

**TOWN OF DAY PLANNING BOARD
REGULAR MEETING MINUTES - Draft**

7:00PM

April 4, 2022

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Roll Call

Members Present:

Chairman Ted Mirczak
Gary Newton
Ellen Taylor
Mary Ann Johnson
Craig Trombley

Members Absent:

Counsel: Absent Jeffrey Meyer, phone review with Chairman Mirczak prior to the meeting.

Other Attendees: John O'Brien

Chairman Mirczak opened the meeting at 7:00PM

Pledge

Chairman Ted Mirczak asked the Planning Board to approve December 6, 2021 meeting minutes.

Motion, made by Gary Newton, seconded by Ellen Taylor, to accept and approve the meeting minutes from the Dec 6, 2021 regular meeting of the Planning Board.

Ayes: Chairman Ted Mirczak, Ellen Taylor, Gary Newton, MaryAnn Johnson, Craig Trombley

Carried: 5-0

Old Business: None

New Business: Meeting tonight to discuss approval of Mr. O'Brien adjusting his boundary line. Mr. O'Brien explained that he would like to adjust a property line between two of his own adjoining properties. Mr. O'Brien reviewed the updated survey to show his proposed changes, he made a formal appearance before the Planning Board for a boundary line adjustment.

Chairman Mirczak talked with Atty. Meyer prior to the meeting and discussed if he saw any issues going forward with an adjustment. If the boundary line was moved Atty. Meyer agreed no impediments to the law, it is amending two non-conforming lots, but not making them more non-conforming, actually it would be making one lot more conforming. It will not be creating a substandard lot so it will meet requirements.

Chairman Mirczak proceeded in reviewing the application, the brief description including reason for adjustment (page 3 of 4) was revised to include Mr O'Brien's explanation that the change was to give access to North Shore Road, thus giving tax parcel 42.9-1-8.2 access to the lake.

Chairman Mirczak said that the Planning Board needs to determine if Mr John O'Brien's Boundary Line Adjustment Application is now complete. All board members reviewed the application

Motion, made by Craig Trombley, seconded by MaryAnn Johnson, to declare the application as complete.

Ayes: Craig Trombley, MaryAnn Johnson, Gary Newton, Ellen Taylor, Ted Mirczak

Carried: 5-0

Chairman Mirczak said that the Planning Board will review the SEQRA that was completed and submitted by Mr O'Brien. He asked for a motion to declare that the Planning Board is the lead agency on SEQRA for this application.

Motion, made by Craig Trombley, seconded by MaryAnn Johnson, to declare the Planning Board acting as lead agency on SEQRA.

Ayes: Craig Trombley, MaryAnn Johnson, Gary Newton, Ellen Taylor, Chairman Ted Mirczak

Carried: 5-0

Chairman Mirczak read through and reviewed all of the line items on Part 1 on SEQRA. They questioned Mr O'Brien on page 1 question 3a, b, c regarding total acreage of the site of the proposed action and #4 (the information was missing on #3 and 4). Mr O'Brien agreed to change the SEQRA to add 2.4 acres to 3a, 0 to 3b, 2.4 acres to 3c. #4 check the Rural box. Chairman Mirczak questioned Mr O'Brien on missing information page 2, #12b and 13b both to be answered with No, #14 habitat is Forest.

Chairman Mirczak then reviewed and completed Part 2 Impact Assessment. All answers were checked no.

Motion, made by Gary Newton, seconded by MaryAnn Johnson, to approve the SEQR and declare a negative declaration.

VOTE: All in favor Craig Trombley, MaryAnn Johnson, Gary Newton, Ellen Taylor, Chairman Ted Mirczak

Carried: 5-0

Chairman Mirczak said that the Planning Board can determine if we need to hold a public hearing on this boundary line application. It was determined since the property change only impacted Mr O'Brien's property the Planning Board will not hold a public hearing.

Motion, made by Ellen Taylor, seconded by Gary Newton, to declare that the Planning Board will not hold a public hearing.

Ayes: Craig Trombley, MaryAnn Johnson, Gary Newton, Ellen Taylor, Chairman Ted Mirczak

Carried: 5-0

Motion, made by Craig Trombley, seconded by MaryAnn Johnson to declare the Boundary Line Application as complete and approved.

Ayes: Craig Trombley, MaryAnn Johnson, Gary Newton, Ellen Taylor, Chairman Ted Mirczak

Carried: 5-0

Mr O'Brien will need to send updated deed language for the two properties to be approved by our town attorney. Once Atty Meyer approves the deed change Mr O'Brien should then provide the Planning Board with mylar drawing from his surveyor. Chairman Mirczak will then sign the mylar. Mr O'Brien will then have 60 days to file the deed and mylar with Saratoga County.

Continuing Business: None

Correspondence: None

Secretary's Report: None

Motion, made by Gary Newton, seconded by Ellen Taylor, to **adjourn** this regular meeting of the Town of Day Planning Board was made at 7:40PM.

Ayes: Chairman Ted Mirczak, Gary Newton, Ellen Taylor, Mary Ann Johnson, Craig Trombley

Carried 4-0

Respectfully Submitted,
Vickie Walencik PZB Clerk