

Town of Torrey Zoning Board of Appeals

II Lakes Hop Farm Micro Brewery Public Hearing

February 7, 2011

There are no minutes for the January 3rd public hearing meeting which was cancelled due to miscommunication between Town Clerk and Chairman..

Application # 38-10 of Christopher Hansen II Lakes Hop farm for a special use permit to operate a microbrewery in an existing barn on his property at 511 Hansen Point Rd, Town of Torrey. A special use permit is required, as this is located in an Ag/Res district.

Present Board Members: Chair JM Cougevan, Marty Gibson, Patrick Hoke
Tony Cannizzaro absent, Chris Hansen excused himself due to conflict of interest.

Others present: Marilyn Wood, Melissa Baker, Debra Lent, Preston & Kiersten Baker, Jeremiah Sprague, Brian Karweck, Brianne Hansen, Linda Lefko

Chairman Cougevan opened the meeting at 7:00 PM. He asked the secretary to note that the following property owners were notified of this hearing, SLDHC- PO Box 15 Dresden, Patricia Smith -4576 Rte 14 Rock Stream, NY , Tim Hansen- 2188 Rte 14 Penn Yan NY, Deb Lent -2175 Rte 14 Penn Yan NY ,Marilyn Wood -2165 Rte 14 Penn Yan NY, Melissa Baker -2161 Rte 14 Penn Yan NY, Gary Wood- 2155 Rte 14 Penn Yan, NY Ivan Eberly -2105 Rte 14 Penn Yan NY.

Chairman read the recommendation from the Town Planning Board. The recommended that the application of Chris Hansen 38-10 be withdrawn and resubmitted after the revised zoning law has been adopted by the Town. The Planning Board noted concerns in traffic pattern as the application indicated 40000 annual visitors. Suggesting the applicant consult with NYS DOT regarding traffic control or signage needed for the increase of traffic entering and exiting Hansen Point Rd.

The Planning Board also recommended Mr. Hansen hold his application for now, presently as the zoning law stands, Mr. Hansen would need an area variance along with a special use permit. The revised zoning law when adopted lists micro breweries as a special permitted use along with wineries in the Ag/Res district

The Chairman then read a letter from Yates County Planning Board. The YCPB at its December 16th 2010 meeting based on the referral materials submitted, voted to approve the application of Mr. Hansen for a special use permit to convert an existing barn into a Micro-brewery tasting room.

Mr. Hansen was asked to present his case. He stated he and his partners plan on converting an existing barn located on his property into a microbrewery and tasting room. He stated he has ample land for off road parking lot. He is more than willing to work with his neighbors to address their concerns. He cleared a hedge roll and time ran out before he could replant vegetation as discussed with the neighbors. He stated he had a hand shake agreement with neighbor's husband that he would plant low growing trees to act as visual barrier. He has several acres of Hops planted on his property along with the wooden poles to support it during growth.

No one appeared to speak in favor of the application.

Melissa Baker 2161 Route 14 spoke in opposition to the application. She stated concerns Her land value would be jeopardized, be higher chances her children would be exposed to intoxicated people in her back yard, visitors intoxicated driving onto a busy highway, the increase of motor vehicle accidents due to the access road intersecting a major highway. She feels her privacy has been taken away with Mr. Hansen clearing the hedgerow. Visitors to the tasting room may wander onto her property, she does not want to expose her children to that. There is already a bar in the neighborhood.

Deb Lent 2177 Rte 14 spoke in opposition to the application. She is concerned with the increase in traffic, and intoxicated visitors leaving the tasting room driving onto Rte 14. This creating higher risk of motor vehicle accidents near her home. She was upset when all the ugly poles appeared in her back window view. He also has a child that she does not want exposed to wandering intoxicated visitors from the microbrewery.

Marilyn Wood 2165 Rte 14 spoke in opposition. She appeared to support her daughter concerns and urged the board to deny this application.

Brianne Hansen 511 Hansen Point Rd stated that they have a family and Mrs. Bakers concerns are hers also. She wants to protect her family also, that is why they are going to run a respectable business.

Brian Karweck 745 East Bluff Drive PY stated he is a partner in this application. This is a farming business. He agreed with the attendees regarding their concerns over alcohol. He stated the concerns raised are Il Lakes Hop farms concerns also. He stated that the wineries have a protocol on visitors behavior and alert neighboring business (wineries etc) of problems with intoxicated unruly visitors that may be on route to another area business. He stated that in the present economy this business will benefit the area by drawing in visitors.

JM stated he had been in contact with the ABC Board and that in 2011 wineries and micro-breweries will have the same license. He stated this application is in an Ag/Res District and a farming operation. The Town ZBA cannot over rule the farming laws, farmers are protected.

Deb Lent asked if there is nothing she can do to prevent this application; response was farmers have a lot of rights.

Pat Hoke stated that he is aware of incidents and issues dealing with the public as he is also a business owner He can relate to the residents with their concerns, he stated that in this areas depressed economy, a new business will only be a bolster to the community. He stated this business will help keep the rural character.

With no further questions or discussion, the Chairman thanked all in attendance closed the hearing at 7:32 pm.

Respectfully submitted,

Betty M. Daggett

Town of Torrey Zoning Board of Appeal
February 7, 2011

Present: Chairman JM Cougevan, Marty Gibson, Patrick Hoke

Absent: Tony Cannizzaro, Excused Chris Hansen

Others Present: Melissa Baker, Linda Lefko, Marilyn Wood, Deb Lent, Jeremiah Sprague,
Chris & Brianne Hansen, Brian Karweck

Agenda: Discuss and act upon the application requested for Special Use Permit for Christopher Hansen DBA II Lakes Hop Farm for a Micro brewery and Tasting Room on his property at 511 Hansen Point Rd Town of Torrey

Chairman Cougevan called the meeting to order at 7:33 PM

Chairman read the SEQRA short form to the Board for review and decision.

Each item was read and negative decision was determined. Motion by Mr. Hoke, 2nd Mr. Gibson to accept the SEQRA and its negative findings, carried by all.

Cougevan Aye, Hoke Aye, Gibson Aye 3 Ayes 0 Nays 2 absent

With a brief discussion Mr Hoke made a motion, 2nd Mr. Gibson to approve the Special Use Application 38-10 of Christopher Hansen to operate a MicroBrewery & Tasting Room in an existing barn on his property at 511 Rte 14 Town of Torrey
With the following stipulation

Granting a Special Use Permit to operate a Mirco Brewery & Tasting Room in an Existing barn on his property at 511 Rte 14 Town of Torrey is contingent:

following the adoption of the revised Torrey Zoning Law 2011 it may be granted.

Cougevan Aye, Gibson, Aye, Hoke Aye 3 Ayes 0 Nays 2 absent

There being no further business before the boar a motion to adjourn was made by Mr. Hoke, 2nd Mr. Gibson carried at 7:45PM

Respectfully submitted,

TOWN OF TORREY
ZONING BOARD OF APPEAL

February 24th, 2011

Re: Decision to grant a Special Use Permit

To: Mr. Christopher Hansen
515 Hansen Point Rd
Penn Yan, NY 14527

WHEREAS; Christopher Hansen has applied for a Special Use Permit to operate a Micro Brewery & Tasting Room in an existing barn on his property at 511 Hansen Point Rd, in the Town of Torrey, and

WHEREAS; a public hearing on said application cancelled January 3rd, 2011 was rescheduled with notice and held in the Town of Torrey meeting room 56 Geneva Street, Dresden, New York on the 7th day of February 2011, at 7:00PM at which all interested persons in favor or opposed 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 of Christopher Hansen for a Special Use Permit to operate a Micro Brewery & Tasting Room in an existing barn on his property at 511 Hansen Point Rd, in the Town of Torrey, is hereby granted with the following stipulation

1. No Special Use Permit for this application 38-10 will be issued until the Revised Torrey Zoning Law 2011 is adopted.

James M. Cougevan - Chairman
Torrey Zoning Board of Appeal