

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

**MEETING DATE:** January 3, 2023

**BOARD MEMBERS PRESENT:** Dorothy Morgan - Chair  
Elaine Berg  
David Knapp  
Scott Lang  
Lynn Vendetti

**CODE ENFORCEMENT OFFICER:** Mylynda Kuba

**APPLICANTS:** Nick Bell & Hannah Beall

**OTHER IN ATTENDANCE:** James Bell

**RE:** **Bell Design & Landscape**

**Pledge of Allegiance**

Ms. Morgan called the meeting to order at 7:00 PM.

**Mr. Knapp made a motion to approve the September 6, 2022 minutes. Seconded by Ms. Berg; All "Ayes" motion approved.**

**NEW BUSINESS: -**

**1. Bell Design & Landscape -3733 Hulberton Rd- Special Use Permit**

Ms. Morgan asked the applicant to explain why they are here tonight.

Mr. Bell explained to the board that they are here tonight to apply for a Special Use Permit to allow them to have their small Landscape Design Build company at their property at 3733 Hulberton Rd. He recently bought the property that has a house on it. They plan to live in the house and operate their business on the property as well. Mr. Bell did supply board members with a full description of his request.

The board asked several questions of the applicant: *(Answers in italics)*

- How many employees? *3*
- How long have you been in business? *Incorporated in 2013*
- Can you tell members what exactly your business does? *We maintain landscaping for small scale and larger properties and have extensive experience in designing and hardscape.*

- Will the equipment be parked on site? *Yes, we will have it screened from view*
- Do you plan on future buildings? *Yes, possibly a barn in the future (2-5 yrs)*
- Is there going to be retail sales at the property? *No*
- Do you believe there will be additional water discharge from your site? *No, we plan on pitching and grading it correctly.*
- What are the greenhouses for? *We like to grow perennials that we can't find anywhere else, and they would only be used for our business no public retail.*
- Where will the entrance be for the property? *The entrance will be on Lynch Rd. we plan on locating it 400' from the intersection.*

**Mr. Knapp made a motion for the Planning Board to declare Lead Agency on the Bell Design & Landscape proposal, this is an Unlisted Action and the applicant has filled out a Short Environmental Assessment Form and it will be referred to at the Public Hearing. Seconded by Mr. Lang; All "Ayes" motion unanimously approved.**

**Ms. Berg made a motion to schedule a Public Hearing for February 7 @ 7 pm for the Bell Design and Landscape application for the proposed business at 3733 Hulberton Road. The Planning Board will declare Lead Agency on the project. Seconded by Mr. Knapp; All "Ayes" motion unanimously approved.**

**Resolution of the  
Town of Murray Planning Board  
Special Use Permit and Site Plan Review**

**WHEREAS**, the Murray Planning Board has received a Site Plan, Special Use Permit Application and a Short Environmental Assessment form from Bell Design & Landscape to operate our small business from the property at 3733 Hulberton Road Holley, NY pursuant to Town Code §726 & §727 in the (RA) Residential Agriculture district; 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: January 3, 2023

Motion made by Mr. Knapp Berg. Seconded by Ms. Vendetti; All "Ayes" motion approved.

**2. Solar Energy Systems and Facilities Local Law-**

The board is in agreement that they are ready to submit the Local Law to the County Planning Board. Ms. Morgan read the Resolution for our Solar Energy Systems and Facilities Local Law.

**Resolution of the  
Town of Murray Planning Board  
Solar Energy Systems and Facilities  
Article 1 & 2**

**WHEREAS**, the Town of Murray Planning Board has created a new Local Law for Solar Energy Systems and Facilities Law pursuant to Sections 261-263 of the Town Law and Section 20 of the Municipal Home Rule Law of the State of New York; and

**WHEREAS**, this Solar Energy Local Law is adopted to advance and protect the public health, safety, and welfare of the Town of Murray by creating regulations for the installation and use of solar energy generating systems, battery energy storage systems and equipment; and

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

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

Dated: January 3, 2023

**Mr. Knapp made a motion to send Solar Energy Systems and Facilities Law to the County Planning Board. Seconded; Ms. Berg. All “Ayes” motion approved.**

---

**Ms. Morgan made a motion to adjourn the meeting. Seconded by Mr. Knapp; All “Ayes” motion approved.**

*Respectfully submitted  
Diane Herzog  
Planning Board Clerk  
January 5, 2023*

*Work Session is tentatively scheduled for February 7, 2023 @ 6pm.  
Next meeting is scheduled for February 7, 2023 @ 7pm. (Public Hearing)*