

TC

**NOTICE OF PUBLIC HEARING:**

**Re: Town Wide Stormwater Management District  
Map, Plan and Report**

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held by the Town Board of the Town of Orchard Park, Erie County, New York at the Municipal Building, S4295 South Buffalo Street Orchard Park, New York on the 15<sup>th</sup> day of March at 7:00PM (local time) in the matter regarding The map, plan and report for the proposed Town Wide Stormwater Management District prepared by GHD in accordance with Article 12 of the Town Law is now available at the Town Clerk's office for public review.

The current 22 individual drainage districts in Orchard Park were formed per Town Law Section 191. All of these individual districts will be dissolved with the formation of a Town Wide Stormwater Management District.

The establishment of a publicly funded Stormwater Management District is in the best interest of the residents. The district will service the entire Town (excluding the Village) with the required management and funding to control water quality and quantity per the Federal EPA Environmental Law, the Clean Water Act and Stormwater Phase II regulations, while also address aging infrastructure maintenance and replacement.

At such time all interested persons will be given an opportunity to be heard.

**Dated: February 15, 2023**  
**Wayne L. Bieler**  
**Town Engineer**

TC

**Town of Orchard Park**  
**Recreation, Parks, and Forestry Department**  
4520 California Rd  
Orchard Park NY 14127  
[leake@orchardparkny.org](mailto:leake@orchardparkny.org) (716) 662-6450 ext.1

2/15/23

To: Town Board

From: Ed Leak

Director of Recreation

**Item 1:** Appt. to the staff of the Town of Orchard Park Recreation Department PT for 2023, effective 2/15/23

Anna Jakiel \$16.00 Program Coordinator 1

Aglaya Zinenko \$16.00 Program Coordinator 1

Note: The above appointment is dependent upon the applicant providing the required certifications.

\*Att=Attendant

\*LG= Lifeguard

Recreation Director: Ed Leak

Assistant Recreation Director: Kristin Santillo

TC

RESOLVED, that the Town board does hereby approve the appointment of Christopher Barnard to the position of Police Officer in the Orchard Park Police Department, Step A, effective March 18, 2023, contingent on approval by the Erie County Department of Civil Service.

TC

**WHEREAS** Governor Hochul supports the Climate Leadership and Community Protection Act, which aims to generate 70 percent of the state's electricity from renewable sources by 2030 and 100 percent zero-emission electricity by 2040, and

**WHEREAS** it is commonly recognized that such an urgent timetable to accommodate the Climate Leadership and Community Protection Act, will severely test and challenge the financial stability of every Orchard Park, New York household, and

**WHEREAS** it is widely held that the existing power grid serving Orchard Park, New York will become overburdened, and unable to absorb the increased demands that will necessarily attend the Climate Leadership and Community Protection Act, and

**WHEREAS**, specifically noting the long-term power losses attending the ice storm of March 2-3, 1976, the Blizzard of 1977, the October Surprise Storm of 2006, the November 2014 storm, and more recently the December 23-25, 2022, blizzard, the geographic area of Orchard Park, New York, historically, has been gravely impacted by such severe weather, and contemporaneously required reliable, alternative sources of energy, and

**WHEREAS**, the provisions of Climate Leadership and Community Protection Act will drastically reduce such alternative sources, and

**WHEREAS** it is the very strong position and opinion of the Town of Orchard Park's Emergency Medical Services, Fire Department, and Police Department that such energy limitations in times of weather or other civil emergency, will overwhelm their collective capabilities, and therefore, will pose a very substantial threat to the lives and safety of each and every resident of the Town of Orchard Park.

**NOW, THEREFORE be it**

**RESOLVED**, that by virtue of the foregoing, the Town Board of Town of Orchard Park expresses to Governor Hochul and the New York State Legislature, it's very strong opposition to the enactment of the Climate Leadership and Community Protection Act.

TC

**Re: Opposition to the Proposed Ban on Natural Gas Heating and Appliances in New York State - This Resolution was passed by the Erie County Legislature on January 19, 2022 unanimously 11-0 roll call vote**

**WHEREAS**, Governor Hochul's state-of-the-state address contained a proposal to "...end the sale of new fossil powered heating equipment by 2030 by calling for construction of – all new construction needs to be zero emission – starting in 2025 for small buildings and 2028 for large buildings,"; and

**WHEREAS**, President Biden and the White House have come out against any prohibition of gas stoves; and

**WHEREAS**, the State's proposal is intended to help address climate change, but could create a burden for our region's working-class residents; and

**WHEREAS**, a ban on natural gas appliances and water heaters is not feasible for Western New York with harsh winter weather and exposed electrical infrastructure. Appliances used to heat water and cook food need to work during power outages especially during times of inclement weather; and

**WHEREAS**, this past December saw a blizzard rip through the Buffalo Metro Area leaving tens of thousands of residents stuck in their home without power, many for several days. Gas appliances, fed by more resilient infrastructure, allowed those residents to heat their homes, boil water, and safely cook their food for the days needed to clear the roads and restore electricity. Nearly four dozen people died during this storm, many more would have suffered if they had to rely on our power grid for cooking and emergency heating; and

**WHEREAS**, what is more, alternatives to natural gas-powered heating have yet to be proven reliable as a sole-source heating system in cold-weather climates; and

**WHEREAS**, electrical appliances have more moving parts and are expensive to maintain and repair, mandating their purchase is an unnecessary burden we are placing on families across New York State at a time when the cost of living has significantly outpaced wage growth; and

**WHEREAS**, currently, due to market conditions and technology limitations, most electric appliances are less efficient and absent improvements in electricity efficiencies and the electrical infrastructure grid, would likely cause increases in energy costs; and

**WHEREAS**, as we have seen with California's recent push to make everything electric, improperly planned energy transitions can lead to an increased strain on a state's electrical grid, leading to black outs and rationing, which is especially dangerous with the winter weather we experience; and

**WHEREAS**, the costs to transition the state's energy infrastructure grid should go through a more thorough review to understand how this will impact the energy production and

distribution system as a whole, as well as the impact on residential energy systems, before any action is taken.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Association of Erie County Governments hereby urges Governor Hochul and the New York State Legislature to pause in their rush and to fully examine the real life impact their decisions will have for all New Yorkers, especially those least able to afford them; and, be it further

**RESOLVED**, that certified copies of this resolution be forwarded to Governor Hochul's Office, the Western New York Delegation to the New York State Senate and Assembly, and any other party deemed necessary and proper.

JC

- 3715 Southwestern Boulevard, located on the south side of Southwestern Boulevard, west of Taylor Road. Joseph DeMarco Jr. is requesting a Special Exception Use Permit to allow a Drive-through, Zoned I-1. (SBL#161.00-5-29)
  
- 3715 Southwestern Boulevard, located on the south side of Southwestern Boulevard, west of Taylor Road. Joseph DeMarco Jr. is requesting a Permit for a Cannabis Dispensary, Zoned I-1. (SBL#161.00-5-29)



**Smart Growth America**  
improving lives by improving communities



National Complete  
Streets Coalition

## Recommendations and Next Steps

Technical Assistance  
Complete Streets, Complete Communities  
Orchard Park, NY

Prepared by **Smart Growth America**  
November 2022

# Memo





**Smart Growth America**  
Improving lives by improving communities



**National Complete  
Streets Coalition**

## **Recommendations & Next Steps for Orchard Park, NY**



Smart Growth America, in partnership with the CDC's Department of Nutrition, Physical Activity, and Obesity, is providing technical assistance to localities implementing strategies to increase physical activity by providing more activity-friendly routes to everyday destinations. These efforts are part of the Active People, Healthy Nation<sup>SM</sup> Initiative working to help 27 million Americans become more physically active by 2027.

As part of this work, Smart Growth America (SGA) created the Active People, Healthy Nation<sup>SM</sup> Champions Institute to equip cohorts of local elected officials to provide the leadership and vision necessary to implement plans, policies, that support safer and more complete streets in their communities.

Through the Champions Institute program, Councilmember Conor Flynn of Orchard Park, NY submitted a project work plan to build support for and secure funding for a project to improve safety at the intersection of Freeman Road and Quaker Street in order to encourage safer walking and biking conditions in the area, particularly for students of nearby Orchard Park High School.

### **Technical assistance: Community engagement to improve safety at the intersection of Freeman and Quaker and surrounding area**

After the conclusion of the Champions Institute program, Councilmember Flynn successfully secured funding to construct sidewalks near Orchard Park High School as well as two additional schools in the community. Representing SGA, Rayla Bellis, John Robert Smith, Benito O. Pérez, and Anushka Thakkar worked alongside the Councilmember to plan and facilitate local discussions about the intersection near Orchard Park high school. SGA provided materials for a community event on August 2, 2022, including a pre-recorded presentation on the benefits of improving intersection safety for people walking and successful examples from other communities, as well as materials for a walk audit at the intersection. SGA then virtually facilitated a local discussion on August 9, 2022 about key issues, needs, and opportunities to improve safety at the intersection and in the surrounding area, including summarizing the walk audit observations submitted via worksheets and recorded videos (*Refer to [Appendix A](#) for the details on the workshop agenda*).

This recommendations memo synthesizes the findings from the walk audit and community discussion, identifies opportunities and strategies for next steps in Orchard Park, and provides broader recommendations from the SGA team in response to the local discussions.



## SUMMARY OF WALK AUDIT FINDINGS

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Providing students the option to walk or bike to school safely would provide several benefits, including increasing opportunities for physical activity and potentially reducing and slowing down vehicle traffic (see [examples](#) of significant traffic reduction from the National Center for Safe Routes to School). Residents would also benefit from more opportunities to walk safely in the area.

Participants in the workshop and walk audit noted that the intersection feels dangerous for people walking and biking in general due to a lack of sidewalks, crosswalks, signalization for people walking, and bike facilities. People walking must do so in the road, on the shoulder on Quaker Street, or in private lawns, and options are more limited in winter when there is snow on the ground. Speeding is common, and while the shoulders on Quaker Street provide space where people could theoretically walk, drivers currently use that shoulder space inappropriately as a right turn lane or to pass people turning left. Heavier traffic makes school arrival and dismissal periods feel especially dangerous.

Participants also raised potential barriers to providing a safer environment for people walking and biking, including a lack of right-of-way on Freeman Road and nearby Baker Street to reallocate space away from cars. Some residents raised particular concerns about how the addition of sidewalks would impact their responsibilities around snow removal and maintenance. While taxes in the village cover public snow removal on sidewalks, the town does not currently have the same structure, though there are local discussions about establishing a special assessment district. Other concerns and potential barriers raised included preserving old growth trees, concerns about obstructing driveways, issues with utility relocation, and the preservation of historic structures.

## RECOMMENDATIONS

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The following recommendations are based on ideas and feedback raised by participants as well as the experience of Smart Growth America staff working in communities addressing similar challenges.

### Recommendation #1 | **Collect more information about needs at the intersection**

- **Conduct another community walk audit** in the fall or winter when days are shorter, potentially with snow on the ground. This will present an opportunity to observe driver, pedestrian, and cycling behavior, as well as patterns in the use or disuse of the street space (the concept of [sneaking](#)). Doing so will likely raise new safety considerations and issues at the intersection that may be addressable through the upcoming project. It will also provide an opportunity to engage students directly with school is back in session.



- **Survey students** about how they get to school now and how they *want* to get to school. For students who don't currently walk and bike, use the survey to help understand whether they would do so if conditions were safer.
- **Consider purchasing and deploying affordable time lapse cameras** to better understand current behavior at the intersection across a longer study period within and across days (for example, how often are cars pulling into the shoulder to avoid getting stuck behind drivers turning left). Collecting this data can help inform what needs to be included in future projects at the intersection. It can also help demonstrate the impacts of the funded sidewalk project once improvements are in place. Additionally, the investment in time lapse camera equipment can be leveraged by the community for future multimodal transportation safety and mobility projects to help collect data and visualize the operations of the transportation system via video.

## Recommendation #2 | **Make the intersection and surrounding area safer**

- While adding sidewalks in the area will provide safety improvements, Orchard Park should also implement **speed management strategies** to encourage safer driver behavior. Vehicle speeds play a critical role in the likelihood and severity of crashes involving people walking, as well as how safe or dangerous roads feel for people walking and biking. Drivers take subconscious visual cues from their environment that encourage them to speed or drive slowly—regardless of the posted speed limit—so designing to encourage slower driving speeds is crucial to improving safety.
- **Narrow the width of lanes** at the intersection to discourage speeding. Lanes are often designed to be 12 feet wide because wide lanes are “forgiving” for drivers—allowing room for error—but 10 foot lanes naturally encourage drivers to slow down. While there is a common misconception that these narrow lanes are against federal standards, those standards actually provide significant flexibility. 10 foot lanes are acceptable in national standards for lower speed roads.
- Likewise providing room for drivers to make wide turns encourages them to do so more quickly, **whereas tightening turn radii** encourages slower speeds. The ample shoulder space on Quaker Road encourages faster, riskier turning behavior. **Adding “bulbouts,” or curb extensions, at the intersection** would help prevent drivers from taking the turns too quickly while also reducing the distance to cross the intersection on foot. These changes can be implemented on a **temporary basis** using cones, planters, or other barriers to deter drivers from using the shoulder space, allowing the City to test and make adjustments. For example, Orchard Park could test snow removal and school bus clearance this way before making permanent changes to the intersection.
- **Changing pavement markings** is another relatively low cost and easily reversible option for reducing speeds at the intersection or approach. For example, some communities have used zigzag markings to send a visual cue to drivers to slow down as they approach an intersection (see examples from Virginia and Arlington, WA).



- **Add crosswalks and signalization for people walking** at the intersection to improve safety and predictability. See the Federal Highway Administration's list of [Proven Safety Countermeasures](#) for more information on signalization and crosswalk treatments.
- **Check with utilities about any upcoming repair projects** These projects present opportunities for coordination to prevent digging up the road twice.
- **Placemaking strategies can provide some of the best traffic calming by making drivers more aware to look out for pedestrians while also creating more inviting public space.** Orchard Park should consider adding landscaping, signage, or other design features to the intersection and surrounding area to create a sense of arrival at the school and nearby neighborhood to enhance the existing identity and character of this part of the community. These types of additions not only make the area more inviting, but also send drivers visual cues to slow down and be on the lookout for people walking.

### Recommendation #3 | **Partner with the school on efforts to improve safety**

- **Organize initiatives to encourage students to walk and bike to school** such as walk and bike to school days or group rides to educate students about their options and build their comfort walking and biking in the area. Pairing infrastructure improvements with direct engagement can help create a culture around safe walking and biking.
- **Stagger arrival and dismissal times** to separate when buses versus drivers versus people walking and biking arrive.

### Recommendation #4 | **Address snow maintenance challenges and implement practices to encourage active travel**

- **Confirm a funding mechanism to support winter sidewalk maintenance** and reduce the burden on residents. Residents are not asked to plow roads directly when it snows and should not be responsible for sidewalks—an approach a growing number of communities are adopting. For example, the City of Somerville, MA began a [pilot](#) last winter to expand the city's role in snow removal by increasing enforcement of existing sidewalk snow removal rules, but also clear more snow from bus stops, ramps, and other pedestrian features, and clear snow from sidewalks not shoveled by property owners on time. The City of Rochester, NY will take over sidewalk plowing responsibility from residents when snow exceeds four inches.
- **Establish sidewalk and bike facility priority networks for snow removal.** Other communities have used a priority network approach to ensure sidewalks and bikeways that provide crucial connections are cleared quickly when there is limited capacity to do so. For example, Burlington, VT has a sidewalk priority network for citywide clearing; Bloomington, MN prioritizes sidewalks without buffers and school routes; Saint Louis Park, MN prioritizes school routes and higher volume streets; Shoreview, MN prioritizes schools first but clears all sidewalks within one day; and Golden Valley, MN prioritizes school routes, county roads,



and transit routes. (See more information in the City of Minneapolis' Pedestrian and Bicycle Winter Maintenance Study, pages 10-11). In Orchard Park, taking a similar approach would allow the community to prioritize clearing snow from sidewalks near the school.

- **Implement incremental improvements to Orchard Park's sidewalk clearing practices, as well as longer term changes.** While having the Town plow residents' sidewalks is an ideal option, Orchard Park can also consider incremental changes in the nearer term, some of which are discussed above: limiting this practice to special overlay districts (such as near the school) or establishing a priority snow clearing network. Another option is to prioritize sidewalk clearing (or create a volunteer snow clearing service, akin to SERVE DC for specific groups such as older residents or low income residents) to reduce the burden on vulnerable populations.



**Appendix A: Agenda of the engagement sessions (In-person, July 20, 2022)**

**Complete Streets, Complete Communities**  
Improving safety at the intersection of Freeman Road and Quaker Street

**Workshop Agenda**

**Part 1: Evening workshop #1 / walk audit:** Tuesday, August 2, 5:30pm-7:30pm, Orchard Park Community Activity Center

5:15pm Arrival and sign-in

5:30pm Welcome and overview of goals  
*Councilmember Flynn*

5:40pm **Recorded presentation:** Complete Streets for Orchard Park and Freeman/Quaker  
*Smart Growth America*

- Benefits of Complete Streets for safety, economic vitality, and inviting public space
- How street and intersection design impact safety
- Success stories of safety improvements from peer communities

6:05pm **Presentation:** Overview of context and needs at the intersection of Freeman/Quaker

6:15pm Walk audit instructions  
*Councilmember Conor Flynn.*

6:30pm **Walk audit:** Intersection of Freeman and Quaker  
*Led by Councilmember Conor Flynn*

Facilitators will lead a walk around the area surrounding the intersection of Freeman and Quaker to evaluate street safety for walking, biking and rolling and discuss challenges and opportunities. Worksheets will be provided to record observations.

**Part 2: Evening workshop #2:** Tuesday, August 9, 5:30pm-7:00pm, Orchard Park Community Activity Center

5:15pm Arrival and sign-in

5:30pm Welcome and review of goals  
*Councilmember Flynn and Smart Growth America*



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5:40pm **Presentation:** Overview of walk audit findings

The facilitators will present images and themes from the walk audit and open the floor comments.

6:00pm **Discussion:** Needs and priorities for the intersection of Freeman and Quaker  
*Facilitated by Smart Growth America*

Participants will identify key issues and opportunities for the area surrounding the mar

6:45pm Next steps and closing remarks  
*Smart Growth America and Councilmember Flynn*

7:00 Adjourn