

**TOWN OF DAY PLANNING BOARD**  
**Regular Meeting Minutes - Draft**  
**7:00PM**  
**June 7, 2021**

**Pledge**

**Roll Call**

**Members Present:**

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

**Members Absent:**

**Counsel:** Matt Fuller

**Others Present:** Robert & Sheri Collins, Mary Ann Morreale

Chairman Ted Mirczak opened the meeting at 7:00PM

**Old Business:** None

**New Business:** We have two applications for Boundary Line Adjustments tonight.

**Application for Sheri & Robert Collins SBL 33.17-1-13 13 Beachwood Road West**

The Collins have appeared before the Zoning Board of Appeals on April 19, 2021 for an area application for a boundary line adjustment. A public hearing was subsequently held on May 17th, 2021 where their application was approved by the ZBA. There was no opposition from the public and the ZBA granted them the area variance. The Collin's are now appearing before the Planning Board for final approval for a boundary line adjustment.

Chairman Mirczak said that Planning Board needs to determine if the Boundary Line Adjustment Application that the Collin's submitted is complete. All board members reviewed the application. **Motion** made by Gary Newton and seconded by Craig Trombley to declare the application as complete.

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

**Carried: 5-0**

Chairman Mirczak asked if the Collin's would like to speak to the board with regard to their application. Mr. Collins explained that it was a mutual agreement between them and their neighbor that it is in the best interest of both parties to adjust the boundary line.

Chairman Mirczak said that the Planning Board will also review the SEQR that was completed and submitted by the Collin's. He asked for a motion to declare that the Planning Board is the lead agency on SEQR for this application.

**Motion** made by member Mary Ann Johnson, seconded by member Craig Trombley to declare the Planning Board as lead agency on SEQR.

**Ayes:** Craig Trombley, Ellen Taylor, Gary Newton, Mary Ann Johnson and Chairman Mirczak.

**Carried 5-0**

Chairman Mirczak read through and reviewed all of the line items listed on Part 1 of the Short Environmental Assessment Form (SEQR) with the Planning Board members. This review included the completion of the Part 2 Impact Assessment. All answers were checked as no.

**Motion** made by member Craig Trombley seconded by member Ellen Taylor to approve the SEQR and declare a negative declaration.

**Vote: All in favor**

Ted Mirczak: aye

Craig Trombley: aye

Ellen Taylor: aye

Gary Newton: aye

Mary Ann Johnson: aye

**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 that since the ZBA had a public hearing last month, and nobody showed up except for a neighbor who was there in support of the change, that the Planning Board will not hold a public hearing.

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

**Ayes:** Craig Trombley, Ellen Taylor, Gary Newton, Mary Ann Johnson and Chairman Mirczak.

**Carried 5-0**

Board member Mary Ann Johnson noted that the deck appeared to have a small corner of it onto the neighboring property. It was determined that both the Collins and their neighbors came to an agreement to move the boundary line. There are no issues with the deck because by moving the boundary line the deck is now on the correct property.

**Motion** made by Mary Ann Johnson seconded by member Gary Newton to consider the Boundary Line Application as complete and approved.

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

**Carried 5-0**

The Collins will need to provide the Planning Board with a mylar drawing from their surveyor, and the updated deed language will need to be approved by our town attorney. They have 60 days to file the deed and mylar with Saratoga County.

**Application for Mary Ann Morreale Trust** SBL 54.-1-42 705 County Rt. 10, Corinth

Ms. Morreale came before the board and explained that she was moving a boundary line between the Town of Corinth and the Town of Day and that Corinth approved her property line adjustment. She would like to build on the portion of her property that is in the Town of Day.

Matt Fuller said that if he reads the plan correctly, no boundary is actually changing in the town of Day, and that she does not need to appear before the Planning Board. After discussion with the Planning Board it was concluded that Ms. Morreale would need to confer with Kenneth Metzler, Town of Day Code Enforcement Officer, who would determine if she would need a zoning variance with the Town of Day. It was confirmed that the Planning Board could not move forward on this application as it is not a boundary line adjustment in the Town of Day.

**Motion** made by member Ellen Taylor, seconded by member Craig Trombley that since the Planning Board has no jurisdiction to rule on the application that we would refund the \$50 application fee to Ms. Morreale.

**Ayes:** Chair Mirczak, Craig Trombley, Ellen Taylor, Gary Newton, Mary Ann Johnson

**Carried 5-0**

**Correspondence:** None

**Secretary's Report:** None

**Motion** made by Ellen Taylor and seconded by Craig Trombley to **adjourn** this regular meeting of the Town of Day Planning Board was made at 7:44PM.

Respectfully Submitted,  
Diana Edwards, Clerk