

**TOWN OF BENTON
PLANNING BOARD MEETING
JANUARY 23, 2018**

PRESENT: Tom Rood; Tom Goodall, and Skip Jensen.

Also Present: Lawrence B. Horning; Brian Hemminger, Marks Engineering; Glenn Quackenbush, Town Councilman; Dick Harper, Town Councilman; Jayson Hoover, Code Enforcement Officer, and Karen Ellis, Recording Secretary.

Rood called the meeting to order at 7:00 p.m.

APPROVAL OF MINUTES:

Jensen made a motion to accept the October, 2017 meeting minutes. Goodall seconded the motion. All in favor.

Jensen made a motion to accept the November, 2017 meeting minutes. Goodall seconded the motion. All in favor.

APPLICATION #1SUP-18: Lawrence Horning of 2295 Havens Corners Road, Penn Yan request for a special use permit to locate a new 80' X 220' building for a truss shop.

Jensen stated he is really impressed with the drawings in the application compared to what we normally get. This one is drawn to scale, where a lot we receive are just sketches and not drawn to scale. It looks like a real addition to the town.

Goodall asked how many people would be employed. Lawrence Horning stated they will start by employing five people.

Horning stated the driveway is exactly opposite to the county highway drive.

Jensen asked about the landscape buffer. Horning said they will take some top soil off and put up evergreens along the top and all the way around. They are hoping to start sometime in March.

Rood asked if there is a reason why the drawing has proposed lot adjustment on the bottom. Horning said they are asking for a special use permit for the light manufacturing and basically that there is a proposed lot line adjustment to break that apart from the rest of the farm; and then a site plan approval if that is acceptable.

Jensen asked if the 11+ acres to be divided out includes the house and both buildings. Horning said yes; he believes the house is not being used right now.

Jensen noted that it looks like all the setbacks are easily met. Hoover said the only place with the minor issue is a little portion of the lot is in the hamlet center. The bulk (more than 50% of it) is in the AR-1 District and the primary residence is in the AR district, so that is how he is going to treat it. It is pretty

minor. Rood asked if the Hamlet Center has ever been solidly surveyed. Hoover said we have a zoning map and there's no real dimension on it.

Goodall made a motion to approve this application. Jensen seconded the motion.

Harper asked if this is under light manufacturing. Hoover noted it is approved in that class.

All in favor.

Harper asked if signage was addressed on this application as well. Hemminger said he didn't see it on here, but it is whatever signage is allowed. Horning said they hadn't really talked about the signage. Hoover said we can talk about the signage even after the building is up.

OTHER BUSINESS:

Rood stated that he did not hear anything back from Distributive Sun, the company that is building the huge solar farm in Middlesex and soliciting people to buy into it. He invited them to the meeting, but never heard anything back.

PROPOSED ZONING CHANGES

SOLAR ENERGY SYSTEMS: Rood distributed Articles for proposed Solar Energy Systems in the Town of Benton. He indicated he believes this should go to the Town Board for their input, if others have no problems with it.

Goodall made a motion to pass this on to the Town Board for their approval. Jensen seconded the motion. All in favor.

ACCESSORY BUILDINGS: Rood distributed Article #110-52.a. (3) regarding accessory buildings and noted that we have had several requests to have it changed. We have questioned some of it, but never denied it. Harper said we have denied it before on some Boards when he was on the ZBA. Most of the ones that come through are generally approved now. Jensen asked what they request when they come to us. Hoover said they usually go to the ZBA and ask for an area variance. They do not even need to come to us. The final decision is left with the ZBA. Jensen said we almost always grant these variances, but he has a hard time thinking he wants to agree to just not having any regulations on accessory buildings being in front of the primary building. He said he hears of other Town Planning Boards that have meetings once a month and have 15 items on the agenda and spend a lot of time on them.

Hoover said the only thing that is nice about the area variance is that the ZBA is able to look at each situation, which is different. Hoover said the other option is to look at our setbacks to see if everyone is happy with the current setbacks or should we decrease them a little bit. Rood stated that to clear this off the table, if we vote on this we will not bring this up again.

Jensen made a motion to accept Article #110-52.a (3) and leave the wording to stand as is. Goodall seconded the motion. All in favor.

RECREATIONAL VEHICLES: Rood distributed the definition and proposed zoning for recreational vehicles to add to our zoning. He noted that in reviewing the three definitions he can safely say that this covers the meaning adequately and addresses the problem of the person on Seneca Lake that has a recreational vehicle right on a property line. If we pass this zoning law, we would have a handle on it. This was discussed two or three months ago. This would have to go to the Town Board and then be presented to our Attorney and then come back and have a public hearing.

Currently we do not have anything in our zoning that deals with this. This is a total new addition to our zoning regulations.

Jensen made a motion to approve this proposal and forward on to the Town Board. Goodall seconded the motion. All in favor.

CAMPGROUNDS AND CAMPERS: Rood noted we spent a lot of time on this proposed zoning 4 or 5 years ago when the fracking was going on. It is not an issue now, but it won't hurt a thing to have this on file in our records; it will give us protection down the road if someone wants to do something like this. There is always an option where if someone wants to change a few things we can meet on it and make changes.

Jensen made a motion to forward this proposal on to the Town Board. Goodall seconded the motion. All in favor.

COMPREHENSIVE PLAN: Rood distributed the Comprehensive Plan that was adopted on February 13, 2013 to members of the Board. He indicated that we really need to review this plan. There was a committee that looked at the comprehensive plan back at the time. Jensen asked who is charged with the responsibility of reviewing and updating this plan. Rood stated that the Town Board has voted that we are responsible for doing that. He then noted that we should take a look at this and one of the things that we were derelict in completing properly was how to handle light industry in our town. If we have protection in our comprehensive plan, that will override what the Governor wants to do. He cannot override the comprehensive plan, which is the real reason why we need to look at this is to protect the agricultural and residential aspect of our community.

Jensen asked what our timeline is and how do we go about doing this? Do we appoint a committee to review this? Rood said it should be just a simple review; we read through it and the areas that need to be addressed to make sure our town is protected with the scenic and agricultural residential aspect and then we never really covered adequately our industry portion. We spent a long time talking about the fracking industry and where we would put it. Harper noted that at the same time we had Hometown Energy wanting to come in and that went right against what we were already planning.

Rood asked that everyone review the comprehensive plan before the next meeting.

ADJOURNMENT:

Goodall made a motion to adjourn the meeting at 7:55 p.m. Jensen seconded the motion. All in favor.

Respectfully submitted,

Karen M. Ellis

Karen Ellis
Recording Secretary