Town of Torrey Zoning Board of Appeals
Public Hearing
October 5, 2026

Present; Chairman Mark Gifford, George Dowse, Deanne Lamborn, Mary O Connell

Excused Chris Hansen

Others present: Doug & Felicia Perschbacher, Ray Shirk Jr. Dwight James- CEO

Mark opened the public hearing at 7:01PM

Area Variance AV 26-5 application for Douglas Perschbacher 2309 Long Point Cove, for an Area Variance to construct a 24' x 24' garage with a 5' setback, which requires 10' setback per Torrey Zoning Code 98.160 §C in the Ag/Res District.

Notices to property owners within 500' were mailed out by the clerk
Barbara Fraser /Joel Cort 18 Columbia Court Fairport, NY 14450
Greg Musser 1584 Stone Mill Rd Lancaster, PA 17603
Louis & Jill Medved 468 Antlers Drive Rochester, NY 14618
Rhonda Peck / Ann Pinnella Po Box 18391 Rochester, NY 14618
Rachel Krajewski/ Kathleen Miller 145 Reiter Rd East Aurora, NY 14052

Torrey Planning Board on September 21, 2026, recommended approval of this application

Mr. Perschbacher presented his application. He and his wife are now full-time residents and need more storage. His property has a steep sloping bank in the back leaving limiting building space. The only area available to build the garage will not meet the setback requirements. He has spoken with both neighbors about this application; he presented their email replies approving of the garage project.

No one appeared to speak in support or opposition of this application,
Mark thanked Mr. Perschbacher for his attendance, and moved on to next application

Area Variance AV 26-4 application of Raymond Shirk Jr, property at 788 Rte. 14 to construct a 40' x80' shop with a height of 19.4". An area variance is needed as maximum allowed height is 14' per Torrey Zoning Code 98.21 § A1.in the Ag District.

Notices to property owners within 500' were mailed out by the clerk

Sharon Lockner 790 Rte. 14 Penn Yan, NY 14527
Richard & Nye Nelson 969 Carlsen Rd Penn Yan, NY 14527
Fox Run Vineyards 670 Rte. 14 Penn Yan, NY 14527
Petruzziello Family Trust 9 Drummond Place Glen Head NY 11545
Sharon Ruthven 734 Rte. 14 Penn Yan, NY 14527
Rho & Grace Mirchandani 701 Rte. 14 Penn Yan, NY 14527
Chad & Emily Nelson 962 Rte. 14 Penn Yan, NY 14527
Michael Schnelle/ Nancy Ireland 846 Rte. 14 Penn Yan, NY 14527
Roger Jensen 1122 Angus Rd Penn Yan, NY 14527
Town of Torrey Planning Board and Yates County Planning Board both recommended approval of this application.

DRAFT

Mr. Shirk has worked in his father's business repairing small construction equipment.
He would like to operate this type of business on his own. He recently purchased property in the Town of Torrey to do this. He is requesting a height variance to build a building that will accommodate taller pieces of equipment with booms over 16' which require a higher clearance in shop to work on. He has no neighbors, so a taller structure would affect no nearby views.

No one appeared to speak in support or opposition of this application,
Mark thanked Mr. Shirk for his attendance, and moved on to next application

Special Use Application SUP 26-3 application of Raymond Shirk Jr. property at 788 Rte. 14 to operate a small construction equipment repair and sales business. A Special Use permit is required per Torrey Zoning Code 98.33§ A in the Ag District.

Notices to property owners within 500' were mailed out by the clerk

Sharon Lockner 790 Rte. 14 Penn Yan, NY 14527
Richard & Nye Nelson 969 Carlsen Rd Penn Yan, NY 14527
Fox Run Vineyards 670 Rte. 14 Penn Yan, NY 14527
Petruzziello Family Trust 9 Dummond Place Glen Head NY 11545
Sharon Ruthven 734 Rte. 14 Penn Yan, NY 14527
Rho & Grace Mirchandani 701 Rte. 14 Penn Yan, NY 14527
Chad & Emily Nelson 962 Rte. 14 Penn Yan, NY 14527
Michael Schnelle/ Nancy Ireland 846 Rte. 14 Penn Yan, NY 14527
Roger Jensen 1122 Angus Rd Penn Yan, NY 14527

Yates County Planning Board on August 27th stated that this application has a positive countywide impact and Torrey Planning Board on September 21st recommended approval of this application.

Mr. Shirk would like to operate his own business. He will be the only employee; he is planning his hours to be Monday through Saturday 7-5 pm. He would like to sell 6 pieces of equipment at roadside front of his property.

Mary asked how waste oil will be disposed of.
Mr. Shirk will be installing a waste oil heater in his shop. He will use paint mats outside under equipment to be repaired to catch leaks. Inside he will have oil dry an absorbent for leaks and spills.
He will not have floor drains.
Deanna asked about wastewater plans. Have a DOH approved engineered septic plans.
He will be hooking up to municipal for water supply.

Mary asked about signs. Mr. Shirk has no plans for signage. Dwight stated the Town has a signage law, and a permit will be needed to install one.

No further questions, Mark thanked everyone for attending and closed the hearing at 7:30PM.

Respectfully submitted,

DRAFT

Town of Torrey Zoning Board of Appeal
Regular meeting
October 5, 2026

Present; Chairman Mark Gifford, George Dowse, Deanne Lamborn, Mary O Connell

Absent: Chris Hansen

Others present: Doug & Felicia Perschbacher, Ray Shirk Jr. Dwight James- CEO

Minutes of September meeting, motion by Deanna, 2nd: George to approve minutes with minor spelling edits carried by all

New Business:

AV # 26-5 application for Douglas Perschbacher 2309 Long Point Cove, for an Area Variance to construct a 24' x 24' garage with a 5' setback, which requires 10' setback per Torrey Zoning Code 98.160 §C in the Ag/Res District.

Motion by George 2nd Deanna to accept Area Variance #26-5 application of Douglas Perschbacher- 2309 Long Point Beach, as complete, carried.

Motion by Deanna to Grant Area Variance # 26-5 2nd Mary, carried 4-0

Roll call vote: Gifford-Aye Dowse- Aye Lamborn- Aye O Connell-Aye

AV # 26-4 application of Raymond Shirk Jr, property at 788 Rte. 14 to construct a 40' x80' shop with a height of 19.4". An area variance is needed as maximum allowed height is 14' per Torrey Zoning Code 98.21 § A1.in the Ag District.

Motion George, 2nd Mary to accept application Area Variance # 26-4 of Raymond Shirk Jr. 788 Rte. 14, as complete, carried.

There being no further discussion on this application

Deanna made the motion to Grant Area Variance # 26-4 2nd by George, carried 4-0

Roll call vote: Gifford-Aye Dowse- Aye Lamborn- Aye O Connell-Aye

SUP 26-3 application of Raymond Shirk Jr. property at 788 Rte. 14 to operate a small construction equipment repair and sales business. A Special Use permit is required per Torrey Zoning Code 98.33§ A in the Ag District.

Motion George 2nd Mary to accept application Raymond Shirk Jr. 788 Rte. 14, as

Complete

Chairman made a motion to declare ZBA as lead agency in SEQRA 2nd George, carried.

Chairman read the SEQRA short form questions to the members for decision.

Each item was read and a Negative finding was determined.

Motion by George 2nd Deanna to accept the completed SEQRA and declare that the proposed action will not result in any significant adverse environmental impacts carried by all.

DRAFT

Chairman offered the following resolution on Special Use application # 26-3:

WHEREAS, as an application SUP# 26-3 was received on 08/4/2026 for Raymond Shirk Jr. property at 788 Rte. 14 to operate a small construction equipment repair and sales business. A Special Use permit is required per Torrey Zoning Code 98.33§ A in the Ag/Res District and was filed with the Town of Torrey Zoning Board of Appeal (hereinafter ZBA)

WHEREAS, after due public notice of such, a public hearing on said application was held by the ZBA on October 5, 2026, 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, an

WHEREAS, at said hearing all desiring to be heard were heard, and

WHEREAS: This application involves a Type ll 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 Special Use # 26-3 of Raymond Shirk Jr. property at 788 Rte. 14 to operate a small construction equipment repair and sales business on his property in Ag/Res District is hereby **GRANTED.**

Roll call vote: Gifford- Aye Dowse- Aye Lamborn-Aye O Connell- Aye (4 Ayes 0 Nay)

Hansen- Absent

With no further business before the board, Chairman adjourned the meeting at 7:30PM

Respectfully submitted,

DRAFT