

Town of Austerlitz  
Planning Board Meeting  
August 6<sup>th</sup>, 2015

Present: Chairman, Jay Engel, Susan Geel, Richard Madonia, Marie Meehan. Absent : Deborah Lans

**Public hearing called to order 7:05**

Jean Duff of Earth Land Foods outlined the Site Plan Review application that seeks approval to use a second story apartment above the former restaurant space, owned by Earth Food Land, as a rental apartment. The apartment, will undergo renovation which includes having one bathroom made into a kitchen. The downstairs entrance has a stairwell to apartment . Ms. Duff indicated that the driveway was approved , a separate electric system for the apartment exists and thinks that septic system and well are in order for use.

With Public Hearing attendees given the opportunity to speak, Robert Lagonia spoke of his concern about the condition of the septic system, put in 38 years ago while his family owned the restaurant. Robert Lagonia, as owner of the pond through which the septic system travels, indicated that no check on the system has been made in the last decade.

Using a sketch which indicated the location of restaurant building, the cottage, 2 wells and a pond, he described the septic system consisting of two in ground 1000 gallon tanks, at side of restaurant building, which carry the grease and waste by pipe from the building, through sand filter, to the pipe in the pond. That pipe, held down by rocks, extends from one side of the bottom of the pond, to the other side where the effluence exits into a yearlong running stream. The use of the pond on the Lagonia property requires an easement since the septic drains directly under the pond into a stream on the other side.

This information indicates that there are questions to be addressed about a septic system for the apartment. With a site visit in order, Chairman Engel did not call for the closing of the public hearing. The public hearing will be open until next month to provide time for any other pertinent information to come forward.

Further discussion of the application continued under Unfinished Business in the regular meeting which followed.

### **Planning Board Meeting called to order at 7:30**

Motion called to approve June minutes. Second: M.Meehan, ( S. Geel recused herself having missed June meeting). Richard Madonia noted a mis-spelled name in minutes. With amendment to correct the spelling, the motion was approved by all.

Motion to approve July Minutes. Second: R. Madonia Approved by all.

### **Unfinished Business: Earth Food Land –Site Plan Review**

Planning Board has the names of the five neighbors who had been properly notified of the public hearing. Jean Duff presented to the Board, three receipts from letters sent to the neighbors.

Jean Duff indicated she needs to make a decision on several issues including the septic system and easement thereof.

Planning Board Chairman Engel indicated that the Board could grant **contingency approval of the site plan review for the special use permit.**

After review, a motion was made by Sue Geel, Second: M.Meehan for a resolution to approve the special use application of the second story dwelling of the building at 317,Route 203 Austerlitz NY, contingent on satisfactorily meeting the Planning Board standards for the requirements , 1,3, 4 and 5 as stated in the July 22, 2015 County Planning Board Memo (attached ). Motion approved by all.

The **contingency approval** based on county inspection and written approval as outlined in numbers 1, 3, 4, 5 of a the letter from the County Planning Bd. (attached) are namely;

1. Presentation of a site plan to include parcel boundaries, location and size of existing structures, apartment entrance point, driveway, parking areas, circulation pattern, septic system, well, lighting, fencing,etc.
2. Proposed Use has been submitted and received.
3. Recommendation to contact Columbia County Dep't. of Health regarding any necessary review for septic system. Delineate septic system on site plan.
4. Recommendation to contact CCDOH regarding any necessary review for well/water supply. Delineate location of well on site plan.
5. Access. Col Co. Planning Bd. suggests contact with Dep't of Transportation regarding any improvements required to the access to Rte 203 as a result of change from commercial to residential use.

**New Business:** Minor Subdivision on Stonewall Road postponed by applicant until the Oct. meeting.

Motion to adjourn S. Geel, Second R. Madonia , approved by all.

Meeting adjourned 8:15

Respectfully submitted,

Constance Mondel