

**TOWN OF BENTON ZBA MEETING
JANUARY 3, 2023**

PRESENT: Dwight James; Rich Meyer, and Dewey Hauman.

Also Present: Deb Milliman; Steve Knapton; Tom Davie; Glenn Quackenbush, Town Councilman; Mike Bishop; Amos Stauffer; Dick Harper, Town Councilman; Neil Martin; Daniel Martin; Eugene Martin; Tom Fulkrod, Code Enforcement Officer; and Michael Peacock, Recording Secretary.

MINUTES APPROVAL: Meyer made a motion to approve the meeting minutes of 12/6/2022 with the following corrections: Lawrence Horning's name was incorrectly typed as Lance Horning. Hauman seconded the motion. All in favor.

APPEAL #183SUP-22: Martin's Equipment of 900 14A would like to add a 3,840 sq. foot addition to their shop. This addition will be used as a warehouse for lawn mower parts storage that is currently being housed in the store portion of the building.

APPEAL #176SUP-22: Amos Stauffer of 1483 14A would like to build a house behind an old barn of his. Amos would like the house to be away from the road to ensure the safety of his children. Fulkrod mentioned he could place the house next to the barn, but feels that this would be unsafe for the residents.

APPEAL #184SUP-22: D & L Rental Supply of 283 SR 14A would like to add a 2,432 sq. foot addition to their main building. The addition would be to move the store away from the road and allow for customers to enter the building not on the roadside and to move the shop and storage into the old part of the building.

Deb Milliam, Steve Knapton, and Mike Bishop are neighbors and were all in attendance. Deb Milliman stated that the sun shines off of the roof of the current building, and off of the windshields of the equipment on the driveway. This makes it difficult to pull out her driveway safely, as it shines too bright. She had photos to back up her claim. Milliman also stated that the noise level is seven days a week and at all hours of the day. Knapton agreed with Milliman. Bishop had no complaints.

FINAL ACTIONS:

APPEAL #183SUP-22:

Meyer made a motion to make the Benton ZBA the lead agency on the SEQR. Hauman seconded the motion. All in favor.

The board then went through the test questions.

Meyer made a motion to check the second box, which indicates that based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts. Hauman seconded the motion. All in favor.

The board was polled:

James: Yes

Meyer: Yes

Hauman: Yes

APPEAL #176SUP-22:

Meyer made a motion to make the Benton ZBA the lead agency on the SEQR. Hauman seconded the motion. All in favor.

The board then went through the test questions.

Meyer made a motion to approve Appeal #176SUP-22. Hauman seconded the motion.

The board was polled:

James: Yes

Meyer: Yes

Hauman: Yes

APPEAL #184SUP-22:

The board asked D & L Supply to agree to the following:

- Shingles on the roof, or some non reflective roofing material
- Move the propane tanks to an area where they will not reflect sunshine towards the neighbors houses
- Move the dump truck that is parked out front, so the sunshine does not reflect off of the windshield
- No more after hour deliveries or drop offs
- Keep a communication line open between Milliman and D&L Supply

Meyer made a motion to make the Benton ZBA the lead agency on the SEQR. Hauman seconded the motion. All in favor.

The board then went through the test questions.

Hauman made a motion to approve with exception to the above listed requirements. Meyer seconded the motion.

The board was pulled:

James: Yes

Meyer: Yes

Hauman: Yes

CLOSING:

Meyer made a motion to adjourn the meeting. Hauman seconded the motion.

All in favor.

Meeting adjourned at 7:53pm