

Town of Torrey Zoning Board of Appeals
Public Hearing
October 2, 2017

Present: Chairman Chris Hansen, Tony Cannizzaro, James Cougevan, Matt Canavan Marty Gibson

Others Present: Marvin & Harold Zimmerman, Elaine Allen, Daniel Brennan- Nixon Peabody LLC and , Kris Boyce- Verizon Wireless, Dwight James, Code Officer

Chairman Hansen opened the public hearing at 7:08 He asked the secretary to note all members present.

Special Use Application #17-14 Marvin & Harold Zimmerman 2901 Rte 14

Secretary please make a note in the minutes that written notice of this Hearing was sent to the following property owners directly affected by SUP # 17-14

Wilmer Hoover TM# 76.01-1-6 2850 Rte 14
Arthur & Arlene Zimmerman TM # 76.01-1-5 2901 Rte 14
Aaron Ray Martin TM # 76-01-1-4.2 2811 Rte 14
Aaron Martin TM# 76.01-1-4.1 2755 Rte 14
Cuki Holdings LLC TM # 76.01-1-7 2770 Rte 14

STATEMENT OF THE CASE

This Public Hearing has been called upon the Special Use Permit application # 17-14 of Marvin & Harold Zimmerman 2901 Rte 14 Town of Torrey. The Zimmerman's would like to operate a car and small truck repair at 2901 Rte 14.

A special use permit is required for retail sales in an agricultural district per Torrey Zoning Law § 98.33

Our Board has given copies of the written materials on this matter for review and recommendation to the Town & County Planning Boards.

Torrey Planning Board recommended approval of this application 9/18/17.

Yates County Planning Board did not review this application due to lack of quorum.

Mr. Zimmerman briefly gave an overview of his intentions and application. They plan to construct a 45' x75' 4 bay structure at the north end of property. They will have ample parking area for 10 vehicles. The entrance at Rte 14 has been relocated to the south which increases visibility with Rte 14 traffic flow.

No one appeared in support this application
No one spoke in opposition of this application.

There being no further discussion Chris closed the hearing on this application.

Area Variance # 17-19 Verizon Wireless 975 Carlsen Rd

Secretary please make a note in the minutes that written notice of this Hearing was sent to the following property owners directly affected by Area Variance # 17-19

Richard Nelson TM # 19.04-1-1 969 Carlsen Rd
Nelson Trust TM # 19.66-1-1.1 Rte 14
Rohit & Grace Mirchandani TM # 19.66-1-4 701 Rte 14
Roger & Pat Jensen TM # 19.03-1-5 Carlsen Rd farmland
Petruzzello Trust TM # 19.04-1-4 859 Rte 14
Fox Run Vineyards TM # 19.67-1-2 19.745-1-1
Sharon Ruthven TM # 19.66-1-5 734 Rte 14
Sharon Lockner TM # 19.04-1-3.2 840 Rte 14

STATEMENT OF THE CASE

This Public Hearing has been called upon the Area Variance application # 17-19 Verizon Wireless to construct a 150' monopole with 4' lightning rod at 975 Carlsen Rd property owned by Fox Run Vineyards.

An area variance for height is required as this mono pole and lightening rod exceeds the maximum height allowed in the agricultural district per Torrey Zoning Law § 98.34

Our Board has given copies of the written materials on this matter for review and recommendation to the Town & County Planning Boards.

Torrey Planning Board tabled this 9/18/17 to await Yates Co decision.

Yates County Planning Board did not review this application due to lack of quorum.

Daniel Brennan and Kris Boyce appeared representing Verizon.

Mr. Brennan presented the application and exhibits of this project.

The monopole will be located at the west side of property, creating low visibility from Rte. 14. He discussed the need to increase cell phone coverage in this area, especially for emergency services. The equipment platform is 11' 6" x 16' and fenced. The height is under FCC regulations so there is no lighting required. He discussed the co-location policy, the leasing agreement, tower structural integrity and plan of removal if facility becomes obsolete due to changing future technology.

Elaine Allen 1694 Long Point Beach, spoke on behalf of this tower stating it is a much needed service with all the drop call areas in the town.

No one appeared in opposition of this application.

Matt asked if Verizon has a master plan strategy to group all the towers in one area for better service.

Mr. Brennan stated poles can only transmit a small area and are located to overlap so coverage is not interrupted. As technology grows, so may the broader coverage. Asked if the pole will rust, he stated it is galvanized steel with pewter gray color.

There being no further discussion Chris closed the hearing on this application.

Area Variance # 17-18- Stephen Allen 1694 Long Point Rd.

Secretary please make a note in the minutes that written notice of this Hearing was sent to the following property owners directly affected by Area Variance # 17-18

Barry & Suzette Phillips TM # 64.44-1-12 # 64.44-1-12 1702 Log Cabin

Armin Weiss TM # 64.44-1-10 1700 Log Cabin

Charles & Alice Castner TM # 64.44-1-6 1695 Long Point Beach

Charles Nissler TM # 64.44-1-7 1696 Long Point Beach

Mary Joan LeClaire TM# 64.44-1-14 Long Point Beach

Farrell Trust TM 64.44-1-4 1693 Long Point Beach

Donald Bartold TM # 64.44-1-3 1691 Long Point Beach

Renate Backs TM # 64.44-1-2 1690 Long Point Beach

Gail Fink TM # 64.44-1-1 1689 Long Pt Beach

Thomas Shone TM # 64.36-1-12 1683 Long Point Beach

Fred Schmidlin TM # 64.36-1-13 1685 Long Point Beach

Cameron Ali TM # 64.36-1-14 1688 Long Point Beach

Ruth Johncox TM # 64.36-1-17 93Lone Oak

The Salvation Army TM # 64.02-1-2

STATEMENT OF THE CASE

This Public Hearing has been called upon the Area Variance application # 17-18 of Stephen Allen 1694 Long Point Beach to construct a 12' x 20' deck on the south side of his home closer to side lot line than allowed per Torrey Zoning Law § 98.42.

Our Board has given copies of the written materials on this matter for review and recommendation to the Town Planning Board.

Torrey Planning Board did not review as they determined application was incomplete.9/18/17

Mrs. Stephen (Elaine) Allen appeared for this application. She stated the need to prepare her home for the future. She plans on living there year round and this porch would help assist her with storage and maintenance of her home.

No one appeared in support of this application.

Armin Weiss 1700 Log Cabin Rd appeared with concern on behalf of a neighbor directly impacted by this application. He had spoken with a daughter of the owner Charles & Alice Castner 1695 Long Point Rd. She was not notified of this hearing.

The clerk presented an email dated 10/2/17 from Deborah Ambrose, daughter of Charles and Alice Castner. She did not receive a notice of this hearing because it went to the owner Charles Castner Her concern was that they are in process of selling this property and during the survey it was discovered a 6" discrepancy with the south lot line. There was a boundary line agreement drawn up and signed by the Castner's and Allen's but she was unsure if it has been legally filed to date.

She has no objection to this application, shares the information with the board so any actions taken be based on the new survey and boundary line agreement.

There being no further discussion Chris closed the hearing at 7:40PM

Respectfully Submitted,