

TOWN OF BENTON  
ZONING BOARD OF APPEALS MEETING  
NOVEMBER 1, 2022

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

Also Present: Richard Harper, Town Councilman; Glenn Quackenbush, Town Councilman; Tim DeLooza; Andrew Silvent; Michael Peacock; Meredyth McMichael; Matt Osgood; Robert Cady; Crystal Tomion; Michael Horning, Tom Fulkrod, Code Enforcement Officer, and Karen Ellis, Recording Secretary.

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

**MINUTES APPROVAL:** Steven Vaughan made a motion to accept the October 4, 2022 minutes with the following changes: Crystal Tomion should be removed from *Present* and added to *Also Present*, as she was just in attendance and not part of the Board. Tomion should also be removed from the Poll for Application #112AV-22.

Meyer seconded the motion. All in favor.

**APPEAL #141SUP-22:** Meredyth McMichael LLC – Addition of a Maintenance Shop. Meredyth stated that there is already a horse barn there where the horse and buggies park. They just want to have an enclosed building for the snowplow and lawnmower, in addition to having the post on the side of it. Fulkrod noted this went to the County and passed 12-0.

**APPEAL #143SUP-22:** Andrew Silvent of Relative Risk Brewing for a 3 X 5 sign for a brewery and changing the hours of operation.

Silvent stated that right now they are open Wednesday through Saturday 11:00 – 7:00p.m. and they would like to change that to Wednesday through Sunday 11:00 – 8:00 p.m.

Fulkrod noted that the Silvent’s would also like to add an hour onto the day, add Sundays and be open for the month of December.

James asked Silvent if they have had any events or bands this year. Silvent stated they have had one person playing music at a time. They have not had any bands yet. They usually only play from 2:00 to 5:00, which is a three-hour set. Silvent stated that they had talked about having live bands one Saturday a month, but probably not until next year and it will go until closing.

Neighbor stated he is very pro-business and supports the additional hour and adding December. The one issue they have is with the intersection which is not very clear. The only issue he has is for the intersection. He would love for the intersection to have a more prominent stop sign or indicator that there is an intersection there. If one is not careful, they can just go through the intersection. James noted that unfortunately this Board can not deal with traffic. Harper stated that it would go to the Town Board first and then the Town Board will write a letter to the County and the County will take it to the State DOT. James suggested Silvent bring his concerns to the Town Board, which is the 2<sup>nd</sup> Wednesday every month at 7:00 p.m. He should call the Town Clerk to be added to the agenda.

**APPEAL #149SUP-22:** Michael Horning would like to place a business sign at 14A and Bellona Station Road.

James asked if the signs will be placed at the same location as the Country Quest signs. Fulkrod noted that was correct. Neighbor noted his only concern is between the existing posts. He asked if they will be reusing the same posts. Fulkrod noted it must be, because that sign area is grandfathered in because it is on the New York State right-of-way. The reason that is still grandfathered in and allowed to be used is because this Board allowed the Iris sign to go in and gave them a special use. They only use it three months a year, but its still a current sign that they use every year. That is why it is still an allowable use. If the Iris people were to pull out of that, then the posts would have to be taken down.

James indicated that they are under 32 sq. ft.

**APPEAL #142SUP-22:** Benton Ridge Trust would like to add a 16 X 130 addition to the building and remove the lean-to because the trusses that they are making needs another stacker, so they want to remove that and add a stacker to the other side for larger trusses. Fulkrod noted he got a letter from one neighbor and got two phone calls from neighbors and received nothing but support for this project. They talked about how great the neighbors are and how courteous they are at handling things.

James noted that the applicant is not here, therefore the application is incomplete because they have not signed the SEQR forms. James stated that if they haven't gotten the SEQR form, that can be a way to get it thrown out. Meyer indicated that before when people hadn't been here, their applications were postponed.

Meyer made a motion to postpone Benton Ridge Truss application until the next meeting. Haughman seconded the motion. All in favor.

**APPEAL #137SUP-22:** Nelson Weaver of 338 Route 14A would like to add an addition to the bike shop.

Tim DeLooza, immediate neighbor, was in attendance to show his support for Weaver's application. Applicant was not available due to a family emergency; however, the paperwork was not completed. Meyer made a motion to postpone this application until next month. Haughman seconded the motion. All in favor.

**APPEAL #141SUP-22:** Meredyth McMichael LLC – Addition of a Maintenance Shop.

Vaughan made a motion to make the Benton ZBA the lead agency for the SEQR. Davie seconded the motion. All in favor.

Davie made a motion to check the 2<sup>nd</sup> box on the form to indicate that the proposed action will not result in any significant adverse environmental impacts. Vaughan seconded the motion. All in favor.

Meyer made a motion to approve application #141SUP-22 with no stipulations. Vaughan seconded the motion.

The Board was polled:

James: Yes  
Davie: Yes  
Meyer: Yes  
Vaughan: Yes  
Haughman: Yes

**APPEAL #143SUP-22:** Andrew Silvent of Relative Risk Brewing for a 3 X 5 sign for a brewery and changing the hours of operation.

Meyer made a motion for the Benton ZBA to be the lead agency. Vaughan seconded the motion. All in favor. James went through the test questions of the short environmental assessment form.

Vaughan made a motion to check box 2, stating that the proposed action will not result in any significant adverse environmental impacts. Davie seconded the motion. All in favor.

Vaughan made a motion to accept application #143SUP-22 as submitted. Davie seconded the motion.

The Board was polled:

James: Yes

Davie: Yes

Meyer: Yes

Vaughan: Yes

Hauman: Yes

**APPEAL #149SUP-22:** Michael Horning would like to place a business sign on the existing post at 14A and Bellona Station Road.

Meyer made a motion to accept application #149SUP-22 as proposed. Davie seconded the motion. The Board was polled:

James: Yes

Davie: Yes

Meyer: Yes

Vaughan: Yes

Hauman: Yes

Fulkrod introduced Michael Peacock who will be replacing Karen Ellis when she ends her employment at the end of the year.

**ADJOURNMENT:** Davie made a motion to adjourn the meeting at 7:40 p.m. Vaughan seconded the motion. All in favor.

Respectfully submitted,

Karen Ellis  
Recording Secretary