

Town of Torrey Zoning Board of Appeals  
Public Hearing  
April 7, 2025

Present; Chairman Mark Gifford, Robert Constantine, Deanne Lamborn,  
Excused: Chris Hansen George Dowse

Others present: Nathan Burkholder, Dwight James- CEO

Mark opened the public hearing at 7:13

**Special Use Modification Application # 25-1** application of Nathan Burkholder 2382 Hazard Rd to operate a bulk food store in 3280 sq 'space and add a 9' x 40' porch at 2500 Hazard Rd. A modification is required as the footprint of original special use permit # 20-5 has been increased this in the Agriculture District per Torrey Zoning Law §

Town of Torrey Planning Board on March 17, 2025 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 notified.

James Henderson 2655 Rte 14A Penn Yan, NY 14527

Arthur & Arlene Zimmerman 2375 Hazard Rd Penn Yan, NY 14527

Anthony Hostetler 2390 Hazard Rd Penn Yan, NY 14527

Samuel & Lois Zimmerman 2407 Hazard Rd Penn Yan, NY 14527

Rufus Burkholder & New Conquest Church 2420 Hazard Rd Penn Yan, NY 14527

Mr. Burkholder has purchased the property and would like to operate a grocery bulk food store in an existing building. He is adding a porch along the front.

No one appeared to speak in support or opposition of this application.

Deanne asked if there is adequate driveway and turn around for delivery of supplies.

Mr. Burkholder stated a large driveway and parking area.

Review of the SEQR submitted, Mark had a question on the answer to 13A and 16 in which Code Officer James stated that the mapper program automatically fills in the answer. It does not relate to this area. He helped Mr. Burkholder with this SEQR and noted the correct answer.

There being no further questions or discussion, Mark thanked everyone in attendance and closed the hearing at 7:13PM.

Respectfully submitted

Betty Daggett- Sec.

Town of Torrey Zoning Board of Appeals  
Regular Meeting  
April 7, 2025

Present: Chairman Mark Gifford, Deanne Lamborn, Robert Constantine

Excused: Chris Hansen George Dowse

Others Present: Nathan Burkholder, Dwight James CEO

Mark opened the regular monthly meeting at 7:15PM

February minutes: Mark made motion to approve, 2<sup>nd</sup> Deanne, carried.

**New Business: Special Use Modification Application # 25-1** application of Nathan Burkholder 2382 Hazard Rd to operate a bulk food store in 3280 sq 'space and add a 9' x 40' porch at 2500 Hazard Rd. A modification is required as the footprint of original special use permit # 20-5 has been increased this in the Agriculture District per Torrey Zoning Law § 98.33K

Motion: Deanne 2<sup>nd</sup> Bob to accept application SU Mod App 25-1 of Nathan Burkholder for property at 2500 Hazard Rd as complete, carried.

**SEQRA – Review** Mark presented Part 2 SEQR short form. Motion by Bob to declare Town ZBA as lead agency 2<sup>nd</sup> Deanne, carried.

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

Motion by Bob 2<sup>nd</sup> Deanne 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 Deanne to Grant Special Use Modification Permit # 25-1, 2<sup>nd</sup> Mark with the following resolution;

**WHEREAS**, as an application of Nathan Burkholder 2382 Hazard Rd to operate a bulk food store in 3280 sq 'space and add a 9' x 40' porch at 2500 Hazard Rd.. A modification is required as the footprint of original special use permit # 20-5 has been increased this in the Agriculture District per Torrey Zoning Law § 98.33 k 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 April 7, 2025 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 Modification 25-1 of Nathan Burkholder property at 2500 Hazard Road to operate grocery store in an existing 3280' building with an addition of a 9' x40' porch is **HEREBY GRANTED**.

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

Dwight reported a call from Peter Sorgi, Attorney for Rachel Krajewskis, Downey Rd campground application . Ms. Krajewski intends on withdrawing her application for the campground.

Mark adjourned the meeting at 7:25pm

Betty M. Daggett  
ZBA Secretary