

TOWN OF AUSTERLITZ

Columbia County
New York

Deborah Lans

Planning Board Chairman

**Planning Board Meeting
August 4, 2022
7:00 p.m.**

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

- 1.) Call Regular Planning Board Meeting to Order**
- 2.) Moment of Silence, Followed by the Pledge of Allegiance**
- 3.) Roll Call**
- 4.) Minutes**
- 5.) Old Business**
 - A.) PL-2022-07 Oleynek Subdivision**
 - B.) PL-2022-13 Madsen Boundary Line Adjustment/Parcel Merger**
- 6.) New Business**
 - A.) PL-2022-14 Davis Minor Subdivision**
- 7.) New Planning Board Forms**
- 8.) New Subdivision Law Map Requirements**
- 9.) Public Comment**
- 10.) Adjournment**

Town of Austerlitz
Planning Board Meeting
July 7, 2022

Present: Deborah Lans, Chair, Jane Magee, Eric Spiegel and Eric Sieber, Members. Susan Haag, Town Clerk also present. One vacant seat on the Planning Board.

Joseph Catalano, Attorney for the Town present.

Public Hearing called to order at 7:04 p.m.

Public Hearing called for PL-2022-12, 67.-1-28.111, Kipper Minor Subdivision

Jody Kipper unable to be at the Public Hearing and is being represented by Jennifer Brightly.

Chair Deborah Lans noted that this subdivision was to return the parcel arrangement to the way it was when J. Kipper bought the property. Chair Lans noted that there is documentation in the file to substantiate the original configuration. These parcels will continue to stay as an agricultural use. The data statement and deeds are now in the record.

Jennifer Brightly submitted the certified mail receipts from letters sent to neighbors alerting them to the public hearing.

Attorney Catalano reviewed the file and conveyed the same understanding as Chair Lans that the file substantiates the request to return the parcel layout to the original configuration.

No public in attendance.

A motion to close the public hearing for application PL-2022-12 was made by E. Spiegel and seconded by J. Magee.

Deborah Lans: yes

Eric Sieber: yes

Jane Magee: yes

Eric Spiegel: yes

Motion carried 4:1 Public Hearing Closed at 7:11 p.m.

Regular Meeting called to order at 7:11 p.m.

Moment of Silence, followed by Pledge of Allegiance.

Minutes

A motion to accept the June 2, 2022 Regular Planning Board Meeting minutes was made by E. Sieber and seconded by J. Magee.

Deborah Lans: yes

Eric Sieber: yes

Jane Magee: yes

Eric Spiegel: yes

Reference Material
AUG 04 2022
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Motion carried 4:1

Old Business

Planning Board Application PL-2022-12

Property Owner: Kipper Farm LLLP, Jody Kipper

Applicant: Jody Kipper

Represented By: Jennifer Brightly

Project Property: Pierson Road and Ten Broeck Road SBL:67.-1-28.111

Zoning: Rural Residential

Project: Minor Subdivision

Discussion on parcel makeup originally, how the parcels were merged and now requesting to be separated out again.

The Planning Board reviewed SEQRA Part 2 and determined that all sections had no to little impact.

A motion to resolved that the proposed subdivision application, PL-2022-12, will not result in any significant adverse environmental impact was made by E. Sieber and seconded by J. Magee.

Roll Call Vote

Deborah Lans: yes

Eric Sieber: yes

Jane Magee: yes

Eric Spiegel: yes

Motion carried 4:1

A motion to approve, by resolution, proposed subdivision application, PL-2022-12, with required modification to the subdivision survey map that notes be added to the map that identifies the property as subject to agricultural exemption and that parcel subdivision is subject to future restrictions of 3 parcels as set forth in the Town of Austerlitz Zoning Code, was made by E. Sieber and seconded by E. Spiegel.

Roll Call Vote

Deborah Lans: yes

Eric Sieber: yes

Jane Magee: yes

Eric Spiegel: yes

Motion carried 4:1

Amended maps will be submitted to the Town Clerk, Susan Haag.

PL-2022-07, The Estate of Gloria Oleynek subdivision request is waiting for the Highway Superintendent and Town Board to decide on the Oleynek family's waiver request.

New Business

Planning Board Application PL-2022-13

Property Owner: Madsen Overhead Doors, Inc., Guy Madsen

Reference Material
AUG 04 2022
Planning Board Meeting

Applicant: Madsen Overhead Doors, Inc.
Representative: Michael Madsen
Project Property: 673 State Route 203 SBL:86.-2-32.200
Zoning: Rural Residential
Project: Boundary Line Adjustment and Parcel Merger

Representative Michael Madsen noted that this is a boundary line adjustment between Madsen Overhead Doors, owned by Guy Madsen and Fox Hill Campgrounds owned by Guy and Patricia Madsen (86.-2-21.1). The family is just looking to adjust some land between the two commercial businesses giving Madsen Overhead Doors acreage to compensate for a building that is encroaching on the Campground property. Once this boundary line adjustment is made, Madsen Overhead Doors would like to merge their 2 parcels into one.

The survey maps submitted show the creation of a parcel when in fact that is not what is being asked for approval.

Attorney Catalano reviewed the survey map with M. Madsen explaining what the map had to show for the request being made. Revised maps will be submitted to the Planning Board for approval.

A motion to deem a public hearing for application PL-2022-13 unnecessary was made by E. Siegel and seconded by J. Magee.

Roll Call Vote
Deborah Lans: yes
Eric Sieber: yes
Jane Magee: yes
Eric Spiegel: yes
Motion carried 4:1

Attorney Catalano noted that this application is a type 2 action requiring no SEQRA review.

Public Comment

None

Adjournment

A motion to adjourn was made by E. Sieber and seconded by J. Magee.

Deborah Lans: yes
Eric Sieber: yes
Jane Magee: yes
Eric Spiegel: yes
Motion carried 4:1 Meeting adjourned at 7:45 p.m.

Respectfully Submitted,
Susan Haag, Town Clerk

Reference Material
AUG 04 2022
Planning Board Meeting

PL-2022-07

Estate of Gloria Oleynek

SBL: 77.-2-5

Minor Subdivision

Town of Austerlitz

Highway Superintendent Report

Request of Oleynek Family for certain Town Code Waivers for Private Road

To: Town Board & Planning Board

Dated: July 11, 2022

Reference Material

AUG 04 2022

Planning Board Meeting

Introduction

It is my understanding that the Oleynek family members have requested the Planning Board to allow a further subdivision of one parcel in the original subdivision. This would create an additional lot to be serviced by Indian Trail, a private road. There are currently 5 lots serviced by the private road but only 4 residences since one lot remains vacant. The other lots in the original subdivision have direct access to Blood Hollow Road which is a Town Road.

Requirements and Limitations for Private Roads Per Town Code

Chapter 160 of the Town Code covers both private roads and public Town roads. Section 160-3(A) of the Code states that “the private road specifications are applicable to developments containing a maximum of 5 building lots per access to a public road.” I take that to mean that if a private road has only one point of access to a public road, like Indian Trail, 5 building lots are the maximum that can be serviced by a road per the private road specifications. The same section also states that “For all developments containing 6 or more building lots, the specifications concerning Town roads shall be applicable.”

The private road specifications for a road that services 4 or 5 building lots require a 50-foot wide right-of-way, a minimum road surface of 18 feet width and have a passing zone every 400 feet that widens the road by 8 feet in width over 30 feet in length so that the road along those points are 24 feet wide. The maximum length of a dead end private road ending in a cul de sac is one-half mile. The road surface need not be paved but may other material such as gravel.

By contrast, Town road per section 160-2 of the Code must have a minimum of 20 feet of paved surface (2.5 inches of dense binder and 1.5 inches of top course (Type 6F asphalt) with 5-foot shoulders on each side. There are other specifications concerning ditches, culverts, and other construction specifications, but these are the main ones that seem applicable here.

Note that Indian Trail does not meet all of the specifications for a private road servicing 5 lots. I assume that these specifications came after the subdivision was approved or were varied as part of the subdivision approval.

Section 160-5 of the Code states that the Planning Board, upon a specific request and by specific resolution, may waive and/or vary any portion of the sections concerning private roads subject to the approval of the Town Board and the Highway Superintendent.

This report is intended to satisfy the Highway Superintendent's role in this process.

Reference Material
AUG 04 2022
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Site Visit Observations

I have made site visits to the subject road in order to assess the present condition of the road as well as to compare the road to the specifications required in the Town Code. Indian Trail is a cul de sac road ending at the highest elevation with an ample turn-around.

The road surface is gravel. Generally, the road is in good condition and appears to have been well-maintained. Like all gravel roads, it could use some more material to be placed on certain portions of the road. Gravel roads lose some surface material over time and use so this is a typical maintenance issue that has to be done periodically for all gravel roads. Since this is not a well-traveled road, currently servicing only 4 single-family residences, such maintenance is needed every few years or so.

I measured the road width at approximately 100-foot intervals during the first 1/3 of the road length from the intersection with Bloody Hollow Road and then at various intervals to the end of the road. Steve Oleynek was present during these measurements. My actual measurements are set forth below but generally the road width varies from 18 feet to 20 feet. There are only two spots where the road width is less than 18 feet.

The first location is at the utility pole approximately 700 feet in. There is 17.5 feet. Due to the pole location on the edge of the gravel surface and the topography that is as wide as the road can go at that location. Based on my observation it does not appear the pole can be easily relocated due to the arrangement of utility wires, the topography and the condition of the area. The utility pole is located on a fairly straight stretch of the road with good visibility for some distance on either side of the pole. In my opinion, the pole creates a minor inconvenience for vehicles navigating that portion of the road but I do not see it as a safety issue of concern due to the limited traffic on the road and the low speed that is generally maintained on this road.

The second location where the road width is less than 18 feet is between house address 88 and the last house (Paula Bednarcik - house address 106). There the road surface is only 16 feet so it is visibly narrower. However, along this stretch of the road, there is wide hard shoulders on both sides of the road surface that would allow two vehicles going in opposite directions to pass each other fairly easily. I do not see the narrow road surface width as a significant safety issue because of the shoulder condition and the fact this approximately 400-foot stretch of the road services only one house - number 106.

The road surface of first few hundred feet of the road in from Bloody Hollow Road is measured at 18 to 19 feet wide. However, this portion of the road has no shoulders and an S-curve stretch that makes it seem narrower and, with no shoulders, makes it too tight for two vehicles to pass comfortably. It would be wise to widen this section.

Outside of the sections of the road described above, most of the rest of the road has at least one good hard shoulder and is comfortable to pass two vehicles. The road also appears to be fine for emergency vehicles and delivery trucks to access the lots on the road and to turnaround at the top of the hill. It should be noted that the lot that the family is requesting to add, is already a residential lot that is currently being serviced and has been serviced by Indian Trail. So the requested 2-lot subdivision will not change the functioning of the road until more houses are built on the lots which remain undeveloped.

Reference Material
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My measurements made during my site visit are as follows:

Section of road	Width (in feet)
(starting in from Bloody Hollow Rd)	
0-100'	18
100-200'	19
200-300'	18
300-400' (Dode Oleynek house)	20
500'	20
600'	19
700' (location of utility pole)	17.5
730'	22
800' (driveway to maple sap house)	18
900'	20
1350' (Steve Oleynek's driveway)	22
1500' (driveway entrance - bulldozer)	20
2180' (House # 88 driveway - Gigi Oleynek)	18
2200-2530' (Bednarcik house #106)	16

Reference Material
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Conclusion

Based on my site visits, it is my opinion that the private road, known as Indian Hill, is in satisfactory condition and adequate to accommodate an additional residential lot without having to meet the Town specifications for a Town Road with two conditions. First, the section of road within 300 feet or so from Bloody Hollow Road be widened by adding material to either side of the road along that stretch. I would recommend widening to at least 21' or 20' with at least one hard shoulder. Second, that additional material be added to various sections of the road where the surface has lost material.

With those conditions satisfied, I would say that the Town Road specifications could be waived in this particular instance so long as the road remains a private road and services no more than 6 residential lots. I would not recommend the Town taking the road as a Town Road until it met the specifications for a Town Road.

Peter Fitzpatrick
Highway Superintendent
Town of Austerlitz

Reference Material
AUG 04 2022
Planning Board Meeting

COPY

Resolution of the Town Board of the Town of Austerlitz

Resolution #41 – 2022. Waiver of Certain Requirements For Private Road Indian Trail Road

At the monthly meeting of the Town of Austerlitz Town Board, duly called and held on the 14th day of July, 2022, the following Resolution was proposed and seconded by:

G. Vogler and J. Wrightsman

TOWN OF AUSTERLITZ
RECEIVED

JUL 20 2022

WHEREAS, the Planning Board received a request from the property owners that utilize a private road know as Indian Trail (the property owners hereinafter referred to as the "Oleynek family") in connection with a subdivision application that proposes to divide one existing lot to create an additional lot on Indian Trail for a total of six lots to be accessed by said private road; and

WHEREAS, since the Town Code prohibits more than 5 lots to be accessed by a dead end private road such as Indian Trail the Oleynek Family requested a waiver of that provision in Chapter 106 of the Town Code, and

WHEREAS, pursuant to section 160-5 of the Town Code, the Planning Board referred this matter to the Highway Superintendent and the Town Board for approval of the waiver as is required by section 160-5 of the Town Code; and

WHEREAS, the Highway Superintendent prepared a detailed report on this matter which includes his observations on the present condition of Indian Trail, its suitability to provide access to an additional lot, and his approval with conditions; and

WHEREAS, the Town Board has reviewed the Highway Superintendent's report prepared and has discussed this matter with the Highway Superintendent and the Town's counsel; and

NOW, THEREFORE, BE IT RESOLVED that based on the report of the Highway Superintendent regarding the waiver of private road specifications requested by the Oleynek family for Mountain Trail, the Town Board approves the waiver allowing one additional lot to be accessed by Mountain Trail pursuant to section 160-5 of the Town Code:

AND BE IT FURTHER RESOLVED THAT said approval of the waiver is conditioned upon: (a) compliance with the conditions set forth in the Highway Superintendent's report prior to any subdivision map being filed, (b) no further subdivision is authorized that would create more than 6 lots on Indian Trail Road, and (c) that the Planning Board must also approve the waiver and the additional lot per its subdivision review; and that with said conditions the Town Board finds that the grant of the requested waiver will serve the interests of justice without impairing the public health, safety and general welfare.

Reference Material

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

R. Lagonia, G. Vogler, M. Wilson, J. Wrightsman

The following Town Board Members absent:

C. Schober

The Resolution having been approved by a majority of the Town Board, the said resolution was
duly adopted by the Town Board of the Town of Austerlitz on July 14, 2022.

Dated: July 14, 2022

Signed: , Town Clerk

Reference Material

AUG 04 2022

Planning Board Meeting

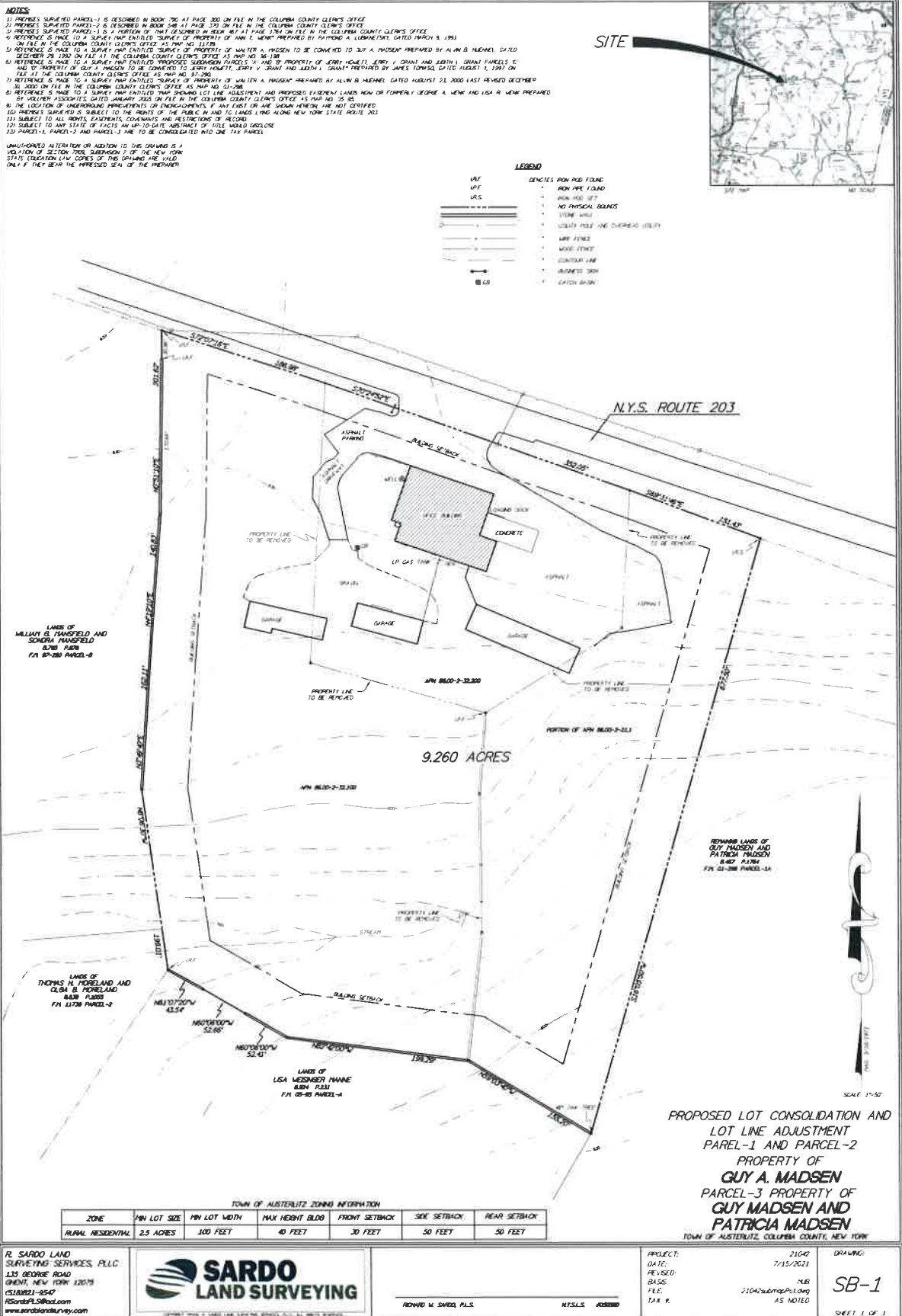
PL-2022-13

Guy and Patty Madsen

SBL: 86.-2-32.200

Boundary Line Adjustment/Parcel Merger

AUG 04 2022



PL-2022-14

Roberta Davis

SBL: 105.-1-3.4

Minor Subdivision

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

Reference Material
AUG 04 2022
Planning Board Meeting

Application Date: 07/20/2022

Applicant: (Property Owner)

Name: Roberta B. Davis, Trustee Email: abi66@protonmail.com

Street Address: 27482 Hillcrest Pl. Mailing Address: _____

City: Valencia State: Ca Zip: 91354 Phone Number: 518-653-6272

Representative: (If Any)

Name: Daniel Russell Email: drussell@crawfordandassociates.com

Phone Number: 518-828-2700, ext. 1150

Surveyor or Engineer:

Name: Daniel Russell, LS

Phone Number: 518-828-2700, ext. 1150 License Number: 050639

Tax Map Number: 105.-1-3.4

Property Location: (Brief Description of Location)

131 Schoolhouse Road (both sides of road) and Taylor Hollow Road

Names of Abutting Property Owners:

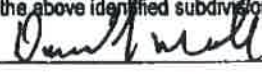
Please see attached sheet

Easements or Restriction:

Easement over former Stagecoach Road for Unwin but that land is to be conveyed to

Unwin as a lot line adjustment as depicted on submitted maps.

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

Signature: 

Title: Land Surveyor

Date: July 20, 2022

FOR OFFICE USE ONLY

Project ID _____

SUBMISSION DATES and APPROVALS

Applic. Fees &
Preliminary

Public
Hearing

SEORA
Determination

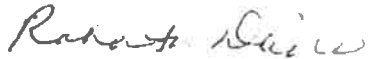
Final
Approval

JUNE 3, 2022

TO THE HILLSDALE AND AUSTERLITZ PLANNING BOARDS:

**BY THIS LETTER I HEREBY GIVE DANIEL J. RUSSELL, LAND SURVEYOR
PERMISSION TO REPRESENT ME IN FRONT OF THE HILLSDALE AND
AUSTELRITZ PLANNING BOARD FOR A SUBDIVISION OF MY PROPERTY
AT 131 SCHOOLHOUSE ROAD.**

Sincerely,



ROBERTA B. DAVIS, TRUSTEE

Reference Material

AUG 04 2022

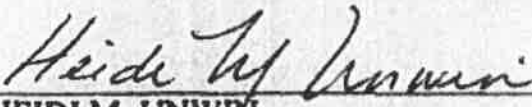
Planning Board Meeting

JUNE 3, 2022

TO THE HILLSDALE AND AUSTERLITZ PLANNING BOARDS:

**BY THIS LETTER I HEREBY GIVE DANIEL J. RUSSELL, LAND SURVEYOR
PERMISSION TO REPRESENT ME IN FRONT OF THE HILLSDALE AND
AUSTERLITZ PLANNING BOARDS FOR A LOT LINE ADJUSTMENT
BETWEEN MY PROPERTY AND THAT OF ROBERTA B. DAVIS.**

Sincerely,


HEIDI M. UNWIN

Reference Material

AUG 04 2022

Planning Board Meeting

617.20
Appendix B
Short Environmental Assessment Form

Reference Material
AUG 04 2022
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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.

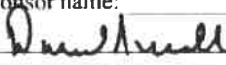
Part 1 - Project and Sponsor Information			
Davis subdivision			
Name of Action or Project: Roberta Davis Subdivision			
Project Location (describe, and attach a location map): 131 Schoolhouse Road			
Brief Description of Proposed Action: 83.775 acres to be divided into two parcels of 38.995 Acres (entirely within the Town of Austerlitz) and 44.150 acres in the Town of Hillsdale. The Austerlitz land already has infrastructure (house, driveway, utilities, well, septic). This application does not propose any further development of the Austerlitz land. The Hillsdale portion of the property has already been before the Hillsdale Planning Board and was approved by Hillsdale on 7/11/22. Hillsdale did SEQR for their portion of the subdivision. The submitted maps have been stamped and signed with approval by the Hillsdale Planning Board chair.			
Name of Applicant or Sponsor: Daniel Russell		Telephone: 518-828-2700, ext. 1150 E-Mail: drussell@crawfordandassociates.com	
Address: 4411 Route 9			
City/PO: Hudson		State: NY	Zip Code: 12534
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.		NO <input checked="" type="checkbox"/>	YES <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: Austerlitz Planning Board - subdivision approval		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		38.953 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		116.887 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input checked="" 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 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 type="checkbox"/>	YES <input checked="" 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 type="checkbox"/>	<input checked="" 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 checked="" 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 checked="" 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?		NO <input checked="" type="checkbox"/>	YES <input 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"/>

Reference Material

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RESET

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: Daniel Russell, Land Surveyor		Date: July 20, 2022
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:	<input type="checkbox"/>	<input type="checkbox"/>
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"/>

Reference Material

AUG 04 2022

RESET

	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>	

Reference Material

PRINT

AUG 04 2022
Planning Board Meeting

RESET



COLUMBIA COUNTY – STATE OF NEW YORK
HOLLY C. TANNER, COUNTY CLERK
560 Warren Street, Hudson, New York 12534

COUNTY CLERK'S RECORDING PAGE
THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



BOOK/PAGE: 958 / 2073
INSTRUMENT #: 20220003357

Receipt#: 573717
Clerk: JL
Rec Date: 04/01/2022 10:12:38 AM
Doc Grp: D
Descrip: DEED (RES)
Num Pgs: 7
Rec'd Frm: FLINT LAW FIRM PC

Party1: DAVIS ROBERTA B
Party2: DAVIS ROBERTA B AS TRUSTEE
Town: HILLSDALE
105.-1-3
105.-1-5
AUSTERLITZ
105.-1-3
105.-1-5

Recording:

Cover Page	5.00
Recording Fee	50.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
CC Supplemental Tax Form	5.00
Notice of Transfer of Sal	10.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00

Sub Total: 220.00

Transfer Tax	
Transfer Tax - State	0.00
Transfer Tax - Columbia C	0.00

Sub Total: 0.00

Total: 220.00
**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
Transfer Tax #: 1716
Transfer Tax
Consideration: 0.00

Total: 0.00

Reference Material

AUG 04 2022

Planning Board Meeting

Record and Return To:

FLINT LAW FIRM PC
75 MAIN STREET
PO BOX 363
CHATHAM NY 12037
BOX 7

WARNING***

** Information may change during the verification process and may not be reflected on this page.

Holly C. Tanner

Holly C. Tanner
Columbia County Clerk

Deed

(Bargain and Sale With Lien Covenant)

This Indenture, made the 23rd day of March, in the year Two Thousand and Twenty-two

Between ROBERTA B. DAVIS, having an address of 131 Schoolhouse Road, Ghent, New York 12075,

party of the first part, and

ROBERTA B. DAVIS, as Trustee of the Roberta B. Davis Living Trust, having an address of 27482 Hillcrest Place, Valencia, California 91354,

party of the second part,

Witnesseth, that the party of the first part, in consideration of --- ONE AND 00/100THS --- Dollar (\$1.00) lawful money of the United States, and other good and valuable consideration, paid by the party of the second part, does hereby grant and release unto the party of the second part, its successors, grantees and assigns forever,

ALL those certain tracts or parcels of land, together with the buildings and improvements thereon, situate, lying and being in the Towns of Austerlitz and Hillsdale, County of Columbia, State of New York is bounded and described as follows:

WEST PARCEL - (with buildings and improvements erected thereon)

BEGINNING at a point in the center line of the Town Road known as Schoolhouse Road, which point marks the southerly most corner of the herein described parcel, the southeasterly corner of lands now or formerly of the Estate of Wallace C. Rudd and said point also being distant approximately 0.35 mile northeasterly of the center line of Schoolhouse Road with the center line of Columbia County Route #21. Proceeding thence along lands now or formerly of the Estate of Wallace C. Rudd N18-29-15W 30.24 feet to an iron rod set, N18-29-15W 346.39 feet to an iron rod set, N18-24-26W 303.49 feet to an iron rod set, S86-11-28W 279.47 feet to an iron rod set (the previous two (2) courses and distances being generally along a stone wall), N13-16-11W 237.02 feet to an iron rod set, N06-17-34W 374.06 feet to an iron rod set, N77-27-53E 271.46 feet to an iron rod set, N85-50-08E 413.80 feet to an iron rod set, N04-42-26W 578.95 feet to an iron rod set in a stone wall and N22-13-00W along said stone wall 81.40 feet to an iron rod set in a stone wall intersection, said iron rod set marks northwesterly corner of the herein described

Reference Material

AUG 04 2022

Planning Board Meeting

parcel and the southwesterly corner of lands now or formerly of Hansel H. & Rosemarie T. Schober. Proceeding thence along lands now or formerly of Hansel H. & Rosemarie T. Schober and along a stone wall N69-53-35E 59.25 feet, N65-03-02E 78.89 feet, N74-14-52E 86.76 feet, N67-17-48E 41.38 feet, N80-25-48E 49.99 feet, N73-33-08E 47.90 feet, N79-29-51E 162.68 feet, N87-07-04E 208.32 feet, S84-06-13E 33.01 feet, S76-31-26E 87.72 feet, S88-44-48E 85.59 feet, N85-51-33E crossing a brook 179.92 feet, S84-59-16E 281.12 feet to an iron pipe found and S84-59-16E 21.50 feet to a point in the center line of said Schoolhouse Road, said point marks the northeasterly corner of the herein described parcel. Proceeding thence along the center line of Schoolhouse Road S20-52-05W 45.31 feet, S16-14-20W 120.59 feet, S08-58-00W 96.93 feet, S03-03-00E 241.92 feet, on a curve to the right and tangent to the previous course having a radius of 175.00 feet for a length of 109.04 feet, S32-39-00W 117.28 feet, S29-29-35W 147.79 feet, S25-31-55W 351.68 feet, S27-43-56W 200.23 feet, S32-19-10W 372.11 feet, S33-40-56W 109.61 feet, S38-18-12W 85.36 feet, S44-14-00W 120.75 feet, on a curve to the right and tangent to the previous course having a radius of 300.00 feet for a length of 186.14 feet, S79-47-00W 73.31 feet, S76-37-38W 146.50 feet to a point where said center line of Schoolhouse Road passes over a culvert and brook, continuing thence along said center line of Schoolhouse Road S70-23-25W 80.32 feet, S64-56-27W 93.25 feet and S62-00-19W 14.59 feet to the point and place of beginning.

CONTAINING 57.497 acres of land (15.489 acres lying within the Town of Hillsdale and 42.008 acres lying within the Town of Austerlitz) all as shown the hereinafter referenced survey map.

EAST PARCEL - (vacant land)

BEGINNING at a point in the center line of the Town Road known as Schoolhouse Road, which point is the northeasterly corner of the West Parcel, above described and the southeasterly corner of lands now or formerly of Hansel H. & Rosemarie T. Schober. Proceeding thence along the center line of said Schoolhouse Road N20-52-05E 29.00 feet to a point, said point being the northwesterly corner of the herein described parcel. Proceeding thence along lands now or formerly of Hansel H. & Rosemarie Schober and along a wire fence S63-41-46E 25.47 feet to an iron rod set, S63-41-46E 47.93 feet to an 18" cherry, S79-44-11E 54.06 feet, S86-55-44E 48.59 feet, N79-40-05E 25.48 feet, N78-46-12E 52.26 feet and S71-13-39E 15.14 feet to an iron rod set; continuing thence along lands now or formerly of said Schober and along a stone wall S02-08-50W 23.81 feet, S10-11-01E 66.00 feet, S03-25-55E 66.46 feet, S05-09-49E 109.32 feet, S08-38-51E 89.02 feet and S13-34-27E 31.43 feet; continuing thence along lands now or formerly of Schober and along a line of no physical bounds S03-44-03E 186.97 feet to an iron rod set in stones, S03-44-03E 45.70 feet to a point in the center line of the Town Road known as Taylor Hollow Road. Proceeding thence along the center line of said Taylor Hollow Road S27-22-14W 22.85 feet; continuing thence along lands now or formerly of Schober S14-01-23E 66.03 feet to a 60d nail set in the west base of a 10" basswood and S24-15-32E along a stone wall 71.67 feet to an iron rod found.

Reference Material

AUG 04 2022

Planning Board Meeting

Proceeding thence along lands now or formerly of Peter W. & Heidi M. Gabel and along a stone wall S18-28-13E 43.77 feet, S12-36-13E 90.34 feet, S06-07-34E 63.57 feet, S01-34-12W 50.85 feet and S03-49-30E 122.36 feet to an iron rod found. Proceeding thence along lands now or formerly of Hans H. & Rosemarie T. Schober S01-46-58E 76.60 feet, S03-16-57W 216.82 feet to an iron rod found (the previous two (2) courses and distances being partly along a stone wall); continuing thence along lands now or formerly of said Schober an along a line of no physical bounds S75-52-39E crossing a brook 567.60 feet to an iron rod set and S23-07-39E 465.30 feet to an iron rod found. Proceeding thence along lands now or formerly of John & Giannoula Haloulakos and along a line of no physical bounds S23-07-39E 182.40 feet to an iron rod found, said iron rod found marks the most easterly corner of the herein described parcel and N86-48-02W 512.59 feet to an iron rod set. Proceeding thence along lands formerly of Rebecca Heydenberk N86-51-52W 155.55 feet to the beginning of a stone wall; continuing thence along lands formerly of Heydenberk and along a stone wall N87-53-58W 107.41 feet, N85-12-14W 83.37 feet, N88-42-49W 35.05 feet to the end of said stone wall; continuing thence along lands formerly of Heydenberk N86-28-41W 186.23 feet to an iron rod found in a stone wall; continuing thence along lands formerly of Heydenberk and along a stone wall S07-47-38W 233.68 feet, S01-10-55W 77.78 feet, S10-26-15W 68.23 feet, S01-12-29E 61.85 feet and S04-09-33W crossing a brook 131.04 feet to an iron rod found. Proceeding thence along lands now or formerly of George C. Simard and along a stone wall S00-11-43W 30.19 feet, S14-47-43W 134.74 feet to an iron rod found, said iron rod found marks the most southerly corner of the herein described parcel; N60-37-51W 311.43 feet, N63-04-41W 168.84 feet to an iron rod found and N76-58-00W 59.71 feet to a point at the end of the stone wall. Proceeding thence along lands now or formerly of the Estate of Wallace C. Rudd and along a line of no physical bounds N62-29-17W 526.04 feet to an iron rod set, N61-02-17W 519.70 feet to an iron rod found and N61-02-17W 35.91 feet to a point in the center line of said Schoolhouse Road, said point being the westerly most corner of the herein described parcel and said point bears N62-00-19E from and 14.59 feet distant from the point of beginning of the West Parcel, above described. Proceeding thence along the center line of said Schoolhouse Road N64-56-27E 93.25 feet, N70-23-25E 80.32 feet to a point where said center line of Schoolhouse Road passes over a culvert and brook, N76-37-38E 146.50 feet, N79-47-00E 73.31 feet, on a curve to the left and tangent to the previous course having a radius of 300.00 feet for a length of 186.14 feet, N44-14-00E 120.75 feet, N38-18-12E 85.36 feet, N33-40-56E 109.61 feet, N32-19-10E 372.11 feet, N27-43-56E 200.23 feet, N25-31-55E 351.68 feet, N29-29-35E 147.79 feet, N32-39-00E 117.28 feet, on a curve to the left and tangent to the previous course having a radius of 175.00 feet for a length of 109.04 feet, N03-03-00W 241.92 feet, N08-58-00E 96.93 feet, N16-14-20E 120.59 feet and N20-52-05E 45.31 feet to the point and place of beginning.

CONTAINING 59.390 acres of land (15.656 acres lying within the Town of Austerlitz and 43.734 acres lying within the Town of Hillsdale) all as shown on the hereinafter referenced survey map.

Reference Material

AUG 04 2022

Planning Board Meeting

THE above described west and east parcels containing a total of 116.887 acres and being shown on a certain survey map entitled "Property of Baruch J. Davis and Roberta B. Davis, Towns of Austerlitz and Hillsdale, Columbia County, New York" prepared by James Tomaso, NYPLS No. 049826, dated April 9, 2005 and filed in the Columbia County Clerk's Office on May 3, 2006 as Map No. 06-124.

BEING the same premises conveyed by Roberta B. Davis, individually and as Executrix of the Estate of Baruch J. Davis, a/k/a Baruch Joel Davis, to Roberta B. Davis by Deed dated May 8, 2015 and recorded in the Columbia County Clerk's Office on May 18, 2015 in Book 805 of Official Records, at Page 1768.

SUBJECT TO a Boundary Line Agreement dated April 20, 2006 and recorded in the Columbia County Clerk's Office on May 3, 2006 in Book 575 of Official Records at Page 946.

TOGETHER with all right, title and interest of the Grantors in and to and to the use of any public highway or thoroughfare abutting or running through the premises, to the centerline thereof, subject however, to the rights of the public in and to and to the use of the same.

TOGETHER WITH AND SUBJECT to covenants, restrictions, easements and rights-of-way of record, if any, to the extent that the same may affect the premises herein described.

Reference Material

AUG 04 2022

Planning Board Meeting

Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

To have and to hold the premises herein granted unto the party of the second part, its successors, grantees and assigns forever.

And the party of the first part covenants that she has not done or suffered anything whereby the said premises have been encumbered in any way whatever.

And That, in compliance with Sec. 13 of the Lien Law, the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the party of the first part has executed this Deed the day and year first above written.

Roberta B. Davis
ROBERTA B. DAVIS

STATE OF CALIFORNIA)
COUNTY OF) SS.:

On the ____ day of _____ in the year 2022, before me, the undersigned, personally appeared **ROBERTA B. DAVIS**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of whom the individual acted, executed the instrument.

SEE ATTACHED

Notary Public

Reference Material
AUG 04 2022
Planning Board Meeting

Record & Return to:
Flint Law Firm P.C.
75 Main Street
P. O. Box 363
Chatham, New York 12037
Box 7 @ County Clerk's Office

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

Reference Material
AUG 04 2022
Planning Board Meeting

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

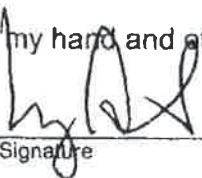
County of LOS ANGELES }

On 3/23/2022 before me, LAWRENCE A. AJALAT, NOTARY PUBLIC
(Here insert name and title of the officer)

personally appeared ROBERTA B. DAVIS
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

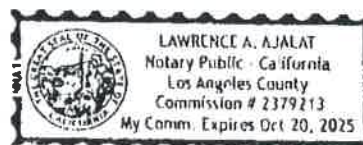
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

DEED

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 5 Document Date _____

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
☐ Corporate Officer

(Title)

- ☐ Partner(s)
☐ Attorney-in-Fact
☐ Trustee(s)
☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

HOLLY C. TANNER
COLUMBIA COUNTY CLERK
560 WARREN ST. HUDSON, N Y 12534
(518) 828-3339



COVER SHEET REV 02-01-06

COLUMBIA COUNTY

County Clerk's Recording Page

Return To:

FRED CAPOZZO
14 PARK ROW CHATHAM NY 12037
CHATHAM NY 12037

Grantor

SCHOBER HANS H

Grantee

UNWIN HEIDI M

Recording Fees:

RECORDING	\$14 00
ED/ CULTURAL FUND	\$1 00
TRANSFER	\$20 00
TAX 6	\$0 00
ED FUND CULTURE INDEX	\$14 25
ED FUND INDEX	\$4.75
RP-5217 (NRes)	\$156 00
TP 584	\$5 00
	\$9 00

RP-5217 (Rec Fee)

9 00

Total: \$224.00

**STATE OF NEW YORK
COLUMBIA COUNTY**

**WARNING: DO NOT DETACH!!
THIS SHEET CONSTITUTES THE CLERKS ENDORSEMENT
REQUIRED BY SECTION 316 - A(5) & SECTION 319 OF
THE REAL PROPERTY LAW OF THE STATE OF NY.**

**HOLLY C TANNER
COUNTY CLERK**

Holly C. Tanner

Book **579**

Page **94**

Page Count **3**

Doc Type **DEED (NON RES)**

Rec Date **06/09/2006**

Rec Time **04:16:57 PM**

Control # **2006009946**

User ID **cash2**

Trans Num **148060**

DEED SEQ **00001913**

MTG SEQ

UCC

SCAR

INDEX

Consideration Amount: \$5,000.00

Basic	\$0.00
N/A	\$0.00
Columbia Co	\$0.00
Sonyrna	\$0.00
TRANSFER	\$20.00
TAX 6	\$0.00

Reference Material

AUG 04 2022

Planning Board Meeting

◆◆THIS IS NOT A BILL◆◆

Bargain and Sale Deed, with Covenant Against Grantor's Acts

THIS INDENTURE, made the 9th day of June, Two Thousand and Six
BETWEEN

**HANS H. SCHOBBER, ROSEMARIE T. SCHOBBER and
MARTHA SCHOBBER who holds a life estate in the within
property, having a mailing address of 59 Taylor Hollow Road, Ghent,
NY 12075**

party of the first part, and

**HEIDI M. UNWIN f/k/a HEIDI M. GABEL, having a mailing
address of 16 Taylor Hollow Road, Ghent, NY 12075**

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ONE and 00/100 (\$1.00)
DOLLAR, lawful money of the United States, and other valuable consideration 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 piece or parcel of vacant land, situate, being and lying partly in the Town of
Austerlitz and partly in the Town of Hillsdale is bounded and described as follows:

BEGINNING at the base of an iron rod found, said iron rod found being on the property line
of lands of Heidi M. Gabel on the east, lands of Baruch J. & Roberta, B. Davis on the west and the
herein described parcel on the southeast. Proceeding thence along lands of Heidi M. Gabel and along
a line of no physical bounds S-31-16-57E 120.24 feet to an iron rod found, S69-52-52E 149.37 feet
to an iron rod found and N20-34-13E 230.94 feet to the top of an iron rod found on the north side of
a stone wall, said iron rod found marks the easterly most corner of lands of Heidi M. Gabel.
Proceeding thence along a new division line and through lands of Hans H. & Rosemarie T. Schobber
and along a line of no physical bounds S74-05-34E along the northerly side of a stone wall 80.00 feet
to an iron rod set which marks the northeasterly corner of the herein described parcel; continuing
thence along a new division line and through lands of Hans H. & Rosemarie T. Schobber S03-51-01W
crossing said stone wall 180.00 feet to an iron rod set, S03-51-01W 180.00 feet to an iron rod set and
S03-51-01W 171.53 feet to an iron rod set which marks the southeasterly corner of the herein
described parcel and which said iron rod set bears N62-42-53W from and 115.75 feet distant from
an iron rod recovered. Proceeding thence along lands of Baruch J. & Roberta B. Davis and along a
line of no physical bounds N62-42-53W 225.00 feet to an iron rod set, N62-42-53W 226.85 feet to
an iron rod found, N 16-26-43E 216.82 feet and N 11-22-48E 76.60 feet (the previous two courses
being in part along a stone wall) to the point and place of beginning. Containing 3.00 acres of land
of which approximately 1.55 acres lies in the Town of Austerlitz and approximately 1.45 acres lies
in the Town of Hillsdale. Being Parcel "A" as shown on a survey map entitled "PROPOSED
SUBDIVISION FOR BOUNDARY LINE ALTERATION PROPERTY OF HANS H. SCHOBBER
AND ROSEMARIE T. SCHOBBER" dated April 11, 2006 by James Tomaso, N.Y. S Lic. No. 049826
L.S. and filed in the Columbia County Clerk's Office on June 5, 2006 as Map Number 2006-158.

The herein described "Parcel A" is to be added to and merged with other lands of Heidi M.
Gabel. This parcel to be merged is NOT to be considered a separate parcel or building lot without
further approval by the Town Planning Boards in Austerlitz and Hillsdale.

BEING a portion of the premises conveyed by Martha Schobber to Hans H. Schobber and
Rosemarie T. Schobber by Deed dated February 26, 2004 and recorded in the Columbia County
Clerk's Office on February 27, 2004 in Book 489 of Deeds at Page 1620.

THE AFORESAID Martha Schobber joins in the execution of this Deed to relinquish her life
estate in this property which life estate was reserved by Deed dated February 26, 2004 and recorded
in the Columbia County Clerk's Office on February 27, 2004 in Book 489 of Deeds at Page 1620.

TOGETHER with a right-of-way for the purposes of ingress and egress, jointly with others,
over the log road known as Stagecoach Road and a driveway known as Schoolhouse Road.

Reference Material

AUG 04 2022

Planning Board Meeting

Recorded by:
Sneeringer Monahan Provost
Redgrave Title Agency, Inc.
800 724-7858 Title No.: 45371

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,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever

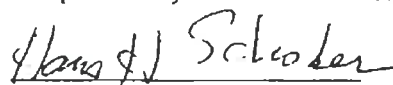
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

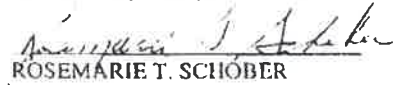
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this Deed the day and year first above written

IN PRESENCE OF:


HANS H. SCHOBBER


ROSEMARIE T. SCHOBBER


MARTHA SCHOBBER

Reference Material

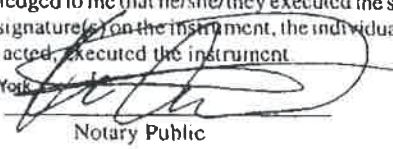
AUG 04 2022

Planning Board Meeting

STATE OF NEW YORK
COUNTY OF COLUMBIA

On this ^{9th} day of June, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared HANS H. SCHOBBER and ROSEMARIE T. SCHOBBER, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

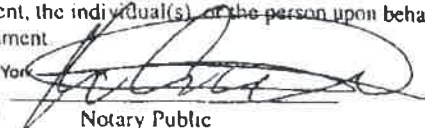
KEVIN A. MAISENBACHER
Notary Public in the State of New York
Qualified in Columbia Co.
Commission Expires: 9/22/09


Notary Public

STATE OF NEW YORK
COUNTY OF COLUMBIA

On this ^{9th} day of June, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared MARTHA SCHOBBER, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

KEVIN A. MAISENBACHER
Notary Public in the State of New York
Qualified in Columbia Co.
Commission Expires: 9/22/09


Notary Public

Bargain and Sale Deed
With Covenant Against Grantor's Acts

HANS H. SCHOBBER and
ROSEMARIE T. SCHOBBER
TO
DANIEL UNWIN and
HEIDI M. UNWIN

RETURN BY MAIL TO
Fred J. Cappozzo, Esq
14 Park Row
Chatham, NY 12037

100 COUNTY USE ONLY
C1 SWIS Code 102200
C2 Date Recd Recorded 06/09/06
C3 Book 579 C4 Page 94

REAL PROPERTY TRANSFER REPORT
STATE OF NEW YORK
STATE BOARD OF REAL PROPERTY SERVICES
RP - 5217

PROPERTY INFORMATION
1 Property Location Taylor Hollow Road
Austerlitz/Hillsdale
2 Buyer Name Unwin Heidi M.
3 Tax Billing Address Unwin
4 Indicate the number of Assessment Roll parcels transferred on the deed 1 of 1 Parcel OR ☒ Part of a Parcel
5 Deed Property Size 1 XL 100 3.00
6 Seller Name Schober Hans H.
Schober Rosemarie T.
7 Check the box below which most accurately describes the use of the property at the time of sale
A ☐ One Family Residential
B ☐ 2 or 3 Family Residential
C ☐ Residential Vacant Land
D ☐ Non-Residential Vacant Land
E ☐ Agricultural
F ☐ Commercial
G ☐ Apartment
H ☐ Entertainment / Amusement
I ☐ Community Service
J ☐ Industrial
K ☐ Public Service
L ☐ Other
8 Check the boxes below as they apply
9 Ownership Type is Condominium ☐
10 New Construction on Vacant Land ☐
11 Property Located within an Agency Board District ☐
12 Buyer received a distribution under a will ☐
13 If the property is an Agricultural District ☐

SALE INFORMATION
11 Sale Contract Date 6/9/2006
12 Date of Sale / Transfer 6/9/2006
13 Full Sale Price 105,190,000
(For Sale Price in the total amount paid for the property including or excluding property tax payment only in the form of cash, other property or goods, or the assumed or assumed obligations. Please attach to the report which includes amount)
14 Indicate the value of personal property included in the sale 0,000
15 Check one or more of these conditions as applicable to transfer
A ☐ Sale Between Related or Related Parties
B ☐ Sale Between Related Companies or Partners in Business
C ☐ One of the Parties is also a Seller
D ☐ Buyer is Seller's Government Agency or Public Institution
E ☐ Deed Type not Warranty or Warranty and Sale (Specify Below)
F ☐ Sale of Fractional or Less than Fee Interest (Specify Below)
G ☐ Significant Change in Property Between Available Seller and Sale Dates
H ☐ Some Disturbance is Included in Sale Price
I ☐ Other Unusual Factors Affecting Sale Price (Specify Below)
None ☒

ASSESSMENT INFORMATION Data should reflect the latest Final Assessment Roll and Tax Bill
16 Year of Assessment Roll from which information taken Q 51
17 Total Assessed Value of all parcels in transfer 105,190,000
18 Property Class 1 3 1 4 1
19 School District Name Copake-Taconic
20 Tax Map Identifier(s) / Roll Identifier(s) (If more than four attach sheet with additional identifier(s))
105-1-9
105-1-6

CERTIFICATION
I certify that all of the items of information entered on this form are true and correct to the best of my knowledge and belief and I understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.
BUYER
Heidi M. Unwin 6/9/06
BUYER'S ATTORNEY
Cappozzo Fred J.
16 J. Taylor Hollow Road
Ghent NY 12075
Schober 6/9/06
NEW YORK STATE COPY

Reference Material
AUG 04 2022
Planning Board Meeting

TRINITY ABSTRACT, INC.
TRI-COL-04934

BARGAIN AND SALE DEED WITH COVENANT

THIS INDENTURE made the 15th day of October, Nineteen Hundred and Ninety-Three,

BETWEEN

DONALD F. SAMICK and SUE F. SAMICK, residing at School House Road, Box 187, Ghent, New York, 12075,

parties of the first part, and

W. M. PETER GABEL and HEIDI GABEL, ^{husband and wife} residing at Rt 203,

Spencertown, NY, 12165 parties of the second part,

WITNESSETH that the parties of the first part in consideration of ONE DOLLAR and 00/100 (\$1.00) lawful money of the United States, and other good and valuable consideration paid by the parties of the second part, do hereby grant and release unto the parties of the second part, their heirs and assigns forever,

ALL that parcel of land with buildings and improvements thereon situate in the Town of Austerlitz, Columbia County, N.Y. and bounded and described as follows:

Beginning at an iron rod found in a stone wall on the easterly line of a roadway known as Stagecoach Road, said iron rod being on the division line between the herein described lands on the southwest and lands of Henry J. and Martha Schober on the northwest; said iron rod also bears N 8°-26'-03" W of and 311.63 feet distant from the northwest corner of the residence on this parcel; thence along lands of Henry J. and Martha Schober (1) S 87°-14'-38"E, 118.0 feet to an iron rod found, (2) S 2°-49'-06"W, 259.20 feet to an iron rod found, (3) S 74°-05'-34"E, 146.94 feet to an iron rod found, (4) S 20°-34'-13" W, 230.94 feet to an iron rod found, (5) N 69°-52'-52"W, 149.37 feet to an iron rod found, and (6) N 31°-16'-57"W, 120.04 feet to an iron rod found; thence along lands of Baruch Joel Davis and Roberta Benjamin Davis and along the easterly side of the above mentioned Stagecoach Road (1) N 9°-20'-16"E, 122.36 feet, (2) N 14°-43'-58"E, 50.85 feet, (3) N 7°-02'-12"E, 63.57 feet, (4) N 0°-33'-33"E, 90.34 feet and (5) N 5°-18'-27"W, 43.77 feet to the point of beginning, containing 1.837 acres.

Together with all rights of the grantors in and to Stagecoach Road abutting this parcel on the west.

Together with a right-of-way 30 feet in width leading northerly from the above-described parcel to the Town Road known as Taylor Hollow Road, the westerly line of said right-of-way being described as follows:

Beginning at an iron rod found in a stone wall on the easterly line of a roadway known as Stagecoach Road, said iron rod being on the division line between the above-described parcel on the southeast and the herein described lands on the northeast; said iron rod also bears N 8°-26'-03"W of and 311.63 feet distant from the northwest corner of the residence on the above-described parcel; thence from said point of beginning (1) N 1°-06'-19"W, 117.56 feet to a utility pole and (2) N 25°-00'-W, 30.0 feet to the centerline of Taylor Hollow Road.

Reference Material

AUG 04 2022

Planning Board Meeting

All as shown on a survey map entitled "Property to be conveyed by Richard Cummings et al to Donald F. and Sue F. Samick" dated October 25, 1985, and revised November 22, 1985, by Rockefeller and Nucci, Claverack, N.Y. 12513, to be filed herewith in the Columbia County Clerk's office.

Being the same premises conveyed to the parties of the first part by deed from Richard A. Cummings and Dolores Cummings, husband and wife, and Barbara Semanick, dated November 27, 1985, and recorded in the Columbia County Clerk's office on December 2, 1985, in Liber 586 of Deeds at page 888.

TOGETHER with the appurtenances and all the estate and rights of the parties of the first part in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the parties of the second part, their heirs and assigns forever.

AND, the parties of the first part covenant that they have not done or suffered anything whereby the said premises have been encumbered in any way whatever.

AND That, in Compliance with Section 13 of the Lien Law, the grantors will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

IN PRESENCE OF

Donald F. Samick L.S.
DONALD F. SAMICK

Sue F. Samick L.S.
SUE F. SAMICK

Reference Material

STATE OF NEW YORK
SS:
COUNTY OF COLUMBIA

AUG 04 2022

Planning Board Meeting

On this 15th day of October, 1993, before me the subscriber personally appeared DONALD F. SAMICK and SUE F. SAMICK, to me personally known and known to me to be the same persons described in and who executed the within instrument, and they acknowledged to me that they executed the same.

David L. Krech
DAVID L. KRECH
NOTARY PUBLIC, State of New York
No. 11-4850713
Qualified in Columbia County
Commission Expires May 5, 1994

OCT 29 1993

Record + Return:

Peter Habel and Heidi Habel
P.O. Box 13
Spartanburg, New York 12165

COLUMBIA COUNTY CLERK'S OFFICE
COURTHOUSE, HUDSON, NY 12534
(518) 828-3339

** RECORDING PAGE **

Type of Instrument:	DEED	Recorded:	10/15/1993
Recording Fee:		At:	1:05 PM
	\$ 11.00	In Liber:	0743
Location:	AUSTERLITZ	Of:	DEED
		At Page:	0152
Control No:	9310150041		

EXAMINED AND CHARGED AS FOLLOWS:

Transfer Amount:	\$ 131,000.00	Mortgage Amount:	\$.00
Tax received on above Deed:		Tax received on above Mortgage:	
		Basic:	\$.00 NO
		Add:	\$.00 NO
		Spec Add:	\$.00 NO
Total:	\$ 524.00	Total:	\$.00
Exempt	NO	MT No.	
93000546			

(THIS PAGE IS PART OF THE INSTRUMENT)

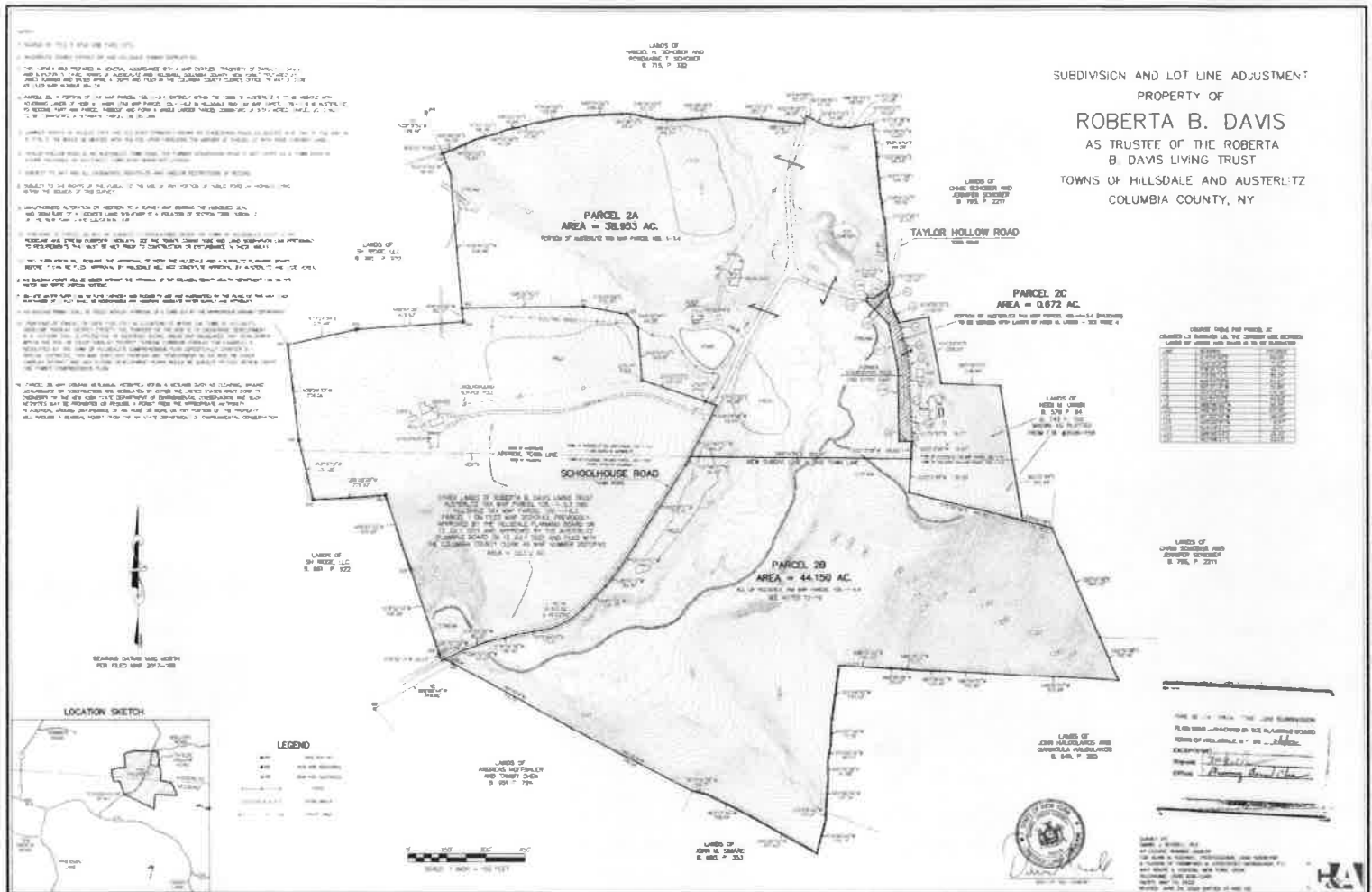
John C. Hilliard

JOHN C. HILLIARD
COLUMBIA COUNTY CLERK

SAMICK, DONALD F
GABEL, PETER

Reference Material
AUG 04 2022
Planning Board Meeting

Planning Board Meeting



TOWN OF AUSTERLITZ, NY PLANNING BOARD
APPLICATION FOR BOUNDARY LINE ADJUSTMENT
AUSTERLITZ TOWN LAW ARTICLE V

Application Date _____

Project No. _____

Owner: Name _____

Mailing Address _____

Email Address _____

Representative: Name _____

Mailing Address _____

Email Address _____

Attach letter from owner authorizing representative to appear

Surveyor/Engineer (if different): Name _____

Mailing Address _____

Email Address _____

Project Information: Tax Map No(s) _____ Acreage _____

Location of Project: _____

Reason(s) for requested change: _____

Anticipated Change(s) in Property Use: _____

Applicant's Signature

Date

Reference Material

AUG 04 2022

REV'D 7/27/22

Planning Board Meeting

TOWN OF AUSTERLITZ PLANNING BOARD
APPLICATION FOR SUBDIVISION REVIEW
AUSTERLITZ TOWN LAW CHAPTER 167

Application Date: _____

Project No. _____

Property Owner: Name _____

Mailing Address _____

Email Address: _____

Phone Number: _____

Representative (if any): Name _____

Email Address _____

Phone Number _____

Please provide owner's letter of authorization

Surveyor or Engineer: Name _____

Email Address _____

Phone Number _____

License Number _____

Property Address: _____

Tax Map Number: _____

Current Land Use: _____

Number of Proposed Lots: _____

Use of Abutting Lands: _____

Nature of and Subdivisions in Past 10 years: _____

Date(s) of Planning Board Approvals: _____

Easements or Restrictions: _____

Ag. District: Yes/No

Reason(s) for Proposed Subdivision: _____

Signature

Date

Reference Material

AUG 04 2022

Planning Board Meeting

App. Fees	Public	App. Complete	Final Approval
Prelim Mtg	Hearing		
	SEQRA Desig	SEQRA Determination	

TOWN OF AUSTERLITZ PLANNING BOARD
APPLICATION FOR SITE PLAN REVIEW/SPECIAL USE PERMIT

Application Date: _____

Project No. _____

Approval for (check all that apply)

Site Plan _____ Site Plan Amendment _____ Special Use Permit _____

Property Owner: Name _____

Mailing Address _____

Email Address: _____

Phone Number: _____

Representative (if any): Name _____

Email Address _____

Phone Number _____

Please provide owner's letter of authorization

Surveyor or Engineer: Name _____

Email Address _____

Phone Number _____

License Number _____

Reference Material
AUG 04 2022
Planning Board Meeting

Property Address: _____

Tax Map Number: _____

Parcel Acreage: _____

Current Use of Land: _____

Character/Use of Abutting Lands: _____

Easements or Restrictions: _____

Ag. District: Yes/No

Proposed Use of Site: Utilities _____ Multifamily project _____

In-Home Business _____ Commercial Project _____ Other _____

Use Category _____ (See Town Law §195-13)

Detailed Description of proposed use, including primary and secondary uses (use additional sheet if necessary):

Description of all buildings to be used/constructed (including height, square feet, no. of stories):

Is the property within 500 feet of

A municipal boundary_____

A county or state park/recreation area (existing or proposed)_____

A county or state road or right of way (existing or proposed)_____

A county or state-owned building or institution_____

A stream or drainage channel owned by the county or for which channel lines have been established_____

An active farm operation within an Agricultural District_____

(If any of the above is true the plan must also be reviewed by the County Planning Board)

Please Review Articles VIII and IX of the Town Law for application requirements and Board procedures.

Signature

Date

App. Fees	Public Hearing	App. Complete	Final Approval
Prelim Mtg	SEQRA Desig	SEQRA Determination	

REV'D 7/27/22

Reference Material
AUG 14 2022
Planning Board Meeting

Sample Letter to Neighbors
Notifying of Public Hearing

Dear Neighbors,

I/We have applied to the Austerlitz Planning Board for the following:

[insert brief description of application, including nature, e.g., subdivision, solar, boundary line, site plan approval, special use permit, other and brief description of proposal]

The Application No. is _____

The site is located at _____

A public hearing has been scheduled before the Planning Board for [date] at 7:00 p.m. at the Austerlitz Town Hall, during which the application will be presented and questions and comments entertained.

The relevant provisions of the Town Law governing the application can be found on the Town's Website at

- §167-501 (boundary line adjustments)
- §167-101 and following (subdivisions)
- §195-29 through 195-31 (site plans)
- § 195-32 through 195-35 (special use permit)
- § 195-1 through 195-28 (general provisions)

The application file is available for public review at Town Hall during regular hours of operation.

Signature

Optional: telephone number _____

Email address _____

Reference Material
AUG 04 2022
Planning Board Meeting

Applicant Name: _____
Tax Map No.: _____
Application No: _____

SITE PLAN REVIEW CHECKLIST
(insert dates)

Application Received _____

Fee Amount (\$ _____) paid _____

SEQRA Type Determined _____

Application Deemed Complete _____

Referral to County (if needed) _____

Response Received from County _____

Public Hearing date set _____

Notice published for hearing _____

Receipts of Neighbor Mailings Received _____

Hearing Held _____ Hearing Closed _____

SEQRA Form Completed (if required) _____

Approved/approved with conditions/declined _____

Decision Mailed to Applicant _____

Site Plan Stamped _____

Reference Material

AUG 04 2022

Planning Board Meeting

REV'D 7/27/22

TOWN OF AUSTERLITZ HIGHWAY DEPARTMENT

ROAD/DRIVEWAY APPROVAL

Name of Homeowner/Subdivision Owner: _____

Tax Map No.: _____

Name of Road/Property Address: _____

The undersigned has inspected the above road/driveway/location and has determined it meets all specifications set forth in the Road Law of the Town of Austerlitz.

Comments:

Date

Peter Fitzpatrick, Highway Supervisor

Reference Material

AUG 04 2022

Planning Board Meeting

REV'D 7/27/22

Applicant Name: _____ SBL: _____
Project ID: _____

**CHECKLIST
SUBDIVISION REVIEW**

Date of Action

- ☐ Preliminary plan submitted _____ (see attached for comments)
- ☐ Fee amount \$ _____ paid on _____
- ☐ SEQRA declaration _____ positive/negative
- ☐ Notify adjoining municipality _____
- ☐ Public hearing published in paper _____
- ☐ Received public hearing notification receipts _____
- ☐ Hearing closed _____
- ☐ Approved/approved with conditions/denied _____
- ☐ Approved plat signed _____
- ☐ Map filed at county _____

Reference Material

AUG 04 2022

Planning Board Meeting