

Town of Torrey Zoning Board of Appeals
Public Hearing
July 10, 2023

Present; Robert Constantine Chairman, Chris Hansen, George Dowse
Excused: Deanne Lamborn, Mark Gifford
Others Present: Darlene Smith, Mike Siebert

Bob opened the public hearing at 7:02

Special Use Modification of Darlene Smith property at 1720 Rte. 14 to construct a 32' x 50' pavilion on the property for small events and additional outdoor seating. A special use permit modification is required as the footprint of original application will be increased, this per Torrey Zoning § 98.65 in the Community Center District.

Yates County Planning Board did not have a quorum, no recommendation.

Town of Torrey Planning Board on June 26, 2023 recommended 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 sent 6/12/23 2023*

Harold Johnson 889 Rte 54 Penn Yan, NY 14527

Carl & Mary Nelson 886 Rte 54 Penn Yan, NY 14527

Peter & Mauve Chapman 875 Rte 54 Penn Yan, NY 14527

Carol Brown 853 Rte 54 Penn Yan, NY 14527

Aaron Martin 1748 Pre-Emption Rd Penn Yan, NY 14527

Joseph Ostroski 852 Rte 54 Penn Yan, NY 14527

Nancy Preziosi PO Box 133 Dresden NY 14441

Maclain Hendricks 860 Rte 54 Penn Yan, NY 14527

Mary Henderson 876 Rte 54 Penn Yan, NY 14527

Cynthia Davis 842 Rte 54 Penn Yan NY 14527

Mike Garrison 827 Rte 54 Penn Yan, NY 14527

Dan Higgins – 214 Billsboro Rd Geneva NY 14456

Brenda Race 791 Billsboro Rd Geneva, NY 14456

Daryl & Nate Daggett Box 82 Dresden NY 14441

Tim Hansen - 2244 Hansen Pt Penn Yan, NY 14527

Dresden Commons – Box 188 Dresden NY 14441

Darlene Smith 4116 Pre Emption Rd Himrod NY 14842

Village of Dresden PO Box 156 Dresden NY 14441

Darlene Smith appeared to present her application. She would like to construct a covered seating area for small events, additional outdoors seating and increase the parking lot.

There was no one appearing to speak in support or opposition of this Modification to her Special Use Permit application.

Discussion on drainage and runoff. There will be some concrete, as the leach field is located south, the runoff will be directed to the north culvert. Much of the runoff area is lawn to gravel parking lot.

Discussion on the additional parking request.

Mrs. Smith has not met the parking spaces listed on her original plan so the additional parking area is already approved.

Bob stated protecting the lake and erosion control is very important as good stewards of the land. If it is determined by Code Office a need for erosion control method to avoid flooding from runoff, Mrs. Smith will be asked to implement further erosion control measures.

Bob thanked Mrs. Smith for attending and closed SUP Mod # 23-3 public hearing at 7:15pm

AV # 23-3 Area Variance application of Michael Siebert, 1762 Log Cabin Rd to construct a 32' x 48' pole barn that height exceeds 14' maximum average height allowed for an accessory structure per Torrey Zoning Law § 98.21 A-1 in an Ag/Res District

Yates County Planning Board did not have a quorum, no recommendation.

Town of Torrey Planning Board on June 26, 2023 recommended 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 sent 6/12/23 2023*

Steve & Kim Zdanowicz 467 Tears Rd. Mansfield, Pa 16933

Dexter & Faith Benedict 1554 Baker Rd Penn Yan, NY 14527

Donald Davis 6327 Lake Rd Brockport, NY 14420

Log Cabin 1572LLC 140 Scenic Ridge Drive Hummelstown, Pa 17036

Tara Boettger 14 Creekside Lane Pleasant Valley NY 12569

Petar & Biljana Petreski 5 Old Mill Run Depew NY 14043

Joe & Dotty Mugavero 1755 Log Cabin Rd Penn Yan NY 14527

Leon & Eileen Fontier 1757 Log Cabin Rd Penn Yan, NY 14527

Michael & David Cologgi 20 Fawn St Rochester, NY 14622

Mike & Erica Siebert 4622 Reel Hill Rd Campbell, NY 14821

Sharon Killebrew 349+ Hoyt Rd Penn Yan, NY 14527

Gilbert & Krista Jackson 2410 Andrews Rd Canandaigua, NY 14424

Tom & Ann Nolan 1769 Log Cabin Rd Penn Yan, NY 14527

Norman Gardner 11026 Ring Rd Reston, Virginia 20109

Bezek Family Cottage Trust 10 Bluhm Rd Fairport, NY 14450

Michael Siebert appeared to present his application. He is planning to build a retirement home on his property. As of now he needs storage at his lake property while he begins slow transition from Campbell to Torrey.

The added height will allow more storage area in the loft.

Discussion on erosion runoff into the lake being a great concern. Is there an building erosion control in the plans. Mr. Siebert has been adding soil to the site and feathering it in. There are gullies on each side of property to direct runoff, one is the adjacent property he owns where runoff is directed.

There was no one appearing to speak in support or opposition of this 25% Area Variance for Height application.

Bob encourages an erosion control plan in the project.

There being no further questions from the members or attendees, Bob closed the hearing at 7:30 PM

Respectfully submitted,

Town of Torrey Zoning Board of Appeals
Regular Meeting
July 10, 2023

Present; Robert Constantine Chairman, Chris Hansen, George Dowse
Excused: Deanna Lamborn, Mark Gifford
Others Present: Darlene Smith, Mike Siebert

Bob opened the regular monthly meeting at 7:35PM

Minutes- No quorum for November and June minutes.

New Business: Special Use Modification # 23-3 of Darlene Smith property at 1720 Rte. 14 to construct a 32' x 50' pavilion on the property for small events and additional outdoor seating. A special use permit modification is required as the footprint of original application will be increased, this per Torrey Zoning § 98.65 in the Community Center District.

Motion by Bob 2nd Chris to accept application SUP Modification 23-3 application of Darlene Smith as complete, carried.

After a brief discussion, it was determined that no SEQRA was required.

With the erosion control stipulation added Chris made a motion to Grant the Special Use Permit Application # 23-3, 2nd George with the following resolution

WHEREAS, as an application Special Use Modification of Darlene Smith property at 1720 Rte. 14 to construct a 32' x 50' pavilion on the property for small events and additional outdoor seating. A special use permit modification is required as the footprint of original application will be increased, this per Torrey Zoning § 98.65 in the Community Center District

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 July 10, 2023 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 Special Use Modification application of Darlene Smith property at 1720 Rte. 14 to construct a 32' x 50' pavilion on the property for small events and additional outdoor seating. A special use permit modification is required as the footprint of original application will be increased, this per Torrey Zoning § 98.65 in the Community Center District is **HEREBY GRANTED**
With one stipulation

- 1. Applicant must follow erosion control plan.**

Roll call vote: Constantine- Aye

Dowse – Aye

Hansen- Aye 3 Ayes 0 Nays Adopted

AV # 23-3 Area Variance application of Michael Siebert, 1762 Log Cabin Rd to construct a 32' x 48' pole barn that height exceeds 14' maximum average height allowed for an accessory structure per Torrey Zoning Law § 98.21 A-1 in an Ag/Res District

Motion by Chris 2nd George to accept application Area Variance # 23-3 of Mike Siebert as complete, carried.

Following brief discussion on the 25% variance for more height and erosion control, the members had no further questions.

George offered the following resolution that was 2nd by Chris

WHEREAS, as an application Area Variance application of Michael Siebert, 1762 Log Cabin Rd to construct a 32' x 48' pole barn that height exceeds 14' maximum average height allowed for an accessory structure per Torrey Zoning Law § 98.21 A-1 in an Ag/Res District 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 July 10, 2023 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 Area Variance application of Michael Siebert, 1762 Log Cabin Rd to construct a 32' x 48' pole barn that height exceeds 14' maximum average height allowed for an accessory structure per Torrey Zoning Law § 98.21 A-1 in an Ag/Res District is **HEREBY GRANTED**

Roll call vote: Constantine - Aye

Dowse - Aye

Hansen- Aye 3 Aye 0- Nays Adopted

There being no further business before the board,

Bob adjourned the meeting at 7:55PM

Respectfully submitted,

Betty M Daggett