

Town of Torrey Zoning Board of Appeals  
Public Hearing  
June 3, 2024

Present; Chairman Robert Constantine, Chris Hansen, Mark Gifford, Deanne Lamborn Excused; George Dowse

Others present: Kevin Martin, Bill Serrett, Keith Kier, Dwight James- CEO

Bob opened the public hearing at 7:03

Special Use Application # 24-2 application for Kevin Martin property at 2377 Route 14 to operate a sales and manufacturing metal roofing and siding business.

A special use permit is required for retail sales in an Ag District per Torrey Zoning Law § 98.33.

Town of Torrey Planning Board on May 20, 2024 recommended approval of this application

Yates County planning Board on March 28, 2024 recommended approval of this application as it has a positive countywide impact.

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.

64.01-1-11 Alvin & Anna Zimmerman 509 Long Point Rd Penn Yan, NY 14527

64.01-1-10 Deanne Lamborn 497 Long Point Rd Penn Yan NY 14527

64.01-1-13 Scott & Lisa Walk Reinard 1871 Perry Pt Rd Penn Yan, NY 14527

64.01-1-9 Bill & Connie Serrett 487 Long Point Rd Penn Yan, NY 14527

64.01-1-8 Jeffrey Welch 461 Long Point Rd Penn Yan, NY 14527

64-01-1-14 Raymond Zimmerman 2456 Rte 14 Penn Yan, NY 14527

64-01-1-21.1 Curvin & Roseann Zimmerman 2347 Rte 14 Penn Yan, NY 14527

64.03-1-2 Bruce & Lisa Henderson 2453 Rte 14 Penn Yan, NY 14527

Mr. Martin presented his application. He would like to operate a metal bending business similar to one outside of Penn Yan. He plans on making roofing, siding inside existing building onsite. He has made improvements to the building already such as concrete floor.

Mark asked is there will be outside noise?

All work will be performed inside the shop, but there may be a need from time to time to park his standing seam trailer next to building to bend metal outside. This trailer has a propane engine so the noise will be minimal coming from inside the trailer.

Bob asked about how often will there be tractor trailer deliveries?

Coil of metal will be trucked from Indiana about every two weeks arriving late afternoons.

Deanne asked if the delivery trucks will be parked onsite overnight.

Secretary reminded that the Town of Torrey has an Idling Engines Law "LL05-1" place, prohibits idling engines for more than 15 minutes unless loading or unloading truck.

Mr. Martin stated if the delivery is after hours, he is called by trucking company, he will instruct driver to the public parking area down Rte. 14

Chris asked if there is plans for more buildings?

Mr. Martin stated the building onsite will accommodate the business, may be a need in the future, for another building as the business grows.

Bill Serrett and Keith Kier are the neighboring properties and are very concerned about runoff contamination from the parking lot into their wells.

Mr. Martin stated he is installing a new septic system and will also install drainage redirecting the runoff into the ditch (gully). No plans at this time to pave parking area.

Mr. Martin has had beef cows in the pasture, this is a concern with runoff towards the water wells also.

Mr. Martin stated the cows are now gone and he has no plans in the future of raising cows.

Mr. Kier asked if the dumpsters can be contained to keep debris from blowing into other yards, as it has in the past from former owner.

Mr. Martin stated he would address this issue and make the proper changes to stop this problem.

Mark asked about the wetland listed in the SEQRA Mapping system.

Code Dwight James visited the property and inspected the area designated as a "wetland" and found none.

The EAF system mapping list areas of concern regarding wetlands, that is why he goes to investigate to confirm.

Mr. Martin stated he is agreeable anytime to address his neighbors' concerns With his business operation.

No further questions or comments bob closed the public hearing at 7:23 PM

Respectfully submitted

Betty Daggett- Sec.

Town of Torrey Zoning Board of Appeals  
Regular meeting  
June 3, 2024

Present; Chairman Robert Constantine, Chris Hansen, Mark Gifford, Deanne Lamborn Excused; George Dowse

Others present: Kevin Martin, Bill Serrett, Keith Kier, Dwight James- CEO

Bob opened the meeting at public hearing at 7:03

Minutes of the March meeting was presented, Motion by Mark 2<sup>nd</sup> Deanne to approve, carried.

New Business- Special Use application 24-2 of Kevin Martin property at 2377 Route 14 to operate a sales and manufacturing metal roofing and siding business. A special use permit is required for retail sales in an Ag District per Torrey Zoning Law § 98.33.

Motion by Chris 2<sup>nd</sup> by Mark to accept the application 24-2 as complete carried by all.

Bob declared the Town of Torrey ZBA as lead agency in this review.

Chairman read the SEQRA short form questions to the members for decision. Each item read and a negative finding was determined.

Motion by Chris 2<sup>nd</sup> Mark to accept the completed SEQRA and declare that the proposed action will not result in any significant adverse environmental impacts. carried.

Bob offered the following resolution 2<sup>nd</sup> by Mark,

**WHEREAS**, as an application Special Use Application # 24-2 application for Kevin Martin property at 2377 Route 14 to operate a sales and manufacturing metal roofing and siding business. A special use permit is required for retail sales in an Ag District per Torrey Zoning Law § 98.33.

**WHEREAS**, after due public notice of such, a public hearing on said application was held by the ZBA on June 3<sup>rd</sup>, 2024 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

**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 Special Use Application # 24-2 application for Kevin Martin property at 2377 Route 14 to operate a sales and manufacturing metal roofing and siding business is hereby **Granted**

**Roll call vote** – Constantine Aye Gifford -Aye Hansen-Aye ( 3 Ayes 0 Nays)  
Lamborn- Abstained,

With following stipulation

Stipulations 1. Hours of Operation shall be:

7 AM -5 PM weekdays Monday – Friday 7 AM – 1 PM Saturdays

2. All material deliveries must be between normal business hours.

3. No overnight tractor trailer truck parking.

4. All runoff must be redirected away from neighboring property to protect their drinking water wells, this may be accomplished via trenching or proper drainage techniques.

Bob closed the meeting at 8:05pm

Respectfully submitted

Betty Daggett- Sec.