

Town of Austerlitz  
Planning Board Meeting  
Oct.1. 2015

In attendance: Sue Geel, Deborah Lans ,Richard Madonia, Marie Meehan.

Absent: Chairman, Jay Engel

Meeting called to order: 7:04

**Minutes:** Motion to approve September meeting minutes R. Madonia, Second: D. Lans

Approved by all.

**Old Business: Earth Food land: Site plan Review for apartment above restaurant on Rte.203**

Presentation of map and details of the site plan were made in presence of Attorney Andy Howard of Howard Freeman, Anthony Didio of Taconic Engineering and Jean Duff.

Anthony Didio referred to the letter From DEC indicating Taconic Engineering had submitted data indicating that improvements had been made to the septic system and a renewal of the SPDES (State Pollution Discharge Elimination System) to Earth Food Land LLC , which would have the system deemed operative, barring any comments to the contrary as of Oct 13<sup>th</sup>.

Further references included:

1. In answer to a Bd. member's question, public water is not required; the well on the property is used for both the cottage residents and for the restaurant facility.
2. Closure of one entrance and use of 2 others, indicated on map, has been approved by DOT as well as a shoulder extension curving back , 30 ft. from road.
3. Lighting is in place ,though not indicated on map.
4. 100 foot setback is indicated on map.
5. Proposed parking is indicated on map.

In answer to Bd. member questions, driveway will be gravel. Entrance will be paved. No signage planned.

After reviewing the specific requirements of a site plan review, Susan Geel outlined **areas which need further research.** (Austerlitz Town Attorney, Joseph Catalano is to address the use of the septic systems which occupies property not owned by Earth Food Land LLC. )

The **presence of wetlands** near the effluence of the septic system requires information as to If and how it was addressed.

**The septic system** which lies within a neighbors property requires permission for use. With given permission that system, unused for ten years, needs complete inspection.

**Additional notations requested for map :** specific setbacks and in place lighting.

**Planning Board Requires a DOT letter of confirmation to the verbal data provided by Taconic Engineering.**

**The public hearing remains open until closure at next meeting, Nov.5 .**

**New Business: Boundary Line Adjustment on Pratt Hill Road**

Kevin McGrath, surveyor of Earl Lawrence property presented a map showing property lines of Applicant Ann Macintyre, owner of the Earl Lawrence estate and neighbor, Eric Sieber. On each owners property there is a 60 foot strip of land that if it were exchanged would benefit both owners.

One strip holds a shed which needs to be removed for a proposed home building.

The other was used to access entrance to a pond use which access is still available from Lane encircling the pond. The exchange is of benefit to each owner and the boundary line adjustment does not impact negatively on either party.

Kevin McGrath provided a map for the town files and stated that a legal description is forthcoming.

The explanation, satisfactory to Planning Board members as to its intent, desire, acceptance by both applicants and negative determination from SEQRA, Richard Madonia made a motion as follows:

The Planning Board on October 1, 2015 , in review of the application and the resulting conditions of benefit to both parties and not harmful to other landowners, hereby gives approval for the boundary line adjustment on Pratt Hill Road requested by applicants Ann Macintyre and Eric Sieber. Approved by all.

Stamped maps will be provided to both applicants and one kept for town files. Extra maps to be returned to Kevin MCGrath.

**Austerlitz Fire Company Easement for well.**

David Savage of the Austerlitz Fire Company described the need for the use of the well on Fire District property prior to ownership of the well when the property is purchased from the Fire District.

The Fire District is seeking appraisals on cost of asbestos abatement in the building and cost of building demolition which accounts for delay in the proposed purchase of the land by Austerlitz Fire Company from Fire District.

The asbestos abatement, demolition costs and monetary value of the old building is needed information for both costs to Fire District and for their records.

The Austerlitz Fire Co. is requesting an easement to use that well for 6 months.

**Request from Planning Board** that there be a letter from the Attorney Daniel Tuczinski describing the terms of resolution for accessing this well and a letter of approval from the Fire District for the well use.

Motion by Marie Meehan : The Austerlitz Planning Board recognizing the terms of the proposed Easement for well access on Fire District property, as requested by Austerlitz Fire Company, and given no restriction from the Fire District on this easement, gives approval of easement for well use. Approved by all.

**Amy's Lane -Existing Driveway Approval**

William Stratton described having a permit to build a house on Amy's Lane where, in place, is an existing driveway. This driveway being more than 500 feet can be approved once proper condition, required pull offs and turnaround for fire Co needs, are inspected and found to be in place.

Mr. Stratton was advised to have both Highway Dep't supervisor and Fire Co. representative visit the property to provide needed information on the standard and the need for verification once the driveway work has been done. A Driveway application can be obtained from clerk Mary Davis with a determined date for Planning Bd. agenda.

Meeting adjourned : 8:35

Next meeting is November 1<sup>st</sup>.

Respectfully submitted.

C. Mondel