

TOWN OF AUSTERLITZ

Columbia County
New York

Deborah Lans

Planning Board Chairman

**Planning Board Meeting
October 6, 2022
7:00 p.m.**

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

- 1.) Call Regular Planning Board Meeting to Order**
- 2.) Roll Call**
- 3.) Minutes**
- 4.) Old Business**
 - A.) PL-2022-07 Oleynek Subdivision**
- 5.) New Business**
 - A.) PL-2022-16, Mitchell Site Plan Review**
 - B.) PL-2022-17 Hi Roc Minor Subdivision**
- 6.) Public Comment**
- 7.) Adjournment**

OCT 06 2022

Town of Austerlitz
Planning Board Meeting
September 1, 2022

Planning Board Meeting

The Planning Board meeting was held in-person.

Present: Deborah Lans, Chair, Eric Sieber, and Eric Spiegel, Members and newly appointed Members, Chris Ferrone and Steve Lobel. Joseph Catalano, Attorney for the Town, also present.

Public Hearing called to order at 7:02 p.m.

Public Hearing for Planning Board Application PL-2022-14 Davis Minor Subdivision and Boundary Line Change

No members of the public were present except the landowner, Unwin, of the parcel involved in the boundary lot adjustment. Mr. Dan Russell, land surveyor, as representative of the applicant, briefly presented the application and the proposed map. He also provided receipts for certified mailings of the notice of the public hearing and the survey, revised to include notes as to the Ag Exemption and number of remaining potential subdivisions on the property as required by the recently amended Subdivision Law. The Davis Trust proposed that its 83.775 acre parcel on Schoolhouse Road be divided into two parcels—a 38.995 acre parcel located in Austerlitz and a 44.150 acre parcel located in Hillsdale (the Town Line being the boundary between the proposed parcels). No further development of the Austerlitz parcel is proposed as the parcel currently has a house, well, driveway, utilities, septic. In addition, a boundary line adjustment of several feet was proposed so that adjacent landowner Unwin can access their property off the former Stagecoach Road through an owned property instead of an easement. The applicant's surveyor reviewed the application for the benefit of the new Planning Board members and answered questions clarifying the application. Mr. Russell (the surveyor) explained the notes added to the survey at the Board's request and advised that he would take the map, once approved by our Planning Board, to Hillsdale for it to stamp its previously-granted approval.

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

Roll Call

Deborah Lans: yes

Eric Sieber: yes

Eric Spiegel: yes

Chris Ferrone: yes

Steve Lobel: yes

Motion carried 5:0 Public Hearing closed at 7:15 p.m.

Regular Meeting called to order by the Chair at 7:16 p.m.

Minutes

A motion to accept the August 2022 Planning Board Meeting minutes as presented, was made by E. Spiegel and seconded by E. Sieber.

Voice vote

Deborah Lans: yes

Eric Sieber: yes

Eric Spiegel: yes

Chris Ferrone: abstain

Steve Lobel: abstain

Motion carried 3:0:2

Reference Material

OCT 06 2022

Planning Board Meeting

Old Business - Planning Board Application PL-2022-14 Davis Minor Subdivision and Boundary Line Change

After J. Catalano gave a brief explanation of the SEQRA review process for the benefit of the new Members, the Board went over each question provided in the Environmental Assessment Form (EAF) Part 2. By consensus of the Board, each of the 11 questions were answered no/small impact. The Board members agreed that the appropriate conclusion to the EAF analysis is that the proposed action would have no significant adverse impacts.

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

Roll Call

Deborah Lans: yes

Eric Sieber: yes

Eric Spiegel: yes

Chris Ferrone: yes

Steve Lobel: yes

Motion carried 5:0

As no further comments were made, a motion was made by E. Spiegel to approve the proposed Minor Subdivision and Boundary Line Change for the Property of The Roberta B. Davis Living Trust as prepared by D. Russell, Land Surveyor, last revised 7/10/2022, as presented to the Planning Board, and seconded by E. Sieber:

Roll Call:

Deborah Lans: yes

Eric Sieber: yes

Eric Spiegler: yes

Chris Ferrone: yes

Steve Lobel: yes

Motion carried 5:0

There was no other item of old business on the agenda.

New Business

Planning Board Application PL-2022-15 Wegerbauer and Jackson Trusts

Allison Rada of Stonehouse Realty appeared on behalf of Caroline Jackson and Eric Wegerbauer to request a boundary line adjustment at 607 Stonewall Road. A subdivision had been approved by the Board in May 2022. The adjustment relates to Parcel 2 to clarify the driveway. The Board discussed the proposed changes to the previously approved subdivision and the requirements of the Zoning Code for lot frontage and setbacks. The Board determined no public hearing or SEQRA form was required, requested that the map be amended to increase the road frontage of the remaining lands to 75 feet and that the map show that the set back requirements of the Town Law will be met after the line adjustment.

As the Board deemed the application as complete and acceptable, a motion was made by E. Sieber to approve the proposed lot line adjustment map, prepared by Sardo Land Surveying with the following conditions and modifications: (1) receipt of proposed road maintenance agreement; (2) receipt of proposed deed that includes reference to road maintenance agreement; (3) that the map be modified so that public road frontage for remaining lands be at least 75 feet; and (4) that the map be modified to show conformance with zoning setbacks with regard to existing dwelling on Parcel 2; seconded by C. Ferrone:

Roll call

Deborah Lans: yes

Eric Sieber: yes

Eric Spiegel: yes

Chris Ferrone: yes

Steve Lobel: yes

Motion carried 5:0

Application Forms

The Planning Board discussed the proposed updated applications and other forms used as part of the Planning Board procedures that the Chair had prepared and distributed to the PB Members prior to the meeting. After discussion and with suggestions for additional changes, a motion was made by E. Spiegel to accept the updated forms and to use those forms for future application with changes to be made as previously discussed, seconded by E. Sieber:

Roll call

Deborah Lans: yes

Eric Sieber: yes

Eric Spiegel: yes

Chris Ferrone: yes

Steve Lobel: yes

Motion carried 5:0

Introduction of Members & Resignation

For the benefit of the new members, all of the Planning Board members introduced themselves and provided a brief summary of their background and the reasons for their service on the Planning Board.

E. Spiegel tendered his resignation as he will be moving. He noted that he has found his service very satisfying, and the Board thanked him for his contributions.

Public Comment

There were no members of the public present and accordingly no public comments were heard.

Adjournment

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

Motion carried 5:0 by voice vote: Meeting adjourned at 8:22 p.m.

Respectfully Submitted,
Joseph Catalano, Attorney for Town

FILED
OCT 06 2022
Planning Board Meeting

PL-2022-07

Estate of Gloria Oleynek

Subdivision

Reference Material

OCT 06 2022

Planning Board Meeting

TOWN OF AUSTERLITZ
RECEIVED

OCT 03 2022

PLANNING
BOARD
COLUMBIA COUNTY

EASEMENT

This Easement granted the 3 day of October, 2022 between Paul Iappini located at 12 Bloody Hollow Road, Chatham, NY 12037 party of the first, and Paula Bednarcik and Edward D. Bednarcik 106 Indian Trail Road, Chatham, NY, 12037, parties of the second part.

WHEREAS, Paul Iappini is the owner of a parcel of land in the Town of Austerlitz located at 12 Bloody Hollow Road, Austerlitz identified as tax parcel no. 77-1-56.120; having been conveyed the parcel by deed of Joan Wheeler Nicholson and recorded in the Columbia County Clerk's Office on June 6, 2003 CO453 of Deeds at Page F0273;

WHEREAS, Paula Bednarcik and Edward D. Bednarcik hold fee title to 12.38 acres of land, having been conveyed the parcel by deed of Fred Oleynek and Gloria D. Oleynek dated March 27, 2007 and recorded in the Columbia County Clerk's Office on May 5, 2007 in Deed Book 697 at page 1308, tax parcel 77-2-2 which includes a private road known as Indian Trail Road, which is used to access Bloody Hollow Road, a public road.

NOW THEREFORE, that the party of the first part in consideration of ten dollars (\$10.00), lawful money of the United States and other good and valuable consideration paid by the parties of the second part, does hereby grant and release unto the parties of the second part, their heirs and assigns forever, an easement for ingress and egress described herein:

All that certain parcel of land situated on Bloody Hollow Road, Town of Austerlitz, Columbia County, NY being described as follows:

Beginning at the center of Bloody Hollow Road, north of lands of Paul Iappini, thence S56 31 15E 114.07 feet to the lands of Iappini, thence N 6 8 05 56E 16.10 feet to the northern boundary of lands of Iappini and Bednarcik, thence S 00 54 25 E 116.02 feet along lands of

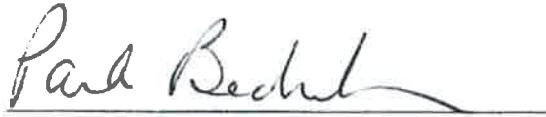
Bednarcik, thence through lands of Iappini N 32 54 42 W 205.99 feet to the point and place of beginning. The purpose of this easement is to confirm the use of a private road known as Indian Trail Road, which inadvertently encroaches on lands of Iappini described above.

ALL AS shown on a certain map entitled "Lands of Fred Oleynek and Gloria D. Oleynek, Indian Trail Road, Austerlitz, NY Lot Line Adjustment" dated August 29, 2022 by Frederick J. Haley PLS LLC.

WHEREFORE, the parties have signed their names on the 3 day of October, 2022.



Paul Iappini



Paula Bednarcik



Edward D. Bednarcik

Reference Material

OCT 06 2022

Planning Board Meeting

Reference Material

STATE OF NEW YORK)

OCT 06 2022

)ss.:

Planning Board Meeting

COUNTY OF COLUMBIA)

On this 30th day of September, 2022 appeared Paul Iappini, 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 he acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or person upon behalf of which the individual acted, executed the instrument.



NOTARY PUBLIC
WENDY R. RITCHIE LaMONT

Notary Public, State of New York

Qualified In Columbia County

Reg. No. 01RI6050389

My Commission Expires 11/6/2022

STATE OF NEW YORK)

)ss.:

COUNTY OF COLUMBIA)

On this 3 day of October, 2022 appeared Edward D. Bednarcik, 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 he acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or person upon behalf of which the individual acted, executed the instrument.



NOTARY PUBLIC
SUSAN A. HAAG

Notary Public, State of New York

Qualified Columbia County, #4888848

Commission Expires 4/20/23

STATE OF NEW YORK)

)ss.:

COUNTY OF COLUMBIA)

On this 3 day of October, 2022 appeared Paula Bednarcik, 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 she acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual or person upon behalf of which the individual acted, executed the instrument.



NOTARY PUBLIC

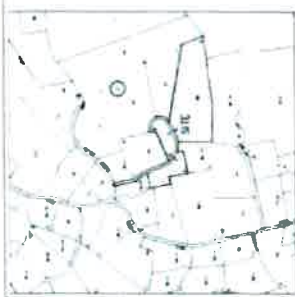
SUSAN A. HAAG
Notary Public, State of New York
Qualified Columbia County, #4889868
Commission Expires 4/20/23

Reference Material
OCT 06 2022
Planning Board Meeting

Reference Material

OCT 08 2022

Planning Board Meeting

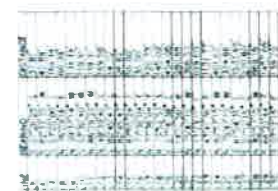


LOCATION MAP
from Google Earth

ZONING NOTE

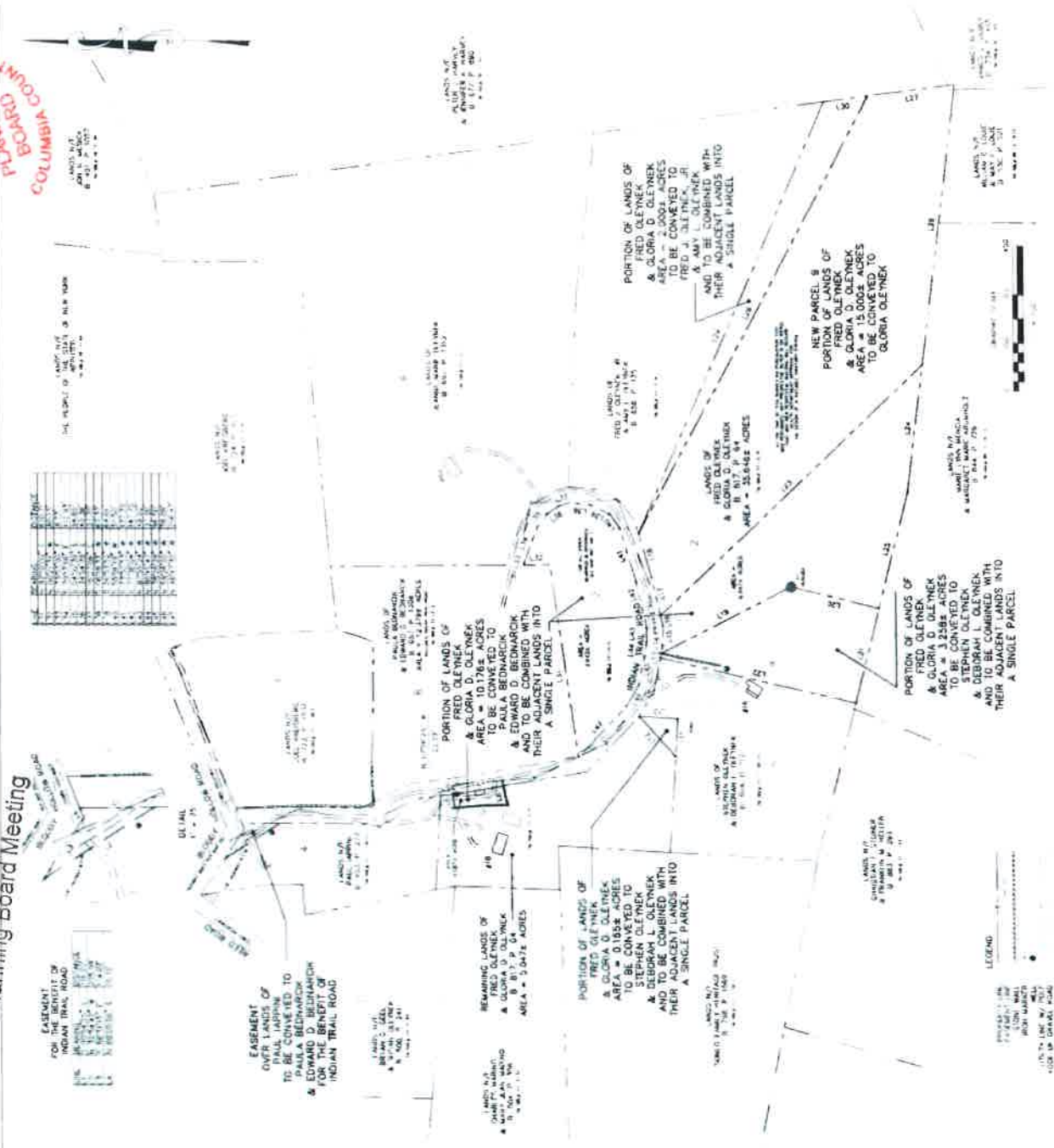
1. THE ZONING MAP OF THE TOWN OF INDIAN TRAIL, NEW YORK, SHOWS THE SUBJECT PROPERTY AS BEING ZONED R-1. THE ZONING MAP IS A PUBLIC RECORD AND IS AVAILABLE FOR REVIEW AT THE TOWN CLERK'S OFFICE.

2. THE ZONING MAP OF THE TOWN OF INDIAN TRAIL, NEW YORK, SHOWS THE SUBJECT PROPERTY AS BEING ZONED R-1. THE ZONING MAP IS A PUBLIC RECORD AND IS AVAILABLE FOR REVIEW AT THE TOWN CLERK'S OFFICE.



- QUESTIONS:
1. THE TOWN ENGINEER HAS REVIEWED THE PLANS AND HAS DETERMINED THAT THE PLANS COMPLY WITH THE REQUIREMENTS OF THE ZONING MAP.
 2. THE TOWN ENGINEER HAS REVIEWED THE PLANS AND HAS DETERMINED THAT THE PLANS COMPLY WITH THE REQUIREMENTS OF THE ZONING MAP.
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 5. THE TOWN ENGINEER HAS REVIEWED THE PLANS AND HAS DETERMINED THAT THE PLANS COMPLY WITH THE REQUIREMENTS OF THE ZONING MAP.

RECEIVED
TOWN OF INDIAN TRAIL
OCT 08 2022
PLANNING BOARD



LEGEND

1. LOT 1 - 1.00 ACRES
2. LOT 2 - 1.00 ACRES
3. LOT 3 - 1.00 ACRES
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100. LOT 100 - 1.00 ACRES

PAULA BEDNARCIK
100 INDIAN TRAIL ROAD
INDIAN TRAIL, NY 11737

OWNER INFORMATION:
FRED OLENYK & GLORIA D. OLENYK
100 INDIAN TRAIL ROAD
INDIAN TRAIL, NY 11737

DEED INFORMATION:
DEED BOOK 15, PAGE 100

PROJECT FILE
LANDS OF
FRED OLENYK &
GLORIA D. OLENYK

INDIAN TRAIL ROAD
AUSTERLITZ, NEW YORK

LOT LINE
ADJUSTMENT PLAN

DATE: 10/08/2022

BY: [Signature]

PL-2022-16

Donald Mitchell/Mitchell Orchards

106.-1-23

Site Plan Review

Town of Austerlitz Planning Board
Application for Site Plan Review/Special Use Permit

TOWN OF AUSTERLITZ
RECEIVED

SEP 20 2022

PLANNING
BOARD
COLUMBIA COUNTY

Application Date: 9 / 5 / 2022

Approval Request for: (check all that apply)

Site Plan ☒ Site Plan Amendment ☐ Special Use Permit ☐

Applicant: Name: Donald Mitchell Email: donaldmitchell@me.com
Mailing Address: 38 Knox lane
City: Hillsdale State: NY Zip: 12529 Telephone: 646-387-6389

Owner: If different than applicant, if more than one owner provide information for each on separate sheet
Name: Mitchell Orchards Email: donaldmitchell@me.com
Street Address: 38 knox lane,
City: Hillsdale State: NY Zip: 12529 Telephone: 6463876389

Project Information: Tax Map Number: 106.-1-23 Parcel Acreage 10 acres

Location of Project/Street Address: 38 Knox Lane, Hillsdale, NY, 12529 (note parcel is in
Australiz but mailing address is in Hillsdale)

Current Land Use of Site: Old farm turned to forest.

Current Condition of Site: Wooded Forest with a long driveway and an open field
of approx 1 acre
Please note that this property is part of a total of 24.72 acre parcel with 14.72
acres being in Hillsdale, NY.

Character of abutting parcels: Wooded Forest

Proposed Use(s) of site:

- ☐ Utilities ☐ Multi-family project
☐ In-Home Business ☐ Commercial Project ☒ Other (describe use below)

Detailed Description of Proposed Use, including primary and secondary uses (use separate sheet if necessary):

I would turn this property into a farm (orchard) with one house on the property.

I would like permission to remove all the trees. This would all so be a residence.

Description of buildings to be used height, number of stories, square feet:

For residential projects include the number of dwelling units and size in square feet

One house 2 story, 30 ft in height, 2500 ft/2

Is the property within 500 feet of ?

- ☒ A municipal boundary
☐ County or State Park or recreation either existing or proposed
☐ State or County road or right-of-way, either existing or proposed
☐ State or County owned building or institution
☐ Stream or drainage channel owned by County or for which channel lines have been established
☐ Active farm operation within an Agricultural District

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

Applicants Signature:


Son Fitchell Orchards LLC

Date:

19 Sept 2022

FOR OFFICE USE ONLY

Date Received: _____

Project ID: _____

Preliminary Review Date: _____

Final Review Date: _____

Final Decision: _____ Site Plan Unnecessary

_____ Approved

_____ Approved with conditions

_____ Denied

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			
Mitchell Orchards			
Name of Action or Project: Request permission to remove all the trees to return the property to a farm.			
Project Location (describe, and attach a location map): 38 Knox lane, Hillsdale, NY, 12529			
Brief Description of Proposed Action: I would like to remove all the trees to create a farm (orchard) on this property.			
Name of Applicant or Sponsor: Donald Mitchell Owner Mitchell Orchards		Telephone: 6463876389	
		E-Mail: donaldmitchell@me.com	
Address: 38 Knox lane,			
City/PO: Hillsdale		State: NY	Zip Code: 12529
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: Stormwater management permit maybe required from the Dept of Environmental Conservation.		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		10 acres	
b. Total acreage to be physically disturbed?		8 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		24.72 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 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,	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: The farm house will meet or exceed state energy code and solar power will be added in an effort to be energy neutral.	NO	YES	
	<input type="checkbox"/>	<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: _____ Well water and rain water collection of plant irrigation.	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ In ground septic system.	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	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 checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" 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	YES	
	<input checked="" type="checkbox"/>	<input 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 checked="" 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 checked="" type="checkbox"/> NO <input type="checkbox"/> YES There will be a concentrated effort to capture storm water to use for irrigation of the agriculture.			

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: _____ <u>I would like to have a pond to capture water to use for irrigation. The pond would be about a 1/4 acre and 5 ft deep. The pond will be dug into the ground and will not be connected to a stream. The pond is part of the storm water management plan.</u>	NO <input type="checkbox"/>	YES <input checked="" 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 <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Donald Mitchell for Mitchell Oaklands Date: 17 Sept 2022
 Signature: [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 checked="" 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 checked="" type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

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

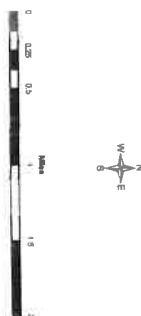
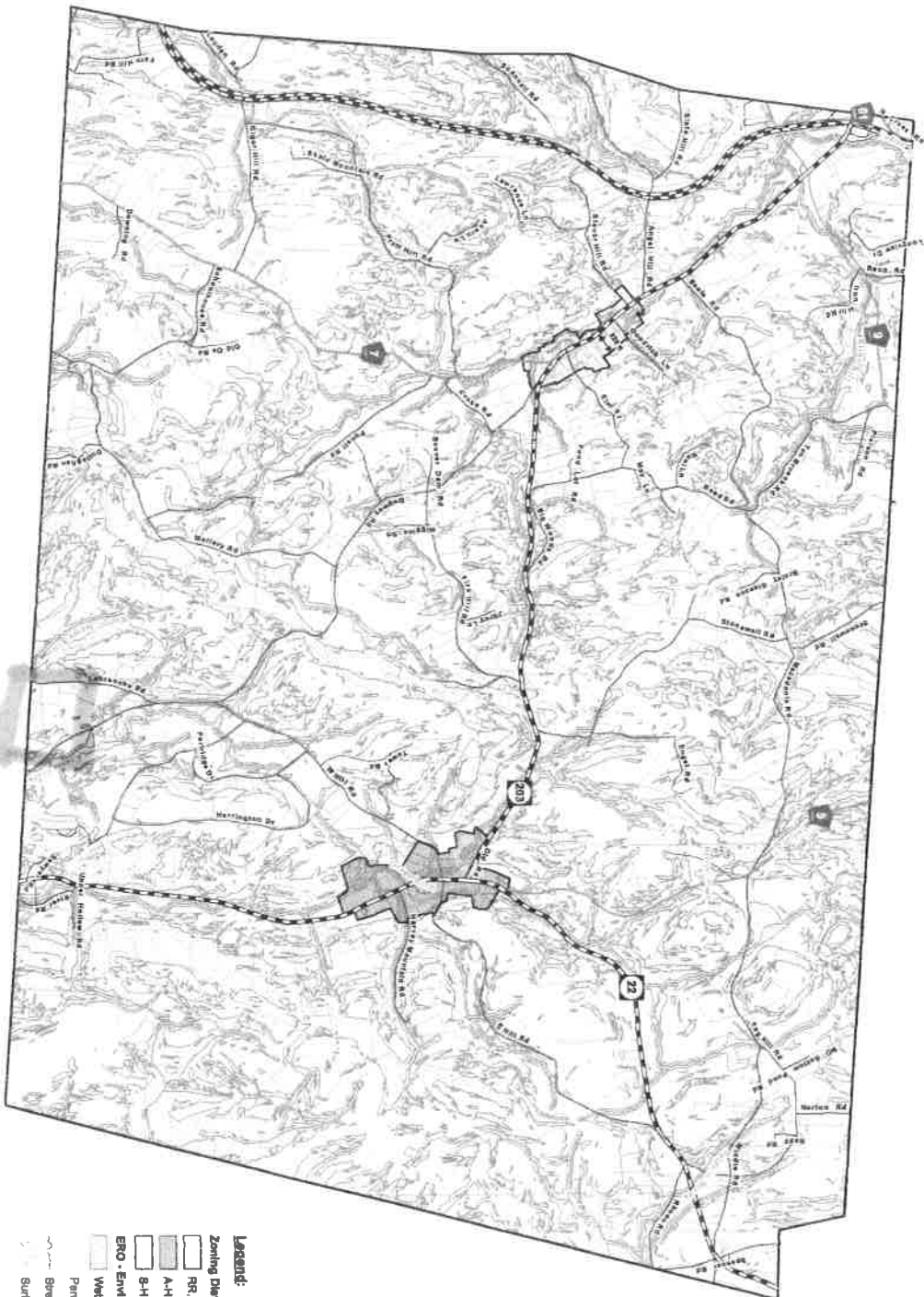
The property runs north to south with a slightly higher elevation in the middle. Hillsdale is in the south with most to the higher elevation and Austerlitz runs from the edge of the higher elevation to the north. The 10 acres that are Austerlitz run in a long gentle slop. It is my plan to create rows of trees that run 90 deg to the slop there by creating a terraced effect. As water will want to run down the slop it will be stoped by the terrace and the will soak into the soil.

Like most of Columbia County the land is an old farm that was abandoned and forgotten. To bring it back to a farm I will need to remove the trees and recondition the soil. Although, this will appear destructive it is necessary to then plant trees. I will likely plan 1000 trees in the same area. It is my intention to alway have a cover crop on the soil to help bring the soil back to full productive health.

<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.
Mitchell Orchards	Sept 5th 2022
Name of Lead Agency	Date
Donald Mitchell	Owner
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

RESET



Legend:

Zoning Districts

RR, Rural Residential District

A-1H, Austertiz Hamlet Zoning District

S-HM, Spartanburg Hamlet Zoning District

EMO - Environmental Resource Overlay District

Wetlands, 100-Year Floodplain, Slopes > 20%, and 100-Foot Stream Buffer

Parcel Boundary

Breams

Surface Waters

Town of Austertiz Zoning

Zoning Districts

Preliminary Draft - March 9, 2007

Town of Austertiz

Columbia County, New York



CHAZEN ENGINEERING & LAND SURVEYING CO., P.C.

Delaware County Office:
27 Fox Street
P.O. Box 12801
Pittsburgh, PA 15212
Phone: (412) 462-2800

Delaware County Office:
305 Madison Avenue
Pittsburgh, PA 15260
Phone: (412) 662-1123

Capital District Office:
647 New Street
Albany, NY 12202
Phone: (518) 263-0888

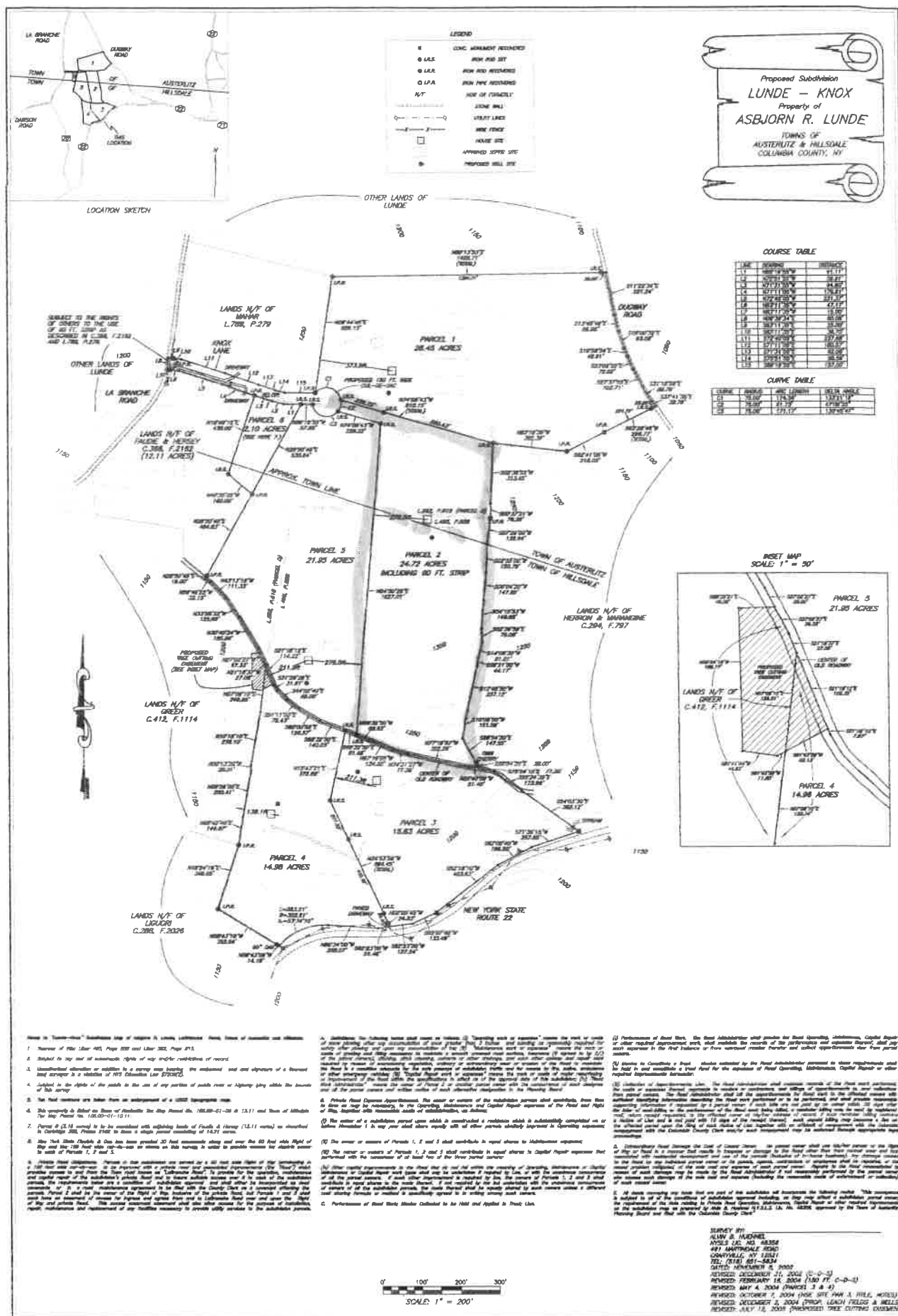
North County Office:
1001 Oak Street
Saratoga Springs, NY 12158
Phone: (518) 832-2013

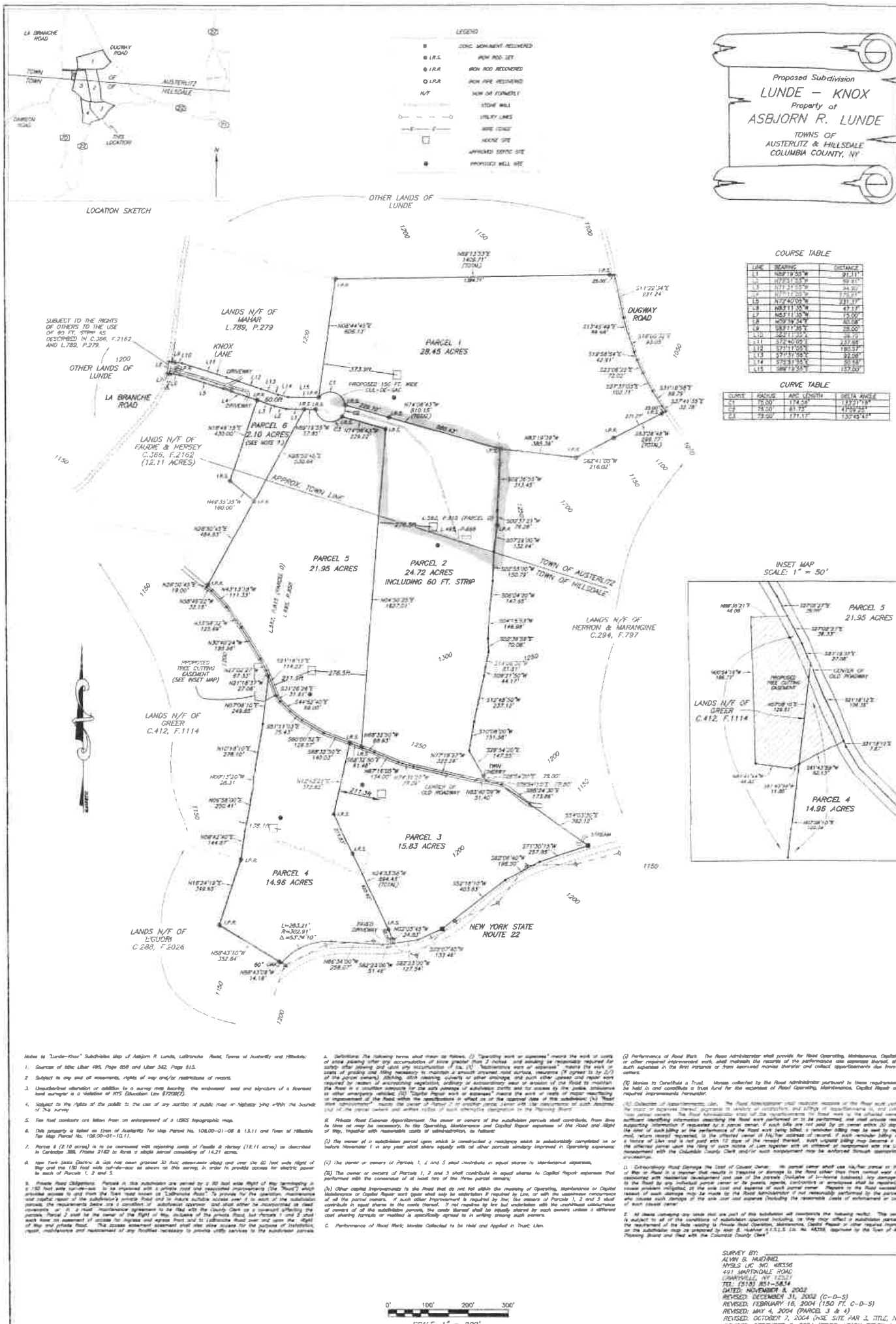
The map is a product of The Chazen Companies, Inc. and is subject to the terms and conditions of the map. The Chazen Companies warrant that the map is a true and accurate representation of the land shown on the map.

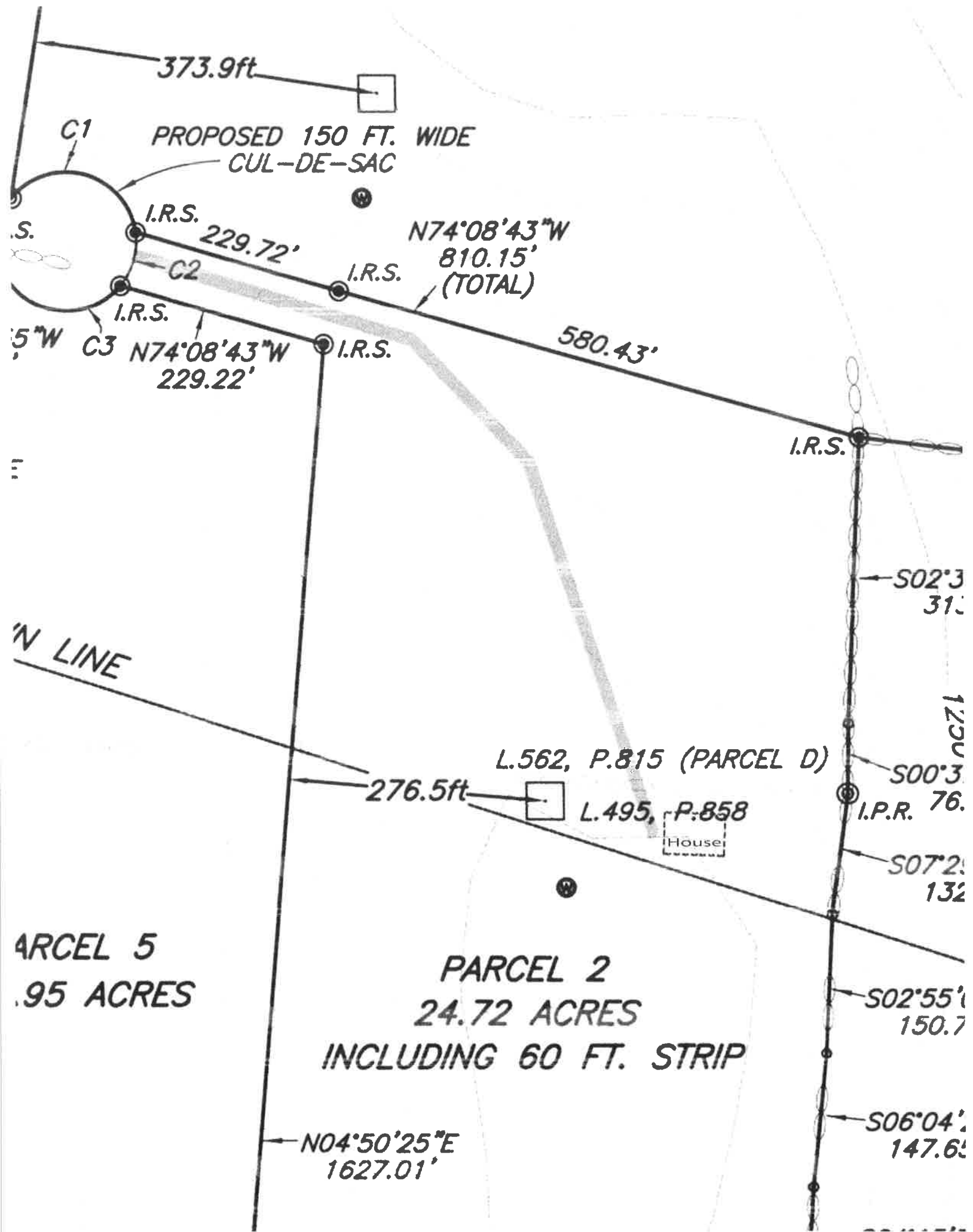
Map of Town of Austertiz, New York, showing zoning districts, roads, and water features. The map is a product of The Chazen Companies, Inc. and is subject to the terms and conditions of the map. The Chazen Companies warrant that the map is a true and accurate representation of the land shown on the map.

Map of Town of Austertiz, New York, showing zoning districts, roads, and water features. The map is a product of The Chazen Companies, Inc. and is subject to the terms and conditions of the map. The Chazen Companies warrant that the map is a true and accurate representation of the land shown on the map.

Client:	C.L.C.
Date:	03/14/2007
Scale:	1"=40,000'
Project:	9004.00
Sheet:	









LOWER HUDSON FORESTRY SERVICES, LLC

P.O. Box 756, Nyack, NY 10960
(845) 270-2071
www.lowerhudsonforestry.com

July 7, 2022

To The Code Enforcement Officer,

The following is a breakdown of the total number of trees 6 inches and greater on tax parcel 106-1-23, located at 38 Knox Lane, which is owned by Mitchell Orchards, LLC. The parcel is 10.6 acres in total of which approximately 9 acres are forested. The remaining acres are either roadway or fields. The purpose of this report is to provide a tree count by diameter and species for review by the town for future agricultural clearing.

Species	DBH Range	# Trees	Vol. Scribner	Pulp Cords
Red maple	6" - 26"	783	3,781	42
Black cherry	6" - 26"	432	3,790	40
Black birch	6" - 12"	81	--	3
White birch	12"	27	--	3
Red oak	20" - 24"	<u>9</u>	<u>1,661</u>	<u>3</u>
Sawtimber Totals		1,332	9,232	Pulp Total 91

Trees per acre = 148

Volume per acre = 1,026 bdft and 10 pulp cords

The majority of this parcel is young trees that were a result of past agricultural field abandonment and natural reforestation. The age of this stand is likely approximately 50-60 years old. The parcel is flat with small rolling hills. The erosion control plan for the clearing would follow the NYS DEC Best Management Practices (BMP's) for Timber Harvesting. These erosion controls will include water bars and rolling dips. All skid trails will be regraded and smoothed upon completion of the project.

Owner: Mitchell Orchards, LLC

38 Knox Lane

Hillsdale, NY 12529

(646) 387-6389

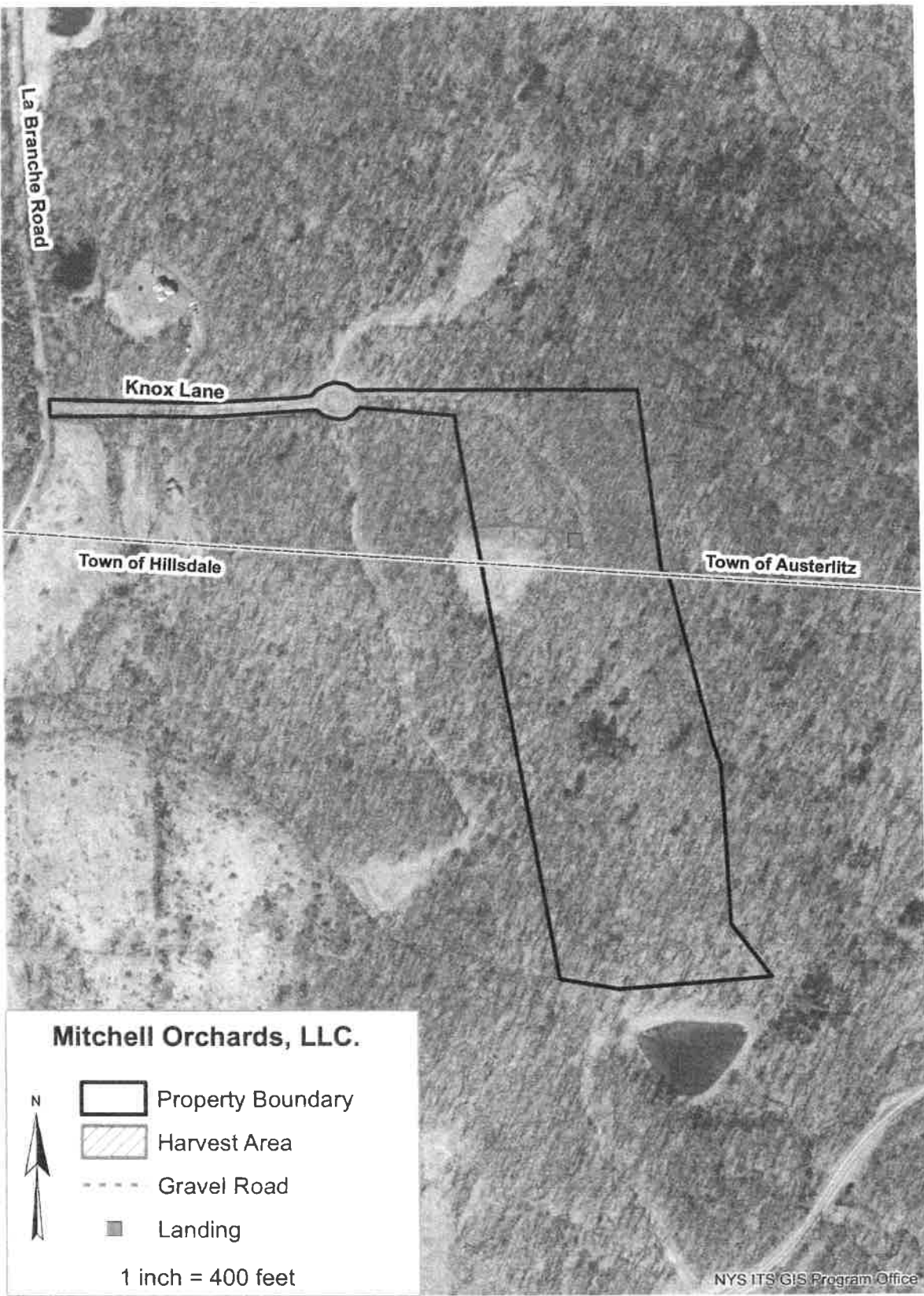
My credentials: I have a BA in Forest Management from UMASS-Amherst in 1997. I have been a professional forester for 23 years. I currently am a NYS DEC cooperating forester, a Watershed forester and a Certified Forester (SAF) since 2008. I am the Town forester for Amenia (Dutchess County).

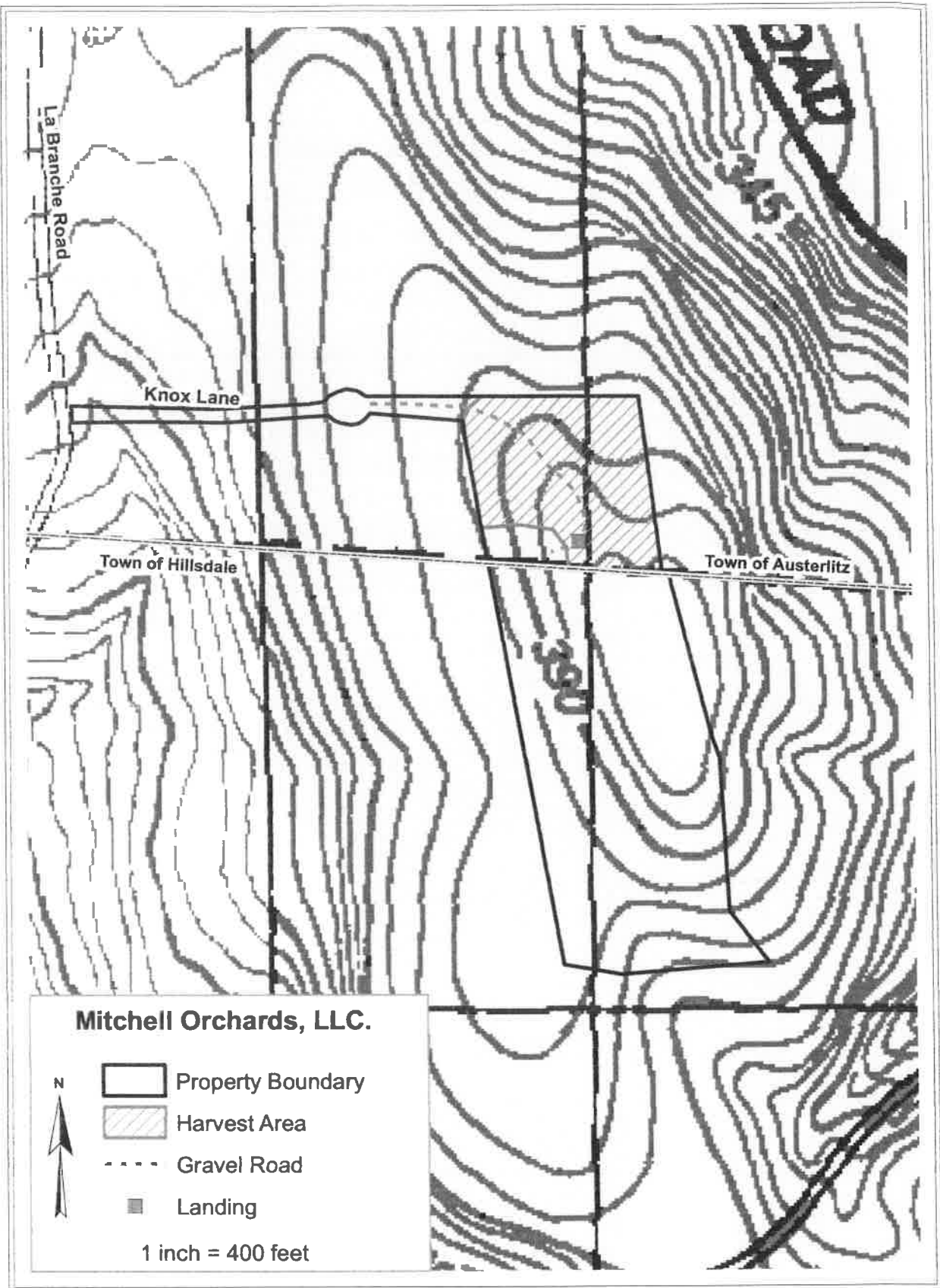
Please let me know if you have any questions. I can be reached at (845) 270-2071 or via email at chris@lowerhudsonforestry.com. Thank you for your time on this matter.

Sincerely,

Christopher Prentis

Christopher Prentis, CF





PL-2022-17

Hi Roc LLC/ David Hamann and Kevin Hartka

104.-1-6.220

Minor Subdivision



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

Application Date: 10 06 2022

Applicant: (Property Owner)

Name: David Hamann, Kevin Hartka Hi-Roc LLC Email: dave@dvhamann.com
Street Address: 298 State 217 Mailing Address: _____
City: Hudson State: NY Zip: 12534 Phone Number: 518-928-9790

Representative: (If Any)

Name: _____ Email: _____
Phone Number: _____

Surveyor or Engineer:

Name: Carl Matuszek
Phone Number: 518-392-2425 License Number: 049790

Tax Map Number: 104. -1 -6.220

Property Location: (Brief Description of Location)

Driveway located on Crow Hill rd, 1 mile north of 21c on left.

Names of Abutting Property Owners:

Melisa Hartka, Agnes Tebolt, John Lange, Carl Matuszek, Stephen Poppel
Hansel Schroder, Barry Waldorf

Easements or Restriction:

none

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

Signature: [Signature]

Title: Owner

Date: 10/06/2022

FOR OFFICE USE ONLY

Project ID _____

SUBMISSION DATES and APPROVALS

Applic, Fees &
Preliminary

Public
Hearing

SEORA
Determination

Final
Approval

Short Environmental Assessment Form

Part 1 - Project Information

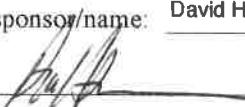
Instructions for Completing

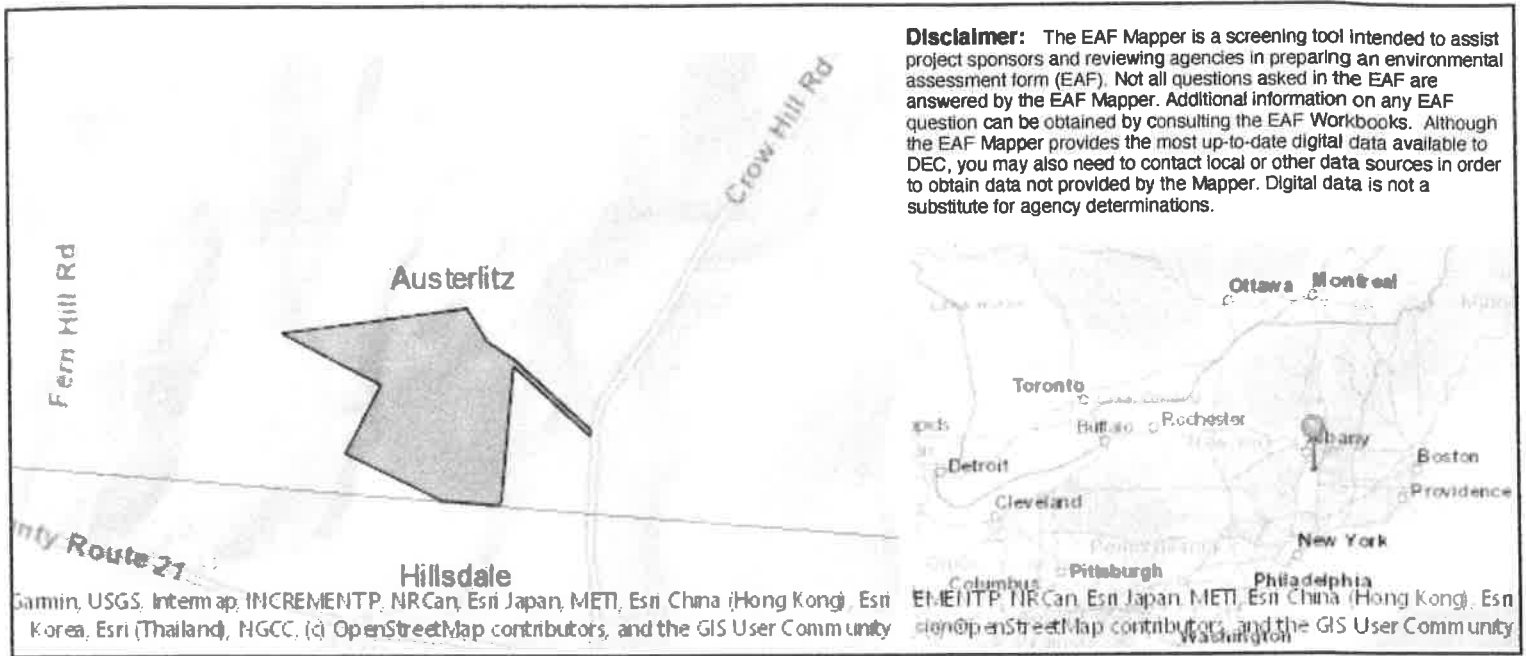
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: Hi-Roc LLC Sub-division			
Project Location (describe, and attach a location map): Approximately 1 mile north of 21C on Crow Hill Rd			
Brief Description of Proposed Action: Sub-division of existing vacant RR parcel into 3 single family residence building lots.			
Name of Applicant or Sponsor: David Hamann, Kevin Hartka Hi-Roc LLC		Telephone: 518-928-9790	
		E-Mail: dave@dvhamann.com	
Address: 298 State 217			
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?			NO <input type="checkbox"/>
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.			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO <input type="checkbox"/>
If Yes, list agency(s) name and permit or approval:			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		51 acres	
b. Total acreage to be physically disturbed?		3 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		51 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input 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,		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?		NO	YES	
If Yes, identify: _____		<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 services 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 the 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?		NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: Proposed new homes will meet or exceed state energy requirements. We plan to include solar and/or geothermal systems in the projects where possible. _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?		NO	YES	
If No, describe method for providing potable water: _____ Drilled water well _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?		NO	YES	
If No, describe method for providing wastewater treatment: _____ BOHA waster water septic system _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<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 type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____				

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	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"/>	<input checked="" type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	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 CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: David Hamann, Hi-Roc LLC Date: 10/06/2022		
Signature:  Title: Owner		



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]	No
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



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: 917 / 1443
INSTRUMENT #: 20200009568

Receipt#: 532366
Clerk: CC
Rec Date: 11/18/2020 11:26:10 AM
Doc Grp: D
Descrip: DEED (NON RES)
Num Pgs: 5
Rec'd Frm: FREEMAN HOWARD PC

Party1: HARTKA MELISSA
Party2: HI ROC LLC
Town: AUSTERLITZ
104.-1-6.220
104.-1-5.100
HILLSDALE
104.-1-6.220
104.-1-5.100

Recording:

Cover Page	5.00
Recording Fee	40.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
CC Supplemental Tax Form	5.00
RP5217 All others - State	241.00
RP5217 - County	9.00

Sub Total: 325.00

Transfer Tax	
Transfer Tax - State	1148.00
Transfer Tax - Columbia C	574.00

Sub Total: 1722.00

Total: 2047.00
**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
Transfer Tax #: 837
Transfer Tax
Consideration: 287000.00

Transfer Tax - State	1148.00
Transfer Tax - Columbia C	574.00

Total: 1722.00

Record and Return To:

FREEMAN HOWARD PC
441 EAST ALLEN STREET
PO BOX 1328
HUDSON NY 12534
BOX 15

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

BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S ACTS

THIS INDENTURE, made November 13, 2020, among Melissa Hartka f/k/a Melissa Monahan, having an address at 2310 Glasco Turnpike, Woodstock, NY 12498 ("Grantor"), and Hi-Roc, LLC, a New York limited liability company, having an address at 298 State Route 217, Hudson, New York 12534 ("Grantee").

WITNESSETH, that Grantor, in consideration of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which hereby are acknowledged, does hereby grant and release unto Grantee, and its successors and assigns forever,

ALL those certain pieces or parcels of land, lying and being in the Towns of Austerlitz and Hillsdale, the County of Columbia, and the State of New York, being more particularly described in Schedule A attached hereto and made a part hereof,

BEING the same premises conveyed by Gunter Wulf a/k/a Gunther Wulf to Melissa Monahan n/k/a Melissa Hartka by deed dated February 1, 2001 and recorded February 16, 2001 in the office of the Columbia County Clerk in Book 373 at Page 1484 and by deed from Carl S. Matuszek and Sharon F. Matuszek to Melissa Monahan n/k/a Melissa Hartka by deed dated February 7, 2001 and recorded February 16, 2001 in the office of the Columbia County Clerk in Book 373 at Page 1490

TOGETHER with all right, title and interest, if any, of Grantor in and to any streets and roads abutting said premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of Grantor in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto Grantee, and its successors and assigns forever.

Grantor covenants that Grantor has not done or suffered anything whereby said premises have been encumbered in any way whatever, except as set forth herein.

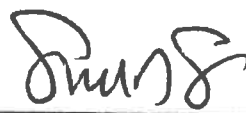
Grantor, in compliance with Section 13 of the Lien Law, covenants that she will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement before using any part of the total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

IN WITNESS WHEREOF, Grantor has duly executed this deed on the date first above written.


Melissa Hartka f/k/a Melissa Monahan

STATE OF NEW YORK, COUNTY OF COLUMBIA, ss.

On the 13th day of November, 2020, before me, the undersigned, personally appeared Melissa Hartka f/k/a Melissa Monahan, 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 which the individual acted, executed the instrument.


Notary Public

SCOTT D. SHALLO
Notary Public, State of New York
No. 02SH5008536
Qualified in Columbia County
Commission Expires 2/22/20 23

R&R:
Matthew J. Griesemer, Esq.
Freeman Howard, P.C.
441 East Allen Street
Post Office Box 1328
Hudson, New York 12534

Issued By:

CHICAGO TITLE INSURANCE COMPANY

Schedule A

COMMITMENT FOR TITLE INSURANCE

No: **CT20-73311**

LEGAL DESCRIPTION

PARCEL ONE:

All that piece or parcel of land situate, lying and being in the Towns of Austerlitz and Hillsdale, County of Columbia and State of New York, bounded and described as follows:

Beginning at a point marked by an iron pipe found driven in the ground in the northwest corner of the lands now or formerly of Carl Richard and Dolores D. Steuerwald (Book 366, Page 241) which said iron pipe is located North 34° 05' 22" West, 910.46 feet from an iron pipe found driven in the ground in the northerly boundary of Crow Hill Road (Columbia County Route 7) and also being the southwesterly corner of the lands now or formerly of Steuerwald and which said iron pipe is distant 2240 +/- feet measured northerly along the westerly boundary of Crow Hill Road from where it intersects with the assumed northerly boundary of Columbia County Route 21; thence running South 19° 18' 57" West, 1255.18 feet along the boundary with the lands of Ruth Adams (Book 394, Page 337) to a point marked by an iron rod found driven in the ground; thence running South 40° 59' 12" West, 239.64 feet along the boundary with the lands of Peter and Hillary Mayers Paden (Book 554, Page 893) to a point marked by an iron rod found driven in the ground; thence running the following courses along a stone wall and wire fence line being the boundary with the lands of Hansel H. Schober (Book 514, Page 425); North 47° 58' 08" West, 161.07 feet; North 48° 54' 24" West, 320.27 feet, North 49° 08' 31" West, 970.97 feet to a point marked by an iron rod set; thence running the following courses along the boundary with the lands of Ruth Adams (Book 394, Page 337); North 42° 26' 19" East 665.69 feet to a point marked by an iron rod set; North 47° 16' 41" West, 1006.25 feet to a point marked by an iron rod set; South 82° 04' 59" East, 1717.82 feet measured along the boundary with the lands of now or formerly of George F. Tebolt, and Gunther and Lisa Wulf, formerly Ruth Adams (Book 394, Page 337) to a point marked by an iron rod set; thence running the following courses along the boundary with the lands of Thomas J. Scarano, Gunther Wulf and George Tebolt (Book 532, Page 841); South 15° 58' 06" East, 330.72 feet partially along a stone wall; South 39° 50' 14" East, 264.72 feet, partially along a stone wall, South 44° 29' 21" West, 6.00 feet to the point of beginning, and as more particularly set forth as Parcel No. 3 on a survey map entitled "Land of George F. Tebolt and Gunther and Lisa Wulf to by Conveyed to: Parcel No. 1 - Manuel Duarte, Parcel No. 2- George F. Tebolt, Parcel No. 3 - Gunther and Lisa Wulf, Towns of Austerlitz and Hillsdale, County of Columbia, State of New York, reference Deed Book 394, Page 337", as surveyed by Raymond C. Gemme, dated November 28, 1983. Said survey map has been filed in the Columbia County Clerk's Office as Map No. 8146.

Together with a 50-foot wide right-of-way beginning at an iron pipe marking the intersection of the southwesterly corner of the lands of Steuerwald (Book 366, Page 241), the northeasterly corner of the lands of Steuerwald (Book 366, Page 241), the northeasterly corner of the lands of Adams (Book 394, Page 337) and the westerly boundary of Crow Hill Road and extending from the westerly boundary of Crow Hill Road through the lands of Adams and being parallel with and 50 feet distant from the stone wall being the boundary between the lands of Adams and Steuerwald to the iron pipe marking the point of beginning of the above described parcel; the bearing and distance along the stone wall between the iron pipes being North 34° 05' 22" West, 910.46 feet.

PARCEL TWO:

All that 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:

Beginning at a point marked by an iron pipe found driven in the ground in the westerly boundary of Crow Hill Road (Columbia County Route 7) and which said point is distant 2240 +/- feet measured northerly along the westerly boundary of Crow Hill Road from where it intersects the northerly boundary of Columbia County Route 21; thence running the following courses along the westerly boundary of Crow Hill Road; South 16° 32' 41" West, 62.59 feet; South 17° 26' 24" West, 2.05 feet to a point; thence running North 34° 05' 22" West, 914.31 feet along the boundary with Lot No. 2 being other lands of Carl S. and Sharon F. Matuszek (Book 589, Page 316) to a point; thence running North 19° 18' 57" East, 62.28 feet along the boundary with the lands now or formerly of Gunther Wulf and Lisa Wulf (Book 576, Page 443) to a point marked by an iron pipe found driven in the ground; thence running South 34° 05' 22" East, 910.46 feet along a stone wall being the boundary with the lands now or formerly of Martin and Ina B. Hoffman (Book 601, Page 417) to the point of beginning.

The bearings are based on magnetic North October 1974. Survey and description compiled by Carl S. Matuszek, Licensed

This Commitment is valid only if Schedule B is attached.

Issued By:

CHICAGO TITLE INSURANCE COMPANY

Schedule A

COMMITMENT FOR TITLE INSURANCE

No: CT20-73311

LEGAL DESCRIPTION - CONTINUED

Land Surveyor in New York State. Survey is titled "Subdivision of Lands of Carl S. and Sharon F. Matuszek" and is dated December 5, 2000, revised December 29, 2000, and filed in the Columbia County Office as Map No. 01-20.

Subject to the reserved rights in Liber 571 of Deeds at page 836. Subject to merger notes and other notes on Filed Map No. 01-20.

