

**ANDES PLANNING BOARD
P.O. BOX 482
ANDES, NEW YORK
845-676-4105**

MEETING DATE:

MONDAY, MARCH 23, 2009

PRESENT:

FRANK WINKLER, CHAIRPERSON -
JOHN REYNOLDS, VICE CHAIRPERSON - ABSENT
ARTHUR REED -
JAMES DARLING -
EDWARD CALLAHAN -
C. ROBERT LAING - ABSENT
ALEX ADELSON - ABSENT
THOMAS EVANS, DELAWARE COUNTY ADVISOR -
JO ANN BOERNER, CLERK -

OTHERS PRESENT:

Paula Nelson, David Decker, Merna Popper, Steve Higbie and Doug Woodin.

CALL TO ORDER:

Meeting called to order at 8:00 pm.

APPROVAL OF MINUTES:

The February 2009 minutes were reviewed and Art Reed made a motion to accept the minutes as written, Jim Darling seconded the motion. Vote: All Ayes-so carried.

CORRESPONDENCE:

Letter to Christine Klein, NYS DOT from Tom Evans and Town of Andes Planning Board, Re: Paula Nelson's Two Family Home proposal in the Town of Andes. Letter to Frank Winkler, Town of Andes Planning from Christine Klein, NYS DOT, Re: Paula Nelson's Two Family Home proposal in the Town of Andes. See attached letters.

AGENDA:

First on the agenda was the Public Hearing for Paula Nelson's Special Permit. Tom Evans explained that Ms. Nelson would like to make her single family home into a two family home. Ms. Nelson's tax map # is 259.7-1-5. The property is located on NYS Route 28, Main St. in the hamlet of Andes. Ms. Nelson notified her adjoining property owners of her intentions and the public hearing. There was no one present at the public hearing to dispute her intentions and the public hearing was closed. Frank Winkle had been in contact with the NYS Department of Transportation (DOT) as the property is located next to the state route. The DOT had no issues with Ms. Nelson's proposal. Off street parking was not a problem if needed. The DOT requested if there was any work to be done in the state right-of-way that Ms. Nelson contact the DOT. Mr. Winkle commented that he and Mr. Adelson were at Ms. Nelson's property for a site visit and

that onsite parking was not a problem. Mr. Evan commented that Art Short, Town Code Enforcement Officer will be working with Ms. Nelson after the Board to make sure her house is up to NYS code. The Board referred Ms. Nelson's application to the County Planning Board, as her property was adjacent to an agricultural district parcel and the parcel is on the state route. A motion was made by Mr. Winkler to conditionally approve Ms. Nelson's Special Permit pending County Planning Board review and approval, seconded by Art Reed. Vote: All Ayes-so carried. Ms. Nelson paid the permit fee.

Next on the agenda was David Decker, who is leasing the old Cantina Building, Delaware Avenue and Main Street, NYS Route 28. Mr. Decker is preparing to open the building this summer as a show room for his Furniture and Picture Framing Company. He is planning on living on the second floor of the building. He would like to work on opening the original front doors to the building for his customers. He would like to serve coffee from the kitchen this summer as well. The kitchen will not be altered from what it was for the Cantina business. Parking will remain the same and lighting for the business. His sign may be larger than the Cantina's old sign, but that is yet to be determined. The Board discussed with Mr. Decker his intentions and gave him a Special Permit application to fill out. Mr. Evans commented that Mr. Decker will also have to go before the County Planning Board since he is within 500 feet of a state route. The next county meeting will be April 1, 2009. Mr. Decker will try to get his application materials in order for that meeting. The Board referred him for county review. If the county approves Mr. Decker's application he will be ready to come to the next Planning Board meeting for a public hearing and possible approval.

Next on the agenda was Doug Woodin, representing Harold and Linda Cole, NYS Route 28. Mr. Woodin discussed with the Board the stormwater runoff plans for Mr. Cole's 8-lot Subdivision and how the NYC DEP review was coming along.

Mr. Woodin then presented Mr. and Mrs. Cole's Minor Subdivision/Boundary Line Adjustment (BLA) maps from 2007 and explained to the Board that there was an error in filing the approved maps. They were not filed within 60 days. The BLA was approved July, 23, 2007. The Board reviewed the maps. A motion was made by Mr. Reed, seconded by Ed Callahan, to re-approve the proposal and resign and date the maps. Vote: All Ayes-so carried.

Next on the agenda were Merna Popper and her representative/contractor Steve Higbie for a Special Permit to expand her garage on Main Street in the hamlet of Andes so she can relocate her antique business into it. Ms. Popper replaced Ed Leal with Mr. Higbie for her proposal. The Board discussed with Ms. Popper her proposal that received variances from the Zoning Board of Appeals (ZBA) on January 19, 2009 (Ed Leal represented her at this meeting). The ZBA's Notice of Action for that meeting read:

- 1.) Height not to exceed height of existing garage.
- 2.) Barrier fence (historically & functionally correct) be installed along rear property line prior to a building permit being issued for the garage addition.

It was also noted in the ZBA's January 19, 2009 minutes that the previous side setback variance of 5 feet, which was granted, was still be applicable for the new structure. After

some discussion of the proposal, the Board gave Ms. Popper another application to fill out and told her to make sure her plans mirror the variances granted. Once the Special Permit application is filed out properly and the Board has reviewed the plans for compliance and completion a public hearing will be scheduled for the proposal.

Next on the agenda was Al Bradbury. Mr. Evans explained that he spoke with Mr. Short and the size of Mr. Bradbury's business sign was not up to code, it's too large. After some discussion a motion was made by Mr. Reed, seconded by Jim Darling to refer Mr. Bradbury to the ZBA for a variance for his sign. Vote: All Ayes-so carried.

Next on the agenda was Terry Walsh's Conservation Easement proposal on Bush Hill Road. Mr. Evans had been in contact with Mr. Walsh and he and his attorney will be at the Board's next meeting. They are interested in finding out if the property could be subdivided in the future, if the desire is there.

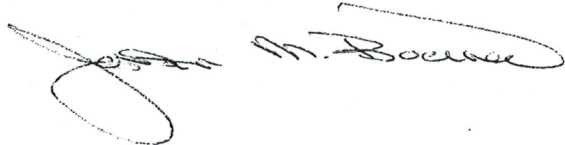
EXECUTIVE SESSION:

None.

ADJOURN:

The meeting adjourned at 9:30 pm upon completion of the agenda, Mr. Winkler explained.

For the Planning Board,
Jo Ann M. Boerner,
Planning Board Clerk

A handwritten signature in dark ink, appearing to read 'Jo Ann M. Boerner', is written over a horizontal line.