

**Town of Austerlitz Planning Board
Regular Meeting Minutes
April 3, 2014**

The Austerlitz Planning Board Meeting:

Members present included Jay Engel, Deborah Lans and Marie Meehan.
Absent- Richard Madonia and Sue Geel.

Also in Attendance:

Joe Catalano, Attorney for the Town

Public:

Patrick Boyd filling in for Dan Russell (land surveyor)
Perry Samowitz, Neighbor of Dan Russell

Doug Lasdon (432 Slate Hill Rd)

****Jay Engel calls the Regular Meeting to order at: 7:11pm****

*Deborah Lans motions to appoint Jay Engel as acting chairperson for tonight's meeting.
Marie Meehan approves.*

Public Hearing: Called to order at 7:12pm

1.) Bruce Burns- Minor Subdivision on Crow Hill Rd- Presented by Dan Russell, Surveyor.

Patrick Boyd, filling in for Dan Russell, submits the return receipts to the board- 6 receipts of 9 mailed are returned.

Attorney Catalano places all returned receipts in the file.

While he distributes the new Road Maintenance Agreement for review, Mr. Boyd recaps with the board that the Minor Subdivision on Crow Hill Rd consists of a 3 lot subdivision. Mr. Boyd explains that the southern boundary of the private road will consist of 8.83 acres, and the new parcel will consist of 12.2 acres. Parcel 1A will be fully in control of road (owner).

Attorney Catalano explains that it is important to have the road as part of the parcel, as the rear parcels will have the right to access, and is equally shared for road maintenance.

All board members take a moment to review the new Road Maintenance Agreement.

Mr. Boyd explains that the new deed description will reference the Road Maintenance Agreement.

Attorney Catalano explains that the Road Maintenance Agreement will need to be executed and filed with the County. The board will require a receipt of the filing of the map along with the Road Maintenance Agreement.

Board to review the Maintenance Agreement

(Mr. Catalano briefly reads through the Agreement with the board)

Attorney Catalano holds a brief Q&A to clarify items in the Road Maintenance Agreement.

Public Comments:

Perry Samowitz comes forward from the public to comment.

Mr. Samowitz explains that he received a letter stating his property adjoins this subdivision- therefore he brought his original deed to show/clarify that it does not in fact touch the property. He wanted to make the board aware that the language of the letter was incorrect.

The board apologizes for the confusion, and explains all surrounding neighbors are contacted.

Mr. Samowitz exits.

Jay Engel calls for a member of the board to motion to close the public hearing of Bruce Burns: Minor Subdivision on Crow Hill Road at 7:31pm.

Mrs. Lans motions, Mrs. Meehan seconds.

Approved 3-0, 2

SEQR Form

Reviewed with board and completed by Attorney Catalano.

Part 1- Attorney Catalano goes through each item, line by line.

3b. (Clarified by Mr. Boyd) 1.2 acres is the road (max amount that will be disturbed, if any)

Part 2- Attorney Catalano will read the questions and the board will answer as he goes.

Answers are as follows:

- 1.) No
- 2.) Small
- 3.) No
- 4.) No
- 5.) No
- 6.) No
- 7A.) No
- 7B.) No

- 8.) No
- 9.) No
- 10.) No
- 11.) No

Part 3- Do not need to fill out (only if there are impacts noted in Part 2)

Final Part: 1st box does not apply, 2nd box does (checked)

SEQR Form completed and placed in file.

Mrs. Meehan motions to accept the environmental assessment form as completed by the board, of the Bruce Burns minor subdivision on Crow Hill Rd.

Seconded by: Mr. Lans

Approved 3-0, 2

The board grants approval of the sub-division map as presented.

This will be approved along with the Road Maintenance Agreement in which will be recorded with the Map. The town will need to receive a copy.

Mrs. Meehan motions that the Bruce Burns minor subdivision on Crow Hill Road be approved contingent upon these conditions.

Seconded by: Mrs. Lans.

Approved 3-0, 2

Mrs. Meehan motions to authorize the acting Chairperson, Jay Engel, to sign the new maps.

Seconded by: Mrs. Lans.

Approved: 3-0, 2

Unfinished Business:

1.) Joel Dyslin- Minor Subdivision on Route 203- presented by Dan Russell, Surveyor.

No application submitted. No further business to address.

New Business:

1.) Doug Lasdon- Parcel Merger on Slate Hill Rd (preliminary discussion- no application submitted).

Doug Lasdon currently owns 2 parcels (16 ½ acres) at 432 Slate Hill Road. Mr. Lasdon wishes to merge both parcels, and was therefore instructed by Mary Davis, to come in front of the board to see if there are any legal requirements in order to do so.

Attorney Catalano explains that the Planning Board has no jurisdiction to review or approve the merger of his two parcels.

Mr. Lasdon explains that his residence exists midway on the road.

Marie Meehan suggests that on occasion, the assessor will consider the parcels as one on the tax map.

Mr. Lasdon also explains that he signed a lease with a local farmer, which may also affect the assessment.

Attorney Catalano in return suggests that Mr. Lasdon may be entitled to an Agricultural exemption, or at least partial, but does not know the particulars. He goes on to explain that grievance day is the 4th Tuesday of May. Any paperwork needs to be filed by the day before, then he will need to wait for the assessor's decision and his right to appeal to the decisions board.

While the Planning Board has no authority to review or approve mergers neither do they disapprove.

Approval of March Minutes:

Per Attorney Catalano, this item will need to be tabled until next meeting. (No quorum).
This item will need to be added to May's agenda.

Public Comments: *None*

Adjournment:

Marie Meehan motions to adjourn tonight's meeting at 8:18pm
Second by: Mrs. Lans
Approval: 3-0, 2

*******Next Regular Planning Board Meeting Scheduled for May 1, 2014*******