

ANDES PLANNING BOARD  
115 DELAWARE AVENUE  
ANDES, NEW YORK 13731  
Ph. 845-676-4105



**MEETING DATE** June 12, 2023

**PRESENT:**

HARLAND DYE-CHAIRMAN  
FRANK WINKLER  
ARTHUR REED-  
BILL PALMER-  
JOANNE CALLAHAN-ABSENT & EXCUSED  
KATHERINE KEYS-  
ERIC VANBENSCHOTEN-  
AL MOHR-BUILDING CODE INSPECTOR  
KENT MANUEL-DELAWARE COUNTY PLANNER

**OTHERS PRESENT:**

Nick Franzen-Attorney representing Mr. Howard Kipnes  
(major subdivision)  
Mr. Howard Kipnes  
Victor Fairbairn-Surveyor representing Verna Dietrich  
(minor subdivision boundary line adjustment)  
Rick Braun-Surveyor's representing Artie Short-  
(boundary line adjustment)  
Michael O'Toole-buyer for Artie Short boundary line adjustment  
Nicholas Decker-JHA Surveyors representing  
John F. Hruby III, John F. Hruby Jr. and Theresa A. Hurby  
(boundary line adjustment)

**CALL TO ORDER:** Meeting Called to order at 7:00 PM

### **APPROVAL OF MINUTES**

**Motion made by Mr. Winkler to accept the May 8, 2023 minutes,**

**Motion seconded by Mr. Palmer**

**VOTE: all aye-so carried**

### **CORRESPONDENCE:**

#### **NEW BOARD MEMBER:**

**The Board welcomed Mr. Eric VanBenschoten as a new Planning Board member, as appointed by the Town Board**

**Mr. VanBenschoten is taking place of long time Planning Board member Mr. John Reynolds**

**Mr. VanBenschoten is joining the Planning Board from the Zoning Board**

**The Town Board will be appointing a new Zoning Board member to take the place of Mr. VanBenschoten**

### **AGENDA:**

- **First on the agenda: Public Hearing  
Mr. Victor Fairbairn, Land Surveyor  
Representing Mrs. Verne Dietrich  
Minor Subdivision  
263 Jones Hollow Road**

**Motion made by Mr. Winkler to open the Public Hearing,**

**Motion seconded by Mr. Palmer**

**Vote: all aye-so carried**

Mr. Fairbairn presented the map with 3.01 acres of land  
Dividing into two lots

Mobile Home with 1.11 acres

House parcel 1.90 acres

Dwelling unit rights will be one on each lot

No comments from the Public

**Mr. Palmer made a motion to close the Public Hearing,**

**Motion seconded by Ms. keys**

**Vote: all aye-so carried**

**Mr. Winkler made a motion to declare a negative declaration for  
SEQR, motion seconded by Ms. Keys**

**Vote; all aye-so carried**

**Ms. Keys made a motion to approve the minor subdivision for  
Mrs. Verna Dietrich, property located at 262 Jones Hollow Road**

**Motion seconded by Mr. Winkler**

**Vote: all aye-so carried**

- Next on the agenda was Mr. Richard Braun-Land Surveyor representing Mr. Arthur Short  
Boundary Line Adjustment  
2188 County Highway 1  
0.88 acres of land will be conveyed to Mr. Short's land  
to complete the pond onto Mr. Short's land  
13.02 acres  
2.6 acres with house and pond will be Mr. Short's  
11.02 acres with house and barn across the road will  
be conveyed to Mr. O'Tool, purchaser of second lot  
Mr. Kent Manual, Delaware County Planner commented  
The parcel would be exempt form a Public Hearing as both  
parcels are currently in the same owners name

Also, no soils would be required

**Motion made by Ms. Keys to approve the Boundary Line Adjustment for Mr. Short's property which is located at 2188 County Highway 1. Motion approved under section 2.5 (4) of Town of Andes Zoning Law**

**Motion seconded by Mr. Winkler**

**Vote: all aye-so carried**

- Next on the agenda was Mr. Nick Decker Surveyor for JHA Companies

Mr. Decker was representing John & Theresa Hruby, and John Hurby III

3 parcels combining into two

Two Boundary line adjustments on property located at 2554 County Highway 1

Parcel A. with house will have 4.06 acres

Parcels B C & D will have combined lands of 27.67 acres with a house

All parcels are family owned

No need for perks or testing as homes are all ready on the lots

**Motion made by Mr. Palmer to refer the application to the County and to advertise a public hearing for July 10th, 2023**

**Motion seconded by Ms. keys**

**Vote: all aye-so carried**

- Next on the agenda was Mr. Nick Franzen attorney representing Mr. Howard Kipnes

Major Subdivision on property located at Fall Clove Road

Mr. Franzen has previously come to the Planning Board with plans for Mr. Kipnes

The Board had expressed concerns with lot #5, which is in the Town of Delhi

One concern was if emergency vehicles could access the lot

Another concern was if there was a need for a stormwater plan for this project

Mr. Franzen submitted a new application for a sketch plan review  
The Board discussed the new application and the following motion was made

**Motion made by Mr. Palmer to accept the new sketch plan review for Mr. Kipnes on the following conditions:**

- 1.) Lot number 5 which is located in Delhi has access for emergency vehicles and approved through the Delhi fire code, in writing
- 2.) Conditional on the storm water review is approved by DEP if necessary, in writing

**Motion seconded by Ms. keys**

**Vote: all aye-so carried**

**MEETING ADJOURNED: 8:45 PM**

**JO ANN BOERNER-ANDES TOWN PLANNING BOARD CLERK**