

Town of Murray
Planning Board
3840 Fancher Road, Holley, NY 14470

MEETING DATE: January 4, 2022

BOARD MEMBERS PRESENT: Chad Fabry- Chairman
Dorothy Morgan
Lynn Vendetti
Elaine Berg

BOARD MEMBERS EXCUSED: David Knapp

CODE ENFORCEMENT OFFICER: Mylynda Kuba

APPLICANT PRESENT: Darren Coon – Teacher Geek

RE: Teacher Geek – Public Hearing - 16551 Ridge Road

OTHER IN ATTENDANCE: None

Pledge of Allegiance

Mr. Fabry called the hearing to order at 7:04 PM.

Ms Morgan made a motion to approve the December 7, 2021 Planning Board meeting minutes. Seconded by Ms. Berg; “All” ayes motion approved.

Mr. Fabry introduced the new Code Enforcement Officer, Mylynda Kuba to the board members.

Ms. Morgan made a motion to open the public hearing. Seconded by Ms. Vendetti; all “Ayes” motion approved.

1. Teacher Geek – 16551 Ridge Road – Existing Special Use Permit to add additional buildings.

Mr. Fabry asked board members if they had any questions for the applicant, subjects that were brought up:

- Fire Barrier between buildings – per code
- Parking for employees – plenty of parking, 18 parking spots plus one handicap spot
- Lighting for parking lot- already existing
- Parking lot – using concrete for the surface
- Drainage- drainage from the impervious surfaces of the buildings will go into the existing drain and go out to the back of property

SEQR Action - the SEQR has been reviewed by all members, this is a Type II Action and Mr. Fabry proposed a Negative Declaration.

Ms. Berg made a motion to approve the Updated Site Plan for Teacher Geek. Seconded by Ms. Vendetti; all "Ayes" motion approved.

Ms. Morgan – Mr. Paul brought this letter from his lawyer and asked us all to sign it that we read and received a copy.

Mr. Fabry – it only acknowledging that you received it.

Discussion – David Paul's letter to members

Mr. Fabry - if you go to our Code Book most things are either allowed by right, Special Use or not allowed. The only avenue you have is to get a Special Use Permit or Variance. Mr. Paul is doing something that is not allowed by right, it is allowed by Special Use. Residential Agriculture (RA) that is what his property is zoned on Gulf Road. Things that are allowed; permitted uses: Agriculture, Agri-Business, Day Care, Recreation Area, Single Family Dwelling or Two Family Dwelling and businesses located along Ridge Road which legally existed on the date of this ordinance. Those are the only allowed uses in that Zone. You can't do anything else, any kind of business unless you get a Special Use. Mr. Paul has a sign out saying "RV Storage" so he is charging people to store their RV's over the winter. It's not in the allowed uses in that zoning. He shouldn't be doing it but it's not really any different than a campground. A campground has RV's there and the only difference is that an RV Storage has no campground, people or smoke but they both park RV's. Mr. Fabry suggested to Mr. Paul if he wanted to continue the use why doesn't he apply for a Special Use Permit under this similarity of the campground and come to the Planning Board to be able to store campers. Mr. Fabry said that he did have to follow up on a complaint. He is running a business, it isn't an allowed business. When you allow storage in residential areas you open the door to things like Storage Units like the ones on Route 31. The Residential Agriculture was designed specifically to exclude all those other businesses, there is a very short list of permitted uses.

Ms. Kuba – I drove by the property since receiving a copy of the letter from the Secretary of the Planning Board and Mr. Paul has taken down his sign.

Ms. Morgan made a motion to adjourn the meeting. Seconded by Ms. Berg; All "Ayes" motion approved. Meeting adjourned at 7:25 PM

Respectfully submitted
Diane Herzog
Planning Board Clerk
January 17, 2022