

## **Torrey Planning Board Meeting**

### **Monday, February 20, 2012**

Present: Elaine Thiesmeyer, Jack Hessney,, Dave Granzin, Sam Selwood,Floyd Hoover, Linda Lefko

Motion by Elaine 2<sup>nd</sup> Jack that the January meeting minutes be approved, carried by all.

Agricultural Advisory Committee report, Floyd has contacted members and they agree that this is covered by the state law. Discussion that the law can be tailored to the town's needs. He will talk to Mike Schnelle.

Sub Divisions; Jack reported that the committee is still meeting Thursday mornings. He said they are chipping away, reviewing the draft for completion.

County Planning Board- Dave reported the review and approval of Torrey's moratorium on "Directional Drilling and Hydraulic fracturing".

Hydrofracking Report-Elaine recommended Linda to be the reporter. Linda is involved with the regional committees investigating hydrofracking process. Discussion on the town drilling law draft. It was agreed that the committee drafting should be representatives of all parts of the town. This will be recommended to the Town Board.

Dave introduced use variance application # 01-12 for a parochial school in an Ag District. Wilmer Hoover 2850 Rte. 14 is the property owner where the proposed school will be constructed. Ivan Eberly, 2105 Rte. 14 is the chairman of the school board and appeared to represent the application.

The schools on Hazard Rd and Ridge Rd are at capacity, there is a higher enrollment this fall, therefore the need for a new school.

Sam Selwood pointed out that the first page of application is incorrect, Mr. Eberly was not listed as the applicant, Mr. Eberly stated that he would get with the Code Officer and correct this.

Dave stated his concern that Route 14 is a high traffic road and the safety issues with children walking or riding bikes to and from school. He inquired as to how many students are they expecting, Ivan answered the state allows 24.

Linda has spoken with Penn Yan bus garage and was told that the Mennonite children are bussed to school, in April they need to submit a schedule and students addresses to make the bus route.

Edwin Zimmerman- 376 East Leach Road stated that his children have been bussed for 20 years, his wife still does the scheduling for the area with the bus garage, although they no longer have children in school. When there is a difference in public & private school schedules, the Mennonite children are bussed by private transportation.

Dave asked if the site allows enough area for a bus turn around, Mr. Eberly stated yes, the size of the property allows for plenty of parking area; there is over an acre of land dedicated to the school grounds.

Jack asked why the site plans have the building close to the highway. Mr. Zimmerman stated that the playgrounds will be in the back of property, farther away from the main road for safety reason. The building is set back from the state right a- way as zoning requires.

Dave stated that more information is needed in answers in application. Mr. Eberly will make this correction before he attends the County meeting with his application.

Dave made a motion 2<sup>nd</sup> Sam, carried by all to approve this application with the following stipulations

- ✓ More information be added to the responses on each application question
- ✓ The first page of application be corrected as to identifying property owner and applicant
- ✓ Children to be bussed to school when public school is in session and bussing available.
- ✓ Create a turn- around for the off road loading and unloading of bus.

Dave explained to Mr. Eberly that the town Zoning Board of Appeals would have final say on this application.

Special Use application #07-12 for a cattle auction from Ray Zimmerman 2456 Rte. 14 was reviewed. Mr. Zimmerman has constructed a large barn on his property to be used for monthly cattle auctions. Cattle will be transported to his property for the sale, therefore this is a commercial operation in an Ag District as defined in town zoning code § 98.33 (K), a Special Use permit is required. He held an auction last month but was not aware that he needed more permits; he is registered with USDA and NYS Ag & Markets and was told by Code Officer everything was good to go in January.

Discussed if he was selling his own cows, stated sold his cows at first auction with others. Sam stated that the vehicles and cattle haulers parked along Route 14 were a big hazard. Parked vehicles must be cleared off Route 14. Mr. Zimmerman agreed, he did not have anyone at roadside to direct traffic in.

Dave asked if there was room for parking these vehicles and cattle haulers on site. Mr. Zimmerman stated he had over 120 acres so there was area to park off road. He will make sure that vehicles are not parking on the roadway at future auctions. Stated this was his first auction and now they are more organized.

Question on auction directional signs, at the entrance of his property. He said that they were temporary just to let people aware of sale location due to first time at this site. They will not need them in the future. He has a large "Lakeview Holstein's sign on his barn, which identifies his property.

Jack asked how many auctions per month, Mr. Zimmerman stated one per month, and more if there is a need. Discussed what would "need" be, Floyd stated if a farm had disaster such as fire or death of owner, an emergency auction may be needed to disperse the animals.

Motion by Sam 2<sup>nd</sup> Floyd, to approve the special use application of Mr. Zimmerman with the following stipulations

- ✓ Number of auctions is one per month unless the code officer approves of an emergency auction
- ✓ Off street parking for all attendees
- ✓ Permit must be renewed annually in compliance with zoning law
- ✓ Prior auctions have not created hardship or adverse impact of neighborhood.

Motion carried by all.

Review and discuss Use variance # 08-12 for a sign from Ray Zimmerman 2456 Rte. 14. "Lakeview Holsteins" Dave explained that the application Mr. Zimmerman submitted is wrong, that he needs an area variance for the sign. A Use Variance requires more detailed information, drawings and site plans.

His sign is 36'sq. ( 2' x 18') in town zoning code §98.128 : 32'sq. per side is allowed. This sign is 4' sq. larger than allowed..

Question: Zoning allows 64'sq total, wouldn't Mr. Zimmerman have 28'sq remaining for another sign?

Discussion as to interpretation of size and/or dimensions in the code § 98.128 (a) and (c) 32'sq/side and 64'sq.

Motion by Sam, 2<sup>nd</sup> Floyd, to approve area variance application of Mr. Zimmerman carried by all.

Wastewater regulations: Waiting for final draft from Colby. Resident George Thompson Serenity Rd asked to speak. He hopes in this revised draft is a more uniform law which would require old septic systems to be inspected first. Board members agreed.

Elaine proposed drafting a letter to the Town Board encouraging the adoption of a new section of the Open Meetings Law which went into effect February 2, 2012. § 103 2 (e) Agency records available to the public pursuant to article six of this chapter, as well as any proposed resolution, law, rule, regulation, policy or any amendment thereto, that is scheduled to be the subject of discussion by a public body during an open meeting shall be made available, upon request therefor, to the extent practicable as determined by the agency or the department, prior to or at the meeting during which the records will be discussed. Copies of such records may be made available for a reasonable fee, determined in the same manner as provided therefor in article six of this chapter. If the agency in which a public body functions

maintains a regularly and routinely updated website and utilizes a high speed internet connection, such records shall be posted on the website to the extent practicable as determined by the agency or the department, prior to the meeting. An agency may, but shall not be required to, expend additional moneys to implement the provisions of this subdivision.

The idea of this law is to create a transparent government and encourages the citizens to participate in local government and operations.

There being no further business before the board Jack made a motion to adjourn 2<sup>nd</sup> Floyd carried at 8:45PM.

Respectfully submitted,

DRAFT