

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



MEETING DATE May 8, 2023

PRESENT:

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

OTHERS PRESENT:

Nick Franzen-Attorney representing Mr. Howard Kipnes
(major subdivision)
Peter Calvert- Andes Gazette
Victor Fairbairn-Surveyor representing Verna Dietrich
(minor subdivision boundary line adjustment)
391 LLC represented by Taconic Engineering-Joe Hunter
(discussion on hold and haul septic system for property located
at 391 Lower Little Dingle Hill road)

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

APPROVAL OF MINUTES

Motion made by Mr. Palmer to accept the March 20, 2023 minutes,
Motion seconded by Mr. Winkler
VOTE: all aye-so carried

Noted: no meeting in April as there was no agenda

CORRESPONDENCE:

AGENDA:

- First on the agenda was 391 Little Dingle Hill Road
Represented by Taconic Engineering-Joe Hunter
A presentation was reviewed with the board for plans
for a hold and haul septic system
Plans was for septic system for a guest house
Holding tank for septic
Get a variance from the City if Department of Health approves
Third septic system design
Contract with a hauler
Delaware County Planner Mr. Manual confirmed
It does not trigger a Special Use Permit through the Town
391 Little Dingle Hill Road
needs to work with the City,
Department of Health and Mr. Mohr, Building Code Inspector
No application needs to be presented to the Planning Board
- Next on the agenda was Mr. Victor Fairbairn, Land Surveyor
Representing Mrs. Verne Dietrich
Minor Subdivision/Boundary Line Adjustment
263 Jones Hollow Road
3.01 acres of land
Would like to divide into two lots
Mobile Home with 1.11 acres
House parcel 1.90 acres

The application was previously classified as a minor subdivision/
Boundary Line Adjustment

**Motion by Mr. Palmer to hold a Public Hearing on
263 Jones Hollow Road for a minor subdivision/
boundary line adjustment, June 12th, 2023**

Motion seconded by Ms. Keys

VOTE: all aye-so carried

- Next on the agenda was Nick Franzen-Attorney representing Mr. Howard Kipnes, Major Subdivision
Mr. Franzen previously submitted surveyors for Mr. Knipes
The Board requested Mr. Franzen present a map showing
The grade of the road not exceeding 12 percent as shown in the
Towns regulations
The Board requested information on how much acreage would
be disturbed by putting the road in
A storm water review by the City first then DEP (Mr. Douglas
Straight) would be the next step in this application
The Board was concerned on the width and grade of the road for
Emergency Vehicles
Mr. Mohr, Building Code Inspector will contact the Department of
State on requirements
Dwelling units need to be noted on new map
Need information on perk test for 4 of 5 lots
The Board would like more information on the water course and
how it could affect the subdivision
Mr. Franzen, Attorney will work with JHA Surveying on the request
from the Board
- Next on the agenda was Executive Session for a personal
Matter
**Motion by Mr. Reed to enter into executive session due to a
personnel matter, motion seconded by Mr. Palmer**

Vote: all aye-so carried
8:33 PM

Motion by Mr. Reed to close executive session,
Seconded by Mr. Palmer
Vote: all aye-so carried
8:45 PM

MEETING ADJOURNED: 8:45 PM

JO ANN BOERNER-ANDES TOWN PLANNING BOARD CLERK

ANDES PLANNING BOARD
115 DELAWARE AVENUE
ANDES, NEW YORK 13731
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MEETING DATE March 20, 2023

PRESENT:

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

OTHERS PRESENT:

Nick Franzen-Attorney representing Mr. Howard Kipnes
Buffy Calvert- Andes Gazette
Cyndi Bourke-Dirty Girl Farm

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

APPROVAL OF MINUTES

Motion made by Mr. Reed to accept the Feb. 13, 2023 minutes,
Motion seconded by Ms. Keys
VOTE: all aye-so carried

CORRESPONDENCE:

AGENDA:

- First on the agenda was Mr. Nick Franzen-Attorney At Law representing Mr. Howard Kipnes

Major Subdivision

Mr. Franzen presented a new survey map

The Major Subdivision will have 5 lots

Lots #2 and #5 will not have access and need to become flag
Lots

The Board discussed the need for access if there is a fire
and the need for the lots to meet regulations to build on

After further review the Board requested the following:

- 1) Showing 12.7% by contour lines
- 2) Profile
- 3) Lots 2 and five showing flaglots with access
- 4) Roadway grades of 12%
- 5) Topo map

Mr. Franzen will return at the May 8th Planning Board meeting
With the updated survey and requests

- Next on the agenda was Cindi Wright from Dirty Girl Farm
Mrs. Wright has previously come before the Board with plans
for expanding her farm business
She has an existing creamery and would like to put in a new one
After reviewing the plans the Board suggested that Mrs. Wright
expands her creamery by added onto her existing creamery
Mrs. Wright will notify the Board when she is ready to present her
new plans
-
-

- Next on the agenda was Dennis Bacon
Property on Shaver Hollow Road
Mr. Mohr (Building Code Inspector) reviewed his plans with the Board
Mr. Bacon has plans to subdivide his property
He has 2 lots with no buildings
He is selling one lot
Would need access to the second lot which he is keeping
Would not meet Zoning Regulations as road frontage needs to
be 300 feet and Mr. Bacon would be requesting 90 feet
Mr. Bacon will need soil tests completed on both parcels
After further discussion the following motion was made:
**Motion made by Mr. Reed to send Mr. Bacon's request
to the Zoning Board for a variance**
**Road frontage regulations are 300 feet and Mr. Bacon
would need 90 feet**
Motion seconded by Mr. Palmer.
VOTE: all aye-so carried

**The Board discussed the new application questionnaire form
for members of the community that would like to take the
open position for Planning Board member**
**The Board concluded the new form could be forwarded to
all candidates that expressed interest in being a member**

MEETING ADJOURNED:8:20PM

JO ANN BOERNER-ANDES TOWN PLANNING BOARD CLERK

ANDES PLANNING BOARD
115 DELAWARE AVENUE
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APPROVED

MEETING DATE February 13, 2023

PRESENT:

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

OTHERS PRESENT:

Kevin Roe
Eric Van Benschoten
Peter Calvert- Andes Gazette
Cindi Bourke-Dirty Girl Farm
Victor J. Fairbairn-Land Surveyor

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

APPROVAL OF MINUTES

Motion made by Mr. Winkler to accept the Jan. 9, 2022 minutes,

Motion seconded by Ms. Keys

VOTE: all aye-so carried

CORRESPONDENCE:

Victor J. Fairbairn- Land Surveyor

Discussion Nov. 23, 2015 boundary line adjustment map prepared by
David Mance

AGENDA:

- First on the agenda was Mr. Kevin Roe
Mr. Roe previously had approval for a boundary line adjustment
Property located at 1003 Bussy Hollow Road
Mr. Roe had 35.5 acres of land
Made two lots 27.5 acres with this home and 8 acres of vacant land
The 8 acres of land has septic approval
Mr. Roe would like to put a right of way through the 8 acres of vacant
land to the 27.5 acres with his home on it
Mr. Roe is looking for the best way to access his property that
conforms with the Zoning regulations
He would like to create a flag lot
Mr. Roe will work with his surveyor on a 12 percent grade of a road
and location
Mr. Roe will let the Board know when he will submit his plan

- Next on the agenda was Mr. Victor J. Fairbairn-Land Surveyor
(see attached letter)
On Nov. 23, 2015 the Town of Andes Planning Board approved
a boundary line adjustment map prepared by Mr. David Mance
The map was filed on Dec. 2, 2015
One of the parcels has 8.18 acres of land that was not conveyed
until Jan. 31, 2023
The parcel was conveyed from LG Properties Inc. to Beech Hill
Ridge, LLC

Delaware County Real Property Office would not make the necessary changes to the tax map because of the time between the filing of the Boundary Line Adjustment and the recording of the deeds

The policy of Delaware County Real Property states that the map and deed needs to be filed within 62 days of each other. Real Property is asking for a reapproval of the original subdivision or a certificate stating that the boundary line adjustment is still valid.

Mrs. Callahan made a motion to reaffirm that the original boundary line adjust made by the Andes Town Planning Board on Nov. 23, 2015. For LG Properties Inc and Beech Hill Ridge LLC remains valid.

Motion seconded by Ms. Keys

VOTE all aye-so carried

- Next on the agenda was Andes Art Manor, LLC

Mr. Andreas Gerdes

Mr. Gerdes was out of the Country and has been in contact with

Mr. Al Mohr to submit his plans on 160 Lower Main Street

Mr. Leo Koenig is residing at 160 Lower Main Street

Owned by Mr. Gerdes

Mr. Gerdes would like to sell the home to Mr. Koenig

Mr. Gerdes would like to keep a vacant lot behind the home

In order to keep the lot it would require a flag lot with a right of way through the driveway to access the vacant lot

By creating the right of way it will take away 20 feet off the original lot

Zoning regulations require 100 feet of frontage

This will require a variance from the Zoning Board as it will not meet the frontage

Will also require a variance for a 20 foot driveway with a 20 foot right of way to access the land in the back

The Board reviewed the proposal

Mr. Mohr will contact Mr. Gerdes to complete a Zoning application for

The variances

- Next on the agenda was Cindi Wright-Dirty Girl Farm
Mrs. Wright reviewed with the Board her plans for building an additional goat barn on their property in the Hamlet
She would like to put it along the fence by the School property
The building would be 60x20 with a nursery and storage for hay
and will have a fenced in area
She will be attending the school board meeting and submitting her plans to them
She is presenting an 8 foot variance for a set back to the school
Mr. Kent Manual Delaware County Planner would like to review the requirements for the Hamlet and Town
Mrs. Wright's property is in the Town as well as in the Hamlet
There are different requirements for each
Mr. Manual will research the requirements and forward to the Board
The Board concluded that Mrs. Wright should first present her plans to the school with her request

MEETING ADJOURNED: 8:20 PM

JO ANN BOERNER-ANDES PLANNING BOARD CLERK



ANDES PLANNING BOARD
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MEETING DATE January 9, 2023

PRESENT:

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

OTHERS PRESENT:

Mr. Bud Gladstone-Town Supervisor
Travis Balcom-
Peter Calvert- Andes Gazette
Cindi Bourke-Dirty Girl Farm

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

APPROVAL OF MINUTES

Motion made by Mr. Winkler to accept the Dec. 12, 2022 minutes,
Motion seconded by Ms. Keys
VOTE: all aye-so carried

CORRESPONDENCE:

AGENDA:

- On the agenda was Mr. Travis Balcom owner of Tab Construction, Tab Thermal and Tab Disposal
Mr. Balcom updated the Board on his plans for the use of the old Town Highway Building located at 29467 Highway 28
At the last Planning Board meeting the Board approved to waive a Special Use Permit for Mr. Balcom based on the building he is purchasing will be used as a similar use
His request fulfilled section 8.03 of the Town of Andes Zoning Law
Mr. Balcom needs a letter for Mrs. Peg Ellsworth (M-ARK Project, Inc.) stating that he has presented his plans to the Planning Board and the action that was concluded
The letter is necessary for the grant which Mr. Balcom applied for
Mr. Manual (Delaware County Planner) commented on the following: SEQR (environmental form) would be part of the Special Use Permit
The Planning Board did not approve a Special use Permit (it was waived)
The grant requires a SEQR (environmental form)
Mr. Manual will contact Ms. Ellsworth (M-ARK Project, Inc.) for further information on who should fill out the SEQR (environmental form)
After further discussion the following motion was made
Mr. Reed made a motion to declare a negative declaration for SEQR on this project, motion seconded by Mr. Palmer.
VOTE: ALL-AYE so carried
Mr. Manual will continue working with the Town Board, Planning Board and Mrs. Ellsworth on this project
- Next on the agenda was Cindi Wright from Dirty Girl Farm
Mrs. Wright would like to put a goat barn addition behind her barn
She will be working with Mr. Mohr-Building Code Inspector on her project

- OLD BUSINESS

Ms. Carly Walas, attorney from Delhi was requested by Mr. Nikolos Decker from JHA Surveyors in Delhi, representing land owner

Mr. Howard Kipnes

Requesting to revisit the decision the Planning Board made on Mr. Kipnes request for subdividing his five lots of land in the Town of Andes and Town of Delhi

Ms. Walas concern was the parcel in Delhi had a separate tax parcel and should not have been made in a decision by Andes planning Board

The Andes Planning Board concluded that

One parcel did not have road frontage therefore creating a Landlocked parcel

The Planning Board requested that Mr. Kipnes combine two parcels to complete the road frontage problem

Mr. Kent manual Delaware County Planner commented

“ownership is the deed, tax parcels are the tax bills

Mr. Kipnes has 254.8 acres of land on Fall Clove Road

Property in partially in Town of Andes and Town of Delhi

Request was to subdivide into 5 lots

Lot #1 107.36 acres with his home

Lot #2 89.36 acres of vacant land

Lot #3 5.46 acres

Lot #4 4.08 acres of vacant land

Lot #5 56.26 acres of vacant land

Mr. Kipnes request was submitted to the Town of Delhi

And sent to the Town of Andes for review

- Mr. Dye submitted the following names for a new Planning Board member to replace Mr. John Reynolds who has retired
Cindi Wright

- Mr. Dye-Chairman submitted the following names for a new Planning Board member to replace Mr. John Reynolds
The Town Board will be selecting the new member

Cindi Wright

Roselie Glauser

Luke Van Unen

Forest Day

The Planning Board will suggest a name from the candidates
they would like to replace Mr. Reynolds

The Planning Board would like to thank Mr. Reynolds for his many
years of service on the town of Andes planning Board

MEETING ADJOURNED: 7:25 PM

RESPECTFULLY SUBMITTED BY:

JO ANN BOERNER-ANDES PLANNING BOARD CLERK