

TOWN OF DAY ZONING BOARD OF APPEALS

REGULAR AND ORGANIZATIONAL MEETING

MARCH-16 2026 - DRAFT

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 March 16, 2026.

The meeting was called to order by Chairwoman April Schmick at 7:20pm with the following answering roll call: Board Member Rob Zeglen, Board Member James Pieniasek, Attorney Matt Fuller, Codes and Building Inspector Bill Farr for Town of Day.

Property Owners Glenn Wolin and Dana Wolin Parcel# 32.17-1-27 (2043 North Shore Rd.)
Old Camp Demo to New Modular Built
Letter of Determination Sec. 4.4 – Does not meet requirements (4 Variances on 3sides) F S R

PLEDGE

Motion to Approve September 15, 2025, Regular Minutes made by Board Member Rob Zeglen Second made by Board Member James Pieniasek.

Ayes: Chairwomen April Schmick, Rob Zeglen, James Pieniasek

Carried: 3-0 Passes

Owners Glenn and Dana stated application was sent in November 2025, Chairman April schmick stated Receipt \$75. In January 2026 followed by Letter of Determination from Bill stating Sec. 4.4 Does not meet Requirements Chairwoman asked Codes and Buildings Inspector for the Town of Day to explain Letter of Determination did not state the requirements needed – Bill stated the survey sheet Map shows four Variances needed Chairwoman asked Attorney Matt Fuller if the map with Variances (4) highlighted is acceptable variances and Setbacks. Board Member Rob Zeglen asked Bill if he could add the Setbacks and Variances needed to the Letter of Determination. Chairwomen asked Attorney that Setback and Variances needed should be written on said Letters of Determination when filled out for the Board to clarify Approve and/or deny an application.

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Bill replied with inserting a line into the Letter of Determination to add in the Setback and Variances needed. Chairwomen and Board are asking for Specifics to be added to Letter of Determination. Attorney clarified that the Form he gave Bill can be utilized to the needs of the Building and Codes Inspector to insert requirements needed.

Chairwomen April asked to see Page 5 of the Owners Application submitted

Chairwoman April Schmick asked Attorney if it was viable to set the Public Hearing Attorney answered with you would need to have all information turned in for County Submission as it is a County Highway Road- County Planning Board and may have a time limit.

Attorney Matt Fuller asked Bill if Zoning is the same for Deck as it is for House? Bill answer is NO. Attorney Matt asked Bill to clarify the math 19.2 feet requirement or 19 feet for the variance. Attorney Matt Fuller asked Bill to clarify the Math for each Setback and/or Variance. (4 Variances-3 sides) Front, Side and Rear

Owner Dana had asked if needed to fill out another Application Chairman April Schmick commended owners for having such nice packets - Application.

Dana is verbally concerned of Seasonal starting renters or/and neighbors when job starts to be a nuisance, even though neighbors gave letters of agreement have not started demolition yet, She does not want nothing there.

Attorney Matt Fuller stated the variance criteria must be clarified and submitted or each variance's

Chairman April Schmick stated that they cannot Approve this Application nor set the Public Hearing until all information is clarified and corrections by Bill submitted for April 1, 2026 Agenda and a May Public Hearing consist upon all clarified information given is correct.

Attorney stated also must be submitted to the Saratoga County Planning Board and for Amanda to look up the Town Exemption letter for referral requirements by the County.

Board Member Rob Zeglen stated for Bill to fill out 8.5 section

Dana had asked can she just insert the information needed on same said Applications (7) packages already submitted - so all Applications were given back to Owners except Original. Applications were given back for information to be inserted and resubmitted.

Corrections need to be submitted for April 1, 2026 for April 20- Agenda - Dana and Glenn Wolin left the meeting

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Chairman April schmick stated that with Bills clarification on variances stated on Letter of Determination and Owners of said Property resubmitted with proper information fix for each variance's to be in by April 1 Wednesday 2026 for April 20- Agenda and Saratoga County Planning Board submission and/or referral only then can a Public Hearing be set (May2026)

County must respond before Public Hearing (30 days)

Chairman April Schmick stated she would not like emails sent with documents instead print them and text her that they are ready in office until new email (.gov) is available as for Board Member Rob Zeglen he will accept emails with Documents and Forms as well as Board Member James Pieniasek.

Attorney Matt Fuller said Zoning Law 10.5 APA -Test for area and use Variance test adopted by state in early 1990's Statues that Predates early 1990 – defined that there are practical difficulties in way of caring out the strict letter of the restrictions, revisions that's called for and that spirit of restrictions or previsions would be observed and public safety and welfare secured and substantial justice is done.

Chairwomen April Schmick and Attorney Matt Fuller had discussed proposed APA Area and Use Variance paragraph Zoning Law Section 10.5 pertains to the Shoreline.

Chairman April Schmick and Attorney Matt Fuller spoke of the proposed Zoning Law changes made for the 2026 Area and Use Variance Applications.

Motion made by Board Member Rob Zeglen to approve new Area and Use Variance Application changes made by Town of Day Attorney Matt Fuller and second by Board Member James Pieniaazek

Ayes: 3-0 Passes

Chairwomen April Schmick had asked Amanda (General Clerk) to make sure that the Proposed marked up version of the Town's Zoning Law is on the next Agenda to discuss (April 20, 2026). Per- Attorney Matt Fuller agreed.

Attorney Matt Fuller had asked the General Clerk to not copy and paste.

Chairwomen April Schmick and Board Member Rob Zeglen and Attorney Matt Fuller had discussed page 29 of the Zoning Law Proportionality -changes that Dave and Ted had errors in RED typing are the changes Attorney Matt Fuller for the Board Members to look over the Zoning Law changes Attorney Matt Fuller would like Article 10 and 11 Administrative to be read. Procedural issues

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Power out 2x (wind storm)

Chairwomen stated next meeting is April 20, 2026, at 7:00pm

Adopt Annual Schedule sent from Saratoga County when meeting list comes out from County that the Town still needs to Adopt Approve the dates in an Organizational Meeting.

Motion made by Board Member Rob Zeglen Second James Pieniasek to Adopt/Approve the Dates of Zoning Board Meetings given from Saratoga County for the year 2026.

Ayes: 3-0 Passes

Board Member Rob Zeglen asked Attorney Matt Fuller if it was okay to discuss the Zoning Board Law changes over email, Attorney Matt Fuller answered yes.

Chairwomen April Schmick stated to Board members that when an Application comes in not to discuss the Application by email the Board Members can only discuss as a group together. Community Members emails should be discussed only at the public Hearing and not answered back. If cannot be at the Hearing the email will be provided to the Clerk and read at the Meeting.

Application

Letter of Determination – Bill

Full Application may not need Zoning – up to Owners decision what to do

Area or Use Variance Application Approval or Denial MTG

Public Hearing MTG (may need County approval or Referral)-(30days)

Board Member Rob Zeglen to make MOTION to Adjourn Meeting at 8:11pm Second by James Pieniasek all Ayes: Chairman April Schmick, Board Member Rob Zeglen and Board Member James Pieniasek 3-0 passes

General Clerk

Amanda Prescott