

**TOWN OF BENTON
PLANNING BOARD MEETING
AUGUST 23, 2022**

PRESENT: Tom Rood; Steve Hullings; Tom Goodall; Jerry Stape; Rich Meyer, and Crystal Tomion.

Also Present: 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: Meyer made a motion to approve the minutes of the July 26, 2022 meeting. Goodall seconded the motion. All in favor.

TOWN OF BENTON WASTEWATER LAW/WASTEWATER POLICIES AND PROCEDURES:

Rood stated he went through these line by line checking for errors and they picked up 8 or 9 errors, most of which were stating “*Torrey*” instead of the Town of Benton. Rood noted that the reason we are into this is because the Zoning Law has requested that we do something about inspections, particularly during property transfers. We are not trying to get into people’s houses on a routine basis. We are trying to make sure we do not get into making people make a lot of changes.

TOWN OF BENTON WASTEWATER LAW:

Changes that the Planning Board made were as follows:

Page 7, Under letter C, No. 2: Took out “*the engineer and*”.

Page 9, letters D and E both had words in uppercase letters, which is defined as documents that are titled. Those were made lower-cased letters on the new updated sheets.

Page 7, letter A, Number 4: Removed all. Changed Number 5 to Number 4.

WASTEWATER POLICIES AND PROCEDURES:

On Page 6, No. 4, letter C: Changed to “All septic tanks less than *five hundred fifty (550)* gallons in size shall be replaced at the time of property transfer or if not functioning properly.

On Page 6, No. 4, letter D: removed “*or containing more than 33% solids*”.

On Page 6, No. 4, letter E: Removed all.

On Page 7, No. 9: Removed second “*report*”

Meyer made a motion that this be presented to the Town Board, with the corrections we have made, for acceptance.

The motion was then amended to read that “In the event that the ZBA has any suggestions, or they find something we have overlooked, we will make those changes. Stape seconded the motion. All in favor.

Rood stated that this will get retyped and then it will go to the Town Board for them to consider sending to the Town lawyer, assuming we have no kickbacks from the ZBA. Fulkrod indicated that we would need to have a Public Hearing. Rood noted that we are willing to do the public hearing if the Town Board wants us to or the Town Board can't. It will be up to them.

OTHER BUSINESS:

Fulkrod reported that there are two upcoming 5-megawatt solar farms coming to the Town. One will be going behind the Surplus Outlet Store on Route 14A. Our legislators have gone after NYSEG and made it so that they must make it work. NYSEG has approved a 5-megawatt behind Nathan Horning's and a 5-megawatt somewhere on the corner of Bellona Station Road and North Flat Street. It has already been approved by NYSEG to go forward.

Rood stated that he has asked Fulkrod to get ahold of Soil and Water to get an analysis of what the soil is there. In the comprehensive plan we can turn this down if it turns out it will interact with our prime soil in this Town. Even though the State is mandating this, our comprehensive plan says it may not be allowed depending on the soil test. He said it is very important that we get a soil map of this whole thing. If we think its prime soil in the town, we can vote to turn it down and then the owners will have to go to Albany to get the state to override us, which they may be able to do. Our comprehensive plan is powerful, and we would have the state tell us if our comprehensive plan is not accurate. Fulkrod noted that this is something this Board should get on quickly because when the law was made just our Planning Board looked at the solar laws. If we want to change that so that it goes through a special use permit, which means it would need to go in front of the ZBA, then we need to get moving. Currently there are not any permits on paper, so we can still make changes to the law. He then noted that currently, for solar its down as a site plan review only.

Rood made a motion to change the solar classification from a site plan review to a special use permit. Stape seconded the motion.

The Board then discussed the procedure of modifying the camping law to allow for smaller camping grounds. There was a consensus among the Board not to make any modifications.

Fulkrod reported that he has drawings of the new county building that is going in on the corner of Havens Corners Road. Doug Rapalee said he would be willing to come in and talk to both Boards if they had any questions. They will be using their own Code Enforcement Officer and we won't have any say over what they are doing. Our ZBA or Planning Board is not going to be able to tell them to make any changes. If anyone wants to see the drawings, contact Tom.

ADJOURNMENT:

Goodall made a motion to adjourn the meeting at 8:13 p.m. Meyer seconded the motion. All in favor.

Respectfully submitted,

Karen Ellis
Recording Secretary

DRAFT