

Town of Clarence  
One Town Place, Clarence, NY 14031  
**Planning Board Minutes**  
Wednesday, June 5, 2024

**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**

PB Investors, LLC.  
Commercial & Restricted Business

Requests Development Plan approval for Phase 1 of a Conceptually approved mixed-use project, containing commercial space and multiple-family housing at 5695 & 5731 Transit Road.

**Item 2**

Michelle Brownschidle / Forever Fun  
Traditional Neighborhood District

Requests a Change-In-Use to allow a boutique retail, office, and event business at 9490 Clarence Center Road.

**Item 3**

Severyn Development, Inc.  
Agricultural-Rural Residential

Requests a Minor Subdivision of land to create three (3) new lots located at the northwest corner of Lapp Rd. and Kenfield Rd., SBL 29.00-1-24.

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  
Jason Geasling  
Daniel Tytko

Vice-Chair Richard Bigler  
Jason Lahti

Planning Board Members absent: Wendy Salvati, 2<sup>nd</sup> Vice-Chair  
Gregory Todaro

Town Officials Present:

Director of Community Development Jonathan Bleuer  
Junior Planner Andrew Schaefer  
Councilman Paul Shear

Other Interested Parties Present:

Michael Rockwell	Sean Hopkins	Paul Wheeler	Sandy Gaulocher
Alan Kramer	Jim Steinkirchner	Paul Bliss	Sandra Surianello
Michelle Brownschidle	Bill Severyn		

Motion by Richard Bigler, seconded by Daniel Tytka, to **approve** the minutes of the meeting held on May 1, 2024, as written.

Daniel Tytka	Aye	Jason Lahti	Aye	Jason Geasling	Aye
Richard Bigler	Aye	Robert Sackett	Aye		

MOTION CARRIED

**Item 1**

PB Investors, LLC.  
Commercial & Restricted Business

Requests Development Plan approval for Phase 1 of a Conceptually approved mixed-use project, containing commercial space and multiple-family housing at 5695 & 5731 Transit Road.

**DISCUSSION:**

Mr. Bleuer introduced this project 5695 & 5731 Transit Road, located on the east side of Transit Road, south of Highland Farms Drive.

They are existing vacant parcels containing approximately 10-acres of land located in the Commercial and Restricted Business zones and Erie County Sewer District #5.

The applicant is requesting Development Plan and Final Architectural approvals for Phase 1 of a Conceptually approved mixed-use project containing commercial space and multiple-family housing with access to Transit Road, Highland Farms Drive and Roll Road. The full project consists of:

- One 3-story mixed use building containing 22,810 sq. ft. of commercial space on floor one, and 60 total apartments on floors one, two, and three.
- Six 4-unit multi-family buildings containing a total of 24 apartments.
- Several detached garage structures, each containing numerous garage bays.
- Associated facility parking, pool area, pool house, dog park, etc.

Phase 1 consists of the 3-story mixed use building, detached garage structures and community facilities.

This proposal was originally referred to the Planning Board by the Town Board in August of 2021. In October of 2021, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). In February of 2023, the Planning Board issued a Negative Declaration under SEQRA. In March of 2023, the Zoning Board of Appeals issued variances for the proposal. In

April of 2023, the Planning Board issued Conceptual approvals for the overall project. In June of 2023, the Town Board held public hearings and issued a Special Exception Use Permit for multiple family housing and the rezoning of the front portion of the property, downzoning it from Major Arterial to Commercial. In September of 2023, the Landscape Review Committee approved a final landscape plan. Finally, in May of this year the Engineering Department determined that Phase 1 of the Development Plan meets all technical requirements.

The Planning Board has the authority to consider the Development Plan for Phase 1 of this project.

Sean Hopkins with the law firm Hopkins Sorgi McCarthy as well as the applicant Paul Bliss with PB Investors LLC were present to represent this project.

Mr. Hopkins reviewed and highlighted key points of the project, noting that there are two phases proposed for this project, due to sanitary sewer capacity.

Mr. Hopkins noted that Mr. Bliss's goal is to complete Phase 1 as quickly as possible, and then continue on with Phase 2 once the sanitary sewer capacity is available.

Mr. Hopkins pointed out that there are 5.43 acres of greenspace, which equals out to 54.7%. There has been an emphasis on preserving greenspace.

Mr. Hopkins noted that they have held several informational meetings and one-on-one discussions with surrounding property owners, and as construction of this project proceeds, the discussions will continue. Mr. Bliss has an excellent track record, and if a resident has a concern, they can reach out to him directly and he will work to resolve it to the best of his ability.

The Planning Board, in connection with the original approval of Concept Plan, down-zoning, and the issuance of a Special Exception Use Permit (SEUP) did recommend 21 conditions.

The Town Board approval received on June 4, 2023 for down-zoning and the SEUP were subject to the same 21 conditions that the Planning Board recommended.

Mr. Hopkins continued to review the project thus far.

Mr. Hopkins pointed out that the required buffer for this project would be 45 ft. and in connection with this project, they have gone well beyond that.

Mr. Hopkins reiterated that the proposed dog park has been relocated to a more central space, based on input received.

Mr. Hopkins reviewed the multiple ways this proposed project meets the Clarence Comprehensive Plan.

Mr. Geasling noted that the design has been revised to address as many resident and Board comments as possible, and asked what the building materials are that will be used.

Referring to the slide on the screen, Mr. Hopkins noted the high-quality materials that have been proposed primarily Nichiha Fiber Cement panels, as well as a substantial number of windows.

Continuing on, Mr. Hopkins added that the first-floor retail space located at the front of the building has an emphasis on transparency, and a pedestrian-friendly environment.

Mr. Hopkins stated that there is also a lot of vertical and horizontal articulation on the facades of the building.

Mr. Geasling asked for Mr. Hopkins' thoughts on providing internal sidewalks on site, and sidewalk access to the south end of the site.

Mr. Hopkins explained that one of the original issues was pedestrian access to Highland Farms Drive because of the school located close by. Although Mr. Bliss will not own most of the site, he has proposed to extend the sidewalk along Highland Farms Drive as well as pedestrian connections.

Mr. Hopkins added that the Board asked for the sidewalk to be wrapped around the mixed-use building, which they have done.

Mr. Hopkins noted that the property to the south at 8040 Roll Road, owned by Clover which is Senior Housing will not have a sidewalk connection to it, and this is because they do not own that property.

In terms of the 24 units of townhomes located at the rear of the property, Mr. Hopkins stated that there is no separate sidewalk shown for that. As with similar type projects and the low number of units, they feel it will easily accommodate the pedestrian access.

Mr. Hopkins stated that as part of the feature space, Mr. Bliss expects it to contain a restaurant with outdoor seating, to help create a vibrant, fun space.

In relation to the Highland Farms sidewalk improvements, Mr. Geasling asked if there have been any revisions to the driveway that goes out to Highland Farms in regards to pedestrian safety.

Mr. Hopkins responded that based on previous input, they did add signage, but in terms of the sidewalk, Lakeshore Savings Bank has asked Mr. Bliss to purchase this back portion of this property. They will then create an access easement in the rear for both the bank and the bank's drive-thru facility.

Mr. Hopkins stated that they have not added speed bumps or anything similar, as he does not feel they are needed or appropriate based on the combination of the signage, the driveway width, and the fact that the driveway does not enter at precisely a 90-degree angle. With the extensive off-site sidewalk improvements that Mr. Bliss is paying for, he believes the goal has been accomplished.

Mr. Geasling stated that sees the internal mechanical room on the plans, and questioned whether there are any external mechanical units.

Mr. Hopkins responded that there will be some rooftop mechanicals as well, which will be properly screened per the requirements of the Town of Clarence Code.

Mr. Geasling asked if there has been any thought to the driveway to Transit Road, as it appears rather short and he is concerned that the vehicles waiting to pull out on to Transit Road will block access to the front parking for vehicles attempting to access the commercial and mixed-use properties.

Mr. Hopkins explained that in terms of the length of the driveway, it complies with New York State Department of Transportation (NYSDOT) requirements. Mr. Hopkins added that the emphasis is parking behind the building, but in order to accommodate high quality retail uses, they have to provide some parking in the front of the building. While there may be an incident where the driveway may be blocked, it should clear up quickly.

Mr. Hopkins noted that a traffic study was conducted and updated multiple times, ultimately approved by the NYSDOT.

Mr. Hopkins explained that Zoe's extended their parking lot on to the site with a gravel parking lot and an illegal driveway. They were advised to work with them to rectify the situation, even though it does not concern Mr. Bliss at all. Ultimately, the northern driveway for Zoe's will be closed, and they will connect through the back.

In regards to Public Participation, the following residents spoke:

1. Paul Wheeler of 5647 Kippen Drive:
  - where will the retaining pond be, the slides shown tonight are conflicting
  - in terms of landscaping, the buffer at the southeast corner is very thin
  - what part of the project will the trees and landscaping begin
2. Allen Kramer of 8080 Roll Road
  - back parcel butts up to 8040 Roll Road, there was previous discussion of exiting on to Roll Road. While they cannot do that now, are there future plans to do that

Public Participation was closed at this time for this project.

Mr. Hopkins and Mr. Bliss returned to address the questions and concerns, stating that there is a discrepancy in the plans.

Mr. Hopkins noted that in terms of the driveway connection to Highland Farms Drive, the Planning Board had requested the road be straightened and made more of a 90-degree angle. This is better in terms of pedestrian safety and site lines.

In regards to access to Roll Road, Mr. Hopkins stated that Clover owns the senior housing project directly to the south at 8040 Roll Road. They do have a proposal to purchase the site and make and the access easement.

Mr. Hopkins stated that when they purchased this site, they were told by the owner that the easement was in place, which they discovered after seeing the Town's records, that it was not. Looking back at the meeting minutes, it is clear that the Town intended to impose that condition with the approval of the Clover Senior Housing Project, but did not.

Chairman Sackett asked if it was a condition that they needed to complete that easement, they would agree to that.

Mr. Hopkins stated that it is a condition and they hope to be successful, but if they are not, they would need to come back to the Planning Board.

In terms of the landscaping in the southeast corner, Mr. Hopkins noted that the plans show extensive landscaping in that area, and will be done as approved, within Phase 2 of this project. Mr. Hopkins stated that they will continue to consult with Mr. Wheeler.

Chairman Sackett noted that the applicant did refer to keeping in contact with the neighboring residents throughout the process as problems or concerns arise.

Mr. Hopkins stated that they will give Mr. Wheeler a copy of the Landscape Plan.

Mr. Bigler noted that the area will not be disturbed until the necessary time.

Mr. Hopkins responded that is correct, and it is also why the stormwater pond was moved closer.

Chairman Sackett noted that the Landscape Committee meets on the 2<sup>nd</sup> Tuesday of every month, and is an open meeting.

Mr. Bleuer asked the applicant if they are convinced about the stormwater pond, as this plan is meant to illustrate the full development set. The full development set shows a bio retention area and a stormwater management area consistently present in Phase 1. If the applicant is stating tonight that it will not be, that would run the risk of needing to return for modification.

Mr. Bliss explained that the stormwater / bio retention pond is intended to be placed as shown on the colored plan, not the black and white one. He believes part of the issue was they were forced to put in place a plan for if Phase 2 is not approved. It is meant to be in the open area behind the garages, and he does not believe it will be that large.

Mr. Bliss added that it is their plan to place the stormwater / bio retention pond further to the west behind Zoe and the garage, and not on the east side at all.

Mr. Bliss reiterated that the other plan was put together for Erie County Sewer in the off-chance they were not approved for Phase 2, but this is not correct.

Mr. Geasling asked how this will be handled in a motion.

Mr. Bleuer stated that there will need to be a condition that identifies the eastern-most identified retention area as not approved.

A short recess was taken for the applicant to study the plan.

The Planning Board meeting returned to the regular meeting.

Mr. Geasling asked if based on the stormwater / bio retention pond being more westerly located, will it be shaped similarly to what is on the colored plans, with the additional leg behind the Phase 2 building. Mr. Hopkins responded that they hope the additional leg will not be needed, but if it is, the space is available for it.

Mr. Geasling asked if that is based on potential future expansion to accommodate Phase 2.

Mr. Hopkins responded yes.

Mr. Lahti asked if the revised plan has any impact on the playground, dog park or other community areas.

Mr. Hopkins responded no; it is in that area directly to the south.

**ACTION:**

Motion by Jason Geasling, seconded by Richard Bigler to **approve** the PB Investors Mixed-Use Phase 1 **Development Plan**, located at 5695 & 5731 Transit Road, per the submitted drawing by Carmina Wood Design, dated September 2023, with a final revision date of March 2024, and to **approve** the Phase 1 **Final Architectural** drawings by Wendel, dated October 24<sup>th</sup>, 2023, all with the following conditions being met:

1. Applicant meeting the requirements of the Town of Clarence Engineering Development Plan Review Letter, dated May 20<sup>th</sup>, 2024.
2. Applicant meeting the requirements of the Town of Clarence Building Department fire code compliance review, and associated conditions.
3. Applicant meeting any additional requirements of the Town of Clarence Engineering and Building Departments, and any associated conditions, prior to any permits being obtained for construction on the property.
4. Applicant meeting all past Town conditions and conditions of the Town Board issued Special Exception Use Permit for multiple family housing.
5. Subject to New York State Department of Transportation approval for the proposed access to Transit Road.
6. Subject to Erie County Division of Sewerage Management review and approval, and additional regulatory agencies, as required, for connection to the sanitary sewer system within Erie County Sewer District #5.
7. Applicant shall facilitate easements, and/or acquisition and control, for vehicular and pedestrian cross access to Roll Road and Highland Farms Drive per the approved Development Plan. Said easements, and/or acquisition and control, shall be submitted to the Town Planning Department by the applicant and approved by the Town Attorney's Office prior to the issuance of PIP permits by the Engineering Department. 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 and Planning Department after recording.
8. Applicant meeting the requirements of the Landscape Committee Approval on September 12<sup>th</sup>, 2023, and associated conditions, including but not limited to, the management of all landscaping in perpetuity and replacement, in-kind, should there be any deterioration, or death, or disease to plantings; and the maintenance of all fencing, and replacement in kind, should there be any deterioration or damage.
9. Dumpster enclosures and any garbage tote systems shall remain closed at all times when not in use. Dumpster and tote service shall occur in conformance with Town Code. No garbage or debris shall accumulate outside of the dumpsters and totes.
10. 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.

11. Project site to be developed in substantial conformance with the submitted phasing plan. Future phases shall be subject to Development Plan review by the Town.
12. Project site shall be cleared in conformance with the phased clearing plan, including limits of disturbance, and material stockpile locations.
13. No construction vehicles shall access property from Highland Farms Drive in connection with construction activities for all phases of development.
14. Buildings to be constructed per the labelled and approved materials and colors, and building materials to be used shall be of industry standard high quality for durability and appearance.
15. Any ground exposed mechanicals shall be shielded from view by approved landscaping, and any roof mechanicals shall not be visible from public rights-of-way.
16. Paved areas to be striped and maintained in perpetuity. No parking of vehicles outside the designated parking areas.
17. For commercial uses, no outside display or storage of any kind on the property, including but not limited to goods, materials, or other items.
18. Any future proposed commercial outside operations shall be subject to a Temporary Conditional Permit as reviewed and approved by the Town of Clarence.
19. Any permanent signage 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.
20. Subject to Open Space, Recreation, and any other applicable fees as required by Town Code.
21. The eastern-most water retention area shall not be approved and shall be located to the interior of the site, generally consistent with the color site plan dated Thursday, March 30, 2023.

**ON THE QUESTION:**

Mr. Hopkins asked if condition #21 can read to say “generally consistent”. This request was accommodated.

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

Mr. Bleuer stated that if any changes should arise to any stormwater management areas, they would be subject to the review of the Planning Board during the Phase 2 Development Plan review, which would be at a public forum, just as this meeting is.

Daniel Tytka	Aye	Jason Lahti	Aye	Jason Geasling	Aye
Richard Bigler	Aye	Robert Sackett	Aye		

**MOTION CARRIED**

**Item 2**

Michelle Brownschidle / Forever Fun  
Traditional Neighborhood District

Requests a Change-In-Use to allow a boutique retail, office, and event business at 9490 Clarence Center Road.



**DISCUSSION:**

Mr. Bleuer introduced this project located at 9490 Clarence Center Rd., at the northwest corner of Clarence Center Rd. and Railroad St. it is an existing +/- 0.35-acre parcel located in the Clarence Center Traditional Neighborhood District, containing a principal structure.

The applicant is requesting consideration of a Change-In-Use for the rehabilitation of the existing principal structure and site to allow for a boutique retail, office, and event business.

No architectural changes are currently proposed besides any necessary access modifications. Additionally, the applicant is proposing to install the previously approved landscape and parking plan within a year of approval.

In April of 2023, the Planning Board approved a change-in-use from residential to professional office however the previous owner did not implement these changes.

The Planning Board has the authority to consider final action on this request.

Michelle Brownschidle was present to represent her project, adding that the bottom portion will be a boutique and the upstairs will have her office and a small workshop area for future evening events. The events will not be large, approximately 6-10 people.

Mr. Tytko asked what type of boutique it is, what will be sold there.

Mrs. Brownschidle responded that it is primarily party décor, and season gift-type items.

Mr. Tytko asked about future workshops and gatherings that may be held on premises, and what kind of hours will be kept.

Mrs. Brownschidle explained that currently she plans to be open from 10:00a.m. to 6:00p.m., and if there is a workshop, she plans on possibly twice a week, from 6:30p.m. to 8:30p.m. or 7:00p.m. to 9:00p.m.

Referring to the parking plan that Mrs. Brownschidle has agreed to, Mr. Tytko asked if that will be adequate for her business.

Mrs. Brownschidle responded yes.

Mr. Tytko confirmed that Mrs. Brownschidle does not plan to make any renovations to the building aside from what may be necessary.

Mrs. Brownschidle responded yes.

In regards to Public Participation, the following resident spoke:

1. Michael Rockwell of 6015 Goodrich Road:
  - previously requested the landscaping or obstruction so that they do not need to look out at the parking lot

- suggested a fence to mitigate the view to the property, as there has recently been children out playing in the yard and parking lot
- concerns about outdoor noise

Public Participation was closed for this item.

Mrs. Brownschidle addressed the concerns, stating that she is not planning on any loud events or anything in the parking area. She does have two children who come with her while she is there, and they tend to play outside as well as inside.

Chairman Sackett asked Mrs. Brownschidle if as her business evolves, she would be willing to work with the neighbor to address concerns, should they develop.

Mrs. Brownschidle responded yes, absolutely. Eventually the parking area will be much larger, based on what has been asked for her to provide.

Chairman Sackett asked Mr. Bleuer if this would be a one-year Temporary Conditional Permit recommendation to the Town Board.

Mr. Bleuer responded no.

Chairman Sackett noted that it is difficult to project the future, but if Mrs. Brownschidle is willing to work with the neighbor to ensure any future activity that was not anticipated will be addressed. Chairman Sackett also explained that to require a buffer for activity that is not anticipated is not necessary.

Mr. Bleuer stated that there is approved landscaping required for the installation of the parking lot, and should the applicant come to some mutual agreement with the neighbor of changes, to let the Planning Office know and they will be considered.

Mr. Bigler asked Mr. Rockwell if he can see the plan for the parking lot.

Mr. Rockwell stated yes.

**ACTION:**

Motion by Daniel Tytka, seconded by Jason Geasling to **approve the Brownschidle Change-In-Use** to boutique commercial, located at 9490 Clarence Center Road, per the submitted sketches received in the Planning Department on May 5<sup>th</sup> and 22<sup>nd</sup> 2024, with the following conditions being met:

1. Applicant meeting the requirements of the Town of Clarence Engineering and Building Departments, and any associated conditions.
2. No exterior building modifications apart from any necessary access features as required by code.

3. Building and site shall be maintained as approved, in perpetuity, and any building and site deficiencies shall be repaired or replaced as originally approved.
4. Event room shall not be activated until the parking lot and landscaping are installed, as approved. Parking lot shall be installed within one year of approval, and once installed, paved areas to be striped and maintained in perpetuity, with no parking of vehicles outside the designated parking areas on the property.
5. 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 lighting shall be turned off no later than one hour after business hours except for necessary security lighting.
6. Any future proposed dumpster shall require Town review and Approval, including but not limited to screening, service and closure in conformance with Town Code.
7. No outside display or storage of any kind on the property, including but not limited to goods, materials, or other items associated with the commercial use.
8. Any future proposed permanent signage 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.
9. Subject to Open Space, and any other applicable fees as required by Town Code.

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.

Daniel Tytka	Aye	Jason Lahti	Aye	Jason Geasling	Aye
Richard Bigler	Aye	Robert Sackett	Aye		

**MOTION CARRIED**

**Item 3**

Severyn Development, Inc.  
Agricultural-Rural Residential

Requests a Minor Subdivision of land to create three (3) new lots located at the northwest corner of Lapp Rd. and Kenfield Rd., SBL 29.00-1-24.

**DISCUSSION:**

Mr. Bleuer introduced this project with a 0 address, SBL: 29.00-1-24, it is located at the northwest corner of Lapp Road and Kenfield Road.

It is an existing +/- 38.5-acre vacant parcel in the Agricultural-Rural Residential zone.

The applicant is requesting a Minor Subdivision of land to create three (3) new building lots. The lot configuration would consist of the following:

- Existing Parent Parcel: 22 acres with frontage along Lapp Rd and Kenfield Rd.
- New Parcel 3: 5.72 acres with frontage along Lapp Road.

- New Parcel 4: 5.19 acres with frontage along Lapp Road and Kenfield Road.
- New Parcel 5: 5.04 acres with frontage along Kenfield Road.

The Planning Board has authority to act on this request, after an action through the State Environmental Quality Review Act.

Bill Severyn with Severyn Development was present to represent this request. Mr. Severyn noted that they would like Subdivision approval for the purpose of building 3 single-family homes.

Mr. Lahti asked if Mr. Severyn understands the need for the waterline extension and that he is willing to incur the cost.

Mr. Severyn responded yes; their intention is to run the line down Kenfield Road for those two properties.

In regards to Public Participation, the following resident spoke:

1. Jim Steinkirchner of 7175 Kenfield Road:
  - has no problem with the subdivision
  - curious about the water, as they get their water from a well while some of their neighbors have water lines
  - asked if there is a chance they can have a water line to tap in to, even if they were to incur the expense

Public Participation was closed for this item.

Mr. Severyn returned to address the question, stating that they have already considered this. There is a larger parcel at the end of Kenfield, and they would consider having the line that they have installed service all the way to there as well.

Mr. Severyn stated they would be willing to work with their neighbors on possibly obtaining access to the water line.

Mr. Bleuer stated that they advise the owner to reach out to the Erie County Water Authority as the plans are developed, as they will ultimately own the water line. They would allow or permit them to tie in to a line, and discuss fees and cost.

#### **ACTION:**

Motion by Jason Lahti, seconded by Daniel Tytka 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 proposed Severyn Minor Subdivision at the northwest corner of Lapp and Kenfield Road, SBL 29.00-1-24. This Unlisted Action involves a lot split to create three (3) frontage lots in the Agricultural-Rural Residential zone. After thorough review of the submitted plans and Environmental Assessment Forms, it is determined that the proposed actions will not have a significant negative impact on the environment.

Daniel Tytka	Aye	Jason Lahti	Aye	Jason Geasling	Aye
Richard Bigler	Aye	Robert Sackett	Aye		

MOTION CARRIED

Motion by Jason Lahti, seconded by Daniel Tytka to **approve the Severyn Minor Subdivision** at the northwest corner of Lapp Road and Kenfield Road, SBL 29.00-1-24, as per the submitted sketch plan received in the Planning Office on April 30<sup>th</sup>, 2024, with the following conditions being met:

1. Subject to Town of Clarence Highway Department approval for access to Kenfield Road, and/or Erie County Department of Public Works approval for access to Lapp Road.
2. Review and approval by the Erie County Health Department for any future on-site sanitary facilities for the property.
3. Review and approval by the Erie County Water Authority for the required water line extension on Kenfield Road.
4. Review and approval by the Town Building and Engineering Departments for any future construction on the property.
5. Should any drainage easements be required by the Town to address on-site drainage issues on the property, appropriate easements shall be submitted by the applicant and approved by the Town Engineering, Highway and Legal Departments. 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. If such easements are required, no Building or other permits shall issue until the approved and filed additional easement has been received and accepted by the Town Attorney’s Office.
6. Subject to Open Space, Recreation, and any other applicable fees as required by Town Code.

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

**ON THE QUESTION:**

This Minor Subdivision Approval constitutes as the maximum allowable number of lot splits under a Minor Subdivision review. Any future proposed lot splits associated with the properties shall be subject to a Major Subdivision review.

Daniel Tytka	Aye	Jason Lahti	Aye	Jason Geasling	Aye
Richard Bigler	Aye	Robert Sackett	Aye		

MOTION CARRIED

Meeting **adjourned** at 8:01p.m. with a motion by Richard Bigler.

Amy Major  
Senior Clerk Typist