

WORKSHOP MEETING- DAY TOWN BOARD
APPROVED MINUTES
JUNE 25, 2024
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A WORKSHOP MEETING of the Town Board 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 June 25, 2024.

The meeting was called to order by Supervisor Diana Edwards at 3:00pm with the following roll call: Councilman George Lembo, Councilwoman Cheryl Allen, Councilman Harry Brennan, Supervisor Diana Edwards and Highway Superintendent Leonard Allen.

Chairman Dave Davidson of the zoning board of appeals spoke about some changes and updates to the proposed zoning law. Some changes are to allow boundary line fences in the setback area, adding private roads to the frontage requirements, removed minimum requirement of 600sq ft for a dwelling, added a minimum lot depth of 150 feet, extended the period of a variance, created a category called temporary allows things to happen for 2 weeks and without a change its always forbidden.

Chairman Dave Davidson would like the residents to check with the towns code officer to make sure there in compliance for all projects, to avoid problems down the road. If a resident fails to do so it would allow the code enforcer to take action. Councilman George Lembo asked if it is something that the code enforcement would be overwhelmed or could handle the extra work. Chairman Dave said Albert did not have a problem with it at all. Councilman George Lembo doesn't feel there's a need to have residents going in to see Albert over something that's small and really is not needed. Councilwoman Cheryl Allen agreed that it would be too much work for Albert to do. Councilman Lembo wanted to speak to Albert on if he can handle residents coming in to ask about every little project. Councilman Lembo asked what is considered a structure. Dave said structures are subject to zoning. If a structure is within the setbacks there is no issue. Highway Superintendent Leonard Allen said there's a road in the town where there's trees, mulch beds etc. on the highway right away, which is a problem.

Albert Brooks the Code Enforcer joined the workshop meeting and stated that he would like to have it so anyone building something that's 100sq ft or larger would have to get a building permit. Albert said he reviews all plans brought to him for a building permit, if a building permit is not needed there's no need to bring every project in front of him. Councilman George Lembo asked Albert if he was brought every little project if he could handle it. Albert said his codes do not cover things like raised garden beds etc.

Councilwoman Cheryl Allen asked about having something put in the zoning law about steep driveways where emergency vehicle could not get up. Dave said if it's a driveway on a county road it would be a county problem, not the towns. Councilwoman Allen

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asked about air b&b's and solar farms. Dave said if the town wants to take on regulating air b&b's, he prefers to have it a separate thing and not include it in zoning. Albert said that air b&b's should be regulated. Albert said he knows there is a bill on Hochul's desk now to regulate air b&b's. Councilwoman Allen was surprised that the jail time in the zoning law wasn't removed.

Councilman Harry Brennan asked how any changes in the language of the zoning law to make it better for the taxpayers. Chairman Ted Mirczak of the planning board explained that it was to help make things clearer. Ted said he looked at it as he wanted to make sure people understood the law.

Councilwoman Cheryl Allen asked about a camper being put on a vacant lot for two weeks by a family member to come visit, if it was allowed. Cheryl was told it was allowed up to 180 days as long as a structure wasn't attached to it.

Councilman Harry Brennan said the attorney Matt Fuller mentioned something previously about the view shed. He wanted to mention it to ask the attorney at the next meeting.

Supervisor Diana Edwards asked about solar panels. Albert said the town cannot stop people from using solar panels.

Albert said for the manufactured homes, anything prior to 1976 is not allowed.

Councilwoman Cheryl Allen asked about blasting. She was wondering if it was necessary to have 4 million dollars in insurance. Albert said within the next few weeks there is someone in town that will be blasting for a water line. Supervisor Diana Edwards said the attorney may be able to answer some questions about the insurance.

Councilman George Lembo asked if there is something that can be done to make residents know that all zoning/planning need to be followed, or even a pamphlet. He is not in favor of a zoning administrator. Supervisor Diana said there is a sign placed in the town that says zoning in effect. Also, the town laws are posted on the town website. Albert suggested a zoning administrator or zoning officer. Highway Superintendent Leonard asked who would be enforcing the zoning laws. Albert said he would be able to if he had a zoning administrator or zoning officer if it was in the law for the buildings/code enforcement is to enforce it.

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Motion, made by Councilwoman Cheryl Allen, 2nd by Councilman Harry Brennan to fix the typographical error in **Resolution #2023-67A** from Sanitation Truck to Tandem Plow/Dump Truck.

Ayes: Councilman George Lembo, Councilwoman Cheryl Allen, Councilman Harry Brennan and Supervisor Diana Edwards.

Carried: 4-0

Motion, made by Councilwoman Cheryl Allen, 2nd by Councilman George Lembo to adjourn this workshop meeting at 4:32pm.

Ayes: Councilman George Lembo, Councilwoman Cheryl Allen, Councilman Harry Brennan and Supervisor Diana Edwards.

Carried: 4-0

Tracy Ladd
Town Clerk