

# TOWN OF AUSTERLITZ

Columbia County  
New York

Lee Tilden

Planning Board Chairman

**Planning Board Meeting  
November 4, 2021  
7:00 p.m.**

**\*\*\*\*\*AGENDA\*\*\*\*\***

- 1.) Call Planning Board Meeting to Order**
- 2.) Moment of Silence, Followed by the Pledge of Allegiance**
- 3) Roll Call**
- 4.) Minutes**
- 5.) Old Business**
  - A.) PL-2021-13 American Tower**
- 6.) New Business**
  - A.) Discussion: Land Conservancy**
- 7.) Public Comment**
- 8.) Adjournment**

NOV 04 2021

Town of Austerlitz  
Planning Board Meeting  
October 7, 2021

Planning Board Meeting

Present: Lee Tilden, Chair, Deborah Lans, Eric Sieber, Jane Magee and Perry Samowitz, Members. Joseph Catalano, Attorney for the Town and Angela Rothermel, Planning Board Clerk also present.

**Public Hearing: Application PL-2021-11 Ballinger Subdivision**

Public Hearing called to order at 7:03 p.m.

Alex Emly, the representative, explained the project to the Board Members. Abutting property owner, Leon Sokol, read a letter expressing his concerns for the private road, Nettletone Lane, that borders the property being subdivided. J. Catalano explained that the Subdivision map does not appear to claim any rights over the private road. Without a specific easement, the property owner would not be able to access the road. The Board members discussed the private road with the concerned residents in the audience. Nettleton Lane is accessible by five property owners and the Town Code states that a private road cannot be accessed by more than 5 lots. Chairman Tilden read an affidavit from another Town resident in favor of the project. The resident asked if the 22 acres could be subdivided further if the new owner chose. Under the Town Code, the property can be subdivided into three additional parcels within a 10 year period All those wishing to be heard, were heard.

Motion to close the Public Hearing by P. Samowitz and seconded by D. Lans, at 7:23PM.

Roll Call

Lee Tilden: yes

Deborah Lans: yes

Eric Sieber: yes

Perry Samowitz: yes

Jane Magee: yes

Motion carried 5:0

Regular Meeting called to order at 7:23 p.m.

Moment of Silence, followed by Pledge of Allegiance.

**Minutes**

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

Voice vote

Lee Tilden: yes

Deborah Lans: yes

Eric Sieber: yes

Perry Samowitz: yes

Jane Magee: yes

Motion carried 5:0

## **Old Business**

### **Planning Board Application PL-2021-03 Boundary Line Adjustment Vieni**

The applicant never resubmitted the necessary documents and will need to reapply if they would like to move forward with the Boundary Line Adjustment.

### **Proposed Boundary Line Adjustment by Oleynek**

Town Attorney J. Catalano spoke with the Oleynek's attorney and advised him that the Oleynek's will need to follow procedure and file an application with the Planning Board.

### **Planning Board Application PL-2021-11 Ballinger Subdivision**

The application has been determined to be complete and the Public Hearing has been closed. The required fees have been paid, the application has been deemed complete, the Public Hearing was noticed and advertised as required. Those wishing to testify to their concerns were heard. The project was designated an unlisted action under SEQRA. A negative declaration was issued, motion by E. Sieber 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  
NOV 04 2021  
Planning Board Meeting

J. Catalano spoke to the Board members about a private road issue, advising they put a condition on the map that there shall be no access to the private road unless all parties agree otherwise. As it stands, it is pretty clear the access should be on the Town road unless a specific easement to a private road is granted and complies with the Town Code as far as the amount of lots accessible. the map would have to add a condition that access for the two lots on the Subdivision map shall access Angell Hill Road, the Town road, unless the private easement is granted for access to Nettleton Road and that access does not violate the Town Code. In order for the property to be subdivided again, the landowner would have to go through the Planning Board process again.

A motion to approve by resolution, the subdivision with conditions described added to the map by E. Sieber, 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**

### **PL-2021-12 Slotnick Ground Mounted Solar**

Alex Martin, the representative for Kassleman Solar gave the Board members site maps to review and gave the clerk the application fee. The representative discussed the project with the Board members, explaining the original array was built in 2016 and they are requesting to add another column, four panels, to the ground mounted array. J. Catalano explained that because it is an existing structure and just being modified, the Board does not need to go through the entire process. Motion to adopt resolution for the expansion as shown on the map prepared by Kassleman Solar dated September 7, 2021, designated Type 2 under SEQRA, by J. Magee, 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**

NOV 04 2021

Planning Board Meeting

### **PL-2021-13 American Tower – Ground Mount/Tower Modification**

A representative of American Tower was not present at the meeting. J. Catalano explained that the project appears to be a replacement in kind. If the size of the antennas are the same, there is nothing the Board can do to deny the project. A stamped letter from the Engineer is on file. The project was designated Type 2 under SEQRA. The Board has questions for the representative and will keep them on the agenda for the November meeting.

### **New Subdivision Law Proposal**

The Board members discussed the proposed Subdivision Law and its regulations and requirements. The Board members discussed having a joint meeting, when the time comes, with the Town Board regarding the proposed law.

### **Adjournment**

A motion to adjourn 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 Meeting adjourned at 8:23 p.m.

Respectfully Submitted,

Angela Rothermel, Planning Board Clerk