

PLANNING BOARD JANUARY MEETING MINUTES

MEMBERS: Harold Fabinsky, Chairman
Nicholas Baich
Gregory Bennett
Henry Heppner
Alex Long
Philip Murray
David Mellerski, Jr., Alternate

EXCUSED: David Kaczor
Thomas Ostrander, Assistant Town Municipal Engineer

OTHERS PRESENT: Gene Majchrzak, Town Supervisor
Remy C. Orffeo, Acting Planning Coordinator
Wayne Bieler, Town Municipal Engineer
Steven Bremer, Supervising Code Enforcement Officer
John Bailey, Deputy Town Attorney
Rose Messina, Planning Board Secretary

The Chairman announced exit procedures in the event of a fire alarm and called the Planning Board meeting to order at 7:00 P.M. in the Orchard Park Community Activity Center. He stated that if anyone appearing before the Board has a family, financial or business relationship with any member of the Board, it is incumbent upon that person to make it known under State law and the Town Code of Ethics.

Mr. Fabinsky introduced our new Planning Board members; Gregory Bennett, Alex Long, and Alternate member David Mellerski Jr. He noted that Mr. Mellerski will be a voting member this evening with the absence of Mr. Kaczor.

Upon a motion duly made and seconded, the reading of the December 2021 Planning Board Meeting minutes was unanimously waived as each Board Member had previously received a copy.

Mr. Baich made a motion, seconded by Mr. Heppner to accept the December 9, 2021 meeting minutes.

THE VOTE ON THE MOTION BEING:

FABINSKY AYE
BAICH AYE
BENNETT AYE
HEPPNER AYE
LONG AYE
MURRAY AYE
MELLERSKI, JR. AYE

THE VOTE ON THE MOTION BEING UNANIMOUS, THE MOTION IS PASSED.

REGULAR BUSINESS:

1. **7:00 Public Hearing** for P.B. File #20-21, Alliance Homes, proposed "5-Lot Subdivision", V/L located on the south side of Seufert Road, Zoned A-1. (SBL# 197.00-4-2.11) Pre-Application Findings were made on August 12, 2021. Applicant is seeking Planning Board Preliminary Plat Plan Approval, per Section 121-10 of the Town Code, and a SEQR Determination.

APPEARANCE: Mr. Christopher Wood, Engineer – Carmina • Wood • Morris Architects
Mr. Andrew Romanowski, Developer – Alliance Homes
Mr. Bill Burke, Alliance Homes

Mr. Romanowski presented and explained the proposed 5-lot subdivision to the Board. He stated that the Orchard Park Town Code minimum lot size requirement is 1.25-acres. The proposed lots will average 5.52+/- acres in size. At the December 14th Planning Board meeting items raised at the November 9th, 2021 public hearing were discussed. These items have been summarized and submitted to the Board with their responses. However, the Applicant is prepared to discuss these items individually this evening.

Mr. Romanowski reported that he met with Arthur and Linda Lipp to discuss their concerns regarding the placement of a proposed septic system near their property. He told the members that the house locations shown on the Site Plan are *approximate*, and that as part of the Building Plan Application process he is required to submit a “Drainage Plan” and a “Plot Plan”. In addition, he supplied correspondence from two utility providers that answered the concerns voiced by other neighbors.

The Applicant distributed an email correspondence to the Board members, noting that it was written by the previous property owner, Mr. Darryl J. Gonzalez, advising his Seufert Road neighbors that Mr. Romanowski misled him to believe that only one home would be developed on the land he sold him. Regarding this accusation, Mr. Romanowski read an additional email correspondence from Mr. Gonzalez. He read the following out loud: *“Hello Mr. Romanowski, my sister, [declined to use name], told me you might be interested in buying my 28 acres of land on Seufert Road. I will be putting it on the market soon and wanted to reach out and see if you were interested before it goes on the market. Because you built our house, I know you are familiar with it. South side of Seufert, flat, open, trees in the back, creek running through it, deer, turkey and solitude. You could make a nice subdivision there with several houses...”* Mr. Romanowski submitted this correspondence to the Board members for their review.

Mr. Wood verified that no changes have been made to the submitted Site Plan, other than changes made to accommodate Mr. & Mrs. Lipps’ sewer concerns. In addition, the submitted Plan has been granted “Engineering Plat Plan Approval” by the Town Engineering Department.

Chairman Fabinsky called the Public Hearing to order.

The Chair inquired about the proposed houses and their placement.

Municipal Town Engineer Wayne Bieler explained that the locations on the Site Plan were approximate, with the legal minimum setbacks shown. The homes can be built anywhere within the indicated setbacks on the Site Plan.

Deputy Town Attorney John Bailey confirmed that the future Owners can decide the placement of their home within the Code Compliant minimum setbacks indicated on the Site Plan.

Mr. Heppner confirmed the following; that no stipulations were placed on the developer when he purchased the parcel, that the developer met with neighbors to attempt to resolve their concerns, and that the project has been granted Engineering Plat Plan Approval.

The Chair discussed the existing trees at the site.

Mr. Romanowski explained that the approximate placement of the houses indicated on the Site Plan take into consideration the trees that would need to be removed, and also eliminates the impact on the wetlands.

IN FAVOR:

*Mr. & Mrs. Michael Cormare
Owners of proposed Vacant Lot #1 of the Subdivision
Orchard Park, New York 14127*

Mr. Cormare stated that he and his wife support the proposed subdivision.

*Mr. Jack Kuebler
6511 East Eden Road
Hamburg, NY 14075*

Mr. Kuebler stated he owns property in the Town and believes this development to be a positive addition to the Town.

*Mr. Michael Mombrea
6323 Seufert Road
Orchard Park, NY 14127*

Mr. Mombrea stated he was in favor of the project. He believes 5-acre lots to be more than adequate.

*Mr. Bill Burke, Alliance Homes
4727 Camp Road
Hamburg, New York 14075*

Mr. Burke spoke in favor of the proposed project.

AGAINST:

*Mr. Dominic Caselli
6001 Seufert Road
Orchard Park, NY 14127*

Mr. Casseli stated that while the project was “not as bad as I expected”, he was still opposed to the project. He feels the expensive homes will raise his taxes. He speculated on Mr. Mombrea’s reasoning for agreeing with the project.

*Ms. Christina Weitz
6047 Seufert Road
Orchard Park, New York 14127*

Ms. White spoke against the project. She likes the rural character of Southern Orchard Park and would like to have it maintained.

*Mr. David F. Werner
6185 Seufert Road
Orchard Park, New York 14127*

Mr. Werner stated he is against adding any homes to Seufert Road.

*Mr. Steven Meyer
6301 Seufert Road
Orchard Park, New York 14127*

Mr. Meyer stated his concerns about the existing blind corners and an increase in traffic. He is also concerned about future subdivision development.

*Mr. Andrew Rosinski
6262 Seufert Road
Orchard Park, New York 14127*

Mr. Rosinski spoke against the project.

*Ms. Sharon Moore
6020 Seufert Road
Orchard Park, NY 14127*

Ms. Moore spoke against the project. She stated her main concern was conservation. She is also concerned about traffic issues.

*Mr. George Preshoff
5721 Seufert Road
Orchard Park, New York 14127*

Mr. Preshoff spoke against the subdivision. He is concerned about future subdivision splits.

*Ms. Alesha Caselli
6001 Seufert Road
Orchard Park, New York 14127*

Ms. Caselli spoke against the project.

*Mr. Arthur Lipp (adjacent neighbor)
5809 Seufert Road
Orchard Park, New York 14127*

Mr. Lipp stated his belief that the proposed subdivision is inconsistent with the character of Orchard Park. He stated he did meet with Mr. Romanowski and had a positive meeting.

*Mr. George Moark
6622 Chestnut Ridge Road
Orchard Park, New York 14127*

Mr. Moark spoke against the proposed subdivision. He is concerned about conservation.

*Mr. Ron Markowski
6134 Seufert Road
Orchard Park, New York 14127*

Mr. Markowski stated he was concerned about future subdivisions and speculated on Mr. Mombrea's reasoning for supporting the project.

*Ms. Stephanie Williams
5830 Seufert Road
Orchard Park, New York 14127*

Ms. Williams does not feel that the opinion of the neighbors has been adequately considered.

*Mr. Dan Sheppard
6042 Seufert Road
Orchard Park, New York 14127*

Mr. Shepard stated his opposition to this development.

*Mr. Steven Przystal
6070 Seufert Road
Orchard Park, New York 14127*

Mr. Przystal stated his opposition to the project and was under the impression that the minimum lot size is larger than what had been stated.

*Ms. Elizabeth Przystal
6070 Seufert Road
Orchard Park, New York 14127*

Ms. Przystal stated she saw no benefit of this project.

*Ms. Juntralai Moore
6020 Seufert Road
Orchard Park, New York 14127*

Ms. Moore is concerned about the wildlife and ecosystem being affected by this project.

Mr. Heppner made a **MOTION**, second by Mr. Long, to **CLOSE** the Public Hearing.

THE VOTE ON THE MOTION BEING:

FABINSKY	AYE
BAICH	AYE
BENNETT	AYE
HEPPNER	AYE
LONG	AYE
MURRAY	AYE
MELLERSKI, JR.	AYE

THE VOTE BEING UNANIMOUS, THE MOTION TO CLOSE THE PUBLIC HEARING IS PASSED.

APPEARANCE: Mr. Christopher Wood, Engineer – Carmina • Wood • Morris Architects
Mr. Andrew Romanowski, Developer – Alliance Homes
Mr. Bill Burke, Alliance Homes

Chairman Fabinsky established that no recent rezoning had taken place with regards to this property.

Mr. Wood reiterated that what they are requesting is allowed by the Town Code and requires no variances. It was established that another project referenced would have required variances, which is

why it was not developed. Any future subdivisions will require variances, as they will not have the minimum required frontage.

Mr. Murray expressed concern about changing the character of the neighborhood, and inquired about the SEQR. He also expressed concerns regarding traffic, and inquired if a Traffic Impact Study (TIS) was performed.

Mr. Wood explained that the project does not meet any of the thresholds to warrant a TIS.

Mr. Heppner feels that Mr. Gonzalez's letter is disingenuous. He spoke about the positive characteristics of Orchard Park and stated that those same characteristics that the public has spoken about at this hearing, also, attract new people. He briefly explained the role of the Planning Board.

Chairman Fabinsky commented that a development was added near his own home in Orchard Park. He expressed that the Board Members are concerned with preserving the character of Orchard Park however, the actions that the Board can take are limited by law, and Property Owners have certain rights. Chairman Fabinsky requests that Deputy Town Attorney Bailey offer his comments in this matter.

Deputy Town Attorney, John Bailey, explained that, generally, projects that fit within the Zoning Ordinance should be approved.

The Chair confirmed with Town Engineer, Wayne Bieler, that this project is Code Compliant. It is the duty of the Town to issue a Building Permit or be subject to a lawsuit, which would be funded from the General Funds of the Town (the Taxpayers).

Chairman Fabinsky stated the developer is meeting every requirement under the Law and Town Code, and there is no legally defensible reason for the Town to deny this project.

Mr. Heppner made a **MOTION** seconded by Mr. Fabinsky to **GRANT PRELIMINARY PLAT PLAN APPROVAL** to this 27.57 +/- acres V/L, 5-lot Subdivision based on the submitted Preliminary Plat Plan and Survey received 12/1/21 with the following conditions:

1. This is an Unlisted SEQR action based on the submitted Short EAF Part 1 and a Negative Declaration is hereby made on 1/13/22.
2. Pre-Application Findings were made on 10/14/21.
3. Public Hearing and Subdivision Development fees shall be paid prior to Final Plat Plan Approval.
4. Recreation fees in accordance with Section 144-70E of the Town Code shall be paid prior to Final Plat Plan Approval.
5. One (1) Street Tree per the Conservation Board Street Tree Plan shall be provided on each lot per Section 120-3F of the Town Code.
6. Town Engineering Preliminary Plat Plan Approval has been granted on 12/1/21.

THE VOTE ON THE MOTION BEING:

FABINSKY	AYE
BAICH	AYE
BENNETT	AYE
HEPPNER	AYE

LONG	AYE
MURRAY	NAY
MELLERSKI, JR.	AYE

THE VOTE ON THE MOTION BEING (6) IN FAVOR, AND ONE (1) AGAINST, THE MOTION IS PASSED.

Mr. Heppner made a **MOTION** seconded by Mr. Fabinsky to **WAIVE THE FINAL PLAT PLAN PUBLIC HEARING.**

THE VOTE ON THE MOTION BEING:

FABINSKY	AYE
BAICH	AYE
BENNETT	AYE
HEPPNER	AYE
LONG	AYE
MURRAY	NAY
MELLERSKI, JR.	AYE

THE VOTE ON THE MOTION BEING (6) SIX IN FAVOR, AND ONE (1) AGAINST, THE MOTION IS PASSED.

Mr. Baich made a **MOTION**, seconded by Mr. Heppner to **GRANT FINAL PLAT PLAN APPROVAL** to this 27.57 +/- acres V/L, 5-Lot Subdivision based on the submitted Final Plat Plan received 11/8/2021 with the following conditions:

1. This is an Unlisted SEQR action based on the submitted Short EAF Parts 1 and a Negative Declaration was made on 1/13/22.
2. Pre-Application Findings were made by the Planning Board on 10/14/21.
3. Preliminary Plat Plan Approval was granted on 1/13/22.
4. Public Hearing and Subdivision Development fees have been paid.
5. Recreation fees in accordance with Section 144-70E of the Town Code have been paid.
6. One (1) Street Tree per the Conservation Board Street Tree Plan shall be provided on the lot per Section 120-3F of the Town Code.
7. Town Engineering Final Plat Plan Approval has been granted on 12/1/21.

ON THE QUESTION:

Mr. Heppner confirmed with Mr. Orffeo that the remaining fees will be paid once the project has received Final Plat Plan Approval this evening.

The SEQR Negative Declaration date is incorrect and was changed to today's date.

THE VOTE ON THE MOTION BEING:

FABINSKY	AYE
BAICH	AYE

BENNETT	AYE
HEPPNER	AYE
LONG	AYE
MURRAY	AYE
MELLERSKI, JR.	AYE

THE VOTE ON THE MOTION BEING UNANIMOUS, THE MOTION IS PASSED.

2. **7:00 Public Hearing** for P.B. File #23-21, Orchard Meadows, proposed "12-Lot" Subdivision V/L located at end of Old Salem Court, Zoned R-2. (No SBL#) Pre-Application Findings were made on October 10, 2019. Applicant is seeking Planning Board Preliminary Plat Plan Approval, per Section 121-10 of the Town Code, and a SEQR determination.

APPEARANCE: Mr. Christopher Wood, Engineer – Carmina • Wood • Morris Architects
Mr. Nicholas Costa – Applicant

Mr. Christopher Wood presented and explained the proposed project, noting that they would like to construct a 12-lot Subdivision that is a continuation of the "Old Salem Court" Subdivision. Utilities will be extended, and a cul-de-sac will be put in. The lot sizes are more than double the minimum Town Ordinance in this R-2 Zone. The project has Preliminary Plat Plan approval from the Town of Orchard Park Engineering Department, approval from Erie County Water Authority, and Preliminary Approval from the County Sewer Department.

Mr. Heppner expressed his concerns with construction vehicles using Old Salem Court in the early morning hours, as it is the only ingress and egress available.

Mr. Wood stated that the Town has an Ordinance stating no construction may take place prior to 7:00 A.M., and this will be adhered to.

Chairman Fabinsky called the Public Hearing to order:

IN FAVOR

*Mr. Chris Wood, Carmina Wood Morris, Architects
487 Main Street – Suite 600
Buffalo, New York 14203*

Mr. Wood spoke in favor of the project.

AGAINST

*Mr. Ken Thomas
10 Robinhood Drive
Orchard Park, NY 14127*

Mr. Thomas inquired about Wetlands. Mr. Wood explained that there were small wetland impacts on the site. Mr. Thomas expressed concerns regarding increased water runoff onto his property.

*Ms. Diane Kushner
25 Burning Bush
Orchard Park, NY 14127*

Ms. Kushner was under the impression this property could not be developed because it was wetlands. She expressed her concerns regarding water impact.

*Mr. Mark Kohan
30 Quail Run
Orchard Park, NY 14127*

Mr. Kohan stated his concerns about wetlands, and water issues.

*Ms. Karen Popsen
83 Old Orchard Lane
Orchard Park, NY 14127*

Ms. Popsen enjoys the wildlife here. She is concerned about water issues, traffic and wetlands.

*Mr. Frank Mustillo
75 Old Orchard Lane
Orchard Park, NY 14127*

Mr. Mustillo is concerned about traffic, wetlands and water issues.

*Mr. Raul Mercado
2 Old Salem Court
Orchard Park, NY 14127*

Mr. Mercado is concerned about wetlands and water issues.

*Neighbor - name not provided
Orchard Park, NY 14127*

This neighbor expressed concerns for wetlands, traffic, water and a change in character of the neighborhood.

*Mr. Glen Paluch
28 Burning Bush Way
Orchard Park, NY 14127*

Mr. Paluch noted that the Erie County Map is different than the Site Plan. He is concerned about water issues, including standing water attracting mosquitos and flies. He feels the drainage shown on the Site Plan is insufficient. He is not opposed to a development, but is concerned about grading and water. He is, also, concerned about heavy equipment on the roads, and the impact on traffic.

*Mr. Chris Tkaczyk
84 Old Orchard Lane
Orchard Park, NY 14127*

Mr. Tkaczyk submitted photos of the water in his and his neighbors' back yard to the Board. He stated that the Town Engineering Department determined that there is a natural spring in his backyard, which caused a sinkhole. He has concerns that the spring may run under other land. He is, also, concerned about the traffic and the existing wetlands.

*Mr. Mark Vaughan
83 Old Orchard Lane
Orchard Park, NY 14127*

Mr. Vaughan is concerned about water, traffic and safety issues.

*Mr. Brian Zelasko
90 Old Orchard Lane
Orchard Park, NY 14127*

Mr. Zelasko is concerned about water and the value of his home decreasing. He inquired if the building lots will be cleared, if not by the developer, then by the new owner.

*Ms. Tricia Vail - Mother resides at
24 Old Orchard Lane
Orchard Park, NY 14127*

Ms. Vail stated her mother enjoys the trees behind her backyard and is concerned about wetlands and water issues.

*Ms. Kyle Kohan
30 Quail Run
Orchard Park, NY 14127*

Ms. Kohan is concerned about the character of the neighborhood and decreasing property values if the wetlands behind them are developed. She enjoys the wildlife behind her home and is concerned about its preservation. She also voiced concerns for water and traffic issues.

Name not provided

This person inquired about the existing wetlands, and voiced their concerns regarding water and traffic issues. She is also concerned about the environmental and visual impact of this project.

*Mr. Justin Gabrinski
81 Old Orchard Lane
Orchard Park, NY 14127*

Mr. Gabrinski voiced concerns regarding the water issues due to the clay soil. He is also concerned about traffic.

Mr. Heppner made a **MOTION**, second by Mr. Bennett, to **CLOSE** the Public Hearing.

THE VOTE ON THE MOTION BEING:

FABINSKY	AYE
BAICH	AYE
BENNETT	AYE
HEPPNER	AYE
LONG	AYE
MURRAY	AYE
MELLERSKI, JR.	AYE

THE VOTE BEING UNANIMOUS, THE MOTION TO CLOSE THE PUBLIC HEARING IS PASSED.

APPEARANCE: Mr. Christopher Wood, Engineer – Carmina • Wood • Morris Architects
Mr. Nicholas Costa – Applicant

Mr. Wood explained that these are Federal Wetlands. The Wetlands were delineated and this report was sent to the Army Corps of Engineers. They visited the site to verify the boundary. The boundary is shown on the developer’s Plans.

Chairman Fabinsky inquired if the Wetland delineation had changed. Town Engineer, Wayne Bieler explained that it had not changed significantly. Wetlands are present, but they do not represent the entire area.

Mr. Wood explained that the drainage requirements today are significantly stricter than in the past. They will have to meet Town and DEC requirements. As part of this project, the Storm Water Management area will be improved

Mr. Murray would like a Full Environmental Impact Study performed.

Mr. Wood stated that the details required by the EIS are already being considered as part of the project.

Mr. Heppner expressed his concerns regarding the water issues in this area. He would like additional information provided to the Board.

Mr. Wood explained that moving forward, they would like to conduct soil borings as part of this project, which will yield more information on the water table.

Mr. Long would also like more information before the project moves forward.

Mr. Baich is concerned about water, related to the Wetlands.

Mr. Wood explained that this property is low and all the water from the surrounding area runs onto this property. Therefore, the chances that the neighbors would be impacted from this project with regards to drainage are small.

Mr. Bennett stated that he believes they need a hydrology study.

Mr. Orffeo suggests that the Board request a Long SEQR form. He also explained the Planning Board process in response to comments from the public at this hearing.

Chairman Fabinsky expressed concern about water impacts on the neighborhood. He suggested the Board table this project, and requests that the Applicant complete a Long form SEQR and a thorough review of the hydrology of the area.

Mr. Baich made a **MOTION**, seconded by Mr. Fabinsky to **TABLE** the review of this item.

THE VOTE ON THE MOTION BEING:

FABINSKY	AYE
BAICH	AYE
BENNETT	AYE
HEPPNER	AYE
LONG	AYE
MURRAY	AYE

MELLERSKI, JR. AYE

THE VOTE BEING UNANIMOUS, THE MOTION TO TABLE THE PUBLIC HEARING IS PASSED.

- 3. ~~P.B. File #31-2021, 6131 Newton Road, located on the north side of Newton Road, near Burton Road, Zoned A-1. (SBL#184.00-4-13.121) Holy Face Chapel is requesting Planning Board recommendation to Town Board for Site Plan Approval and issuance of a Building Permit for a retreat center. Town Board referred to Planning Board on 9/1/21. Conservation Board approved Landscape Plan on 10/5/2021.~~

This item was removed from the agenda by the applicant.

- 4. P.B. File #42-21, 3892 Southwestern Blvd., Located on the north-west side of Southwestern Blvd, west of Abbott Road, Zoned B-2. (SBL #161.09-4-25). Jack Kuebler, of Homedog LLC, is requesting Planning Board approval for an Outside Display of 12-sheds.

APPEARANCE: Jack Kuebler – Petitioner/Property Owner

Mr. Kuebler explained his desire to renew approval for his Outside Display of 12-sheds with one shed remaining year-round and the rest displayed during the warmer months.

Mr. Heppner made a **MOTION**, seconded by Mr. Murray to **GRANT OUTSIDE DISPLAY** for two-years, from April 1st through November 30, 2022, and April 1st through November 30, 2023, at 3892 Southwestern Boulevard, based on the Sketch Plan received 11/13/19 for 12-sheds, and the following Stipulations are to apply:

- 1. This is a Type II SEQR Action, and therefore no SEQR determination is required.
- 2. There will be no additional outside lighting for the display or temporary structure.
- 3. There will be no banners or additional signage for this facility; however, the Applicant may place a temporary “For Sale” sign upon receiving approval from the Building Inspector. This signage will be displayed concurrently with the sheds.
- 4. The sheds will be on display from April 1, 2022 to November 30, 2022, and April 1, 2023 to November 30, 2023. One shed (a sales office) will remain on the site year-round.

THE VOTE ON THE MOTION BEING:

FABINSKY	AYE
BAICH	AYE
BENNETT	AYE
HEPPNER	AYE
LONG	AYE
MURRAY	AYE
MELLERSKI, JR.	AYE

THE VOTE ON THE MOTION BEING UNANIMOUS, THE MOTION IS PASSED.

CONCEPT REVIEW: Informational Purposes – No Action will be taken.

- 1. P.B. File #08-2020, Orchard Heights, 5200 Chestnut Ridge Road, located on the west side of Chestnut Ridge Road, south of New Armor Road, Zoned R-3, with SR designation. (SBL #184.08-1-1) Planning Board to review Site Plan submission for dumpster location. Note: a Certificate of Occupancy was withheld on 2/11/2021 pending resolution and determination of dumpster location.

APPEARANCE: Mr. Christopher Wood, Engineer – Carmina • Wood • Morris Architects
Mr. Dan Hamister – Owner

Mr. Wood displayed a map with the proposed dumpster location shown on it, explaining the history of this project. He noted that the Town required that the dumpsters be moved because they were disruptive to the neighbors. They are proposing an enclosure, and additionally, expanding an existing fence to close the site in more from the neighbors. The old location was approximately 90-ft. from the nearest residential property line; the new location will be 330-ft. away.

Chairman Fabinsky inquired about the neighbors' concerns regarding early garbage pickups.

Mr. Hamister explained they have limited control over the dumpster pickup times. They did request that the Dumpster Contractor come later, and this has been accommodated most of the time. He stated that they have tried to work with the neighbors to alleviate their concerns. He noted that the needs of the neighbors have to be balanced with the needs of the staff and residents at the facility.

Mr. Bennett stated that he is aware of a facility where having the dumpster too close to the facility led to disease transmission to residents due to flies. His recommendation in that case was to move the dumpsters further away. He explained that taking garbage from the kitchen, and through the building, can be a potential problem. He feels it is better to travel outside with the refuse.

Mr. Hamister stated that even when the dumpsters were closer than what they are proposing they had not had any similar issue.

Mr. Wood showed Board Members details of the proposed location for the dumpsters on the map.

Chairman Fabinsky explained the Board's procedures to those attending the meeting for the proposed dumpster location, noting that this is not a public hearing.

Mr. Wood suggests that the public can submit their concerns in writing, and he would be sure they are contacted and addressed, prior to the next meeting.

Mr. Heppner feels that further discussion will not be helpful in this matter, and suggests the Board wait until this item can be placed on an agenda with the capacity to take action.

Mr. Hamister invited the newly installed Planning Board members to meet with him and walk through the site.

Mr. Wood affirmed his desire to come to a resolution regarding this this item.

2. P.B. File #06-2021, Webster Road, V/L located on the north side of Webster Road, west of North Buffalo Road, Zoned R-3. "Prodigy Webster Road, LLC", Planning Board to review a revised Site Plan submission. Previous plan approved on 3/16/21. (SBL#161.00-3-28.1)

APPEARANCE: Mr. Christopher Wood, Engineer – Carmina • Wood • Morris Architects

Mr. Wood explained the history of this project, noting that they have an approved plan. They are now proposing an addition to the parking lot, which would add 27-parking spaces. The Owner purchased the residential property to the West, which is zoned properly for that use.

Chairman Fabinsky stated his opinion that this seems like a good use of this space.

Mr. Heppner established the location of the proposed parking.

Mr. Wood clarified that they would have a Storm Water Management area, and that they would be adding greenspace to the parking lot in accordance with Town Code. They will, also, appear before the Conservation Board with a Landscaping Plan.

Chairman Fabinsky voiced concerns about the historic building being open to the elements during construction.

Mr. Wood assured the Board, that the building would be enclosed shortly.

There being no further business, the Chairman adjourned the meeting at 10:27 P.M.

DATED: 2/01/2022

REVIEWED: 2/10/2022

Respectfully submitted,
Rosemary Messina
Planning Board Secretary

Harold Fabinsky
Planning Board Chairman