

Town of Torrey Zoning Board of Appeals  
Public Hearing  
May 1, 2023

Present; Robert Constantine Chairman, George Dowse, Mark Gifford, Deanna Lamborn

Excused: Chris Hansen

Others Present: Dwight James – Code Officer, Marvin Nolt

Bob opened the public hearing at 7:09

Special Use Permit Modification # 23-2 application for Marvin Nolt 1064 City Hill Rd. to construct a 24' x 40' addition on the gable end of his welding shop for added manufacturing and office space. A modification is required to expand the footprint of original special use permit per Torrey Zoning Law § 98.133 in an Ag District, Town of Torrey.

Yates County Planning Board on March 23, 2023 recommended approval of this action as it has no significant countywide impact.

Town of Torrey Planning Board on April 17, 2023 recommended approval of this application. parcel.

Town Law Section 267 Art. 16 All property owner(s) within 500' of property line of land affected by a zoning change must be notified.

*Notices sent April 18, 2023 by the Clerk.*

Titus & Sarah Nolt - 1032 City Hill Rd Penn Yan NY 14527

Oliver Henderson- 925 City Hill Rd Penn Yan NY 14527

David Henderson-1799 Himrod rd Penn Yan, NY 14527

Bruce Henderson- 2453 Rte 14 Penn Yan, NY 14527

Brian Henderson- 11038 Cty Rte. 122 Prattsburgh, NY 14873

Marvin Nolt presented the application. Business is growing and needs more space. Addition will be on the south gable end of present structure. No setback issues. Lots of parking area.

No one appeared in support or opposition of this application.

After review of plans and application with no further questions from board, Bob closed the public hearing at 7:20PM

Respectfully submitted,

Betty Daggett

Town of Torrey Zoning Board of Appeals  
Regular Meeting  
May 1, 2023

Present; Robert Constantine Chairman, George Dowse, Mark Gifford, Deanna Lamborn

Excused: Chris Hansen

Others Present: Dwight James – Code Officer

Bob opened the regular monthly meeting at 7:22PM

No minutes presented.

**New Business:** Special Use Permit Modification # 23-2 application for Marvin Nolt 1064 City Hill Rd. to construct a 24' x 40' addition on the gable end of his welding shop for added manufacturing and office space. A modification is required to expand the footprint of original special use permit per Torrey Zoning Law § 98.133 in an Ag District, Town of Torrey.

Motion Deanne, 2<sup>nd</sup> Mark, to accept application SU 23-2 of Marvin Nolt 1064 City Hill Rd as complete, carried by all.

The Board was satisfied with the application and information presented

Motion by George 2<sup>nd</sup> Mark to approve application SUP Modification # 23-2 of Marvin Nolt 1064 City Hill Rd. Carried by all.

Bob introduced the following resolution:

**WHEREAS**, as an application Special Use Permit Modification # 23-2 was received 3/7/23 by Code Officer James from Marvin Nolt 1064 City Hill Rd.

Mr. Nolt requested to construct a 24' x 40' addition on the gable end of his welding shop for added manufacturing and office space. A modification is required to expand the footprint of original special use permit per Torrey Zoning Law § 98.133 in an Ag District, before the 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 May 1, 2023 in the town meeting room at 56 Geneva Street, Dresden, Yates County, New York, at this time information was presented on the applicant's behalf, and

**WHEREAS**, at said hearing no one appeared to be heard on this application  
and

**WHEREAS:** This application involves a Type II action as defined by the State Regulatory for Environmental Quality Review so that no further Environmental Assessment is required, now

**THEREFORE, BE IT RESOLVED** that the application SUP Modification # 23-2 of Marvin Nolt 1064 City Hill Rd. to construct a 24' x 40' addition on the south gable end of his welding shop for added manufacturing and office space is **GRANTED**.

**Old Business:** Area Variance 23-1 of John Cowell 903 Serenity Rd tabled last month for more information. Mr. Cowell was unable to attend due to scheduling conflict sent the new information with Dwight James. New engineering plans were presented showing the distance and set back for septic system at 907 Serenity Rd are met. Mr. Cowell had the spread between the lot line and new septic system moved to 11' as Soil & Water required 10'.

Mr. Cowell application is taking his three non-conforming contiguous parcels and combining them to make 2 parcels. He is requesting to make a lot line adjustment moving the line south to give more lawn area to his residence parcel.

The board appreciated the new information which helped with their decision process.

Motion by Deanne to approve the lot line adjustment creating new lot dimensions on existing non conforming parcels at 903 & 907 Serenity Rd, 2<sup>nd</sup> Mark ,

Bob offered the following resolution

**WHEREAS**, an application, AV # 23-1 was received 3/20/23 from John Cowell 903 Serenity Rd to combine three contiguous parcels into 2 parcels and move the lot line. An Area Variance is needed as the final parcels created will not meet the lot line dimensions schedule per Torrey Zoning § 98.42 in an Ag/Res District and was filed with the Town of Torrey Zoning Board of Appeals (hereinafter ZBA) and,

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Town of Torrey, on March 22 and 29th, 2023, and all other notices required by law to be given were properly served, posted or given and,

**WHEREAS**, after due public notice of such, a public hearing on said application was held by the ZBA on April 3, 2023 in the Town meeting room at 56 Geneva St Dresden, Yates County New York, at this time information was presented on the applicant's behalf, and

**WHEREAS**, at said hearing no one spoke in favor or opposition of this application now

**THEREFORE BE IT RESOLVED** that the application AV # 23-1 John Cowell 903 Serenity Rd to combine three contiguous parcels into 2 parcels and move the lot line with new lot dimension on non- conforming parcels Ag/ Res District is hereby **GRANTED**.

Roll call vote- Constantine- Aye, Dowse – Aye, Gifford – Aye, Lamborn - 4 Ayes 0 Nays Carried.

There being no further business Bob made a motion to adjourn 2<sup>nd</sup> George, carried at 7:45PM

Respectfully submitted

Betty M Daggett