

Town of Austerlitz  
Planning Board Meeting  
July 7, 2022

Present: Deborah Lans, Chair, Jane Magee, Eric Spiegel and Eric Sieber, Members. Susan Haag, Town Clerk also present. One vacant seat on the Planning Board.

Joseph Catalano, Attorney for the Town present.

Public Hearing called to order at 7:04 p.m.

Public Hearing called for PL-2022-12, 67.-1-28.111, Kipper Minor Subdivision

Jody Kipper unable to be at the Public Hearing and is being represented by Jennifer Brightly.

Chair Deborah Lans noted that this subdivision was to return the parcel arrangement to the way it was when J. Kipper bought the property. Chair Lans noted that there is documentation in the file to substantiate the original configuration. These parcels will continue to stay as an agricultural use. The Ag Data Statement and deeds are now in the record.

Jennifer Brightly submitted the certified mail receipts from letters sent to neighbors alerting them to the public hearing.

Attorney Catalano reviewed the file and conveyed the same understanding as Chair Lans that the file substantiates the request to return the parcel layout to the original configuration.

No public in attendance.

A motion to close the public hearing for application PL-2022-12 was made by E. Spiegel and seconded by J. Magee.

Deborah Lans: yes

Eric Sieber: yes

Jane Magee: yes

Eric Spiegel: yes

Motion carried 4:1 Public Hearing Closed at 7:11 p.m.

Regular Meeting called to order at 7:11 p.m.

Moment of Silence, followed by Pledge of Allegiance.

**Minutes**

A motion to accept the June 2, 2022 Regular Planning Board Meeting minutes was made by E. Sieber and seconded by J. Magee.

Deborah Lans: yes

Eric Sieber: yes

Jane Magee: yes

Eric Spiegel: yes

Motion carried 4:1

**Old Business**

**Planning Board Application PL-2022-12**

Property Owner: Kipper Farm LLLP, Jody Kipper

Applicant: Jody Kipper

Represented By: Jennifer Brightly

Project Property: Pierson Road and Ten Broeck Road SBL:67.-1-28.111

Zoning: Rural Residential

Project: Minor Subdivision

Discussion on parcel makeup originally, how the parcels were merged and now requesting to be separated out again.

The Planning Board reviewed SEQRA Part 2 and determined that all sections had no to little impact.

A motion to resolve that the proposed subdivision application, PL-2022-12, will not result in any significant adverse environmental impact was made by E. Sieber and seconded by J. Magee.

Roll Call Vote

Deborah Lans: yes

Eric Sieber: yes

Jane Magee: yes

Eric Spiegel: yes

Motion carried 4:1

A motion to approve, by resolution, proposed subdivision application, PL-2022-12, with required modification to the subdivision survey map that notes be added to the map that identifies the property as subject to agricultural exemption and that parcel subdivision is subject to future restrictions of 3 parcels as set forth in the Town of Austerlitz Zoning Code, was made by E. Sieber and seconded by E. Spiegel.

Roll Call Vote

Deborah Lans: yes

Eric Sieber: yes

Jane Magee: yes

Eric Spiegel: yes

Motion carried 4:1

Amended maps will be submitted to the Town Clerk, Susan Haag.

**PL-2022-07, The Estate of Gloria Oleynek** subdivision request is waiting for the Highway Superintendent and Town Board to decide on the Oleynek family's waiver request.

**New Business**

**Planning Board Application PL-2022-13**

Property Owner: Madsen Overhead Doors, Inc., Guy Madsen

Applicant: Madsen Overhead Doors, Inc.  
Representative: Michael Madsen  
Project Property: 673 State Route 203 SBL:86.-2-32.200  
Zoning: Rural Residential  
Project: Boundary Line Adjustment and Parcel Merger

Representative Michael Madsen noted that this is a boundary line adjustment between Madsen Overhead Doors, owned by Guy Madsen and Fox Hill Campgrounds owned by Guy and Patricia Madsen (86.-2-21.1). The family is just looking to adjust some land between the two commercial businesses giving Madsen Overhead Doors acreage to compensate for a building that is encroaching on the Campground property. Once this boundary line adjustment is made, Madsen Overhead Doors would like to merge their 2 parcels into one.

The survey maps submitted show the creation of a parcel when in fact that is not what is being asked for approval.

Attorney Catalano reviewed the survey map with M. Madsen explaining what the map had to show for the request being made. Revised maps will be submitted to the Planning Board for approval.

A motion to deem a public hearing for application PL-2022-13 unnecessary was made by E. Siegel and seconded by J. Magee.

Roll Call Vote  
Deborah Lans: yes  
Eric Sieber: yes  
Jane Magee: yes  
Eric Spiegel: yes  
Motion carried 4:1

Attorney Catalano noted that this application is a type 2 action requiring no SEQRA review.

### **Public Comment**

None

### **Adjournment**

A motion to adjourn was made by E. Sieber and seconded by J. Magee.

Deborah Lans: yes  
Eric Sieber: yes  
Jane Magee: yes  
Eric Spiegel: yes  
Motion carried 4:1 Meeting adjourned at 7:45 p.m.

Respectfully Submitted,  
Susan Haag, Town Clerk