

TOWN OF AUSTERLITZ

Columbia County
New York

Lee Tilden

Planning Board Chairman

**Planning Board Meeting/Public Hearing
June 3, 2021
7:00 p.m.**

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

- 1.) Public Hearing: PL-2021-04 Minor Subdivision Goggins**
- 2.) Public Hearing: PL-2021-05 Minor Subdivision Davis**
- 3.) Open Regular Planning Board Meeting**
- 4.) Moment of Silence, Followed by the Pledge of Allegiance**
- 5.) Roll Call**
- 6.) Minutes**
- 7.) Old Business**
 - A.) PL-2021-04 Minor Subdivision Goggins**
 - B.) PL-2021-05 Minor Subdivision Davis**
 - C.) PL-2021-06 Colton**
 - D.) PL-2021-03 Boundary Line Adjustment Vieni**
- 8.) New Business**
 - A.) PL-2021-07 Minor Subdivision Helmrath**
 - B.) PL-2021-08 Solar Folco**
- 9.) Public Comment**
- 10.) Adjournment**

Town of Austerlitz
Planning Board Meeting
May 6, 2021

The May 6, 2021 Planning Board Meeting was held via Zoom in accordance with the Governor's Executive Order 202.1. Meeting instructions were on the Town website.

Present: Lee Tilden, Chair, Deborah Lans, Jane Magee, Eric Sieber and Perry Samowitz, Members. Susan Haag, Town Clerk also present.

Joseph Catalano, Attorney for the Town, joined the meeting at 7:45 p.m.

Public Hearing for Planning Board Project PL-2021-02, Special Use Permit Crown Castle as agent for T-Mobile.

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

Town Clerk Haag noted that the public hearing notice was legally posted April 13, 2021 in the Hudson Register Star.

Richard Zajak gave a brief description of the project noting that the proposed project consists of T-Mobile proposing to add eight (8) antennas and ancillary equipment to existing cell tower. T-Mobile also proposing a 16'x21' compound expansion to accommodate new equipment cabinets as well as a 40 kw diesel backup generator. R. Zajak continued stating that notices were sent to the adjoining property owners on April 19, 2021. R. Zajak also submitted an authorization letter from Goosetown Network Services LLC to the Planning Board. Chairman Tilden noted that all notification paperwork is in the file.

Town Clerk advised Chair Tilden that no emails or letters in the mail were received to date on this project.

No one wished to make a comment. Chairman Tilden advised that he would move onto other business and give the public until 7:15 p.m. to come onto the Zoom meeting and make a comment.

James Newberry questioned the backup generator fuel consumption rates and the run times. R. Zajak advised that these generators will typically recycle every 2 weeks or so and he is not sure of the fuel consumption rates but is sure they are in the paperwork provided. J. Newberry mentioned 20 minutes tops. Planning Board Member Samowitz asked if the time these ran could be determined and R. Zajak answered yes. The noise level is typical to a window air conditioner.

All those wishing to be heard were heard.

A motion to close the public hearing was made by P. Samowitz and seconded by E. Sieber.

Roll call

Lee Tilden: yes

Deborah Lans: yes
Eric Sieber: yes
Perry Samowitz: yes
Jane Magee: yes
Motion carried 5:0 Public Hearing closed at 7:23 p.m.

Reference Material
JUN 03 2021
Planning Board Meeting

Regular Meeting called to order at 7:06 p.m.

Moment of Silence, followed by Pledge of Allegiance.

Minutes

A motion to accept the April 1, 2021 Public Hearing and Regular Planning Board Meeting minutes was made by J. Magee and seconded by P. Samowitz.

Roll call

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

New Business

Planning Board Application PL-2021-04

Property Owner: Walton Goggins, Jr.

Applicant: Walton Goggins, Jr.

Representative: Daniel Russell

Project Property: 135 LaBranch Road (Both Sides of the Road) SBL:106.-1-4.112

Zoning: Rural Residential

Project: Minor Subdivision-Original acreage 124.01 dividing into 2 parcels: 112.279 acres and 11.731 acres.

Representative Dan Russell gave a description of project noting that the applicant is requesting that a parcel containing 124.01 acres be subdivided into 2 parcels, 112.279 and 11.731. The 11.731 parcel will be sold. The septic approval was submitted and D. Russell is waiting on a driveway placement approval from Highway Superintendent Robert Meehan. R. Meehan has given a verbal okay.

Walton Goggins stated to the Planning Board that he is excited to be a member of this community. He has been coming to this area for 16 years as his family owns property in Chatham. W. Goggins and his wife's best friends will be the buyers of the 11.731 parcel.

Chairman Tilden reviews the file and questions D. Russell concerning the water main easement. D. Russell explained that the previous owner, A. Lunde, originally owned additional lands and specially, the land now owned by Papas. There is a pipe that runs from a pond on the Papas property to the Goggins property to which A. Lunde reserved an easement to get water from this pond. This is not being used and has nothing to do with the current use of the Goggins property.

There is no dependence on this water pipe. In addition, this pipe does not go across the road to the 11.731 acre property that is to be subdivided off and sold.

A motion to declare that application PL-2021-04 is an unlisted action under SEQRA was made by D. Lans and seconded by J. Magee.

Roll call

Lee Tilden: yes

Deborah Lans: yes

Eric Sieber: yes

Perry Samowitz: yes

Jane Magee: yes

Motion carried 5:0

Reference Material

JUN 03 2021

Planning Board Meeting

A motion to declare application PL-2021-04 complete and to schedule a public hearing for June 3, 2021 at 7:00 p.m. was made by D. Lans and seconded by P. Samowitz.

Roll call

Lee Tilden: yes

Deborah Lans: yes

Eric Sieber: yes

Perry Samowitz: yes

Jane Magee: yes

Motion carried 5:0

D. Russell advised that he will send out the legal notice to the neighbors. Planning Board Member Lans asked that these notices be sent out as soon as possible since the mail has been delayed at times.

Planning Board Application PL-2021-05

Property Owner: Roberta Davis

Applicant: Roberta Davis

Representative: Daniel Russell

Project Property: 131 Schoolhouse Road (Both Sides of the Road) SBL:105.-1-3

Zoning: Rural Residential

Project: Minor Subdivision-Original acreage 116.887 dividing into 2 parcels: 33.112 acres and 83.775 acres.

Representative Dan Russell advised that the applicant is requesting that a parcel containing 116.887 acres be subdivided into 2 parcels of 33.112 acres and 83.775 acres. A portion of this acreage is in the Town of Hillsdale. This project does not need septic or driveway approval since an existing house is already there. D. Russell came to the Town of Austerlitz first and will apply to the Town of Hillsdale next.

Chairman Tilden noted that the file has all the paperwork. Planning Board Member Sieber questioned that there seems to be a driveway that goes to 2 other parcels of land. Is there a road maintenance agreement in place? D. Russell explained that what Member Sieber is looking at is Taylor Hollow Road which is a Town road. Part of Taylor Hollow road was abandoned by the

Town and is now a deeded easement. For a minor subdivision application, D. Russell does not feel that a road maintenance agreement is needed. D. Russell advised that this deeded easement does not go away with the acreage to be split out.

A motion for the Town of Austerlitz to be the lead agency in application PL-2021-05 for SEQRA purposes was made by P. Samowitz and seconded by J. Magee.

Roll Call

Lee Tilden: yes

Deborah Lans: yes

Eric Sieber: yes

Perry Samowitz: yes

Jane Magee: yes

Motion carried 5:0

A motion to declare application PL-2021-05 an unlisted action under SEQRA was made by J. Magee and seconded by D. Lans.

Roll Call

Lee Tilden: yes

Deborah Lans: yes

Eric Sieber: yes

Perry Samowitz: yes

Jane Magee: yes

Motion carried 5:0

Reference Material
JUN 03 2021
Planning Board Meeting

A motion to declare application PL-2021-05 complete was made by E. Sieber and seconded by P. Samowitz.

Roll Call

Lee Tilden: yes

Deborah Lans: yes

Eric Sieber: yes

Perry Samowitz: yes

Jane Magee: yes

Motion carried 5:0

A motion to schedule a public hearing for application PL-2021-05 for June 3, 2021 at 7:15 p.m. was made by D. Lans and seconded by J. Magee.

Roll Call

Lee Tilden: yes

Deborah Lans: yes

Eric Sieber: yes

Perry Samowitz: yes

Jane Magee: yes

Motion carried 5:0

Planning Board Application PL-2021-06

Property Owner: Michael Colton

JUN 03 2021

Applicant: Michael Colton

Representative: Kevin Thiemann

Planning Board Meeting

Project Property: 63 Norton Road SBL:69.-1-5.100 and 69.-1-10

Zoning: Rural Residential

Project: Conveyance of a driveway with the sale of lot 1 by means of an easement agreement.

Requesting the Planning Board to grant transfer of this driveway by means of a lot line adjustment between the various parcels (lots 1,2,3,4), with the driveway being consolidated with lot #1 or lot #2 by means of a minor subdivision which would approve the driveway as a separate lot which would then be combined with lot #1.

Attorney Thiemann representing Applicant Michael Colton asked for the Planning Board's guidance concerning this project to ascertain if this project should be considered a minor subdivision or a boundary line adjustment. Attorney Thiemann noted that the 45 acres shown on the submitted map are not part of the 1986 subdivision application and the driveway is still part of the 45 acre parcel. The applicant would like to join the driveway with parcel #1.

Chairman Tilden advised that he is leery of doing any additional subdivision because the 1986 minutes state that no additional subdivisions are allowed. There are no written descriptions in the file to give a clear understanding of specifics.

Attorney Thiemann noted that the driveway abuts parcels 4 and 3 and runs through the 45 acre parcel and gives access to parcel 1 and 2. There is a house on parcel 1, parcel 4 is an office for M. Colton. Chairman Tilden would need a more detailed map to understand this request better. Attorney Thiemann understands and will provide whatever the Planning Board requires. K. Thiemann approached the Board to understand how the Board would like to proceed.

Clarification was made as to where on the map the 45 acres is shown noting it is on the bottom section of the 4 parcels. The driveway runs through the 45 acre parcel. Attorney Thiemann states that M. Colton is looking to move the driveway itself and attach it to parcel #1, not actually moving the driveway boundary line. Planning Board Member Sieber stated that this seems to leave the rest of the parcels without access. Attorney Thiemann advises that an easement agreement would be put in place for the other parcels to use this driveway.

The subdivision question was discussed noting that the Planning Board really needs to see a better description of what is being asked and how this will look. Member Sieber noted the zoning regulations concerning subdivisions and the number of allowable parcels. This was framed within the 1986 project parameters.

Planning Board Member Lans asked what is being accomplished by this change. Attorney Thiemann stated that M. Colton wants to sell parcel #1. By combining the driveway with this parcel, it eliminates road maintenance and liability for access over this driveway. Access would be granted by easement and a road agreement without M. Colton being responsible for the roadway itself. There is no road maintenance agreement in place currently because M. Colton still owns all the parcels. Planning Board Member Sieber states that the current Zoning Code now requires a road maintenance agreement for the number of parcels in play in this project.

Chairman Tilden notes again that a boundary line adjustment through a parcel does not seem workable when the driveway is actually moving instead and subdividing the driveway out as an additional parcel is not allowed per the 1986 minutes. Chair Tilden asked for a more descriptive drawing of the whole area in play so the Planning Board can better see what is being asked.

Member Lans asked if a road maintenance agreement can be done between the 4 parcels where the buyer of parcel 1 understands what he has to undertake. Attorney Thiemann believes it can be done that way, but for issues of road maintenance responsibility and liability he would prefer to combine the driveway with parcel 1 and put an easement in place.

In addition to a larger scale map showing a better depiction of the project, Member Lans would like to see the deeds as well. Chairman Tilden noted when these items are received the Board can revisit this project and help M. Colton come to a resolution. Attorney Thiemann will submit the requested documentation for the next Planning Board meeting.

Attorney Catalano believes that what M. Colton is looking to do can be accomplished with an easement and road maintenance agreement putting all the burden on parcel 1. With the permission of the Planning Board, Attorney Catalano will speak with Attorney Thiemann. Permission was granted.

Old Business

Planning Board Application PL-2021-03

No new map submitted to date.

Planning Board Application PL-2021-02

Property Owner: Goosetown Network Services LLC

Applicant: Richard Zajac/Crown Castle as agent for T-Mobile

Project Property: 321 West Hill Road SBL:87.-2-51.112-1

Zoning: Rural Residential

Project: The proposed project consists of T-Mobile proposing to add eight (8) antennas and ancillary equipment to existing cell tower. T-Mobile also proposing a 16'x21' compound expansion to accommodate new equipment cabinets as well as a 40 kw diesel backup generator.

Chairman Tilden noted that the Planning has a completed application and a closed public hearing, so the Board will move to part 2 of the short form SEQRA review. The applicant completed part 1. Chairman Tilden read each question in part 2 of the SEQRA form and he and each member responded no or small impact for every question.

A motion to declare that SEQRA part 2 as prepared by the Planning Board for application PL-29021-02, that the project will not result in a significant or an adverse environmental impact was made by E. Sieber and seconded by J. Magee.

Roll Call

Lee Tilden: yes

Deborah Lans: yes

Eric Sieber: yes

Perry Samowitz: yes

Reference Material

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Planning Board Meeting

Jane Magee: yes
Motion carried 5:0

A motion to approve application PL-2021-03 for minor alterations to the tower on 321 East Hill Road to add antennas, minor electrical appliances, backup generator, 16x2 addition to fenced in area as describe in the application was made by D. Lans and seconded by E. Sieber.

Roll Call

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

Reference Material

JUN 03 2021

Richard Zajak thanked the Planning Board.

Planning Board Meeting

Planning Board Application PL-2021-01.

Property Owner: 648 Rte 203 LLC, Dale Madsen
Applicant: Taconic Engineering, DPC, Andy Didio
Project Property: 648 State Route 203 SBL:86.-2-10
Zoning: Rural Residential

Project: The proposed project consists of building a 4800 sf building, 26.4' tall at ridge line, 1 story and using the building for storage of construction equipment and materials.

Chairman Tilden asked the Planning Board if they had a chance to see all the submissions that came throughout the day.

Applicant Andy Didio advised the Planning Board what Taconic Engineering had submitted per the request of the Board. An updated site plan was submitted showing the material and equipment storage and the additional screening. Between the April Planning Board meeting and tonight's meeting, A. Didio noted the letter received from Attorney James Potter. A Didio submitted a response. Attorney Potter submitted an additional letter that A. Didio just received and answered as follows:

1. NYSDOT concerns: A. Didio stated that the Planning Board voted for an unlisted action under SEQRA and because of this, the NYSDOT does not have to be an involved agency. A. Didio cited law sections. It is appropriate that the Planning Board is the lead agency. A. Didio read an email from Tina Reilly, Permit Engineer NYSDOT, stating what was done with the NYSDOT ahead of the submitted application. This letter stated that T. Reilly did meet at the project site with Dale Madsen and conceptually agreed that the current location of his temporary access meets the criteria for a permanent location. There was an agreement that Mr. Madsen can proceed with site plan approval and understanding that a NYSDOT permit application is forthcoming. A. Didio stated that this project does not rise to the SEQRA level of NYSDOT being an involved agency, but rather they are an interested party.

2. SHPO: A. Didio has seen nothing that states that the State Historic Preservation Office has to be an involved agency with an unlisted action. A note was added to the site plan that if anything of historic value was found during construction, the work would stop. This is the customary procedure issued by SHPO. A. Didio advised that the Planning Board could add to this by indicating that proper notifications will also be made. A. Didio advised that the closest Nationally Registered building is over 2000 feet from the project and the Spencertown Historic District is over a ½ mile away. It was proper for the Planning Board to find that there was no significant impact on the SEQRA form.
3. Site Plan Updates: A. Didio noted that Attorney Potter's letter suggests that there have been secrets kept by the applicant and the application is incomplete. There have been discussions concerning the storage of material and equipment between the Planning Board and the applicant. These discussions prompted the requirement for these storage areas to be noted on the site plan. J. Potter suggests that the question of the inclusion of fuel storage was sprung on the Planning Board. A. Didio noted that the possibility of fuel storage was included in the project narrative when the application was submitted. These fuel tanks have been discussed with the Planning Board who also asked for this to be added to the site plan. These are 2 1000 gallon tanks that have to be monitored by the NYSDEC. A. Didio advised that the Planning Board can add a provision that the NYSDEC bulk storage regulations shall be complied with even if only one tank is installed. Discussion was heard concerning the NYSDEC regulations parameters.

A. Didio responded to the additional letter from Attorney Potter that was submitted to the Planning Board late this afternoon which he just received. A. Didio spoke concerning a segmented review process as suggested by Attorney Potter. A. Didio explained what a segmented review process was under the law noting that nothing the applicant is proposing is rising to the level of a segmented project that requires a different SEQRA review process. The Planning Board asked for items to be added to the site plan and they were. The applicant is not pitching a project that will have future add-ons. This is a single and complete application.

Much of the additional comments in Attorney Potter's letter have already been discussed. A. Didio noted that the application has been complete. What was added to the site plan was asked of by the Planning Board as a natural outcome of discussions as the project moved through the process. Items were asked for and provided.

Access to the fuel tanks and filling is done as it would be for a residential property.

A. Didio stated that the Planning Board has reviewed this application under the proper procedures and the applicant has done everything appropriately and with sensitivity to the neighbors. The applicant has demonstrated that he is willing to work with the Planning Board and with the neighbors.

Attorney Catalano noted that at the April Planning Board meeting a resolution was adopted that included decisions made. The Planning Board concluded there was no significant or adverse effect for SEQRA, a Special Use Permit was approved and a Site Plan approval was held over to this month for approval due to modifications that the Planning Board asked to have included. What is before the Planning Board tonight based on this process, is to approve or deny the Site

Reference Material

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Plan application. The decision made last month was made under the understanding that the NYSDOT had given an application approval. Although the Planning Board did not ask the applicant to put the fuel tanks on the Site Plan, the applicant offered to add these. The Planning Board needs to discuss these two areas. Does the Planning Board still feel comfortable with the SEQRA determinations already made knowing that the NYSDOT has not given a final or formal approval.

Planning Board Member Lans asked for clarification for the NYSDEC oversight concerning the fuel tanks.

Concerning NYSDOT issues on SERQA, does the Planning Board Members feel the original conclusion under SEQRA are still the same.

By roll call

D. Lans feels that the SEQRA is good. D. Lans was concerned over the safety of the traffic, not if there is an impact of more traffic.

P. Samowitz: yes

E. Sieber: Asked if Attorney Potter was present to speak in relation to his concerns. He was advised that J. Potter did receive a zoom invite, but is not present. E. Sieber would not change his vote on SEQRA.

Reference Material

J. Magee: Would not change anything on SEQRA.

L. Tilden: Would not change anything on SEQRA

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Attorney Catalano ask the Planning Board if they were still in agreement concerning the archeological resources section. Does the Planning Board want to add anything else on the Site Plan or is the Planning Board fine with what is already in place?

Planning Board Meeting

By roll call

D. Lans: Comfortable with what is in place. Believes there is already a notation on the Site Plan that is sufficient.

P. Samowitz: Is fine

E. Sieber: Is fine

J. Magee: Is fine

L. Tilden: Is fine. There are notations on the Site Plan. Applicant will add additional notation.

Attorney Catalano questioned the Planning Board with respect to the fuel storage. Is the Planning Board comfortable with anything in the Site Plan that was not subject to the public hearing? Was the pumping station and bulk storage discussed at the public hearing and is the Planning Board comfortable with this being covered?

By roll call

D. Lans: Does not believe the storage area was discussed at the public hearing.

P. Samowitz: Does not remember the fuel tanks being discussed.

E. Sieber: Changes made to the Site Plan reflect what was heard at the public hearing. The bulk storage was a way to mitigate what was heard. The fuel tanks were noted as a future feature.

J. Magee: The applicant has been responsive to concerns and what is before the Planning Board currently J. Magee is comfortable approving with the fuel storage notation and that the applicant will comply with the NYSDEC rules and regulations.

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L. Tilden: Can not recall if fuel storage was discussed. The thought though is that this business is obviously going to use fuel. The amount to be stored is not egregious and will be monitored by the NYSDEC. This is a response to what was brought to the Planning Board.

A. Didio noted that these are free standing above ground tanks with leak protection and a secondary containment is required. There is leak protection monitoring. A. Didio advised that D. Madsen would be fine with only putting in 1 1000 gallon tank with safety requirements by the NYSDEC.

Attorney Catalano advised that based on the Planning Board's previous process and the process at tonight's Planning Board meeting, the Planning Board needs to review the modified Site Plan and decide whether to deny the application, approve the application or approve the application with additional conditions. This decision must be made within 62 days of the public hearing or the application is deemed approved.

Attorney Catalano advised that since it appears that the Planning Board is comfortable with the process to date, it can put a few conditions on the Site Plan. Per the Planning Board direction, J. Catalano outlined the conditions as follows:

1. No construction or site work until there is driveway approval from the NYSDOT.
2. The Planning Board or the applicant should send a copy of the application, the resolution and the modified site plan to the NYSDOT. The Planning Board could include a cover letter to the NYSDOT that requests trucks entering or exiting this driveway would not adversely affect the safety of the traffic along this route. Member Samowitz asked that the letter include that the NYSDOT look at adding signage along this stretch of State Route 203. Chairman Tilden would like the applicant to submit the paperwork to the NYSDOT with a copy to the Planning Board. Chairman Tilden will send a letter to the NYSDOT on behalf of the Planning Board expressing their safety concerns.
3. A notation should be made on the map that states if any artifacts are discovered during construction or excavation on the site that have historical significance, all work stops, SHPO is notified. The consensus of the Planning Board is that what is already noted on the maps is sufficient.
4. The Planning Board needs to decide if it is comfortable with the fuel storage. There can be conditions surrounding this or it can be taken off the Site Plan until there is an approval by the NYSDEC. If the Planning Board would like to approve this, J. Catalano suggests that the Planning Board put some parameters around the fueling hours to avoid trucks idling at certain times of the day. Member Sieber asked what would be in these tanks. A. Didio advised that one would have road diesel for trucks and one would have off-road diesel for excavators and other equipment. Chair Tilden asked if the equipment comes to the site for fueling or is the fuel put into a transportation tank for fueling offsite. D. Madsen advised that normally fueling is done in the afternoon to be ready for the morning. Some service trucks are used to carry the fuel to the project site. Electric fueling is done which is virtually silent. Consensus of the Planning Board is to only have a note added to the site plan that vehicles will not be left idling while fueling and left idling while unattended.

5. Attorney Catalano asked if the Planning Board is comfortable with the screening that is already noted on the Site Plan. The consensus of the Planning Board is that they are fine with what is already noted.

Member Sieber noted that 3 members of the public would like to speak. A. Didio commented that a public hearing was already held and closed. Chairman Tilden advised that there was a public hearing that was held and the Planning Board heard comments made at that time. Currently the Planning Board is in the midst of deliberations.

Chair Tilden polls the Planning Board if all are comfortable with the current conditions on the table and if any other conditions should be stipulated. Consensus of the Planning Board is that they are comfortable with the current stipulated conditions.

A motion was made by L. Tilden and seconded by E. Sieber to approve the Special Use Permit, Resolution and Site Plan as discussed with the following conditions: No construction will occur without NYSDOT driveway approval; Applicant shall send paperwork to the NYSDOT for driveway approval and the Planning Board will send a letter to the NYSDOT noting the safety concerns, added signage and site view concerns; and vehicles shall not be left to idle unattended outside of building.

Roll Call

Lee Tilden: yes

Deborah Lans: yes

Eric Sieber: yes

Perry Samowitz: yes

Jane Magee: yes

Motion carried 5:0.

Reference Material

JUN 03 2021

Planning Board Meeting

Chairman Tilden thanks the Planning Board and Attorney Catalano.

Dale Madsen thanks the Planning Board for their time and consideration.

Public Commit

Erlyn Madonia takes umbrage that she was not allowed to talk during deliberations. In consideration of openness and transparency, E. Madonia does not understand why 3 people could not have spoken before the vote. Although Mr. Madsen seems very responsible, there is the future to consider. If Mr. Madsen puts in one 1000 gallon tank, he is not under any regulations, whereas if he puts in 2 1100 tanks there are regulations. E. Madonia would have like to have seen a condition to ensure that regulations are met regardless of the number or size of tanks involved.

Maureen Wilson would like go on record to the Planning Board that the Town Attorney suggested that because these tanks or pumping station was not discussed at the public hearing this could be an issue. Yet, the Planning Board approved this anyway. In addition, M. Wilson finds it interesting that the person speaking for the applicant advised the Planning Board as to what they should do and the public was not allowed to speak.

Jim Mannion asked everyone that was on the zoom meeting tonight, if they had a piece of property worth a million dollars and learned that a business was coming next door with fuel tanks and this would drop the worth of your property by 50% in value, how would you vote. How would you feel? J. Mannion feels it is disgraceful that the public was not allowed to speak before the vote. This decision was all set to go before the public hearing. Mr. Madsen has lived in the Town for his whole life. J. Mannion has lived in Town for 15 years, put a fortune in his property and now it will not be worth anything.

Attorney Catalano made note that the applicant had made an offer to abide by the NYSDOT regulations regardless of the tank size and number and this will be part of the terms of approval to which Chair Tilden stated that this is correct.

Chairman Tilden thanks Attorney Catalano and his fellow Planning Board Members for all the hard work and feels that the Planning Board process was above board. L. Tilden stated that he did not allow the public to speak before the vote tonight because there was a public hearing and he did not think the comments would change. The Planning Board deliberated this correctly and did not change their opinion. L. Tilden feels that the Planning Board handled this process in a way that was fair to all parties concerned.

Attorney Catalano expressed his admiration to the Planning Board for being full and frank in discussing this project not only in tonight's meeting, but in previous meetings. This project is an allowed use pursuant to the site plan and special use process under the Town of Austerlitz' Zoning Code. The Planning Board has to follow the Zoning Code and make the best decision possible and J. Catalano believes the Planning Board did that. Chair Tilden agrees with this.

Chair Tilden noted that he will be having surgery and the Planning Board currently does not have a Deputy Chairman. Chair Tilden would like to ask if Member Lans would step into this roll, especially for signatory duties.

A motion to appoint Deborah Lans as the Deputy Chairman for the remainder of the 2021 year was made by L. Tilden and seconded by P. Samowitz.

Reference Material

Lee Tilden: yes

Deborah Lans: yes

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Eric Sieber: yes

Perry Samowitz: yes

Planning Board Meeting

Jane Magee: yes

Motion carried 5:0.

Chair Tilden also advised that he would like to look at the subdivision application. There are revisions that are needed. This will be brought back to the Planning Board for approval.

Adjournment

A motion to adjourn was made by J. Magee and seconded by D. Lans.

Lee Tilden: yes

Deborah Lans: yes

Eric Sieber: yes

Perry Samowitz: yes

Jane Magee: yes

Motion carried 5:0. Meeting adjourned at 9:23 p.m.

Respectfully Submitted,
Susan Haag, Town Clerk

Reference Material

JUN 03 2021

Planning Board Meeting

PL-2021-07

Helmraath

Subdivision

Reference Material
JUN 03 2021
Planning Board Meeting

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

Application Date: 5/9/2021

Applicant: (Property Owner)

Name: Peter Cox Helmrath **Email:** pbpunsit@aol.com
Street Address: 264 Mallory Rd **Mailing Address:** Same
City: Chatham **State:** NY **Zip:** 12037 **Phone Number:** 518-392-3483

Representative: (If Any)

Name: Nathan Burrows **Email:** nathan@nmbsurvey.com
Phone Number: 518-376-4630

Surveyor or Engineer:

Name: Nathan Burrows L.S.
Phone Number: 518-376-4630 **License Number:** 50,724

Tax Map Number: 95-1-32

Property Location: (Brief Description of Location)

Property is located at the intersection of Punsit and Mallory Road

Names of Abutting Property Owners:

See attached sheet

Easements or Restriction:

None

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

Signature: Peter Cox Helmrath

Title: Property Owner

Date: May 9, 2021

FOR OFFICE USE ONLY
SUBMISSION DATES and APPROVALS

Project ID _____

**Applic, Fees &
Preliminary**

**Public
Hearing**

**SEQRA
Determination**

**Final
Approval**

**Peter Cox Helmrath Minor 2 Lot Sub-Division
List of Abutting Property Owners**

Makany Views Farm LLC
147 Mallory Rd
Ghent, NY 12075

Ronald H Wong
Cathy Bau Wong
PO Box 288
Spencertown, NY 12165

The Renato Valente Revocable Trust
172 Punsit Rd
Chatham, NY 12037

Edwin Barden
Carissa R Fair
99 Punsit Rd
Chatham, NY 12037

Charles A. Helmrath
Meredith A. Helmrath
264 Mallory Rd
Chatham, NY 12037

William Marshall Helmrath
CMR 414 Box 2068 Dr
APO, AE 09173

Bridget Besaw
Alexis Amit
42 Society St
Charleston, SC 29401

William Michaelcheck
620 Park Ave
New York, NY 10065

Samuel W Dawson
295 Dawson Rd
Hillsdale, NY 12529

Greenberg Lee LLC
450 W 33rd St Fl 12
New York, NY 10001

Thomas E Weber
Tracey D Weber
645 West End Ave Apt 7D
New York, NY 10025

Reference Material
JUN 03 2021
Planning Board Meeting

617.20
Appendix B

Short Environmental Assessment Form

JUN 03 2021

Planning Board Meeting

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: Minor 2 Lot Subdivision, Lands of Peter Cox Helmraht				
Project Location (describe, and attach a location map): Project is located at the intersection of Punsit and Mallory Road, (264 Mallory Rd), Austerlitz NY				
Brief Description of Proposed Action: 376.033 acres owned by Peter Helmraht to be divided into two parcels of 358.033 acres and 18 acres. The 376.033 acre parcel contains the existing dwelling, well, septic and a driveway. The 18 acre parcel has an existing driveway but no well or septic. The 18 acre parcel will be conveyed to their daughter, Megan Helmraht. Megan has no plans to develop the property at this time.				
Name of Applicant or Sponsor: Nathan Burrows L.S.		Telephone: 518-376-4630 E-Mail: nathan@nmbsurvey.com		
Address: 20 Troy Ave				
City/PO: Wyncatskill		State: New York	Zip Code: 12198	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		18.000 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?		376.033 acres		
4. Check all land uses that occur on, adjoining and near the proposed action. <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> Urban</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Rural (non-agriculture)</div> <div style="width: 50%;"><input type="checkbox"/> Industrial</div> <div style="width: 50%;"><input type="checkbox"/> Commercial</div> <div style="width: 50%;"><input type="checkbox"/> Residential (suburban)</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Forest</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Agriculture</div> <div style="width: 50%;"><input type="checkbox"/> Aquatic</div> <div style="width: 50%;"><input type="checkbox"/> Other (specify): _____</div> <div style="width: 50%;"><input type="checkbox"/> Parkland</div> </div>				

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

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>Nathan Burrows L.S.</u> Date: <u>May 9, 2021</u> Signature: _____		

Reference Material

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

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

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

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

Reference Material

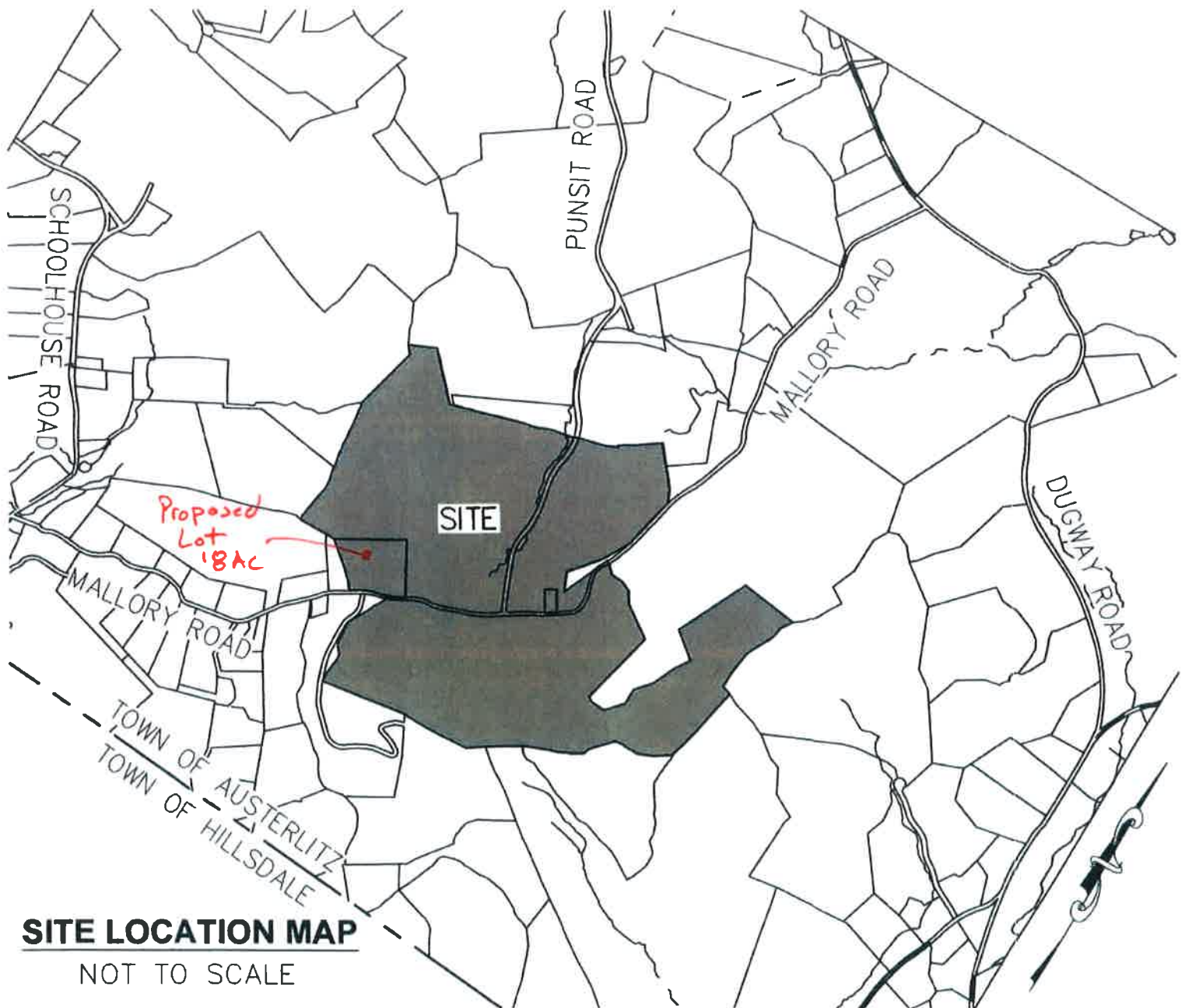
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<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an 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.
<hr/> <div style="display: flex; justify-content: space-between;"> Name of Lead Agency Date </div>	
<hr/> <div style="display: flex; justify-content: space-between;"> Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer </div>	
<hr/> <div style="display: flex; justify-content: space-between;"> Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from Responsible Officer) </div>	

PRINT

RESET



SITE LOCATION MAP

NOT TO SCALE

Peter C. Helmrath
264 Mallory Rd
Chatham, NY 12037

May 11, 2021

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

To the Members of the Town of Austerlitz Planning Board

This letter is to authorize Nathan Burrows, Land Surveyor to appear before the Austerlitz Planning Board on my behalf in connection with a subdivision of my property located at 264 Mallory Rd, Tax Map Number 95-1-32.

Sincerely,



Peter Helmrath

Reference Material

JUN 03 2021

Planning Board Meeting

TOWN OF AUSTERLITZ
RECEIVED
MAY 14 2021
PLANNING
BOARD
COLUMBIA COUNTY

JUN 03 2021

TOWN VILLAGE CITY OF Austerlitz
(circle one)

Application # _____ Planning Board Meeting

Agricultural Data StatementDate 5/9/21

Instructions This form must be completed for any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review that would occur on property within 500 feet of a farm operation located in a NYS Dept. of Ag & Markets certified Agricultural District.

Applicant

Owner if Different from Applicant

Name: <u>Peter C. Helmrath</u> Address: <u>264 Mallory Rd</u> <u>Chatham NY 12037</u>	Name: _____ Address: _____ _____
---	--

1. Type of Application: ☐ Special Use Permit; ☐ Site Plan Approval; ☐ Use Variance;
 (circle one or more) ☒ Subdivision Approval

2. Description of proposed project: Minor 2 Lot Subdivision of the
lands of Peter C. Helmrath. To create an 1.8 AC lot
for his daughter & retain 1.358 AC

3. Location of project: Address: 264 Mallory Rd Chatham NY 12037
 Tax Map Number (TMP) 95-1-32

4. Is this parcel within an Agricultural District? ☐ NO ☒ YES (Check with your local assessor if
 5. If YES, Agricultural District Number _____ you do not know)
 6. Is this parcel actively farmed? ☐ NO ☒ YES
 7. List all farm operations within 500 feet of your parcel. Attach additional sheets if necessary.

Name: <u>Ronald & Cathy Wong</u> Address: <u>PO Box 288</u> <u>Spencertown NY 12165</u> Is this parcel actively farmed? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	Name: <u>Samuel Dawson</u> Address: <u>295 Dawson Rd</u> <u>Hillsdale NY 12529</u> Is this parcel actively farmed? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES
Name: <u>Peter Helmrath</u> Address: <u>264 Mallory Rd</u> <u>Chatham NY 12037</u> Is this parcel actively farmed? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	Name: <u>Charles & Meredith Helmrath</u> Address: <u>264 Mallory Rd</u> <u>Chatham NY 12037</u> Is this parcel actively farmed? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES

Peter C. Helmrath
 Signature of Applicant

 Signature of Owner (if other than applicant)

Reviewed by:

Signature of Municipal Official

Date

NOTE TO REFERRAL AGENCY: County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.

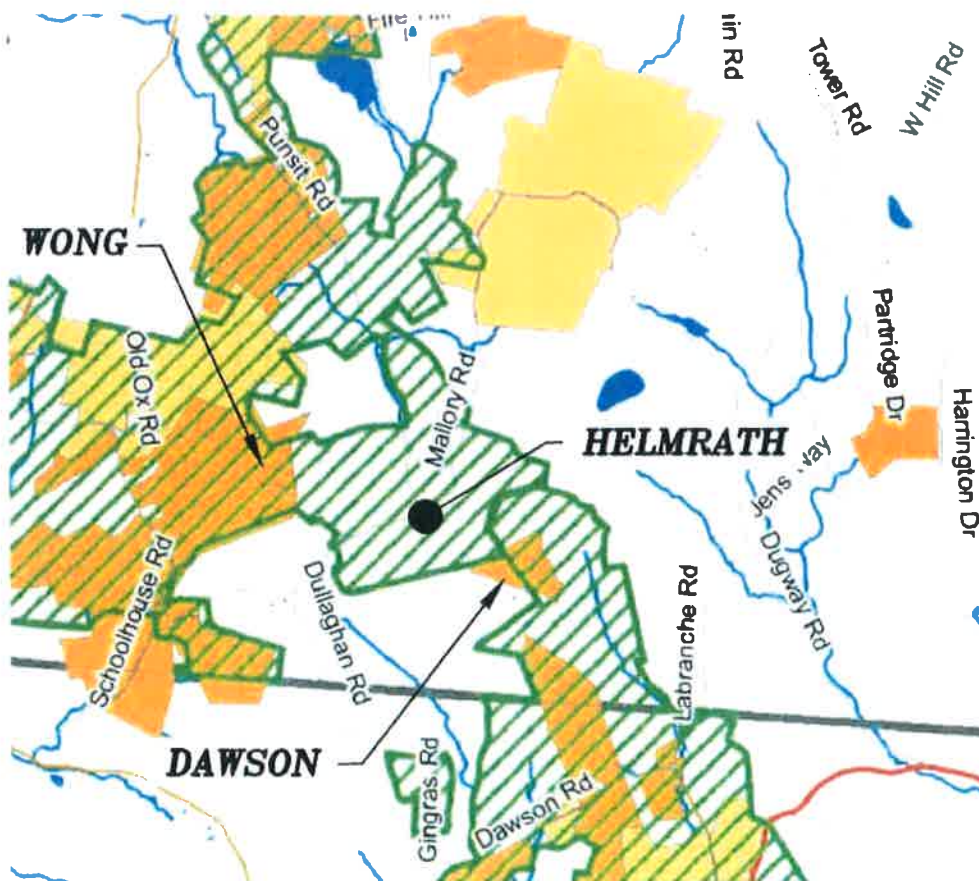
JUN 03 2021

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Peter Helmrath 2 lot Subdivision Agricultural District Map

(Obtained from the Columbia County Website)

-  Agricultural Districts
- Identified Farm Parcels**
-  Farmed Parcel
-  Farmed Parcel with Ag Assessment



JUN 03 2021

345 484

N.Y.Deed - Executor's

Planning Board Meeting

This Indenture, Made the 14 day of July, Nineteen Hundred and Ninety-Nine

Between Mary Susan Wall and Summit Bank, as Co-Executors of the estate of A. Marshall Helmra^{15115 Oxford Hills, Huntville, NC 28115}th a/k/a Albert M. Helmrath by virtue of the Last Will and Testament of A. Marshall Helmrath a/k/a Albert M. Helmrath, late of Summit, New Jersey, deceased, parties of the first part, and

Peter Cox Helmrath, residing at 164 Mallory Road, Chatham, New York 12037, party of the second part:

Witnesseth that the parties of the first part, by virtue of the power and authority to us given in and by the said Last Will and Testament, and as and for a distribution from the Estate of A. Marshall Helmrath a/k/a Albert M. Helmrath, do hereby grant and release unto the party of the second part, his heirs and assigns forever, all that certain lot, piece and parcel of land situate, lying and being in the Town of Austerlitz, County of Columbia, State of New York, designated on the 1999 assessment and tax rolls of the Town of Austerlitz as tax map parcel number 95.-1-32, Mallory Road, 336.00 acres in the name of A. Marshall Helmrath, 40 Beechwood Road, Summit, New Jersey.

ALSO, all that certain lot, piece and parcel of land situate, lying and being in the Town of Austerlitz, County of Columbia, State of New York, designated on the 1999 assessment and tax rolls of the Town of Austerlitz as tax map parcel number 95.-1-13, Punsit Road, 31.50 acres in the name of A. Marshall Helmrath, 40 Beechwood Road, Summit, New Jersey.

EXCEPTING AND RESERVING from the above described premises that parcel of land situate, lying and being in the Town of Austerlitz, County of Columbia, State of New York, reserved to Mary Susan Wall in the Last Will and Testament of A. Marshall Helmrath which said parcel of land is more particularly bounded and described as set forth on Schedule A annexed hereto and made a part hereof.

The aforesaid premises herein being conveyed to the Grantee herein are described in the Last Will and Testament of A. Marshall Helmrath as "the parcels containing about 367 acres and designated as Nos. 09500011300000 and 09500013200000 on the tax map, but excluding the strip of land ... devised to my daughter".

BEING part of the premises located in the County of Columbia, State of New York, owned by A. Marshall Helmrath a/k/a Albert M. Helmrath at the time of his death.

A. Marshall Helmrath died on August 26, 1996 a resident of Summit, New Jersey, his Last Will and Testament was admitted to probate by the Union County Surrogate's Court on September 6, 1996 and Mary Susan Wall and Summit Bank were appointed Co-Executors of the Estate.

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JUN 03 2021

Planning Board Meeting

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On October 8, 1997, the Columbia County Surrogate's Court admitted the aforesaid Last Will and Testament of A. Marshall Helmuth to Ancillary Probate and Ancillary Letters Testamentary were issued to Mary Susan Helmuth and Summit Bank.

The purpose of this deed is to distribute to the Grantee herein the premises devised to the Grantee under the aforesaid Last Will and Testament of A. Marshall Helmuth.

Together with the appurtenances and also all the estate which the said Testator had at the time of his decease, in said premises, And also the estate therein, which the parties of the first part have power to convey or dispose of, whether individually, or by virtue of said Will or otherwise.

To have and to hold the premises herein granted unto the party of the second part, his heirs and assigns forever.

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

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

In Witness Whereof, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Mary Susan Wall L.S.
Mary Susan Wall, as Co-Executor under the Last Will and Testament of A. Marshall Helmuth

Summit Bank, as Co-Executor under the Last Will and Testament of A. Marshall Helmuth

By: JW Stuyling, VP L.S.

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Reference Material

JUN 23 2021

Planning Board Meeting

STATE OF NORTH Carolina)
COUNTY OF Mecklenburg) ss.:

On the 14 day of July, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared MARY SUSAN WALL, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Norma O. Stripling
Notary Public

Comm. Expires - Jan 01, 2002

STATE OF NEW JERSEY)
COUNTY OF UNION) ss.:

On this 7th day of JULY, 1999 before me ^{Francis W. Stripling} personally came, to me known, who being by me duly sworn, did depose and say that s/he resides at TEANECK, NJ; that s/he is the VICE PRESIDENT of Summit Bank, the corporation described in and which executed the above instrument; and that s/he signed her/his name thereto by order of the Board of Directors of said corporation.

Sheila Waldron
Notary Public

SHEILA WALDRON
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires April 17, 2003

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SCHEDULE A

Beginning at the northeasterly corner of lands now or formerly of Jacobs as described in liber 753 page 13 on the presumed southerly line of Mallory Road. Referenced as being located approximately 208 feet northeasterly of the center of an old Town Road (no longer in use) that runs southerly from Mallory Road.

Proceed along the presumed southerly line of Mallory Road

THENCE North 61 degrees 02 minutes 15 seconds East for a distance of 76.12 feet;

THENCE North 71 degrees 41 minutes 50 seconds East for a distance of 51.27 feet;

THENCE North 73 degrees 23 minutes 05 seconds East for a distance of 55.41 feet;

THENCE North 72 degrees 20 minutes 30 seconds East for a distance of 115.48 feet;

THENCE North 71 degrees 29 minutes 00 seconds East for a distance of 95.33 feet;

THENCE North 74 degrees 51 minutes 05 seconds East for a distance of 54.50 feet;

THENCE North 79 degrees 37 minutes 20 seconds East for a distance of 46.69 feet;

THENCE North 85 degrees 37 minutes 20 seconds East for a distance of 52.33 feet;

THENCE North 89 degrees 32 minutes 40 seconds East for a distance of 62.39 feet;

THENCE South 88 degrees 53 minutes 20 seconds East for a distance of 58.14 feet;

THENCE South 88 degrees 28 minutes 10 seconds East for a distance of 73.67 feet;

THENCE North 88 degrees 43 minutes 30 seconds East for a distance of 15.65 feet to a point 25 feet northwesterly of the center line of an old road. Here continue along the old road and approximately 25 feet northwesterly and westerly of its center line;

THENCE South 40 degrees 41 minutes 10 seconds West for a distance of 117.15 feet;

THENCE South 47 degrees 53 minutes 55 seconds West for a distance of 78.66 feet;

THENCE South 36 degrees 11 minutes 15 seconds West for a distance of 85.20 feet;

THENCE South 44 degrees 45 minutes 40 seconds West for a distance of 206.32 feet;

THENCE South 39 degrees 49 minutes 55 seconds West for a distance of 61.44 feet;

THENCE South 24 degrees 48 minutes 35 seconds West for a distance of 49.77 feet;

THENCE South 12 degrees 42 minutes 45 seconds West for a distance of 41.98 feet;

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THENCE South 05 degrees 41 minutes 10 seconds West for a distance of 70.00 feet;
THENCE South 11 degrees 29 minutes 40 seconds West for a distance of 45.08 feet;
THENCE South 16 degrees 37 minutes 25 seconds West for a distance of 55.18 feet;
THENCE South 08 degrees 50 minutes 45 seconds West for a distance of 51.60 feet;
THENCE South 20 degrees 46 minutes 25 seconds East for a distance of 48.69 feet;
THENCE South 25 degrees 41 minutes 20 seconds East for a distance of 71.44 feet;
THENCE South 16 degrees 03 minutes 25 seconds East for a distance of 21.66 feet;
THENCE South 02 degrees 03 minutes 45 seconds West for a distance of 27.56 feet;
THENCE South 16 degrees 55 minutes 35 seconds West for a distance of 51.29 feet;
THENCE South 22 degrees 00 minutes 05 seconds West for a distance of 100.94 feet;
THENCE South 21 degrees 14 minutes 35 seconds West for a distance of 82.12 feet;
THENCE South 13 degrees 18 minutes 05 seconds West for a distance of 51.32 feet;
THENCE South 10 degrees 45 minutes 40 seconds West for a distance of 41.28 feet;
THENCE South 11 degrees 08 minutes 30 seconds West for a distance of 24.53 feet;
THENCE South 03 degrees 38 minutes 00 seconds West for a distance of 31.56 feet;
THENCE South 04 degrees 46 minutes 40 seconds West for a distance of 85.42 feet;
THENCE South 02 degrees 09 minutes 25 seconds West for a distance of 89.04 feet;
THENCE South 02 degrees 12 minutes 05 seconds West for a distance of 151.28 feet;
THENCE South 09 degrees 38 minutes 05 seconds West for a distance of 68.68 feet;
THENCE South 09 degrees 20 minutes 45 seconds West for a distance of 70.27 feet;
THENCE South 05 degrees 09 minutes 45 seconds East for a distance of 58.17 feet;
THENCE South 23 degrees 43 minutes 45 seconds East for a distance of 38.90 feet;
THENCE South 22 degrees 01 minutes 05 seconds East for a distance of 62.48 feet;
THENCE South 09 degrees 11 minutes 30 seconds East for a distance of 25.51 feet to the center

345 489

THENCE South 09 degrees 11 minutes 30 seconds East for a distance of 25.51 feet to the center of the Old Town Road (no longer in use) and the lands reputed of Lobdell as described in liber 725 page 236. Continue along the old Town Road and the lands of Lobdell on the southwest

THENCE North 35 degrees 58 minutes 20 seconds West for a distance of 7.11 feet;

THENCE North 32 degrees 15 minutes 20 seconds West for a distance of 41.17 feet;

THENCE North 41 degrees 02 minutes 40 seconds West for a distance of 102.18 feet;

THENCE South 67 degrees 16 minutes 20 seconds West for a distance of 13.84 feet to a pin found at a corner of lands now or formerly of Cozzolino as described in liber 819 page 041.

Continue along the lands of Cozzolino on the west and this property on the east;

THENCE North 31 degrees 35 minutes 25 seconds West for a distance of 235.43 feet to a pin found;

THENCE North 21 degrees 09 minutes 55 seconds West for a distance of 132.32 feet;

THENCE North 13 degrees 58 minutes 20 seconds East for a distance of 160.24 feet;

THENCE North 09 degrees 43 minutes 50 seconds West for a distance of 99.12 feet;

THENCE North 08 degrees 39 minutes 40 seconds West for a distance of 162.08 feet;

THENCE North 29 degrees 33 minutes 40 seconds West for a distance of 120.59 feet;

THENCE North 40 degrees 21 minutes 05 seconds West for a distance of 82.26 feet to a stone wall corner. Continue along the stone wall;

THENCE North 12 degrees 24 minutes 35 seconds West for a distance of 37.85 feet to the end of the stone wall;

THENCE North 07 degrees 50 minutes 05 seconds West for a distance of 23.22 feet to the beginning of the stone wall;

THENCE North 09 degrees 34 minutes 05 seconds West for a distance of 61.87 feet along the stone wall;

THENCE North 04 degrees 55 minutes 50 seconds East for a distance of 49.06 feet;

THENCE North 14 degrees 54 minutes 50 seconds East for a distance of 49.21 feet;

THENCE North 09 degrees 38 minutes 10 seconds East for a distance of 59.25 feet;

THENCE North 02 degrees 40 minutes 00 seconds East for a distance of 39.06 feet;

345 490

THENCE North 07 degrees 57 minutes 15 seconds West for a distance of 60.87 feet to the end of the stone wall. Continue

THENCE North 09 degrees 39 minutes 30 seconds West for a distance of 198.81 feet to a pin found on the southerly presumed line of Mallory Road.

Continue along Mallory Road

THENCE North 54 degrees 27 minutes 15 seconds East for a distance of 13.21 feet to the lands of Jacobs. Continue along the lands of Jacobs

THENCE South 18 degrees 05 minutes 45 seconds East for a distance of 37.00 feet;

THENCE South 23 degrees 42 minutes 05 seconds East for a distance of 30.60 feet;

THENCE South 08 degrees 14 minutes 35 seconds East for a distance of 140.40 feet;

THENCE North 56 degrees 30 minutes 55 seconds East for a distance of 208.00 feet;

THENCE North 12 degrees 23 minutes 15 seconds West for a distance of 208.00 feet to the point or place of beginning.

Said property contains 14.358 acres more or less.

R - R

Andrew B. Ameling esq.

90 State Street

Albany, New York 12207

OFFICE OF LISA LEWICKI
COLUMBIA COUNTY CLERK
560 WARREN ST., HUDSON, N.Y. 12534
(518) 828-3339

345 Reference Material

JUN 03 2021

Planning Board Meeting

COLUMBIA COUNTY
RECORDING PAGE

Return To:

ANDREW B AMERLING
90 STATE STREET
ALBANY NY 1207

NOV 05 1999

WALL
MARY
HELMRATH
PETER

SUSAN
COX

Index LAND RECORDS

Book 00345 Page 0484

No. Pages 0008

Instrument DEED

Date : 9/09/1999

Time : 1:19:13

Control # 199909090069

DOC #

DOC # 07 1999 000332

Employee ID CLERK04

REC FEES	\$	26.50
DOC STAMPS	\$.00
	\$.00
	\$.00
	\$.00
	\$.00
REC MGMT	\$	5.00
E & A	\$	25.00
MISC	\$	5.00
MISC2	\$.00
Total:	\$	61.50

STATE OF NEW YORK
COLUMBIA COUNTY

TRANSFER TAX

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

TRANSFER AMT \$.00

TRANSFER TAX \$.00

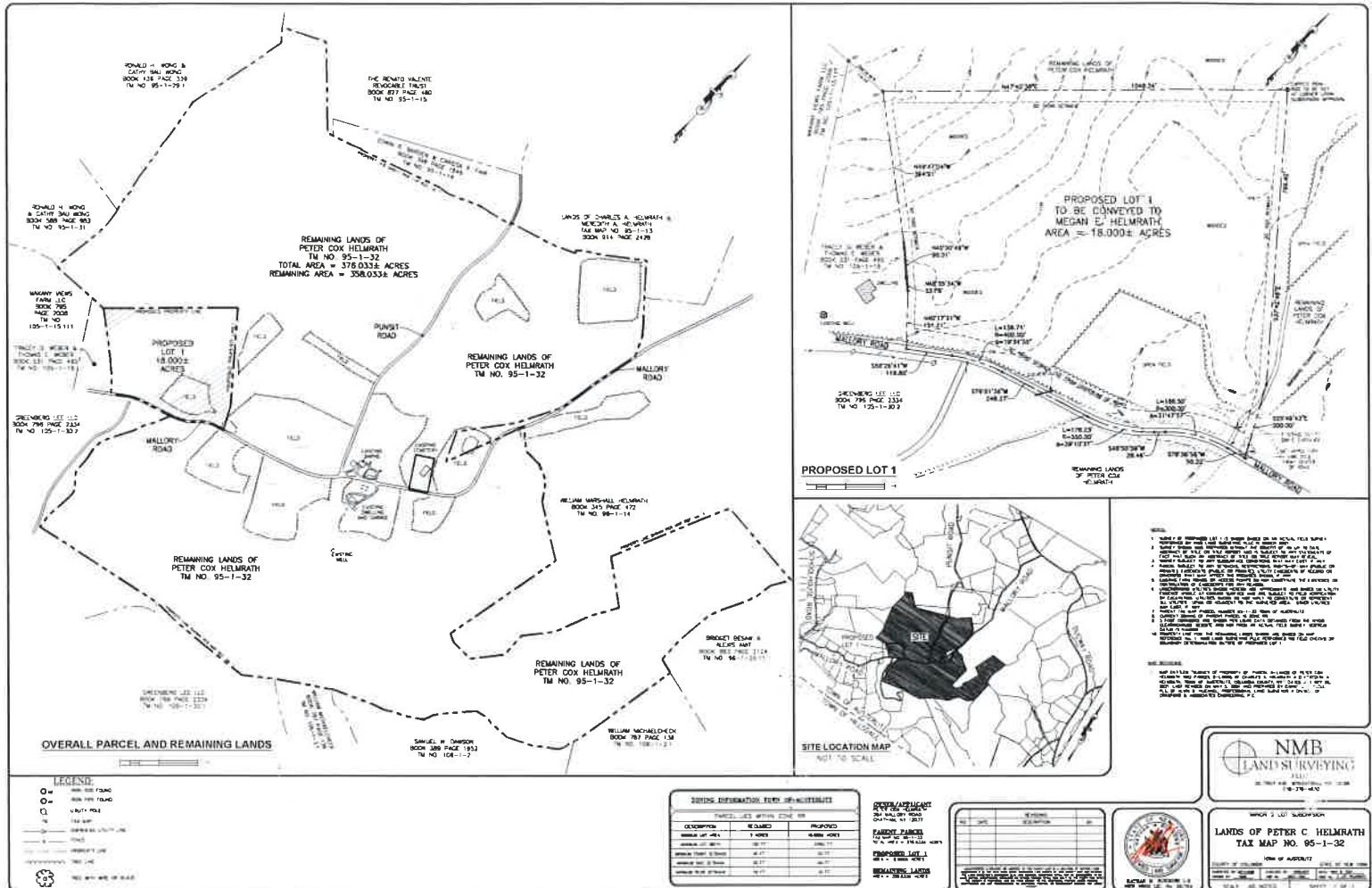
LISA LEWICKI
COUNTY CLERK

Lisa Lewicki

◇◇ THIS IS NOT A BILL ◇◇

TOWN OF AUSTERLITZ
RECEIVED
MAY 28 2021
PLANNING
BOARD
COLUMBIA COUNTY

Planning Board Meeting



PL-2021-08

Folco

Solar

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

Application Date: 5/1/21 Empire

Approval Request for: (check all that apply)

Site Plan ☒ Site Plan Amendment ☐ Special Use Permit ☐

Applicant: Name: see attached Letter of Approval Email: Erin@empiresolar.ny.com
Mailing Address: 2-8 Johnes St.
City: Newburgh State: NY Zip: 12550 Telephone: (845) 728-2165

Owner: If different than applicant, if more than one owner provide information for each on separate sheet
Name: Mimi Folco Email: mimifolco@gmail.com
Street Address: 32 Harvey Mountain Rd.
City: Austerlitz State: NY Zip: 12017 Telephone: (917) 744-1576

Project Information: Tax Map Number: 88.-2-26 Parcel Acreage 2.00

Location of Project/Street Address: 32 Harvey Mountain Rd. Austerlitz, NY 12017

Current Land Use of Site: Single family residence

Current Condition of Site: good

Character of abutting parcels: single family residences

Reference Material
JUN 03 2021
Planning Board Meeting

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):

single family residence with 10.08kW ground mounted solar array.

(28 LG 360W panels with Enphase IQ7+ Microinverters)

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

n/a

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: 

Date: 5/14/2021

FOR OFFICE USE ONLY

Date Received: _____

Project ID: _____

Preliminary Review Date: _____

Final Review Date: _____

Final Decision: _____ Site Plan Unnecessary

_____ Approved

_____ Approved with conditions

_____ Denied

Reference Material
JUN 03 2021
Planning Board meeting

Short Environmental Assessment Form

Part 1 - Project Information

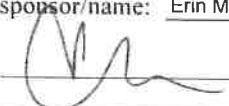
Instructions for Completing

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.

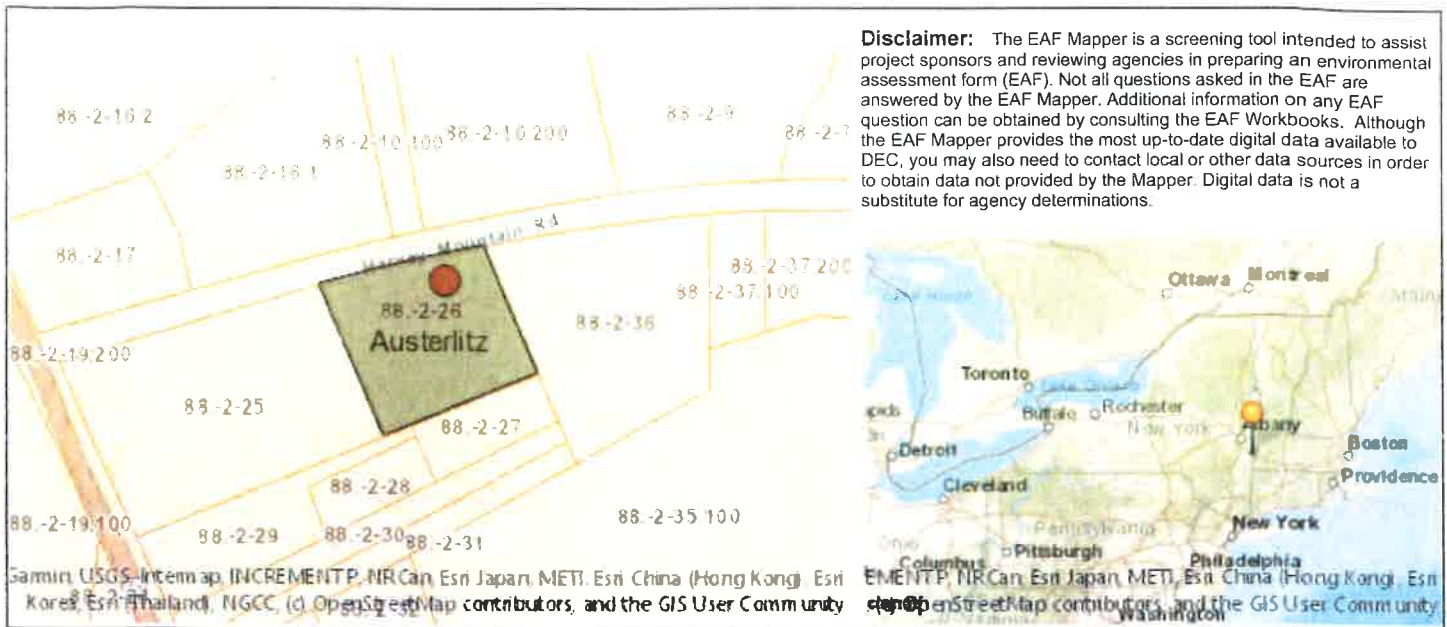
Part 1 – Project and Sponsor Information			
Folco_Ground Mount Solar			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
32 Harvey Mountain Road, Austerlitz, NY 12071			
Brief Description of Proposed Action:		Reference Material	
New 10.08kW ground mounted solar array on residential property: -28 LG 360 Watt Panels -Enphase energy IQ7+ Microinverters		JUN 13 2021 Planning Board Meeting	
Name of Applicant or Sponsor:		Telephone: (845) 728-2165	
Empire Solar Solutions, LLC		E-Mail: erin@empiresolarmy.com	
Address:			
2-8 Johnes St.			
City/PO:		State:	Zip Code:
Newburgh		NY	12550
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 government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		2.00 acres	
b. Total acreage to be physically disturbed?		0.011 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" 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 checked="" type="checkbox"/>	<input 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: _____ _____	<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: _____ Not Applicable to this project.	<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: _____ Not applicable to this project.	<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 type="checkbox"/>	<input checked="" 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 type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" 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
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<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"/>	<input type="checkbox"/>
_____ _____ _____		
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: <u>Erin McConnell, Empire Solar Solutions</u> Date: <u>5/14/2021</u>		
Signature:  Title: <u>Director of Operations</u>		

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PRINT FORM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
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

Reference Material

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LETTER OF AUTHORIZATION

To Whom It May Concern,

I Nimi Folco am the Owner of the property located at

32 Harvey Mtn Rd. Austerlitz, NY 12017. I hereby authorize and grant Empire Solar Solutions, LLC Power of Attorney to handle dealings with the construction and interconnection of my photovoltaic solar system. I further authorize you to release my account information for the past twelve (12) months, including electrical usage and demand history. Empire Solar Solutions, LLC agrees to keep all information obtained through this authorization as Confidential and use it only for the purposes of designing, and installing my photovoltaic solar system, obtaining state authorized incentives on my behalf, establishing interconnection agreements and metering approvals, and applying for and obtaining any permits required by Authorities Having Jurisdiction (Building Departments). I further grant Empire Solar Solution, LLC signing authority on my behalf on any and all documents associated with the construction and interconnection of my photovoltaic solar system including, but not limited to, state entities, local building departments and utility providers in an effort to expedite my photovoltaic solar system installation and interconnection.

Sincerely,

Nimi

Reference Material

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Homeowner

Date 3/27/2021

SITE VERIFICATION NOTES:

1. PRIOR TO SUBMISSION TO MUNICIPALITY OF THE PLANS, THIS CONTRACTOR SHALL VISIT THE JOB SITE TO ASCERTAIN THE ACTUAL FIELD CONDITIONS AS THEY RELATE TO THE WORK INDICATED ON THE DRAWINGS AND DESCRIBED HEREIN. DISCREPANCIES, IF ANY, SHALL BE BROUGHT TO THE ENGINEER'S ATTENTION PRIOR TO SUBMISSION OF THE PLANS. SUBMISSION OF PLANS SHALL BE EVIDENCE THAT SITE VERIFICATION HAS BEEN PERFORMED AS DESCRIBED ABOVE.
2. CONTRACTOR TO VERIFY ALL EXISTING CONDITIONS PRIOR TO THE START OF WORK. IF EXISTING CONDITIONS VARY FROM PLANS, THE CONTRACTOR SHALL STOP WORK AND NOTIFY PROJECT ENGINEER A.S.A.P. CONTRACTOR ASSUMES ALL RESPONSIBILITY AND LIABILITY THEREFROM.
3. THE OWNER/CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS, VERIFY ALL CONDITIONS, EXAMINE THE DESIGN DOCUMENTS AND BE RESPONSIBLE FOR ALL MEASUREMENTS, DIMENSIONS AND CONDITIONS.
4. COMMENCEMENT OF CONSTRUCTION WILL SIGNIFY THAT THE CONTRACTOR WILL HOLD THE DESIGN ENGINEER HARMLESS FOR ANY AND ALL ERRORS, OMISSIONS AND PERSONAL LIABILITY.

ARRAY NOTES:

THERE IS (1) GROUND MOUNT ARRAY, FOR A TOTAL OF 535 SQ FT

** GROUND MOUNT ARRAY SHALL BE STAKED OUT BY A LICENSED PROFESSIONAL SURVEYOR PRIOR TO INSTALLATION

PROJECT DESIGN DATA:

WORK SHALL BE COMPLETED AS PER 2020 RESIDENTIAL CODE OF NEW YORK STATE, PUBLICATION DATE: NOVEMBER 2019, NFPA 70, 2020 NATIONAL ELECTRICAL CODE AND 2013 WOOD FRAME CONSTRUCTION MANUAL. LOAD CRITERIA AS FOLLOWS
EXPOSURE CATEGORY: "B"
GROUND SNOW LOAD: 40 PSF
WIND SPEED: 120 MPH, 35SPF

GENERAL NOTES:

1. ALL SOLAR MODULES TO BE LG 360W AND SHALL BE INSTALLED AS PER LG INSTALLATION MANUAL.
2. ALL INVERTERS TO BE SOLAR EDGE INVERTERS ALL RACKING AS PER DETAILS FOR GROUND MOUNT INSTALLATION



RESIDENTIAL SOLAR PANEL INSTALLATION

LOCATED AT - 32 HARVEY MOUNTAIN ROAD, AUSTERLITZ, NY 12071
TOWN OF AUSTERLITZ, COLUMBIA COUNTY, NEW YORK

GROUND MOUNT LOCATION SURVEY:

NTS



SOLAR PANEL
INSTALLATION
FOLCO
RESIDENCE
32 HARVEY MOUNTAIN RD
AUSTERLITZ
NEW YORK 12071

REVISIONS NOTES

DATE	BY	REVISION
APRIL 2, 2021	MEM	AS-NOTED
DATE	BY	PROJECT #
APRIL 2, 2021	MEM	ES-1215-21
DATE	BY	PROJECT #
APRIL 2, 2021	MEM	ES-1215-21
TOWN OF AUSTERLITZ	COLUMBIA	

SYSTEM NOTES:

TOTAL SYSTEM SIZE: 10.64 KW DC SYSTEM
PANEL TYPE: LG 360W
OF PANELS 28
INVERTER: ENPHASE EPHASE 107PLUS
OF INVERTERS 28
ARRAY
AZIMUTH: 180
TILT: 30
OF PANELS 28

PROFESSIONAL NOTES:

UNAUTHORIZED ALTERATION OR ADDITION TO THIS PLAN IS A VIOLATION OF SECTION 7209(2) OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS MAP NOT HAVING THE SEAL OF THE ENGINEER SHALL NOT BE VALID

SEAL & SIGNATURE

STATE OF NEW YORK
JULIA A. BROWN
REGISTERED PROFESSIONAL ENGINEER
073674

DWG#

S-1

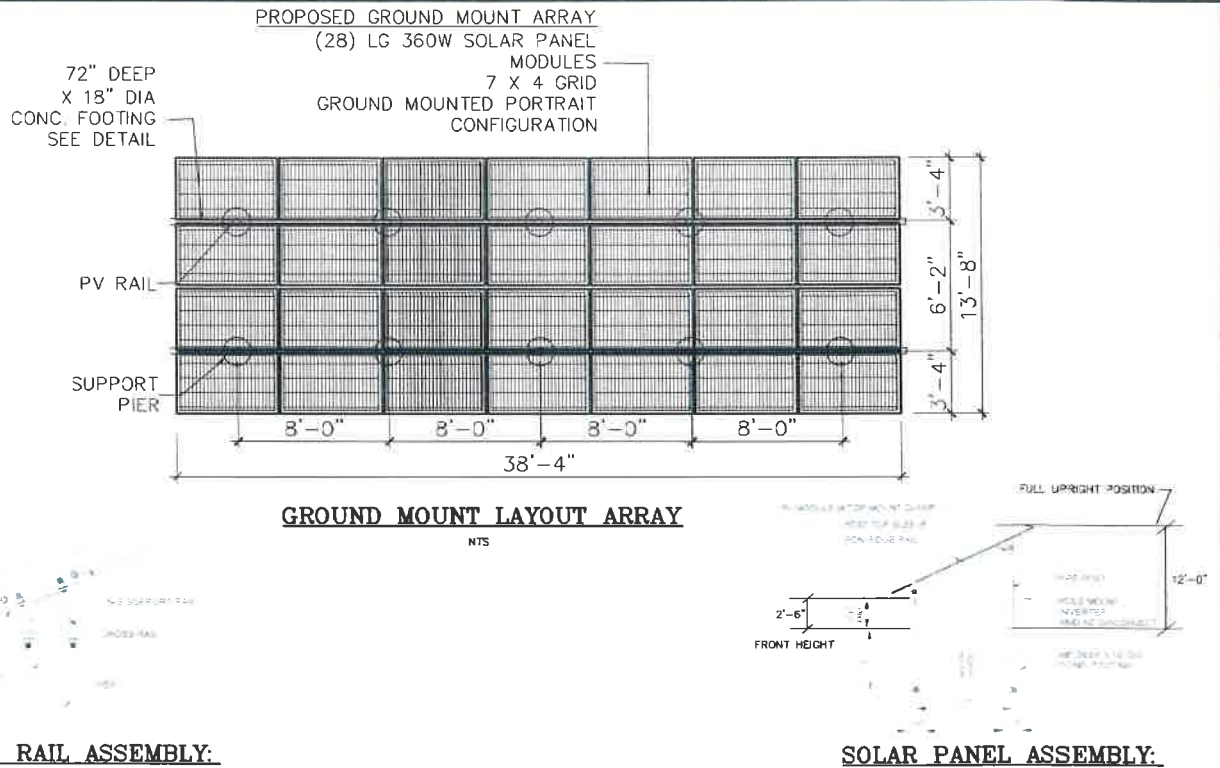
PROJECT
SITE PLAN
AND NOTES

1 OF 5

Reference Material

JUN 03 2021

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**SOLAR PANEL
INSTALLATION
FOLCO
RESIDENCE**
32 HARVEY MOUNTAIN RD
AUSTERLITZ
NEW YORK 12071

REVISIONS NOTES			
REV. BY:	REEM	SCALE:	AS-NOTED
DESIGNED BY:	REEM	PROJECT #:	ES-1319-21
DATE:	APRIL 2, 2021	REV. #:	02-2-20
SUBMITTER:	TOWN OF AUSTERLITZ	COUNTY:	COLUMBIA

SYSTEM NOTES:	
TOTAL SYSTEM SIZE:	10.08kW DC SYSTEM
PANEL TYPE:	LG 360W
# OF PANELS:	28
INVERTER:	ENPHASE ENPHASE G7PLUS
OF INVERTERS:	28
ARRAY:	#1
AZMUTH:	180
TLT:	30
# OF PANELS:	28

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STATE OF NEW YORK
REGISTERED PROFESSIONAL ENGINEER
No. 13192
APR 2 2021

DWG#
S-2
SOLAR
PANEL
LAYOUT
PLAN
DWG
2 OF 5

Reference Material

JUN 03 2021

Planning Board Meeting

[illegible][illegible]

EMPIRESOLAR

**SOLAR PANEL
INSTALLATION
FOLCO
RESIDENCE**
32 HARVEY MOUNTAIN RD
AUSTERLITZ
NEW YORK 12071

DATE: APRIL 2, 2021		ISS. BY: BIR-2-FB	
TOWN OF AUSTERLITZ		COUNTY: COLUMBIA	

```

SYSTEM NOTES:
TOTAL SYSTEM SIZE: 10.0KW DC SYSTEM
PANEL TYPE: LG-360W
# OF PANELS: 28
INVERTER ENPHASE ENPHASE 107PLUS
# OF INVERTERS: 28
ARRAY
AZIMUTH: #1
TILT: 180
# OF PANELS: 30

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PROFESSIONAL NOTES:
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VALID



DWG.#
S-3
 SOLAR
 PANEL &
 INVERTER
 SPECIFICATIONS
 DWG
 3 OF 5

Planning Board Meeting

WARNING
ELECTRIC SHOCK HAZARD !
THE DIRECT CURRENT CIRCUIT CONDUCTORS OF
THIS PHOTOVOLTAIC POWER SYSTEM ARE
UNGROUNDING BUT MAY BE ENERGIZED WITH
RESPECT TO GROUND DUE TO LEAKAGE PATHS
AND/OR GROUND FAULTS

DC WARNING LABEL

WARNING
INVERTER OUTPUT
CONNECTION
DO NOT RELOCATE THIS
OVERCURRENT DEVICE

UTILITY DISCONNECT LABEL

CAUTION
SOLAR ELECTRIC
SYSTEM CONNECTED

AC PANELS

**PHOTOVOLTAIC
INVERTER INPUT
DC DISCONNECT**

WARNING
ELECTRIC
SHOCK HAZARD !

DO NOT TOUCH TERMINALS. TERMINALS ON
BOTH THE LINE AND LOAD SIDES MAY BE
ENERGIZED IN THE OPEN POSITION

INTERACTIVE SOLAR PV SYSTEM RATING	
RATED DC CURRENT	AMP
RATED DC VOLTAGE	VDC
MAXIMUM SYSTEM VOLTAGE	VDC
SHORT CIRCUIT CURRENT	AMP

SYSTEM INSTALLER _____
FOR SERVICE CALL _____

DC INPUT WARNING LABEL #1
INVERTER 1

**PHOTOVOLTAIC SYSTEM
DISCONNECT FOR
UTILITY OPERATION**

WARNING
ELECTRIC
SHOCK HAZARD !

DO NOT TOUCH TERMINALS. TERMINALS ON
BOTH THE LINE AND LOAD SIDES MAY BE
ENERGIZED IN THE OPEN POSITION

INTERACTIVE SOLAR PV SYSTEM RATING	
RATED OPERATING CURRENT	AMP
NORMAL OPERATING VOLTAGE	243 VAC

SYSTEM INSTALLER _____
FOR SERVICE CALL _____

UTILITY DISCONNECT WARNING LABEL

WARNING
DC SOLAR CIRCUIT

DC CIRCUIT LABEL

WARNING
THIS METER IS ALSO
SERVED BY A
PHOTOVOLTAIC SYSTEM

PV CIRCUITS ONLY
NO OTHER LOADS
SHALL BE APPLIED TO THIS PANEL
OTHER THAN PV COMPONENTS
AS PER
NEC ARTICLE 690

GROUND MOUNT NOTES:

ARRAY RACK ASSEMBLY
SOLAR GROUND MOUNT RACKING SHOWN FOR ARRANGEMENT ONLY
RACKING MANUFACTURER TO PROVIDE SEALED SHOP DRAWINGS OF FINAL
RACKING ASSEMBLY.
INSTALL AS PER MANUFACTURER STANDARD INSTALLATION DETAILS
POST SUPPORTED RACKING FOUNDATION AS SHOWN
18" Ø X 48" DEEP CONCRETE FOUNDATION WITH EMBEDDED POST

INSTALLATION NOTES:
BRACKET TO POST INSTALLATION HEIGHT MAY VARY WITH SITE GRADING.
IT IS NOT NECESSARY FOR ALL POST TOP BRACKETS TO ALIGN AT A
COMMON ELEVATION FOR EACH ROW (+/-2")
INSTALLATION CONTRACTOR SHALL ENSURE THAT ALL GRADING AND
COMPACTION OF SITE IS COMPLETED PRIOR TO INSTALLATION OF THE
RACKING SYSTEM TO AVOID POTENTIAL DISTURBANCE OF FOUNDATION AND
ALIGNMENT.

SEALED SHOP DRAWINGS SHALL BE PROVIDED BY RACKING MANUFACTURER
PRIOR TO THE INSTALLATION OF THE PV ARRAY.

THIS DRAWING IS DIAGRAMMATIC FOR THE MODULE/RACK ARRANGEMENT.
FINAL RACKING DETAILS AND ASSEMBLY MAY VARY WITH FINAL
INSTALLATION.



**SOLAR PANEL
INSTALLATION**
FOLCO
RESIDENCE
32 HARVEY MOUNTAIN RD
AUSTERLITZ
NEW YORK 12071

REVISIONS NOTES			
DESIGN BY:	MEM	SCALE:	AS-NOTED
DESIGNED BY:	MEM	PROJECT #:	ES-1219-21
DATE:	APRIL 2, 2021	DR. #:	36-2-28
SUBMITTAL:		COUNTY:	COLUMBIA
TOWN OF AUSTERLITZ			

SYSTEM NOTES:	
TOTAL SYSTEM SIZE:	10.08KW DC SYSTEM
PANEL TYPE:	LG 360W
# OF PANELS	28
INVERTER:	ENPHASE ENPHASE 107PLUS
# OF INVERTERS:	28
ARRAY:	#1
ALTITUDE:	150
TILT:	30
# OF PANELS	28

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S-5
SOLAR
PANEL
SIGNAGE
4 OF 5

Reference Material
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AC & DC GROUNDING CONDUCTORS PER
NEC ARTICLE 690.47(c)(2)
CONNECTED AS PER 250.64(c)(2)

ALL CONDUCTORS ARE TO BE
COPPER UNLESS NOTED OTHERWISE

ALL EXTERIOR MOUNTED COMBINERS,
JUNCTION BOXES, TROUGHS, DISCONNECTS,
ETC. SHALL BE NEMA 3R RATED

CB1

AMPACITY: 20 AMP BREAKER
VOLTAGE: 240V
SINGLE PHASE + GROUND

CB2

AMPACITY: 20 AMP BREAKER
VOLTAGE: 240V
SINGLE PHASE + GROUND

CB3

AMPACITY: 10 AMP BREAKER
VOLTAGE: 240V
SINGLE PHASE + GROUND

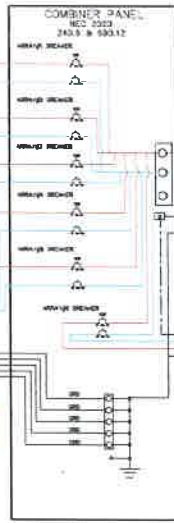


PHOTOVOLTAIC MAIN SOLAR SYSTEM AC DISCONNECT

CIRCUIT 3
1 STRING
2 8
9 TOTAL
PANELS

CIRCUIT 2
1 STRING
2 8
9 TOTAL
PANELS

CIRCUIT 1
1 STRING
2 8
9 TOTAL
PANELS

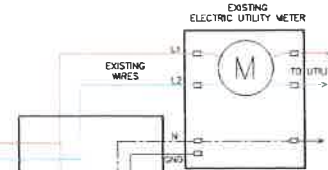


(3 WIRES)
#6 THWN
#6 GND
1" CONDUIT

3P. DISCONNECT
60A RATED
40A FUSED
DISCONNECT
120/240V



(3 WIRES)
#6 THWN
#6 GND
1" CONDUIT



WIRE AMPACITY:
NEC TABLE 310.15(30)(16)
#10 THWN CU 55A RATED
#8 THWN CU 65A RATED
#6 THWN CU 85A RATED
#4 THWN CU 110A RATED

AC SYSTEM SIZE = # OF PANELS X
INVERTER OUTPUT RATING
28 PANELS X 0.290 = 8.12KW/AC

CONFIRM LINE SIDE VOLTAGE AT ELECTRIC
UTILITY SERVICE ENTRANCE BEFORE
CONNECTING INVERTER AND ENSURE
PROPER OPERATIONAL RANGE REQUIRED
BY SYSTEM INVERTER.

DC CONDUITS MAY BE RUN ABOVE OR BELOW
ROOF.
PROVIDE SOLAIDECK JUNCTION/FLASHING WHEN
PENETRATING THE ROOF WITH DC CONDUCTORS

ALL DC CONDUCTORS WITHIN THE BUILDING
ENVELOPE MUST BE IN METALLIC CONDUIT.

DC CONDUCTORS MUST BE 90° RATED.

INTERCONNECTION TO UTILITY AND SYSTEM
GROUNDING PER NEC-2020 ARTICLE 690

PROVIDE SIGNAGE AS REQUIRED BY
NEC-2020 ARTICLE 690.

ALL OUTDOOR EQUIPMENT SHALL BE A
MINIMUM OF NEMA-3R RATED



SOLAR PANEL
INSTALLATION
FOLCO
RESIDENCE
32 HARVEY MOUNTAIN RD
AUSTERLITZ
NEW YORK 12071

REVISIONS NOTES

DATE	BY	REASON	AS-NOTED
APRIL 2, 2021	MEEM	PROJECT #	ES-1319-21
		DATE	4-2-20
		MUNICIPALITY	COLUMBIA
		TOWN OF AUSTERLITZ	

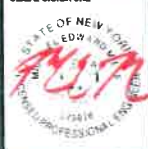
SYSTEM NOTES:

TOTAL SYSTEM SIZE: 10.08KW DC SYSTEM
PANEL TYPE: LG 360W
OF PANELS: 28
INVERTER: ENPHASE 3PH/PHASE 10/7PLUS
OF INVERTERS: 28
ARRAY: 100
OF PANELS: 28

PROFESSIONAL NOTES:

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VALID

SEAL & SIGNATURE



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S-6

SOLAR

3-LINE

DIAGRAM

3/10

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Reference Material:

JUN 03 2021

Planning Board Meeting

Michael E. Miele, PE

Licensed Professional Engineer
Licensed In New York, New Jersey, Connecticut & California
New York License # 079676
New Jersey License # 44042
Connecticut License # 23158
California License # 31508

May 5, 2021

Town of Austerlitz Building Department
Office of The Building Inspector
812 NY-203
Spencertown, NY 12165

Re: Mimi Folco - 32 Harvey Mountain Road, Austerlitz, NY 12071
Ground Mount, Solar Panel Loading Certification
Town of Austerlitz, County of Columbia, State of New York

Dear Building Department

I am the engineer of record for the above referenced project. I can certify that the the ground mount structure at the above referenced address can support the installation of (28) LG 360W solar panels as per my design dated April 2, 2021.

I can herby certify that the existing roof structure and proposed ground mount structure combined with the additional weight of the solar panels meets the requirements of The 2020 Residential Code of New York State, Publication Date, November 2019.

The design loads were as follows,
Wind Design Load: 120mph

No additional structural members were required.

If you have any questions, please feel free to call me at any time. Thanks in advance.

Sincerely Yours,



Michael E. Miele, PE



Reference Material

JUN 03 2021

Planning Board Meeting