



# Yates County Planning Board Referral Form

Referral #  
County Use Only 2020-08

Date Received 2/18/2020

Revised 4/2017

Municipality and Referring Agency Town of Benton

Project Address 1171 Route 14A, PY, NY Project Tax Map # 27.04-1-6

Zoning District AR1

Applicant (Name & MAILING) David Sauder  
1171 Route 14A, PY, NY Email

Property Owner (Name & MAILING) David Sauder  
1171 Route 14A, PY, NY Email

Reason for Referral (Prox. to Cty Rd., State Rd., Muni Boundary, etc.) State Route 14A

### Application Type

- Area Variance
- Use Variance
- Special Use Permit
- Site Plan
- Subdivision
- Text Amendment
- Map Amendment
- Other

### Project Description

Amendment to his original Special Use Permit  
Repair of Law & Garden Tractors to  
Small Business Construction equipment  
and a sand blasting business.

### Supporting Documents Required (IF N/A, include explanation)

- Municipal Application
- Tax Map or Plat
- SEQR
- Site Plan \*
- Variance Criteria \*\*
- Subdivision Plat  For Subdivision Referrals Only
- Other

Previous minutes and approval for the original  
SUP.

\*If Site Plan Review, Site Plan **MUST** be detailed and meet the municipal requirements.

\*\*All Variance referrals (Area/Use) **MUST** include detailed justifications associated with reason/s for appeal.

Certification: *With the following signature I certify that this application provides a complete description of the proposed local action and is a complete application pursuant to NYS General Municipal Law Article 12b, Section 239-m, part c.*

 Referring Official



Provision of required information is the responsibility of the referring agency. Failure to provide such information may result in a significant delay in processing.

Submit To: Yates County Planning Department, [dlong@yatescounty.org](mailto:dlong@yatescounty.org) or 417 Liberty St. Suite 1093, Penn Yan, NY 14527

# TOWN OF BENTON

## PLANNING BOARD - ZONING BOARD OF APPEALS APPLICATION

Application No. 25 SUP-20 Date 2-18-20 Fee 80 -

Name: David Sauder phone 315-536-3229

Address: 1171 St Rt 14a email \_\_\_\_\_

Applicant is applying for the following:

- Area Variance                       Zoning Interpretation  
 Use Variance                         Subdivision  
 Special Use Permit                 Site Plan Review

Other Change of Special use permit

Location of Property 1171 St Rt 14a

Tax Map No. 27204-1-6 Zoning District AR1

Describe Action requested:

Property Has a SUP for the sale and fixing of lawn and garden tractors.

David is changing over to small-midsize construction equipment and a Sand Blasting Business.

Area Variance Information:

	Required	Actual	Variance Request
Frontage:	_____	_____	_____
Front Setback:	_____	_____	_____
Side Setback:	_____	_____	_____
Rear Setback:	_____	_____	_____
Lot Size:	_____	_____	_____

Attached to this application is the following documentation:

Site Plan    Construction Plans    SEQR    Other \_\_\_\_\_

Property Owner [Signature] Telephone \_\_\_\_\_  
Address \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**COPY**

*sent 3/2*

THE TOWN OF BENTON  
1000 RTE 14A - TOWN HALL  
PENN YAN, NEW YORK 14527-9107  
315-536-7236

**NOTIFICATION OF BENTON ZONING BOARD OF APPEALS  
PUBLIC HEARING**

Dear Property Owner:

March 1, 2005

You are hereby notified that the Town of Benton Zoning Board of Appeals has set a Public Hearing on **March 8th, 2005 at 7:30 P.M.** In the Benton Town Hall Conference Room, 1000 Rte 14A, Penn Yan, New York for a Special Use Permit and an Area Variance requested from Lester Reiff at 1171 Rte 14A, Penn Yan, NY 14527, and tax map number 27.04-1-6. A Special Use Permit is requested to place a 44ft x 76ft addition to the front of an existing lawnmower sales and service business. An area variance is requested for a front yard setback of 73ft in the AR-1 district which requires an 80ft front yard setback. A variance of 7ft is being requested.

All interested parties shall be heard at this time.

Sincerely,

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Bobbi Wolfe  
Sec. Zoning Board of Appeals  
Town of Benton

The Regular Zoning Board of Appeals meeting was held March 8<sup>th</sup>, 2005, at 7:30 P.M. in the Benton Town Hall Conference Room, 1000 Rte 14A, Penn Yan, NY 14527. Present: Chairman Richard Harper, board members, Dwight James, Wes Tomion, Jayson Hoover. Absent: David Goodsell. Also present: Zoning & Code Officer Jerry Hoover, ZBA Sec. Bobbi Wolfe. Planning Board member: Teresa Jackson. Town board present: Alan Tomion, Robert Clark, Glenn Quackenbush. Public present: (Attached). Chairman Harper opened the meeting at 7:30 P.M. Motion was made by Dwight James, seconded by Wes Tomion to accept the December 14<sup>th</sup>, 2004 minutes as read. Motion was carried unanimously.

Appeal# 05-006Z: Special Use Permit and Area Variance request from Lester Reiff of 1171 Rte 14A, Penn Yan NY 14527 to construct a 44' x 68' addition to the front of the business with an 8' x 44' covered entrance. This will be used for a showroom and parts expansion. The Area Variance is for insufficient front yard set back which tapers from 82' at the NW corner to 73" on the SW corner of addition. A 7' Area Variance is requested. The Yates County Planning Board determined that the proposed action appears to have no significant county-wide or inter-community impact. The Benton planning board didn't have any issues with the SUP or Area Variance. Mr Reiff has added onto the parking area which is closer to Route 14A, but still within the set back requirement. He also stated that all new equipment will be stored inside the building and used equipment will still be outside. Motion was made by Jayson Hoover, seconded by Dwight James to grant the Special Use Permit to construct the 44' x 65' building with 8' x 44' covered entrance. Also a 7' Area Variance (front yard set back) due to tapering from 82" to 73". Motion was carried unanimously.

Appeal # 05-007Z: Special Use Permit request from Chester Martin of 800 N Flat Street, Penn Yan, NY 14527 to a 34' x 44' gambrel style barn to operate custom cabinetry and carpentry within the AR-1 District. The map presented to the board showed rear and side yard set backs as 15' which are set backs for an accessory building. The board wasn't sure if this should be considered an accessory building. Chairman Harper stated that the set backs then would be, side yard 15 feet and rear 25 feet. Once the board determined and agreed that this would be an accessory use building the presented map was correct with the 15' set backs. Chester stated that this will only be used for a workshop and horse barn, no show room. There will be parking for (5) cars in front of the building. The planning board stated he was only required to provide 3-4 parking spaces. Motion was made by Wes Tomion, seconded by Jayson Hoover to grant the Special Use Permit. Motion was carried unanimously.

Appeal # 05-008Z: Special Use Permit request from Lelena Erb of 1072 Rte 14A, Penn Yan, NY 14527 for placement of a permanent marquee sign. The Benton Planning Board would like Mrs. Erb to consider combining the old and new signs. Possibly on top of one another. The original sign has the business name on it and the proposed marquee sign will promote sales etc. Neighbor, Robert Swingle stated he wasn't impressed with the marquee sign, it has lights and an arrow like it belongs at a car dealership. Mrs Erb stated that it won't have lights, will be painted and will be in a wooden frame with flowers planted at the base. The ZBA decided to allow the new sign to be located between the original sign and the Erb residence. Motion was made by Dwight James, seconded by Jayson Hoover to grant the Special Use Permit allowing the marquee sign (not

# THE TOWN OF BENTON

1000 Route 14A  
Penn Yan, New York 14527-9107  
315-536-7236



The Special Meeting of the Zoning Board of Appeals was held November 9th, 1995 at 7:30 P.M. at the Town Clerk's Office, 1000 Rte 14A, Penn Yan, NY 14527. Board Present: Chairman Paul Roe, Jeff Eckert, Dick Harper, Glenn Quackenbush, Doug Emerson. Also present: Bobbi Wolfe, Zoning Don Carroll. Public present: Daniel Martin, Lester Reiff. Chairman Paul Roe opened the meeting at 7:30 P.M. Motion was made by Jeff Eckert, seconded by Glenn Quackenbush to approve the minutes from the October 24th, 1995 meeting as read. Motion was carried unanimously. Appeal #95-6A of Lester Reiff for a special use permit to construct a 36' x 60' shop for lawn and garden supplies & service. Lester Reiff went before the Planning Board October 30th, motion was made by the Planning Board to grant farm related special use, with the (5) stipulations (1) run off erosion controlled, (2) old farm house torn down by Nov 1996, (3) will use same sign 4x4, (4) outside storage shall be screened from highway and neighbors, (5) hours 7:30AM - 5:00P.M., 6 days. The Planning Board did recommend the ZBA approve this special use and were very impressed with this property. Chairman Roe asked if any questions - Don Carroll, only positive the property is very attractive. Motion was made by Doug Emerson, seconded by Glenn Quackenbush to grant the special use for a farm related business with the five stipulations recommended by the Planning Board. Motion was carried unanimously. Motion was made by Doug Emerson, seconded by Glenn Quackenbush to adjourn the meeting as of 7:45 P.M.

Next Meeting December 12th. Appeal #95-8A Daniel Martin

*Bobbi Wolfe*

Dated November 13th, 1995  
Bobbi Wolfe  
Sec. Board of Appeals

# THE TOWN OF BENTON

1000 Route 14A  
Penn Yan, New York 14527-9107  
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A special meeting on a public hearing for a use permit for Lester Reiff, 1171 Rt. 14A PY to construct a 36ft. x 60ft. shop for lawn and garden sales and service was held on Mon. Oct. 30, 1995 at 7:00PM.

Meeting called to order by Planning Board Chairman Guilfoose at 7:00PM. Other members present D. Emerson, D. Scott, Eleanor Parker, Sec. Vivian Pinneo. Absent R. Beattie, Others present, Supv. Williams, Code Enf. Off. Carroll and Geo. Alexander.

Lester Reiff discussed his plans for the shop. D. Emerson and J. Guilfoose did a site review of this last week. Members discussed whether this special use permit should fall under home occupation or farm related business. Looked at Sec. 7.0 in Zoning Laws.

Motion made by D. Scott that Lester Reiff's special use be classified Farm Related Business as defined in Sec. 7.0. This was seconded by D. Emerson. All in favor.

Motion to recommend to the granting of this Farm-Related special use to Lester Reiff to the ZBA with the following conditions.

*Dec 12*

# THE TOWN OF BENTON

1000 Route 14A  
Penn Yan, New York 14527-9107  
315-536-7236



Legal Section (1) Time

## SPECIAL MEETING Zoning Board of Appeals Town of Benton

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NOTICE IS HEREBY GIVEN that a Special Meeting with the Zoning Board of Appeals will be held on November 9th, 1995 at 7:30 P.M. in the Town Clerk's Office, 1000 Rte 14A, Town Hall Penn Yan, N.Y. to consider the following applications:

1. Appeal #95-6A an Lester Reiff of 1171 Route 14A, Penn yan, N.Y. for a Special Use Permit to construct a 36'x60' shop for lawn & garden sls & service.  
(Tax Map 25.00-1-37)
2. Appeal #95-8A of an Daniel Martin of 2487 Baldwin Road Penn Yan, N.Y. for a Special Use Permit to construct a 10'x16' addition to existing grocery store.  
(Tax Map 25.00-2-1)

The above information is available for public inspection at the Benton Town Clerk's Office, 1000 Rte 14A, Penn Yan, N.Y. during her regular business hours.

All interested persons will be heard at this meeting.

Dated 10/25/95

Bobbi Wolfe  
Sec. Board of Appeals  
Town of Benton

*Bobbi Wolfe*





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