

Town of Torrey Zoning Board of Appeals  
Public Hearing  
June 5, 2023

Present; Robert Constantine Chairman, Mark Gifford, Deanna Lamborn  
Excused: Chris Hansen, George Dowse,  
Others Present: Dwight James, Beth Cain, Nathan Riehl, Tom Boccacci

Bob opened the public hearing at 7:09

**AV 23-2** Area Variance application of Beth Cain 1275 Arrowhead Beach Rd to construct a deck that will not meet the side set back requirement for non-conforming lots per Torrey Zoning §98.160 sub c in an Ag/Res District.

Town of Torrey Planning Board on May 15, 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 May 15,*

39.44-1-13 Darrell & Karen Campbell  
39.44-1-14 Katherine Henry  
39.44-1-15.1 Thomas & Geraldine Legutko  
39.44-1-17 Robert Ramin  
39.52-1-6 Robert Ramin  
39.52-1-1.1 Arrowhead Beach Association  
39.52-1-2 Nancy Dalton  
39.52-1-3 Denson Jimerson Trust  
39.52-1-4 Annette Harris et al  
39.52-1-7 Kyle & Teara Campbell  
39.52-1-8 Ken & Ellen Campbell  
39.52-1-9 Nancy Sarver  
39.52-1-10 Williams Trust  
39.52-1-11 James & Kirstin Darr  
39.52-1-12 Tom & Pat Boccacci  
39.52-1-13 Oliver Boucher Jr  
39.52-1-14 Brad Champlin  
39.52-1-15.1 Dieter & Maxine Schwarzbauer

Nathan Riehl contractor for Ms. Cain presented the project. Building new deck on lakeside of home. No entryway from the deck front. There are two existing porches on north and south sides of home to be replaced. These stairways will not meet the side setbacks requirements.

There was no one appearing to speak in support or opposition of this area variance application.

Bob went through the 5 questions criteria for granting an area variance. Using the responses from Ms. Cain and Mr. Riehl for each question to factor in when considering together show a greater benefit to the applicant if the area variance is granted, than a burden to the community.

There being no further questions from the members or attendees, Bob closed the hearing at 7:15 PM

Respectfully submitted,

Town of Torrey Zoning Board of Appeals  
Regular Meeting  
June 5, 2023

Present; Robert Constantine Chairman, Mark Gifford, Deanna Lamborn

Excused: Chris Hansen, George Dowse,

Others Present: Dwight James, Beth Cain, Nathan Riehl, Tom Boccacci

Bob opened the regular monthly meeting at 7:18PM

May Minutes- With an address correction noted, Mark made a motion to approve Deanne 2<sup>nd</sup>, carried.

**New Business:** Area Variance 23-2 application of Beth Cain 1275 Arrowhead Beach Rd. to construct a deck that will not meet the side setback requirements for non-conforming lots per Torrey Zoning §98.160 sub c in an Ag/Res District.

Motion by Mark 2<sup>nd</sup> Deanne to accept application Area Variance 23-2 application of Beth Cain 1275 Arrowhead Beach Rd. as complete

After a brief discussion, Deanne made a motion to Grant the Area Variance 23-2, 2<sup>nd</sup> Mark with the following resolution

**WHEREAS**, as an application Area Variance 23-2 application of Beth Cain 1275 Arrowhead Beach Rd. to construct a deck on the lakeside of the home with side access stairs that will not meet the side setback requirements for non-conforming lots per Torrey Zoning §98.160 sub c in an Ag/Res 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 June 5, 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 all desiring to be heard were heard, and

**THEREFORE, BE IT RESOLVED** that the application Area Variance 23-2 application of Beth Cain 1275 Arrowhead Beach Rd. to construct a deck on the lakeside of the home with side access stairs that will not meet the side setback requirements for non-conforming lots per Torrey Zoning §98.160 sub c in an Ag/Res District is hereby ***Granted***

**Roll call vote: Constantine - Aye**

**Gifford - Aye**

**Lamborn- Aye**

**3 Ayes – 0 Nays**

Next meeting date will be July 10 due to the holiday observance on the 3<sup>rd</sup>.

Bob made a motion to adjourn 2<sup>nd</sup> Deanne, carried at 7:30PM

Respectfully submitted,

Betty M Daggett