

**TOWN OF BENTON ZBA MEETING
MAY 5, 2026**

PRESENT: Steve Vaughn, Rich Meyer, Dewey Hauman, Charles Frank & Dwight James.

Also present: Steve Hullings, Glen Quackenbush, Town Councilman; Tom Fulkrod, Code Enforcement Officer; Tom Davie, Town Supervisor; Bruce Kerrick, Timothy Fox, Neil & Lisa Martin, Gail Owen, Darwin & Mary Ann Walton, Drew Spencer, Deb Milliman & Mindy Johnson, Recording Secretary.

Dwight called meeting to order at 7:01 PM

MINUTES APPROVAL:

Rich made the motion to accept April's minutes as written with one small change. Charles second the motion. All in favor

APPEAL #43SUP-26:

Steve Hullings would like to place a sign location at 2384 Stape Road for advertisement for Silos of Seneca. Steve stated that he has been in contact with John McDowel from the DOT. John stated the sign will not interfere with the right of way on Route 14A and away from utility poles. No neighbors present to voice their concerns.

FINAL ACTIONS:

Board members had no further questions. Charles made the motion to accept #43SUP-26 was presented and allowed the sign to be placed. Steve seconded the motion.

The board was polled:

Dwight: Yes

Rich: Yes

Dewey: Yes

Charles: Yes

Steve: Yes

All in favor. The motion was carried.

APPEAL #53SUP-26:

Timothy Fox would like to demolish three greenhouses and build a 48X72 shop at 2664 Route 364. Timothy would like to move his machine shop from 1723 Carroll Road to the Route 364 address. No neighbors were present to voice their concerns. Tom stated that he has heard nothing from the public regarding the new build.

FINAL ACTIONS:

Rich made the motion that the Zoning Board of Appeals be the lead agency for the seeker. Steve second. All in favor. The motion carried.

Dwight proceeded to read the SEQR. A negative declaration was decided.

Steve made the motion to accept the seeker with a negative declaration. Rich second the motion.

The board was polled:

Dwight: Yes

Rich: Yes

Dewey: Yes

Charles: Yes

Steve: Yes

All in favor. The motion was carried.

APPEAL #66SUP-26: Drew Spencer would like to build a 40X60 barn at his address of 264 Ridge Road. Drew was there to represent himself. He stated that the barn will be 15 feet in front of the house. Drew also stated he can not go back any further than that because of the gully. The new build will be on the North side of the home. No neighbors were there and Tom stated he has not heard from any of them.

FINAL ACTIONS:

Area variance was read. There is no neighborhood impact. No adverse impact on physical or environmental conditions in the neighborhood. Rich made a motion to accept permit 66SUP-26 as presented. Dewey second the motion.

The Board was polled:

Dwight: Yes

Rich: Yes

Dewey: Yes

Charles: Yes

Steve: Yes

All in favor. The motion passed.

APPEAL #69SUP-26

D&L would like to replace two trailers and a hoop shed with a 40X60 pole barn behind the business. The barn would be running North & South. Neil Martin, who is a representative for D&L, stated the new building would be for warehouse and outside storage under roof. He has not gone in front of the County, yet. The Planning Board did pass his application. Dwight opened up the floor for public comets to be made. Deb Milliman, who lives across the road from the business, was there to voice her concerns about more glare from the metal roof of the new building. Dwight suggested using "frosted roofing" for the new building. Neil stated that they

used this on the existing building. Deb stated that there is still a glare from that one, and is not helping and coming through her home. Dwight asked if Neil would not be opposed to changing the building to run East & West with the “frosted roofing”. Neil stated he could potentially change the building to 60X40, running East & West with the “frosted roofing”. Possibly changing the glare off the roof, if Deb would be open to that.

FINAL ACTIONS:

Steve made the motion that the Town of Benton Zoning Board of Appeals be the lead agency for the seeker. Charles second the motion. All in favor. The motion carried.

Dwight proceeded to read the seeker. There was a question on the SEQR asking if the proposed action would impair the character or quality of the existing community. It was decided that it could be from the reflection of the roof, but that could be mitigated. Dwight made the motion to grant D&L special use permits with 2 conditions.

- That the roof is turned perpendicular (90') to the road
- The structure to be covered with the “frosted” steel roofing.

Dwight asked Neil if he was in agreement with these conditions. Neil stated he was fine with them. Rich second the motion.

The board was polled:

Dwight: Yes

Rich: Yes

Dewey: Yes

Charles: Yes

Steve: Yes

All in favor. Motion was carried.

APPEAL #73SUP-26: Glenn Zimmerman of 1641 Route 54 is proposing to build a 65X50, two story horse barn. Mr. Zimmerman was not present to represent himself. Ritch made the motion to table the proposal till the next meeting so Glenn could attend. Steve second the motion. Dwight stated there were a few neighbors present that would like to voice their concerns. The floor was open so they could speak. Gail Owen, who resides next to Mr. Zimmerman at 1635 Route 54, has a concern that the proposed structure is approximately three times the size of her home. Concerned that her vision coming out of her driveway would be obstructed. There is a knoll in the road, that when looking to the West towards Penn Yan, she can not see. Causing a safety concern for her, her sons and grandchildren. Also, need to think about orders, noise, increased insect activity and waste management. These could materially diminish the quality of life for nearby residents, including herself. One other concern is that this barn could become a retail business of some nature, i.e. produce, nursery, etc thus creating more vision issues. Mary Ann Walton, who resides across the road from Gail, agrees with her about coming out of their driveway. She also feels bad for the horse being that close to the road and having to deal with

all the loud vehicles. Mr. Zimmerman's home is on over three acres and there is an existing horse barn down behind the house. Maybe he could add on to that or tear it down to build the new/large barn down back for his horse & buggy needs. Tom stated he did have some other neighbors have voiced their concerns as well, possibly placing the building down behind the home. Tom also stated that there are no above wires to be concerned about, and the well would be approximately 52 feet from the barn. Dwight suggested holding the meeting open till next month so Glenn could be there. Members of the board agreed and stated that Gail's letter would be good if she can not make it to the next meeting.

Steve made a motion to adjourn the meeting. Rich second. All in favor.

The meeting was adjourned at 7:51PM.

Respectfully submitted,

Mindy Johnson
Recording Secretary