TOWN OF AUSTERLITZ

Columbia County New York

Deborah Lans

Planning Board Chairman

Planning Board Meeting July 7, 2022 7:00 p.m.

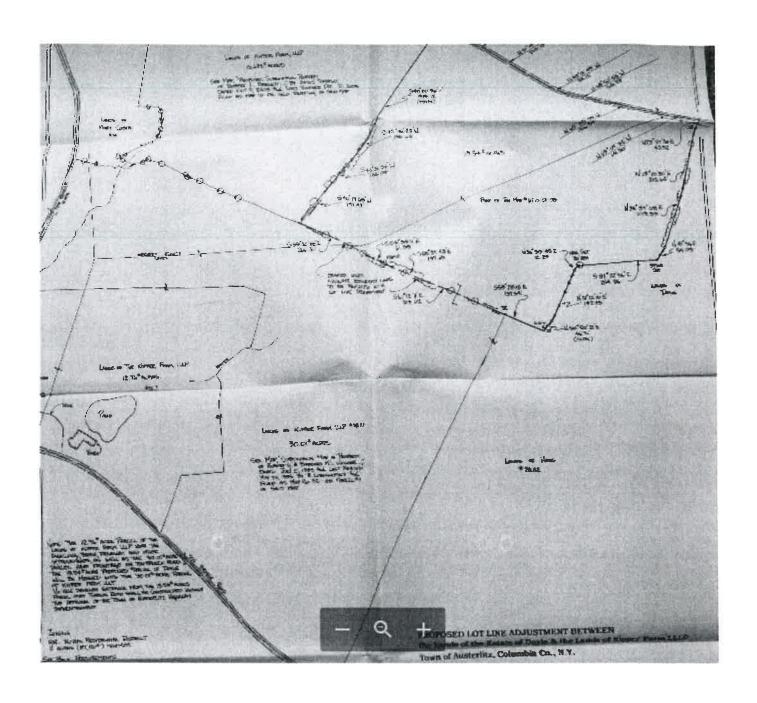
- 1.) Public Hearing: Kipper PL-2022-12 67.-1-28.111
- 2.) Close Public Hearing
- 3.) Call Regular Planning Board Meeting to Order
- 4.) Moment of Silence, Followed by the Pledge of Allegiance
- 5.) Roll Call
- 6.) Minutes
- 7.) Old Business
 A.) PL-2022-12 Kipper
- 8.) New Business
 A.) PL-2022-13 Madsen
- 9.) Public Comment
- 10.) Adjournment

Kipper PL-2022-12 67.-1-28.111 Minor Subdivision

Town of Austerlitz Planning Board Application for Subdivision Review

Application Date:	051252022			
Applicant: (Prope	rty Owner)			
Name: Kip	per Farm LLLP	_{Email} mjkippe	er@mac.com	
Street Addre	ss: 174 Ten Broeck	Email: mjkippe	е	
City: Chath	am State: 1	$\frac{\sqrt{Y}}{Z_{ip}}$: $\frac{12037}{Z_{ip}}$ Phone N	lumber: 917-447-687	4
Representative:				
Name: 'Jod	ly' Mary J Kippe	er _{Email:} mjkippe	т@mac.com	
Phone Numb	er. 917-447-687	4		
Surveyor or Engil	neer:			
		ELLIOTT		Referen
Phone Number	er. 518-469	277 License Number		"Ce Mas
Tax Map Number:	671-28.111		Plann	1 0 > a rerial
Property Location Parcel(s) betw	n: (Brief Descriptio reen 174 Ten Br	n of Location) roeck Road and Piers	son Road	Reference Material 2022 Board Meeting
Names of Abuttin Doyle	g Property Owners	:		
Easements or Re 30 Acres currently in	striction: a the conservancy, 19.5	54 ag exempt both parcels' de	signations to remain as is.	
The undersigned here	by requests approval by	the Planning Board of the above Signature: Title: Own Ex Date: 5 - 2	1/2	
FOR OFFICE USE O		Project ID_	*****	OF A11
Applic, Fees &	Public	SEQRA	Final	LOWIN OF MOSTE
Preliminary	Hearing	Determination	Approval	RECEIVED
				RECEIVED MAY 2 5 2022
				€ □ 7022

COLUMBIA COUNT



Reference Material

VUL 0 7 2022

Planning Board Meeting

Town of Austerlitz Planning Board Meeting June 2, 2022

The Planning Board meeting was held in-person.

Present: Lee Tilden, Chair, Deborah Lans, Eric Sieber, Eric Spiegel and Jane Magee (arrived at approximately 8:00 pm), Members. Joseph Catalano, Attorney for the Town, also present.

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

Public Hearing for Planning Board Application PL-2022-01 Minor Subdivision and Boundary Line Change

The completed application was received, the notice for Public Hearing was published and the Certified mailings went out to the abutting property owners. The Planning Board received one email in favor of the application from the owner of property, 365 Rigor Hill Road, LLC, that will be subject to the proposed boundary line change. Representative, Max Zacker, of the owner of the property to be subdivided, Austerlitz Holding Company, LLC, made a presentation that explained the proposal: to divide 3 lots off of an existing 136-acre parcel with lot A proposed at 20.25 acres; lot B proposed at 25.5 acres; and Lot C proposed at 3.365 acres. Lots A and B are improved by existing barns and Lot C is currently unimproved. Also proposed is a conveyance of 81 acres of the subject property located east of the Taconic State Parkway and south of Rigor Hill Road to the neighboring property owned by 365 Rigor Hill Road, LLC (Tax Map #94.-1-19.1) The subject property is located in the rural residential zoning district. The Board members reviewed the map provided by the Representative. A member of the public, Emily Powers, a nearby property owner spoke. She is an abutting property owner of 365 Rigor Hill Road property. She stated she did not receive a letter notice. Upon review, it was discovered that she did not abut the property to be subdivided which was the reason she did not receive the notice. She voiced concerns about the additional property being added to the 365 Rigor Hill Road property and particularly about that leading to additional hunting activities and code compliance. She was advised that the subdivision law does not direct the use of the property and if she had code violation concerns to inform the Town CEO of same. No other public comment was received.

As no further comments were made, a motion to close the Public Hearing for the Austerlitz Holding Company, LLC, application was made by E. Spiegel and seconded by E. Sieber.

Roll Call

Lee Tilden: yes Deborah Lans: yes Eric Sieber: yes Eric Spiegel: yes Jane Magee: absent

Planning Board Meeting

Motion carried 4:0:1 Public Hearing closed at 7:15 p.m.

Second Public Hearing called to order at 7:15 p.m.

Public Hearing for Planning Board Application PL-2022-10 Minor Subdivision Reginald Brantner and Deborah Brantner-Jones

The completed application was received, the notice for Public Hearing was published and the certified mailings went out to the abutting property owners. The Planning Board did not receive any written comments or emails on this application. Representative, Fred Haley, surveyor for the owners made a presentation that explained the proposal: The applicant proposes to divide 2 lots off of an existing 10.324-acre parcel with Lot 1 proposed at 4.371 acres and Lot 2 proposed at 5.953 acres. Proposed Lot 1 is improved by an existing residence and proposed Lot 2 is currently unimproved. The subject property is located in the Austerlitz-Hamlet (A-HM) zoning district. The Board members reviewed the revised map provided by the Representative. He added notes on the map pursuant to the Planning Board's discussions at the previous meeting. No members of the public spoke about this application. Discussion ensued about the private cemetery located in the middle of the property and that this would not change since there was recorded access to the cemetery.

As no further comments were made, a motion to close the Public Hearing for the Austerlitz Holding Company, LLC, application was made by E. Sieber and seconded by E. Spiegel.

Roll Call

Lee Tilden: yes Deborah Lans: yes Eric Sieber: yes Eric Spiegel: yes Jane Magee: absent

Motion carried 4:0:1 Public Hearing closed at 7:25 p.m.

Regular Meeting called to order at 7:26 p.m.

Moment of Silence, followed by Pledge of Allegiance.

Minutes

A motion to accept the May 2022 Public Hearing and Regular Planning Board Meeting minutes was made by E. Spiegel and seconded by E. Sieber.

Voice vote Lee Tilden: ves

Deborah Lans: abstained

Eric Sieber: yes Eric Spiegel: yes Jane Magee: absent Motion carried 3:0:2

Reference Material JUL 0 7 2022 Planning Board Meeting

Old Business

Planning Board Application PL-2022-01 Minor Subdivision and Boundary Line Change - Austerlitz Holding Company, LLC

After a brief summary of the procedures, J. Catalano went through the short form EAF with the Board members and read aloud the questions on part 2 of the EAF. The Board members answered each question as no or small impact. The Board members agreed that the conclusion of the EAF analysis is that the proposed action would have no significant adverse impacts.

A motion was made by E. Sieber, to accept the Environmental Assessment Form as completed by the Planning Board tonight with the conclusion that the project will not result in any significant adverse environmental impacts, and seconded by D. Lans.

Roll Call:

Lee Tilden: yes Deborah Lans: yes Eric Sieber: yes Eric Spiegel: yes Jane Magee: absent Motion carried 4:0:1

A motion to adopt a resolution was made by E. Sieber, to approve the subdivision and lot line change map for the Property of Austerlitz Holding Company, LLC as prepared by Robert J. Ihlenburg, Land Surveyor, dated April 21, 2022, as presented to the Planning Board, and seconded by E. Spiegel: Reference Material

Roll Call:

Lee Tilden: yes Deborah Lans: yes Eric Sieber: yes Eric Spiegler: yes Jane Magee: absent Motion carried 4:0:1

Planning Board Application PL-2022-10 Minor Subdivision Reginald Brantner and Deborah **Brantner-Jones**

J. Catalano went through the short form EAF with the Board members and read aloud the questions on part 2 of the EAF. The Board members answered each question as no or small impact. The Board members agreed that the conclusion of the EAF analysis is that the proposed action would have no significant adverse impacts.

A motion was made by E. Sieber, to accept the Environmental Assessment Form as completed by the Planning Board tonight with the conclusion that the project will not result in any significant adverse environmental impacts, and seconded by D. Lans.

Roll Call:

Lee Tilden: yes Deborah Lans: yes Eric Sieber: yes

Eric Spiegel: yes Jane Magee: absent Motion carried 4:0:1

A motion to adopt a resolution was made by D. Lans, to approve the 2-lot subdivision for the Property of Reginald Brantner and Deborah Brantner-Jones as indicated on the survey prepared by Frederick Haley, Land Surveyor, as revised and presented to the Planning Board this evening, and seconded by E. Sieber:

Roll Call:

Lee Tilden: yes Deborah Lans: yes Eric Sieber: yes Eric Spiegler: yes Jane Magee: absent Motion carried 4:0:1



Proposed 2-lot subdivision and request for road waiver by Oleynek family

(Jane Magee arrived at the time this application was discussed)

Paula (Oleynek) Bednarcik, appeared on behalf of the Oleynek family and made a presentation concerning their recently submitted application for a 2-lot subdivision which involves breaking off a 5.4 acre parcel located on the west side of the private road from what is referred to as Parcel 2 (consisting of a total of 35.647 acres) on the subdivision map approved by the Planning Board in 2008. They need a waiver of the condition on the approved subdivision map that states no further subdivision of any lot may be approved unless the road is brought up to Town road specifications which includes widening and paving. The applicants will request a waiver of those requirements from the Town Board and Highway Superintendent (those requirements having subsequently been codified in the Town Code). They would like to start the process without a full survey of the proposed subdivision so as to avoid the expense of the survey if the road waivers are not granted. After discussion by the Planning Board members and attorney, and as an accommodation, the Board decided to accept the subdivision application for the sole purpose of referring the matter to the Town Board and Highway Superintendent for consideration of the requested waiver. If the decision of the Town Board and Superintendent is to grant the waiver, then the Planning Board will require the survey before proceeding any further. If the waiver is not granted by either entity, the Planning Board would have no authority to proceed further.

A motion was made by E. Spiegel, to accept the subdivision application for the sole purpose of referring the matter to the Town Board and Superintendent on the issue of the road waiver, and seconded by D. Lans.

Roll Call:

Lee Tilden: yes Deborah Lans: yes Eric Sieber: yes Eric Spiegel: yes

Jane Magee: yes Motion carried 5:0

New Business

Planning Board Application PL-2022-12 Kipper Farms, LLLP

Jody Kipper presented the application and proposed subdivision map explaining that the proposed 2-lot subdivision (19.54 and 30.01 acres respectively) was returning the property to its original status when she first bought the property. Those two lots were subsequently merged together and she now wishes to separate them again for financing purposes. They both would be continued with the same uses as present which is agricultural and residential.

The Board members reviewed the drawings and spoke with Ms. Kipper regarding the parcel being subdivided and the use of the property.

A motion to accept the application as complete was made by E. Sieber seconded by J. Magee.

Roll call

Lee Tilden: yes Deborah Lans: yes Eric Sieber: yes Eric Spiegel: yes Jane Magee: yes Motion carried 5:0 Reference Material

JUL 0 7 2022

Planning Board Meeting

A motion to designate application PL-2022-07 an Unlisted Action for SEQRA purposes was made by J. Magee and seconded by E. Eric Spiegel.

Roll call

Lee Tilden: yes Deborah Lans: yes Eric Sieber: yes Eric Spiegel: yes Jane Magee: yes Motion carried 5:0

A motion to set a public hearing, as the first order of business at the July 7th meeting at 7:00 pm, for Planning Board Application PL-2022-07 was made by D. Lans and seconded by E. Sieber.

Roll call

Lee Tilden: yes Deborah Lans: yes Eric Sieber: yes Eric Spiegel: yes Jane Magee: yes Motion carried 5:0

Adjournment

A motion to adjourn was made by E. Sieber and seconded by Eric Spiegel.

Motion carried 5:0 by voice vote: Meeting adjourned at 8:15p.m.

Respectfully Submitted, Joseph Catalano, Attorney for Town

Reference Material

Madsen

PL-2022-13

86.-2-32.200

Boundary Line Adjustment and Parcel Merger



Town of Austerlitz Planning Board Application for Subdivision Review

Application Date: $\frac{7}{2}$	2022				
Applicant: (Property Owne	er)				- torial
Name: Madsen Ove	rhead Doors, I	nc Email: ir	nfo@madsenov	erhead doors.com	eference Material
Street Address: 673	Route 203	Mailing Addre	ss:		17 2022
Street Address: 673 City: Spencertown	State: NY	Zip: 12165	Phone Number:	518-392-3883	- Jord Meeting
Kehrasemanae: (II WIIA)				P	laining
Name: Michael Ma		Email:_M	ike@madsenov	erheaddoors.com	
Phone Number: 518-	-653-8600				
Surveyor or Engineer:					
Name: R. Sardo La	and Surveyir	ng Services,	PLLC		
Phone Number: 518-	821-9547	License	Number: <u>0505</u>	560);
Tax Map Number: 86.00	-2-32.200				
Property Location: (Brief 673 Route 203	Description of	f Location)			
Names of Abutting Prope Guy A Madsen & Pat		en			_
Lisa Weisinger Mann	е				
Easements or Restriction	:				
The undersigned hereby reques	ts approval by the			I subdivision Plat.	
		Title:			
		Date: 7/5/22			-
FOR OFFICE USE ONLY			Project ID		
SUBMISSION DATES and APP Applic, Fees & P	PROVALS Public	SEQRA		Final	
	learing	Determination	1	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): 673 Route 203 - Spencertown, NY 12165	Reference Mate	rial		
Brief Description of Proposed Action: Adjust property boundry lines of Madsen OHD and Fox Hill Campground AND COMBINE (3) PAICELS INTO I	Planning Board			
Name of Applicant or Sponsor: Madsen Overhead Doors, Inc Guy A Madsen	Telephone: 518-653-8600 E-Mail: Mike@madsenoverhea	ddoors.com		
Address: 673 Route 203				
City/PO: Spencertown	State: NY	Zip Code: 12165		
Does the proposed action only involve the legislative adoption of a plan, leadministrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and may be affected in the municipality and proceed to Part 2. If no, continue to	the environmental resources the question 2.		YES	
2. Does the proposed action require a permit, approval or funding from any If Yes, list agency(s) name and permit or approval:		NO	YES	
3.a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	2,658 acres 0 acres 67.61 acres			
	nercial Residential (suburt (specify):	oan)		

5. Is the proposed action, NO	YES	N/A
a. A permitted use under the zoning regulations?	V	
b. Consistent with the adopted comprehensive plan?	V	
6. Is the proposed action consistent with the predominant character of the existing built or natural	NO	YES
landscape?		V
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify:	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES
	~	Ш
b. Are public transportation service(s) available at or near the site of the proposed action?	~	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	V	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES
If the proposed action will exceed requirements, describe design features and technologies:	V	П
		11,1
10. Will the proposed action connect to an existing public/private water supply?	NO	YES
If No, describe method for providing potable water:		
11771122		
11. Will the proposed action connect to existing wastewater utilities?	NO	YES
If No, describe method for providing wastewater treatment: Planning Board Meeting		
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic	NO	YES
Places? b. Is the proposed action located in an archeological sensitive area?	V	Ш
b. Is the proposed action located in an archeological sensitive area:	V	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain	NO	YES
wetlands or other waterbodies regulated by a federal, state or local agency?	~	님
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:	~	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all tha Shoreline Forest Agricultural/grasslands Early mid-successional	t apply:	
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed	NO	YES
by the State or Federal government as threatened or endangered?	V	П
16. Is the project site located in the 100 year flood plain?	NO	YES
10. Is the project site rocated in the 100 year frood plant.		
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes, a. Will storm water discharges flow to adjacent properties? NO YES		
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:		
	01	

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:						
	19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	N	3 Y	YES		
	If Yes, describe:	[
1			_ -			
	20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing completed) for hazardous waste?	g or N	0 7	YES		
	If Yes, describe:	[·	7			
		-	_ `			
	I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO KNOWLEDGE Applicant/sponsor name: Michael Mansey Date: 7/5/ 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?"						
	Board					
		No, or	Mode			
		No, or small impact	Mode to la	arge		
		small impact may	to la imp ma	arge pact ay		
		small impact may occur	to la imp	arge pact ay		
		small impact may	to la imp ma	arge pact ay		
	Will the proposed action create a material conflict with an adopted land use plan or zoning	small impact may occur	to la imp ma	arge pact ay		
	Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	small impact may occur	to la imp ma	arge pact ay		
	 Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? Will the proposed action result in a change in the use or intensity of use of land? 	small impact may occur	to la imp ma	arge pact ay		
	 Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? Will the proposed action result in a change in the use or intensity of use of land? Will the proposed action impair the character or quality of the existing community? Will the proposed action have an impact on the environmental characteristics that caused the 	small impact may occur	to la imp ma	arge pact ay		
	 Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? Will the proposed action result in a change in the use or intensity of use of land? Will the proposed action impair the character or quality of the existing community? Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? Will the proposed action result in an adverse change in the existing level of traffic or 	small impact may occur	to la imp ma	arge pact ay		
	 Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? Will the proposed action result in a change in the use or intensity of use of land? Will the proposed action impair the character or quality of the existing community? Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? 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? Will the proposed action cause an increase in the use of energy and it fails to incorporate 	small impact may occur	to la imp ma	arge pact ay		
	 Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? Will the proposed action result in a change in the use or intensity of use of land? Will the proposed action impair the character or quality of the existing community? Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? 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? 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? Will the proposed action impact existing: 	small impact may occur	to la imp ma	arge pact ay		
	 Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? Will the proposed action result in a change in the use or intensity of use of land? Will the proposed action impair the character or quality of the existing community? Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? 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? 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? Will the proposed action impact existing: a. public / private water supplies? 	small impact may occur	to la imp ma	arge pact ay		

	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?	V	
11. Will the proposed action create a hazard to environmental resources or human health?	V	
Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Equestion in Part 2 that was answered "moderate to large impact may occur", or if there is a need to element of the proposed action may or will not result in a significant adverse environmental impact, Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determay or will not be significant. Each potential impact should be assessed considering its setting, prob duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term cumulative impacts.	xplain why a please comp at have been mined that ability of oc	a particular plete Part 3. included by the impact curring,

Reference Material

JUL 0 7 2022
Planning Board Meeting

Check this box if you have determined, based on the information that the proposed action may result in one or more pot environmental impact statement is required.	ormation and analysis above, and any supporting documentation, entially large or significant adverse impacts and an	
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.	
Name of Lead Agency	Date	
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)	

PRINT

Page 4 of 4

MADSEN OVERHEAD DOORS, INC.

673 Route 203 Spencertown, N.Y. 12165

Phone: 518-392-3883 -- Fax: 518-392-3887

Info@madsenoverheaddoors.com

7/5/22

To Whom it May Concern:

I Guy A. Madsen and I Patricia A Madsen authorize Michael D Madsen to act on our behalf with the Town of Austerlitz for all matters pertaining to the boundary line adjustments on our properties within the Town of Austerlitz.

Sincerely,

Reference Material

JUL 072022

Planning Board Meeting

Guy A. Madsen

Patricia A, Madsen

Tati cia Madan