

Town of Torrey Zoning Board of Appeals
June 7, 2021

Regular monthly meeting called to order by Vice Chairman Bob Constantine at 56 Geneva Street Dresden at 7:00pm

Present: Vice Chairman Bob Constantine, Mark Gifford, George Dowse.
Chris Hansen recused from this meeting.

Others present: Jon Stone – Norbut Solar, Larry & Sue Martin, Al Gauvin, Gary McIntee, Fiona Gibson, Grant & Linda Downs, Dwight James

Fiona Gibson earlier withdrew her Special Use application that was schedule for review tonight.

May 24, 2021 Decision: Area Variance # 20 -02

***WHEREAS**, an Area Variance application # 20 -02 NSF Torrey Site 1 LLC, NSF Torrey Site 2LLC, NSF Torrey Site 3 LLC was received on 11/16/2020 requesting an Area Variance for proposed (3) Solar Array project at Hansen Point Rd Tax Map # 52.04-1-4.13 in the Town of Torrey.*

An Area Variance is required as the solar project exceeds the maximum lot coverage regulations in an Ag/Residential District per Torrey Zoning Law § 98.42 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, deemed complete, was held by the ZBA on May 24, 2021 in the Town Highway Garage 56 Geneva St Dresden, Yates County New York, at this time information was presented on the applicant's 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 Area Variance application # 20 -02 of NSF Torrey Site 1 LLC, NSF Torrey Site 2LLC, NSF Torrey Site 3 LLC for proposed (3) Solar Array project at Hansen Point Rd Tax Map # 52.04-1-4.13 in the Town of Torrey is hereby **GRANTED**.*

Roll Call: Constantine- Aye, Dowse- Aye, Gifford- Aye carried 3-0 Hansen abstained

Tabled application - Special Use Application # 20-06 NSF Torrey Site 1 LLC, NSF Torrey Site 2LLC, NSF Torrey Site 3 LLC to build three (3) solar arrays on property of Dale Stell TM # 52.04-1-4.13, at Hansen Point Road Town of Torrey. A special use permit is needed to operate a commercial business in an Ag/Residential District per Torrey Zoning Law

Yates County Planning Board recommended approval of this application on 5/27/21.

Following a discussion Bob Constantine offered the following resolution 2nd Mark Gifford,

WHEREAS, as an Special Use Application # 20-06 NSF Torrey Site 1 LLC, NSF Torrey Site 2LLC, NSF Torrey Site 3 LLC to build three (3) solar arrays on property of Dale Stell TM # 52.04-1-4.13, at Hansen Point Road Town of Torrey. A special use permit is needed to operate a commercial business in an Ag/Residential District per Torrey Zoning Law

WHEREAS, after due public notice of such, a public hearing on said application was held by the ZBA on May 24, 2021 in the town highway garage at 56 Geneva Street, Dresden, New York, at this time information was presented on the applicant's behalf, and

WHEREAS, at said hearing, all present were allowed to speak in favor or opposition of this application, and

WHEREAS, this application involves a Type 1 Long form action as defined by the State Regulatory for Environmental Quality Review and was reviewed by the Lead Agency Torrey Town Planning Board on April 26, 2021. Torrey Planning Board final determination - a negative declaration finding that the proposed action will not result in any significant adverse environmental impact,

THEREFORE BE IT RESOLVED that the application Special Use # 20-06 NSF Torrey Site 1 LLC, NSF Torrey Site 2LLC, NSF Torrey Site 3 LLC to build three (3) solar arrays on property owned by Dale Stell at TM # 52.04-1-4.13, at Hansen Point Road Town of Torrey in an Ag/Res district is hereby **GRANTED**, with one stipulation

1. Provide a decommissioning plan.

This by Roll call vote: Bob Constantine – Aye, George Dowse- Aye, Mark Gifford – Aye
3-0 Chris Hansen stained

Discussion on public notification process, commercial districts and zoning law.

Motion to adjourn made by George Dowse 2nd Mark Gifford carried at 7:36PM

Respectfully submitted,

Betty M Daggett
ZBA Sec.