

Town of Torrey Zoning Board of Appeals
Public Hearing September 9, 2013
John & Esther Earle - Area Variance # 43-13

Present- Chairman Tony Cannizzaro, Pat Hoke, Marty Gibson, JM Cougevan

Excused- Chris Hansen

Others present - John Earle, Dwight James Code Officer

Chairman opened the public hearing at 7:05pm, roll call of members.

Secretary made a note that the following property owners were notified;

Wilmer Hoover- 2850 Rte 14

Aaron Martin - 2811 Rte 14

Aaron Ray Martin 2755 Rte 14

Arthur Zimmerman 2375 Hazard Rd

Margaret Henderson 930 Leach Rd

Chairman introduced the application before the board. John & Esther Earle operate two Businesses at their property on 2770 Rte 14, Torrey Ridge Winery and Earle Estates Meadery. They have 3 signs for these businesses, installed prior to the adoption of the present zoning law in 2011. The (3) two sided signs- Torrey Ridge Winery, Earle Estate Meadery and Redneck Wines, measure over the maximum total face 64 sq. ft. allowed for any lot, parcel or use.

Torrey Zoning Law § 98.128

The Earles installed a new sign this spring for their third business dba; Wart Hog Cidery, unaware that a sign permit was needed due to changes in the zoning law. They are applying for an area variance to exceed the maximum sign area allowed per parcel.

Chairman read the recommendation of the Town Planning Board dated 8/26/13.

The planning board considers the amount of signage to be excessive and recommends denial of the area variance.

Mr. Earle was asked to present his case. He stated he owns all the businesses. He was unaware of the need for a permit until the Code Officer stopped by the business. Did not have any notice of meeting until a call from the clerk at 4:30 this afternoon. He is a hard working businessman, Works long hours and does not read legal notices. He is bringing business into the town not creating a drain on the economy. With the increasing wineries along the trail, there is higher competition. He started the Cidery business because it is unique to the area and the sign helps draw in new customers. He wants to break out of the pack and make a living. Sign cost \$ 3000.

Chairman read a letter from Sam Selwood, 1769 Log Cabin Rd.

Mr. Selwood wrote his opposition to the addition of the Wart Hog Cidery sign. He feels that the request is substantial and the difficulty is self- created, he request that the ZBA deny the request for variance.

JM asked what the banner was tied to the fence, Mr. Earle stated it promotes his product.

Pat stated that he is also a business owner in the area. He asked if there is a way to determine if the sign is effective. He asked if he is a member of the Finger Lakes Tourism Alliance or Chamber of commerce's.

Mr. Earle stated that there is an increase in the cidery business. The sign is really promoting it. 2014 he may join the Seneca Lake Wine Trail as associate member to help promote all three businesses.

Marty stated that the board should be supporting local business growth, and he likes the signs. This being said he must support the laws that are in place.

Dwight James offered a compromise alternative of removing one of the original signs to combine it with another existing sign. This would allow the Wart-Hog Cidery sign to remain. Then the number of signs would remain at 3. He acknowledges the Earle's run a first class operation.

Mr. Earle stated he needs the Redneck sign as it catches traveler's eyes as they pass by. ABC Law does not allow signage on the wineries buildings. He has been at his location over 15 years and always complied with laws and regulations of the local state and federal government. He is frustrated with all the changes to be in compliances with ABC Laws.

Discussion on signage along Rte 14 and for businesses off of Route 14.

With no more questions or persons desiring to speak, the chairman closed the public hearing at 7:40PM.

Respectfully submitted
Betty Daggett