

TOWN OF AUSTERLITZ

Columbia County
New York



Deborah Lans
Planning Board Chair

Planning Board Meeting

February 1, 2024

7:00 p.m.

Reference Material

<<<< AGENDA >>>>

JAN 30 2024

Planning Board Meeting

1. Call Planning Board Meeting to Order
2. Roll Call
3. Acceptance of January 4, 2024 Meeting Minutes
4. New Business
 - 1- Michael O'Brien, MOB Builders: PL-2024-01, SBL# 87.-2-50.3
Minor (2-lot) Sub-division
5. Old Business
 - A. Discussion of Comprehensive Plan
 - 1) Suggestions re: Comprehensive Plan
 - 2) Committee Suggestions
 - B. Discussion of Resolution Protocol
6. Public Comment
7. Adjournment

***Please understand that this agenda is provided at an early date to provide the public with as much information as possible, but it is also subject to change as meeting material is often not available until the very day of the meeting.**

Town of Austerlitz
Planning Board Meeting
January 4, 2024

Present: Deborah Lans, Chair, Chris Ferrone, Eric Sieber, and Steve Lobel, Planning Board Members. Also present: Planning Board Clerk, J Lotus.

The regular meeting of the Austerlitz Planning Board was called to order by Chair Lans at 7:01pm.

Minutes

A motion to accept the December 7, 2023 Planning Board Meeting was made by Member E. Sieber and Seconded by Member S. Lobel with the following change: *The minutes are to reflect that we talked about and agreed unanimously that the Gellert Boundary Line Adjustment was a SEQRA Type II action.

Voice Vote:

Deborah Lans: Y

Chris Ferrone: Y

Steve Lobel: Y

Dale Madsen: Y

Eric Sieber: Y

Motion Carried 5:0:0

Reference Material

JAN 25 2024

Planning Board Meeting

New Business

1. Discussion and overview of the draft Comprehensive Plan and the audit at the end of it. The Planning Board decided to go through the draft plan as a group so as to decide what changes would be helpful to make for the benefit of the future Planning Board's Function and what changes would not be helpful. Also, the Planning Board will give a recommendation regarding which committees, that have been suggested by the comprehensive plan committee, would be most helpful, who should be on the committees and on which committees Planning Board Members should be placed. The Board agreed that they should discuss all things that refer to or are impacted by zoning and that the Planning Board always look at the natural resources impacted by every application. The Planning Board will analyze the Comprehensive Plan with regards to Zoning and Subdivisions.
2. A brief discussion of the pros and cons of short-term rentals and how they might best be addressed.
3. Discussion regarding the utilization of Formal Resolutions for all of the Planning Board's actions. Might be helpful to the code enforcement officer. This will be revisited at the next Planning Board Meeting.

Other Business: None

Public Comment: None

Member Ferrone made a motion to adjourn the Planning Board meeting. Member Madsen seconded the motion.

The Planning Board meeting **ended** at 8:14 p.m.

Respectfully Submitted by



J Lotus

Town of Austerlitz Planning Board Clerk

***refer to the December 7, 2023 final meeting minutes**

Reference Material

JAN 25 2024

Planning Board Meeting

**Michael O'Brien for
Fizzinoglia Living Trust
Minor Subdivision**

Reference Material

PL-2024-1

Planning Board Meeting

SBL# 87.-2-50.3



West Hill Rd [87.-2-50.3]

Application for Minor Subdivision Summary



Reference Material

To: Town of Austerlitz Planning Board

JAN 30 2024

Re: Minor Subdivision of Parcel 87.-2-50.4

Planning Board Meeting

Date of Submission: 1/19/2024

Please accept application documents enclosed for a minor subdivision of the ~40 acre vacant parcel located on the southeast corner of West Hill Road and Partridge Drive, tax ID 87.-2-50.3. The parcel currently includes a much larger tract north of West Hill Road. This application is to break out the ~40 acres reflected in the enclosed survey into (2) individual parcels intended for single family residential use. This land is under contract for sale from 'Frank Fizzinoglia Living Trust', with Joy Lombardo as owner representative, to 'MOB Builders LLC' as purchaser, represented by Michael O'Brien. As a stipulation of the purchase contract, Michael O'Brien is to represent current ownership throughout the subdivision process prior to the closing transaction.

Thank you for your consideration and please feel free to contact me at the email or phone number listed below at any time.

Michael O'Brien

M: 631.219.9769

E: mike@mobbbuilders.com



Reference Material

JAN 30 2024

Planning Board Meeting

West Hill Rd [87.-2-50.3]

2 parcel subdivision

Addendum

167-404.1.a.11



The intent of this letter is to document compliance with Austerlitz Town Code section 167-404.1.a.11. Any subsequent lot sale within the subdivision are to be contingent upon a contract addendum stating the location of water supply, water flow capacity, potability as well as acceptable conditions for septic systems in accordance with NYS and Columbia County Health Department Standards.

Applicant: Michael O'Brien (MOB Builders LLC)

Signature: _____

A handwritten signature in black ink, appearing to be "MOB", written over a horizontal line.

Date: 1/18/2024



West Hill Rd [87.-2-50.3]

Application for Minor Subdivision

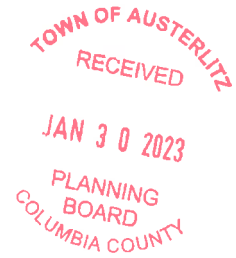
Documents List

Enclosed:

1. Cover Letter
2. Enclosed Documents List
3. Application form
4. Applicant Authorization
5. Short Environmental Assessment Form
6. Adjacent Property Owners
7. Water and Septic Addendum Letter
8. Columbia County BOH Letter
9. Current Deed
10. Survey

Forthcoming:

11. Highway Department Driveway Review
12. Army Corps Letter of No Permit



Reference Material

JAN 30 2024

Planning Board Meeting

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

Application Date: 1/11/24

Project No.

PL-2024-01

Property Owner: Name Frank Fizzinoglia Living Trust

Mailing Address 94 Shagbark Ln Hopewell Junction NY 12533

Email Address: JLombardo@houlihanlawrence.com

Phone Number: (914) 403-3368

Surveyor or Engineer: Name Daniel Russell

Email Address drussell@crawfordandassociates.com

Phone Number (518) 828-2700, Ext. 1150

License Number 050639

Other Representative (if any): Name Michael O'Brien

Email Address mike@mobbbuilders.com

Phone Number (631) 219-9769

Please provide owner's letter of authorization



Property Address: 0 West Hill Road

Tax Map Number: 87.-2-50.3

Current Land Use: Rural Vacant

Number of Proposed Lots: 2

Use of Abutting Lands: Residential

Nature and Details of any Subdivisions in Past 10 years: N/A

Reference Material

Date(s) of Planning Board Approvals: JAN 30 2024

Planning Board Meeting

Easements or Restrictions: _____

Ag. District: Yes ☒ No

(If yes to either, provide Ag Data Statement)

Reason(s) for Proposed Subdivision: Building of single family homes

(Subdivision App. P. 2)



Signature

1/11/24

Date

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

Reference Material

JAN 30 2024

Planning Board Meeting



REV'D 9/6/22



West Hill Rd [87.-2-50.3]
2 parcel subdivision
Adjacent Property Owners

96.-2-88: MOB Builders LLC (Michael O'Brien)

96.-2-2.112: Gregory & Danielle Gilbert

96.-2-89: Austin & Krista Sand

96.-2-75: Taconic Hills Associates (Ira Levine)

96.-1-26.3: John & Marian Casey

87.-2-50.3: Frank Fizzinoglia Living Trust (Joy Lombardo)

96.-2-2.12: John & Analisa Allen

Reference Material

JAN 30 2024

Planning Board Meeting



Reference Material

Planning Board Meeting

West Hill Rd [87.-2-50.3]
Minor Subdivision
Owner & Applicant Information

To: Town of Austerlitz Planning Board

Re: Article VI 167-604.B.2

'The name and address of the applicant and record owner (if different from the applicant). If the applicant is not the owner of record, but an authorized representative of the owner, a notarized letter of consent signed by the land owner must also be submitted.'

Applicant: Michael O'Brien as representative of MOB Builders LLC

Entity Registered Agent Address: 30 N Gould St, Suite N, Sheridan WY 82801

Applicant Address: 361 Harrington Drive, Austerlitz NY, 12017

Owner: Joy Lombardo as representative of Frank Fizzinoglia Living Trust

Owner Address: 94 Shagbark Lane, Hopewell Junction, NY 12533

This letter serves as authorization for Michael O'Brien of MOB Builders LLC to represent Joy Lombardo of Frank Fizzinoglia Living Trust in an application of minor subdivision for the

vacant land parcel located at tax ID 87.-2-50.3. The application effort shall include a ~40 acre lot south of West Hill Rd, segmented into (3) smaller lots of varying size.

Owner Signature:

Joy Lombardo

Applicant Signature:

Michael O'Brien

State of New York
County of Orange

Sworn Before Me This

12 Day of Dec, 2023

For Joy Lombardo

Jodi Ann Bleakley



617.20
Appendix B
Short Environmental Assessment Form



Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Minor subdivision of vacant land parcel 87.-2-50.3		Reference Material	
Project Location (describe, and attach a location map): Vacant parcel located on the southeast corner of West Hill and Parrington Roads		Planning Board Meeting	
Brief Description of Proposed Action: A subdivision of roughly 40 acres from the larger lot currently owned by the Joy Lombardo Trust. This 40 acre lot will be subdivided into (2) parcels for residential use.			
Name of Applicant or Sponsor: Michael O'Brien (MOB Builders LLC)		Telephone: (631) 219-9769 E-Mail: mike@mobbbuilders.com	
Address: 361 Harrington Drive			
City/PO: Austerlitz		State: NY	Zip Code: 12017
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: Army Corps of Engineers, letter of no permit attached.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		~40 acres	
b. Total acreage to be physically disturbed?		2 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		~600+ acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <div style="display: flex; flex-wrap: wrap; padding: 5px;"><div style="margin-right: 10px;"><input type="checkbox"/> Urban</div><div style="margin-right: 10px;"><input type="checkbox"/> Rural (non-agriculture)</div><div style="margin-right: 10px;"><input type="checkbox"/> Industrial</div><div style="margin-right: 10px;"><input type="checkbox"/> Commercial</div><div style="margin-right: 10px;"><input checked="" type="checkbox"/> Residential (suburban)</div><div style="margin-right: 10px;"><input type="checkbox"/> Forest</div><div style="margin-right: 10px;"><input type="checkbox"/> Agriculture</div><div style="margin-right: 10px;"><input type="checkbox"/> Aquatic</div><div style="margin-right: 10px;"><input type="checkbox"/> Other (specify): _____</div><div style="margin-right: 10px;"><input type="checkbox"/> Parkland</div></div>			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input 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: _____	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 type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <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 <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
Reference Material		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
Planning Board Meeting		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Michael O'Brien (MOB Builders LLC)</u> Date: <u>1/11/2024</u> Signature: <u><i>MOB</i></u>		

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

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

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

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

Reference Material

JAN 30 2024

Planning Board Meeting

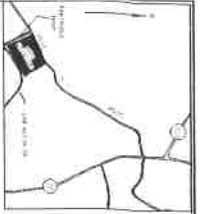


<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<div> <div>Name of Lead Agency</div> <div>Date</div> </div>	
<div> <div>Print or Type Name of Responsible Officer in Lead Agency</div> <div>Title of Responsible Officer</div> </div>	
<div> <div>Signature of Responsible Officer in Lead Agency</div> <div>Signature of Preparer (if different from Responsible Officer)</div> </div>	

PRINT

RESET

LOCATION SKETCH



PARCEL 1 - 19.552 ACRES
 PARCEL 2 - 19.552 ACRES
 TOTAL 39.104 ACRES
 SEE EXHIBIT MAP

LEGEND
EXISTING LOT LINES
PROPOSED LOT LINES
PROPOSED SUBDIVISION
PROPOSED TRAIL
PROPOSED ROAD
PROPOSED DRIVE
PROPOSED FENCE
PROPOSED UTILITY
PROPOSED EASEMENT
PROPOSED RIGHT-OF-WAY
PROPOSED SETBACK
PROPOSED BUFFER
PROPOSED ZONING
PROPOSED DISTRICT
PROPOSED MAP

THE TOWN OF AUSTERLITZ
 COLUMBIA COUNTY, NY
 12510 STATE ROUTE 28
 AUSTERLITZ, NY 12024
 (518) 486-1234
 WWW.AUSTERLITZ.NY.GOV



THIS MAP WAS PREPARED BY THE TOWN OF AUSTERLITZ, COLUMBIA COUNTY, NY, FOR THE PURPOSE OF SUBDIVIDING THE FRANK FIZZINOGLIA TRUST. THE MAP SHOWS THE PROPOSED SUBDIVISION OF THE TRUST INTO TWO PARCELS, PARCEL 1 AND PARCEL 2, EACH 19.552 ACRES. THE MAP ALSO SHOWS THE PROPOSED TRAIL, ROAD, DRIVE, FENCE, UTILITY, EASEMENT, RIGHT-OF-WAY, SETBACK, BUFFER, ZONING, AND DISTRICT. THE MAP WAS PREPARED BY THE TOWN OF AUSTERLITZ, COLUMBIA COUNTY, NY, FOR THE PURPOSE OF SUBDIVIDING THE TRUST INTO TWO PARCELS, PARCEL 1 AND PARCEL 2, EACH 19.552 ACRES. THE MAP ALSO SHOWS THE PROPOSED TRAIL, ROAD, DRIVE, FENCE, UTILITY, EASEMENT, RIGHT-OF-WAY, SETBACK, BUFFER, ZONING, AND DISTRICT.

PARCEL 1
 19.552 ACRES

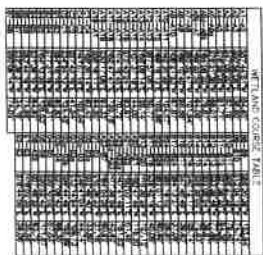
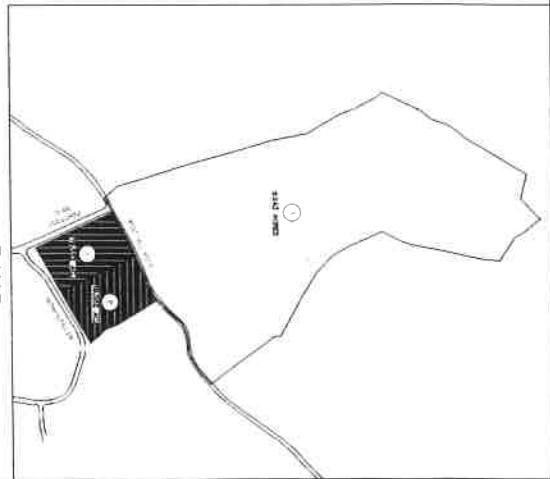
PARCEL 2
 19.552 ACRES

LAND OF
 TOWN OF AUSTERLITZ
 B. 1971 & 1987

LAND OF
 TOWN OF AUSTERLITZ
 B. 1971 & 1987

LAND OF
 TOWN OF AUSTERLITZ
 B. 1971 & 1987

INSET MAP
 SCALE 1" = 800'



PROPOSED SUBDIVISION PROPERTY OF THE FRANK FIZZINOGLIA TRUST TOWN OF AUSTERLITZ COLUMBIA COUNTY, NY

TOWN OF AUSTERLITZ
 COLUMBIA COUNTY, NY

RECEIVED
 TOWN OF AUSTERLITZ

PLANNING BOARD
 JAN 24 2014

PLANNING BOARD MEETING
 DANIEL AND GREGORY GIBERT

Reference Material



FOR THE TOWN OF AUSTERLITZ, NY
 TOWN CLERK
 TOWN OF AUSTERLITZ, NY
 12510 STATE ROUTE 28
 AUSTERLITZ, NY 12024
 (518) 486-1234
 WWW.AUSTERLITZ.NY.GOV



617.20
Appendix B
Short Environmental Assessment Form

**Instructions for Completing**

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: <u>PL-2024-01</u> Minor subdivision of vacant land parcel 87.-2-50.3			
Project Location (describe, and attach a location map): Vacant parcel located on the southeast corner of West Hill and Partridge road, Austerlitz.			
Brief Description of Proposed Action: A subdivision of roughly 40 acres from the larger lot currently owned by the Joy Lombardo Trust. This 40 acre lot will be subdivided into (3) parcels for residential use.			
Name of Applicant or Sponsor: Michael O'Brien (MOB Builders LLC)		Telephone: (631) 219-9769 E-Mail: mike@mobbbuilders.com	
Address: 361 Harrington Drive			
City/PO: Austerlitz		State: NY	Zip Code: 12017
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: Army Corps of Engineers, letter of no permit attached.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		~40 acres	
b. Total acreage to be physically disturbed?		3 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		~600+ acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input 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: <u>BOH certified septic system</u>	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 type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? <input type="checkbox"/> NO <input type="checkbox"/> YES If Yes, briefly describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
Reference Material _____			

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 <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>

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

Applicant/sponsor name: Michael O'Brien (MOB Builders LLC) Date: 1/11/2024

Signature: *MOB*

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

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

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

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

TOWN OF AUSTERLITZ
RECEIVED
JAN 19 2024
PLANNING
BOARD
COLUMBIA COUNTY

Reference Material

Planning Board Meeting

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<div> <div>Name of Lead Agency</div> <div>Date</div> </div>	
<div> <div>Print or Type Name of Responsible Officer in Lead Agency</div> <div>Title of Responsible Officer</div> </div>	
<div> <div>Signature of Responsible Officer in Lead Agency</div> <div>Signature of Preparer (if different from Responsible Officer)</div> </div>	

PRINT

RESET



Columbia County Department of Health

325 Columbia Street, Suite 100, Hudson, NY 12534
(518) 828-3358 Fax (518) 828-2666
www.columbiacountyny.com

John J. Mabb, MA
Public Health Director

August 8, 2022

Reference Material

Ms. Samantha Cummings
Taconic Engineering, PDC
P.O. Box 272
Chatham, N.Y. 12037

Planning Board Meeting



Re: Fizzinoglia Subdivision (3 lot Minor)
Tax Map # 87.-2-50.3 , PL-2024-C1
West Hill Road
T/O Austerlitz

Dear, Ms. Cummings,

This letter is to acknowledge receipt of the soil test results and associated mapping depicting the test locations as a follow up to the site evaluation on July 27, 2022 at the above-referenced property to determine the suitability for onsite wastewater treatment systems (OWTS's) to serve three (3) potential residential building lots.

The results of the deep tests are summarized next.

Lot 1 (70 Acres)

The deep tests were performed in a wooded area on moderate sloping terrain to the east of the existing Tower access road (as shown on the map) and revealed 12-18 inches of permeable topsoil overlying denser silt loam soils with the presence of shale rock at 2 feet below grade.

Based upon the above, a four foot deep raised bed fill system (with provisions for dosing) could be designed for this parcel.

Lot 2 (205 Acres)

Test pits were dug in a wooded area on gently sloping terrain 100-200 feet to the west of the existing Tower access road (as shown on the map).

The results of the deep tests generally revealed that 12- 14 inches of permeable topsoil existed over shale rock.

Based upon the above, a four foot deep raised bed fill system (with provisions for dosing) could be designed for this parcel.

Lot 3 (40 Acres)

Test pits were dug approximately 50 feet south of and below West Hill Road. The initial test pit indicated approximately 12 inches of topsoil overlying mottled silt.

Moving to the west of the initial test pit two additional test pits were dug where 16-18 inches of permeable topsoil existed over mottled silt.

Based upon the above, a four foot raised bed system could be designed for this parcel (with provisions for dosing).

In addition, given the shallow depth to mottling an uphill curtain drain should be considered to divert any surface and groundwater away from the system.

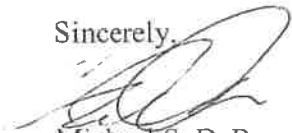
For department approval, it should be noted that site specific OWTS design plans will be required for each parcel for department review.

In the event that a prospective purchaser wishes to change the location of the house site that would void the use of the recent test areas then a new application(s) will be required and soil tests will need to be reexamined prior to the issuance of a design plan submission.

Further, all potential areas of site disturbances must be delineated to ensure conformity with the NYSDEC storm water regulations notwithstanding any other state or local permitting requirements.

If you should have any further questions regarding this matter please call me at (518) 828-7011 Ext. 2112.

Sincerely,



Michael S. DeRuzzio, P.E.
Environmental Health Engineer

CC: Erin Reis, Austerlitz Building Inspector/CEO

Enclosures

Reference Material

Planning Board Meeting





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

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



BOOK/PAGE: 883 / 132
 INSTRUMENT #: 20190002967

Receipt#: 493417
 Clerk: JM
 Rec Date: 04/03/2019 03:17:28 PM
 Doc Grp: D
 Descrip: DEED (NON RES)
 Num Pgs: 10
 Rec'd Frm: ETtinger Law Firm

Party1: FIZZINOGLIA FRANK AS TRUSTEE
 Party2: FIZZINOGLIA FRANK AS TRUSTEE
 Town: AUSTERLITZ
 96.-1-22
 87.-2-50.3



Recording:

Cover Page	5.00
Recording Fee	65.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
CC Supplemental Tax Form	5.00
RP5217 All others - State	241.00
RP5217 - County	9.00

Sub Total: 350.00

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

Sub Total: 0.00

Total: 350.00
 **** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****

Transfer Tax #: 1544

Transfer Tax

Consideration: 0.00

Total: 0.00

Reference Material

Planning Board Meeting

Record and Return To:

ELECTRONICALLY RECORDED BY INGeo

WARNING***

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

Holly C. Tanner

Holly C. Tanner
 Columbia County Clerk

*Fifth
 parcel*

R 4/03/19

883-132

Reference Material

Planning Board Meeting

TOWN OF AUSTERLITZ
RECEIVED

JAN 19 2024

PLANNING
BOARD
COLUMBIA COUNTY

DEED

Consult your lawyer before signing this instrument. This instrument should be used by lawyers only.

THIS INDENTURE, made the 26th day of March, two thousand and nineteen,

BETWEEN

Frank Fizzinoglia, 46 Pritchard Court, Fishkill, New York 12524, as Trustee of The Frank Fizzinoglia Living Trust, dated 3/30/09 and Frank Fizzinoglia, 46 Pritchard Court, Fishkill, New York 12524, as Trustee of The Jean Fizzinoglia Living Trust, dated 3/30/09,

party of the first part,

and

Frank Fizzinoglia, 46 Pritchard Court, Fishkill, New York 12524, as Trustee of The Frank Fizzinoglia Living Trust, dated 3/30/09,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and no/100 (\$10.00), lawful money of the United States, to him paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs, successors or assigns of the party of the second part forever,

ALL that certain lot, piece or parcel of land together with the buildings and improvements located and to be erected thereon, situate, lying and being in the Town of Austerlitz, County of Columbia and State of New York, more particularly bounded and described as follows:

See Schedule A annexed.

BEING the same premises conveyed by Frank Fizzinoglia and Jeanette Fizzinoglia, a/k/a Jean Fizzinoglia, Grantor, to Frank Fizzinoglia, and Jean Fizzinoglia, as Trustees of The Frank Fizzinoglia Living Trust, dated 3/30/09 and Jean Fizzinoglia and Frank Fizzinoglia, as Trustees of The Jean Fizzinoglia Living Trust, dated 3/30/09, Grantee, by Deed March 30, 2009 and recorded in the Columbia County Clerk's Office on July 30, 2009 in Liber 665 of Deeds at page 346.

JEAN FIZZINOGLIA DIED a resident of Westchester County on the 9th day of July, 2010.

SUBJECT to covenants, conditions, restrictions and rights of way of record, if any.

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

Planning Board Meeting

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

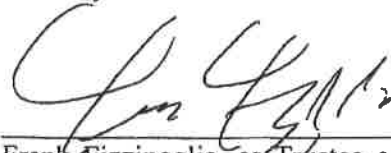
TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

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

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

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

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



Frank Fizzinoglia, as Trustee of The Frank Fizzinoglia Living Trust, dated 3/30/09 and as Trustee of The Jean Fizzinoglia Living Trust, dated 3/30/09

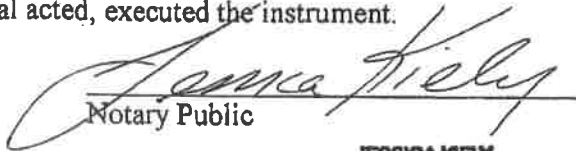
TOWN OF AUSTERLITZ
RECEIVED

JAN 19 2024

PLANNING
BOARD
COLUMBIA COUNTY

STATE OF NEW YORK)
) ss:
COUNTY OF DUTCHESS)

On the 26th day of March, 2019, before me, the undersigned, personally appeared Frank Fizzinoglia, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

JESSICA KIELY
Notary Public, State of New York
No. 02K16167297
Qualified in Rockland County
Commission Expires May 29, 2019

Record and return by mail to:

Frank Fizzinoglia
46 Pritchard Court
Fishkill, New York 12524

Reference Material

Planning Board Meeting

TOWN OF AUSTERLITZ
RECEIVED

JAN 19 2024

PLANNING
BOARD
COLUMBIA COUNTY

Schedule "A"

BEGINNING at a point marked by the intersection of the westerly right-of-way line of a Town Road known as West Hill Road with the northeasterly right-of-way of a Town Road known as Dugway Road and which point marks the southeasterly corner of the parcel herein described; proceeding thence North 37 degrees 20' 05" East 294.86 feet to a point proceeding thence North 30 degrees 21' 39" East 150.24 feet to a point; proceeding thence North 17 degrees 19' 10" East 208.43 feet to a point; proceeding thence North 9 degrees 49' 08" East 419.95 feet to a point; proceeding thence North 17 degrees 19' 08" East 500.00 feet to an iron pipe recovered, which iron pipe marks the southeasterly corner of lands now or formerly of Fizzinoglia to the North; proceeding thence along the southerly and southwesterly boundary line of said lands of Fizzinoglia North 54 degrees 12' 19" West 609.48 feet to an iron pin recovered; proceeding thence North 20 degrees 12' 11" East 200.10 feet to an iron pin recovered; proceeding thence North 20 degrees 11' 11" East 199.90 feet to a point; proceeding thence North 43 degrees 35' 58" West 1,631.60 feet to a point; proceeding thence along the northwesterly boundary line of said lands now or formerly of Fizzinoglia North 36 degrees 44' 08" East 398.54 feet to an iron rod recovered; proceeding thence North 36 degrees 44' 08" East 948.55 feet to an iron pin recovered, which iron pin marks the northern most corner of said lands now or formerly of Fizzinoglia; proceeding thence along remains of a stone wall North 37 degrees 15' 43" West 414.41 feet to a stone wall corner; proceeding thence North 30 degrees 05' 07" West 528.10 feet to a point; proceeding thence North 46 degrees 33' 65" West 499.87 feet to a point in a stone wall which marks the northern most corner of the premises herein described thence South 24 degrees 24' 35" West 979.08 feet to an iron pin set; proceeding thence South 32 degrees 58' 41" West 1,188.00 feet to an iron pin set; proceeding thence South 21 degrees 58' 41" West 604.90 feet to an iron pipe set which iron pipe marks the northeasterly corner of "Parcel B" hereinafter described; proceeding thence along a stone wall and the easterly boundary line of the hereinafter described "Parcel B" South 36 degrees 07' 44" West 680.42 feet to an iron pipe set which marks the southeasterly corner of the hereinafter described "Parcel B"; continuing thence along a stone wall South 33 degrees 56' 53" West 575.79 feet to a point; proceeding thence South 24 degrees 28' 28" West 325.84 feet to a point marked by an iron pipe set in the northeasterly right-of-way line of a Town Road known as Dugway Road; proceeding thence along the said northerly and northeasterly right-of-way line of Dugway Road South 41 degrees 53' 44" East 194.81 feet to a point; proceeding thence South 30 degrees 43' 40" East 265.72 feet to an iron pin recovered; proceeding thence South 33 degrees 09' 26" East 1983.05 feet to an iron pipe recovered; proceeding thence South 51 degrees 50' 29" East 399.38 feet to a point; proceeding thence South 63 degrees 10' 22" East 324.68 feet to a point; proceeding thence South 69 degrees 50' 37" East 590.37 feet to a point; proceeding thence South 61 degrees 43' 02" East 345.09 feet to a point; proceeding thence South 56 degrees 10' 26" East 397.54 feet to a point; proceeding thence South 45 degrees 22' 26" East 601.17 feet to a point; proceeding thence South 36 degrees 39' 53" East 419.39 feet to a point; proceeding thence South 14 degrees 54' 54" East 173.13 feet to the point or place of beginning.

TOWN OF WESTERLITZ
RECEIVED

JAN 19 2024

PLANNING
BOARD
COLUMBIA COUNTY

Planning Board Meeting

Schedule "A" *continued*

CONTAINING 234.79 acres of land and being shown and designated as "Parcel A" on the hereinafter described survey map.

Parcel B:

BEGINNING at a point situate in the northeasterly right-of-way line of a Town Road known as Dugway Road, which point is marked by an iron pipe which marks the southwesterly corner of the parcel herein described and the southeasterly corner of lands now or formerly of the Austerlitz Club, Inc. to the north; proceeding thence along the said southerly and southeasterly boundary line of lands of said Austerlitz Club, Inc. North 48 degrees 19' 17" East 661.81 feet to a point which marks the northwesterly corner of the parcel herein described; proceeding thence South 58 degrees 40' 43" East 450.78 feet to an iron pipe set which marks the northeasterly corner of the parcel herein described; proceeding thence along a stone wall South 36 degrees 07' 44" West 680.42 feet to an iron pipe set which marks the southeasterly corner of the parcel herein described; proceeding thence North 58 degrees 46' 28" West 527.94 feet to an iron pipe set in the northeasterly right-of-way line of the aforementioned Dugway Road; proceeding thence along the northwesterly right-of-way line of Dugway Road and along a stone wall North 20 degrees 53' 04" West 75.07 feet to the point or place of beginning.

CONTAINING 8.15 acres of land and being shown and designated as "Parcel B" on the hereinafter-described survey map.

ALL that tract, piece or parcel of land situate, lying and being in the Town of Austerlitz, Columbia County and State of New York, situated on both sides of the Town or County Highway leading westerly from the State Highway, which it joins in the village of Austerlitz; the said Town or County Highway leads from said State Highway in Austerlitz to the County Road leading from Spencertown to Green River and known as the "Dugway."

EXCEPTING AND RESERVING, the Ford Burial Plot, from the above described premises which were originally reserved in the deed from Isaac Ford and Polly, his wife, to John Van Tessel dated April 30, 1833 and recorded June 26, 1843 in Book GG at page 345 in the Columbia County Clerk's Office, and which were conveyed by Katherine F. Williams to Eliakim R. Ford by deed dated August 24, 1912 recorded September 6, 1912 in Liber 148 at Page 149 in the Columbia County Clerk's Office.

SUBJECT to a right-of-way 50 foot wide in favor of The American Telephone & Telegraph Company granted by Marion Rowan and Elizabeth V. Fox leading from point in West Hill Road to a parcel of land 300 foot square owned by The American Telephone & Telegraph Company which parcel of land 300 foot square is not a part of the premises being conveyed.

TOWN OF AUSTERLITZ
RECEIVED
JAN 19 2024
PLANNING
BOARD
COLUMBIA COUNTY

Reference Material

Planning Board Meeting Schedule "A"

**Parcel 1**

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

Beginning at a point in the center of West Hill Road, said point is the southwesterly corner of lands n/f of Celano, is the southwesterly corner of the herein described parcel and is referenced as being N 59-51-02 E, 520.82' from a U.S.G.S. monument recovered atop a large rock on the northerly side of said West Hill Road, all as is shown on the below mentioned map; thence along the center of said West Hill Road, S 52-05-56 W, 128.70' to the northeasterly corner of other lands of Fox Rowan, et. Al., Parcel 2 as shown on the below mentioned map; thence said Parcel 2 and continuing along the center of West Hill Road S 52-05-56 W, 70.72', S 55-39-02 W, 111.26', S 58-30-26 W, 51.67' and S 59-24-17 W, 32.06', thence along lands of the Town of Austerlitz (Jacob Ford burial plot) and continuing along the center of West Hill Road S 59-24-17 W, 30.13', thence along said Parcel 2 and continuing along the center of West Hill Road S 66-51-33 W, 88.59', S 78-05-19 W, 58.71', S 87-44-04 W, 77.64', S 86-08-55 W, 81.85', S 79-17-39 W, 98.78', S 71-56-07 W, 75.38', S 52-13-32 W, 210.38', S 44-37-16 W, 127.07' and S 45-18-30W, 170.48' to the northwesterly corner of said Parcel 2 at a point where the center of West Hill Road is intersected by the center of an old town road, thence continuing along the center of West Hill Road S 48-11-59 W, 76.14', S 55-34-22 W, 94.31', S 64-05-39 W, 84.76', S 70-27-51 W, 469.88', S 67-06-28 W, 179.18', S 63-58-32 W, 157.83', S 62-52-16 W, 271.40', S 64-47-58 W, 172.40', S 62-25-23 W, 113.20', and S 56-32-05 W, 24.16', thence along lands n/f of Fizzinoglia N 40-56-45 W, 35.03', to an iron pipe recovered in a stone wall and N 40-56-45 W, 215.38' to a point in the end of said stone wall, thence continuing along lands n/f of Fizzinoglia and along a line of no physical bounds N 16-00-27 W, 1069.82' to a point in a stone wall, thence continuing along lands n/f of Fizzinoglia and along said stone wall N 11-55-57 W, 318.41', N 15-55-44 W, 85.62', N 11-49-58 W, 102.74' to a 30' maple tree, N 14-41-04 W, 263.80', N 13-15-41 W, 158.28', N 13-23-22 W, 33.54', N 17-49-03 W, 189.51' and N 16-40-47 W, 193.57' to a stone wall corner thence continuing along lands n/f of Fizzinoglia and along a line of no physical bounds N 9-45-21 W, 528.10' and N 26-14-09 W, 499.87' to a point on a stone wall; thence along lands reputedly of the Austerlitz Club, Inc. N 26-26-17 W, 672.80' to an iron pin recovered; thence along lands n/f of Conera N 25-28-21 E, 613.64' to an iron pin recovered in the bottom of a gully; thence along lands n/f of Nathan, Leonard and Latham, respectively, and along a blazed tree line N 34-28-06 E, 281.79' to a blazed tree, N 25-12-52 E, 153.80' to a blazed oak, N 33-05-19 E, 348.64' to a 24' blazed cherry tree, N 37-11-14 E, 201.49' to a blazed tree, N 32-31-48 E, 223.86' and N 29-42-35 E, 473.00' to a nail recovered in a 36" dead oak tree; thence along lands n/f of Garelik & Leffart S 73-36-17 E, 346.34', N 49-01-43 E, 340.27 to an iron pin recovered and N 35-19-35 E, 52.55', thence along lands n/f of Elizabeth V. Fox and along a berm S 39-19-41 E, 321.70', S 25-05-09 E, 12.80', S 55-11-07 E, 397.41' to an iron pin set at the end of a stone wall, S 3-40-50 W, 210.35' to an iron pin set and S 12-07-04 W, 639.56' to an iron pin set in a berm and stone wall corner; thence continuing

Reference Material

Planning Board Meeting

Schedule "A" continued



along lands n/f of Fox and along a berm and the remains of a stone wall S 9-26-14 W, 104.11', S 17-43-12 W, 106.72', S 12-27-58 W, 176.23', S 19-53-39 W, 99.91' and S 26-10-25 W, 369.08' to an iron pin set on the northeasterly side of an ATV trail; thence continuing partly along lands n/f of Fox and partly along lands n/f of Hyde and along the easterly side of said ATV trail S 22-05-30 E, 531.89' to an iron pin set; thence along lands n/f of Hyde S 31-05-30 E, 228.36' to an iron pin set, S 44-20-30 E, 210.70' to a railroad spike set in the center of a driveway, S 44-20-30 E, 110.06' to an iron pin set and S 61-20-53 E, 353.97' to a stone wall corner; thence continuing along lands n/f of Hyde and along a stone wall S 61-20-53 E, 265.11', S 58-15-24 E, 436.25', S 3-32-05 E, 114.62' to an iron pin set in a stone wall corner and S 36-28-46 E, 276.20' to an iron pipe recovered; thence along lands n/f of Celano and continuing along said stone wall S 35-59-14 E, 366.67', S 37-39-22 E, 97.85', S 35-32-35 E, 195.39' and S 36-08-53 E, 164.19' to the point of beginning.

As shown as Parcel 1 on a map entitled: "SURVEY OF PROPERTY OF ELIZABETH V. FOX, MARION ROWAN, ET AL., TOEN OF AUSTERLITZ, COLUMBIA CO., N.Y.", said map was prepared by Alvin S. Hushnel, N.Y.S.L.S., lic no. 48356, is dated March 5, 1992 was revised March 18, 1992 and last revised April 3, 1992.

PARCEL 2

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

Beginning at a point in the center of West Hill Road, said point is the northwesterly corner of lands n/f of Pope, is the northeasterly corner of the herein described parcel 2 and is referenced as being N 59-51-02 E, 520.82' and S 52-05-56 W, 128.70' from a U.S.G.S monument recovered atop a large rock on the northerly side of West Hill road, all as is shown on the below mentioned map; thence along lands n/f of Pope E 29-07 E, 40.00' to an iron pin recovered in a stone wall, and along said stone wall S 29-07 E, 860.88' and S 34-43 E, 283.80' to an iron pin recovered; thence along lands n/f of Dugway, Ltd. S 81-03-15 W, 72.22' to a stone wall and along said stone wall and remains of wire fence N 35-07-36 W, 125.37, N 33-45-07 W, 80.43' N 31-46 W, 47.86' to a stone wall corner, S 51-23-54 W, 203.76', S 54-58-35 W, 98.12' to an iron pin recovered in a stone wall corner, S 47-16-57 W, 45.56', S 55-32-47 W, 75.30', S 46-02-50 W, 57.84', S 48-25-20 W, 112.88', S 51-34-19 W, 153.28', S 48-57-26 W, 54.03', S 38-53-04 W, 109.42' S 87-39-25 W, 26.17', E 60-43-59 W, 38.72', S 49-45-14 W, 116.38', S 53-40-50 W, 54.54' and S 57-40-26 W, 21.53' to the center of an old town road; thence along the center of said old town road and along lands n/f of DiCesare N 43-27-49 W, 69.28', n 33-52-06 W, 79.52' N 44-12-11 W, 124.23', N 25-17-05 W, 82.96', N 16-00-55 W, 74.23' N 29-09-32 W, 437.66' to a nail set in center of old road, N 31-39-25 W, 137.76' and N 29-17-18 W, 109.95' to the center of West Hill road; thence along the center o West Hill Road and along other lands of Fox & Rowan, Parcel 1 as shown on the below mentioned map, N 45-18-30 E, 170.48', N 44-37-16 E, 127.07', N 52-13-32 E., 210.38', N 71-56-07 E, 75.38', N 79-17-39 E, 98.78', N 86-08-55 E, 81.85', N 87-44-

Reference Material

Planning Board Meeting

Schedule "A" *continued*

04 E, 77.64', N 78-05-19 E, 58.71' and N 66-51-33 E, 88.59'; thence along lands of the Town of Austerlitz (Jacob Ford Burial Plot), S 35-51-33 E, 65.57', N 54-45-44 E, 30.00' and N 35-51-33 W, 63.14' to the center of West Hill Road; thence along the center of West Hill Road; and along said Parcel 1 N 59-24-17 E, 32.06', N 58-30-26 E, 51.67', N 55-39-01 E, 111.26' and N 52-05-56 E, 70.72' to the point of beginning.

As shown as Parcel 2 on a map entitled: "SURVEY OF PROPERTY OF ELIZABETH V. FOX, MARION ROWAN, ET. AL, TOWN OF AUSTERLITZ, COLUMBIA COUNTY, N.Y.", said map was prepared by Alvin S. Huehnel, N.Y.S.L.S., Lic. No. 48356, is dated March 5, 1992 was revised March 18, 1992 and last revised April 3, 1992.

SUBJECT TO a 50.00' wide right of way over an existing driveway through the previously described Parcel 1, as granted by Elizabeth V. Fox and Marion Rowan to American Telephone and Telegraph Company and recorded in Liber 529 at Page 255.

SUBJECT to any other covenants, easements and restrictions of record.

Third Parcel

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

Beginning at a point in the center of West Hill Road, said point is the most southerly corner of lands now or formerly of Drath and is the most easterly corner of the herein described parcel, all is shown on the below mentioned map; thence along the center of said West Hill Road S 37 degrees 11' 04" W, 207.23 feet, S 38 degrees 13' 43" W, 147.83 feet, S 41 degrees 54' 29" W, 95.63 feet, S 44 degrees 55' 36" W, 127.25 feet, S 47 degrees 30' 39" W, 42.83 feet and S 49 degrees 45' 33" W, 105.40 feet; thence along lands of Fizzinoglia and along a stone wall S 36 degrees 08' 53" W, 20.05 feet to an iron pin recovered, N 36 degrees 08' 53" W, 144.14 feet, N 35 degrees 32' 35" W, 195.39 feet, N 37 degrees 39' 22" W 97.85 feet and N 35 degrees 59' 14" W, 366.67 feet to an iron pipe recovered in said stone wall; thence along lands now or formerly of Hyde N 36 degrees 42' 54" E, 153.57 feet to an iron pin set, N 60 degrees 07' 54" E, 143.65 feet to an iron pipe recovered, S 44 degrees 12' 50" E, 288.89 feet to an iron pipe recovered, N 62 degrees 16' 50" E, 77.46 feet to an iron pipe recovered, S 77 degrees 01' 19" E, 344.15 feet to an iron pipe recovered on the northwesterly side of West Hill Road (approximately ten feet north of a culver) and S 77 degrees 01' 19" E, 16.60 feet to the point of beginning: CONTAINING 8.74 acres of land, more or less.

TOWN OF AUSTERLITZ
RECEIVED

JAN 19 2024

PLANNING
BOARD
COLUMBIA COUNTY

Reference Original

Planning Board Meeting

Schedule "A" continued



FOURTH PARCEL:

Being the premises as described in a certain Tax Foreclosure Deed from the County of Columbia to FRANK FIZZINOGLIA and JEAN FIZZINOGLIA, dated November 15, 2001, and recorded in the Columbia County Clerk's Office on November 20, 2001, in Cartridge 392 at Frame 1979.

FIFTH PARCEL:

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Austerlitz, County of Columbia and State of New York and being bounded and described as follows:

Beginning in the center of the Town Road leading from Hillsdale to Austerlitz at the point where the lands of Austerlitz Corp. on the southwest abut the lands of George M. L. LaBranche the owner of lands to the northeast, which are to be hereby transferred; thence along the center of said Town Road the following four courses North 61 degrees 13' 10" East, 477.63 feet; North 67 degrees 31' 50" East, 338.11 feet; North 71 degrees 29' 30" East, 306.87 feet; North 59 degrees 06' 40" East 314.69 feet, to a point at the intersection of the center line of two Town Roads; thence along the center line of the second Town Road which extends southeasterly from the first hereinbefore mentioned Town Road the following five courses South 28 degrees 47' 20" East 461.41 feet; South 30 degrees 36' 10" East 220.85 feet; South 25 degrees 50' 40" East 159.57 feet; South 45 degrees 12' 20" East, 96.21 feet; South 48 degrees 45' 10" East 155.76 feet; thence leaving the Town Road and running South 60 degrees 03' 40" West, 1703.2356 feet along and thru the lands of George M. L. LaBranche to the line of Austerlitz Corp. (Albany Road & Gun Club); thence North 22 degrees 43' West, 1283.04444 feet along the lands of the Austerlitz Corp. on the southwest to the center of Town Road and point and place of beginning. Containing forty (40) acres of land.

EXCEPTING out all that tract of parcel together with the buildings thereon, situate, in the Town of Austerlitz, County of Columbia and State of New York, known and designated as Parcel 2 containing 23.10 acres, more or less on a survey made by Alvin B. Huehnel, Licensed Land Surveyor dated March 5, 1992 and revised April 3, 1996, entitled "Survey of Property of Frank Fizzinoglia Town of Austerlitz Columbia Co., N.Y." and filed in the Columbia County Clerk's Office on August 13, 1995 as Map No. 96-171.

BEING the same premises conveyed by Frank Fizzinoglia, individually and as Trustee of The Frank Fizzinoglia Living Trust, dated 3/30/09 and as Trustee of The Jean Fizzinoglia Living Trust, dated 3/30/09, Grantor, to Serge Bervy, Jr., Grantee, by Deed dated November 10, 2017 and recorded in the Columbia County Clerk's Office on November 27, 2017 in Liber 857 at Page 1387.