

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

**MEETING DATE:** September 7, 2021

**BOARD MEMBERS PRESENT:** Dorothy Morgan- Acting Chair  
Lynn Vendetti  
Elaine Berg

**BOARD MEMBERS EXCUSED:** Chad Fabry  
David Knapp

**ATTORNEY:** Maureen Werner, Esq.

**APPLICANTS PRESENT:** Andrew Leja, Attorney - Barclay Damon  
Edward Kennedy – E&E Property Services

**RE:** Vertical Bridge REIT, LLC and Verizon Wireless  
Telecommunication Tower – Site Plan Review and  
Special Use Permit

E&E Property Services – Site Plan Review and  
Special Use Permit

**Others in attendance:** None

**Pledge of Allegiance**

Ms. Morgan called the hearing to order at 7:08 PM.

Ms. Morgan welcomed our new member Elaine Berg to the Planning Board.

Previous minutes could not be approved – July 6 and August 3 due to not enough members present that had attended those meetings.

**1. Vertical Bridge REIT, LLC and Verizon Wireless Telecommunication Tower**

Ms. Morgan asked Mr. Leja to give the board an update on their application. Mr. Leja – the Zoning Board of Appeals had approved our Area Variance application and that approval was contingent upon us having a Signed Fall Zone Easement which was sent to the board on September 3, 2021. Nothing else has changed on the site plan. I would like to ask that the board reduce the Removal Bond amount of \$150,000.00. If you go to exhibit 13 from the original application you will see we have an engineering estimate of \$40,000.00.

Ms. Morgan had discussion with board members and it was agreed that they would ask for double what the engineers estimate was because of inflation over the years so the Removal Bond amount will be set at \$80,000.00.

Ms. Werner – this is in the Town’s Local Law 3-1997 and the Planning Board can’t go against that. You will need to send a request to the Town Board for the new amount of \$80,000.00. Ms. Werner felt that this is an adequate amount. This board will send a supporting document to the Town Board on your behalf.

**Ms. Morgan made a motion to approve the Site Plan and Special Use Permit for Vertical Bridge Tower. This is an unlisted action under SEQR. The Zoning Board of Appeals has granted the Area Variance at their August 25, 2021 hearing. The Area Variance was contingent upon Vertical Bridge Tower providing a Signed Fall Zone Easement Agreement, which was received by the Code Enforcement clerk. Also, this board supports reducing the amount of the Removal Bond to \$80,000.00 from \$150,000.00 based on the Engineers Estimate of \$40,000.00 with the understanding that you will need to request this from our Town Board due to this being a Local Law. Seconded by Ms. Vendetti; All “Ayes” motion approved.**

Ms. Werner said that if you want to start with the project you will need to put up the Removal Bond in the original amount of \$150,000.00 and if or when your request is granted by the Town Board it will be reduced.

## **2. E & E Property Services – 16584 Ridge Road**

Ms. Morgan asked Mr. Kennedy to explain to the board about his business.

Mr. Kennedy – I rent office space from Mr. George Herring at 16584 Ridge Road and the corner of Groth Road. E & E Property Services is a company that does residential and commercial remodeling, bank foreclosures, maintenance, demolitions. We are a local company and have employees all over the state. He said that he is so tired of people thinking that West Ridge Realty is still in business and asked the owner of the building if he could replace the sign. I have purchased a 24’ x 24” high vinyl sign that is 48 sq ft. that will be secured with grommets and hooks it will not flap in the wind. The sign will cover the entire upper front of the building where the previous sign was. The colors of the sign are black, bright green and yellow.

The board discussed the site location under Residential Agriculture Zoning and if it has to be brought up to current code requirements. If it is not up to current codes then the applicant would need to also go to the Zoning Board of Appeals for set- back area variances.

Ms. Werner – the Town’s code only allows a maximum of a 32 sq ft. sign you will need to apply for an Area Variance for your sign size to the Zoning Board. This location is on a State Highway and the application will need to be sent to the County Planning Board for their review. The reason you need a Special Use Permit and Site Plan Review is that the use has changed at your location.

**Ms. Morgan made a motion for the Planning Board to declare Lead Agency on the E & E Property Services Special Use Permit, this is an unlisted action and the applicant has filled out the EAF and will be referred to at the Public Hearing. Seconded by Ms. Berg; All “Ayes” motion unanimously approved.**

**Ms. Morgan made a motion to schedule a Public Hearing for October 5, 2021 @ 7 PM for the E & E Property Services Special Use Permit application located at 16584 Ridge Road Holley, NY. The Planning Board will declare Lead Agency on the project. Seconded by Ms. Vendetti; All "Ayes" motion unanimously approved.**

**Ms. Morgan then read a resolution for the County Planning Board as follows:**

**Resolution of the  
Town of Murray Planning Board  
Special Use Permit Application**

**WHEREAS, the Murray Planning Board has received an application for a Special Use Permit at 16584 Ridge Road pursuant to Town Code §705 & 514 for R/A District Residential Agricultural; and**

**WHEREAS, the Murray Planning Board members have had the opportunity to review the application; and**

**NOW, THEREFORE BE IT RESOLVED THAT, the Town of Murray Planning Board hereby requests the Orleans County Planning Board to review the application for comment.**

**Dated: September 7, 2021**

**Motion made by Ms. Morgan, Seconded by Ms. Vendetti; All "Ayes" motion approved**

**Ms. Morgan made a motion to adjourn the meeting. Seconded by Ms. Berg; All "Ayes" motion approved.**

**Meeting adjourned at 7:38 PM**

*Respectfully submitted  
Diane Herzog  
Planning Board Clerk  
September 9, 2021*