

Zoning Board of Appeal
Regular monthly meeting
March 5, 2012

Present: Chairman Tony Cannizzaro, JM Cougevan, VC Pat Hoke, Marty Gibson, Chris Hansen

Others: Sam Selwood, Floyd Hoover, Ron Kenville, Ivan Eberly, Ray Zimmerman an 12 citizens

Agenda: Discuss and act upon the application
01-12 Ivan Eberly, Use Variance for Parochial School
07-12 Ray Zimmerman, Special Use Permit for Cattle Auctions
08-12 Ray Zimmerman, Area Variance for sign

Chairman Cannizzaro called the meeting to order at 7:40 PM following the public hearings.

Pat made a motion to accept 01-12 application as complete, 2nd by Chris carried.

Chairman read the short form SEQRA to the board. Each item was read and accessed.

JM made a motion that the application is a Type II action and will not have a significant adverse impact on the environment therefore no further action is needed, with negative findings determination to accept the SEQRA was 2nd by Marty.

Roll call vote > carried

Cannizzaro Aye, Hoke Aye, Gibson Aye, Cougevan Aye, Hansen Aye (5 Ayes 0 Nays)

After a brief discussion Mr. Cannizzaro introduced the following resolution 2nd by Mr. Cougevan,

WHEREAS, an application was received on 1/25/12 from Ivan Eberly for a Use Variance at 2850 Route 14 for a parochial school in an Agricultural District as defined by the Town of Torrey Zoning Ordinance, filed with the Town of Torrey Zoning Board of Appeals (hereinafter ZBA) , and

WHEREAS, after due public notice of public hearing on said application was held by the ZBA on March 6, 2012 at 7:00PM in the Town meeting room at 56 Geneva Street, Dresden, Yates County, New York and at this time information was presented on the applicants behalf, and

WHEREAS, at said hearing all those desiring to be heard, having been heard.
and

WHEREAS, this application involves a Type II action as defined by the State Regulation for Environmental Quality Review (SEQRA), so that no further environmental assessment is required, now

THEREFORE BE IT RESOLVED, that the application of Ivan Eberly # 01-12 for a parochial school on 2850 Route 14 in an Ag District is hereby **GRANTED** with the stipulation that when possible students are bussed and all permits and annual inspections will be obtained. Roll Call Vote > carried

Cannizzaro Aye, Hoke Aye, Hansen, Aye, Cougevan Aye, Gibson Aye 5 Ayes 0 Nays

Chris made a motion to accept # 07-12 Special Use application for cattle auction as complete, 2nd Marty, carried.

Chairman read the short form SEQRA to the board. Each item was read and accessed.

Pat made a motion that the application is a Type II action and will not have a significant adverse impact on the environment therefore no further action is needed, with negative findings determination to accept the SEQRA was 2nd by JM.

Roll call vote > carried

Cannizzaro Aye, Cougevan Aye, Hoke Aye Gibson Aye, Hansen Aye (5 Ayes 0 Nays)

Mr. Cannizzaro offered the following resolution 2nd by Mr. Hansen

WHEREAS, an application was received on 2/17/12 from Ray Zimmerman for a Special Use Permit at 2456 Route 14 to operate a cattle auction in an Agricultural District as defined by the Town of Torrey Zoning Ordinance, filed with the Town of Torrey Zoning Board of Appeals (hereinafter ZBA) , and

WHEREAS, after due public notice of public hearing on said application was held by the ZBA on March 6, 2012 at 7:00PM in the Town meeting room at 56 Geneva Street, Dresden, Yates County, New York and at this time information was presented on the applicants behalf, and

WHEREAS, at said hearing, all those desiring to be heard, having been heard. And

WHEREAS, this application involves a Type II action as defined by the State Regulation for Environmental Quality Review (SEQRA), so that no further environmental assessment is required, now

THEREFORE BE IT RESOLVED, that the application of Ray Zimmerman # 07-12 for a Special Use Permit to operate a cattle auction at 2456 Route 14 in a Ag District is hereby **GRANTED** with the following stipulation

1. The number of auctions shall not exceed one regularly scheduled auction held one day per month plus emergency auctions as approved by the code enforcement officer;
2. Off-street parking shall be provided for all auction attendees;

Roll Call Vote > carried

Cannizzaro Aye, Hoke Aye, Cougevan Aye, Gibson Aye, Hansen, Aye 5 Ayes 0 Nays

Discussion regarding Mr. Zimmerman's 2nd application # 8-12 for an area variance for a 2' x 18' sign on his property at 2456 Rte. 14.

During the public hearing review Tony made a motion 2nd Pat that this area variance is not necessary for Mr. Zimmerman's sign. The 36 sq.' of sign is within the 64 sq.' allowed in the Zoning Code § 98-128 size requirement for signs. A building permit is required.

Motion by Pat 2nd Tony to accept the minutes of the February meeting carried.

Motion to adjourn made by JM 2nd Pat carried at 7:58PM

Respectfully submitted,
Betty M. Daggett