

Minutes of the **March 1, 2022** meeting of the **Conservation Board of the TOWN OF ORCHARD PARK**, Community Activity Center, 4520 California Road, Orchard Park, New York at 7:00 P.M. Present were the following:

MEMBERS PRESENT: Richard Schechter, Chairman
Thomas Jaeger
David Ward
Kyle Witt

EXCUSED: Melissa Lebedzinski
Amy Grosjean, Alternate member

OTHERS PRESENT: Joseph Liberti, Town Board Liaison
Remy C. Orffeo, Acting Planning Coordinator
John C. Bailey, Deputy Town Attorney
Rose Messina, Secretary

The Chairman called the meeting to order at 7:00 P.M. by stating that in accordance with the provisions of the Ethics Law of the Town of Orchard Park it is incumbent upon any Conservation Board member with a financial or business relationship with any petitioner coming before this Board to disclose this relationship and, if warranted, to recuse him or herself from any matter involving the petitioner. Any petitioner coming before this Board who is a relative of, or has a financial or business relationship with, any officer or employee of the Town of Orchard Park, must disclose the nature and extent of such relationship in accordance with the provisions of the ethics law of the Town of Orchard Park.

APPROVAL OF MINUTES: Mr. Ward made a **MOTION**, seconded by Mr. Witt to approve the February 1, 2022 meeting minutes.

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

1. C.B. File #06-2021, 3740 North Buffalo Street, located on the west side of North Buffalo Street, north of Webster Road, Zoned B-3, Petitioner is requesting Conservation Board review and approval of revised Landscape Plan. (SBL#161.08-3-35.1)

APPEARANCE: Chris Wood – Architect, Carmina Woods Morris

Mr. Wood presented and explained a revised Landscaping Plan. He stated that the Applicant purchased the adjacent property on the west side of the project site. They plan to construct 70-parking spaces, and have “off-site parking agreements” in place to provide additional parking for large events. The site has extensive landscaping, and four additional island areas are now proposed to break up the pavement. The Landscape Value Estimation Form reflects a total of \$16,975.75; the Overall Site Green Space is 23.6%, and the Interior Green Space is 10%.

Mr. Ward reviewed the presented plan with Mr. Wood. He discussed the fact that there is no grass planted and Mr. Wood stated that he feels they can explore possibilities and put in something.

Mr. Ward and Mr. Jaeger expressed their concerns regarding the appearance of the site, and suggested ways to further break up areas.

Mr. Wood cautioned against road salt destroying plants in the winter months. He also noted that they will contact the County to gain permission to put plantings in in the R.O.W.

Mr. Wood noted that the project has Architectural Overlay District Approval.

Mr. Schechter made a **MOTION**, seconded by Mr. Witt to **APPROVE** the Revised Landscaping Plan prepared by a NYS licensed Landscape Architect, as submitted on 3/23/21, based on the following conditions and stipulations:

1. The Total Green Space is 23.6% which is above the Town Requirement of 20%.
2. The Landscaping Value Estimate of \$16,975.75 requires a Certified Check amounting to 50% of the total shall be deposited with the Town Clerk prior to receiving a Building Permit. (\$8,487.88)
3. Dumpsters or mechanical systems at grade level are to be screened.
4. Approval is contingent upon acceptance by the Planning Board and Town Engineering Department.
5. Any changes required by the Town Engineering Department or Planning Board which effect the Landscaping shall necessitate further review and approval by the Conservation Board.
6. Upon the completion of the landscape installation the Owner shall provide a Landscape Completion Form (available from the Planning Office or Town's website) and a statement from a NYS Licensed Landscape Architect indicating that the plant materials have been installed in accordance with the specifications of the approved Landscape Plan. Three-years after the date of Landscape Completion, the Owner shall provide a Landscape Security Release Form (available from the Planning Office, or online at Town Website) with a statement from a Licensed Landscape Architect indicating the condition of the plant materials specified in the approved Landscape Plan, verifying survival through the three-year guarantee period.
7. The Applicant must submit a revised Landscape Plan indicating a water irrigation system will be installed for the plantings. The Conservation Board would like to be advised if a resubmission is submitted with the irrigation system prior to going to the Planning Board for approval. A Board member or Mr. Orffeo may review the plan.

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

2. 7370 Milestrip Road, request for Conservation Board review and approval of a 5.5-Acre +/- Conservation Easement renewal request, Zoned R-1. Applicant would like to extend Easement to "Perpetuity". (SBL#153.19-1-20)

The members discussed the request for a renewal of the Conservation Easement to "Perpetuity". There were no objections voiced.

Mr. Schechter made a **MOTION**, seconded by Mr. Ward to **APPROVE** the Conservation Easement request for **PERPETUITY**.

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

The meeting adjourned at 7:11 P.M.

DATED: 3/22/22
REVIEWED: 5/03/22

Respectfully Submitted
Rosemary M. Messina
Conservation Board Secretary

Richard J. Schechter, Conservation Board Chairman