

Town of Torrey Zoning Board of Appeal  
Regular Meeting  
November 7, 2016

Present: Tony Cannizzaro, JM Cougevan, Matt Canavan, Marty Gibson  
Excused: Chairman Chris Hansen

Others: Ross & Lori Tuccio, Dave DeMarco, Dwight James Code Office

Chairman called the meeting to order at 7:17PM following the public hearing.

Motion by Marty 2<sup>nd</sup> JM to approve the June meeting minutes, carried by all.

Agenda: Discuss and act upon the application for Area Variance 16-13  
and Modification to Special Use Permit 16-10

**Area Variance 16-13 of Ross Tuccio 1734 Ridge Rd** to construct a 485 sf deck on the front roadside of his home which does not meet the setback requirements in an Agriculture District per Torrey Zoning Ordinance. A 7' area variance is needed.

Motion by Tony to accept the application as complete, 2<sup>nd</sup> JM carried by all.

After discussion, the following motion was offered by Tony 2<sup>nd</sup> JM,

**WHEREAS**, an Area Variance application, # 16-13 was received 9/27/16 from Ross Tuccio 1734 Ridge Rd to construct a deck on the roadside of his home closer to the setback as required in Ag District 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 November 7, 2016 in the Town meeting room at 56 Geneva St Dresden, Yates County New York, at this time information was presented on the applicants behalf, and

**WHEREAS**, at said hearing all desiring to speak in favor or opposition of this application were allowed to speak, now,

**THEREFORE BE IT RESOLVED** that the application # 16-13 Ross Tuccio 1734 Ridge Rd for Area Variance of 7' (front setback) to construct a deck on the roadside of the home is hereby **Granted, without stipulations**

Roll Call vote: Cannizzaro-Aye, Gibson – Aye, Cougevan –Aye, Canavan- Aye  
Hansen- Excused 4 Ayes 0 Nays

**Modification of Special Use Permit { original # 97-58D} application 16-10 of Dave DeMarco 929 Davy Rd** Town of Torrey, to construct an addition to an existing warehouse structure on his property.

A modification application is required due to the change of footprint from original Special Use Permit # 97-58D as defined in the Town of Torrey Zoning Ordinance for an Agricultural/ Res District.

Motion by Tony to accept the application as complete, 2<sup>nd</sup> Matt carried by all.

Vice Chairman declared the Zoning Board of Appeal as Lead Agency on the SEQRA Impact assessment and determination review..

Tony read the SEQRA short form questions to the members for decision, on each item a negative finding was determined.

Motion by JM 2<sup>nd</sup> Marty 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.

After discussion, the following motion was offered by Tony 2<sup>nd</sup> JM,

**WHEREAS**, a Modification of Special Use Permit (97-58D) application # 16-10 of David DeMarco 929 Davy Rd, to construct an 3000sq' + addition to an existing structure on his property, the Modification being: a change in original footprint as defined for an Ag/Res District in Torrey Zoning Ordinance and filed with the Torrey Zoning Board of Appeal ( hereinafter ZBA) and,

**WHEREAS**, after due public notice of such, a public hearing on said application was held by the ZBA on November 7, 2016 in the Town meeting room at 56 Geneva Street Dresden, Yates Co, New York, at this time information was presented on the applicants behalf, and

**WHEREAS**, at said hearing, all desiring to speak in favor or opposition of this application were allowed to speak, now,

**THEREFORE BE IT RESOLVED**, that the application for Modification of Special Use Permit (97-58D) # 16-10 of David DeMarco 929 Davy Rd. to construct an 3000sq'+ addition to an existing warehouse structure on his property is hereby **Granted, without stipulations**

Roll Call vote: Cannizzaro-Aye, Gibson – Aye, Cougevan –Aye, Canavan- Aye  
Hansen- Excused 4 Ayes 0 Nays

There being no further business Tony made a motion to adjourn 2<sup>nd</sup> Matt,  
Carried at 7:30PM

Respectfully submitted,

Betty M Daggett