

**TOWN OF DAY-PLANNING BOARD**

**DRAFT MINUTES**

**OCTOBER 6, 2025**

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**Members present:**

Chairman Ted Mirczak

Board Member Ellen Taylor

Board Member Rick Wahrlich

Attorney Jeffrey Meyer

**Member absent:**

Maryann Johnson

**Motion** made by Board Member Rick Wahrlich to approve and accept minutes from July 7, 2025, seconded by Ellen Taylor.

**Ayes:**

Chairman Ted Mirczak

Board Member Ellen Taylor

Board Member Rick Wahrlich

**Carried: 3-0**

**At 7:00 pm - Informal Meeting via Phone with Applicant:** Eileen Brennan, 53 Green Acres Rd., Hadley, NY 12835 was unable to make it physically to the Planning Board Meeting because of her work.

Due to the location of the Subdivision being applied for Chairman Ted Mirczak asked Attorney Jeffrey Meyer if lot frontage had to be on a public highway. Attorney Jeffrey Meyer states the law regards highways as generalities with exact specifics.

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Applicant states it is on an abandoned town road. Attorney states in those cases usually there is no documentation – the public stops using the road and the homeowners along the road end up owning the road.

Attorney asked two questions: 1. Are emergency vehicles able to access road?

2. Is the road maintained by the town?

The Planning Board and Applicant agreed to reschedule the meeting to November 3, 2025. The phone conversation ended.

**At 7:15 pm** Chairman Ted Mirczak called the Planning Board Meeting to order:

Chairman Ted Mirczak states Items the Applicant needs to provide the Planning Board before November 3, 2025: 1. Deeds of all property owners located on road.

2. A better sketch or a survey.

The Planning Board asked the Clerk to get a Town Highway List of Roads in Town of Day and the mileage of each road. They suggested contacting the Town Highway Superintendent for this list.

At the next meeting, the Planning Board will have to determine if this is a buildable lot because Attorney Meyer states lot width is along a road frontage – so once again – can emergency vehicles access the road and is it town maintained.

Chairman Ted Mirczak states may be decided by Planning Board at the Informal Meeting on November 3, 2025, to refer application to the Zoning Board of Appeals.

**Public** was present – Chairman Ted Mirczak asked if there was any public comment – public stated no.

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**Motion** made by Board Member Ellen Taylor to adjourn the meeting, seconded by Rick Wahrlich.

**Ayes:**

Chairman Ted Mirczak

Ellen Taylor

Rick Wahrlich

**Carried: 3-0**

Sandra Mahr

PZ Clerk