

TOWN OF AUSTERLITZ

Columbia County
New York



Deborah Lans
Planning Board Chair

Planning Board Meeting March 7, 2024 7:00 p.m.

*****AGENDA*****

1. Public Hearing: Michael O'Brien, MOB Builders: PL-2024-01, SBL# 87.-2-50.3
 1. Minor (3-lot) Sub-division
2. Call Planning Board Meeting to Order
3. Roll Call
4. Acceptance of February 2024 Meeting Minutes
5. New Business: James Dohr, represented by Dustin James, PLS of Crawford and Associates: PL-2024-02, SBL#88.-1-33.12 and #88.-1-33.2: Boundary Line Adjustment
6. Old Business: Michael O'Brien, MOB Builders: PL-2024-01, SBL# 87.-2-50.3
7. Minor (3-lot) Sub-division
8. Public Comment
9. 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.

Public Hearing

March 7, 2024

Michael O'Brien for

Fizzinoglia Living Trust

Minor (3 parcel) Subdivision

PL-2024-1

SBL# 87.-2-50.3

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

Reference Material

Please provide owner's letter of authorization

JAN 19 2024

Planning Board Meeting

Property Address: 0 West Hill Road

Tax Map Number: 87.-2-50.3

Current Land Use: Rural Vacant

Number of Proposed Lots: 3

Use of Abutting Lands: Residential

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

Date(s) of Planning Board Approvals: _____

Easements or Restrictions: _____

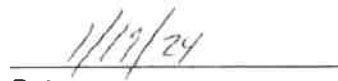
Ag. District: Yes ☒ No ☐

(If yes to either, provide Ag Data Statement)

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

(Subdivision App. P. 2)


Signature


Date

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

Reference Material

JAN 19 2024

Planning Board Meeting

REV'D 9/6/22

Dear Neighbors,

We have applied to the Austerlitz Planning Board for a three lot subdivision of the ~265 acre vacant parcel spanning both sides of West Hill Road.

Reference Material

This Application Number is PL-2024-1

FEB 26 2024

The site is located at Tax Lot 87.-2-50.3

Planning Board Meeting

A public hearing has been scheduled before the Planning Board for March 7 at 7:00pm at the Austerlitz Town Hall, during which the application will be presented, and questions and comments entertained.

The relevant provisions of the Town Law governing the application can be found on the Town's Website at §167-101 and following (subdivisions).

The application file is available for public review at Town Hall during regular hours of operation.

Thank You,

Michael O'Brien



M: 631.219.9769

E: mike@mobbbuilders.com

TOWN OF AUSTERLITZ
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FEB 28 2024
PLANNING
BOARD
COLUMBIA COUNTY



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From: MOB Builders LLC
30 N Gould St. Ste N
Sheridan WY 82801

To: Gregory + Danielle Galt
322 W 72nd St, # 11A
New York, NY 10023

PS Form 3817, April 2007 PSN 7530-02-000-9065



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30 N Gould St, Ste N
Sheridan WY 82801

To: John + Analisa Allen
PO Box 298
Aurora NY 12017

PS Form 3817, April 2007 PSN 7530-02-000-9065



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30 N Gould St, Ste N
Sheridan WY 82801

To: John + Marian Casey
4823 Seeley Ave
Chicago, IL 60625

PS Form 3817, April 2007 PSN 7530-02-000-9065



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30 N Gould St, Ste N
Sheridan WY 82801

To: Austin + Kristen Sand
665 Washington St Unit 2109
Boston MA 02111



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or



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From: MOB Builders LLC

30 N Gould St Ste N
Sheridan WY 82801

To: Jamie Hills Associates
320 Northern Blvd Ste 14
Great Neck NY 11021



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PS Form 3817, April 2007 PSN 7530-02-000-9065

PS Form 3817, April 2007 PSN 7530-02-000-9065

FEB 26 2024
Planning Board Meeting

**COLUMBIA
COUNTY
NOTICE OF PUBLIC
HEARING
NOTICE OF PUBLIC
HEARING
TOWN OF
AUSTERLITZ
PLANNING BOARD**

PLEASE TAKE NOTICE that the Planning Board of the Town of Austerlitz will hold a Public Hearing on a minor (3 parcel) subdivision application for property located on West Hill Road in the Town of Austerlitz, tax map #87.-2-50.3, owned by the Frank Fizzinoqlia Living Trust. The applicant proposes to subdivide the 40-acre portion of the property located on the south side of West Hill Road from the 243-acre property into 2 parcels of 19.552 acres each. The property is located in the Town's rural residential zoning district and is vacant. The Public Hearing on application PL-2024-01 will be held on March 7th at 7:00 p.m. for the purpose of providing an opportunity for all those wishing to comment on this application. Written comments will also be accepted at the hearing or prior to the hearing via email to the Planning Board Clerk at ilotus@austerlitzny.com. If you wish to review a copy of the application, please contact the Planning Board Clerk, J Lotus, at 518 392-3260, extension 301.

By Motion of the
Planning Board of
the Town of
Austerlitz

Reference Material

FEB 26 2024

Planning Board Meeting



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

FEB 26 2024

Planning Board Meeting



West Hill Rd [87.-2-50.3]

Application for Minor Subdivision Summary

To: Town of Austerlitz Planning Board

Reference Material

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

JAN 19 2024

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 (600+ acre) tract north of West Hill Road. This application is to break out the ~40 acres reflected in the enclosed survey into (3) 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



West Hill Rd [87.-2-50.3]

3 parcel subdivision

Addendum

167-404.1.a.11

Reference Material

JAN 19 2024

Planning Board Meeting

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: MOB Builders LLC, Michael O'Brien

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]
Minor Subdivision
Owner & Applicant Information

Received
FEB 26 2024
Planning Board Meeting

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*

Sworn Before Me This _____ Day of _____, 20____
County of Orange
State of New York
Sworn Before Me This
12 Day of Dec, 2023
For Joy Lombardo
Jodi Ann Bleakley



LOCATION SKETCH



NOTE: - CROSS LINE OF ELEVATION MAP
DO NOT EXCEED 100 FEET
FOR DISTANCE OF THE LINE
SEE ENGINEER MAP

LEGEND	
---	UNDEVELOPED SOILS
---	ROADS
---	RAILROADS
---	WATER
---	WATER
---	WATER

NOTE: - CROSS LINE OF ELEVATION MAP
DO NOT EXCEED 100 FEET
FOR DISTANCE OF THE LINE
SEE ENGINEER MAP



THE FRANK FIZZINOGLIA TRUST
TOWN OF AUSTERTLITZ
COLUMBIA COUNTY, NY

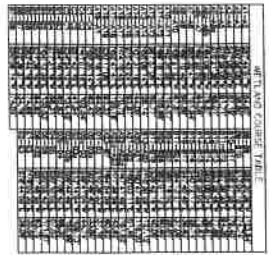
LAND OF
UNDEVELOPED SOILS

RECEIVED
TOWN OF AUSTERTLITZ

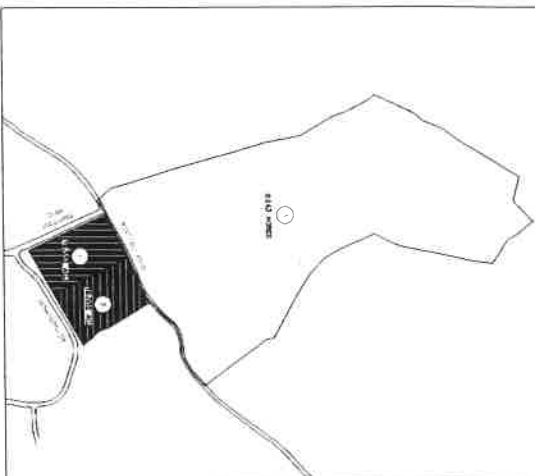
Planning Board Meeting
JAN 1 9 2024

JAN 2 1 2024

THE FRANK FIZZINOGLIA TRUST
TOWN OF AUSTERTLITZ
COLUMBIA COUNTY, NY



INSET MAP
SCALE 1" = 800'



LAND OF
UNDEVELOPED SOILS

LAND OF
UNDEVELOPED SOILS

LAND OF
UNDEVELOPED SOILS

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

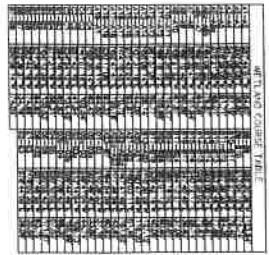
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LAND OF
UNDEVELOPED SOILS

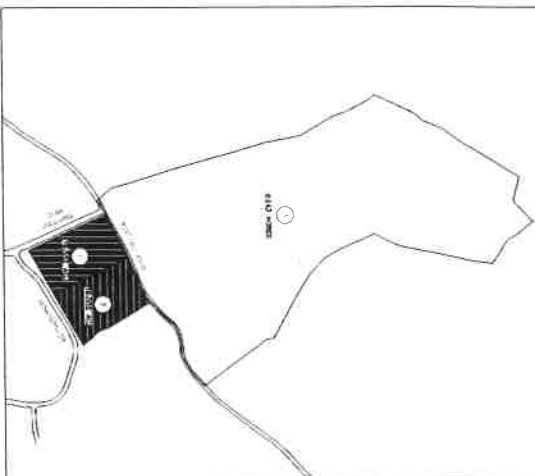
Planning Board Meeting
JAN 1 9 2024

JAN 2 1 2024

THE FRANK FIZZINOGLIA TRUST
TOWN OF AUSTERTLITZ
COLUMBIA COUNTY, NY



INSET MAP
SCALE 1" = 800'



LAND OF
UNDEVELOPED SOILS

LAND OF
UNDEVELOPED SOILS

LAND OF
UNDEVELOPED SOILS

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

LAND OF
UNDEVELOPED SOILS

LAND OF
UNDEVELOPED SOILS

Planning Board Meeting
JAN 1 9 2024

JAN 2 1 2024

THE FRANK FIZZINOGLIA TRUST
TOWN OF AUSTERTLITZ
COLUMBIA COUNTY, NY



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> FEB 26 2024 Minor subdivision of vacant land parcel 87.-2-50.3 Planning Board meeting																		
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.			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; padding: 2px;">NO</td><td style="width: 50%; padding: 2px;">YES</td></tr><tr><td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td><td style="text-align: center; padding: 5px;"><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<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.			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; padding: 2px;">NO</td><td style="width: 50%; padding: 2px;">YES</td></tr><tr><td style="text-align: center; padding: 5px;"><input type="checkbox"/></td><td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td></tr></table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>											
NO	YES																	
<input type="checkbox"/>	<input checked="" type="checkbox"/>																	
3.a. Total acreage of the site of the proposed action? <u>~40</u> acres b. Total acreage to be physically disturbed? <u>3</u> acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <u>~600+</u> acres																		
4. Check all land uses that occur on, adjoining and near the proposed action. <table style="width: 100%;"><tr><td><input type="checkbox"/> Urban</td><td><input type="checkbox"/> Rural (non-agriculture)</td><td><input type="checkbox"/> Industrial</td><td><input type="checkbox"/> Commercial</td><td><input checked="" type="checkbox"/> Residential (suburban)</td></tr><tr><td><input type="checkbox"/> Forest</td><td><input type="checkbox"/> Agriculture</td><td><input type="checkbox"/> Aquatic</td><td colspan="2"><input type="checkbox"/> Other (specify): _____</td></tr><tr><td><input type="checkbox"/> Parkland</td><td colspan="4"></td></tr></table>				<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				
<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																		

	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?	<input type="checkbox"/>	<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? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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"/>	<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: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<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="" 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: *MO*

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?"

FEB 26 2024
JAN 19 2024
PLANNING BOARD
COLUMBIA COUNTY

Planning Board Meeting	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: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<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 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
FEB 26 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

Project: PL-2024-1

Date: 2/1/24

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

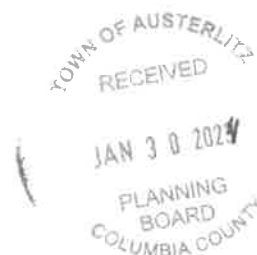
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering 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?	✓	
2. Will the proposed action result in a change in the use or intensity of use of land?	✓	
3. Will the proposed action impair the character or quality of the existing community?	✓	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	✓	
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?	✓	
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?	✓	
7. Will the proposed action impact existing:	✓	
a. public / private water supplies?	✓	
b. public / private wastewater treatment utilities?	✓	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	✓	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	✓	
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	✓	
11. Will the proposed action create a hazard to environmental resources or human health?		

Reference Material

FEB 26 2024

Planning Board Meeting



Project:

Date:

Short Environmental Assessment Form Part 3 Determination of Significance

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

FEB 26 2024

Planning Board Meeting

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.



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.

Austerlitz Planning Board

Name of Lead Agency

2/1/24

Date

Deborah Evans

Print or Type Name of Responsible Officer in Lead Agency

Planning Board Chair

Title of Responsible Officer

[Signature]

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)



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

Reference Material

FEB 26 2024

Planning Board Meeting

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: 

Applicant Signature: 

State of New York
County of Orange

Sworn Before Me This

12 Day of Dec, 2023

For Joy Lombardo





**COLUMBIA
COUNTY
NOTICE OF PUBLIC
HEARING
NOTICE OF PUBLIC
HEARING
TOWN OF
AUSTERLITZ
PLANNING BOARD**

PLEASE TAKE NOTICE that the Planning Board of the Town of Austerlitz will hold a Public Hearing on a minor (3 parcel) subdivision application for property located on West Hill Road in the Town of Austerlitz, tax map #87.-2-50.3, owned by the Frank Fizzinodlia Living Trust. The applicant proposes to subdivide the 40-acre portion of the property located on the south side of West Hill Road from the 243-acre property into 2 parcels of 19.552 acres each. The property is located in the Town's rural residential zoning district and is vacant. The Public Hearing on application PL-2024-01 will be held on March 7th at 7:00 p.m. for the purpose of providing an opportunity for all those wishing to comment on this application. Written comments will also be accepted at the hearing or prior to the hearing via email to the Planning Board Clerk at ilotus@austerlitzny.com. If you wish to review a copy of the application, please contact the Planning Board Clerk, J Lotus, at 518 392-3260, extension 301.

By Motion of the
Planning Board of
the Town of
Austerlitz

Reference Material

FEB 26 2024

Planning Board Meeting

February 1, 2024

Planning Board

Draft Meeting Minutes

Town of Austerlitz
Planning Board Meeting
February 1, 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 7:00 pm.

Minutes

A motion to accept the January 4, 2023 Planning Board Meeting Minutes as read was made by Member Sieber and Seconded by Member Ferrone.

Vote:

Deborah Lans: Y

Chris Ferrone: Y

Steve Lobel: Y

Dale Madsen: Y

Eric Sieber: Y

Motion Carried 5:0:0

New Business

1- Michael O'Brien, MOB Builders: PL-2024-01, SBL#87.-2-50.3 - Minor Subdivision

Mr. O'Brien, the applicant, also represented the Fizzinoglia Living Trust so as to create a three parcel Minor Subdivision. The current forty-acre parcel would be subdivided into two, twenty-acre parcels which will have plenty of road frontage. The Highway Department driveway review will be happening soon and Mr. O'Brien is still waiting to hear back from the Army Corp of Engineers letter regarding the national wetlands in the area. Any construction will be at least a couple of hundred feet back from any water course. MOB Builders, Mr. O'Brien's company, will also be staying away from tributaries and drainage courses. The driveway will move and be about 350 feet long and in the shape of a "C" so that there will be tree-line privacy protection. There is not yet a proposed location for the wells. Mr. O'Brien was provided with the list of adjacent property owners. Mr. O'Brien also obtained a dated Board of Health letter stating that there is usable soil. There is also an easement, from Harrington drive in the SE of the property, for access to hunting. There is property that is higher in elevation all around the forty-acre parcel so the Planning Board does not have to look into whether there are ridgeline restrictions.

Member Sieber made a motion to deem this subdivision to be an unlisted action under SEQRA. Member Ferrone seconded.

Vote:

Deborah Lans: Y

Chris Ferrone: Y

Steve Lobel: Y

Dale Madsen: Y

Eric Sieber: Y

Motion Carried 5:0:0

Chair Lans and the Planning Board answered all of the SEQRA Part II questions and all answers were No or Small Impact.

A Motion was made to determine that the proposed action will not result in a significant environmental impact by Member Sieber, seconded by Member Madsen.

Vote:

Deborah Lans: Y

Chris Ferrone: Y

Steve Lobel: Y

Dale Madsen: Y

Eric Sieber: Y

Motion Carried 5:0:0

A Motion was made to schedule a public hearing on the O'Brien Minor Subdivision to be held at the March 7, 2024 Planning Board meeting at 7:00 p.m. by Member Sieber, seconded by Member Ferrone.

Vote:

Deborah Lans: Y

Chris Ferrone: Y

Steve Lobel: Y

Dale Madsen: Y

Eric Sieber: Y

Motion Carried 5:0:0

Old Business:

A. Discussion of the Comprehensive Plan

- 1) The Board discussed the draft Comprehensive Plan with reference to how it effects the Planning Board's ability to do their job and how it effects the Code Enforcement Officer. The Code Enforcement Officer, upon

invitation, joined the Planning Board Members so as to qualify and clarify what might be helpful regarding Enforcing the Town Code.

- 2) The Planning Board looked at the zoning audit with the following questions at the forefront: a. Do we agree that everything needs to be redressed? b. What are the priorities - from the perspective of the Planning Board?

The Board also discussed the draft Comprehensive Plan, from the vantage point of issues that have arisen or might in the future arise before the Board and ways that the Town's laws might be rewritten to address them. After the meeting, the Planning Board will provide its notes to Greg Vogler, who chairs the Comprehensive Plan Committee.

The Board's suggestions to CPAC were as follows:

NOTES FROM THE PLANNING BOARD TO THE COMPREHENSIVE PLAN COMMITTEE ON THE DRAFT COMPREHENSIVE PLAN

February 2, 2024

The Austerlitz Planning Board members and clerk (PB) met on February 1, 2024 to discuss the group's thoughts concerning the draft Comprehensive Plan (Plan).

As an initial matter, the PB congratulates the Plan committee on its extensive, thoughtful work and presentation made. The PB focused its review on Part 1 and the Zoning Audit and attempted to avoid personal views on the issues in favor of considerations as to how the goals of the Plan might be implemented through zoning that would be applied by the board.

The PB concurs with the zoning audit in most respects. Two concerns were of primary importance to the group. First, the rewriting of the zoning code would appear to be a massive job, even with professional help (which is assumed). In the interim, if the current moratorium lapses, the PB is concerned that the current code in certain respects is both ambiguous and outdated in ways that can lead to development that would be out of character with the current landscape. Accordingly, we hope either that the moratorium be continued or that, as a priority, the use tables, Home Occupancy Level 2 provisions, density, lot size and conservation subdivision provisions be revised. As a group, we agree that an important goal is to minimize the current development pattern of urban sprawl.

Second, while the PB believes that the revised law should not be overly prescriptive (for example, site plans for residential properties should not, in our view, specify types of vegetation, lighting or architectural style), at the same time, many of the current or anticipated laws need to have sufficient detail so that the PB can apply them in an even-

handed, consistent way¹. Examples include (among many) ridgeline protection, senior housing, affordable housing, short term rental and conservation subdivision provisions. In addition, the PB believes that current site plan laws, which allow the Planning Board to specify the location and to a degree type of landscaping to protect neighbors and viewsheds, are probably adequate to our needs when commercial sites are considered.

The PB believes that overlay districts may be appropriate for some purposes – e.g., ridgelines – whereas other types of uses may be better handled by creating incentives that drive uses to particular areas of the town (such as, through bonus density), rather than absolute prohibitions. Senior and affordable housing were the examples that came to mind.

The PB agrees that the natural resource attributes of a site should be considered in connection with applications. The PB believes that the law should require the applicant to provide all levels of National Risk Index (FEMA) maps to the PB as part of an application, rather than burdening the PB to do so. In addition, as our preliminary efforts to use the National Risk Index (FEMA) maps have been challenging, the PB will appreciate some training.

Related to ridgeline/viewshed protections, the Planning Board believes that clear-cutting should be more limited than is currently the case.

The PB has seen that enforcement of the laws and even its own resolutions is problematic. We believe consideration should be given to stiffer penalties for violations and enhancing our enforcement capability.

To the extent that consideration of emergency access is done as a matter of practice, not legal requirement, the PB believes that such should be mandated. As a small but important matter, notice should be given to the fire departments of all solar installations, in light of the associated hazards.

The Plan discusses the desire to increase transparency throughout the town's operations. The PB has observed that most town residents do not understand the PB's authority and functions vs. the effect of the laws. We would suggest allowing the streaming of PB meetings so that they can be attended more easily by residents; however, all PB members, applicants, their representatives and members wishing to speak at public hearings would be present (except in extraordinary circumstances).

As a final matter, we believe that the committee that rewrites the zoning law should include either the attorney for the town or another skilled zoning practitioner and a member of the PB who can bring the process and practicalities of the laws to the table.

With thanks again for your work,

¹ This is the kind of issue we would prefer be handled through community education, not mandates.

Deb Lans
Eric Sieber
Steve Lobel
Chris Ferrone
Dale Madsen
J Lotus

B. Discussion of Resolution Protocol

It was agreed that the Board would provide the Code Enforcement Officer with a brief memo as to all approvals, reflecting any special terms or conditions with regards to Applications that come before the Planning Board, especially anything controversial.

C. Public Comment

No members of the public were present.

Adjournment: Member Sieber made a motion to adjourn the Planning Board meeting. Member Ferrone seconded the motion.

Voice Vote:

Deborah Lans: Y

Chris Ferrone: Y

Steve Lobel: Y

Dale Madsen: Y

Eric Sieber: Y

Motion Carried 5:0:0

The Planning Board meeting ended at 8:45 p.m.

Respectfully Submitted by

J Lotus
Town of Austerlitz Planning Board Clerk

New Business

Dustin James, PLS for
James Dohr
Boundary Line Adjustment

PL-2024-2

SBL# 88.-1-33.12 and SBL# 88.-1-33.2

TOWN OF AUSTERLITZ, NY PLANNING BOARD
APPLICATION FOR BOUNDARY LINE ADJUSTMENT
AUSTERLITZ TOWN LAW ARTICLE V

Application Date Feb 26 - 2024

Project No. PL - 2024-02

Owner of Donor Parcel: Name James Dohr
Mailing Address PO box 187
Austerlitz, NY 12017
Email Address JimDohr@gmail.com
Preferred Phone 518-965-5700

Owner of Receiving Parcel (If Different): Name _____
Mailing Address _____
Email Address _____
Preferred Phone _____

Surveyor/Engineer: Name Dustin James, PLS
Mailing Address _____
One Hudson City Centre, Suite 300, Hudson NY, 12534
Email Address DJames@CrawfordandAssociates.com
License No. 051169
Preferred Phone 518-828-2700-ext 1152

Other Representative: Name _____
Mailing Address _____
Email Address _____
Preferred Phone _____

Attach letter from owner authorizing representative to appear

Project Information: Donor Parcel:
Tax Map No(s) 88-1-33.12 Acreage 14.071 ac.

Receiving Parcel:
Tax Map No(s) 88-1-33.2 Acreage 10.176

Location of Project: 205 East Hill Rd

Reason(s) for requested change: parcel 88-1-33.12 to be sold, area of 88-1-33.2 to be increased
for potential future development

Reference Material
Reference Material

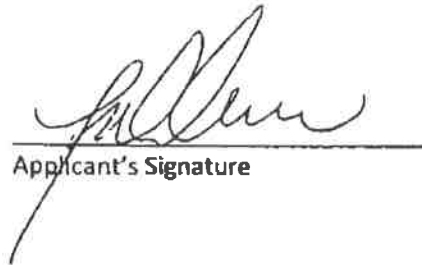
FEB 26 2024
JAN 18 2024

Planning Board Meeting
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(Boundary Line App.p.2)

Anticipated Change(s) in Property Use: no change in use as part of BLA.

88-1-33.2 to become residential in future



Applicant's Signature

2-26-24
Date

Donor Parcel Owner Signature (if
Different)

Date

Receiving Parcel Owner Signature
(if Different)

Date

REV'D 9/06/22

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

Reference Material

FEB 26 2024

Planning Board Meeting

**TOWN OF AUSTERLITZ, NY PLANNING BOARD
ADDENDUM FOR ALL APPLICATIONS**

Applicant's Name: James N. Dohr
Property Address: 205 East Hill Rd
Tax Map No.: 88-1-33.2 & 33.12
Application for: Boundary Line Adjustment

Tax Map No. of Adjacent Properties Owned by Applicant or Related Parties:

PLEASE ATTACH COPIES OF:

DEED (S) FOR THE PROPERTY
NON-UTILITY EASEMENTS
ROAD MAINTENANCE
OTHER AGREEMENTS THAT PERTAIN TO THE PROPERTY

Was/were the lot(s) in question the result of a subdivision in the past 10 years?

Yes _____ No ☒. If yes, provide:

Application No. of prior subdivision: _____

Name of prior applicant: _____

Date of prior application: _____

Was/were the lot(s) in question the subject of any other Planning Board activity within the past 10 years? Yes _____ No ☒. If yes, provide:

Application No. of prior action: _____

Name of prior applicant: _____

Date of prior application: _____

Has the property been the subject of any code enforcement activity in the past 5 years? If yes, Provide the date and nature; _____

Reference Material

FEB 26 2024

Planning Board Meeting

February 23, 2024


Town of Austerlitz Planning Board
PO Box 238
Spencertown, NY 12165

Re: Dohr Boundary Line Adjustment

Dear Chairperson Lans and Austerlitz Planning Board Members:

By this letter I authorize Dustin H. James, Land Surveyor, to appear on my behalf before the Austerlitz Planning Board for a proposed Boundary Line Adjustment on my land in the Town of Austerlitz.

Regards,


James Dohr – 205 East Hill Rd.

Reference Material

FEB 26 2024

Planning Board Meeting

12/11/2023

* TMH 88-1-33.2

Deed

(Bargain and Sale With Lien Covenant)

This Indenture, made the 17th day of June, in the year Two Thousand and Fourteen

Between

JEANNE KIEFER and WALTER GUTHRIE, both having an address of 31829 N. 66th Street, Cave Creek, Arizona 85331,

parties of the first part, and

JAMES N. DOHR, having an address of P. O. Box 187, Austerlitz, New York 12017,

party of the second part,

Witnesseth, that the parties of the first part, in consideration of --- ONE AND 00/100THS --- Dollar (\$1.00) lawful money of the United States, and other good and valuable consideration, paid by the party of the second part, do hereby grant and release unto the party of the second part, his heirs, grantees and assigns forever,

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

COMMENCING at a point on the assumed northerly right-of-way line of East Hill Road, said point being on the division line between the parcel herein described on the northeast and lands now or formerly of Briante on the northwest and marking the southwesterly corner of the parcel described herein; proceeding thence N 25° 21' 13" E, 664.77 feet to an iron pin marking the northwesterly corner of the parcel described herein; proceeding thence along lands now or formerly of Millay Colony and a wire fence, S 69° 09' 07" E, 610.00 feet to a point marking the northeasterly corner of the parcel described herein; proceeding thence along lands now or formerly of Briante, S 41° 14' 28" W, 762.48 feet to a point situate on the northerly right-of-way line of the aforesaid East Hill Road and marking the southeasterly corner of the parcel described herein; proceeding thence along the northerly right-of-way line of East Hill Road, N 60° 27' 00" W, 328.00 feet to a point; proceeding thence still along said northerly right-of-way line, N 67° 45' 00" W, 65.37 feet to the point or place of beginning.

CONTAINING 8.02 acres and designated as Parcel 2 on a map entitled "Subdivision Map of the Lands of Rocco Briante, Town of Austerlitz, Columbia Co., N.Y.", dated September 18, 1981 and revised through December 19, 2004, as prepared by Frank F. Ambrosio, LS #48971.

Reference Material

- 1 -

FEB 26 2024

Planning Board Meeting

BEING the same premises conveyed by Rocco Briante to Jeanne Kiefer and Walter Guthrie by Deed dated January 21, 2005 and recorded in the Columbia County Clerk's Office on January 31, 2005 in Book 527 of Official Records, Page 2490.

TOGETHER with all right, title and interest of the Grantors in and to and to the use of any public highway or thoroughfare abutting or running through the premises, to the centerline thereof, subject however, to the rights of the public in and to and to the use of the same.

TOGETHER WITH AND SUBJECT to covenants, restrictions, easements and rights-of-way of record, if any, to the extent that the same may affect the premises herein described.

SUBJECT to the 30 foot wide utility easement as described in Schedule B of Deed recorded in the Columbia County Clerk's Office on January 31, 2005 in Book 527 of Official Records, Page 2490.

SUBJECT to the following covenants and restrictions which shall run with the land and be binding upon the Grantee hereunder, together with his respective heirs, successors, representatives, grantees and assigns forever:

1. No mobile home, trailer, tent, shack or structure of a temporary character shall be erected on or moved onto the premises, other than temporary structures used by a builder for office or storage purposes solely during the course of construction.
2. The lot may be subdivided, provided that no lot contains less than four (4) acres, including the retained lot.
3. No multiple family dwelling (two families or more) may be erected on the lot. This restriction shall not, however, prevent the use of an apartment in the main dwelling for domestic help or employees.
4. No truck larger than ¼ ton capacity (pick-up truck) may be parked or stored on the premises, except in a garage or barn. The occasional presence on said property of trucks or other vehicles of contractors or suppliers shall not be deemed to be restricted by the foregoing. This restriction shall not prevent the parking of an RV (recreational vehicle), as long as the vehicle is not visible from East Hill Road and/or the neighboring properties.
5. No noxious or offensive activity shall be conducted on the lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to others. Burning may be conducted on the property, provided it is done in accordance with all relevant laws.
6. All buildings erected on the lot shall be built of solid and durable materials, shall be permanent in nature and shall be equipped for year-round occupancy.

7. The individual drilled water supply and sewage disposal systems for a dwelling house or for other improvements shall be constructed in conformity with Health Department and other legal requirements.

8. No improvement which has been partially or totally destroyed by fire or other cause shall be allowed to remain in such state for more than 120 days from the time of such destruction or damage.

9. In addition to the standards herein set forth, proposed improvements and use and occupation shall comply with any applicable zoning regulations and with all other applicable requirements and standards of all governmental agencies having jurisdiction thereof. Improvements shall comply with applicable requirements and standards of the New York State Building Code. Written approval of the improvements as completed shall be obtained by the lot owner from governmental agencies having jurisdiction thereof.

10. Enforcement of these restrictions shall be by proceedings commenced by the Grantors, or their heirs, successors, representatives, grantees and/or assigns, against any person or persons violating or attempting to violate these covenants and restrictions. Enforcement shall include, but not be limited to, restraining any such violations or attempted violations and/or the recovery of damages as a result of any such violations.

Reference Material

FEB 26 2024

Planning Board Meeting

12/11/2023

*TM# 88.-1-33.12

THIS INDENTURE, made the 22 day of July, 2011

BETWEEN GEORGE LAGONIA, JR. and JODI LAGONIA, PO Box 201, Spencertown, NY 12165,

grantor,

and JAMES N DOHR, 488 North Street, Ridgefield, CT 06877,

grantee.

WITNESSETH, that the grantor, in consideration of TEN (\$10 00) Dollars, paid by the grantee, hereby grants and releases unto the grantee, and the heirs or successors and assigns of the grantee forever,

ALL that real property described on the attachment hereto.

TOGETHER with all right, title and interest, if any, of the grantor in and to any streets and roads abutting the above described premises to the center lines thereof, and together with the appurtenances and all the estate and rights of the grantor in and to said premises.

SUBJECT to all covenants, restrictions, conditions, easements and other matters of record.

Grantor acquired title by deed from Rocco Briante dated October 3, 2005 and recorded October 21, 2005 in Columbia County Clerk's office in Book 555 of Official Records at page 1477.

TO HAVE AND TO HOLD the premises herein granted unto the grantee, the heirs or successors and assigns of the grantee forever. **AND** the said grantor covenants that the grantor has not done or suffered anything whereby the said premises have been encumbered in any way whatever. This deed is subject to the trust provisions of Section 13 of the Lien Law. The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires

IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written. BS



GEORGE LAGONIA, JR. L.S.

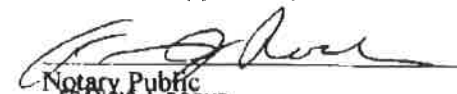


JODI LAGONIA L.S.

STATE OF NEW YORK
COUNTY OF COLUMBIA SS.

On this 22 day of July, 2011, before me, the undersigned, a Notary Public in and for the said State, personally appeared GEORGE LAGONIA, JR. and JODI LAGONIA, personally known 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.

GUTERMAN, SHALLO + ALFORD, PLLC
R+R - TED GUTERMAN
21 N. 7th ST.
HUDSON, N.Y. 12534



Notary Public
FRANCIS J. ROCHE
Notary Public, State of New York
No. 31-4500785
Qualified in Columbia County
Commission Expires March 30, 2015

ALL that tract or parcel of vacant land situate in the Town of Austerlitz, Columbia County, New York, and more particularly described as follows:

COMMENCING at an iron pipe on the assumed northerly right-of-way line of a town road known as East Hill Road, said pipe marking the southwesterly corner of the parcel described herein and the southeasterly corner of Parcel 2 as shown on the within described survey map and then proceeding along the common division line between the property being conveyed hereunder (Parcel 3 on said map) and the aforesaid Parcel 2 N 41-14-28 E, 762.48 feet to a point marking the northwesterly boundary line of the within described parcel and the northeasterly boundary line of the aforesaid Parcel 2; proceeding thence along lands now or formerly of Millay Colony and along a partial wire fence and stone wall S 69-09-07 E, 716.05 feet to an iron pipe marking the northeasterly corner of the parcel described herein; proceeding thence S 12-47-22 W, 416.13 feet along a wire fence to an iron pin recovered, thence proceeding S 11-19-30 W, 211.53 feet; proceeding thence S 12-47-22 W, 28.00 feet to a point in the assumed northerly right-of-way line of East Hill Road, said point marking the southeasterly corner of the parcel described herein proceeding thence along the assumed northerly right-of-way line of East Hill Road the following seven (7) courses and distances: 1. S 84-07-00 W, 104.00 feet to a point; 2. N 88-20-00 W, 97.00 feet to a point; 3. N 85-56-00 W, 67.00 feet to a point; 4. N 82-28-00 W, 88.00 feet to a point; 5. N 77-50-00 W, 70.00 feet to a point; 6. N 73-57-00 W, 54.00 feet to a point; 7. N 63-01-00 W, 626.00 feet to the point or place of beginning. Containing 15.44 acres more or less and designated as Parcel 3 on a map entitled "Subdivision Map of the Lands of Rocco Briante" Town of Austerlitz, Columbia County, State of New York, dated September 18, 1981 and revised through December 19, 2004 as prepared by Frank F. Ambrosio, L.S. Number 48971. Said map was filed in the Columbia County Clerk's office on January 31, 2005 as Map No. 05-34.

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

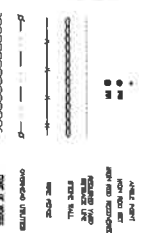
TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

BEING the same premises conveyed to the grantor by deed from Rocco Briante dated October 3, 2005 and recorded in the Columbia County Clerk's office in Book 555, page 1478.

Reference Material

FEB 26 2024

Planning Board Meeting



LEGEND

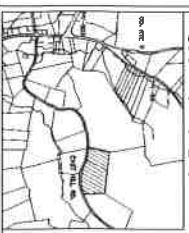


Reference Material

FEB 26 2024

Planning Board Meeting

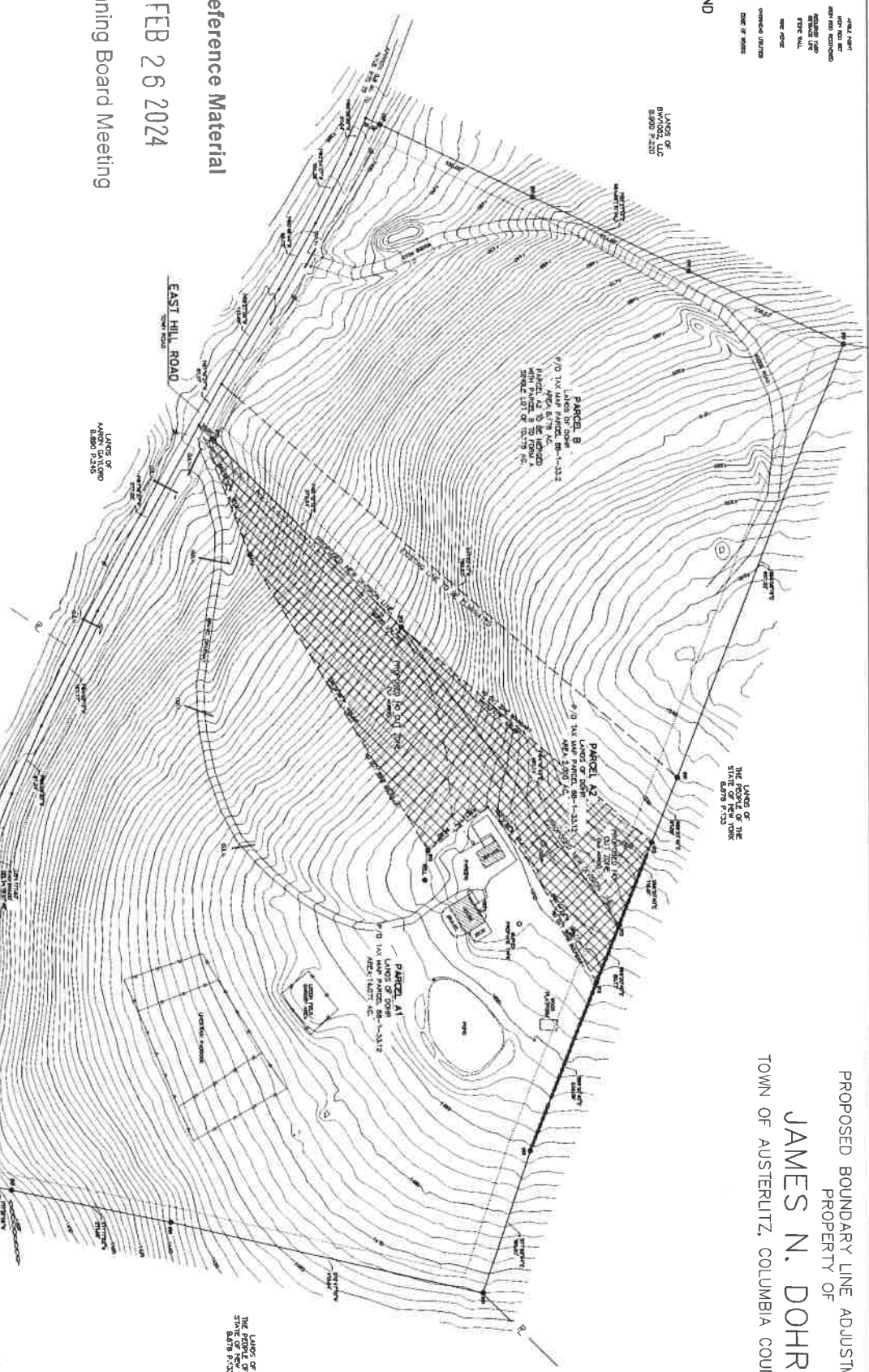
LOCATION SKETCH



1. THE PROPOSED BOUNDARY LINE IS SHOWN IN RED ON THE MAP.
2. THE EXISTING BOUNDARY LINE IS SHOWN IN BLACK ON THE MAP.
3. THE EASEMENT IS SHOWN IN GREEN ON THE MAP.
4. THE RIGHT OF WAY IS SHOWN IN BLUE ON THE MAP.
5. THE OTHER IS SHOWN IN YELLOW ON THE MAP.
6. THE PROPOSED BOUNDARY LINE IS SHOWN IN RED ON THE MAP.
7. THE EXISTING BOUNDARY LINE IS SHOWN IN BLACK ON THE MAP.
8. THE EASEMENT IS SHOWN IN GREEN ON THE MAP.
9. THE RIGHT OF WAY IS SHOWN IN BLUE ON THE MAP.
10. THE OTHER IS SHOWN IN YELLOW ON THE MAP.

1. THE PROPOSED BOUNDARY LINE IS SHOWN IN RED ON THE MAP.
2. THE EXISTING BOUNDARY LINE IS SHOWN IN BLACK ON THE MAP.
3. THE EASEMENT IS SHOWN IN GREEN ON THE MAP.
4. THE RIGHT OF WAY IS SHOWN IN BLUE ON THE MAP.
5. THE OTHER IS SHOWN IN YELLOW ON THE MAP.
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10. THE OTHER IS SHOWN IN YELLOW ON THE MAP.

1. THE PROPOSED BOUNDARY LINE IS SHOWN IN RED ON THE MAP.
2. THE EXISTING BOUNDARY LINE IS SHOWN IN BLACK ON THE MAP.
3. THE EASEMENT IS SHOWN IN GREEN ON THE MAP.
4. THE RIGHT OF WAY IS SHOWN IN BLUE ON THE MAP.
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7. THE EXISTING BOUNDARY LINE IS SHOWN IN BLACK ON THE MAP.
8. THE EASEMENT IS SHOWN IN GREEN ON THE MAP.
9. THE RIGHT OF WAY IS SHOWN IN BLUE ON THE MAP.
10. THE OTHER IS SHOWN IN YELLOW ON THE MAP.



PROPOSED BOUNDARY LINE ADJUSTMENT

PROPERTY OF

JAMES N. DOHR

TOWN OF AUSTERLITZ, COLUMBIA COUNTY, NY

FEB 26 2024

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			
Name of Action or Project: Dohr Boundary Line Adjustment			
Project Location (describe, and attach a location map): 205 East Hill Rd, Austerlitz, NY			
Brief Description of Proposed Action: the boundary line between tax map parcels 88-1-33.12 & 33.2 is being adjusted so that 2 acres of 33.12 are being merged with 33.2.			
Name of Applicant or Sponsor: James Dohr		Telephone: 518-965-5700	
Address: PO Box 187		E-Mail: JimDohr@gmail.com	
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 type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Austerlitz Planning Board		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		24.247 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?		24.247 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 checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

Reference Material

		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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7.	Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, identify: _____				
8.	a. Will the proposed action result in a substantial increase in traffic above present levels?	<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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____				
10.	Will the proposed action connect to an existing public/private water supply?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If No, describe method for providing potable water: _____ N/A				
11.	Will the proposed action connect to existing wastewater utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If No, describe method for providing wastewater treatment: _____ N/A				
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?	<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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____				

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input checked="" 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? Northern Long-eared Bat	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Dustin James, PLS</u> Date: <u>2/14/2024</u>		
Signature: <u></u> Title: <u>Land Surveyor</u>		

Reference Material

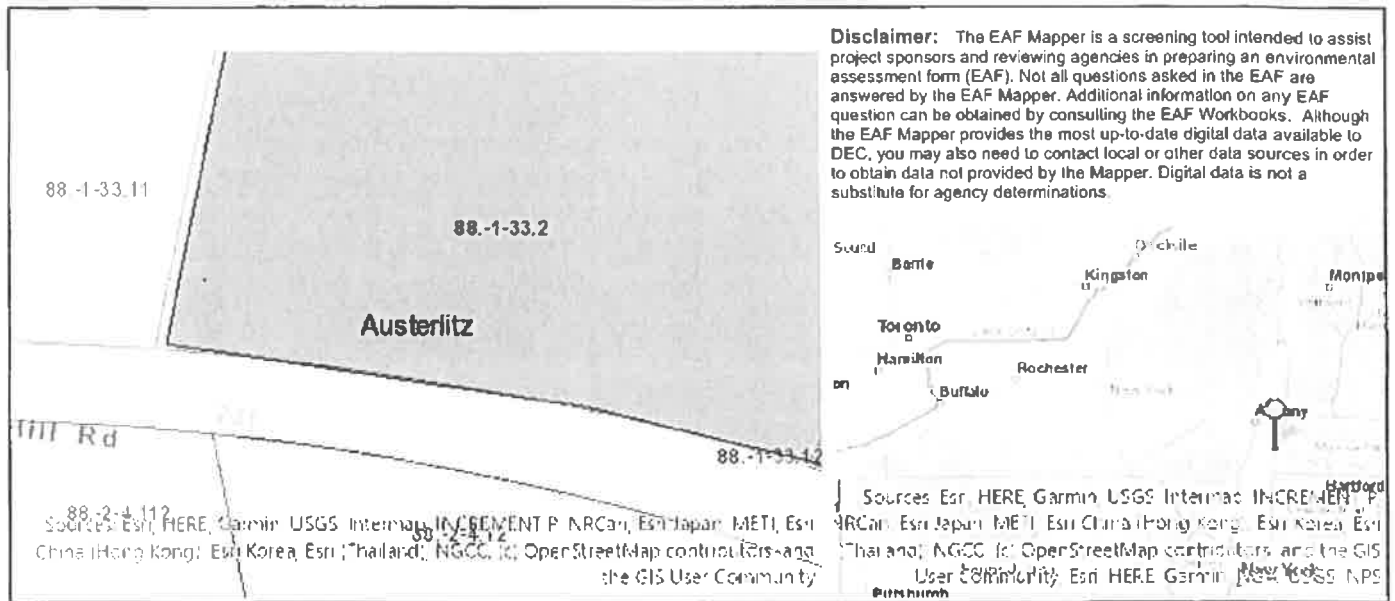
FEB 26 2024

Planning Board Meeting

PRINT FORM

EAF Mapper Summary Report

Tuesday, February 6, 2024 11:11 AM



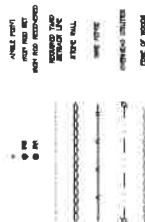
Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local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

Reference Material

FEB 26 2024

Planning Board Meeting

PROPOSED BOUNDARY LINE ADJUSTMENT
PROPERTY OF
JAMES N. DOHR
TOWN OF AUSTERLITZ, COLUMBIA COUNTY.



FEB 26 2024

PLANNING
BOARD
COLUMBIA COUNTY

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THE COURT OF APPEALS, in *Ward v. State*, 199 Md. 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

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not a member of
the club. The
club was the
first to be
founded in
the city. It
was the first
to be founded
in the city.

Old Business

Michael O'Brien for
Fizzinoglia Living Trust
Minor (3 parcel) Subdivision

PL-2024-1

SBL# 87.-2-50.3

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

Reference Material

Please provide owner's letter of authorization

JAN 19 2024

Planning Board Meeting

Property Address: 0 West Hill Road

Tax Map Number: 87.-2-50.3

Current Land Use: Rural Vacant

Number of Proposed Lots: 3

Use of Abutting Lands: Residential

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

Date(s) of Planning Board Approvals: _____

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


Date

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

Reference Material

JAN 19 2024

Planning Board Meeting

REV'D 9/6/22



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

FEB 26 2024

Planning Board Meeting



West Hill Rd [87.-2-50.3]

Application for Minor Subdivision Summary

To: Town of Austerlitz Planning Board

Reference Material

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

JAN 19 2024

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 (600+ acre) tract north of West Hill Road. This application is to break out the ~40 acres reflected in the enclosed survey into (3) 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



West Hill Rd [87.-2-50.3]

3 parcel subdivision

Addendum

167-404.1.a.11

Reference Material

JAN 19 2024

Planning Board Meeting

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: MOB Builders LLC, Michael O'Brien

Signature: 

Date: 1/18/2024



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

Recd
FEB 26 2024
Planning Board Meeting

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



JAN 19 2024

Planning Board Meeting

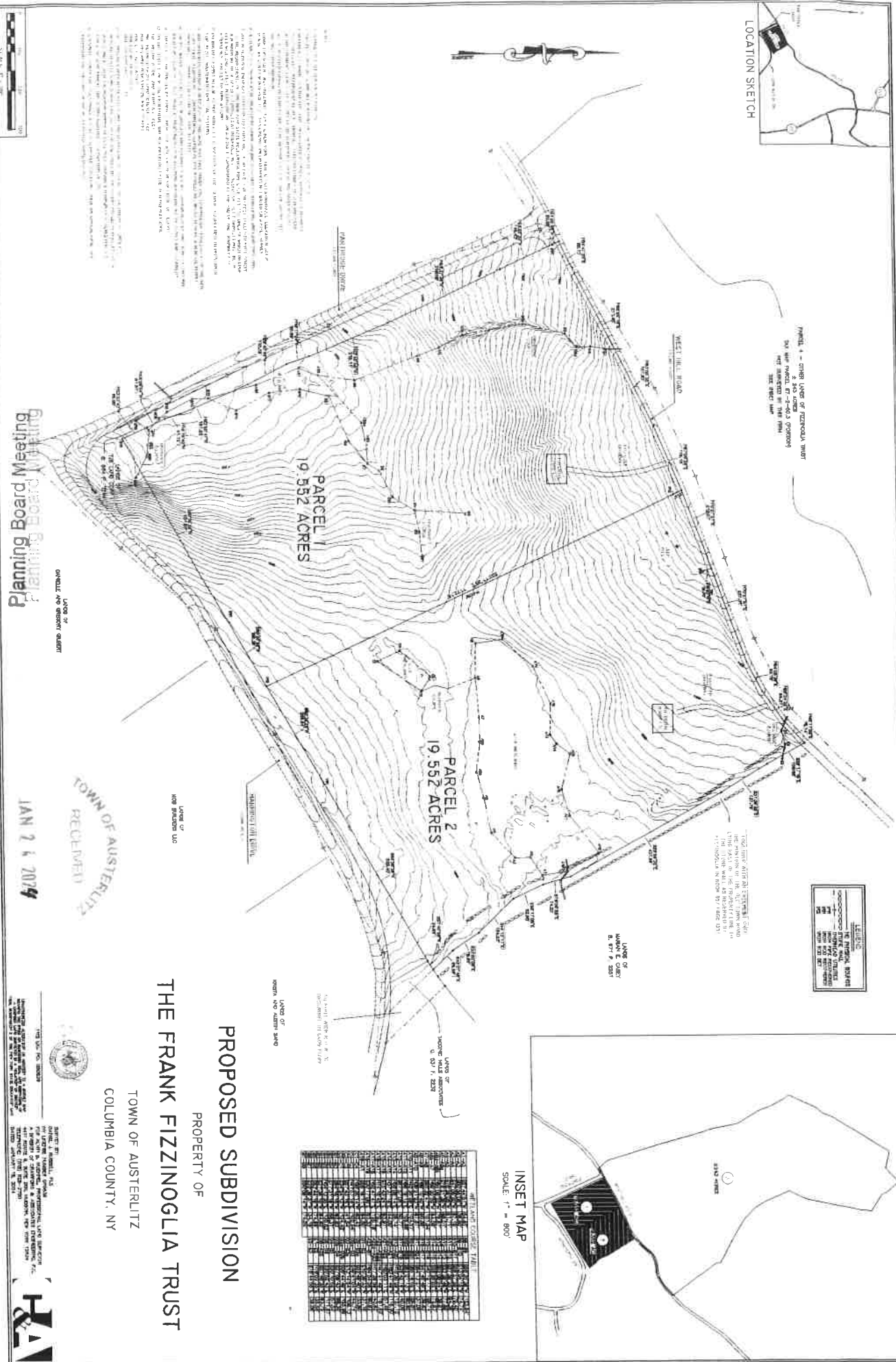
JAN 26 2024

TOWN OF AUSTERLITZ
RECEIVED

PROPOSED SUBDIVISION
PROPERTY OF
THE FRANK FIZZINOGLIA TRUST

TOWN OF AUSTERLITZ
COLUMBIA COUNTY, NY

THE NEW YORK PUBLIC LIBRARY
ASTOR LENOX TILDEN FOUNDATION
100 N. 6TH ST.
NEW YORK, N.Y.

[illegible]

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>		FEB 26, 2024	
Minor subdivision of vacant land parcel 87.-2-50.3		Planning Board meeting	
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)? If Yes, briefly describe: _____		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="" 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: *MO*

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?"

FEB 26 2024 JAN 18 2024 PLANNING BOARD COLUMBIA COUNTY Planning Board Meeting	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: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<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 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 Number
FEB 26 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

Agency Use Only [If applicable]
 Project: PL-2024-1
 Date: 2/1/24

Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

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?	✓	
2. Will the proposed action result in a change in the use or intensity of use of land?	✓	
3. Will the proposed action impair the character or quality of the existing community?	✓	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	✓	
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?	✓	
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?	✓	
7. Will the proposed action impact existing: a. public / private water supplies?	✓	
b. public / private wastewater treatment utilities?	✓	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	✓	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	✓	
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	✓	
11. Will the proposed action create a hazard to environmental resources or human health?		

Reference Material

FEB 26 2024

Planning Board Meeting



Project:

Date:

Short Environmental Assessment Form Part 3 Determination of Significance

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

FEB 26 2024

Planning Board Meeting

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.

☒ 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.

Austerlitz Planning Board

Name of Lead Agency

Deborah E. Evans

Print or Type Name of Responsible Officer in Lead Agency

[Signature]

Signature of Responsible Officer in Lead Agency

2/1/24

Date

Planning Board Chair

Title of Responsible Officer

Signature of Preparer (if different from Responsible Officer)



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

Reference Meeting

FEB 26 2024

Planning Board Meeting

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



