

**TOWN OF BENTON ZONING BOARD OF APPEALS  
AUGUST 2, 2022**

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

Also Present: Crystal Tomion; Jere Horning; Ivan Horning, Jr.; Harlan Martin; Dan Campbell; Glenn Quackenbush, Town Councilman; John Prendergast, Town Supervisor, and Karen Ellis, Recording Secretary.

Following introductions, James called the meeting to order at 7:00 p.m.

**APPROVAL OF MEETING MINUTES:**

Meyer made a motion to approve the minutes from the July 5, 2022 meeting. Vaughan seconded the motion. 4 members approved and James abstained as he was not at that meeting.

**APPEAL #70SUP-22:** Titus Zimmerman of 780 Ridge Road, Penn Yan is requesting a special use permit at 1227 Angus Road, Penn Yan for building a small HIP Camp area of three sites plus the cabin, with a maximum of two cars per site and four people per site.

This item was tabled from last month because the owner was not present to answer any questions the Board had. The neighbor who was present last month had concerns; however, Mr. Zimmerman was again not present. Because there are factors that need to be addressed and the neighbor was again not present, Meyer made a motion to deny this application. Hauman seconded the motion. All in favor.

**APPEAL #82SUP-22:** Horning Auction Company is requesting a special use permit for a two-unit tenant house and to re-open the Auction Barn.

Davie asked if this is basically staying the same as it was. Horning said nothing structurally will be done. It will stay the same as it was 60 years ago. They would like to put in more lighting, because its so dark. They did count the lights around the barn and there were about 5 or 6. They haven't closed on the property yet, so they can't change anything. Meyers suggested maybe dusk to dawn lights. Hauman asked if there's enough parking. Horning said there seems to be enough parking. There were 200 plus people there for the estate sale and Horning said he doesn't believe there were any cars parked along the road. They have painting and upgrades and freshening up to do before they open for auctions.

James asked what the Benton Planning Board had to say about this. Meyers said there were no problems. They just questioned the shed that was there, but it was noted that they have their own special use permit for that. The County Planning Board didn't have a quorum for their meeting, so the chairman sent his comments and approval back to the Town.

James asked Horning if they filled out a SEQRA on this application. Horning noted he didn't see anything in the paperwork that they filled out. James said that the short environmental assessment form should be filled out. If anyone was to contest the application, it would immediately be thrown out. Horning said that he spoke with all the neighbors around him and no one had any problems. James said he just doesn't want to see the application thrown out and then this is put off six months to a year and then it would have to go through the court system. Horning left to print out an application and brought it back for the Board to review.

Meyer made a motion for Benton to be the lead agency on the SEQRA. Vaughan seconded the motion. 4 members were in favor. James abstained.

The Board went through the questions for the SEQRA. Vaughan made a motion to check the second box that the proposed action will not result in any significant environmental impact. Meyer seconded the motion. 4 members were in favor of this motion. James abstained.

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

The Board was polled:

James: Abstained

Davie: Yes

Meyer: Yes

Vaughan: Yes

Hauman: Yes

**ADJOURNMENT:** Davie made a motion to adjourn the meeting at 7:42 p.m.

Respectfully submitted,

*Karen M. Ellis*

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Recording Secretary