

TOWN OF BENTON  
ZONING BOARD OF APPEALS MEETING  
FEBRUARY 4, 2020

**PRESENT:** Dwight James; Tom Davie; Rich Meyer; Steven Vaughan, and Dewey Hauman

Also Present: Michael Horning; Lawrence Horning; Bob Clark; Crystal Tomion; Glenn Quackenbush, Town Councilman; Dick Harper, Town Councilman; Alan Tomion, Town Councilman; Tom Fulkrod, Code Enforcement Officer, and Karen Ellis, Recording Secretary.

**MINUTES APPROVAL:** Meyer made a motion to accept the meeting minutes of the January 7, 2020 meeting. Davie seconded the motion. All in favor.

**APPEAL #6SUP-20:** Application for a Special Use Permit request from Michael Horning of 2855 Ferguson Corners Road, Geneva, NY 14456 to amend current special use permit to sell sheds. AR1 District (6.04-1-5.12)

Horning stated he would like to sell up to 6 sheds and, if they had to, maybe up to 10 sheds.

James indicated he sees that he has two areas: one 25' X 60' and the other, 25' X 90'. Horning said he would be using the 25' X 90' area first with up to 6 sheds in that area. If they need more, they will go in front in the 25' X 60' area, which is currently a hay field, and he will need to put down stone. The 25' X 90' area is in the parking lot, except for a corner or two that is in the grass. He noted he doesn't think they will need the whole 25' X 90', because the sheds are not all going to be large sheds. Davie asked if it must be so many feet from the middle of the road. James noted it should be 80 ft. from the right-of-way for our setbacks. Horning noted he just put down 90 ft., but that is something he can work with. Meyer said the only concern he had was if it were going to be too close to the road.

James asked the neighbors if they have anything to say. Clark said he has had conversation with Michael and Michael had assured him that there wouldn't be over 10 sheds. Clark then said he would think 6 would be appropriate, but if 10 are needed down the road, then we can address that later. He noted there is already a business there and he has no problems with that. He is sure it will be done right. Mrs. Tomion asked if all six sheds would be on the left-hand side for display purposes. Horning said they could come to the west as well compared to what he has drawn out. Clark asked if the sheds will be any larger than the ones that are there now. Horning said there won't be any larger ones. Mrs. Tomion then asked if the sheds will be ordered in or will he be building them. Horning said he does not build.

James asked if the Board has any questions or comments. Hauman asked Clark if he is asking us to make a proposal to start with Lot 1 and then in the future come back again for Lot 2. Clark indicated that would be an option, but his main concern would be that they have no more than 10. Davie asked Horning if his supplier would be capable of bringing more in as he sells them. Horning said sometimes he will probably take one and drop off a different one.

James closed the public hearing.

**Appeal #7SUP-20:** Application for a Special Use Permit from Benton Ridge Truss of 2231 Havens Corners Road, Penn Yan, NY 14527. Amend the current Special Use Permit to include a 200' X 16' Lumber Storage Building located on the west side of the property. AR 1 District (27.02-1-11.2)

Lawrence Horning stated that he would like to erect a three-sided storage building on the west side of the property so they can store their stock trusses in there and build them in the winter when work gets slower and sell them in the summer. This would be located from the lumber piles to the south. This would be more towards the rear end of the property.

No letters were received from the neighbors. Fulkrod noted he spoke with the son of the owner of the property next to this and they have no issues; they thought it might break the view of it. James noted that as far as a buffer goes, it would make a good buffer.

James closed the public hearing.

**APPEAL #6SUP-20:** Application for a Special Use Permit request from Michael Horning of 2855 Ferguson Corners Road, Geneva, NY 14456 to amend current special use permit to sell sheds. AR1 District (6.04-1-5.12)

Davie made a motion to make the Town of Benton the lead agency for the SEQR. Meyer seconded the motion. All in favor.

The Board then went over the questions for the Short Environmental Assessment Form. James made a motion to check Box 2, as the Board has determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts. Davie seconded the motion. All in favor.

Meyer made a motion to approve 6SUP-20 as read with the stipulation of a maximum of 10 buildings. Vaughan seconded the motion.

The Board was polled:

James: Yes  
Davie: Yes  
Meyer: Yes  
Vaughan: Yes  
Hauman: Yes

**Appeal #7SUP-20:** Application for a Special Use Permit from Benton Ridge Truss of 2231 Havens Corners Road, Penn Yan, NY 14527. Amend the current Special Use Permit to include a 200' X 16' Lumber Storage Building located on the west side of the property. AR 1 District (27.02-1-11.2)

Vaughan made a motion to make the Town of Benton the lead agency for the Short Environmental Assessment Form. Davie seconded the motion. All in favor.

Meyer made a motion to check Box B, as the Board has determined, based on the information and analysis above, and any supporting documentation that the proposed action will not result in any significant adverse environmental impacts. Davie seconded the motion.

Vaughan made a motion to accept this application as submitted. Meyer seconded the motion.

The Board was polled:

James: Yes

Davie: Yes

Meyer: Yes

Vaughan: Yes

Hauman: Yes

**ADJOURNMENT:**

Vaughan made a motion to adjourn the meeting at 7:20 p.m. Davie seconded the motion. All in favor.

Respectfully submitted,

*Karen M. Ellis*

Karen Ellis  
Recording Secretary