

TOWN OF AUSTERLITZ

Columbia County

New York

Lee Tilden

Planning Board Chairman

Planning Board Meeting

April 7, 2022

7:00 p.m.

*******AGENDA*******

1.) Call Planning Board Meeting to Order

2.) Moment of Silence, Followed by the Pledge of Allegiance

3.) Roll Call

4.) Minutes

- **From Regular Planning Board Meeting – March 3, 2022**
- **From Public Hearing / Special Meeting – February 22, 2022**

5.) Old Business

6.) New Business

A.) PL-2022-06 – Caroline Jackson / Eric Wegerbauer

- **Minor Subdivision (Richard Sardo – Land Surveyor)**

B.) Paula (Oleynek) Bednarcik

- **Discussion of Major Subdivision**

7.) Public Comment

8.) Adjournment

Town of Austerlitz
Planning Board Meeting
March 3, 2022

The Planning Board Meeting was held via Zoom in accordance with the Governor's Executive Order. Meeting instructions were on the Town website.

Present: Lee Tilden, Chairman. Deborah Lans, and Eric Sieber, Members.
Also Present: Tiffeny Cantu, Planning Board Clerk

Joseph Catalano, Attorney for the Town present.

Absent: Jane Magee

Regular Meeting called to order at 7:02 p.m.

Pledge of Allegiance, followed by a Moment of Silence

Minutes

A motion to accept the February 3, 2022 regular Planning Board Meeting minutes was made by Deborah Lans and seconded by Eric Sieber.

Chairman Tilden takes a voice vote to approve the minutes. L Tilden, Deborah Lans and Eric Sieber all say Aye. All are in favor, none opposed.

The minutes from the Public Hearing / Special Meeting held on February 22, cannot be approved at tonight's meeting because Jane Magee is absent and Deborah Lans cannot approve them as she was not present for the Feb 22nd meeting. This would leave only two members to approve the minutes and this is not enough. Chairman Tilden states that we will lay over the minutes from the Public Hearing / Special Meeting held on February 22, 2022 to the next regular Planning Board Meeting. Joseph Catalano says this is ok.

Joseph Catalano asks if the members of the Planning Board have had a chance to read through the Resolution that was part of the Minutes from Feb 22nd. This Resolution was in regards to the Bed & Breakfast project. Eric Sieber states that he skimmed through it and has no questions. Chairman Tilden states that he read the entire resolution and says it is a very good representation of what was reviewed, including the narrative and what the Planning Board approved. Mr. Catalano states that he wanted to make sure that everyone approved the final copy of the Resolution prior to sending a copy to the Applicant and asks Tiffeny Cantu to send a copy to the Applicant within the next couple of days. Tiffeny Cantu asks the Planning Board to please come in and sign the Resolution prior to the mailing. T. Cantu will also send an email to Jane Magee asking her to come in and sign this Resolution.

Town of Austerlitz – Planning Board Meeting – March 3, 2022

Old Business

Planning Board Application PL-2022-04

Property Owner: Brittany Tessitore

Applicant: Brittany Tessitore

Representative: Brittany Tessitore

Project Property: 19 Stonewall Rd. / 270 State Route 203, Spencertown, NY 12165

SBL: 87.-2-4

Zoning: Rural Residential

Project: Minor Subdivision / now a

Chairman Tilden asks Brittany Tessitore to give a review of her project. Brittany Tessitore states that they are looking to correct the boundary lines of her property between her property and her father's (Michael Tessitore) property. B. Tessitore states that when she bought the property, they had it surveyed and the survey showed that her father actually had ownership of part of her parcel so it's listed in the Town as much more than it actually is. Joseph Catalano talks through the map with B. Tessitore to confirm the two lots that are in discussion. B. Tessitore states that there is a separate issue with her father's property and an adjoining property that will need to get figured out at a later date.

Joseph Catalano states that the Planning Board Clerk did receive information that the County is accepting the map that was provided to the Planning Board in regards to tax mapping and Brittany Tessitore agrees. J. Catalano tried to map out the deed descriptions and what the survey has and can't say for certain but it all appears to be accurate and the County tax map has the road frontage correct on both lots. B. Tessitore states that she contacted a 2nd surveyor, Carl Matuszek, to go over what the original surveyor, Robert Ihlenburg had proposed and he said that everything checked out.

Chairman Tilden confirms that Brittany Tessitore has submitted the deeds for both her property and her father's property and it fairly represents what she is requesting for the lot line adjustment and the County already has their tax map reflecting this. Brittany Tessitore says she thinks her lawyer sent the map to the County. Joseph Catalano states that it is strange for the County to make this change without having the recorded and approved map but says that everything does look good and then confirms the lot sizes with Brittany Tessitore.

Brittany Tessitore asks to confirm that the next step is that the Planning Board will need additional, stamped copies of their maps from the Surveyor and Chairman Tilden confirms, yes. There is discussion confirming the number of maps needed.

Joseph Catalano then discusses that this a lot line/corrective lot line map adjustment and that this is a Type II Action Under SEQRA so the SEQRA process is not required and that if the Planning Board agrees, someone can make a motion to approve the survey map as prepared for Shawn McMann and Brittany Tessitore and vote on this.

A motion to approve the survey map as prepared for Shawn McMann and Brittany Tessitore is made by Eric Sieber and seconded by Deborah Lans.

Chairman Tilden makes a motion that this is a Type II Action Under SEQRA, a lot line deed correction adjustment to approve the map for the Tessitore Family. This motion is taken as a recorded vote with all in favor saying Aye.

Roll Call:

Lee – yes

Eric – yes

Deborah – yes

Motion Carried: 3:0:1

Jane Magee is absent from this meeting

Chairman Tilden confirms that the other item that was on the agenda for this meeting from the Austerlitz Holding Company subdivision on Rigor Hill Road is not ready to move forward tonight. Joseph Catalano confirms this is correct. Mr. Catalano states that he has spoken with Max Zacker and has suggested to him that they proceed by doing a 3-lot subdivision with a boundary line adjustment. The property Southeast of the Taconic State Parkway will be merged to the neighboring property which would resolve the access issue because this neighboring property has road frontage and will be the purchaser of this property. Mr. Catalano also states that the portion of the property that is located on the other side of the Taconic State Parkway will be subdivided into three separate lots. The Applicant needs to have their survey revised and their surveyor is out of town so they hope to be ready for the May 2022 regular Planning Board meeting.

Chairman Tilden confirms that there are currently no items on the agenda for the April 2022 meeting.

Joseph Catalano reminds the Planning Board that the Town Board has scheduled a Public Hearing on the new Subdivision regulations. This meeting will be held on March 17, 2022 at 7pm and believes this will be a virtual meeting.

Public Comment None

Next meeting is scheduled for 4/7

Adjournment

A motion to adjourn was made at 7:19 by Deborah Lans. Chairman Tilden asks for a voice vote for all in favor to adjourn say Aye.

Lee Tilden – Aye

Deborah Lans – Aye

Eric Sieber – Aye

Chairman Tilden confirms all are in favor. Meeting adjourned at 7:19pm.

Respectfully Submitted,
Tiffeny Cantu, Planning Board Clerk

Minutes from Public Hearing / Special Meeting for approval

- **February 22, 2022**

Town of Austerlitz
Public Hearing / Special Meeting - Planning Board
February 22, 2022

The Planning Board Public Hearing / Special Meeting was held via Zoom in accordance with the Governor's Executive Order. Meeting instructions were on the Town website.

Present:

Lee Tilden, Chairman. Jane Magee and Eric Sieber, Members.

One seat is vacant

Deborah Lans is not present

Susan Haag, Town Clerk and Tiffeny Cantu, Planning Board Clerk also present.

Joseph Catalano, Attorney for the Town present.

Public Hearing called to order at 7:00p.m.

Minutes

Chairman Tilden calls to order the Public Hearing for Roaring Twenties Venture LLC and their application for a Bed & Breakfast at 319 Route 203 in Spencertown for a Site Plan and Special Use Permit to operate a Bed & Breakfast. Chairman Tilden says the first order of business is to ask the Applicants to speak and give the narrative of their application and any information they would like to share with the public. Keith Bogdanovich reads aloud his intended use statement and states that this will serve as his personal residence as well.

Chairman Tilden asks if smoking will be allowed outside – Keith Bogdanovich says he feels people could smoke outside on the porches of each unit or the parking lot and Chairman Tilden says they will want a dedicated space for smoking.

Chairman Tilden asks to confirm no parties and Keith Bogdanovich says that the way he reads the Town Code is that they would need a permit anyway.

Chairman Tilden states that they will probably put a restriction in the approval for the emergency generator to do its' exercise at a time when it will not disturb neighbors.

Chairman Tilden asks for occupancy limit and Keith Bogdanovich says he believes the code says 10 and L. Tilden also confirms that the length of stay is no longer than 30 days.

Chairman Tilden asks Jane Magee if she has any questions. Jane Magee has no questions and says she is a neighbor to this property and is satisfied this will be managed in an acceptable way.

Eric Sieber has no questions.

Chairman Tilden opens the Public Hearing to Public Comment at 7:07 and confirms with Planning Board Clerk, Tiffeny Cantu that that there were no email or postal mail comments received by the Planning Board.

Chairman Tilden confirms that this Public Hearing was posted on the Town of Austerlitz's website and also in the official newspaper and certified return receipt notices were sent and copies are part of the official file. Chairman Tilden asks for anyone who wants to speak to do the Zoom wave to notify Sue Haag they would like to be un-muted.

Public Comments:

Barbara Perlmutter – lives on Fire Hill Road.

Barbara Perlmutter asks if anyone has researched the background of the group that wants to takeover this “unfortunate” building and if anyone found out anything about other businesses they’ve controlled or managed or is it anyone’s obligation to do so? Chairman Tilden asks Joseph Catalano to answer. Mr. Catalano says that the jurisdiction of the Planning Board is limited to what comes before the Planning Board and how the Applicant has managed other properties is not relevant to this particular application. The Planning Board’s job is to review the merits of the application. Barbara Perlmutter says OK.

Erlyn Madonia

Asks if it’s correct that there will be no more than 10 guests on the property. Chairman Tilden confirms this is number of guests and that the owner occupants are not included in this number. Joseph Catalano confirms this is according to the Town of Austerlitz Zoning Law.

Lisa Perlmutter

Lisa Perlmutter and asks about the no children rule and if there is an explanation to that. Chairman Tilden confirms this rule is up to the operators of the B&B. Keith Bogdanovich says when they are limited to 10 people and in 4 of the rooms there are is only one bed which limits the amount of people you can have in a room and limits noise level. Chairman Tilden asks if the establishment is ADA compliant and Keith Bogdanovich says he imagines it meets current codes. Lisa Perlmutter is finished with questions.

Manuel Ytuarte – Lives on Fire Hill Rd.

Was hoping to hear some of the conditions of how this will be operating and is happy to hear the information. Mr. Ytuarte has confusion over 317 and 319 Route 203 locations. Keith Bogdanovich and Chairman Tilden both confirm this application has nothing to do with 317 Route 203 and Mr. Ytuarte may have seen a typographical error and that the application is only for a site plan and special use permit on 319 route 203. Mr. Ytuarte says terrific and has no other questions.

Rochelle Bartolo

She does not have any questions and says she thinks it’s a plus for the area and as a real estate broker she would send people there because there is nothing like this in the area.

Chairman Tilden asks if anyone else has questions and there is no reply.

Chairman Tilden confirms that Deborah Lans is not on the call tonight.

At 7:22, Chairman Tilden says he will give this public testimony portion of the meeting 3 more minutes.

Joseph Catalano asks Keith Bogdanovich to discuss the status of the septic system. Keith Bogdanovich says the current SPDES permit is good until the end of 2022 but it would need to be transferred by July 2022. This permit requires quarterly water tests to be done and sent to a lab with results going direct to the DEC. Keith Bogdanovich states that the septic system at this location is overseen by NY State and that Taconic Engineering is doing the sampling and turning this information into the State. Mr. Catalano asks to confirm that the DEC is involved because the septic is discharged into an adjacent pond and Keith Bogdanovich says yes, this is his understanding. Mr. Catalano confirms that once the purchase is closed that the SPDES permit will be assigned to Keith Bogdanovich.

Mr. Catalano asks if the water quality test results are transmitted to anyone other than the DEC or can the Town of Austerlitz be included on that. Mr. Bogdanovich states that these do go to the Columbia County Board of Health but would have to check to see if these can also go to the Town.

Keith Bogdanovich confirms that although the property is not in use as a Bed & Breakfast at this time, the water tests still have to happen every quarter and is up to date.

Chairman Tilden asks if anyone else wants to be heard as part of the Public Hearing. No one is asking to speak.

A motion is made to close the Public Hearing for the Site Plan and Special Use Permit application of Roaring Twenties Venture LLC for a Bed & Breakfast at 319 Route 203, Spencertown at 7:28pm by Eric Sieber and is seconded by Jane Magee.

Roll Call

Lee- yes

Jane - yes

Eric – yes

Motion is carried 3:0:1

Deborah Lans is absent from this meeting.

Chairman Tilden opens the Special Meeting to consider the application of Roaring Twenties Venture LLC to approve the Site Plan and Special Use Permit to operate a Bed & Breakfast at 319 Route 203, Spencertown at 7:28pm.

Chairman Tilden begins by stating that because they are missing the fourth member of the Planning Board for this meeting, and because of the way this was handled in 2017, he would like to take time to digest public comment, re-read the file, and confirm information on the septic system and table the meeting until the March 3rd regularly scheduled Planning Board Meeting.

Eric Sieber says that he is comfortable in moving this forward. Mr. Sieber states that all of the water samples that are taken have to be posted electronically which automatically sends the results to the Columbia County Health Department and confirms that because of the SPDES permit, this is done automatically, every quarter.

Jane Magee says she is comfortable moving forward however maybe contingent on L. Tilden checking with Deborah Lans to confirm she is ok to move forward. Chairman Tilden asks

Joseph Catalano if they can do a conditional read-through tonight and then approve this at the next, regular Planning Board meeting. Joseph Catalano says they cannot do a final approval tonight if the Planning Board is going to require input from Deborah Lans. Mr. Catalano says the Planning Board can go through the Resolution tonight and have this ready for the following meeting. Chairman Tilden says that if Eric Sieber and Jane Magee are comfortable with moving forward and although Deborah Lans wasn't present at the Public Hearing, they can go ahead tonight and move through the SEQRA short form first and then the Resolution.

Joseph Catalano states that there are items in Part 1 of the Short Environmental Assessment Form that need to be corrected and that L. Tilden can make these modifications on the copy of the form that we have in-hand. Mr. Catalano runs through these items with L. Tilden. In Part 2, the applicant checked off answers to the questions although this should have been completed by the Planning Board. Joseph Catalano runs through each question number 1-11 with the Planning Board. Chairman Tilden makes note of this on the form and takes a voice vote for each question in the order of L. Tilden, Eric Sieber and then Jane Tilden. All Planning Board members answer, "No, or small impact may occur" to all questions numbered 1-11.

Joseph Catalano says because the Planning Board confirms that because all of those questions are now answered as no or small impact but the Planning Board, they can check the 2nd box on the bottom of page 4 stating the proposed action will not result in any significant, adverse environmental impact. The Planning Board agrees verbally, first L. Tilden, second is Eric Sieber, third is Jane Magee.

Joseph Catalano advises Chairman Tilden how to finish filling out the bottom of the Short Environmental Assessment Form showing the Town of Austerlitz Planning Board dated February 22, 2022.

A motion to accept the Environmental Assessment form for this application of a Special Use Permit for Roaring Twenties Venture LLC to operate a Bed & Breakfast at 319 Route 203, Spencertown, NY as amended and as completed by the Planning Board is made by Jane Magee and seconded by Eric Sieber.

Roll Call:

Lee - yes

Jane - yes

Eric - yes

Motion is carried 3:0:1

Deborah Lans is absent from this meeting

Joseph Catalano now discusses the proposed resolution and he confirms that Deborah Lans did review this document and her only comments were to correct areas where the term Special Permit was mentioned and to correct the language to say Special Use Permit. Mr. Catalano confirms he has corrected all of the ten areas where this occurred in the resolution. Mr. Catalano then continues to read through the resolution details and confirms there have been no email or postal mail comments received.

Joseph Catalano continues to read through the resolution and discusses all of the details and conditions with the Planning Board.

A motion is made to adopt the Resolution as presented and modified by the Planning Board for the Special Use Permit and Site Plan approval for Roaring Twenties Venture LLC to operate a Bed & Breakfast at 319 Route 201, Spencertown, NY by Eric Sieber and seconded by Jane Magee.

Roll Call:

Lee – yes

Jane – yes

Eric – yes

Motion is Carried 3:0:1

Deborah Lans is absent from this meeting

Decision/Resolution of Town of Austerlitz Planning Board Re: Site Plan/Special Use Permit Application - 319 Rte 203

PB Resolution: February 22, 2022

At a special meeting of the Planning Board of the Town of Austerlitz, held via Zoom video-conference in accordance with Covid - 19 Executive Orders, the following resolution was presented:

Whereas, Keith Bogdanovich, on behalf of Roaring Twenties Venture, LLC, a limited liability company with Mr. Bogdanovich, Teresa Bogdanovich, Melania Bogdanovich and James Strickler, as members (hereinafter referred to as the “Applicant”), submitted an application for a special use permit and site plan review for purposes of re-opening a building that was previously constructed on an approximately 1.07-acre parcel of property located at 319 Route 203 (Tax Map No. 87.-2-44.11) in the Town of Austerlitz (hereinafter the “Property”); and

Whereas, it is the Planning Board’s understanding that Roaring Twenties Venture, LLC, is under contract to purchase the Property contingent on obtaining the requisite Planning Board approvals for operating the Property as a Resident Occupant Bed and Breakfast (hereinafter the “B&B”); and

Whereas, the application proposes to re-open the existing building on the Property that is two-stories comprising approximately 7,000 square feet that contains one apartment and 5 guest units; and

Whereas, this building was previously proposed by the current owner, Joe Beats, LLC, and the site plan was approved by the Planning Board on July 6, 2017; and

Whereas, this matter is now before the Planning Board because the Code Enforcement Officer (“CEO”) could not verify that the Planning Board reviewed and approved the special use permit that is required under the Town Zoning Code for a B&B and she also could not determine whether the building had been in operation as a B&B for the time period to avoid the special use permit from lapsing, even if a special use permit has been approved by the Planning Board; and

Whereas, the CEO did verify that the interior of the B&B had been constructed in accordance with the prior site plan approval and building plans but she did note there were some discrepancies in the exterior of the building from the approved site plan such as a covered porch in the rear of the building, an asphalt side walk in the front of the property and a fenced-in generator; and

Whereas, as a result of the uncertain present zoning status of the Property, the Planning Board determined that it would be best to review the B&B proposal again for this Applicant; and

Whereas, the Applicant submitted a site plan and special use permit application which requested approval for the above-described B&B proposal the Planning Board allowed the Applicant to re-submit the site plan which was approved on July 6, 2017, with the Applicant indicating on said site plan the existing features which were not included on the original plan; and

Whereas, after review of the application and supporting documents, the Planning Board accepted the application as complete at its meeting held on February 3, 2022 and a public hearing on the special use permit and site plan application was duly noticed and scheduled for February 22, 2022; and

Whereas, the Applicant submitted a Short Form Environmental Assessment Form, with Part 1 completed, together with the application materials and, at its February 3, 2022 meeting, the Planning Board determined the Application complete; determined that the proposed project constituted an Unlisted Action under the State Environmental Quality Review Act (SEQRA) and scheduled a hearing on the Application and a special meeting for February 22, 2022; and

Whereas, the public hearing regarding the application was held remotely via video-conference on February 22, 2022, at which time the Applicant's representatives, Mr. Bogdanovich and Mr. Strickler, were present and made a presentation to the Planning Board and there were five members of the public in attendance who spoke with respect to the application and no written comments were received for the hearing; and

Whereas, after the Applicant and representatives answered all of the questions that were posed by the Planning Board, the floor was open to the public of which all that were present were given a full and fair opportunity to be heard, and after further questioning of the Applicant by the Board and acknowledgement that no written comments that were received up to the present time, the Planning Board closed the hearing by motion; and

Whereas, after consideration and review of the above, the Planning Board is ready to make its decision on this Application;

Now, Therefore, Be It Resolved as follows:

1. The Planning Board makes the following findings:

- a. **Proposed Improvements:** This special use permit and site plan application proposes to reopen an existing building on the Property located at 319 Route 203 in the Town of Austerlitz. The Building consists of two-stories, comprising approximately 7,000 square feet that had been constructed for use as a 5 guest unit B&B with one apartment for the resident occupant who will operate the B&B on-site. All site improvements including driveway, parking area, walkways and septic system are already in place. No further improvements are proposed. The NYS DEC has confirmed that SPDES the septic system approval is current.
 - b. **Proposed Use:** The Applicant proposes to operate a B&B with five guest bedrooms or suites to be supervised by a resident occupant residing in the apartment in the building. The business will operate year round. The Applicant stated that breakfast will be provided in the building to the guests by a locally sourced restaurant or caterer. There will be no events or activities provided by the B&B for guests on the Property. A more detailed description of the proposed use of the Property entitled "Project Narrative" is attached hereto and made a part hereof.
 - c. **Zoning:** The Property is in the Rural Residential district of the Town. The Planning Board has identified the proposed use as being under the category of a Bed and Breakfast Establishment which is an allowed use in the Rural Residential district upon issuance of a special use permit and site plan approval. The Zoning Code defines the term "Bed and Breakfast Establishment" as follows: "A dwelling having a resident host in a private single-family home with common dining and leisure rooms and lodging rooms for overnight accommodation, the rates for which include breakfast and lodging only, and in which no public restaurant is maintained and no other commercial services are offered. The bed-and-breakfast establishment shall have not more than 10 occupants as lodgers in at least three and not more than five rooms." After hearing further details from the Applicant, the Planning Board hereby confirms its interpretation of the application as properly categorizing the use as a Bed and Breakfast Establishment and the Applicant's statement of the proposed use conforms with that definition since there will be a resident host at all times and the building and property will only be used for lodging and overnight accommodations.
 - d. **Public Comment:** The public hearing on the Application was held and closed on February 22, 2022. At the public hearing, the Applicant (and representatives) made presentations detailing the various components of the proposal, the Planning Board asked the Applicant questions and received satisfactory responses to those questions, and comments were made by neighbors of the property and the general public. All the information provided by the Applicant and all of the public comments have been taken into consideration by the Planning Board in its deliberation on this matter.
2. **SEQRA:** Along with the application form and materials, the Applicant submitted a short environmental assessment form (EAF) pursuant to SEQRA. The Planning Board reviewed the EAF at its meeting held on February 3, 2022 after receiving a complete application. The Planning Board made the initial determination that the Application is considered an Unlisted Action under SEQRA and there are no other involved agencies as that term is defined under SEQRA. The

Planning Board decided to await further information that may be gathered at the public hearing before making a SEQRA determination. The Planning Board has reviewed the EAF with Part 1 prepared by the Applicant together with all of the application submissions. Prior to the presentation of this Resolution, the Planning Board discussed and determined that the Short EAF was acceptable under the SEQRA regulations and it hereby waives the requirement set forth in Zoning Code section 195-30(C)(1) for a long form EAF for a site plan application pursuant to its authority to do so as set forth in Zoning Code section 195-31(B). Such waiver is based on the fact that the project is essentially reopening an existing building which had been previously approved with no further improvements being proposed. Also prior to the presentation of this Resolution, the Planning Board discussed and answered the questions on Part 2 of the EAF. In so doing, the Planning Board did not find any moderate or large or potential adverse environmental impacts that would result from the proposed improvements and use as it is proposed by the Applicant. The Planning Board based such determination mainly on the facts that the proposed improvements and use will result in minimal impact and the building and site improvements have been existing for approximately 4 years. The Planning Board hereby accepts the EAF as complete and determines that the issuance of a special use permit and site plan approval for the proposed use will not result in any significant environmental impact and, as such, a negative declaration applies. The reasoning for this determination is as follows:

- a. that the application does not propose any new construction or installation that is not in keeping with the environmental conditions of the Property;
 - b. that the Property is of sufficient size and character that will adequately support the proposed new building, parking, drainage, on-site septic and water systems and driveway without any significant adverse impact to neighboring properties;
 - c. that the Property driveway and parking that is proposed will be adequate to accommodate the relatively small amount of traffic that the use will generate;
 - d. that the septic system designed to accommodate wastewater treatment from the building remains in good standing with the County Health Department;
 - e. the rural residential nature of the area will not be altered in accommodating this B&B use since it has existed for approximately 4 years; and
 - f. the conditions and restrictions placed on the special use permit as set forth below and as discussed with the Applicant during the review process will further mitigate and/or eliminate any potential environmental concerns.
3. The Planning Board hereby approves and grants the special use permit and site plan approval to the Applicant as set forth herein for a Bed and Breakfast Establishment comprising of 5 guest suites and one residential dwelling unit or apartment as shown on the site plan prepared by Taconic Engineering, DPC, dated June, 2017 (hereinafter referred to as the "Site Plan"), with the additional modifications made by the Applicant to show the additional improvements not shown on the site plan approved by the Planning Board on July 6, 2017, as discussed in the paragraphs above and subject to the following conditions and restrictions:
- a. The use allowed by this special use permit and site plan approval is for only a Bed and Breakfast Establishment as described above and on the attached Project Narrative with no other use permitted.

- b. Any changes in the site plan or in the above terms, restrictions and conditions of the special use permit will require approval of the Planning Board before such changes can be implemented.
 - c. This site plan approval and issuance of the special use permit for the Bed and Breakfast Establishment as described herein shall be null and void if the Applicant does not acquire title to the Property.
 - d. That the Bed & Breakfast operator adhere to the terms and restrictions set forth Project Narrative annexed hereto and made a part hereof.
 - e. That the Applicant assume the obligations and responsibilities of the existing DEC SPDES permit for discharge from the septic system on site and that the SPDES be renewed and/or continued as the responsibility of the Applicant as may be required by the DEC with uninterrupted continuation of all of the testing and reporting requirements.
4. This special use permit has been issued pursuant to the criteria set forth in section 195-33 and section 195-28 of the Austerlitz Zoning Law after the Planning Board has duly considered the public health, safety and welfare, potential environmental impacts and surrounding properties; the Planning Board concludes that the proposed project together with the conditions imposed above comply with said criteria as follows:
- a. **Objectionable Impacts.** That the character, nature, type, scale and intensity of the proposed use, particularly how it will be operated, and its location and distance from adjacent roads, properties and residences, is consistent with the rural character of the Town and is not more objectionable to nearby properties by reason of noise, odors, vibration, dust, illumination or other potential nuisance than the operation of any allowed use in the district.
 - b. **Compatibility.** That the proposed use is of a character, nature, type, scale and intensity compatible with the area in which the special use is to be located and that it will consist only of lodging and overnight accommodations for up to 10 guests.
 - c. **Vehicular Access and Traffic.** That the existing roads are adequate for access and the new use will not cause any significant changes in current traffic patterns. The parking area is more than adequate for parking for the limited use approved herein.
 - d. **Historic character.** That the Bed and Breakfast Establishment and its use on the Property will not alter the traditional and historic character of the Town, the Property, and the surrounding area.
 - e. **Site Plan.** That the proposed use and development is consistent with the requirements for site plan approval and the Site Plan is hereby approved, and the Planning Board Chair is authorized to sign the Site Plan, as approved, for the purposes described herein.

Upon motion made by Planning Board Member Sieber, seconded by Planning Board Member McGee, the foregoing Resolution was duly adopted by the Planning Board on February 22, 2022 by vote of a majority of its members as follows:

<u>Planning Board Member</u>	<u>yes no</u>	<u>absent/abstain</u>
Lee Tilden, Chair	<u>X</u> <u> </u>	<u> </u>
Deborah Lans, Member	<u> </u> <u> </u>	<u>X</u>
Eric Sieber, Member	<u>X</u> <u> </u>	<u> </u>
Jane McGee, Member	<u>X</u> <u> </u>	<u> </u>

Project Narrative

Roaring Twenties Venture LLC plans to reopen and operate the "Country Suites" at 319 Route 203 in Austerlitz.

The plan is to offer seven day a week lodging for visitors to the area, with five unique suites and a locally sourced gourmet breakfast.

A host will be residing on the premises and occupying the premises at all time for guests who will be checking in at 3:00 pm and checking out at 11:00 am.

The Inn will have general house rules and conditions with check in and check out times. We will not offer 24 hour reception service.

No Pets

No Smoking

No Children

No Candles / Incense

Length of Stay will be less than 30 days

Noise and Parties -

As this house is also our home. We will ask all guest to be considerate of excessive noise levels, especially from 10pm-7am. Parties are not allowed. If a guest requests to host an event on the property, it must be approved in advance. We will not have activities that are planned for the guest.

General maintenance of the inn grounds and building will be completed during normal business hours, such as grass cutting, generator maintenance and any other outside maintenance needs.

Roaring Twenties is owned by Keith, Teresa and Melanie Bogdanovich of Claverack and James Strickler of Hudson, all long-term residents of Columbia County.

- We look forward to contributing to the local economy by providing accommodations in Austerlitz / Spencertown for guests and newcomers.

Thank You,
Jim, Keith , Teresa and Melanie

Chairman Tilden asks Joseph Catalano if there is public comment as part of the special meeting and Mr. Catalano says yes, if that is what the Planning Board would like. Chairman Tilden asks the members of the public who are on the Zoom meeting if they would like to comment.

Manuel Ytuarte – says this meeting has been great and very helpful and thanks the Planning Board for the meeting.

Keith Bogdanovich thanks everyone for the work they've done on this project.

Rochelle Bartolo thanks everyone for their hard work, it's very much appreciated and feels this is a big step in the right direction.

Joseph Catalano says he will revise the resolution as adopted tonight and it will become part of the minutes for the next meeting and will notify the Code Enforcement Officer this is approved and copy of the resolution, once finalized, will be sent to the Applicant and the Code Enforcement Officer as well.

The Planning Board should all come into the Town Hall to sign the resolution however Deborah Lans should not sign it as she was absent.

A motion to adjourn this Special Meeting is made by Jane Magee and seconded by Eric Sieber by voice vote Chairman Tilden and Eric Sieber is made and everyone agrees.

The Special Meeting is adjourned at 8:15pm

Respectfully Submitted,
Tiffeny Cantu, Planning Board Clerk

PL-2022-06

Caroline Jackson / Eric Wegerbauer

Richard Sardo – Land Surveyor

Minor Subdivision

**Town of Austerlitz
Planning Board
Application for Subdivision Review**

Application Date: 1/1

Applicant: (Property Owner)

Name: JACKSON / WEGEBAUER Email: carolinejackson@gmail.com
ericwegerbauer@gmail.com
Street Address: 607 STONEWALL ROAD Mailing Address: _____
City: EAST GOTHAM State: NY Zip: 12060 Phone Number: _____

Representative: (If Any)

Name: RICHARD SARDO Email: rsardopl@aol.com
Phone Number: _____

Surveyor or Engineer:

Name: RICHARD SARDO
Phone Number: 518-821-9547 License Number: 050560

Tax Map Number: PORTION OF 68.00-1-A

Property Location: (Brief Description of Location)

WEST SIDE OF STONEWALL ROAD NORTH
OF MACEDONIA ROAD

Names of Abutting Property Owners:

SEE ATTACHED

Easements or Restriction:

DEED ATTACHED

The undersigned hereby requests approval by the Planning Board of the above identified subdivision Plat.

Signature: Caroline Jackson
Title: Eric Wegerbauer
Date: 3-19-22

FOR OFFICE USE ONLY
SUBMISSION DATES and APPROVALS
Applic, Fees & Preliminary Public Hearing

Project ID _____

SEQRA
Determination

Final
Approval

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COLUMBIA COUNTY

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information																		
Name of Action or Project: <div style="text-align: center; font-family: cursive;">SUBDIVISION</div>																		
Project Location (describe, and attach a location map): <div style="text-align: center; font-family: cursive;">607 STONEMAN ROAD AUSTERLITZ PORTION OF APN 68.00-1-4</div>																		
Brief Description of Proposed Action: <div style="text-align: center; font-family: cursive;">SUBDIVISION OF AN APPROXIMATELY 68 ACRE PARCEL INTO 1) 3.07 ACRES 2) 3.00 ACRES AND 3) 61.80 ACRES REMAINDER PARCEL</div>																		
Name of Applicant or Sponsor: <div style="text-align: center; font-family: cursive;">ERIC WELCH BOWER / CAROLINE JACKSON</div>		Telephone: <div style="text-align: center; font-family: cursive;">E-Mail: carolinejackson@gmail.com</div>																
Address: <div style="text-align: center; font-family: cursive;">607 STONEMAN ROAD</div>																		
City/PO: <div style="text-align: center; font-family: cursive;">EAST CHATHAM</div>		State: <div style="text-align: center; font-family: cursive;">NY</div>	Zip Code: <div style="text-align: center; font-family: cursive;">12060</div>															
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; text-align: center;"><tr><td>NO</td><td>YES</td></tr><tr><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																	
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; text-align: center;"><tr><td>NO</td><td>YES</td></tr><tr><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																	
3.a. Total acreage of the site of the proposed action?		<div style="text-align: center; font-family: cursive;">67.8</div> acres																
b. Total acreage to be physically disturbed?		<div style="text-align: center; font-family: cursive;">0</div> acres																
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<div style="text-align: center; font-family: cursive;">67.8</div> acres																
4. Check all land uses that occur on, adjoining and near the proposed action. <table style="width: 100%;"><tr><td><input type="checkbox"/> Urban</td><td><input type="checkbox"/> Rural (non-agriculture)</td><td><input type="checkbox"/> Industrial</td><td><input type="checkbox"/> Commercial</td><td><input checked="" type="checkbox"/> Residential (suburban)</td></tr><tr><td><input type="checkbox"/> Forest</td><td><input type="checkbox"/> Agriculture</td><td><input type="checkbox"/> Aquatic</td><td colspan="2"><input type="checkbox"/> Other (specify): _____</td></tr><tr><td><input type="checkbox"/> Parkland</td><td colspan="4"></td></tr></table>				<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)	<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____		<input type="checkbox"/> Parkland				
<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)														
<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____															
<input type="checkbox"/> Parkland																		

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5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? <u>NORTHERN LONG-EARED BAT</u>	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? <input type="checkbox"/> NO <input type="checkbox"/> YES If Yes, briefly describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	

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18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Richard Sardo</u> Date: <u>3/19/2022</u> Signature: <u>[Signature]</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

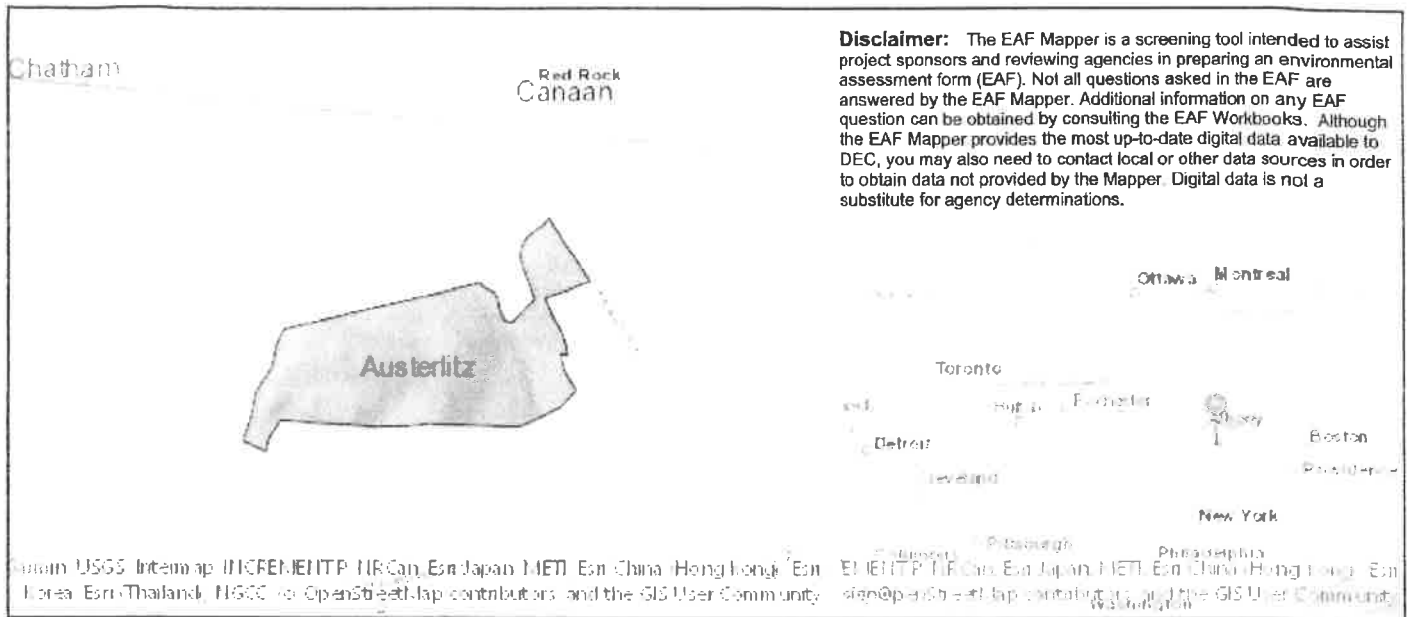
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EAF Mapper Summary Report

Saturday, March 19, 2022 10:45 AM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Northern Long-eared Bat
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No





DBA R. Sardo Land Surveying Services, PLLC
135 George Road, Ghent, NY 12075 (518) 821-9547

March 19, 2022

Town of Austerlitz Planning Board
816 Route 203
PO Box 238
Spencertown, NY 12165

Re: Boundary Survey and map for subdivision of an approximate six acre portion of 68.00-1-4 in the Town of Austerlitz, County of Columbia, New York.

Dear Chairman;

Please accept this letter as notification that I have retained Richard W. Sardo, PLS to represent our interests at your planning board meetings

Sincerely;

Eric Wegerbauer
Eric Wegerbauer

Caroline Jackson
Caroline Jackson



607 Stonewall Road Austerlitz



3/19/2022, 10:53:12 AM

Columbia County

Tax Parcels

Lakes, Ponds, River, Large Streams

Streams NHD

NYS Regulated Wetlands (DEC)

100 foot buffer of DEC regulated Wetlands

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1:9,028
0 0.05 0.1 0.2 mi
0 0.07 0.15 0.3 km

Source: Esri, USDA FSA, NYS GIS Program Office | Telephone: (516)

Web AppBuilder for ArcGIS
This map produced using the resources of the Columbia County Planning Department.



135 George Road, Ghent, NY 12075 (518) 821-9547
Dba R. Sardo Land Surveying Services, PLLC "We Monument"

ADJOINING OWNERS TO APN 68.00-1-4

67.00-1-9.1

David Jones and Patrick Doyle
121 Pierson Road
Chatham, NY 12037

68.00-1-3

Gordon Brown
141 S Fifth St Apt 3E
Brooklyn, NY 11211

68.00-1-8 and 9

John and Mary Grayzel
110 Church Pl
Falls Church, VA 22046

68.00-1-7

Warren Cohen and Stephanie Pressman
859 West End Ave Apt 2D
New York, NY 10025

68.00-1-6 and 15.120

Stephen and Linda Lamger
P.O. Box 9
East Chatham, NY 12030

68.00-1- 5.110 and 5.200 and 29

Richard T. Sharp
129 Macedonia Road
Chatham, NY 12037

68.00-1-5.120

Karin Ford and Paul Siegel
88 Ardell Road
Bronxville, NY 10708



68.00-1-4 (X)

**WARRANTY DEED WITH FULL COVENANTS
(INDIVIDUAL AND CORPORATION)**

STANDARD NYBTU FORM 8008

**CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND
REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING.**

THIS INDENTURE, made the 1st day of February, 2017, between

**ERIC M. WEGERBAUER and CAROLINE JACKSON f/k/a CAROLINE J.
STEFANSKI**, both residing at 607 Stonewall Road, East Chatham, New York 12060,

party of the first part,

and

ERIC WEGERBAUER, residing at 607 Stonewall Road, East Chatham, New York 12060, and **CAROLINE JACKSON f/k/a CAROLINE J. STEFANSKI**, residing at 607 Stonewall Road, East Chatham, New York 12060, as **TRUSTEES** of the **REVOCABLE TRUST OF ERIC WEGERBAUER**, under agreement dated July 28, 2016 (as to an undivided fifty percent interest); and **CAROLINE JACKSON f/k/a CAROLINE J. STEFANSKI**, residing at 607 Stonewall Road, East Chatham, New York 12060, and **ERIC WEGERBAUER**, residing at 607 Stonewall Road, East Chatham, New York 12060, as **TRUSTEES** of the **REVOCABLE TRUST OF CAROLINE JACKSON**, under agreement dated July 28, 2016 (as to an undivided fifty percent interest), tenants-in-common,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of \$10 dollars, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Austerlitz, County of Columbia and State of New York, known and designated as tax map parcel number 68.-1-4;

Premises being known as 607 Stonewall Road, Austerlitz, New York and more particularly described on Schedule A attached hereto.

BEING and intended to be that same premises conveyed to the party of the first part by deed from **SHARON K. KAUFMAN** dated **April 27, 2015**, and recorded in the Office of the Columbia County Clerk.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

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SCHEDULE "A"

PARCEL A:

ALL that certain plot, piece or parcel of land situate, lying and being in the Town of Austerlitz, County of Columbia, and State of New York, bounded and described as follows:

PARCEL 1:

BEGINNING at a point in the town road between Red Rock and Spencertown (where it runs northwest to southeast) about one-half mile southeasterly from the hamlet of Red Rock, where the boundary line between the land hereby conveyed and land of Charles Briggs intersects said town road; running thence southwesterly along an old stone fence bounding said land of Briggs to a corner (which corner is hereinafter called Station No. 1); thence southeasterly along an old barbed wire fence bounding said land of Briggs to a corner; thence southwesterly along an old barbed wire fence bounding said land of Briggs to a brook known as "South Branch"; thence northwesterly along said brook bounding Parcel 2 hereby conveyed and land of Lelia H. Devoy to an old woven wire fence; thence northeasterly along said old woven wire fence bounding other lands of Lillie A. Reynolds to a large maple tree about 100 feet northwesterly from Station No. 1; thence northwesterly along an old stone fence about 275 feet to a corner; thence northeasterly along an old stone fence passing through a 12 inch maple tree in an old stone fence along said town road to said town road; thence southeasterly along said town road to the point or place of **BEGINNING**;

PARCEL 2:

BOUNDED on the north of lands of Alexander Bartlett formerly Lucius Harmon; West by lands of Patrick Doyle, formerly Catherine Nolan, South by lands formerly in the possession of William H. Ten Broeck and lands formerly of Patrick Lynch and lands of Charles Briggs formerly of Laban Holdridge; and East by lands of Charles Briggs;

ALSO, a lot of land described as follows: Beginning at a corner of "Parcel 1" conveyed by Lillie A. Reynolds to Walter Wilson and Fannie Wilson by deed dated September 15, 1941, recorded in the Columbia County Clerk's Office in Deed Book 254, Page 306 which corner is at the end of the sixth course described in said deed as "thence northwesterly along an old stone fence about 275 feet to a corner" and the beginning of the seventh course described in said deed as "thence northeasterly along an old stone fence passing through a 12 inch maple tree in an old stone fence along said town road to said town road", running thence from said point of beginning southwesterly in range with said seventh course as extended southwesterly to the brook known as "South Branch", thence southeasterly along said brook bounding land of Lelia H. Devoy to a corner of said "Parcel 1", which corner is at the end of the fourth course described in said deed "thence northwesterly along said brook bounding Parcel 2 hereby conveyed

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SCHEDULE "A" (Continued)

and land of Lella H. Devoy to an old woven wire fence", thence northeasterly along the fifth course of "Parcel 1" conveyed herein to the end thereof; thence northwesterly along the sixth course of said "Parcel 1" to the point or place of BEGINNING;

ALSO, a right of way across that certain tract or parcel of land, in the Town of Austerlitz, Columbia County, New York, conveyed by Thomas S. Buckley and Julia A. Buckley, his wife, to Charles A. Briggs by deed dated January 13, 1902, recorded in Columbia County Clerk's Office in Deed Book 117, Page 75, which tract or parcel of land joins "Parcel 1" of two certain lots or tracts of land in said Town of Austerlitz conveyed by Lillie A. Reynolds to Walter Wilson and Fannie Wilson, his wife, as tenants by the entirety, by deed dated September 15, 1941, recorded in Deed Book 254, Page 306, said right of way being more particularly defined and described as follows: The right of way runs from the Town road between Red Rock and Spencertown (where it runs from northwest to southeast) at a 15 inch hickory tree at the intersection of an old stone fence along the southwesterly side of said town road and an old stone fence running southwesterly across the above mentioned land of Charles Briggs, to said "Parcel 1" conveyed by Lillian A. Reynolds to said Walter Wilson and Fannie Wilson, where said "Parcel 1" is bounded by the second course along an old barbed wire fence described in said deed to Walter Wilson and Fannie Wilson, said right of way following the course of said old stone fence running southwesterly from said 15 inch hickory tree and lying on the northwesterly side thereof and being 30 feet in width. Said 15 inch hickory tree is situated about 900 feet southeasterly from the point of beginning of the description of "Parcel 1" in said deed to Walter Wilson and Fannie Wilson. Said right of way is for ingress and egress between said town road and said land of Walter Wilson and Fannie Wilson, his wife, as tenants by the entirety, their, his or her heirs and assigns, in any manner and for any purpose, and may be improved by said Walter Wilson and Fannie Wilson, their, his or her heirs or assigns in such manner as shall be necessary or necessary for the purpose of said right of way.

EXCEPTING from the within described parcels, however, three parcels heretofore conveyed by the said Walter Wilson and Fannie Wilson as follows:

(1) to Donald MacCready dated October 22, 1941 and recorded October 29, 1941 in Deed Book 254 Page 578, (2) to Myra Smilow dated September 20, 1944 and recorded September 25, 1944 in Deed Book 266 Page 451, (3) to Myra Smilow dated June 8, 1945 and recorded August 27, 1945 in Deed Book 271, Page 1.

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SCHEDULE "A" (Continued)

ALSO, two rights of way across that certain tract or parcel of land in the Town of Austerlitz, Columbia County, New York, conveyed by Marie Briggs of the Town of Austerlitz, County of Columbia, State of New York, to Lawrence B. Dotterhelm of Locust Street, Village of Chatham, County of Columbia, State of New York, by deed dated November 15, 1946 and recorded in the Columbia County Clerk's Office in Deed Book 280, Page 504, which tract or parcel of land now owned by the said Marie Briggs is described as follows:

The East by land of Mary Briggs bounded on the North by right of way on the land of the party of the first part leading easterly to the land of the party of the second part, bounded on the East by the land on the party of the second part; bounded on the South by stream running easterly on the property of the party of the first part into the property of the party of the second part.

FIRST RIGHT OF WAY

Right to lay under, upon or over the above described premises telephone, power and electric wires, conduits and poles and to maintain, operate, relay and remove said wire, conduits and poles.

SECOND RIGHT OF WAY

Right to construct and maintain, together with the free and uninterrupted use and enjoyment of a road ten feet wide on the above described premises beginning at a point sixty feet easterly, more or less, from the northeasterly corner of the above described premises; thence running southerly on the above described premises 550 feet, more or less, to a point fifty feet, more or less, east of the property of the party of the second part (so in deed to grantors); thence running westerly fifty feet, more or less, to the property of the party of the second part (so in deed to grantors).

It is understood and agreed by and between the parties hereto that said right of way is to connect the present right of way forming the northern boundary of the above described premises of the party of the first part (so in deed to grantors) with the road now being constructed on the land of the party of the second part (so in deed to grantors) and running along the northerly side of the continuation of the stream forming the southerly boundary of the premises of the party of the first part (so in deed to grantors) as aforesaid.

Together with all the rights and privileges incident and necessary to the enjoyment of these grants.

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SCHEDULE "A" (Continued)

PARCEL B:

ALSO, all that piece or parcel of land situate, lying and being in the Town of Austerlitz, Columbia County, New York, generally bounded and described as follows:

BEGINNING at a point marked by an iron pin denotes the northwesterly corner of the parcel herein described and on line of lands of Eric and Carolyn L. Scott; thence in a generally southerly direction along lands of Eric and Carolyn L. Scott, 536 feet, more or less, to the center of a stream and being the southwesterly corner of the parcel herein described; thence along the center of the stream, as it winds and turns, in a generally easterly direction of 68 feet, more or less to a point in the center of said stream and on line of lands of Charles A. and Helen A. Briggs, and being the southeasterly corner of the parcel herein described; thence in a generally northerly direction along lands of said Charles A. and Helen A. Briggs, a distance of 593 feet, more or less (said course being marked by iron pins) to a point again marked by an iron pin, and being the northeasterly corner of the parcel herein described; thence still along lands of Charles A. and Helen A. Briggs in a generally westerly direction 88 feet, more or less, to the point of **BEGINNING**.

PARCEL C:

ALL that piece or parcel of vacant land situate, lying and being in the Town of Austerlitz, Columbia County, New York, bounded and described as follows:

BEGINNING at a point situate in the center line of a town road known as Stonewall Road, which point marks the northeasterly corner of the parcel herein described and the southeasterly corner of lands now or formerly of Ruth M. Grayzel and described in Book 384 of Deeds at Page 380; proceeding thence along the center line of said Stonewall Road; South 20° 18' East, 435.41 feet to a point and South 17° 26' East 212.12 feet to a point; said point marks the southeasterly corner of the parcel herein described and the northeasterly corner of "Parcel 2" as shown on the hereinafter referenced survey map; proceeding thence South 83° 46' 30" West 25.0 feet to an iron pin set; proceeding thence along a stone wall, South 83° 46' 30" West, 259.60 feet to a point and South 84° 42' 50" West 159.91 feet to an iron pin set; proceeding thence North 19° 48' West, 29.36 feet to an iron pin set; proceeding thence South 80° 32' West, 88.00 feet to an iron pin recovered, said iron pin marks the southwesterly corner of the parcel herein described; proceeding thence along a wire fence North 5° 53' West 187.64 feet to a point; North 7° 02' 20" West, 84.78 feet to a point; North 4° 58' West 85.34 feet to a point in a 3' Maple with wire; North 11° 21' 10" East, 40.81 feet to a point, North 16° 25' East 63.36 feet to an iron pin set and North 43° 41'

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SCHEDULE "A" (Continued)

50° East, 91.24 feet to a railroad spike set at base of Maple; proceeding thence along a stone wall and wire fence North 64° 17' 40" East 103.72 feet to a point; North 67° 04' 50" East 164.18 feet to an iron pin set and North 67° 04' 50" East, 30.00 feet to the center line of Stonewall Road, the point or place of BEGINNING.

BEING shown and designated as "Parcel 1" on a certain survey map entitled "Proposed Subdivision Map Survey of Property of Charles A. Briggs, Jr. and Helen A. Briggs, Town of Austerlitz, Columbia County, New York" made by Raymond M. Lubianetsky, L.S. #48359, dated October 15, 1990, revised November 29, 1990.

Parcel A, Parcel B and Parcel C constitute the same premises described in a deed from James T. Foran and Nancy K. Foran to Melvin L. Adelman and Susan L. Hunsdon which deed is dated October 22, 1994 and was recorded in the Columbia County Clerk's office on October 31, 1994 in Liber 778 of Deeds at Page 255.

ALSO conveyed herein, ALL that certain tract or parcel of vacant land, situate, lying and being in the Town of Austerlitz, Columbia county, New York bounded and described as follows:

BEGINNING at a point marked by an iron pin situate in the southerly line of an unmaintained roadway known as Talmadge Turnpike, which point marks the northwesterly corner of the parcel herein described; proceeding thence South 89° 37' 40" East 1772.38 feet to a point situate in the center of a stream or creek known as South Branch Creek and which point marks the northeasterly corner of the parcel herein described and the northwesterly corner of lands now or formerly of Hillman; proceeding thence along the centerline of said South Branch Creek as the same winds and turns, the following courses and distances: South 13° 01' 10" East, 34.99 feet to a point; South 46° 09' 20" East, 79.28 feet to a point; South 56° 36' 50" East 47.50 feet to a point; South 11° 31' 55" East, 56.85 feet to a point; South 6° 09' 00" West, 75.46 feet to a point; South 3° 28' 00" West, 35.70 feet to a point; South 13° 10' 50" East, 57.17 feet to a point; South 0° 51' 00" East, 39.56 feet to a point; and South 61° 08' 50" East, 75.43 feet to a point which marks the southwesterly corner of said lands now or formerly Hillman; thence still along the centerline of said South Branch Creek and along a portion of the westerly boundary line of other lands of Adelman & Hunsdon the following courses and distances: South 46° 10' 50" East, 44.08 feet to a point; South 14° 06' 20" East, 19.39 feet to a point; South 17° 57' 15" West, 70.55 feet to a point; South 9° 23' 30" East, 38.41 feet to a point; South 25° 11' 50" East, 63.37 feet to a point; and South 1° 46' 10" East, 55.58 feet to a point which marks the southeasterly corner of the parcel herein described; proceeding thence along the division line between the lands herein described on the northeast and other lands of Adelman & Hunsdon on the southwest, which said division line is marked partially by the remains of a stone wall and partially by the remains of a wire fence, the following courses and distances: South 85° 44' 20" West, 25.0 feet to a

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SCHEDULE "A" (Continued)

point marked by an iron pin, South 85° 44' 20" West, 144.92 feet to a point;
South 84° 41' 30" West, 324.85 feet to a point; North 74° 11' 10" West, 132.55
feet to a point;
North 55° 58' 50" West, 17.91 feet to a point; North 50° 15' 20" West, 46.84 feet
to a point;
North 52° 45' 10" West, 107.55 feet to a point; North 52° 07' 50" West, 133.05
feet to a point;
North 73° 43' 00" West, 154.54 feet to a point; North 72° 07' 10" West, 96.50 feet
to a point;
North 55° 57' 20" West, 209.85 feet to a point; North 67° 14' 00" West, 119.17
feet to a point;
North 55° 33' 50" West, 36.52 feet to a point; North 82° 20' 40" West, 33.71 feet
to a point;
North 72° 48' 50" West 158.69 feet to a point; North 71° 58' 20" West, 82.21 feet
to a point;
North 46° 30' 40" West, 166.14 feet to a point; North 43° 31' 50" West, 76.05 feet
to a point;
North 49° 15' 50" West 137.23 feet to a point; North 51° 38' 30" West 65.99 feet
to a point; and
North 43° 54' 20" West, 60.03 feet to the point or place of **BEGINNING**.

CONTAINING 25.41 acres and being shown and designated as "Parcel 3" on a
certain survey map entitled "Subdivision Map, Survey map of Properties of
George S. Lee and Susan F. Lee, Towns of Austerlitz and Canaan, Columbia
County, New York" made by Raymond M. Lubiantesky, N.Y.L.S. #48359, dated
June 4, 1997, revised April 25, 1998, and last revised April 29, 1998.

BEING the same premises described in a deed from George S. Lee and Susan F.
Lee to Susan Hunsdon and Melvin Adelman dated August 8, 1998 and recorded
in the Columbia County Clerk's Office on August 24, 1998 in Crtg 319 of Land
Records at Frame 56.

Intended to be the same premises as conveyed by deed to grantor herein
recorded in Liber 422 Cp 863 & corrected by correction deed in Liber 802 Cp 478.

Said premises is more particularly bounded and described according to a certain
certified survey prepared by Daniel J. Russell, LS dated March 12, 2015 as
follows:

BEGINNING at a point in the center of Stonewall Road, approximately one
quarter of a mile south of its intersection with Columbia County Route 24, said
point is the southeasterly corner of lands now or formerly of John and Mary
Grayzel and is the northeasterly corner of the herein described parcel, all as is
shown on the below mentioned map; proceeding thence along the center of
Stonewall Road S17°29'09"E, 213.76 feet, S18°26'13"E, 109.50 feet and

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COLUMBIA COUNTY

SCHEDULE "A" (Continued)

S16°22'50"E, 325.11 feet; thence along lands now or formerly of Langer S86°17'24"W, 28.88 feet to an iron rod set on the westerly side of Stonewall Road; thence continuing along lands now or formerly of Langer and along the remains of a stone wall S86°17'24"W, 259.60 feet and S87°13'44"W, 159.91 feet to an iron pipe recovered; thence continuing along lands now or formerly of Langer S05°21'26"E, 170.23 feet to an iron pipe recovered, S12°50'56"E, 97.03 feet to an iron pipe recovered, S09°57'16"E, 100.19 feet to an iron pipe recovered, S01°03'26"E, 102.21 feet to an iron pipe recovered and S09°44'14"W, 93.98 feet to a point in the center of a brook; thence continuing along lands now or formerly of Langer and along the center of said brook N81°54'06"W, 3.79 feet and N44°37'26"W, 64.21 feet; thence continuing along lands now or formerly of Langer and along a wire fence S05°27'54"W, 77.03 feet, S04°13'08"W, 47.60 feet, S05°51'31"E, 48.73 feet, S13°01'13"E, 158.30 feet, S24°50'23"E, 24.46 feet to an iron pipe recovered, S59°07'54"W, 112.27 feet and S59°48'14"W, 87.46 feet to an iron pipe recovered; thence along lands now or formerly of Steinbrenner S80°53'57"W, 385.54 feet to an iron rod recovered in a stone wall corner; thence continuing along lands now or formerly of Steinbrenner and partly along a stone wall N74°52'38"W, 79.49 feet, N73°35'59"W, 77.80 feet, N71°16'14"W, 193.82 feet, N72°05'14"W, 354.14 feet to an iron rod recovered in a stone wall corner, N70°46'34"W, 104.87 feet, N80°54'04"W, 91.19 feet, N77°30'04"W, 167.35 feet, N73°15'34"W, 170.90 feet to an iron pipe recovered, S85°10'28"W, 17.65 feet, N89°11'04"W, 213.18 feet, N71°04'34"W, 344.14 feet, N68°19'04"W, 251.81 feet and N76°59'34"W, 62.72 feet to an iron rod recovered in an old woods road; thence continuing along lands now or formerly of Steinbrenner and generally along the center of said old woods road S47°59'26"W, 181.99 feet and S28°14'56"W, 118.33 feet to an iron pipe recovered; thence along lands now or formerly of Richard W. Howes and along a wire fence N48°36'14"W, 60.52 feet and N49°48'54"W, 168.76 feet to a stone wall corner; thence along lands now or formerly of John H., Jr., and Joseph T. Doyle and partly along a stone wall N33°41'55"E, 274.03 feet, N26°41'31"E, 141.74 feet, N37°18'13"E, 66.57 feet, N50°17'05"E, 222.64 feet, N27°28'23"E, 178.59 feet, N38°23'57"E, 77.99 feet, N45°11'11"E, 68.52 feet and N53°50'16"E, 36.33 feet to an iron rod recovered in a stone wall corner; thence along lands now or formerly of Gordon Brawn S87°06'46"E, 1749.93 feet to an iron rod recovered on the westerly side of South Branch Creek and S87°06'46"E, 22.45 feet to a point in the center of South Branch Creek; thence along lands now or formerly of Patrick Daley and Adriane W. Kufra and along the center of South Branch Creek S10°30'16"E, 34.99 feet, S43°38'26"E, 79.26 feet, S54°05'56"E, 47.60 feet, S09°01'01"E, 56.65 feet, S08°39'54"W, 75.46 feet, S05°58'54"W, 35.70 feet, S10°39'56"E, 57.17 feet, S01°39'54"W, 39.56 feet and S58°37'56"E, 75.43 feet; thence continuing along lands now or formerly of Patrick Daley and Adriane W. Kufra and leaving the center of South Branch Creek N58°45'35"E, 19.95 feet to a 48" Pine Tree and N58°45'35"E, 263.31 feet to an iron pipe recovered; thence continuing along lands now or formerly of Patrick Daley and Adriane W. Kufra and along a wire fence N03°22'06"W, 187.64 feet and N04°31'26"W, 74.29 feet to an iron pipe recovered; thence along lands now or formerly of Warren M. Cohen and Stephanie S. Pressman and along a wire fence N04°31'26"W, 10.49 feet, N02°27'06"W, 85.34 feet, N13°52'04"E, 40.81 feet and N18°55'54"E, 63.36 feet to an iron rod recovered; thence along lands now or formerly

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COLUMBIA COUNTY

SCHEDULE "A" (Continued)

of John and Mary Grayzel and along a wire fence N48°12'44"E, 91.24 feet, N66°48'34"E, 103.72 feet, N69°35'44"E, 164.18 feet to an iron pipe recovered on the westerly side of Stonewall Road and N69°35'44"E, 31.02 feet to the point of BEGINNING.

Address: 607 Stonewall Road, Austerlitz

Town: Austerlitz

County: Columbia

TAX DESIGNATION: Section: 88. Block: 1 Lot: 4

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COLUMBIA COUNTY

TOTAL:
6.072 ACRES

[illegible]

UNAUTHORIZED A REVISION OF ADDITION TO THE COLLARS & 4
REVISION OF SECTION 2 OF THE NEW YORK
REVISION OF THE COLLARS & 4
REVISION OF THE COLLARS & 4

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BOARD
COLUMBIA COUNTY

PROPOSED SUBDIVISION
PROPERTY OF

PROPERTY OF

ERIC WEGERBAUER REVOCABLE TRUST AND
CAROLINE JACKSON REVOCABLE TRUST

ADONIS 0005 7079 9500050 00000000



LUNDED IN
 2 SARDI LAND SURVEYING SERVICES PLLC
 115 GEORGE ROAD
 WILMINGTON, NEW YORK 12075
 518-687-0607
 Fax: 518-687-0607
www.sardilandsurveying.com

DOWN OF AUSTERITY TOING INFORMATION

TOWN OF AUSTIN, TEXAS INFORMATION								
3042	MIN 325 LOT 101	MIN LOT 101	HIGHWAY 101	MAX HEIGHT BLDG	DOT HEIGHT BLDG	FRONT SETBACK	SIDE SETBACK	REAR SETBACK
						100 FEET	20 FEET	30 FEET

1999

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REV. & FLE.

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P. D. T. H.

Paula (Oleynek) Bednarcik

Discussion of Major Subdivision

**Town of Austerlitz
Planning Board
Application for Subdivision Review**

Application Date: 07/30/2021

Applicant: (Property Owner)

Name: Gloria Oleynek (Estate of) Email: pbednarcik2@gmail.com
Street Address: 18 Indian Trail Rd Mailing Address: 18 Indian Trail Rd
City: Chatham State: NY Zip: 12037 Phone Number: 4014873738

Representative: (If Any)

Name: Marguerite Gauthier (executrix) Email: MGauth200@gmail.com
Phone Number: _____

Surveyor or Engineer:

Name: _____
Phone Number: _____ License Number: _____

Tax Map Number: _____

Property Location: (Brief Description of Location)

Indian Trail is a private road off of Bloody Hollow Road, which is off of Reed Rd in Spencertown

Names of Abutting Property Owners:

Fred Oleynek/Steve Oleynek/Paula and Ed Bednarcik

Easements or Restriction:

The undersigned hereby requests approval by the Planning Board of the above identified subdivision Plat.

Signature: _____

Title: _____

Date: _____

FOR OFFICE USE ONLY

Project ID _____

SUBMISSION DATES and APPROVALS

Applic, Fees &
Preliminary

Public
Hearing

SEQRA
Determination

Final
Approval

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<input type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO	YES
If Yes, list agency(s) name and permit or approval:			<input type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____				
<input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO <input type="checkbox"/>	YES <input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		NO <input type="checkbox"/>	YES <input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO <input type="checkbox"/>	YES <input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?		<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____		NO <input type="checkbox"/>	YES <input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____		NO <input type="checkbox"/>	YES <input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		NO <input type="checkbox"/>	YES <input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		NO <input type="checkbox"/>	YES <input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?		<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO <input type="checkbox"/>	YES <input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		NO <input type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?		NO <input type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES		NO <input type="checkbox"/>	YES <input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____		<input type="checkbox"/> NO <input type="checkbox"/> YES	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: _____ Signature: _____		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<div> <div>Name of Lead Agency</div> <div>Date</div> </div>	
<div> <div>Print or Type Name of Responsible Officer in Lead Agency</div> <div>Title of Responsible Officer</div> </div>	
<div> <div>Signature of Responsible Officer in Lead Agency</div> <div>Signature of Preparer (if different from Responsible Officer)</div> </div>	

PRINT

RESET

Town of Austerlitz
Planning Board
Columbia County
New York

 COPY

Resolution 2008: Road Law Variance for Fred Oleynek, Major Subdivision off Bloody Hollow Road

At the regular Planning Board meeting of the Town of Austerlitz, held at the Austerlitz Town Hall, Spencertown, NY duly called and held on the 7th day of July, 2008, the following Resolution was proposed and seconded by:

Proposed by: _____

Fred Oleynek

Seconded by: _____

Carol Pinto

WHEREAS, Mr. Oleynek has submitted an application for a 5-lot major subdivision off of Bloody Hollow Road, and

WHEREAS, on March 1, 2007 the Planning Board granted Conditional Final Plat approval conditioned upon the Town Engineer's approval of the subdivision's private road; and

WHEREAS, there have been extensive discussions with Mr. Oleynek, the Town Engineer and the Planning Board regarding the ability of the road to meet the minimum road width requirements for a private road under the Town's Road Law; and

WHEREAS, a small portion of the road has a width of less than 18 feet and is encroached in part by a utility pole; and

WHEREAS, Mr. Oleynek has undertaken efforts to improve the drainage on the road and has presented evidence that widening the road and relocating the utility pole will present a significant financial hardship and that the road width and utility pole do not present a threat to public health and safety.

NOW THEREFORE, LET IT BE RESOLVED that the Planning Board grants a variance from Section I(B)(2) of the Town Road Law to the extent of approving a width of the road at less than the required 18' for that portion highlighted on the subdivision plat and permitting the utility pole at the location shown on the plat.

Based upon the recommendations of the Town Engineer and the Town Highway Superintendent the Planning Board finds that the road has limited traffic use and granting the variance is the minimum required to alleviate the hardship to the applicant and that the variance will not present a threat to public health or safety.

The Planning Board further finds that its approval of the final plat and the granting of the variance is conditioned upon a recognition that any further subdivision of the parcels on the plat will require an upgrading of the road to Town Road standards, as may apply at the time of the

future subdivision, and any future subdivider will be responsible for the upgrade and widening of the road including widening of that section and relocation of the utility pole.

A copy of this resolution shall be forwarded to the Town Board for its approval of the variance as required by Section I(C)(5) of the Town Road Law.

The Resolution having been approved by a majority of the Planning Board, the said was declared duly adopted by the Chairman of the Planning Board of the Town of Austerlitz.

Dated: July 7th, 2008

Signed: Mary Davis, Planning Board Clerk

 **COPY**



Town of Austerlitz
Town Board
Columbia County
New York

Resolution 31-2008: Road Law Variance for Fred Oleynek, Major Subdivision off Bloody Hollow Road

At the regular Town Board meeting of the Town of Austerlitz, held at the Austerlitz Town Hall, Spencertown, NY duly called and held on the 10 day of July, 2008, the following Resolution was proposed and seconded by:

P. Bernstein and M. Lee

WHEREAS, Mr. Oleynek has submitted an application for a 5-lot major subdivision off of Bloody Hollow Road, and

WHEREAS, on March 1, 2007 the Planning Board granted Conditional Final Plat approval conditioned upon the Town Engineer's approval of the subdivision's private road; and

WHEREAS, there have been extensive discussions with Mr. Oleynek, the Town Engineer and the Planning Board regarding the ability of the road to meet the minimum road width requirements for a private road under the Town's Road Law; and

WHEREAS, a small portion of the road has a width of less than 18 feet and is encroached in part by a utility pole; and

WHEREAS, Mr. Oleynek has undertaken efforts to improve the drainage on the road and has presented evidence that widening the road and relocating the utility pole will present a significant financial hardship and that the road width and utility pole do not present a threat to public health and safety.

NOW THEREFORE, LET IT BE RESOLVED that the Town Board grants a variance from Section I(B)(2) of the Town Road Law to the extent of approving a width of the road at less than the required 18' for that portion highlighted on the subdivision plat and permitting the utility pole at the location shown on the plat.

Consistent with the recommendations of the Town Engineer, the Town Highway Superintendent and the Planning Board Resolution, the Town Board finds that the road has limited traffic use and granting the variance is the minimum required to alleviate the hardship to the applicant and that the variance will not present a threat to public health or safety.

The Town Board agrees that the Planning Board's approval of the final plat and the granting of the variance is conditioned upon a recognition that any further subdivision of the parcels on the plat will require an upgrading of the road to Town Road standards, as may apply at the time of

the future subdivision, and any future subdivider will be responsible for the upgrade and widening of the road including widening of that section and relocation of the utility pole.

Upon the question of the foregoing Resolution, the following Town Board Members voted "Aye:"

C. Vander Weit, M. Lee, P. Bernstein, G. Jahn

The following Town Board Members "abstained:"

B. Geel

The Resolution having been approved by a majority of the Town Board, the said was declared duly adopted by the Supervisor of the Town of Austerlitz.

Dated: July 10, 2008

Signed: Arsaw A. Hagg, Town Clerk

 **COPY**

William J. Better, Esq.
williamjbetter@williamjbetterpc.com

WILLIAM J. BETTER, P.C.
1 Albany Avenue
Kinderhook, New York 12106
TELEPHONE: (518) 758-1511
FACSIMILE: (518) 758-1227

Joseph D. Clyne, Esq.
josephdclyne@williamjbetterpc.com

Codruta Antonovici
codrutaantonovici@williamjbetterpc.com

To: Peter Fitzpatrick, Highway Superintendent
From: William J. Better, Esq.
Re: Indian Trail
Date: February 14, 2022

I am enclosing some documentation about the Indian Trail Subdivision.

Please take a look at it and I will call you sometime next week to discuss it.
Thanks.

 **COPY**

TOWN OF AUSTERLITZ
RECEIVED
FEB 16
HIGHWAY
CLERK
COLUMBIA COUNTY

CARL S. MATUSZEK, P.E., L.S.
241 SCANNELL ROAD
CHATHAM, NEW YORK 12037-2611

COPY

CONSULTANT ENGINEER
CIVIL & ENVIRONMENTAL
LICENSED LAND SURVEYOR
PHONE (518) 392-2425
EMAIL csmatuszek@taconic.net
April 21, 2008

Fred Oleynek
18 Indian Trail
Chatham, New York 12037

RE: Fred Oleynek Subdivision
Culvert Evaluation
Indian Trail, T. of Austerlitz
Columbia County, New York



Dear Mr. Oleynek:

At your request, I have completed a hydraulic analysis of the six culverts serving the subdivision road to determine if they are adequately sized. The analysis was based on an on-site inspection, field measurements, and the subdivision plan titled "Map of the Subdivision of the Lands of Fred J. and Gloria D. Oleynek, Town of Austerlitz, Columbia Co., N.Y.". The map was prepared by Frank F. Ambrosio, L.S. dated Sept. 17, 1998 and last revised Feb. 28, 2007. The map depicts contours at an interval of ten feet.

The hydraulic study is based on the 25 year storm event as per Town of Austerlitz Local Law No. 2 for the year 2000. The Rational method analysis was used to determine the flow rate. The analysis considered single family residences constructed on the lots with the exception of Parcel 3 fronting Bloody Hollow Road. This parcel has been sold to the adjoining land owner on Bloody Hollow Road and is not expected to be developed.

The culverts are located on Indian Trail. The distances are measured along Indian Trail from its intersection with Bloody Hollow Road as follows:

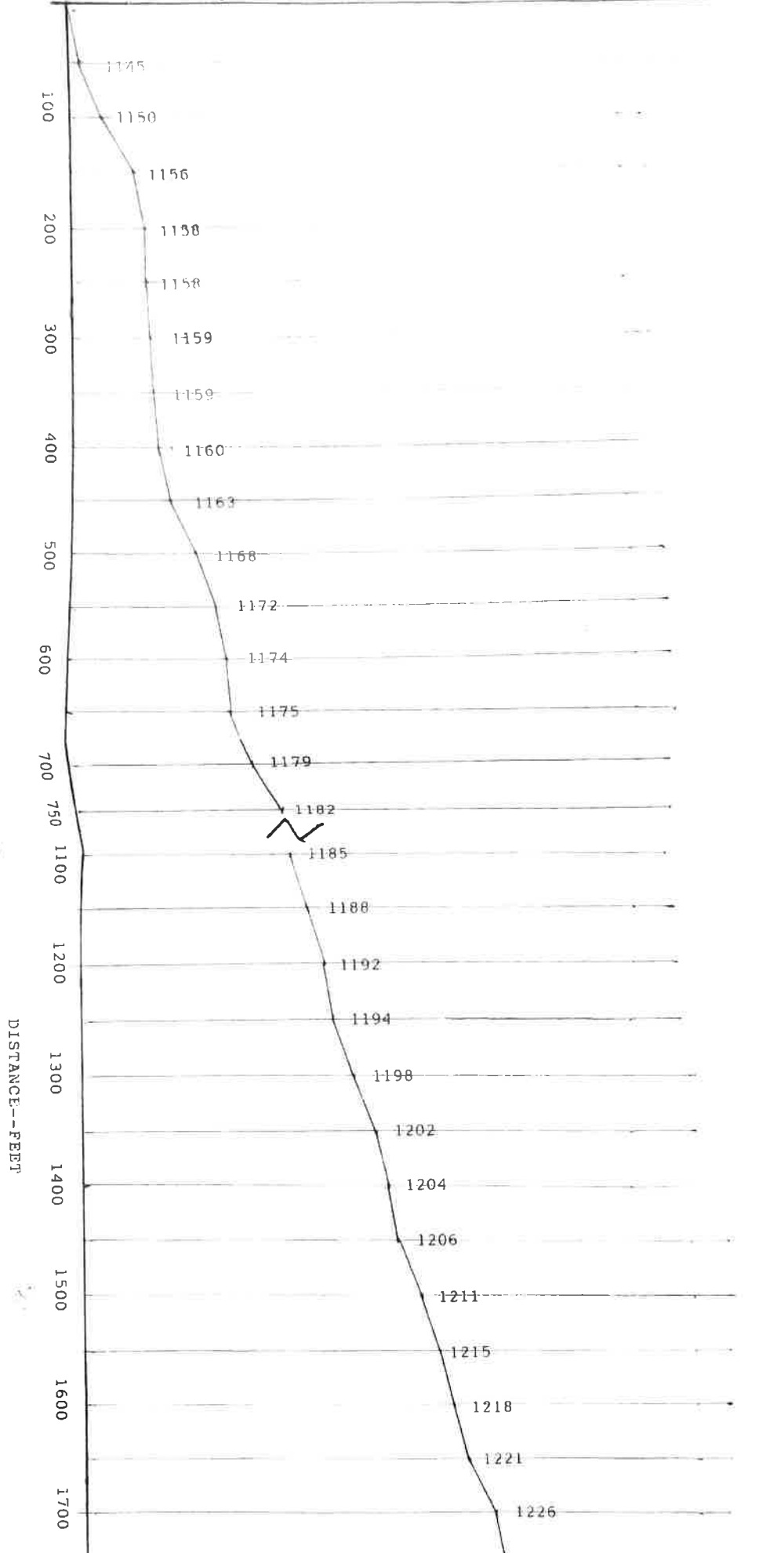
- Culvert 1 - Cross culvert approximately 40 feet from the intersection of Bloody Hollow Road
- Culvert 2 - Cross culvert at 440 +/- feet
- Culvert 3 - Cross culvert at 1080 +/- feet
- Culvert 4 - Cross culvert at 1550 +/- feet
- Culvert 5 - Cross culvert at 2130 +/- feet
- Culvert 6 - Driveway culvert, north side of Indian Trail at approximately 1550 +/- feet, adjacent to culvert 4

All culverts are smooth lined corrugated polyethylene pipes.

The following table summarizes the results of the analysis.

RESULTS OF CULVERT ANALYSIS		
CULVERT NO.	EXISTING DIAMETER, IN.	DESIGN DIAMETER, IN.
1	12	15
2	12	12
3	12	12
4	15	15
5	12	12
6	12	12

1143 Bloody Hollow Road



PAULA J. BEDNARCIK
EDWARD D. BEDNARCIK
3 HOWLAND FARM ROAD
EAST GREENWICH, RI 02818

4-00

103

Date 6-14-01

57-12/115
88

Pay to the
order of

R. J. Ball

\$ 5366⁰⁰

Five thousand three hundred sixty six⁰⁰ Dollars



CITIZENS BANK

Rhode Island

05016330 25 3963 5968 062201

For

702 complete / Road

Paula J. Bednarzik

⑆0⑆1⑆500⑆20⑆1⑆23⑆260⑆⑆⑆

0105 ⑆0000536600⑆

000000000000

PAULA J. BEDNARCIK
EDWARD D. BEDNARCIK
3 HOWLAND FARM ROAD
EAST GREENWICH, RI 02818

4-00

125

Date 8-11-01

57-12/115
88

Pay to the
order of

Bob Balle

\$ 13125⁰⁰

Thirteen thousand one hundred twenty five⁰⁰ Dollars



CITIZENS BANK

Rhode Island

For

ROAD - Tower +
(Septic - PD in Fall)

Paula Bednarzik

⑆0⑆1⑆500⑆20⑆1⑆23⑆260⑆⑆⑆

0125 ⑆0001312500⑆

000000000000

PAULA J. BEDNARCIK
EDWARD D. BEDNARCIK
3 HOWLAND FARM ROAD
EAST GREENWICH, RI 02818

4-00

117

Date 7-23-01

57-12/115
88

Pay to the
order of

Ball Bulldozing

\$ 8031⁵⁰

Eight thousand thirty one⁵⁰ Dollars



CITIZENS BANK

Rhode Island

UPPER ROAD / CULVERTS
FOR EXCAVATION / SEPTIC / XTRA

Paula Bednarzik

⑆0⑆1⑆500⑆20⑆1⑆23⑆260⑆⑆⑆

0117 ⑆0000803150⑆

000000000000

0093

Date

4/27/00

87-12/118
100Pay to the
order of

Bob Ball

\$ 800.00

Eight hundred and no



CITIZENS BANK

Rhode Island

For

Septu

Paula Bednarcik

⑆0⑆1⑆500⑆20⑆1⑆23⑆26⑆4⑆

01 0043

⑈0000080000⑈

© 2000 American

PAULA J BEDNARCIC
EDWARD D BEDNARCIC
3 HOWLAND FARM
EAST GREENWICH, RI 02818

109

Date 4-17-01

87-12/118
66Pay to the
Order of

Bob Ball

\$ 5300.00

Five thousand three hundred and no

Dollars



CITIZENS BANK

Rhode Island

For Road/House

Paula Bednarcik

⑆0⑆1⑆500⑆20⑆1⑆23⑆26⑆4⑆

0109

⑈0000530000⑈

PAULA J BEDNARCIC
EDWARD D BEDNARCIC
3 HOWLAND FARM
EAST GREENWICH, RI 02818

111

Date 5-8-01

87-12/118
66Pay to the
Order of

Bob Ball

\$ 10,760.00

Ten thousand seven hundred sixty no

Dollars



CITIZENS BANK

Rhode Island

For Road/house

Paula Bednarcik

⑆0⑆1⑆500⑆20⑆1⑆23⑆26⑆4⑆

0111

⑈0001076000⑈

PAULA J BEDNARCIC
EDWARD D BEDNARCIC
3 HOWLAND FARM
EAST GREENWICH, RI 02818

113

Date 5-12-01

87-12/118
66Pay to the
Order of

Bob Ball

\$ 5366.25

Five thousand three hundred sixty-six and 25

Dollars



CITIZENS BANK

Rhode Island

For 53% complete/Road

Paula Bednarcik

⑆0⑆1⑆500⑆20⑆1⑆23⑆26⑆4⑆

0113

⑈0000536625⑈

Bob Bolle (new Rules)

Town Specs:

18" material

18' road to Steves
100'-120' cul de Sac

18' if more than 2 parties

16ft Shale

6" item 4 Gravel

Culverts
Drainage

\$39,500

\$17,500

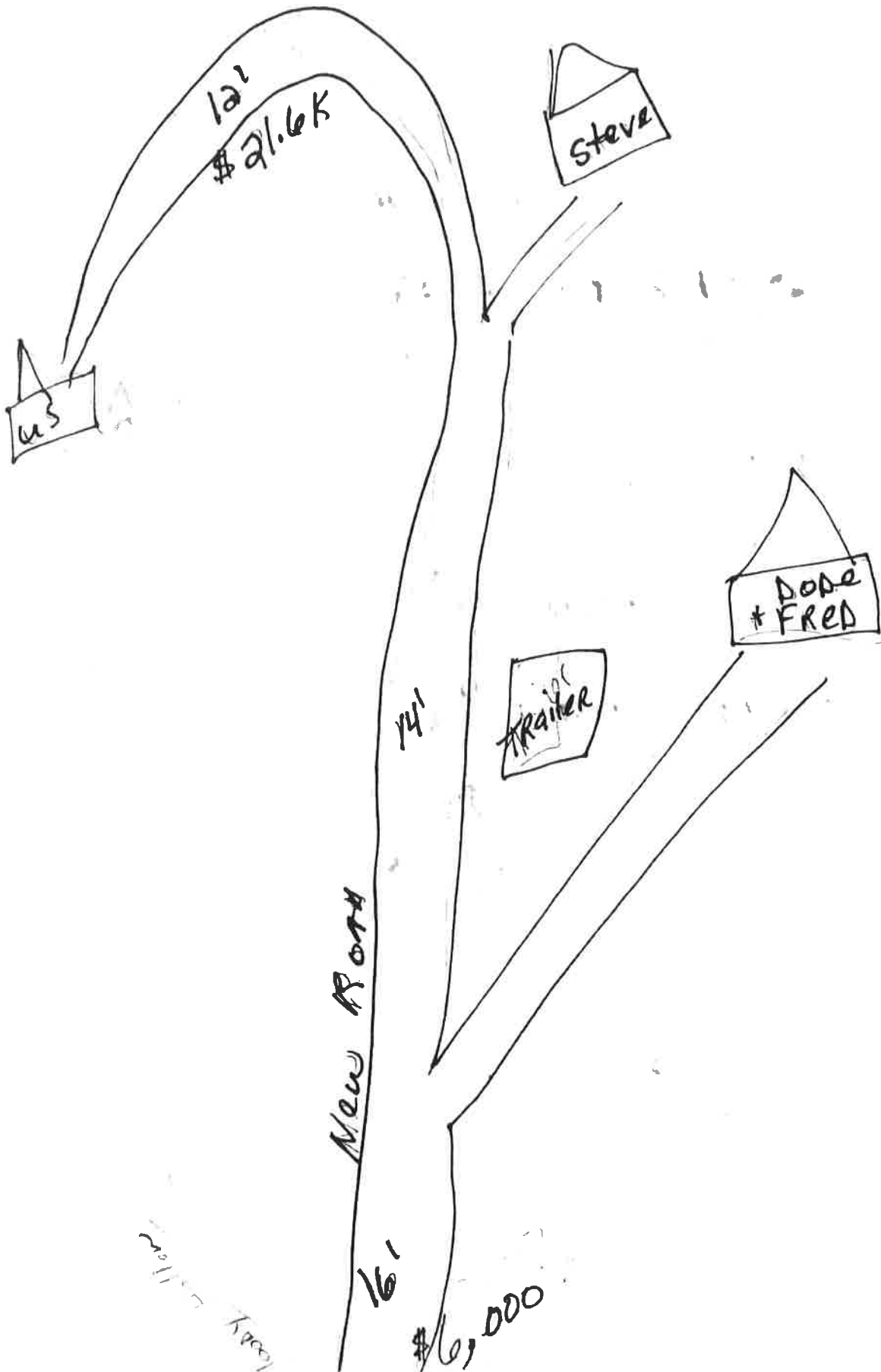
or

14' and a
turnaround

Drainage
Culvert

\$5000 for Cul de Sac

ORIGINAL Rules



10/10/2007

Austerlitz Town Board
P.O. Box 238
Spencertown, NY 12165
Attn: George Jahn, Supervisor

RE: Olevnek Subdivision
Indian Trail—Private Road
Prendergast Letter of 7/27/07

Dear George,

After countless meetings with the Planning Board and discussions with the Town Engineer over the past five years in order to meet their requirements we have reached a point where we can no longer afford or conform to the questionable statements listed in the subject letter (copy attached). We respond to the letter as follows:

Para. 1. The Planning Board has approved the sub-division parcels as shown on the latest plat, the only question is road approval. I believe the Town Engineer's comments should be directed to the parcels as submitted and not prophesying as to future changes for which there are no plans.

Para. 2. The roadway was constructed as close as possible to conform to the Town Road law, note R & L Howes letter of 5/25/07 (copy attached).

To move the utility pole noted would incur extreme financial hardship. The area near the pole has been widened to reduce any possible hazard.

The 12 ft. roadway referred to is a driveway up to the cul-de-sac. Per the Planning Board's request we have made a turn-around before this driveway.

Those portions of the road that are 16 ft. to 17 ft. are minimal and the result of topography. To get the extra 1 or 2 feet would involve cutting of many trees, blasting and moving a mountain of fill.

Para. 3. As noted above the 12 ft. section has been removed from the R.O.W.

Para. 4. The roadway has six under-road culverts not the one noted in the engineer's letter. The roadway as built has been there for 2-3 years during which time there have been a number of extreme rain-falls, 6-7 inches in 24 hours, and there has never been any flooding or erosion of the roadway or adjoining area. A drainage report would serve no purpose and would be a financial hardship.

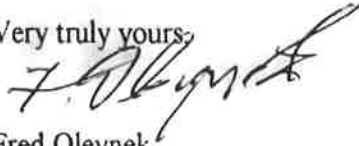
Para. 5. Because of topography and in order to get the swale depth called for by the Road Law they needed to be steep. Any possible siltation problem would be a maintenance problem which we are quite able to resolve when necessary.

Para. 6. A Road Maintenance Agreement has been approved by the Planning Board.

We believe the roadway as-built is in keeping with the intent of the Town Road Law and the Subdivision Regulations and does not diminish the public health,

safety or general welfare. We therefore request the necessary Waivers as offered in Article VII of the Subdivision Regulations.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'F. Oleynek', with a stylized flourish at the end.

Fred Oleynek

C/2 Tim Stalker-Planning Board

Comments == RE: Indian Trail

The NYSEG pole in question does not affect traffic from Parcel 2 but only from remaining parcels with limited traffic.

Per Carl Matuszek analysis, in the event culvert #1 presents a problem it will be replaced as called for.

The large stone blocking culvert #4 will be removed as called for.

Drainage ditches will be maintained as required.

Fred Oleynek

R. J. BOLL

BULLDOZING AND GRADING

Rock Excavation, Land Clearing and Earth Moving

PHONE 784-3522

BOX 108, NIVERVILLE, N. Y. 12130

Paula Bednarcik
3 Howland Farm
E. Greenwich, R. I. 02818

April 02, 1999

Date _____

From Bloody Hollow to
Beginnings of Dad's Driveway
WIDENING ROAD

3-15-99 thru 3-29-99	Estimate for road widening	\$3,200.00
	Two (2) 12x20 culverts @\$350.00	700.00
	One (1) 12x10 culvert	175.00
EXTRA	Due to weather & time constraints extra shale had to be brought in for fill	1,100.00
	SALES TAX	158.00

DUE ON RECEIPT OF STATEMENT

\$6,033.00

Paula,

Bob was planning on using on site materials for fill. Due to new deadline, Dad needed job done by 4/01/99. Snow & frost make mud so extra shale had to be brought in. Sorry about the extra charge but Bob thought he would have used

R & L HOWES

P.O. Box 98
42 Route 203
Spencertown, NY 12165

Estimate

Date	Estimate #
3/7/2008	40

Name / Address
Fred Oleynek 18 Indian Trail Chatham, NY 12037

Project		
Indian Trail Road		
Description	Rate	Total
Widen approximately 220 feet of Indian Trail Road (after power pole has been moved). Remove trees and stumps, cut bank back and remove material. Install water run off ditch. Base road and top to 18 feet wide Note: If rock or any other unforeseen obstacles are encountered, they will be dealt with on a time and materials basis.	19,400.00	19,400.00
Total		\$19,400.00

R & L HOWES

P.O. Box 98
42 Route 203
Spencertown, NY 12165

Estimate

Date	Estimate #
7/19/2006	19

Name / Address
Fred Oleynek 18 Indian Trail Chatham, NY 12037

Project		
Road		
Description	Rate	Total
Road: (Approximately 2200 ft.)		
Extend culvert and establish drainage	4,200.00	4,200.00
Shape and top coat road surface. Adjust width to 18 ft. as per town spec.	13,200.00	13,200.00
Note: If rock is deemed undiggable it will be dealt with on a time and materials basis.		
Total		\$17,400.00

CARL S. MATUSZEK, P.E., L.S.
241 SCANNELL ROAD
CHATHAM, NEW YORK 12037-2611

CONSULTANT ENGINEER
CIVIL & ENVIRONMENTAL
LICENSED LAND SURVEYOR
PHONE: (518) 392-2425
EMAIL: csmatuszek@taconic.net
April 21, 2008

Fred Oleynek
18 Indian Trail
Chatham, New York 12037

RE: Fred Oleynek Subdivision
Culvert Evaluation
Indian Trail, T. of Austerlitz
Columbia County, New York

Dear Mr. Oleynek:

At your request, I have completed a hydraulic analysis of the six culverts serving the subdivision road to determine if they are adequately sized. The analysis was based on an on-site inspection, field measurements, and the subdivision plan titled "Map of the Subdivision of the Lands of Fred J. and Gloria D. Oleynek, Town of Austerlitz, Columbia Co., N.Y.". The map was prepared by Frank F. Ambrosio, L.S. dated Sept. 17, 1998 and last revised Feb. 28, 2007. The map depicts contours at an interval of ten feet.

The hydraulic study is based on the 25 year storm event as per Town of Austerlitz Local Law No. 2 for the year 2000. The Rational method analysis was used to determine the flow rate. The analysis considered single family residences constructed on the lots with the exception of Parcel 3 fronting Bloody Hollow Road. This parcel has been sold to the adjoining land owner on Bloody Hollow Road and is not expected to be developed.

The culverts are located on Indian Trail. The distances are measured along Indian Trail from its intersection with Bloody Hollow Road as follows:

- Culvert 1 - Cross culvert approximately 40 feet from the intersection of Bloody Hollow Road
- Culvert 2 - Cross culvert at 440 +/- feet
- Culvert 3 - Cross culvert at 1080 +/- feet
- Culvert 4 - Cross culvert at 1550 +/- feet
- Culvert 5 - Cross culvert at 2130 +/- feet
- Culvert 6 - Driveway culvert, north side of Indian Trail at approximately 1550 +/- feet, adjacent to culvert 4

All culverts are smooth lined corrugated polyethylene pipes.

The following table summarizes the results of the analysis.

RESULTS OF CULVERT ANALYSIS		
CULVERT NO.	EXISTING DIAMETER, IN.	DESIGN DIAMETER, IN.
1	12	15
2	12	12
3	12	12
4	15	15
5	12	12
6	12	12

R & L Howes
Landscaping / Construction
P.O. Box 98
Spencertown, NY 12165
518-392-3578

May 25, 2007

To Whom It May Concern:

This letter is to document that the improvements made to the road known as Indian Trail, Town of Austerlitz, New York, conform to the dimensions and cross-section as specified for Private Roads in Town Law #2 for the year 2000, with some minor deviations in width at two or three points due to topography. These deviations do not affect safe travel along the road.

Storm drainage and culverts have been shown to be more than adequate to handle run-off from major storms as shown by recent events.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Robin Howes', with a stylized flourish extending to the right.

Robin Howes

Town of Austerlitz
Planning Board
Columbia County
New York

Resolution 2008: Road Law Variance for Fred Oleynek, Major Subdivision off Bloody Hollow Road

At the regular Planning Board meeting of the Town of Austerlitz, held at the Austerlitz Town Hall, Spencertown, NY duly called and held on the 7th day of July, 2008, the following Resolution was proposed and seconded by:

Proposed by: _____

Seconded by: _____

WHEREAS, Mr. Oleynek has submitted an application for a 5-lot major subdivision off of Bloody Hollow Road, and

WHEREAS, on March 1, 2007 the Planning Board granted Conditional Final Plat approval conditioned upon the Town Engineer's approval of the subdivision's private road; and

WHEREAS, there have been extensive discussions with Mr. Oleynek, the Town Engineer and the Planning Board regarding the ability of the road to meet the minimum road width requirements for a private road under the Town's Road Law; and

WHEREAS, a small portion of the road has a width of less than 18 feet and is encroached in part by a utility pole; and

WHEREAS, Mr. Oleynek has undertaken efforts to improve the drainage on the road and has presented evidence that widening the road and relocating the utility pole will present a significant financial hardship and that the road width and utility pole do not present a threat to public health and safety.

NOW THEREFORE, LET IT BE RESOLVED that the Planning Board grants a variance from Section I(B)(2) of the Town Road Law to the extent of approving a width of the road at less than the required 18' for that portion highlighted on the subdivision plat and permitting the utility pole at the location shown on the plat.

Based upon the recommendations of the Town Engineer and the Town Highway Superintendent the Planning Board finds that the road has limited traffic use and granting the variance is the minimum required to alleviate the hardship to the applicant and that the variance will not present a threat to public health or safety.

The Planning Board further finds that its approval of the final plat and the granting of the variance is conditioned upon a recognition that any further subdivision of the parcels on the plat will require an upgrading of the road to Town Road standards, as may apply at the time of the

Spencertown Fire Company



untitled
David W Page Captain
Frank Davis 1st Lt.
Chris Rundall 2nd Lt.



January 31, 2008

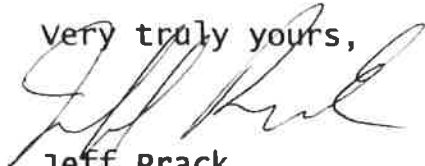
Town of Austerlitz
Planning Board
Attn: Tim Stalker

RE; Indian Trail
Oleynek Private Road

Dear Tim;

This is to advise you that I inspected the subject road
and find it to be more than capable of handling Emergency
vehicle traffic.

Very truly yours,



Jeff Prack
District Fire Chief

Town of Austerlitz
Town Board
Columbia County
New York

Resolution 31-2008: Road Law Variance for Fred Oleynek, Major Subdivision off Bloody Hollow Road

At the regular Town Board meeting of the Town of Austerlitz, held at the Austerlitz Town Hall, Spencertown, NY duly called and held on the 10 day of July, 2008, the following Resolution was proposed and seconded by:

P. Bernstein and M. Lee

WHEREAS, Mr. Oleynek has submitted an application for a 5-lot major subdivision off of Bloody Hollow Road, and

WHEREAS, on March 1, 2007 the Planning Board granted Conditional Final Plat approval conditioned upon the Town Engineer's approval of the subdivision's private road; and

WHEREAS, there have been extensive discussions with Mr. Oleynek, the Town Engineer and the Planning Board regarding the ability of the road to meet the minimum road width requirements for a private road under the Town's Road Law; and

WHEREAS, a small portion of the road has a width of less than 18 feet and is encroached in part by a utility pole; and

WHEREAS, Mr. Oleynek has undertaken efforts to improve the drainage on the road and has presented evidence that widening the road and relocating the utility pole will present a significant financial hardship and that the road width and utility pole do not present a threat to public health and safety.

NOW THEREFORE, LET IT BE RESOLVED that the Town Board grants a variance from Section I(B)(2) of the Town Road Law to the extent of approving a width of the road at less than the required 18' for that portion highlighted on the subdivision plat and permitting the utility pole at the location shown on the plat.

Consistent with the recommendations of the Town Engineer, the Town Highway Superintendent and the Planning Board Resolution, the Town Board finds that the road has limited traffic use and granting the variance is the minimum required to alleviate the hardship to the applicant and that the variance will not present a threat to public health or safety.

The Town Board agrees that the Planning Board's approval of the final plat and the granting of the variance is conditioned upon a recognition that any further subdivision of the parcels on the plat will require an upgrading of the road to Town Road standards, as may apply at the time of

the future subdivision, and any future subdivider will be responsible for the upgrade and widening of the road including widening of that section and relocation of the utility pole.

Upon the question of the foregoing Resolution, the following Town Board Members voted "Aye:"

C. Vander Weit, M. Lee, P. Bernstein, G. Jahn

The following Town Board Members "abstained:"

B. Geel

The Resolution having been approved by a majority of the Town Board, the said was declared duly adopted by the Supervisor of the Town of Austerlitz.

Dated: July 10, 2008

Signed: _____, Town Clerk

SHaag

From: Katherine Lorensen <kylahalo@gmail.com>
Sent: Monday, April 4, 2022 11:48 AM
To: SHaag
Subject: Dog License
Attachments: IMG_20220304_163659.jpg

Good morning,

I need to renew my dog license and need to get a license for our new puppy.

Katherine Southwick
12455 State Route 22
Austerlitz, NY 12017
518-480-8578

Rosie's dog license needs to be renewed and our new puppy need his first one. Last year, we emailed the information and sent the check via mail. Please let me know if that'll be okay again this year.

New puppy's name is Raiden

He is a black/white (shadow) Bernedoodle

He is black with white feet, white chest/belly, white tip of tail (tail is curled up), and white down the center of his face like lightning

He was born 10/10/21

He is not neutered yet (not until fall)

Please let me know if you need additional information and the amount. I will send a check for both licenses.

Thank you,

Katherine