

Town of Torrey Zoning Board of Appeals
Public Hearing
April 1, 2019

Present : Chris Hansen, Marty Gibson, Robert Constantine, Tony Cannizzaro, George Dowse- Alt.

Excused: Mark Gifford

Others Present: Mike & Christine Lanphear, Dwight James, Charles Leach

Chairman Hansen opened the public hearing at 7:02PM and noted members present.

Application of # 19-2 Special Use Permit Modification of Michael & Christine Lanphear 2613 Rte. 14 for replacement of 2 existing structure's with a larger and taller structure 40' x 48' addition to his garage business structure.

A modification to Special Use Permit is required for change in size of structure from Mod SUPI permit # 14-2, original SUP permit #46-06 in an Ag/Res District in Town of Torrey Zoning.

Chairman read list of property owners notified per Town Law Sec 267 Art. sent out by this office.

Charles & Carol Leach 2601 Rte 14 Penn Yan, NY 14527
Howard & Rebecca Leach 2669 Rte 14 Penn Yan, NY 14527
PreJean Winery 2635 Rte 14 Penn Yan, NY 14527
Harvey Leid 2695 Rte 14 Penn Yan, NY 14527
Margaret Henderson 930 Leach Rd Penn Yan, NY 14527

Yates County Planning Board on March 28, 2019 stated this application does not have an countywide impact.

Torrey Planning Board recommended approval of this application on March 18, 2019.

Mr. Lanphear is planning on completing his structure, per original plans submitted in 2014. The rooflines will match in height, he will remove two smaller attached structures and replace with 40' x 48' addition His business has grown and he need two more bays with lifts for better servicing cars.

Charles Leach 2601 Rte 14, spoke in favor of this application.
There was no one to speak in opposition of this application

Tony asked why there are so many cars parked around and behind the business.
Mr. Lanphear has several vehicles that have been left or abandoned but is having difficulty removing them. He has spoke with the owners, law enforcement and his attorney with no answers to this problem. Tires are hauled away.

There being no further discussion by audience or board members, Chairman thanked all present and closed the public hearing at 7:28PM

Respectfully submitted,

Betty M. Daggett- Sec.

Town of Torrey Zoning Board
Regular meeting
April 1, 2019

Present : Chris Hansen, Marty Gibson, Bob Constantine, Tony Cannizzaro, George Dowse.
Excused: Mark Gifford

Others Present: Mike & Christine Lanphear, Dwight James, Charles Leach

Chairman called the meeting to order at 7:30PM

New Business- Application of # 19-2 Special Use Permit Modification of Michael & Christine Lanphear 2613 Rte. 14 for replacement of (2) existing structure 22'x 24' with a larger and taller structure 40' x 48'

Motion by Tony 2nd by Bob to accept the application #19-2 as complete carried.

Chairman read the questions on the short form of the New York State Environmental Quality Review Assessment (SEQRA) on how this project impacts the environment.

He read each question out loud for the board members decision.

Each item was read and a negative finding was determined.

Motion by Marty 2nd Tony to accept the completed SEQRA and its finding a negative declaration that the proposed action will not result in any significant adverse environmental impacts. Carried by all.

There being no further discussion,

Chairman offered the following resolution 2nd Marty.

WHEREAS, as an application a Modification SUP #19-2 was received on 2/24/19 from Michael & Christine Lanphear 2613 Rte. 14 requesting a special use modification to original permit # 46-06, and # 14-02, to construct a 40' x 48' addition mirroring the existing structures size and height, in an Ag/Res District per Torrey Zoning 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 April 1, 2019 in the town meeting room at 56 Geneva Street, Dresden, Yates County, NY, at this time information was presented on the applicants 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 # 19-02 for Modification to Special Use Permit # 46-06 & # 14-02, of Michael & Christine Lanphear- 2613 Rte 14 to construct a 40' x 48' addition mirroring size and height of existing structure, in an Ag/Res District is **GRANTED**.

All stipulations from Special Use Permit Mod # 14-02 must be adhered to.

1. Facilities and procedures are in place and followed to properly dispose of all waste hazardous to the environment(ie: oil, gas, antifreeze, tires, scrap metals)
2. Should the business be discontinued or abandoned all vehicles and potential pollutant materials must be removed
3. No cars without current registration are allowed to be parked outside the buildings for more than 14 days. Verified by work order date.
4. Full compliance with all New York State, Yates County and Town of Torrey rules, regulations, licenses and permits regarding vehicle repair shops.

Failure to comply with any of the said stipulations will result in immediate revocation of the Town of Torrey Special Use Permit.

Annual \$ 25.00 renewal fee of this permit must be paid to Town of Torrey.

By roll call vote: 5 Ayes 0 Nays

Hansen – Aye Cannizzaro - Aye Gibson - Aye Constantine- Aye Dowse - Aye

Motion by Tony 2nd Marty, to approve the minutes of December 2018 and February 2019 meetings carried.

Motion to adjourn at 7:37PM, by Chris, 2nd Bob, carried.

Respectfully submitted,

Betty M Daggett- Sec