

Town of Austerlitz
Planning Board Meeting
March 2, 2023

The Planning Board meeting was held in person.

Present: Deborah Lans, Chair; Chris Ferrone, and Steve Lobel, Members. Joseph Catalano, Attorney for the Town, and DeeAnn Veeder, Planning Board Clerk. Absent were Board Member Dale Madsen due to COVID and Board Member Eric Seiber due to mandatory Fire Department Training.

Zoning Board Members Karl Gabosh, Gerald Seligman, David Voremberg and Loren Brink were also present. Mr. Gabosh abstained from any participation except as an applicant.

Joint Public Hearing for Planning Board Application PL-2022-20 and Zoning Board of Appeals Application ZBA-2023-01, Gabosh Minor Subdivision

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

Initially, Planning Board Chair Lans explained that the application is for a subdivision of the Gabosh property on Dugway Road into two parcels for estate planning purposes. Because the subdivision would create a non-conforming lot (i.e. one lacking the required road frontage of 75'), the application was previously referred to the Zoning Board of Appeals, before which Ms. Gabosh filed an application for a variance allowing a waiver of the frontage requirement (the lot has 51' of frontage). The ZBA had deemed the application before it sufficiently complete to proceed to a public hearing. The Planning Board had done likewise as to the subdivision application before it. A decision was made in the interests of economy of action to hold a joint public hearing on the applications.

On behalf of the applicant, Karl Gabosh, explained that the subdivision was being undertaken for estate planning purposes. The subdivision entailed no change in the use of the land and the variance, if granted, would allow the existing driveway to be used for access to both parcels rather than building an additional driveway across a large field, thereby protecting a bobolink population as well as continuing to have the field hayed by a local farmer.

No members of the public were attending in relation to the applications. Planning and Zoning Board members raised various questions as to the reasons for the applications, that were answered satisfactorily. By motion of ZBA member David Voremberg , seconded by Gerald Seligman, and voted on favorably by them and member Loren Brink, the ZBA Public Hearing for the Gabosh Minor Subdivision was closed.

A motion to close the Planning Board Public Hearing for the Gabosh Minor Subdivision was made by S. Lobel and seconded by C. Ferrone. It was unanimously approved, as follows:

S. Lobel: yes

C. Ferrone: yes

D. Lans: yes

D. Madsen: absent

E. Seiber: absent

Motion carried 3:0:2

Public Hearing closed at 7:16 p.m.

Regular Meeting called to order by the Chair at 7:17 p.m.

Mr. Catalano left to join the ZBA Meeting that was occurring at the same time elsewhere in the building.

A motion was made by C. Ferrone and seconded by S. Lobel to defer approval of the February minutes until the April meeting as a quorum of those attending the February meeting was not present.

Deborah Lans: yes

Chris Ferrone: yes

Steve Lobel: yes

D. Madsen: absent

E. Seiber: absent

Motion carried 3:0:2

New Business

Planning Board Application PL-2023-02, LeBlanc Boundary Line Adjustment

Alice LeBlanc, represented by Richard Sardo, surveyor, presented an application for a boundary line adjustment for her property on Crow Hill Road. Ms. LeBlanc is swapping land with her neighbor 5100 South Street LLC (she is transferring acreage to 5100 South Street and 5100 South Street is transferring acreage to her), and two boundary lines will require adjustment as a result. No change in the use of the properties is expected. The application was deferred until an application by 5100 South Street for a boundary line adjustment is filed, both applications are signed by the counter-parties, as required, and the parties' agreement and proposed deeds are filed with the Board.

Planning Board Application PL-2023-03, Bilotti/Williams Boundary Line Adjustment

Daniel Russell, surveyor, presented an application by Richard Bilotti and Joanne Williams to adjust the boundary line between two parcels they own at 125 and 149 Beale Road. There will be no change in the use of the property (except that tree cutting at 149 Beale Road will be restricted), and all setback and frontage requirements are met. No neighboring properties are affected.

The Board moved to classify the application as a SEQRA Type 2 application that, as such, would not require completion of a SEQRA form. C. Ferrone made the motion, it was seconded by S. Lobel and the Board passed the motion.

Deborah Lans: Yes

Chris Ferrone: Yes

Steve Lobel: Yes

Dale Madsen: Absent

Eric Seiber: Absent

Motion carried 3:0:2

A motion was then made by C. Ferrone and seconded by S. Lobel to deem Planning Board Application PL-2023-03 complete.

Deborah Lans: yes

Chris Ferrone: yes

Steve Lobel: yes

Dale Madsen: absent

Eric Seiber: absent

Motion carried 3:0:2

C. Ferrone made a motion seconded by S. Lobel that Planning Board Application PL-2023-03 does not need a public hearing.

Deborah Lans: Yes

Chris Ferrone: Yes

Steve Lobel: Yes

Dale Madsen: Absent

Eric Seiber: Absent

Motion carried 3:0:2

C. Ferrone made a motion seconded by S. Lobel to approve Planning Board Application PL-2023-03.

Deborah Lans: Yes

Chris Ferrone: Yes

Steve Lobel: Yes

Dale Madsen: Absent

Eric Seiber: Absent

Motion Carried 3:0:2

Planning Board Application PL-2023-04, Gellert Minor Subdivision

Philip Gellert, who appeared for informational purposes before the Board in February, has filed an application for a subdivision off Kern Drive in Austerlitz and Ghent. As the greater portion of the land is located in Ghent, and the application before the Austerlitz Board is for a minor subdivision, the Board resolved that the lead agency was to be the Ghent Planning Board. Members of the public were present and expressed interest in the application.

S. Lobel made a motion seconded by C. Ferrone to designate Ghent as the lead agency on Planning Board Application PL-2023-04.

Deborah Lans: Yes

Chris Ferrone: Yes

Steve Lobel: Yes

Dale Madsen: Absent

Eric Seiber: Absent

Motion carried 3:0:2

Old Business

Planning Board Application PL-2023-01, Stone/Jensen Site Plan & Special Use Permit

The Board considered the Stone/Jensen application for a Site Plan approval and Special Use Permit for their East Hill Road Property. Although the applicants were not present, they did supplement their application, and the Board deemed the application sufficiently complete to move forward to a public hearing, which was scheduled for April 6, 2023.

S. Lobel made a motion seconded by C. Ferrone to deem Planning Board Application PL-2023-01 sufficiently complete to move to a public hearing. A SEQRA consideration will occur then.

Deborah Lans: Yes

Chris Ferrone: Yes

Steve Lobel: Yes

Dale Madsen: Absent

Eric Seiber: Absent

Motion carried 3:0:2

C. Ferrone made a motion seconded by S. Lobel to schedule the public hearing for April 6, 2023.

Deborah Lans: Yes

Chris Ferrone: Yes

Steve Lobel: Yes

Dale Madsen: Absent

Eric Seiber: Absent

Motion carried 3:0:2

Planning Board Application PL-2022-20, Gabosh Minor Subdivision

The Board considered the Gabosh application for a Minor Subdivision. The ZBA earlier that evening approved a variance from the road frontage requirement. The Board reviewed and completed the SEQRA form and resolved that the subdivision application presented no significant environmental impact was appropriate.

A motions was made by C. Ferrone to accept the SEQRA EAF as completed by the Board with the conclusion that the application did not result in any significant adverse environmental impacts, and seconded by S. Lobel:

Roll Call Vote:

Deborah Lans: Yes

Chris Ferrone: Yes

Steve Lobel: Yes

Dale Madsen: Absent

Eric Seiber: Absent

Motion carried 3:0:2

A motion was made by S. Lobel to resolve that the application of Leslie Gabosh for a 2-lot subdivision be approved as presented and to authorize the Chairperson to sign the subdivision maps as approved, and seconded by C. Ferrone:

Roll Call Vote:

Deborah Lans: Yes

Chris Ferrone: Yes

Steve Lobel: Yes

Dale Madsen: Absent

Eric Seiber: Absent

Motion carried 3:0:2

Public Comments

None

Adjournment

S.Lobel made a motion seconded by C. Ferrone to adjourn the Planning Board at 8:13.

Deborah Lans: Yes

Chris Ferrone: Yes

Steve Lobel: Yes

Dale Madsen: Absent

Eric Seiber: Absent

Motion carried 3:0:2

Respectfully Submitted,

DeeAnn Veeder, Planning Board Clerk

