**PLANNING BOARD JANUARY MEETING MINUTES**

**MEMBERS:** David Kaczor, Acting Chairman

Nicholas Baich

Henry Heppner

Julia Mombrea,

Karen Byrne, Alternate

**EXCUSED:** Joseph Liberti, is on a leave of absence.

Harold Fabinsky, Chairman

Philip Murray

**OTHERS PRESENT:** Remy C. Orffeo, Acting Planning Coordinator

Steven Bremer, Supervising Code Enforcement Officer

Thomas Ostrander, Assistant Town Municipal Engineer

John Bailey, Deputy Town Attorney

Rose Messina, Planning Board Secretary

The Acting Chair 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.

The Acting Chair congratulated Board member, Julia Mombrea, who was appointed by the Town Board as a full Board Member; and welcomed our newest member, Karen Byrne, appointed as an Alternate by the Town Board.

The Acting Chair noted that this evening we do not have a full Board. Therefore, our Alternate, Ms. Byrne will be a voting member.

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

Mr. Baich made a motion, seconded by Ms. Mombrea to accept the November 12, 2020 meeting minutes as presented.

THE **VOTE** ON THE **MOTION** BEING:

BAICH AYE

HEPPNER AYE

KACZOR AYE

MOMBREA AYE

BYRNE AYE

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

Mr. Baich made a motion, seconded by Ms. Mombrea to accept the December 10, 2020 meeting minutes as presented.

THE **VOTE** ON THE **MOTION** BEING:

BAICH AYE

HEPPNER AYE

KACZOR AYE

MOMBREA AYE

BYRNE AYE

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

1. P.B. File #11-18, “Smokes Creek Farms”, proposed twenty-two lot subdivision, Vacant Land located on the south side of Jewett-Holmwood Road, east of Deer Run, Zoned R-1. Applicant requesting to extend decision date on project for sixty (60) days to March 16, 2021.

APPEARANCE: Mr. Chris Wood, Carmina ⦁ Wood ⦁ Morris

Mr. James Jerge, Property Owner and Developer

It was noted that the Petitioner’s attorney had sent a correspondence requesting the Board to grant Final Plat Plan Approval, and that the Health Department approval letter was received on 1/13/21. However, Acting Chairman Kaczor noted that the Engineering Department has reported to the Board that there are several unresolved issues with requested changes to the map cover.

Mr. Wood stated he was unaware of this, and would look into the matter.

The Board Members’ discussion concluded that they support extending the decision date in the Final Plat Plan approval process for 60-days, to March 16, 2021.

Mr. Baich made a **MOTION**, seconded by Ms. Byrne that the Planning Board, per Town Code Section 121-17, **ACCEPTS** the Petitioners’ request to extend the decision date in the Final Plat Plan approval process for 60-days to March 16, 2021.

1. All public notices have been filed.

THE **VOTE** ON THE **MOTION** BEING:

BAICH AYE

HEPPNER AYE

KACZOR AYE

MOMBREA AYE

BYRNE AYE

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

2. P.B. File #23-2020, “Badagliacca”, proposed One-Lot Subdivision, Vacant Land, Jewett-Holmwood Road

Located on the north side of Jewett-Holmwood Road, west of Birdsong Parkway, Zoned R-1. (SBL#173.15-1-44) Applicant is requesting Planning Board Pre-Application Findings.

APPEARANCE: Mr. & Mrs. Benjamin Badagliacca, Property Owners

The Badagliacca’s desire to have their vacant lot split into a legal Building Lot for a future residence.

The following was established: there is a wetlands mitigation plan; the nearest residence is approximately 30-ft. to 40-ft. away; they would like this lot to remain in their family.

Thomas Ostrander, Assistant Town Municipal Engineer, noted that William Schutt Engineers is the design firm being used.

Ms. Mombrea made a **MOTION**, seconded by Mr. Heppner that the following Pre-Application Findings are made based on the submitted Sketch Plan received 9/14/2020 and the Applicant has detailed:

* The total acreage is 1.36 +/- acres.
* The desired zoning classification is R-1.
* The number of possible stages of completion is One (1).
* The applicant's position with respect to title is Property Owner.

1. The zoning will remain as is.

2. Access to surrounding properties is through Jewett-Holmwood Road.

3. Recreation fees will be provided in accordance with Section 144-70E of the Town Code and shall be paid, or provided, prior to the Final Plat Plan Public Hearing.

4. Subdivision Development fees, per Section 144-70D of the Town Code, shall be paid prior to the Preliminary Plat Plan Public Hearing.

5. Public Hearing fees shall be paid prior to the Preliminary Plat Plan Public Hearing.

6. One (1) Street Tree per the Conservation Board's Street Tree Plan shall be provided for each lot per Section 120-3F of the Town Code.

7. The applicant shall complete and submit the Short EAF, Part 1 for this Unlisted SEQR Action.

THE **VOTE** ON THE **MOTION** BEING:

BAICH AYE

HEPPNER AYE

KACZOR AYE

MOMBREA AYE

BYRNE AYE

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

**\*\*\*\*\*\*\*\*REMOVED BY PETITIONER:**

**3. P.B. File #01-2020, Bliss Office Building, 4370 South Taylor Road**, located on the west side of South Taylor Road, just north of US Route 20A (Big Tree Road), Zoned I-1. (SBL#172.07-1-6.1) Paul Bliss is requesting a Building Permit and Site Plan approval to construct a 2-Story, 12,000 gsf Office Building with 44-parking spaces and on-site utility improvements. Note: Conservation Board approved Landscaping Plan on 3/3/2020. (Town Board referred to Planning Board on 1/15/2020.)

**\*\*\*\*\*\*\*REMOVED BY PETITIONER:**

**4. P.B. File #08-2020, Orchard Heights, 5200 Chestnut Ridge Road**, Zoned R-3, with SR designation. Applicant is seeking Planning Board approval for Phase 2 of this project. Planning Board to review Site Plan submission and dumpster location.

There being no further business, the Acting Chairman adjourned the meeting at 7:20 P.M.

DATED: January 22, 2021

REVIEWED: January 25, 2021

Respectfully submitted,

Rosemary M. Messina

David Kaczor, Planning Board Secretary

Acting Planning Board Chairman