

TOWN OF AUSTERLITZ

Columbia County
New York

Deborah Lans

Planning Board Chairman

**Planning Board Meeting
September 1, 2022
7:00 p.m.**

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

- 1.) Call Public Hearing to Order
Public Hearing: Davis Subdivision**
- 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-2022-14 Davis Subdivision**
- 8.) New Business
A.) PL-2022-15 Jackson/Negerbauer Boundary Line Adjustment**
- 9.) New Planning Board Forms**
- 10.) Public Comment**
- 11.) Adjournment**

PL-2022-14

Roberta Davis

Minor Subdivision

Public Hearing

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

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**

**SEGRA
Determination**

**Final
Approval**

LANDS OF
HANSI L. SCHROEDER AND
ROSEMARIE T. SCHROEDER
B 775, P 337

LANDS OF
OWEN SCHROEDER AND
VERNON SCHROEDER
B 783, P 221

LANDS OF
JOHN W. CHALLEN
B 882, P 353

LANDS OF
SHARON L. CROOK
B 981, P 922

LANDS OF
OWEN SCHROEDER AND
VERNON SCHROEDER
B 783, P 221

LANDS OF
JOHN W. CHALLEN
B 882, P 353

LANDS OF
SHARON L. CROOK
B 981, P 922

LANDS OF
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B 882, P 353

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SHARON L. CROOK
B 981, P 922

SUBDIVISION AND LOT LINE ADJUSTMENT
PROPERTY OF
ROBERTA B. DAVIS
AS TRUSTEE OF THE ROBERTA
B. DAVIS LIVING TRUST
TOWNS OF HILSDALE AND AUSTERLITZ
COLUMBIA COUNTY, NY

COMMITTEE TO PURCHASE
THE LANDS OF THE ROBERTA
B. DAVIS LIVING TRUST
FOR THE TOWNS OF HILSDALE AND AUSTERLITZ
COLUMBIA COUNTY, NY

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COLUMBIA COUNTY, NY

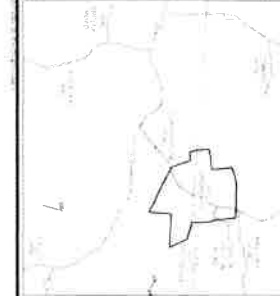
COMMITTEE TO PURCHASE
THE LANDS OF THE ROBERTA
B. DAVIS LIVING TRUST
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COLUMBIA COUNTY, NY



LOCATION SKETCH

BLANK DATA MAP NORTH
PER FIELD MAP 2017-100

LEGEND



Subdivided by
Hilsdale and Austerlitz
Towns of Hilsdale and Austerlitz
Columbia County, NY
Map No. 2017-100
Date: 12/21/2017



Town of Austerlitz
Planning Board Meeting
August 4, 2022

Reference Material
SEP 01 2022
Planning Board Meeting

The Planning Board meeting was held in-person.

Present: Deborah Lans, Chair, Eric Sieber, and Eric Spiegel, Members (Jane Magee absent).
Joseph Catalano, Attorney for the Town, also present.

Regular Meeting called to order at 7:00 p.m.

Moment of Silence, followed by Pledge of Allegiance.

Minutes

A motion to accept the July 2022 Planning Board Meeting minutes with the changes suggested by D. Lans and with the note that in the motion to approve the Kipper Farm subdivision, the reference to future restrictions should be without the 3-parcel reference, was made by E. Spiegel and seconded by E. Sieber.

Voice vote

Deborah Lans: yes

Eric Sieber: yes

Eric Spiegel: yes

Jane Magee: absent

Motion carried 3:0:2

Old Business - Planning Board Application PL-2022-13 Boundary Line Change/Parcel Merger

Mike Madsen presented the map that was revised pursuant to the Planning Board's discussion at the prior meeting. The Board after review and further discussion agreed that the revisions appear to be satisfactory with the exception of certain map notes that may be confusing with respect to the intention of having no new parcels and completely merging the two existing lots and the portion of the neighboring lot. This was discussed and it was decided that the surveyor should review and decide that issue.

As no further comments were made, a motion was made by E. Sieber to approve the proposed Boundary Line Change/Parcel Merger for the Property of Guy Madsen and a portion of property of Guy and Patty Madsen as prepared by R. Sardo, Land Surveyor, dated July 15, 2021 and last revised August 8, 2022, as presented to the Planning Board with exception that map notes identifying parcel numbers may change per surveyor review, and seconded by E. Spiegel:

Roll Call:

Deborah Lans: yes

Eric Sieber: yes

Eric Spiegler: yes

Jane Magee: absent
Motion carried 3:0:2

New Business

Planning Board Application PL-2022-14 Roberta Davis Living Trust

Dan Russell, surveyor, presented the application and proposed subdivision map explaining that the proposed 2-lot subdivision of an 83.775-acre parcel was to be subdivided along the Austerlitz/Hillsdale boundary line with 38.995 acres to be wholly in the Town of Austerlitz. He presented a map that had already been approved by the Town of Hillsdale Planning Board.

The Board members reviewed the map and spoke with Mr. Russell regarding the parcel being subdivided and the use of the property in Austerlitz - there will be no change as house, driveway and utilities are already in place.

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

Roll call
Deborah Lans: yes
Eric Sieber: yes
Eric Spiegel: yes
Jane Magee: absent
Motion carried 3:0:2

Reference Material

SEP 01 2022

Planning Board Meeting

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

Roll call
Deborah Lans: yes
Eric Sieber: yes
Eric Spiegel: yes
Jane Magee: absent
Motion carried 3:0:2

A motion to set a public hearing, as the first order of business at the September 1st meeting at 7:00 pm, for Planning Board Application PL-2022-14 was made by E. Sieber and seconded by E. Spiegel.

Roll call
Deborah Lans: yes
Eric Sieber: yes
Eric Spiegel: yes
Jane Magee: absent
Motion carried 3:0:2

Old Business

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

This matter was tabled as no one appeared on behalf of the Oleynek family and no subdivision map has been filed to complete the application. J. Catalano gave a brief update on the Highway Superintendent report on the private road waiver request and the Town Board's decision regarding same. It is now up to the applicants to complete the application by submitting the proposed subdivision map. The Planning Board will reserve judgment on the road waiver request until the subdivision review process recommences and after the hearing regarding same.

New Business: Designation of Deputy Chair

At the request of the Chair, D. Lans, a motion to designate E. Sieber as Deputy Chair in case of D. Lans' absence, was made by E. Spiegel and seconded by D. Lans.

Roll Call:

Deborah Lans: yes

Eric Sieber: yes

Eric Spiegel: yes

Jane Magee: absent

Motion carried 3:0:2

Adjournment

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

Motion carried 3:0:2 by voice vote: Meeting adjourned at 8:06 p.m.

Respectfully Submitted,
Joseph Catalano, Attorney for Town

Reference Material

SEP 01 2022

Planning Board Meeting

PL-2022-15

Jackson/Negerbauer

Boundary Line Adjustment

TOWN OF AUSTERLITZ
RECEIVED
AUG 30 2022
PLANNING
BOARD
COLUMBIA COUNTY

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

Application Date: 1 / 1

Applicant: (Property Owner)

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

Representative: (If Any)

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

Surveyor or Engineer:

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

Tax Map Number: PORTION OF 68.00-1-A

Property Location: (Brief Description of Location)

WEST SIDE OF STONEWALL ROAD NORTH
OF MACEDONIA ROAD

Names of Abutting Property Owners:

SEE ATTACHED

Easements or Restriction:

DEED ATTACHED

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

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

FOR OFFICE USE ONLY
SUBMISSION DATES and APPROVALS
Applic. Fees & Preliminary Public Hearing SEQRA Determination Final Approval

Project ID _____

NOTE: THIS IS A REVISION OF A SUBDIVISION APPROVED
IN MAY 2022. PROPOSED BOUNDARY LINE ADJUSTMENT

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:

SUBDIVISION REVISION / BOUNDARY LINE ADJUSTMENT

Project Location (describe, and attach a location map):

607 STONEWALL ROAD AUSTERLITZ PORTION OF APN 68.00-1-4

Brief Description of Proposed Action:

SUBDIVISION OF AN APPROXIMATELY 68 ACRE PARCEL
INTO 1) 3.07 ACRES 2) 3.00 ACRES AND 3) 61.80 ACRE
REMAINDER PARCEL BOUNDARY LINE ADJUSTMENT
SUBDIVISION REVISION OF SUBDIVISION APPROVED MAY 2022

Name of Applicant or Sponsor:

ERIC WEGER BOWER / CAROLINE JACKSON

Telephone:

E-Mail: caroline.jackson@gmail.com

Address:

607 STONEWALL ROAD

City/PO:

EAST CHATHAM

State:

NY

Zip Code:

12060

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?

NO

YES

If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.

☒

☐

2. Does the proposed action require a permit, approval or funding from any other governmental Agency?

NO

YES

If Yes, list agency(s) name and permit or approval:

☒

☐

3.a. Total acreage of the site of the proposed action?

67.8 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?

67.8 acres

4. Check all land uses that occur on, adjoining and near the proposed action.

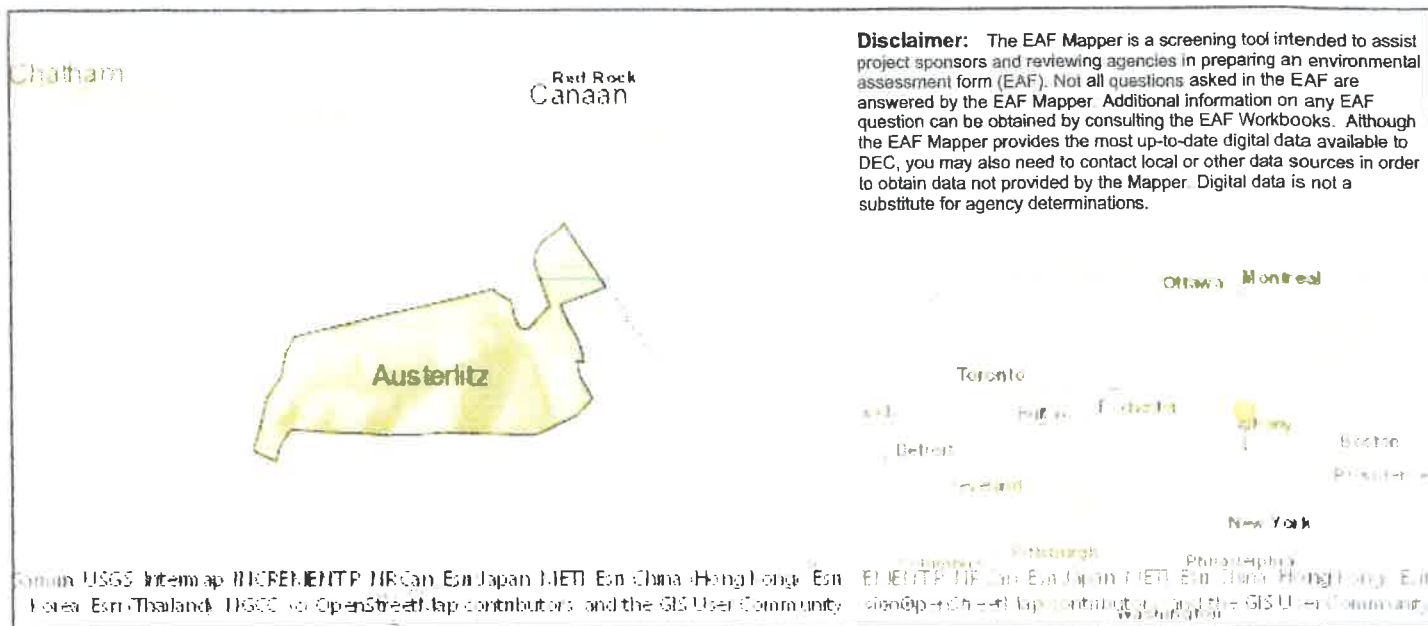
- ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<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	YES	
	<input type="checkbox"/>	<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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? <u>NORTHERN LONG-EARED BAT</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES	
a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/> NO <input type="checkbox"/> YES		

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

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

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<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"/>



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



607 Stonewall Road Austerlitz



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

Columbia County

Tax Parcels

Lakes, Ponds, River, Large Streams

Streams NHD

NYS Regulated Wetlands (DEC)

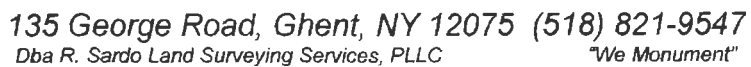
100 foot buffer of DEC regulated Wetlands

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

Source, Esri, USDA FSA, NYS GIS Program Office | Telephone: (518)

Web AppBuilder for ArcGIS

This map produced using the resources of the Columbia County Planning Department.



TOWN OF AUSTERLITZ
RECEIVED
AUG 30 2022
PLANNING
BOARD
COLUMBIA COUNTY

68.00-1-4 (X)

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

STANDARD NYBTU FORM 8008

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

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

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

party of the first part,

and

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

party of the second part,

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

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

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

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

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

68.00-1-4 1990

R2

TOWN OF AUSTERLITZ
RECEIVED
AUG 30 2017
PLANNING
BOARD
COLUMBIA COUNTY

SCHEDULE "A"

PARCEL A:

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

PARCEL 1:

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

PARCEL 2:

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

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

SCHEDULE "A" (Continued)

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

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

EXCEPTING from the within described parcels, however, three parcels heretofore conveyed by the said Walter Wilson and Fannie Wilson as follows: (1) to Donald MacCready dated October 22, 1941 and recorded October 29, 1941 in Deed Book 254 Page 578, (2) to Myra Smilow dated September 20, 1944 and recorded September 25, 1944 in Deed Book 266 Page 451, (3) to Myra Smilow dated June 8, 1945 and recorded August 27, 1945 in Deed Book 271, Page 1.

SCHEDULE "A" (Continued)

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

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

FIRST RIGHT OF WAY

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

SECOND RIGHT OF WAY

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

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

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

SCHEDULE "A" (Continued)

PARCEL B:

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

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

PARCEL C:

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

BEGINNING at a point situate in the center line of a town road known as Stonewall Road, which point marks the northeasterly corner of the parcel herein described and the southeasterly corner of lands now or formerly of Ruth M. Grayzel and described in Book 384 of Deeds at Page 380; proceeding thence along the center line of said Stonewall Road; South 20° 18' East, 435.41 feet to a point and South 17° 26' East 212.12 feet to a point; said point marks the southeasterly corner of the parcel herein described and the northeasterly corner of "Parcel 2" as shown on the hereinafter referenced survey map; proceeding thence South 83° 46' 30" West 25.0 feet to an iron pin set; proceeding thence along a stone wall, South 83° 46' 30" West, 259.60 feet to a point and South 84° 42' 50" West 159.91 feet to an iron pin set; proceeding thence North 19° 48' West, 29.36 feet to an iron pin set; proceeding thence South 80° 32' West, 88.00 feet to an iron pin recovered, said iron pin marks the southwest corner of the parcel herein described; proceeding thence along a wire fence North 5° 53' West 187.64 feet to a point; North 7° 02' 20" West, 84.78 feet to a point; North 4° 58' West 85.34 feet to a point in a 3' Maple with wire; North 11° 21' 10" East, 40.81 feet to a point, North 16° 25' East 83.38 feet to an iron pin set and North 43° 41'

SCHEDULE "A" (Continued)

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

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

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

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

BEGINNING at a point marked by an iron pin situate in the southerly line of an unmaintained roadway known as Talmadge Tumpke, which point marks the northwesterly corner of the parcel herein described; proceeding thence South 89° 37' 40" East 1772.38 feet to a point situate in the center of a stream or creek known as South Branch Creek and which point marks the northeasterly corner of the parcel herein described and the northwesterly corner of lands now or formerly of Hillman; proceeding thence along the centerline of said South Branch Creek as the same winds and turns, the following courses and distances: South 13° 01' 10" East, 34.99 feet to a point; South 46° 09' 20" East, 79.28 feet to a point; South 56° 36' 50" East 47.50 feet to a point; South 11° 31' 55" East, 56.65 feet to a point; South 6° 09' 00" West, 75.46 feet to a point; South 3° 28' 00" West, 35.70 feet to a point; South 13° 10' 50" East, 57.17 feet to a point; South 0° 51' 00" East, 39.56 feet to a point; and South 61° 08' 50" East, 75.43 feet to a point which marks the southwesterly corner of said lands now or formerly Hillman; thence still along the centerline of said South Branch Creek and along a portion of the westerly boundary line of other lands of Adelman & Hunsdon the following courses and distances: South 46° 10' 50" East, 44.08 feet to a point; South 14° 06' 20" East, 19.39 feet to a point; South 17° 57' 15" West, 70.55 feet to a point; South 9° 23' 30" East, 38.41 feet to a point; South 25° 11' 50" East, 63.37 feet to a point; and South 1° 46' 10" East, 55.58 feet to a point which marks the southeasterly corner of the parcel herein described; proceeding thence along the division line between the lands herein described on the northeast and other lands of Adelman & Hunsdon on the southwest, which said division line is marked partially by the remains of a stone wall and partially by the remains of a wire fence, the following courses and distances: South 85° 44' 20" West, 25.0 feet to a

SCHEDULE "A" (Continued)

point marked by an iron pin, South 85° 44' 20" West, 144.92 feet to a point;
South 84° 41' 30" West, 324.85 feet to a point; North 74° 11' 10" West, 132.55
feet to a point;
North 55° 58' 50" West, 17.91 feet to a point; North 50° 15' 20" West, 46.84 feet
to a point;
North 52° 45' 10" West, 107.55 feet to a point; North 52° 07' 50" West, 133.05
feet to a point;
North 73° 43' 00" West, 154.54 feet to a point; North 72° 07' 10" West, 96.50 feet
to a point;
North 55° 57' 20" West, 209.85 feet to a point; North 67° 14' 00" West, 119.17
feet to a point;
North 55° 33' 50" West, 36.52 feet to a point; North 82° 20' 40" West, 33.71 feet
to a point;
North 72° 48' 50" West 158.69 feet to a point; North 71° 58' 20" West, 82.21 feet
to a point;
North 46° 30' 40" West, 168.14 feet to a point; North 43° 31' 50" West, 76.05 feet
to a point;
North 49° 15' 50" West 137.23 feet to a point; North 51° 38' 30" West 65.99 feet
to a point; and
North 43° 54' 20" West, 60.03 feet to the point or place of **BEGINNING**.

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

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

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

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

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

SCHEDULE "A" (Continued)

S16°22'50"E, 325.11 feet; thence along lands now or formerly of Langer S86°17'24"W, 28.88 feet to an iron rod set on the westerly side of Stonewall Road; thence continuing along lands now or formerly of Langer and along the remains of a stone wall S86°17'24"W, 259.60 feet and S87°13'44"W, 159.91 feet to an iron pipe recovered; thence continuing along lands now or formerly of Langer S05°21'26"E, 170.23 feet to an iron pipe recovered, S12°50'56"E, 97.03 feet to an iron pipe recovered, S09°57'16"E, 100.19 feet to an iron pipe recovered, S01°03'26"E, 102.21 feet to an iron pipe recovered and S09°44'14"W, 93.98 feet to a point in the center of a brook; thence continuing along lands now or formerly of Langer and along the center of said brook N81°54'06"W, 3.79 feet and N44°37'28"W, 64.21 feet; thence continuing along lands now or formerly of Langer and along a wire fence S05°27'54"W, 77.03 feet, S04°13'08"W, 47.60 feet, S05°51'31"E, 48.73 feet, S13°01'13"E, 158.30 feet, S24°50'23"E, 24.46 feet to an iron pipe recovered, S59°07'54"W, 112.27 feet and S59°48'14"W, 87.46 feet to an iron pipe recovered; thence along lands now or formerly of Steinbrenner S80°53'57"W, 385.54 feet to an iron rod recovered in a stone wall corner; thence continuing along lands now or formerly of Steinbrenner and partly along a stone wall N74°52'38"W, 79.49 feet, N73°35'59"W, 77.80 feet, N71°16'14"W, 193.82 feet, N72°05'14"W, 354.14 feet to an iron rod recovered in a stone wall corner, N70°46'34"W, 104.87 feet, N80°54'04"W, 91.19 feet, N77°30'04"W, 167.35 feet, N73°15'34"W, 170.90 feet to an iron pipe recovered, S85°10'26"W, 17.65 feet, N69°11'04"W, 213.18 feet, N71°04'34"W, 344.14 feet, N68°19'04"W, 251.81 feet and N76°59'34"W, 62.72 feet to an iron rod recovered in an old woods road; thence continuing along lands now or formerly of Steinbrenner and generally along the center of said old woods road S47°59'26"W, 181.89 feet and S28°14'56"W, 118.33 feet to an iron pipe recovered; thence along lands now or formerly of Richard W. Howes and along a wire fence N48°36'14"W, 60.52 feet and N49°48'54"W, 168.76 feet to a stone wall corner; thence along lands now or formerly of John H., Jr., and Joseph T. Doyle and partly along a stone wall N33°41'55"E, 274.03 feet, N26°41'31"E, 141.74 feet, N37°18'13"E, 66.57 feet, N50°17'05"E, 222.64 feet, N27°28'23"E, 178.69 feet, N38°23'57"E, 77.99 feet, N45°11'11"E, 68.52 feet and N53°50'16"E, 36.33 feet to an iron rod recovered in a stone wall corner; thence along lands now or formerly of Gordon Brawn S87°06'46"E, 1749.93 feet to an iron rod recovered on the westerly side of South Branch Creek and S87°06'48"E, 22.45 feet to a point in the center of South Branch Creek; thence along lands now or formerly of Patrick Daley and Adriane W. Kufita and along the center of South Branch Creek S10°30'16"E, 34.99 feet, S43°38'28"E, 79.26 feet, S54°05'56"E, 47.50 feet, S09°01'01"E, 56.65 feet, S08°39'54"W, 75.46 feet, S05°58'54"W, 35.70 feet, S10°39'56"E, 57.17 feet, S01°39'54"W, 39.56 feet and S58°37'56"E, 75.43 feet; thence continuing along lands now or formerly of Patrick Daley and Adriane W. Kufita and leaving the center of South Branch Creek N58°45'35"E, 19.95 feet to a 48" Pine Tree and N58°45'35"E, 263.31 feet to an iron pipe recovered; thence continuing along lands now or formerly of Patrick Daley and Adriane W. Kufita and along a wire fence N03°22'06"W, 187.64 feet and N04°31'26"W, 74.29 feet to an iron pipe recovered; thence along lands now or formerly of Warren M. Cohen and Stephanie S. Pressman and along a wire fence N04°31'26"W, 10.49 feet, N02°27'06"W, 85.34 feet, N13°52'04"E, 40.81 feet and N18°55'54"E, 63.36 feet to an iron rod recovered; thence along lands now or formerly

SCHEDULE "A" (Continued)

of John and Mary Grayzel and along a wire fence N48°12'44"E, 81.24 feet, N88°48'34"E, 103.72 feet, N69°35'44"E, 164.18 feet to an iron pipe recovered on the westerly side of Stonewall Road and N69°35'44"E, 31.02 feet to the point of BEGINNING.

Address: 607 Stonewall Road, Austerlitz

Town: Austerlitz

County: Columbia

TAX DESIGNATION: Section: 58. Block 1 Lot 4

