

Town of Murray  
Zoning Board of Appeals Meeting  
Monday April 12, 2021  
7:00 P.M.

**Members Present:** William Silpoch, II, Eric Collyer, Ed Downey

**Absent:** Ron Spsychalski

**Support Staff:** Attorney for the Town John Sansone, Code Enforcement/Zoning Officer Kevin Moore, Planning/Zoning Clerk Annette Curtis

Guests: Jay Gelb, Dick DeCarlo, Anthony Tintera, Paul Hendel, James Toepper, Amy Kendall, Josie and Al Fabian, Laura Perri, Bill Bosley, Jim Loewke, Marie Loewke, Keith Diehl, Amy Machamer, Joseph Sidonio, Dave Knapp, Chad and Tim Kirby, Louise Passarell, Tom Conrow, Wendy Meagher, David Paul

Pledge to the American flag.

Meeting opened at 7:00 p.m.

**Motion** by Collyer, **Seconded** by Silpoch approving the minutes of the March 25, 2020 Zoning Board of Appeals meeting.

**All in Favor, Motion Carried**

**Public Hearing** – *Big Guys Camping, LLC – Area Variances*

**Motion** by Silpoch, **Seconded** by Collyer to open the public hearing.

**All in Favor, Motion Carried**

Ms. Meagher, President of Meagher Engineering, briefed all regarding:

- The history of the property; It was previously a golf course which had an existing restaurant and a couple out structures.
- The project they are proposing; An RV campground, ultimately consisting of about 300 sites with the first of three phases consisting of 125 – 130 sites. They are proposing using the same curb cut coming into the main campground.

- The property; consists of about 95 acres, about seven to eight acres have been delineated as wetlands which will not be disturbed, leaving about 87 acres to developed.
- Variances are being requested; Four for setbacks. Ms. Meagher believes there are contradictions in the current Town code and thinks this code was originally meant for mobile home parks with permanent structures.
  - Campsites have to be 3,000 square feet. In doing the 20-foot setback required gives you very little area for an RV site - not feasible for an RV to fit.
  - They are proposing a 12-foot driveway instead of the 20-foot driveway requirement. 12 feet would have less paved area, gives plenty of room for an RV to park, allows for much less run-off and makes it more environmentally friendly.
  - Current code requires 70 feet between driveways and states that it is a measurement from driveway to driveway where the curb starts. Because you have RV spots that have to have a turning radius to get into the spaces this leaves almost zero distance between driveways as one curb cut runs into the next. They are requesting zero offset of driveways.
  - The code reads that there needs to be a trash can at every site, possibly causing issues with them being knocked over, lids coming off. The owners are proposing garbage pick up a couple times each day at set times.
  - Requesting a variance is for tent sites; from 3,000 sq. ft. to 900.

Ms. Meagher informed all that of the two existing RV parks in the Town, one has some variances, the other has none.

Brief discussion between board members regarding trash pick-up, permanent sites vs. tent sites and setbacks.

Zoning Officer Kevin Moore asked if Big Guys had submitted a SEQR. Ms. Meagher stated a short form was submitted. A long form will be submitted at the next Planning Board meeting.

### **PUBLIC COMMENTS**

Josephine Fabian - 3801 County Line Rd. – Questioned where human waste will be disposed of. She was informed that there will be a central pumpstation and then will be transferred to wastewater treatment plant.

Jay Gelb – 180 Office Parkway Pittsford, NY 14534, owner of County Line Mobile Home Park – He is neither in favor of or opposed to the project. Who are the owners and do they have campground ownership and management experience? He also questioned the maximum stay at the campground. Owners are Laura Perri, Marie Loewke, James Loewke and Bill Bosley.

Chairman Downey informed all that this is a public hearing on variances, not the campground itself. Mr. Gelb's questions are for the Planning Board.

Amy Kendall of Knauf Shaw LLP, 2 State Street, Suite 1400, Rochester, NY 14614, representing County Line Mobile Home Park – Believes the Zoning Board has not been given sufficient information to make a decision.

- More than ten acres will be affected making this a Type 1 action and at this point a SEQR determination has not been made.
- Has a traffic analysis been done?
- Plans for concerts and other activities?

- How many campsites can be developed according to current zoning laws?
- Increase to the size of pond? If so, storm water management?
- Fire safety
- Stormwater pollution prevention

Wendy Meagher stated that they are completing things in the order that was requested by the Town.

Zoning Officer Kevin Moore stated that many of these issues will be addressed by the Planning Board, including the SEQR and long form EAF.

Jay Gelb questioned if a traffic study was completed and if there are plans for a sewage treatment facility. Ms. Meagher said a traffic study has been done and they are working with the Department of Health regarding a sewage treatment facility.

Charlie Diehl stated that the sites at Hickory Ridge are 4,484 sq. ft. He believes 30 ft. x 30 ft. is not enough for a tent site. Hickory Ridge's roads are 22 feet wide

Amy Machamer, 3803 Hurd Rd., Holley – A campground is a welcome asset to the Town. Among her concerns were:

- As land owners and neighbors of this property, they are concerned with variances and future special permits.
- The amount of people that will reside for the summertime affecting things like the waste water. What can get through in wastewater systems can affect everyone who uses the water and can permanently damage the environment.
- This proposal is unprecedented in the town of Murray as there is nothing of this scope in terms of a RV park. It is two times bigger than any other RV park in the Town.
- 1,750 more people; 17.5 per acre. She believes this project should have as low of an impact on the surrounding community as possible, with no visible impact and no visual signs from the road and far away from property lines.

Wendy Meagher stated they could have close to 800 campsites on the property. Yes, it is larger than other RV parks in the Town but there is also much more acreage. The physical set back in the code and driveway setback does not make sense. Narrowing the driveway will reduce the environmental impact. We are proposing one RV site in a 3,000 sq. foot space, which is in the Town code. They are also planning on keeping as many mature trees as possible. Required setbacks are 25 feet. We are not asking for any variances having to do with the perimeter property lines. The only variances requested are from setbacks on the individual sites.

Kevin Moore clarified that the roads are going meet the code requirements. The roads that are being addressed are the driveways on the individual lots, not the roads within the campground.

Eric Collyer stated that, regarding the size; if it was a golf course open to the public, there would be people in and out with gatherings and parties. Instead, there will be campers. This would be an economic stimulus for the whole community. Rules will have to be followed but tonight we need to be focused on the variances.

Jay Gelb questioned the amount of space between sites. Kevin Moore informed him that those questions should be addressed in front of the Planning Board because of department of health and fire code regulations.

David Paul, 3823 Countyline Road - He lives next door to the property and the owners are working hard to get this done correctly. This project will benefit the Town and bring in tax dollars. Most of these questions should be posed in front of the Planning Board.

James Topper, 3680 Countyline Road – Asked who will be responsible for policing the area. He also had concerns with motor bikes and scooters on his property.

Bill Bosley informed Mr. Topper that there will be campsite rules and no motor bikes or scooters will be allowed. All coming into the campground will sign an agreement.

John Sansone, Attorney for the Town asked if any of these variances were granted for similar businesses in the Town. Ms. Meagher said there were some variances granted to Red Rock but there were none given to Hickory Ridge.

**Motion** by Silpoch, **Seconded** by Collyer to **table public hearing**

**All in Favor, Motion Carried**

**Public Hearing Tabled**

**Regular Zoning Board of Appeals meeting opened 8:00PM**

### **Discussion**

David Paul- Area Variance (75' front set back to a 65' front set back)

Mr. Paul explained, on Gulf Road there are 29 houses, three of the homes are 75' or more to the back. All the rest are 20' to 50'. I want to conform to make everything look the same. The driveways for these homes would be off the private road, not off Gulf Road. There is one other private road in the Town of Murray called Sandy Creek Lane. That road is approximately 4,000' in length, 10' wide in the winter time and 12' wide in the summertime.

Eric Collyer – Has concerns that the private road will turn into a town road.

David Paul stated that he will maintain the road but if, for some reason he could not, there will be a statement in the homeowner's deed stating that they will be responsible to get road maintenance. Mr. Paul also said that if the road were to get dedicated to the Town, they would have to do a core sample to guarantee that it meets state standards.

Kevin Moore informed all that there is no code against having a private road in the Town of Murray.

Members would like to schedule meetings for the fourth Monday of each month going forward so John Sansone can attend.

**Motion** by Collyer, **Seconded** by Silpoch to Schedule a Public Hearing on May 24th at 7PM

**All in Favor, Motion Carried**

**Motion** by Silpoch, **Seconded** by Collyer to adjourn the meeting.

**All in Favor, Motion Carried**

Respectfully Submitted,

Annette Curtis