

Minutes of the **July 5, 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
Bernadette Clabeaux
Daniel Couch, Alternate member
Amy Grosjean
Melissa Lebedzinski
David Ward,

EXCUSED: Thomas Jaeger
Kyle Witt
Remy C. Orffeo, Acting Planning Coordinator

OTHERS PRESENT: Joseph Liberti, Town Board Liaison
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.

Chairman Schechter welcomed a new member to the Board, Ms. Bernadette Clabeaux.

The Chairman stated that Mr. Couch, the Alternate member, will be voting this evening in the absences of Mr. Jaeger and Mr. Witt.

APPROVAL OF MINUTES: Mr. Schechter made a **MOTION**, seconded by Mr. Couch to approve the May 3, 2022 meeting minutes.

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

1. C.B File #13-22, V/L Sterling Drive, Zoned I-1, Silver Grove Group is seeking a Building Permit and Site Plan Approval to construct a 5,340 Sq. Ft. Office Building. (SBL #152.19-1-30). Town Board referred to Conservation Board on 3/14/22. Applicant is seeking Conservation Board Approval of submitted Landscape Plan.

APPEARANCE: Mr. Chris Wood, Carmina – Wood Design
Mr. Bill Burke, Alliance Homes

Mr. Wood explained the project, noting that all Green Space requirements have been met. They are not required to put in a stormwater detention area, as they are disturbing less than one-acre of this site. In addition, there are less than 41-parking spaces, so they are not required to put in Interior Green Space Islands. However, Mr. Wood stated that they feel it will look nicer to have several island areas constructed and these are shown on the plan.

Mr. Ward feels the Landscaping Value Estimation is good. He also discussed snow removal and

storage.

Mr. Couch discussed using curbing at this site.

Mr. Burke agreed to use mulch around the tree base, rather than grass.

Mr. Couch, made a **MOTION**, seconded by, Mr. Schechter, to **APPROVE** the Landscaping Plan prepared by a NYS licensed Landscape Architect, as submitted on 6/14/22, based on the following conditions and stipulations:

1. The Total Site Green Space is 67%, and meets the Town Requirement.
2. The Landscaping Value Estimate of \$19,030.00 requires a Certified Check amounting to 50% of the total shall be deposited with the Town Clerk prior to receiving a Building Permit. (\$9,515.00)
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.

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

2. C.B. File #05-22, 3678 Southwestern Blvd, located on the north side of Southwestern Blvd, to the west of U.S. Route 219, Zoned I-1. Octavius Storage LLC is proposing to demolish an existing building in order to develop storage units and an office building. (SBL# 161.06-2-15) Town Board referred to Conservation Board on 2/02/22. Applicant is seeking Conservation Board Approval of submitted Landscape Plan.

APPEARANCE: Mr. Chris Wood, Carmina – Wood Design

Mr. Wood discussed the history of this former County of Erie site, noting that *waste incineration* was carried on here during the 1990's. The redevelopment of this property requires that the NYS DEC "Brownfield Cleanup" program be followed. Mr. Wood stated that the Applicant plans on demolishing the existing building and constructing fourteen Self-Storage Buildings, with space for an office. He then explained the Landscape Plan, and also stated that there are tax credits for the cleanup of this property.

Mr. Ward established that the submitted Landscape Value Estimation form totaling to \$28,925 is appropriate. He voiced concerns for motorists' visibility from the adjacent businesses with the proposed parking lot.

Mr. Wood explained that the elevation of this site drops from Southwestern Boulevard to the north end of the property by approximately 30-ft., and that the elevation of the parking lot is well below the top of those businesses. Buffering at the site was also discussed.

Chairman Schechter established that the parking lot will be finished with asphalt pavement, and that this is a one-phase project.

Mr. Schechter made a **MOTION**, seconded by Ward, to **APPROVE** the Landscaping Plan prepared by a NYS licensed Landscape Architect, as submitted on 6/22/22, based on the following conditions and stipulations:

1. The Total Site Green Space is 39.8%, and meets the Town Requirement.
2. The Landscaping Value Estimate of \$28,925.00 requires a Certified Check amounting to 50% of the total shall be deposited with the Town Clerk prior to receiving a Building Permit. (\$14,462.50)
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.

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

The meeting adjourned at 7:12 P.M.

DATED: 8/30/22
REVIEWED: 9/06/22

Respectfully Submitted
Rosemary M. Messina
Conservation Board Secretary

Richard J. Schechter, Conservation Board Chairman