

Town of Clarence
One Town Place, Clarence, NY 14031
Planning Board Minutes
Wednesday, May 17, 2023

Work Session 6:00 pm

Status of SEQR Coordinated Reviews
Review of Agenda Items
Miscellaneous

Agenda Items 7:00 pm

Approval of Minutes

Item 1

Russell Salvatore
Traditional Neighborhood District

Requests Concept Plan approval of a mixed-use project at the northwest corner of Main Street and Winding Lane, SBL 72.01-1-18.

Item 2

Natale Builders
Residential Single-Family

Requests Concept Plan approval of a 14-lot Major Subdivision as an extension of Woodside Drive on the north side of Greiner Road, west of Shimerville Road, SBL 57.19-2-2.111.

Item 3

Tarpon Towers II, LLC.
Agricultural-Rural Residential

Requests Site Plan approval of a 149' tall telecommunication tower at 6879 Salt Road.

Item 4

STEM Automotive
Traditional Neighborhood District

Requests a recommendation of a Temporary Conditional Permit for the rehabilitation of an existing gas station and repair shop at 10575 Main Street.

Chairman Robert Sackett called the meeting to order at 7:00 p.m.

Councilman Shear led the Pledge of Allegiance.

Planning Board Members present:

Chairman Robert Sackett
2nd Vice-Chair Wendy Salvati
Jason Geasling
Jason Lahti

Vice-Chair Richard Bigler
Gregory Todaro
Patrick Johnson

Town Officials Present:

Director of Community Development Jonathan Bleuer
Junior Planner Andrew Schaefer
Councilman Paul Shear
Deputy Town Attorney Steven Bengart

Other Interested Parties Present:

Matt Goehle	Dave VanHoutte	Karen VanHoutte	Jim Borkman
Steven Borkman	Erwin Rakoczy	Scott Hartrich	David Lichter
Sarah Finnegan, MD	Karen Mellenthien	Jay Wopperer	Kristin Peterson
Bill Weisbeck	Susan Kempf	Lisa Hammond	Ray Hammond
Patt King	Robert Kimble	Bill Starr	Rich Sullivan
Carol Cornwall	Richard Snider	Jeffrey Palumbo	

Motion by Richard Bigler, seconded by Gregory Todaro, to **approve** the minutes of the meeting held on April 19, 2023, as written.

Jason Lahti	Aye	Patrick Johnson	Aye	Jason Geasling	Aye
Gregory Todaro	Aye	Wendy Salvati	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED

Item 1

Russell Salvatore
Traditional Neighborhood District

Requests Concept Plan approval of a mixed-use project at the northwest corner of Main Street and Winding Lane, SBL 72.01-1-18.

Wendy Salvati recused herself from this project.

DISCUSSION:

Mr. Bleuer introduced this project, located at the northwest corner of Main Street and Winding Lane. It is an existing 2.6-acre vacant parcel located in the Clarence Hollow Traditional Neighborhood District, and the Clarence Hollow Overlay District.

The applicant is requesting Concept Plan approval of a mixed-use project containing a 2-story mixed-use building (5,200 sq. ft. commercial space, 11 apartments) fronting Main Street, 10 units of 2-story townhouses with attached garages on the rear portion of the site and an 1,800 sq. ft. commercial retail building on the west side of the property.

The Town Board referred the proposal to the Planning Board in April of 2022. In June of 2022, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). Since that time, the applicant has modified the proposal to address comments received from involved and interested parties. Modifications include the relocation of the septic system to provide a

greater buffer to the north, removal of the vehicular access to Winding Lane, installation of a sidewalk on Winding Lane, reduction of the mixed-use building height, and introduction of high-quality building materials.

The Planning Board has the authority to consider an action under SEQRA, Concept Plan, and provide recommendations to the Town Board of Architectural approval and Special Exception Use Permits for multiple-family housing and structures greater than 10,000 sq. ft.

Present to represent the applicant are attorney for the applicant Jeffrey Palumbo, project engineer Pat Sheedy with Carmina Wood Design, and project architect Dave Sutton with Sutton Architects.

Mr. Palumbo added that the approximate 2.6-acre property is zoned Traditional Neighborhood District (TND) which is different than a majority of the property in the surrounding area.

Mr. Palumbo continued to review the project, noting that the 1,800 sq. ft. of commercial retail space titled “The Farm” will not be a farmers’ market, no produce will be sold. It is a proposed retail building.

Acknowledging that they will never be able to appease everyone, Mr. Palumbo explained that they have done their best to address the issues and concerns that have been raised. Mr. Palumbo explained that after reading and responding to all of the comments and correspondence that this proposed project has received, the number one issue is the access to Winding Lane.

Mr. Palumbo identified that they originally proposed a driveway to Winding Lane, and after discussions between the Town of Clarence and the New York State Department of Transportation (NYS DOT), the neighboring residents confirmed their strong opposition of the proposed Winding Lane access. The applicant then removed the access road off of the plans, due to neighbor opposition. Mr. Palumbo added that just recently, the Town of Clarence Highway Superintendent issued a letter stating that he would not issue a permit granting an access road to Winding Lane.

Mr. Palumbo continued, noting that the criteria for the TND zone “encourages a mixture of uses and mixed-use structures”, with a “walkable pedestrian-friendly environment” and is exactly what the applicant is proposing. By moving the building close to Main Street, they are providing exactly what the TND code dictates.

In terms of greenspace, there is a requirement of a 40% minimum of greenspace in the TND zone, and as Mr. Palumbo explained, this proposed project has 52% of greenspace.

Mr. Palumbo noted that they had a meeting with the neighbors, with good discussions on many of their concerns and issues, with the buffer on the north side of the property coming up as the main issue of concern.

Mr. Palumbo pointed out that they are not eliminating greenspace in the area of the neighbor’s property lines and the proposed building. There will be landscaping, greenspace, and a bio-retention area. If they increased the vegetative area, they would need to move the bio-retention area back, then the entire project back also. The best that they are able to do is the 25 ft. buffer with extensive landscaping.

Mr. Palumbo explained that there are many comments regarding the height of the buildings being out of character with the surrounding neighborhood. The other areas being compared to this proposed project are not located within the TND zone, where there is a maximum height of 45 ft.

In terms of lighting, Mr. Palumbo stated that there will be limited lighting on the buildings, none of which will shine brightly on to neighboring properties.

Mr. Palumbo identified the questions that have been raised regarding Vision Main Street, and explained how this proposed project fits in to what that vision is.

Dave Sutton with Sutton Architects explained that they have met all of the design standards that are established by the local zoning ordinance, which they used as a template when creating this building.

Mr. Sutton explained that the mixed-use building height was originally at the maximum 40 ft. height, with some cupolas and architectural features that enhanced the buildings. Upon request, they reevaluated the height, dropped the main section of the roof, and lowered the cupolas to the main pitch. They have not changed the 12:12 pitch of the three defining characters for the building, which they feel are distinctive to the farm style modern farmhouse that they are trying to establish.

Lowering the pitch of the roof or presenting a flat roof would bring the height down, but it would be to the detriment of the design and aesthetics of the proposed building.

Mr. Sutton continued to describe the architecture, noting that they have broken up the building in to three distinct main characters, defined by the peaks. They have used all quality materials, LP Smart siding, stone base, gooseneck lighting, planter boxes, shed awnings, and many other elements that give this proposed project a quality look and character.

Mr. Sutton requested that the Planning Board review this proposed project for the architectural character, and acknowledge that it is below the 40 ft. set forth in the design standards.

Referring to the rendering for the townhouse buildings, Mr. Sutton explained that they have used many of the same high-quality materials that they used for the mixed-use building. They have agreed to put the same materials on the front building as they have proposed for the back building. They will not be any taller than a standard two-story house.

Pat Sheedy, Project Engineer with Carmina Wood Design explained that the proposed septic system will be designed per all local Erie County Health Department and NYS Department of Environmental Conservation (DEC) requirements. The size of the septic on site is adequate for the size of the apartments and commercial space that are proposed.

Mr. Sheedy noted that the greenspace buffer along the north property line is required by code to be at a 45 ft. minimum for any proposed building to the property line that abuts a residential zone. They are in compliance with that requirement, with at least 48 ft. to the nearest patio, and at least 54 ft. to the closest corner of a building. The greenspace does not have to be undisturbed or naturally kept, it can be developed, open greenspace and planted landscaping. They are proposing a combination of both of these.

Mr. Palumbo noted that there have been several questions as to whether there will be a restaurant on site. There are currently no plans for a restaurant, but anything that may go in there will need to be

small scale, not a full-scale restaurant. They do not have adequate septic to support a regular restaurant, nor do they have sufficient parking space.

Mr. Todaro acknowledged the correspondence that has come in from residents regarding their concerns with this proposed project. All correspondence is in the project file.

1. Bill Weisbeck
2. James Borkman
3. Hugh Davies
4. Janis Morgante
5. Abigail & Michael Horning
6. Dr. Alexandra Adamczak-Forrestel
7. Kira Kramer

The concerns stated in the correspondence include but are not limited to;

- number of residential units planned for Main Street
- location of the building
- protective wildlife corridor
- height
- reduction of greenspace from 57%-52%
- questions as to whether there will be a stone wall along Main Street
- 45 ft. buffer
- parking on Main Street
- criterion to match the Dollar General store
- safety
- traffic
- infrastructure on the street is not designed to meet needs for the proposed project
- privacy
- desire to reduce the scale of the project
- potential for a sidewalk on Winding Lane to assist with safety
- project does not meet the TND aesthetics for the surrounding area
- drainage
- overdeveloped
- lighting
- noise

Chairman Sackett asked Mr. Sutton if there is a floor plan available for the building that faces Main Street, indicating where the apartments will or won't be.

Mr. Sutton responded that the interior layout has not been fully developed or defined at this point.

Mr. Geasling asked how these buildings align with Vision Main Street.

Mr. Palumbo reiterated that Vision Main Street encourages small commercial developments and professional offices with higher density residential uses.

Mr. Todaro questioned whether the front residential units are ADA (Americans with Disabilities Act) accessible.

Mr. Sutton responded that all residential units on the first floor would be ADA adaptable, meaning they are fully assembled and equipped to be handicapped accessible with minimum effort. They would include an accessible route from an accessible parking space as well.

In regards to Public Participation, the following residents spoke:

1. Bill Weisbeck of 10171 Pineledge Dr. South:
 - thanked the project team for removing the Winding Lane exit
 - opposes approval, requests the project not pushed forward for Special Exception Use Permit (SEUP) approval
 - requests an undisturbed vegetative buffer between the properties for sound and visual barriers
 - reviewed height study he submitted
 - proposed building is too high for the community
 - wants buildings to be right-sized to fit the character of the community
 - proposed project should be right-sized for the surrounding area
2. Jim Borkman of 4892 Winding Lane:
 - submitted handouts to the Town Attorney pertaining to the next discussion
 - entire proposal is excessively large and out of character for surrounding area
 - 2nd story will be overlooking his backyard
 - urges the Planning Board to reject the Special Exception Use Permit (SEUP)
 - modify the proposed project and reduce the overall size
 - quoted code he feels pertains to proposed project
3. Steven Borkman of 71 Odessa Drive:
 - the proposed project is not code compliant
 - quoted code
 - reviewed distributed handouts (in file)
 - reviewed the size of the project, compared to other buildings in the area
 - stated that proposed development needs to be downsized to fit with the surrounding environment
4. Carol Conwall of 4930 Meadowbrook Road:
 - project needs to be scaled down in density to compliment the Clarence Hollow neighborhood
5. Robert Lenz of 10531 Main Street:
 - the proposed project and layout look good, but not for this proposed location
 - too large and out of character for the Clarence Hollow
 - massive building built too close to the road
6. Sandy Adamczak-Forrestel of 4925 Winding Lane:
 - this proposed building is beautiful, and perfect for Transit Road, not in its proposed location on Main Street in the Clarence Hollow
 - if it was reduced 12-20% everyone would be happier

- the residents of the area enjoy the commercial aspect, and would enjoy having these proposed options as well, but not at this size

7. Sarah Finnegan of 4930 Winding Lane:

- getting rid of the access drive to Winding Lane is appreciated
- concerned about safety of residents, children, and pets of the area with the additional traffic pattern

Public Participation was closed for this item in this meeting.

Mr. Palumbo returned to address the concerns, reiterating that they will never make everybody happy. Taking many of the comments to a logical extent, no building will ever be higher than what exists now. That is not what the Traditional Neighborhood Design contemplates.

Mr. Palumbo noted that if the proposed building was too big for the lot, it would require multiple variances, which it does not. They have complied with every section of the ordinance.

Chairman Sackett explained what a Special Exception Use Permit (SEUP) is, noting that it acts as a check and balance, moving the proposed project back to the Town Board. The Town Board has the authority to approve a SEUP. It divides the responsibility for the project between the two boards. The SEUP is not because a proposed project exceeds code, but because it is part of a process designed to thoroughly dissect and review a proposed project.

Mr. Todaro asked if there is a proposed stone wall on the front side of the proposed building along the street.

Mr. Palumbo responded yes.

Discussion regarding translation of the code and combined square footage of the buildings continued.

Mr. Lahti asked why the building can't be pushed further back from Main Street.

Mr. Palumbo responded that the TND design encourages buildings along Main Street to be located closer to the street.

ACTION:

Motion by Gregory Todaro, seconded by Richard Bigler that pursuant to Article 8 of the Environmental Conservation Law, to **accept** the Part 1 Environmental Assessment Form as submitted and **approve** the Part 2 & 3 Environmental Assessment Forms as prepared and to **issue a Negative Declaration** on the proposed Salvatore Mixed Use Project on the northwest corner of Main Street and Winding Lane. This Type I Action involves the construction of a mixed-use development, containing commercial space and multiple family housing in the Traditional Neighborhood District. After thorough review of the submitted plans, documents, meeting minutes, reports, letters, and Environmental Assessment Forms, it is determined that the proposed action will not have a significant negative impact on the environment.

Jason Lahti

Aye

Patrick Johnson

Aye

Jason Geasling

Aye

Gregory Todaro Aye Richard Bigler Aye Robert Sackett Aye

MOTION CARRIED

Motion by Gregory Todaro, seconded by Richard Bigler to **approve** the Salvatore Mixed-Use **Concept Plan**, located at the northwest corner of Main Street and Winding Lane, per the submitted drawing by Carmina Wood Design, dated December 9th, 2022, with a final revision date of April 14th, 2023, and to **recommend approval** to the Town Board of the **Architectural** drawings, received in the Planning Office on April 25th, 2023, all with the following conditions being met:

1. Applicant must meet the requirements of the Town of Clarence Engineering preliminary grading and drainage review, and associated conditions.
2. Applicant must meet the requirements of the Town of Clarence Building Department preliminary fire code compliance review, and associated conditions.
3. Subject to the issuance of Special Exception Use Permits by the Clarence Town Board for the development of multiple family housing, and structures greater than 10,000 sq. ft.
4. Subject to Development Plan review by the Town, including a technical review of the final Development Plan by the Town Engineering Department.
5. Subject to Town Building and Engineering Department approval prior to any permits being obtained for the construction on the property.
6. Subject to New York State Department of Transportation approval for the proposed access to Main Street.
7. Subject to Erie County Health Department and New York State Department of Environmental Conservation approval, if required, on any future on-site sanitary facilities.
8. Landscape Committee approval of a final landscape plan prior to Development Plan approval, including dumpster location and screening, and vegetative buffer along the northern property line. In addition, a maintenance plan shall be submitted as part of the landscape plan to ensure landscaping will remain in perpetuity, and is replaced in kind should there be any deterioration or death or disease to plantings.
9. Dumpster enclosures and/or garbage tote system shall be detailed on any future Development Plan submittals. Such enclosures shall remain closed at all times when not in use. Garbage service shall occur in conformance with Town Code. No garbage or debris shall accumulate outside of the dumpsters or totes.
10. Applicant agreeing to grant and prepare any easements determined to be necessary by the Town of Clarence Engineering Department, based on technical review of a fully engineered Development plan set. Said Easements shall be submitted by the applicant and approved by the Town Engineering, Highway and Legal Departments prior to Development Plan approval by the Town Board. If required, Applicant shall file same in the Erie County Clerk's office and provide a "Stamped Filed" copy to the Town Attorney's Office after recording.
11. Submission of a lighting plan prior to Development Plan approval. All site lighting shall be dark sky compliant and shielded to prevent spillage onto adjoining properties. No lighting shall be elevated above the roof lines and all non-residential lighting shall be turned off no later than one hour after business hours except for necessary security lighting.
12. So as to comply with Clarence Town Code, If the proposed 1-story retail building, as labeled on the approved concept plan, is not constructed in concurrence with the overall project, one of the three first floor residential units in the mixed-use building shall be converted to commercial space.

13. No construction vehicles shall access property from Winding Lane in connection with construction activities.
14. Final building elevations to be submitted as part of the Development Plan review, including the labelling of material types and colors, and substantially comply with the approved elevations. Building materials to be used shall be of industry standard high quality for durability and appearance.
15. Any exterior building mechanicals shall be identified, detailed, and shielded on any future Development Plan submittals.
16. Building and site shall be maintained as approved, in perpetuity, and any building and site deficiencies shall be repaired or replaced as approved.
17. Paved areas to be striped and maintained in perpetuity. No parking of vehicles outside the designated parking areas.
18. Any future commercial uses shall comply with allowable uses within the underlying zoning classification.
19. For commercial uses, no outside display or storage of any kind on the property, including but not limited to goods, materials, or other items.
20. Any future proposed commercial outside operations shall be subject to a Temporary Conditional Permit as reviewed and approved by the Town of Clarence.
21. Any permanent signage will be subject to review and approval by the Sign Review Committee, and any temporary signage subject to review and approval by the Office of Planning and Zoning.
22. Subject to Open Space, Recreation, and any other applicable fees as required by Town Code.

The applicant has heard, understands, and agrees to the conditions.

ON THE QUESTION:

Mr. Bigler added that the Planning Board has done extensive work on this project, this can be seen within the 22 conditions that have been placed on this proposed project.

Jason Lahti	Aye	Patrick Johnson	Aye	Jason Geasling	Aye
Gregory Todaro	Aye	Richard Bigler	Aye	Robert Sackett	Aye

MOTION CARRIED

Motion by Gregory Todaro, seconded by Richard Bigler to **recommend** to the Town Board approval of Special Exception Use Permits for the Salvatore Mixed Use project multiple family housing and structures greater than 10,000 sq. ft. as per the approved concept plan and associated conditions.

Jason Lahti	Aye	Patrick Johnson	Aye	Jason Geasling	Aye
Gregory Todaro	Aye	Richard Bigler	Aye	Robert Sackett	Aye

MOTION CARRIED

Mrs. Salvati returned to the meeting.

Item 2

Natale Builders
Residential Single-Family

Requests Concept Plan approval of a 14-lot Major Subdivision as an extension of Woodside Drive on the north side of Greiner Road, west of Shimerville Road, SBL 57.19-2-2.111.

DISCUSSION:

Mr. Bleuer introduced this project, located on the north side of Greiner Road, west of Shimerville Road. It is an existing 61.5-acres of vacant land located in the Residential Single-Family zone.

The applicant is requesting Concept Plan approval of a 14-lot single family home major subdivision, as an extension of Woodside Drive, with proposed access to Greiner Road.

The Town Board referred the proposal to the Planning Board in November of 2019. In December of 2019 the Planning Board tabled the proposal at the request of the applicant, to allow time for the applicant to address a number of items, and meet with the nearby neighbors. In February of 2022, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). Since that time, the applicant has modified the proposal to address comments received from involved and interested parties. Modifications include the designation of conservation areas to the rear of existing residential lots on Greiner Road and Shimerville Road, designation of HOA lands along the proposed vehicular access to Greiner Road, agreement to upgrade the existing Woodside Drive stub per Highway specifications, and formulation of estimated building setbacks and building footprint area.

The Planning Board has the authority to consider an action under SEQRA, and Concept Plan.

Ken Zollitsch with the engineering firm Greenman Pedersen Inc., as well as developers Bob Corrao and Angelo Natale with Natale Development were present to represent this request.

Mr. Zollitsch noted that the proposed 14 lots are located on approximately 61 ½ acres, appropriately zoned, and with proposed lot sizes significantly larger than the minimums required under the Residential Single-Family zone. Proposed lot sizes range from 2 acres to 5 acres

Mr. Zollitsch explained that the lots are located on septic systems, there are no sewers within the vicinity.

Mr. Zollitsch stated that the proposed development will be a public road, located at the extension of Woodside Drive.

Reviewing the improvements that the developer has agreed to make along Woodside Drive, Mr. Zollitsch noted that the curbing along Woodside Drive will be redone, and bring the road up to a standard width required by the Town. This will all be done within the Town's right-of-way; they are not expanding that area.

The residents of Woodside Drive will still be maintaining their own property, nothing changes with that. The right-of-way is simply the area that the Town of Clarence owns.

Mr. Zollitsch explained that the road within the development will be a town-standard street, connecting from Woodside Drive and extending to Greiner Road.

Mr. Zollitsch pointed out that there are dedicated conservation areas that will remain undisturbed, providing a buffer between this proposed development and the adjacent properties. These areas would be part of the individual lot owners, and their responsibility. Aside from general maintenance, there should be no clearing in these areas, and will remain as-is to keep the buffer intact.

Mr. Zollitsch noted that there will be a public water line along the roadway, the storm system will be partially maintained by a Homeowner's Association (HOA) which will also own the two little pockets of land adjacent to the right-of-way along Greiner Road.

Proposed landscaping will be worked out with the Landscape Committee. The intent is to decide what is most viable in the area, then enhance it.

Mr. Zollitsch stated that a thorough analysis has been performed for the grading and drainage, essentially to prove that their plan is sufficient. Engineering has signed off on the preliminary analysis, which they will address as they move forward with the proposed plans.

Mr. Zollitsch addressed the concerns regarding possible wetlands located on the property, adding that they have obtained letters from the NYS Department of Environmental Conservation (DEC) as well as the Army Corp of Engineers. These letters layout on the site which wetlands are jurisdictional, and which ones a permit would need to be obtained to provide type of impacts. As it stands conceptually, no NYS DEC Wetlands will be impacted.

Mr. Geasling noted that several pieces of correspondence from concerned residents have been received and placed in the project file. The contents of the correspondence include but are not limited to:

- wetlands
- septic
- potential impacts on soils in the area
- extension of Woodside Drive
- concerns with how the proposed project aligns with the Clarence 2030 Masterplan

Mr. Geasling asked about the widening of the road that Mr. Zollitsch referred to, and whether there will be asphalt widening also. At this stage there is no topographic survey of Woodside Drive, as it is only the conceptual phase.

Mr. Geasling asked if drainage improvements would also occur with the widening of Woodside Drive.

Mr. Zollitsch responded yes, there will be a number of receivers that will then be tied in to the existing drainage system.

Review of the proposed drainage system continued.

Mr. Geasling asked about the 200 ft. buffer located behind lots 1 and 14 and how it will be enforced with the property owners.

Mr. Zollitsch noted that they can have conversations with the Town as they move forward through the process.

Mr. Zollitsch noted that there will more of a variable front setback on the proposed lots, giving the potential customers more privacy and houses set back a bit further.

Mr. Geasling asked what the intent is for the Homeowner's Association for the buffer closest to Greiner Rd.

Mr. Zollitsch responded that some of it will be grass, mainly where the utilities will be located. There will most likely be landscaping in the other areas, yet to be determined. Further discussion will ensue as the project progresses.

Regarding the 50 ft. buffer, Mr. Geasling asked how it will be protected and kept from homeowner's potentially clearing it.

Mr. Zollitsch stated that he doesn't foresee any type of HOA control of the buffer, because it will be located on individual lots. Deed restrictions may be more appropriate in this case.

Mr. Geasling asked about the sliver of property behind lots 5 and 6, and what the intention is with that piece.

Mr. Zollitsch responded that they are not sure they can control that, and it may need to be removed from the plans.

Mr. Geasling stated that they would like to have a limit of disturbance provided before the landscape committee review.

Mr. Zollitsch responded that they can do that, though he doesn't foresee the property owners will clear the lots, considering they will be approximately 5 acres in size. They will review that closer to see what they can provide in terms of limits of disturbance.

Mr. Geasling noted that the intent of the limits of disturbance is aimed more towards development construction rather than for the homeowners.

Chairman Sackett noted that it is for the Landscape Committee to determine.

Chairman Sackett noted that the 200 ft. buffer that Mr. Zollitsch referred to has been standard practice. For further explanation, the Planning Office is able to assist with clarification.

Mr. Johnson asked if the only common area from an HOA perspective is the Greiner Road entrance.

Mr. Zollitsch responded yes, that is all they have indicated. The HOA would also be responsible for some of the stormwater maintenance as well.

Mrs. Salvati asked if the wetlands behind lots 2 and 3 are DEC wetlands.

Mr. Zollitsch responded yes.

Mrs. Salvati noted that the 100ft. buffer area will not be permitted to be disturbed, and she is not sure that they will be able to put the detention basin in that area. For those lots alone, there will need to be limits of disturbance.

Mr. Zollitsch noted that he understands the lots with wetlands will be monumented.

Mr. Geasling asked if it is wetlands indicated behind lot 5.

Mr. Zollitsch responded no; it is a contour line. He will remove that from the plans, as well as the small rectangular slice also on the site plan, in order to prevent confusion.

In regards to Public Participation, the following residents spoke:

1. Raymond Hammond of 8805 Woodside Drive:
 - not in favor of the proposed project
 - referred to page 5 of the Clarence 2030 Comprehensive Plan
 - 64% of the total acreage on this proposed site will be disturbed
 - no consideration has been given to the other projects going in within close proximity, and the effects of the habitats and wildlife in the area
 - effects on the wetlands
 - further reviewed the 2030 Comprehensive Plan
2. Jay Wopperer of 5225 Meadowbrook Drive:
 - Greiner Road is only two lanes, with between 15,000-20,000 cars per day currently traveling on it
 - with the other projects going in on Roll, Greiner, and Harris Hill it is too much for one area
 - wetlands should not be disturbed
 - wildlife
3. Carol Cornwall of 4930 Meadowbrook Road:
 - in support of the wetlands, hoping none will be impacted
 - will the homes have condo status, because it will affect the existing homeowners on Woodside Dr.
 - are the property owners and developers one in the same, or are they different
 - this was previously brought before the Planning Board in 2006, what did the previous impact studies show
 - size of the wetlands updated or still based on old surveys
 - the wetlands should not be touched, leave them as is
 - buyer beware
 - with all of the green programs happening, why are we still taking away the beauty of Mother Nature
4. Christopher Budden of 8830 Woodside Drive:
 - the proposed extension of Woodside Dr. goes right in to where the DEC flags are in the woods
 - if you extend Woodside Dr. there are a lot of pets and kids playing in the dead-end street, extending it would make it like a raceway
 - has seen previous proposals for similar developments denied due to the number of houses on septic

- why is this proposal now being considered, wetlands grow over the years not shrink

Lisa Hammond of 8805 Woodside Drive:

- the custom estate homes proposed to be built on the extension that will also have an HOA will look vastly different than the current homes located on Woodside Drive, yet will be on the same street
- can they consider removing the two homes on the wetlands, bringing the total proposed to 12 and making it a cul-de-sac, keeping it separate

Robert Kimble of 8795 Woodside Drive:

- agrees with wetland concerns
- agrees with drainage concerns, it will affect his house which is already bad due to drainage
- the DEC has denied this proposal many times, so what has changed
- there are DEC flags all over the woods indicating it is a protected area
- there are endangered species located on the property

Public Participation was closed for this item in this meeting.

Mr. Zollitsch returned to address the concerns, starting off with the Comprehensive Plan 2030, noting that the proposed homes are exactly what the plan targets, Residential Single-Family homes.

Regarding the wetlands, Mr. Zollitsch reiterated that they are following the wetlands that have been determined and confirmed by the Army Corp of Engineers and the DEC. Regardless of what flags are posted, they follow the outlines that they have been provided. If the project progresses, they will send survey crews out to specifically mark the areas and specific points.

Mr. Zollitsch pointed out that any of the impacts that they do have, they are limited. Both the Army Corp of Engineers and the NYS DEC require mitigation.

In terms of traffic impacts, 14 additional lots will not create a lot of additional traffic based on the guidelines that the NYS Department of Transportation uses. Mr. Zollitsch added that he doesn't believe this proposed development will be used as a cut-through for traffic, it would be too out of the way.

Mr. Zollitsch discussed the comments regarding this proposed plan being in front of the Planning Board and being denied previously, GPI has not been the only firm involved with this property, he does not believe they have ever gotten past the concept stage. The delineations that they are currently using are from 2022, and the current applicant has only been involved with the project since 2019. Mr. Zollitsch noted that they cannot comment on any previous plans, delineations, permits, etc. as they were not a part of this current proposal.

Regarding the endangered species, Mr. Zollitsch pointed out that the DEC was part of the coordinated review for this project, and produced a letter stating their issues and concerns. Endangered species was not in the letter that they issued, nor are they on the resource map that is used as a guide when preparing the Environmental Assessment Form.

Mr. Zollitsch recapped the drainage, based on the concerns brought forth by the residents. As far as new drainage coming in to a new development that is different than what may be nearby, drainage

standards change over the years. What may have been required 10 years ago, has evolved and updated since then. Town of Clarence standards have become more restrictive, making it illegal to dump on to adjoining properties. Post construction drainage needs to be internally captured and match the pre-development condition.

Mr. Zollitsch noted that there is a proposed wet pond on site, in terms of safety of those, the DEC requires a plant shelf which also serves as a safety shelf. Once you get to the water level, which is calculated and determined through engineering and controlled by an outlying structure, the level rises and falls based on storm events. At their normal water level, there will be just a few inches of water in the pond.

Mr. Zollitsch continued to describe what a wet pond is.

Mr. Zollitsch confirmed that Natale Development owns the property.

Mr. Bleuer added that prior to 2011, this property contained over 150 acres. In 2011 the Clarence Town Board successfully preserved over 90 acres of this property through the Green Print Program. That land is not included in this review, and that 90 acres is currently owned by the Town of Clarence, forever protected with a conservation easement.

Mr. Bengart explained that Condo Status is a legal matter and not something that this Planning Board should be looking at in any way, shape, or form, and is illegal to base a decision on.

Mrs. Salvati reconfirmed that there will not be any construction vehicles accessing Woodside Drive pertaining to the development of this land.

Mr. Zollitsch responded with the exception of the construction for roadwork on Woodside Drive yes, they agree to that.

Mr. Zollitsch noted that they will remove the rectangle from the plans, so as to not cause confusion.

Referring to a neighbor's comment, Mr. Lahti asked Mr. Zollitsch to address why the development was not able to be a cul-de-sac.

Mr. Zollitsch responded that the Town likes to see connectivity, for easier access and maintenance. Town limits cul-de-sacs to 12 lots total, there is a limit on distance as well, per the New York State Fire Code.

Mrs. Salvati asked that she would like to see an estimate of where the land will not be disturbed. Even with a 50 ft. conservation area, some of the proposed lots are large.

Mr. Zollitsch responded that they will be able to put information together for the land owners noting the anticipated disturbance.

Chairman Sackett reinforced that the information Mrs. Salvati has asked for will be provided with the landscape plan as well.

Mr. Geasling asked about the ditch that runs from lots 2-6, identified as a tributary to the lots 3-5. What would be the intended treatment.

Mr. Zollitsch responded that they would need to have it sized properly in order to convey the flows. It would be constructed at the time the driveways are installed with the final placement finalized during the home stage of construction.

Mr. Zollitsch further explained the technical aspects of the ditch and sizing.

ACTION:

Motion by Jason Geasling, seconded by Wendy Salvati that pursuant to Article 8 of the Environmental Conservation Law, to **accept** the Part 1 Environmental Assessment Form as submitted and **approve** the Part 2 & 3 Environmental Assessment Form as prepared and to **issue a Negative Declaration** on the Natale Builders Brookfield Estates Major Subdivision as an extension of Woodside Drive on the north side of Greiner Road, west of Shimerville Road. This Type 1 Action involves the development of up to 14 residential single-family lots and associated infrastructure in the Residential Single-Family zone. After thorough review of the submitted plans, documents, meeting minutes, reports, letters, and Environmental Assessment Forms, it is determined that the proposed action will not have a significant negative impact on the environment.

Jason Lahti	Aye	Patrick Johnson	Aye	Jason Geasling	Aye
Gregory Todaro	Aye	Wendy Salvati	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED.

Motion by Jason Geasling, seconded by Richard Bigler to **approve** the Natale Builders Brookfield Estates Major Subdivision **Concept Plan** as an extension of Woodside Drive on the north side of Greiner Road, west of Shimerville Road, as per the submitted concept plan by GPI dated June 2020, with a final revision date of March 8th, 2023, with the following conditions being met:

1. Applicant meeting the requirements of the Town of Clarence Engineering preliminary grading and drainage review, and associated conditions.
2. Applicant meeting the requirements of the Town of Clarence Building Department preliminary fire code compliance review, and associated conditions.
3. Applicant meeting the requirements of the Town Highway Department, including the upgrade of the existing Woodside Drive stub road.
4. Applicant submitting a landscape plan for review and approval by the Landscape Review Committee prior to Development Plan approval, to include a minimum of two double-staked street trees per lot. Street trees to be a minimum of 2.5” caliper, double staked, and species to be chosen from the Town’s recommended street tree list, planted and maintained per the Town’s Tree Management Plan.
5. The Landscape Plan will delineate clearing limits identifying the extent of greenspace to be protected from disturbances on each lot. Areas to be preserved will be protected with orange snow fencing during construction.
6. Aside from necessary work required to bring Woodside Drive up to Town of Clarence standards, no construction vehicles will utilize Woodside Drive for development within the project site.
7. All lots shall be developed per the lot data table placed within the development plan set, including but not limited to, basement type, lot grading type, and setbacks.
8. Applicant agreeing to grant and prepare any easements determined to be necessary by the Town of Clarence Engineering Department, based on technical review of a fully engineered

Development plan set. Said Easements shall be submitted by the applicant for review and approved by the Town Engineering, Highway and Legal Departments. After approval, applicant shall file same in the Erie County Clerk’s office and provide a “Stamped Filed” copy to the Town Attorney’s office after recording.

- 9. A homeowner’s association shall be created by the applicant, and a copy of the bylaws, rules and regulations shall be prepared and submitted to the Planning Office and Town Attorney’s Office for review and approval prior to Final Plat approval by the Town Board.
- 10. A Conservation Easement to permanently protect all identified conservation areas shall be prepared by the applicant and submitted to the Planning Office and Town Attorney’s Office for review and approval prior to Final Plat approval by the Town Board. Said Conservation Easement shall be submitted by the applicant for review and approval by the Legal Department. After review and approval, applicant shall file same in the Erie County Clerk’s office and provide a “Stamped Filed” copy to the Town Attorney’s office after recording.
- 11. All conservation areas to be permanently monumented via a marker at the perimeter of all adjacent exterior lot lines. Such markers shall be approved by the Planning Office prior to installation, and maintained in perpetuity by the homeowner’s association.
- 12. Any subdivision signage shall be subject to review and approval by the Sign Review Committee.
- 13. Subject to Open Space, Recreation, and any other applicable fees as required by Town Code.

Mr. Zollitsch has heard, understands, and agrees to the conditions.

Jason Lahti	Aye	Patrick Johnson	Aye	Jason Geasling	Aye
Gregory Todaro	Aye	Wendy Salvati	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED.

Item 3

Tarpon Towers II, LLC.
Agricultural-Rural Residential

Requests Site Plan approval of a 149’ tall telecommunication tower at 6879 Salt Road.

DISCUSSION:

Mr. Bleuer introduced this project, located at 6879 Salt Road, on the north side of Hunts Corners Road, east of Salt Road.

It is an existing 75.7-acre parcel located in the Agricultural Rural Residential zone and designated as a Local Historic Landmark, containing a residence, farm operation and wind turbine.

The applicant is requesting Site Plan approval to construct a 149’ tall telecommunication tower on the northeast corner of the property, with access to Hunts Corners Road.

The Town Board referred the proposal to the Planning Board in April of 2022. In May of 2022, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). Due to wetland constraints, the applicant was forced to relocate the proposed tower, which led to an amended Town Board referral in January of 2023. In February of 2023, the Planning Board

tabled the proposal at the request of the applicant, to allow time for a relocation study as it related to wetlands. Finally, in March of this year, the Planning Board initiated an amended coordinated review under SEQRA. Since that time, the applicant has ensured that the proposed tower is the greatest feasible distance away from Hunts Corners Road, without impacting regulated wetlands.

Within the Agricultural Rural Residential zone, the maximum allowable height of a telecommunication tower is limited to 100'. A variance will be required by the Zoning Board of Appeals for this proposed 149' tower prior to a Special Exception Use Permit being considered by the Town Board.

The Planning Board has the authority to consider an action under SEQRA, Site Plan, and a recommendation of a Special Exception Use permit to the Town Board.

Stephen Fantuzzo with Nixon Peabody, and Cheryl Schultz from Airosmith Development were present to represent this request.

Mr. Fantuzzo added that in March, 2023 a new site plan was submitted indicating a few items added upon request of the Planning Board, including a fall zone of 145 ft. radius, replacing the propane generator with diesel, and the fence height was raised to 8 ft. An updated Environmental Assessment Form (EAF) was also submitted.

Mr. Lahti noted that this proposed project has been in front of the Planning Board a number of times, and the updates and changes that have been made are appreciated.

Mr. Lahti explained that the applicant has demonstrated the need for a tower at this location. The comments and concerns submitted by neighbors from previous meetings are in the project file, and have been noted and considered by the Planning Board.

Mr. Todaro asked if the gate accessing the driveway is closer to the road, preventing people from gaining entry to the access road.

Mr. Fantuzzo responded yes, the gate is located only a few feet in from the road, with enough room for a vehicle to pull in to unlock the gate to gain access.

Mrs. Salvati asked if a balloon study was ever conducted, as previously discussed.

Mr. Bleuer explained that prior representation of this project has committed to conducting a balloon float for the nearby residences, if and when a location was determined. If there is a site plan approval tonight, based on prior representation, Mr. Bleuer asked Mr. Fantuzzo if he would commit to providing the balloon test for the benefit of the surrounding neighborhood.

Mr. Fantuzzo responded yes, if required.

Chairman Sackett confirmed with Mr. Bleuer that if it gets to the point of site plan approval, the Planning Office will work with the applicant to establish and date and time, weather permitting, for the balloon study, notifying the surrounding neighbors. This study will allow the neighbors to see a potential visual impact for the location and height of the tower.

Mr. Bleuer responded yes; notifications will be distributed based on the existing notification list.

In regards to Public Participation, the following residents spoke:

1. Patricia King of Salt Road:

- has heard a lot of reasons why the tower is needed, but why does their need supersede the laws.

Public Participation was closed for this item in this meeting.

Mr. Fantuzzo stated that the Federal Communications Commission (FCC) has determined that telecommunications is treated as a public utility. Showing the need puts the municipalities in a position where they are not able to deny a tower.

Explaining that 145 ft. is the minimum height required to meet the Radio Frequency (RF) objectives, Mr. Fantuzzo stated that the companies strive to keep the towers as low as possible, it defeats the purpose when they can't meet the RF objectives.

ACTION:

Motion by Jason Lahti, seconded by Gregory Todaro that pursuant to Article 8 of the Environmental Conservation Law, to **accept** the Part 1 Environmental Assessment Form as re-submitted and **approve** the Part 2 & 3 Environmental Assessment Form as prepared and to **issue a Negative Declaration** on the Tarpon Towers II & Verizon Wireless cellular tower at 6879 Salt Road. This Type I Action involves the proposed construction of a 149' tall telecommunication tower and associated facilities, with access to Hunts Corners Road. After thorough review of the submitted plans, documents, meeting minutes, reports, letters, and Environmental Assessment Forms, it is determined that the proposed action will not have a significant negative impact on the environment.

Jason Lahti	Aye	Patrick Johnson	Aye	Jason Geasling	Aye
Gregory Todaro	Aye	Wendy Salvati	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED.

Motion by Jason Lahti, seconded by Gregory Todaro to approve the Tarpon Towers II, LLC. Telecommunication Tower **Site Plan**, located at 6879 Salt Road, with access to Hunts Corners Road, per the submitted drawing by Airosmith Development, with a final revision date of March 23rd, 2023, with the following conditions being met:

1. Subject to the issuance of an Area Variance by the Zoning Board of Appeals for the overall height of the tower.
2. Subject to the issuance of a Special Exception Use Permit by the Clarence Town Board.
3. Subject to the removal or exclusion of the tower from the Local Historic Landmark Tax Relief area, currently associated with the property.
4. Subject to Town Building and Engineering Department approval prior to any permits being obtained for the construction on the property.
5. Subject to Erie County Department of Public Works approval for access to Hunts Corners Road.
6. Subject to an agreement by the applicant, in writing, to remove the telecommunication facility if such facility becomes technically obsolete or ceases to be used for its originally intended purpose. A demolition bond for the purposes of removing the telecommunication facility shall

remain in force for the life of the tower in an amount approved by the Town Board but not less than \$20,000.

7. The site shall be inspected, at minimum of once every two years, by a licensed professional engineer and a copy of the inspection report shall be submitted to the Town Engineer. Any work or repair of the tower shall comply with all applicable code requirements, and a permit shall be obtained to conduct such work.
8. Landscape Committee approval of a final landscape plan prior to Building Permit issuance, including fencing detail, and planting details where applicable. In addition, a maintenance plan shall be submitted as part of the landscape plan to ensure landscaping remain in perpetuity, and is replaced in kind should there be any deterioration or death or disease to plantings.
9. Any and all site lighting shall be dark sky compliant and shielded to prevent spillage onto adjoining properties.
10. Subject to Open Space, and any other applicable fees as required by Town Code.
11. A balloon study will be conducted with adequate notice of the date and time and weather permitting to be provided to neighboring residents.

The applicant has heard, understands, and agrees to the conditions.

Jason Lahti	Aye	Patrick Johnson	Aye	Jason Geasling	Aye
Gregory Todaro	Aye	Wendy Salvati	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED

Motion by Jason Lahti, seconded by Gregory Todaro to **recommend** to the Town Board approval of a Special Exception Use Permit for the Tarpon Towers II, LLC. Telecommunication tower as per the approved Site Plan and associated conditions.

Jason Lahti	Aye	Patrick Johnson	Aye	Jason Geasling	Aye
Gregory Todaro	Aye	Wendy Salvati	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED

Item 4

STEM Automotive
Traditional Neighborhood District

Requests a recommendation of a Temporary Conditional Permit for the rehabilitation of an existing gas station and repair shop at 10575 Main Street.

DISCUSSION:

Mr. Bleuer introduced this project, located at 10575 Main Street. South side of Main Street, west of Ransom Road. It is an existing 1-acre parcel located in the Hollow Traditional Neighborhood District, containing a pre-existing, non-conforming gas station and repair shop.

The applicant is requesting approval for the rehabilitation of an existing gas station and repair facility. The intent of the rehab is to recreate and restore the historic original 1940's era aesthetics, including operation as a full-service facility, with the presence of a gas attendant to assist customers.

The Town Board referred the proposal to the Planning Board in April of 2023. Since that time, the applicant has modified the proposal per comments received. Modifications include the formulation of a parking plan, addition of a trash and recycling enclosure, and façade upgrades.

The Planning Board has the authority to consider the Site Plan, and a recommendation of a Temporary Conditional Permit to the Town Board.

Mr. Goehle was present to represent his project.

Mr. Johnson thanked the applicant for all of the work and efforts that he has put in to rehabilitating the building.

Mr. Johnson asked if 3 employees on site and 1 mobile employee is Mr. Goehle's plan.

Mr. Goehle responded yes.

Mr. Goehle confirmed that his hours of operation are Monday-Friday from 7:00 a.m. to 5:30 p.m.

Mr. Johnson asked if the lighting plan consists of gooseneck lighting in the front, and the pole light will be dark sky compliant if operable.

Mr. Goehle responded yes.

In regards to vehicles on the property overnight, Mr. Johnson confirmed that 3 company vehicles and potentially up to 5 customer vehicles will be parked in the rear of the facility.

Mr. Goehle responded yes.

Mr. Johnson noted that a lock box will be located on the left side of the facility, with 3 delineated parking spaces for the customers utilizing the lock box for the purpose of dropping off or picking up their vehicles.

Mr. Goehle responded yes.

Mr. Johnson confirmed that no collision or body work will be performed at the back of the lot. Additionally, there will not be any pre-made foods or an intent to use the snack shop located on the property.

Mr. Goehle responded yes.

Mr. Goehle confirmed that he anticipates approximately 3 months to complete the proposed construction and updates. The hours will be the same as the working hours, Monday thru Friday 7:00 a.m. to 5:30 p.m.

Mr. Johnson confirmed that upon request of Clarence Hollow Community Character Protection Board, Mr. Goehle will keep the alcove located in the front entryway of the building.

Mr. Goehle responded yes; it is a unique character of the building.

Mr. Johnson asked what materials Mr. Goehle intends to use on the building.

Mr. Goehle explained that he wants to restore what is there, removing and refinishing the thick steel material on the outside of the building with a glossy white finish. The building and finish will mirror the old Texaco gas stations.

Mr. Johnson asked Mr. Goehle to confirm that the dumpster area located in the back of the property will be gated, to keep the refuse, tires, and metal recycling contained.

Mr. Lahti asked what STEM Automotive does for its business.

Mr. Goehle responded that they do small engine mobile repair, and are hoping to re-establish the service that existed in years past. Their goal for this building is to provide a full-service gas station, and auto repair on site.

Mr. Todaro asked if there will be any retail services conducted in the entryway.

Mr. Goehle explained that items like windshield wipers are kept on inventory in the shop, and will be used as part of the full-service gas station experience.

In regards to Public Participation, the following residents spoke:

1. Erwin Rakoczy of 4850 Ransom Road:
 - in favor of what STEM is planning for the building, to bring it back to the “glory of the 1940’s”
 - Mr. Goehle / STEM Auto is a good neighbor, good building for the Hollow, doing the right thing.
2. Carol Conwall of 4930 Meadowbrook Road:
 - commends the applicant for returning the building to its former glory
 - should pursue having the building deemed historic

Public Participation was closed for this item.

Mr. Lahti asked how the waste from oil changes will be disposed of.

Mr. Goehle responded, stating that a bulk tank inside for both new oil and used oil will be utilized. The tank will be registered with the NYS Department of Environmental Conservation.

ACTION:

Motion by Patrick Johnson, seconded by Wendy Salvati to **approve** the STEM Automotive **Site Plan**, located at 10575 Main Street, per the submitted drawing received in the Planning Office on May 1st, 2023, with the following conditions:

1. Subject to any permits, as required by the Building and Engineering Departments.
2. Trash and Recycling shall be enclosed as per the approved drawing, and enclosure shall remain closed at all times when not in use. Dumpster service shall occur in conformance with Town Code. No garbage or debris shall accumulate outside of the dumpster.
3. Other than within the trash and recycling enclosure, no outside storage of any kind shall be allowed on the property, included but not limited to goods, materials, parts, tires, and debris.
4. No vehicle sales shall occur on the property. No outdoor vehicles shall be displayed with open hoods, doors, or trunks, and no outdoor vehicles shall contain banners, flags, balloons, or ribbons.
5. Building and site shall be maintained in perpetuity, and any deficiencies shall be repaired or replaced.
6. Any future proposed site or structure modifications are subject to Town review.
7. Paved and milled areas are to be striped and maintained in perpetuity. No parking of vehicles outside the designated parking areas.
8. Any exterior building or site lighting must be dark sky compliant and shielded to prevent spillage onto adjoining parcels. Lighting shall be turned off at most one hour after operating hours except for necessary security lighting.
9. Any permanent signage will be subject to review and approval by the Sign Review Committee, and any temporary signage subject to review and approval by the Office of Planning and Zoning.
10. Subject to Open Space and any other applicable fees as required by Town Code.
11. No unlicensed or unregistered vehicles shall be stored outside.

Mr. Goehle stated that he has a plow truck on the premises that is considered equipment and not a vehicle driven on the road. It is currently unlicensed and not registered.

Mr. Bleuer noted that the plow truck will be documented as part of the Temporary Conditional Permit as an exception.

The applicant has heard, understands, and agrees to the conditions.

ON THE QUESTION:

This proposal has been deemed a Type 2 action by the Town of Clarence, and therefore requires no further environmental review nor action under the State Environmental Quality Review Act.

Jason Lahti	Aye	Patrick Johnson	Aye	Jason Geasling	Aye
Gregory Todaro	Aye	Wendy Salvati	Aye	Richard Bigler	Aye
Robert Sackett	Aye				

MOTION CARRIED

Motion by Patrick Johnson, seconded by Wendy Salvati to **recommend** to the Town Board approval of a Temporary Conditional Permit for STEM Automotive to rehabilitate a gas station and repair shop as per the approved site plan and associated conditions.

Jason Lahti	Aye	Patrick Johnson	Aye	Jason Geasling	Aye
Gregory Todaro	Aye	Wendy Salvati	Aye	Richard Bigler	Aye

Robert Sackett Aye

MOTION CARRIED

Meeting **adjourned** at 9:44 p.m. with a motion by Wendy Salvati.

MOTION CARRIED

Amy Major
Senior Clerk Typist