

TOWN OF AUSTERLITZ

Columbia County
New York

Lee Tilden

Planning Board Chairman

**Planning Board Meeting
January 7, 2021
7:00 p.m.**

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

- 1.) Moment of Silence, Followed by the Pledge of Allegiance**
- 2.) Roll Call**
- 3.) Minutes**
- 4.) P1-2020-03 Special Use Permit**
- 5.) Adjournment**

Town of Austerlitz
Planning Board Meeting
September 3, 2020

Present: Lee Tilden, Chair, Deborah Lans, Eric Sieber, and Perry Samowitz, Members. Susan Haag, Town Clerk also present.

Jane Magee, Member, absent due to surgery. Deborah Lans, Member, absent because the meeting was held in person.

Meeting called to order at 7:04 P.M.

Moment of Silence, followed by Pledge of Allegiance.

Minutes

A motion to accept the March 5, 2020 Planning Board minutes with the inclusion of Resolution #1-2020, Jill and Jason Duffy, was made by E. Sieber and seconded by P. Samowitz.

Lee Tilden: yes
Deborah Lans: absent
Eric Sieber: yes
Perry Samowitz: yes
Jane Magee: absent
Motion carried 3:2

New Business

Planning Board Application #2-2020.

Property Owner: Allen and Kathleen Weiser
150 Mallory Road, Ghent, NY 12075
Applicant: Allen and Kathleen Weiser
Project Property: 140 Mallory Road SBL:105.-1-19
*Deed on file.

Zoning: Rural Residential

Project: The proposed project consists of a boundary line adjustment taking footage from 150 Mallory Road and giving it to 140 Mallory Road to create a full 2-acre parcel at 140 Mallory Road in order to build a house on 140 Mallory Road.

Allen and Kathleen Weiser addressed the Planning Board explaining that they originally owned 18 acres on Mallory and when the opportunity came up, the Weisers purchased a small parcel next door. The Weiser's son is getting married and they want to give him 2 acres so he can build a home. In order to give their son 2 acres, they need a boundary line adjustment so the small parcel contains at least 2 acres which is required by zoning. The septic design and leech field has already been approved by the County.

The Planning Board looked over the submitted survey noting the following:

*Chairman Tilman noted that in looking at the acreage listed on the proposed survey map, the smaller parcel would have 2 +/- acres, and when adding up the numbers, they did not add up to a

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full 2 acres. Under zoning, the new acreage must be at least 2. Please have new maps submitted showing a full 2 acres so there are no issues when going for a building permit.

Member Sieber questioned the amount of land left on the original parcel for setbacks to the boundary. The surveyor needs to put in the setbacks of the existing house on the map so the Planning Board is not creating a non-compliance issue.

SEQRA

Chair Tilden advised this application should be a Type 2 action under 617.5 and therefore, no action under SEQRA is necessary.

A motion to declare a Type 2 action under SEQRA on Planning Board Application #2-2020 was made by P. Samowitz and seconded by E. Sieber.

- Lee Tilden: yes
- Deborah Lans: absent
- Eric Sieber: yes
- Perry Samowitz: yes
- Jane Magee: absent
- Motion carried 3:2

A motion to approve Planning Board Project PL-2020-02, boundary line adjustment for Allen and Kathleen Weiser conditioned on the resubmission of survey maps with corrected area dimensions for the new parcel and the dimension between the existing structure and the turning point of the new parcel so setbacks are not violated was made by E. Sieber and P. Samowitz.

- Lee Tilden: yes
- Deborah Lans: absent
- Eric Sieber: yes
- Perry Samowitz: yes
- Jane Magee: absent
- Motion carried 3:2

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Chair Tilden advised the applicants that 3 new maps must be submitted.

Public Commit

None

Adjournment

A motion to adjourn was made by P. Samowitz and seconded by E. Sieber.

- Lee Tilden: yes
- Deborah Lans: absent
- Eric Sieber: yes
- Perry Samowitz: yes
- Jane Magee: absent
- Motion carried 3:2 Meeting adjourned at 7:26 P.M.

Respectfully Submitted,

Susan Haag, Town Clerk

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Matts Auto Body Inc
1930 Salt Point Turnpike
Salt Point NY 12578



12/11/2020

Proposal to the Town of Austerlitz Planning Board,

Dear Planning Board,

Please find attached a Special Use Permit package for 309 Rigor Road Austerlitz. (aka O's Diner) .Under instruction of Glenn Smith the building Inspector I have submitted supporting paperwork to establish said property as a Auto Body Repair and towing facility. Upon inspection of the property my site plan would included the following improvements.

- 1) Erect a 40 x 60 building in the area in front of the old diner. Barn style red building.
- 2) Place a shed roof on Diner Foundation to secure the building.
- 3) Remove Old Trailer .
- 4) Grade Motorcycle jumps and seed for lawns.
- 5) Create a fenced in area for 20-30 vehicles.
- 6) Create a landscape plan for shrubs and trees.

Note: All improvements would reflect the agricultural theme of the area. Barn styling. Environmental Impact from shop would be minimal in comparison to a Diner. Current Septic and water would be more than sufficient for our needs. The property is under contract based upon approval for said use.

Robert Beckmann President

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Town of Austerlitz Planning Board
Application for Site Plan Review/Special Use Permit



Application Date: 12/10/20

Approval Request for: (check all that apply)

Site Plan Site Plan Amendment Special Use Permit

Applicant: Name: ROBERT BELLMANN Email: MATTS ABOOD @ AOL.COM
Mailing Address: P.O. BOX 165
City: SALT POINT State: Ny Zip: 12578 Telephone: 845 546-0632

(O's Eatery Inc)

If different than applicant, if more than one owner provide information for each on separate sheet
Owner: Name: OTTO MAIER Email: O MAIER @ AOL.COM
Street Address: P.O. Box 155
City: Chatham State: N.Y Zip: 12037 Telephone: 845-797-9298

Project Information: Tax Map Number: 60498 E 740646 Parcel Acreage: 2.71 ACRES
94-1-15 N 1261237

Location of Project/Street Address: 309 RIGON HILL RD
AUSTERLITZ N.Y. 12037

Current Land Use of Site: DINER LOCATION

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Current Condition of Site: FOUNDATION ONLY

Character of abutting parcels: AGRICULTURAL & RESIDENTIAL
COMMERCIAL GAS STATION

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):

AUTO REPAIR FACILITY

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

40' X 60' BUILDING 1 STORY
2400 SQUARE FT

Is the property within 500 feet of ?

- A municipal boundary
- County or State Park or recreation either existing or proposed
- State or County road or right-of-way, either existing or proposed
- State or County owned building or Institution
- Stream or drainage channel owned by County or for which channel lines have been established
- 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: [Signature] Date: 12/10 20

FOR OFFICE USE ONLY

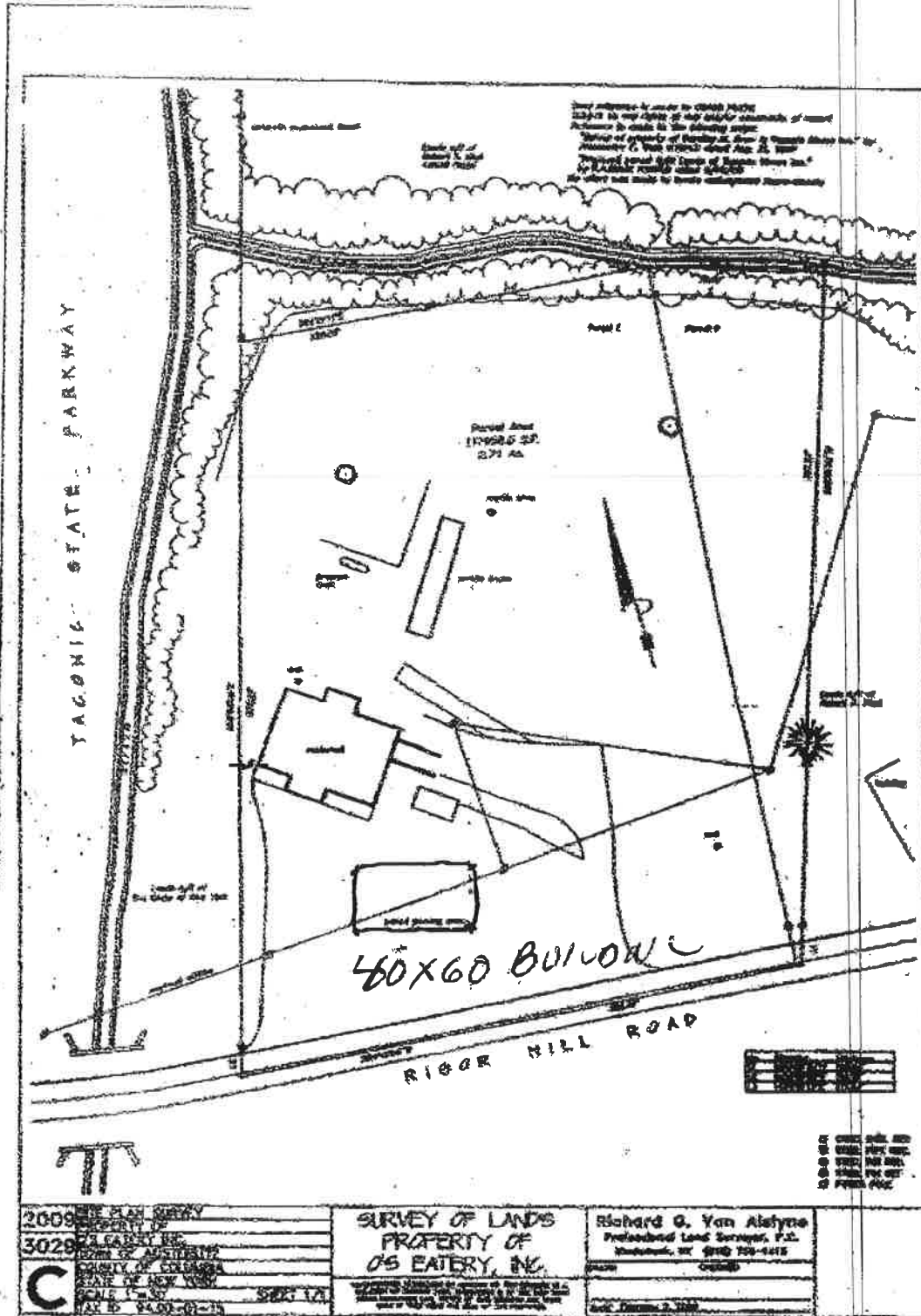
Date Received: 12/14/20 Project ID: _____

Preliminary Review Date: 1/7/21 Final Review Date: _____

Final Decision: _____ Site Plan Unnecessary _____ Approved

_____ Approved with conditions _____ Denied

From: Mike@gilcrestproperties.com mika@gilcrestproperties.com
 Subject: O's eatery survey.pdf
 Date: November 18, 2020 at 3:06 PM
 To: Susan Budai susan@brocktondavis.com



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617.20
Appendix B
Short Environmental Assessment Form

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: <i>RIGON HILL REPAIR FACILITY</i>			
Project Location (describe, and attach a location map): <i>309 RIGON HILL RD AUSTIN, TX</i>			
Brief Description of Proposed Action: <i>CLEANUP BURNED DINER SITE BUILD 40 X 60 BUILDING</i>			
Name of Applicant or Sponsor:		Telephone:	JAN 07 2021
		E-Mail:	Planning Board Meeting
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only 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.			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:			NO YES <input checked="" type="checkbox"/> <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>2.71</i> acres	
b. Total acreage to be physically disturbed?		<i>0</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>2.71</i> 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 checked="" 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			

	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: _____ Reference Material	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Planning Board Meeting	<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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 checked="" 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"/> NO <input type="checkbox"/> YES	<input type="checkbox"/>	<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

RESET