

**Town of Austerlitz Planning Board  
Regular Meeting Minutes  
June 6, 2013**

**The Austerlitz Planning Board meeting:**

Members present included Chairman Charles Knauss, Deputy Chair Charles Lawson, Susan Geel, Richard Madonia, and Beth Meehan.

Also present:

Terry Cozzolino, Real Estate Agent/Jesus Flores, buyer

Dan Russell (surveyor)

Bill Better (Lawyer)

**Mr. Knauss calls regular meeting to order at 7:00pm.**

*No Public Hearings scheduled*

**Old Business:**

***Jean Duff (Earth Foods): Site Plan Review for 4 rental units on State Rt. 203***

Charles Knauss announced that Lee Heim, Building Inspector issued violation. Jean Duff was not in attendance.

***Apra- (Terry Cozzolino representing from Cozzolino Real Estate): Site Plan Review to clear cut 30 acres for horse pasture on Mallory Rd***

Information regarding the site plan review to clear 30 acres for a horse pasture on Mallory Road was presented by Terry Cozzolino, of Cozzolino Real Estate and buyer, Jesus Flores. A total of 6 maps were presented to the board for review by Mr. Cozzolino. Mr. Cozzolino states that he did verify with the building inspector, Lee Heim, that a forestry map would be required. Mr. Cozzolino also provided the board with a copy of this map.

Mr. Knauss collected the application fee of \$250 (paid by check). Mr. Cozzolino was reminded that he must notify all adjacent land owners by certified mail/return receipt before the Public Hearing scheduled for next month. Mr. Knauss suggested that Mr. Cozzolino should speak with Mary Davis to collect details of these adjacent land owners.

Mr. Knauss kept one map for record, and confirmed that there will be a Public Hearing scheduled for the next planning board meeting on July 3, 2013.

**New Business:**

***Robert Pace: Minor subdivision on Slate Hill Rd (Dan Russell presenting):***

Information regarding the subdivision on Slate Hill Road was presented by land surveyor, Dan Russell, on behalf of Robert Pace. Mr. Russell presented the board with property maps which displays that the property is divided by the town line (between Ghent and Austerlitz). Mr. Russell explained that he has already attended the Ghent Planning Board meeting (in which they are not requiring anything at this time) and have agreed to a public hearing in July. Mr. Russell explains that the existing 2 parcels will be subdivided into 3 parcels. The first parcel consists of farm house with a barn and pond (21 acres). The remainder of the land is 36 acres. Mr. Russell has not had a chance to survey land, which will determine whether or not a public hearing will be kept for July.

The application fee is \$100, which will be paid by 2 checks (\$50 from each Estate).

Mr. Knauss kept one map for record, and confirmed that there will be a Public Hearing scheduled for the next planning board meeting on July 3, 2013, unless cancelled 10 days prior.

***David Seth Michael: Minor subdivision on State Rte 203- (Bill Better presenting)***

Information regarding the subdivision on State Rte 203 was presented on behalf of David Seth Michael, by lawyer, Bill Better. Mr. Better explains to the board that the family owns 54 acres including the road (which comes off of Beale Rd). Their idea is to create 2 lots which consist of 17.3 acres and 33.69 acres. Parcel 1 is a 17 acre lot which consists of a house, barn and driveway. Parcel 2 is 33.69 acres -this parcel will own the road.

Mr. Better explains that adjacent landowner, Ron Green, who owns a house and barn, has frontage on Beale Rd, but does not have right to the road. Surrounding neighbors, "Platt" and "Shatten," should have access. Mr. Better states that 3 lots in total will have frontage to the road. Mr. Knauss determines that a Road Maintenance Agreement is needed to proceed. Mr. Lawson suggests that whoever purchases the parcel should be legally bound to maintain the road. Mr. Lawson further suggests that if anything is built in the future, there should be certain stipulations required before a building permit is received. Mrs. Geel plans to do further research as she is not sure if those restrictions can be placed, and suggests that a building inspector would be the one to determine and place any restrictions, if necessary. Mr. Better

ensures the board that this property is only allowed to be subdivided once per original agreement signed in 1985.

Mr. Better requested that a public hearing be scheduled for the July 3, 2013 meeting. Mr. Knauss declines Mr. Better's request at this time for a public hearing until he is able to obtain a Road Maintenance Agreement.

Mr. Knauss collected \$100 cash from Mr. Better for the application. Mr. Better will report to Mr. Knauss with stipulated information (Road Maintenance Agreement) by Tuesday, June 11, 2013 to determine whether or not a Public Hearing will be scheduled for the July 3, 2013 meeting.

*No Public Comments*

**May Minutes:**

Mr. Knauss requests that a minor spelling correction be made.

Motion to approve the May Planning Board minutes made by: Richard Madonia,

Seconded by: Sue Geel

Approved 4-0

***\*\*Reminder: Next meeting scheduled for Wednesday, July 3, 2013\*\****

**Meeting adjourned by Mr. Knauss: 7:55pm**

Submitted by:

Heather Tompkins