

TOWN OF BENTON
PLANNING BOARD MEETING MINUTES
JUNE 22, 2021

PRESENT: Tom Rood; Tom Goodall; Rich Meyer, and Jerry Stape.

Also Present: Derek Podsiadlo; Marlene Exner, Alternate Member; Glenn Quackenbush, Town Councilman; Tom Fulkrod, Code Enforcement Officer, and Karen Ellis, Recording Secretary.

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

MINUTES APPROVAL: Goodall made a motion to accept the minutes of the May 25, 2021 meeting. Meyer seconded the motion. All in favor.

APPEAL #68SUP-21: Application from Keuka Leasing, LLD of 938 State Route 14A, Penn Yan for a special use permit to add two more 40' X 200' storage units.

Fulkrod noted that there are no issues with this; the parking lots and the storage units are always well maintained.

Rood made a motion to accept this project as presented. Goodall seconded the motion. All in favor.

APPEAL #76AV-21: Application from Charlie Alcock of 1792 Coleman Road, Bellona, NY 14415 for a Subdivision to create a non-conforming lot of under 200 feet of road frontage and won't leave 15' off the current buildings. (Tax Map 8.03-1-3) AR District.

Charlie wants to divide his 4.70-acre lot into 2.592 and 2.082-acre lots. Rood stated that he had reservations about this whole thing. It was stated that when Charles and his wife pass, the property will be transferred on to the brother, Bruce Alcock.

Fulkrod indicated that what Charlie is selling his two acre lots for is not any of his business, but his brother owns Alcock Landscaping, and they are making it so he can put his business here.

Meyer made a motion to approve this subdivision based on pending approval of the ZBA approving the Area Variance at the July 6th meeting. Rood stated he has a lot of reservations on this whole thing. Fulkrod said he likes the idea of passing this on to the ZBA to make the decision. They will have to give him a right-of-way of the driveway and there will be a lot of legal parts to this if it all passes. It does meet the requirements of land size and acreage; the side is good enough. Goodall seconded the motion. All in favor.

DISCUSSIONS:

SEPTIC SYSTEMS – Rood stated that Fulkrod is going to give the Board a description of what he is looking for to incorporate into what we have already. Fulkrod noted we can legally just adopt the state minimum and then add regulations to that that are stronger than the state one. Fulkrod noted that the things he wants to add in are:

Inspections are due at a sale or transfer of property. The inspection consists of checking the tank; checking the property for leakage; going in and making sure people do not still have 55-gallon drums; or if they have a leach field and it does not just run into the ditch or run into the manure pit where the

cow's poop goes. That is illegal, but if a property gets handed over from father to son to father and son, with our current rules, we never inspect them. Rood asked how we would determine the size of the septic tank if it were buried. It was noted that it would have to be pumped. If you cannot tell based off the tank, anyone that is pumping can tell you how many gallons they are taking out. The regulations are at least 1,000 gallons. We obviously know that we have 550s and 750s out there. Fulkrod noted that if its 750, he will write that its undersized based on NYS regulations, but it is working adequately with the current present load. Then it is up to the lawyers. The only difference it will be is if someone comes in and pays cash, they can say that they do not want to have an inspection. We are the only town in Yates County that does not have a rule in the saying that when there is a transfer we can go out and inspect the farms that are running into the ditches. Tom wants to adopt the state's minimum and any time there is a sale or transfer of property there is an inspection done to check the system.

SHORT TERM RENTALS: - Fulkrod noted that we are starting to get a lot of AIR BNB rentals in the area. He stated he would like to put in place regulations that these places are inspected for carbon monoxide and smoking detectors, and they will need to have yearly permits to rent.

ADJOURNMENT:

Goodall made a motion to adjourn the meeting at 7:50 p.m. Stape seconded the motion. All in favor.

Respectfully submitted,

Karen M. Ellis

Karen Ellis
Recording Secretary