

Minutes of the **October 3, 2023** 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, Chairperson
Amy Grosjean
Melissa Dennee
John Deluca, Alternate Member

EXCUSED: Bernadette Clabeaux
David Ward
Thomas Jaeger

ABSENT: Kyle Witt

OTHERS PRESENT: Remy C. Orffeo, Acting Planning Coordinator
John C. Bailey, Deputy Town Attorney
Rosemary Messina, Recording Secretary

The Acting Planning Coordinator 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.

The Chair noted that the Alternate, Mr. Deluca will be voting tonight in the absence of Dr. Clabeaux and Mr. Witt.

APPROVAL OF MINUTES:

Mr. Deluca made a **MOTION**, seconded by Ms. Grosjean, to approve the July 11, 2023 meeting minutes as presented.

Ms. Dennee made a **MOTION**, seconded by Ms. Grosjean, to approve the August 1, 2023 meeting minutes as presented.

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

OLD BUSINESS:

Board Discussion; Minuscule Parks.

NEW BUSINESS:

1. C.B. File #02-2023, 3964 California Road, located on the west side of California Road, south of Southwestern Boulevard, Zone I-1. Conservation Board to review submitted Landscape Plan.

APPEARANCE: Joseph DeMarco, Jr., Applicant/Property Owner

The Chairman established that there are no Interior Island planting areas required at this site, as the number of parking spaces does not exceed 40-spaces. However, the Green Space requirement is

incorrect on the submitted Landscaping Plan. It indicated the Town Green Space requirement is 15%; it should read 20%.

Mr. Orffeo stated that an updated plan was submitted and contained in the file with the correct percentage.

The Board members' questions established the following:

- The Landscaping Estimation Form and proposed plantings are acceptable. It was noted that the Landscaping Plan was approved at the time that the Applicant had previously proposed a merger of the two adjacent parcels.
- The Green Space exceeds the Town Requirement of 20%.

Mr. Schechter made a **MOTION**, seconded by Ms. Dennee to **APPROVE** the Landscaping Plan prepared by a NYS licensed Landscape Architect, as submitted on 6/09/23, based on the following conditions and stipulations:

1. The Total Site Green Space is 2.83-acres and meets the Town Requirement of 20% (2.36-acres), Section 144-44) (c) (1).
2. The Landscaping Value Estimate of \$7,615 requires a Certified Check amounting to 50% of the total shall be deposited with the Town Clerk prior to receiving a Building Permit. (\$3,807.50)
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.

BOARD DISCUSSION:

Mr. Orffeo discussed having the Town Board made aware that a "Town Arborist" is needed. He suggests Mr. Bill Sneider as a possible candidate for Town Arborist. He will draft an email asking the Town Board to budget for this position. He also spoke of a \$33,000 grant; tree liability for trees that must come down; and the Tree Conservancy.

There being no further business the meeting adjourned at 7:09 P.M.

DATED: 10/23/2023
REVIEWED: 11/7/2023
Richard Schechter, Chairman

Respectfully Submitted
Rosemary Messina
Recording Secretary