

Minutes of the **September 3, 2024** meeting of the **Conservation Board of the TOWN OF ORCHARD PARK**, 4295 S. Buffalo Street, Orchard Park, New York at 7:00 P.M. Present were the following:

MEMBERS PRESENT: Richard Schechter, Chairperson
Melissa Dennee
Bernadette Clabeaux
Thomas Jaeger
David Ward, Alternate

EXCUSED: Amy Grosjean
John Deluca

OTHERS PRESENT: Councilman Liberti
Anna Worang-Zizzi, Director of Community Development
John C. Bailey, Deputy Town Attorney

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: With a **MOTION** duly made and seconded, the **July 2nd, 2024** meeting minutes were unanimously approved.

NEW BUSINESS:

1. **C.B. File #12-24 (previous P.B. File #15-23) 3636 South Benzing Road, located on the west side of South Benzing Road, North of an existing Commercial Plaza, Zoned I-1, Joe Deck is requesting approval of an updated Landscape Plan. Planning Board Approved elimination of phasing on a previously approved project. (SBL# 161.06-1-8).**

APPEARANCE: Chris Wood – Architect

The Chair noted that the Value Estimate seemed appropriate.

Mr. Ward approved of the plant selection.

The Chair made a **MOTION**, seconded by Mr. Ward to **APPROVE** the Landscaping Plan prepared by a NYS licensed Landscape Architect, as submitted on 3/15/2024, based on the following conditions and stipulations:

1. The Total Green Space is 20%, and meets the Town Requirement of 20%.
2. The Landscaping Value Estimate of \$98,870 requires a Certified Check amounting to 50% of the total shall be deposited with the Town Clerk prior to receiving a Building Permit. (\$49,435)
3. All lighting is to be directed downward toward the site.
4. Dumpsters or mechanical systems at grade level are to be screened.

- 5. Approval is contingent upon acceptance by the Town Engineering Department.
- 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:

SCHECHTER	AYE
DENNEE	AYE
CLABEAUX	AYE
GROSJEAN	AYE
JAEGER	AYE
WARD	AYE

THE VOTE ON THE MOTION BEING UNANIMOUSLY IN FAVOR, THE MOTION IS PASSED.

- 2. **C.E. File# 87-24 5705 Chestnut Ridge Road, located on the east side of Chestnut Ridge Road, south of Powers Road, Zoned A-1 and R-2. Dale H. Reigle is requesting 29.5 acres be placed into a Perpetual Conservation Easement. Conservation Board to assign a member to conduct a Site Visit and make a recommendation (SBL#185.13-1-24.1).**

APPEARANCE: Dale Reigle – Owner

The Chair established that Mr. Reigle was seeking to place land into a perpetual Conservation Easement. He explained the process to the Applicant.

The Applicant submitted an updated survey.

Mr. Ward established that the land was largely open field with some woods.

Mr. Ward made a MOTION, seconded by Ms. Denee to assign Mr. Deluca to conduct a site inspection and report his findings to the Conservation Board.

THE VOTE ON THE MOTION BEING:

SCHECHTER	AYE
DENNEE	AYE
CLABEAUX	AYE
GROSJEAN	AYE
JAEGER	AYE
WARD	AYE

THE VOTE ON THE MOTION BEING UNANIMOUSLY IN FAVOR, THE MOTION IS PASSED.

- ***3. **C.B. File #43-2023, 4365 South Taylor Road, 84 Lumber, located at the northeast corner of South Taylor Road and Big Tree Road, Applicant is requesting Conservation Board input for a small pavement addition and landscaping which was approved by the Planning Board with a landscaping stipulation on 2/8/2024, Zoned I-1. (SBL# 172.08-4-37.11)**

APPEARANCE: None

Mr. Ward commented that he approved of the plantings selected and the values submitted.

Mr. Schechter noted that the building was constructed in the 1960's and did not fall under the current Codes.

Dr. Clabeaux established that the islands would be at the front of the building, facing Taylor Road.

Mr. Jaeger had no objection to the submitted plan.

Ms. Denee noted that Maple trees can be "messy" and inquired if the other Board members had any other suggestions for the Applicant.

Mr. Ward felt that in the quantity utilized, Maple trees shouldn't pose an issue. He noted the protection the curb offered.

The Chair made a MOTION, seconded by Mr. Jaeger to Accept the revised landscape plan as presented.

THE VOTE ON THE MOTION BEING:

SCHECHTER	AYE
DENNEE	AYE
CLABEAUX	AYE
GROSJEAN	AYE
JAEGER	AYE
WARD	AYE

THE VOTE ON THE MOTION BEING UNANIMOUSLY IN FAVOR, THE MOTION IS PASSED.

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

DATED:
REVIEWED:

Respectfully Submitted
Anna Worang-Zizzi
Recording Secretary

Richard Schechter, Chairman