

Town of Torrey Zoning Board of Appeals
Public Hearing
December 4, 2017

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

Others Present: Fred & Roberta Zimmerman, Daniel Hoover

Chairman Hansen opened the public hearing at 7:02 He asked the secretary to note all members present.

Area Variance # 17-20 Fred Zimmerman for his property at 1720 Rte 14.

Secretary please make a note in the minutes that written notice of this Hearing was sent to the following property owners directly affected by AV 17-20

Harold Johnson 889 Rte 54 Penn Yan, NY 14527
Carl & Mary Nelson 886 Rte 54 Penn Yan, NY 14527
Matt & Brandi Long 875 Rte 54 Penn Yan, NY 14527
Bob & Carol Brown 853 Rte 54 Penn Yan, NY 14527
Aaron Martin 1748 Pre Emption Rd Penn Yan, NY 14527
Ernie Ostroski 852 Rte 54 Penn Yan, NY 14527
Nancy Preziosi PO Box 133 Dresden NY 14441
Leo J DelRossa 860 Rte 54 Penn Yan, NY 14527
Robert & Mary Henderson 876 Rte 54 Penn Yan, NY 14527
Kate Garrison 842 Rte 54 Penn Yan NY 14527
Mike Garrison 827 Rte 54 Penn Yan, NY 14527
Paul Perotto – Mr. Twistees 758 Pre Emption Rd Geneva NY 14456
Dan Higgins – 214 Billsboro Rd Geneva NY 14456
Mike Kenyon - Dairymans Diner- Box 81 Dresden NY 14441
Daryl & Nate Daggett Box 82 Dresden NY 14441
Tim Hansen - 2244 Hansen Pt 14527
Dresden Commons – Box 188 Dresden NY 14441

STATEMENT OF THE CASE

This Public Hearing has been called upon the Area Variance # 17-20 Fred Zimmerman for his property at 1720 Rte. 14 to allow a change of existing advertisement signage on his barn.

This signage is preexisting prior to the updated 2011 Zoning Law changes. An area variance is needed as the sign exceeds the maximum sq. footage allowed for off premises signage per Torrey Zoning Law 98.128

Code Officer has given copies of the written materials on this matter for review and recommendation to the Town Planning Board and Yates County Planning Board

Torrey Planning Board on 11/20/17 recommended denying this application.
Vote was 5 Aye 0 Nay.

No recommendation was received from Yates County Planning Board.

Fred Zimmerman has owned this barn/property for many years. The Viking motel sign has been there over 20 years. Although the motel closed in the past few years, he has not received any rent for the sign in 10 years. Did maintenance work on the barn to upkeep it. He would like to rent out the space to local business, to help defray cost of property taxes. He lives in Canandaigua. He feels this is a reasonable request replacing the space with the same size sign.

Ruby Zimmerman spoke on boosting the local economy. The space would be rented to advertise a local business, wineries, breweries, etc. helping with the growth of the area.

Presently there are no restaurants, gas stations, or a grocery store in the vicinity.

No one appeared in support this application
No one spoke in opposition of this application.

Board members discussed the excessive area variance being requested
Off premises signage is 2' x 3'.

Mr. Zimmerman is proposing to sell space of 24' x 24' for a local business.

Mr. Zimmerman stated he was unaware of the signage size restrictions.

He has been in contact with NYS DOT who stated they have no problem with this size of a sign as long as it is permitted by the Town.

Discussion as to the critical area the sign is, it is just before a high traffic intersection. A diner, an ice cream stand, a defunct gas station, an industry and a caution light, there is a lot to look at

JM spoke of the Bellangelo banner that was placed on the barn a few years ago without permit.

Mr. Zimmerman stated the man renting the space did all the permit applications once they received a notice of violation from the Code officer. This application was subsequently denied by the ZBA because of the off premises restrictions.

Mr. Zimmerman questioned his next course of action,

Mrs. Zimmerman stated that with all the boards' questions and statements, she feels a decision has already been decided, so they will sell the property, that is the next action.

Mr. and Mrs. Zimmerman then left the hearing.

There being no further discussion Chris closed the hearing on this application at 7:25PM.

Respectfully submitted
Betty Daggett- Sec.