

TOWN OF AUSTERLITZ

Columbia County
New York

Lee Tilden
Chairman

Planning Board

**Planning Board Meeting
September 3, 2020
7:00 p.m.**

*******AGENDA*******

- 1.) Moment of Silence, Followed by the Pledge of Allegiance**
- 2.) Roll Call**
- 3.) Minutes**
- 4.) PI-2020-02 Boundary Line Adjustment Weiser, Allan and Kathleen**
- 5.) Adjournment**

Austerlitz Planning Board
Minutes of March 5, 2020 Meeting

Present: Lee Tilden (Chair), Deborah Lans, Jane Magee, Eric Sieber. Excused: Perry Samowitz. Also attending: Joe Catalano, Esq.; Jill Duffy (Applicant) and representatives; members of public.

The meeting was called to order by Chairman Tilden and the group recited the Pledge of Allegiance.

Mr. Sieber moved the approval of the minutes of the prior meeting, Ms. Lans seconded, and the motion passed unanimously, with Ms. Magee abstaining as she had not been present.

The Board turned to unfinished business – the Duffy Application. Mr. Tilden reviewed the history of the application. Since the last Board meeting, Mr. Didio on behalf of the Applicant has submitted the Agricultural Data Statement. Emails with comments on the application received after the public hearing was closed will be filed but not considered.

Mr. Catalano reviewed the history of the Board's consideration of the SEQRA form, and the Board then reviewed again Part 2 of the form, with the benefit of all of the information received since its initial review at the November Board meeting. First, the Board agreed the short form was sufficient and, inasmuch as section 195-31(B) of the zoning code permits the Board to waive requirements for good cause, agreed to waive any requirement for a long form given the slight impact of the use in question on the overall parcel. The Board then proceeded question-by-question to discuss and answer the questions of Part 2, as recorded on the signed and filed SEQRA form. Mr. Sieber moved to accept the short form SEQRA form as completed, Ms. Lans seconded the motion and the motion carried unanimously.

Board members commented further that they were generally supportive of the application; were pleased to see an agricultural use resumed in the town; had all visited the site; and intended to discuss certain restrictions to meet concerns expressed by neighbors and town residents.

Mr. Catalano reviewed in detail the draft resolution he had prepared for discussion purposes. That resolution, as finally passed, is attached to these minutes. Discussion was had concerning restrictions on use, noise, lighting, and events. Additional screening was directed, and the applicant was directed to submit an amended site plan reflecting added screening of the parking area.

Ms. Magee indicated that she had reviewed the entire file including the lengthy minutes of the prior meetings (and public hearings) and, as a result, was comfortable acting on the proposed resolution.

Mr. Sieber moved to approve the resolution as reviewed and amended, Ms. Lans seconded the motion and all four members present voted to adopt the motion. Mr. Catalano will circulate

the resolution as revised during the Board's lengthy discussion, for review and acceptance by the Board as accurately depicting all revisions made by the Board.

During New Business there was a question from the public as to possible toxicity of the camping units as living space and a discussion ensued as to the nature of the units to be used. There was also discussion of the absence of a town noise ordinance and the need to revisit the Comprehensive Plan that was enacted 16 years ago.

Respectfully submitted,

Deborah Lans (acting as secretary for the meeting)

Reference Material
SEP 03 2020
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Town of Austerlitz Planning Board
Application for Site Plan Review/Special Use Permit

REQUESTED:

Application Date: 6/12/20

Approval Request for: (check all that apply)

Site Plan

Site Plan Amendment

Special Use Permit

LOT LINE ADJUSTMENT ON 150 MALLORY RD

Applicant: Name: Allan & Kathy Weiser Email: weiser.kathy@gmail.com

Mailing Address: 150 Mallory Rd.

City: CHENT State: NY Zip: 12075 Telephone: [REDACTED]

Owner: If different than applicant, if more than one owner provide information for each on separate sheet

Name: _____ Email: _____

Street Address: _____

City: _____ State: _____ Zip: _____ Telephone: _____

Project Information: Tax Map Number: SBL: 105-1-19 Parcel Acreage 1.37 acres

Location of Project/Street Address: 140 Mallory Rd, CHENT, NY 12075

Current Land Use of Site: _____

Current Condition of Site: VACANT LAND, REQUIRES CLEARING, ROCKY -
TO ACCOMMODATE CONCRETE SLAB FOR
12.00 SQ. FT. HOME & DRIVEWAY

Character of abutting parcels: 150 MALLORY RD = 16.09 acres
(RESIDENCE) SBL: 105-1-18
FILED MAP 4821

Proposed Use(s) of site:

- Utilities
- Multi-family project
- In-Home Business
- Commercial Project
- Other (describe use below)

Detailed Description of Proposed Use, including primary and secondary uses (use separate sheet if necessary):

SMALL HOME FOR SON + WIFE

→ PERMISSION TO CREATE FULL 2-ACRE BLDG. LOT AT 140 MALLORY RD. BY ADJUSTING LOT LINE AT 150 MALLORY RD.

Description of buildings to be used height, number of stories, square feet:

For residential projects include the number of dwelling units and size in square feet

1 STORY RESIDENCE
1200 square feet
Height

Reference Material

Is the property within 500 feet of ?

- NO A municipal boundary
- NO County or State Park or recreation either existing or proposed
- NO State or County road or right-of-way, either existing or proposed
- NO State or County owned building or institution
- NO Stream or drainage channel owned by County or for which channel lines have been established
- NO Active farm operation within an Agricultural District

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If any of the above is true the site plan must also be reviewed by the County Planning Board.

Applicants Signature: *Garland Hoyer* Date: 6/12/20

FOR OFFICE USE ONLY

Date Received: _____ Project ID: _____

Preliminary Review Date: _____ Final Review Date: _____

Final Decision: _____ Site Plan Unnecessary _____ Approved

_____ Approved with conditions _____ Denied

617.20
Appendix B
Short Environmental Assessment Form

Reference Material

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Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: INSTALL SEPTIC SYSTEM/LEECH FIELD ON SITE							
Project Location (describe, and attach a location map): 140 MALLORY RD, GHENT, NY 12075							
Brief Description of Proposed Action: SEPTIC SYSTEM INSTALLATION ON SITE OF PROPOSED HOME TO BE CONSTRUCTED FOR SON ON LOT OWNED BY US							
Name of Applicant or Sponsor: ALLAN + KATHLEEN WEISER		Telephone: 917-922-7832					
Address: 150 MALLORY RD.		E-Mail: weiser.kathy@gmail.com					
City/PO: GHENT, NY 12075		State: NY	Zip Code: 12075				
1. Does the proposed action <u>only</u> involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		<u>1.37</u> acres					
b. Total acreage to be physically disturbed?		<u>.11</u> acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>17.46</u> acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)							
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____							
<input type="checkbox"/> Parkland							

RESET

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	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Stephan Wain Date: 4/5/20
Signature: _____ 6/15/20

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

Reference Material

	No, or small impact may occur	Moderate to large impact may occur
<div style="color: red; font-weight: bold; font-size: 1.2em;">SEP 03 2020</div> <div style="font-weight: bold; font-size: 1.1em;">Planning Board Meeting</div>		
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

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<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

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