

Town of Torrey Zoning Board of Appeals
Public Hearing
November 7, 2022

Board Members present, Robert Constantine, Deanne Lamborn, Chris Hansen

Excused: Mark Gifford, George Dowse

Others present: Leon & Lynnette Hoover, Clint Zimmerman, Kathy Disbrow, Tim Chambers, Bruce Henderson Dwight James- Code Officer

Bob opened the public hearing at 7:10,

Area Variance 22-2 of Leon Hoover 595 Leach Road construct a 60' x 42 accessory building which would exceed the maximum height allowed in an Ag/Res District per Torrey Zoning Law §98.21 A-1
Mr. Hoover is requesting a final height of 19' 6".

Torrey Planning Board recommended on October 17,2022 approval of this application.

Town Law Section 267 Art. 16 All_property owner(s) within 500' of property line of land affected by a zoning change must be notified.

64.03-1-7 Tom & Amy Prejean 68 Madison St Geneva NY 14456
64.03-1-8 Bruce S Henderson 2453 Route 14 Penn Yan, NY 14527
64.03-1-9 Scherra Family Trust310 William Street Geneva NY 14456
76.01-1-1 Timothy Chambers PO Box 216 Dresden, NY 14441
75.02-1-3 Stephen Henderson 930 West Leach Road PY NY 14527

Leon Hoover presented his application. A need for more inside storage and workshop.

Tim Chambers a neighbor of Mr. Hoovers spoke in support of this application.

No one appeared to speak opposition of this application.

With no further questions on the application, Bob went to next application.

Special Use 22-3 of Clinton Zimmerman 1540 Route 14 to operate an equipment sales lot on this premises. A Special Use permit is required to operate this type of business in the Agriculture District per Torrey Zoning Law § 98.33 k.

Yates Co Planning Board on September 22, 2022 approved this application stating it has no countywide impact

Torrey Planning Board recommended on October 17,2022 approval of this application

Town Law Section 267 Art. 16 All_property owner(s) within 500' of property line of land affected by a zoning change must be notified.

Notices were sent by clerk to:

39.02-1-12.1 Moses & Lydia Horning 1854 Culhane Rd PY NY 14527

39.02-1-12.1 James & Lavina Horning 1539 Rte 14 PY NY 14527

39.02-1-15 Dave Christiansen 1160 Nutt Rd PY NY 14527

39.02-1-11 Kathy Disbrow 1485 Rte 14 Penn Yan NY 14527

Mr. Zimmerman presented his application. He has a growing need for area to sell farm equipment for Penn-Haven. This business is presently operating at his home dairy farm, south of this applications property and he is running out of space. This application site is his son Galen Zimmerman's property, they plan on building a 140' x 300' gravel sales, lot fenced in, adjacent to Route 14. Lighting would be modified.

Kathy Disbrow is a neighbor to this property and appeared in support. She stated her only concern of the manner of loading and unloading equipment and traffic in area.

Mr. Zimmerman stated all loading and unloading would be onsite not on Route 14 roadway.

Bob inquired about drainage concerns. What fluids will be onsite.

Mr. Zimmerman stated there will be no fueling or hydraulic fluid or work performed on site.

No further discussion, Bob closed the public hearing at 7:25PM

Bob thanked everyone present for attending.

Respectfully submitted,

Dwight James, Sec. Pro Tem

Town of Torrey Zoning Board of Appeals
Regular Meeting
November 1, 2022

Board Members present, Robert Constantine, Deanne Lamborn, Chris Hansen

Excused: Mark Gifford, George Dowse

Others present: Leon & Lynnette Hoover, Clint Zimmerman, Kathy Disbrow, Tim Chambers, Bruce Henderson Dwight James- Code Officer

Area Variance 22-2 of Leon Hoover 595 Leach Road construct a 60' x 42 accessory building which would exceed the maximum height allowed in an Ag/Res District per Torrey Zoning Law §98.21 A-1 Mr. Hoover is requesting a 35 % variance on height. The final height of 19' 6".

Motion by Chris 2nd Deanna, to accept AV 22-2 as complete, carried.

Following a brief discussion, motion by Deanna to **Grant** Area Variance 22-2, 2nd Bob, with the following resolution

WHEREAS, as an application Area Variance 22-2 of Leon Hoover 595 Leach Road construct a 60' x 42 accessory building which would exceed the maximum height allowed in an Ag/Res District per Torrey Zoning Law §98.21 A-1 in an Ag/Res District per Torrey Zoning Law was received by the Zoning Board of Appeals (hereinafter ZBA) and,

WHEREAS, after due public notice of such, a public hearing on said application was held by the ZBA on November 7, 2022 in the town meeting room at 56 Geneva Street, Dresden, Yates County, New York, at this time information was presented on the applicant's behalf, and

WHEREAS, at said hearing all desiring to be heard were heard, and

THEREFORE, BE IT RESOLVED that the application Area Variance 22-2 of Leon Hoover 595 Leach Road construct a 60' x 42 accessory building which would exceed the maximum height allowed in an Ag/Res District per Torrey Zoning Law §98.21 A1. The final height of 19 feet 6 inches is **HEREBY GRANTED**. No stipulations

Roll call vote Constantine Aye Hansen Aye Lamborn Aye 3 Ayes 0 Nays Carried **Excused:** Gifford, Dowse

Special Use Application # 22-3 of Clinton Zimmerman 1540 Route 14 to operate an equipment sales lot on this premises

. A Special Use permit is required to operate this type of business in the Agriculture District per Torrey Zoning Law § 98.33 k.

Motion by Chris 2nd Bob to accept application SUP App # 22-3 as complete, carried.

SEQRA – Review

Bob presented Part 2 SEQR short form. Motion by Chris to declare Town ZBA as lead agency 2nd Deanna, carried.

Bob read each question aloud for members decision, and a negative finding was determined.

Motion by Chris 2nd Deanna to accept the completed SEQRA and it's finding a negative declaration that the proposed action will not result in any significant adverse environmental impacts. Carried by all.

Motion by Chris to Grant Special Use Permit 22-3, 2nd Deanna with the following resolution;

WHEREAS, as an application SUP # 22-3 of Clinton Zimmerman 1540 Route 14 to operate an equipment sales lot on premises was received on 8/30/2022. A Special Use permit is required to operate this type of business in the Agriculture District per Torrey Zoning Law § 98.33 k and was filed with the Town of Torrey Zoning Board of Appeals (hereinafter ZBA) and,

WHEREAS, after due public notice of such, a public hearing on said application was held by the ZBA on November 7, 2022 in the town meeting room at 56 Geneva Street, Dresden, Yates County, New York, at this time information was presented on the applicant's behalf, and

WHEREAS, at said hearing all desiring to be heard were heard, and

WHEREAS: This application involves a Type II action as defined by the State Regulatory for Environmental Quality Review so that no further Environmental Assessment is required, now

THEREFORE, BE IT RESOLVED that the application SUP # 22-3 of Clinton Zimmerman 1540 Route 14 to operate a farm equipment sales lot on premises is **HEREBY GRANTED**. No stipulations.

Roll call vote Hansen- Aye Constantine- Aye Lamborn- Aye (3 Ayes 0 Nays)
Carried **Excused**: Gifford, Dowse

Bob made a motion to adjourn 2nd Deanna carried at 7:40PM

Respectfully submitted
Dwight James- Sec. Pro Tem