Clerk  
Amanda Prescott