

Town of Clarence
One Town Place, Clarence, NY 14031
Planning Board Minutes
Wednesday, January 29, 2025

Work Session 6:00 pm

Status of SEQR Coordinated Reviews
Review of Agenda Items
Miscellaneous

Agenda Items 7:00 pm

Approval of Minutes

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

Councilman Altieri led the Pledge of Allegiance.

Planning Board Members present:

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

Vice-Chair Richard Bigler
Gregory Todaro
Daniel Tytka

Planning Board Members absent: Jason Lahti

Town Officials Present:

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

Other Interested Parties Present:

Lewis Wargo Annette Wargo Bryan Schaefer Ben Olivieri
Angelo Natale Bill Burke

Motion by Gregory Todaro, seconded by Jason Geasling, to **approve** the minutes of the meeting held on December 4, 2024, as written.

Daniel Tytka Aye Jason Geasling Aye Gregory Todaro Aye
Wendy Salvati Aye Richard Bigler Aye Robert Sackett Aye

MOTION CARRIED

Item 1

Natale Builders
Residential Single-Family

Requests Development Plan approval of a 14-lot Major Subdivision, known as Brookfield Estates, as an extension of Woodside Drive, on Greiner Road, SBL 57.16-1-22.

DISCUSSION:

Mr. Bleuer introduced this project, SBL 57.16-1-22 located on the west side of Woodside Drive, north of Greiner Road.

It is an existing 61.5-acres of vacant land located in the Residential Single-Family zone.

The applicant is requesting Development Plan approval of a 14-lot major subdivision, as an extension of Woodside Drive, with proposed access to Greiner Road. Lot sizes range from 1.9 to 5.2 acres, with conservation areas proposed throughout as natural buffers.

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 to meet with nearby neighbors. In February of 2022, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). In May of 2023, the Planning Board issued a Negative Declaration under SEQRA and Concept Plan approval of the 14-lot major subdivision. In November of 2024 the Landscape Review Committee approved a final landscape plan with conditions. In January of this year, the Engineering Department determined that the development plan meets all technical requirements.

The Planning Board has the authority to consider this Development Plan. An approval would constitute the final Board action prior to construction.

Ken Zollitsch with the engineering firm Greenman Pedersen Inc. was present to represent this project.

Mr. Zollitsch reviewed the project, adding that the 14-lot subdivision would be on septic systems, and after working with the Town of Clarence, Woodside Drive has been extended as a public roadway heading south. Woodside Drive itself will also be improved, as a condition placed by the Town. These improvements will include curbing, and to extend more to be in line with a standard road in the Town. It is not a full reconstruction, just an expansion of the roadway so that it blends in with the rest of the development more seamlessly.

Mr. Zollitsch reiterated the reviews and subsequent approvals that the project has gone through with the Town departments and committees since its conception.

Mr. Zollitsch stated that they have received all of their permits from the US Army Corp of Engineers, and the Department of Environmental Conservation for the limited wetlands impacts on the site. They have a curb cut permit for Greiner Road from the Erie County Department of Public Works, and they

also have their extension permits and approvals from Erie County Water Authority and Erie County Health Department as part of their review.

Noting that Mr. Zollitsch described Woodside Drive as being brought up to the Town of Clarence standards, Mr. Geasling confirmed that the road will be widened and curbed.

Mr. Zollitsch responded yes. The depth of the pavement will not change, they are expanding the edges of the road, bringing it to 28 ft. wide which is the standard.

Mr. Geasling asked about the drainage, and if the road is pitched to the existing catch basins on Shimerville.

Mr. Zollitsch explained that the pitch system on Woodside Drive is a little different in that the receivers are set further back off the road 8-10 ft. and not immediately on the pavement. Ultimately the drainage will be tying in to those areas. They will not be installing or running parallel lines, they have to work around the other existing utilities on the site.

Mr. Geasling asked if there will be any curb transitions or curb cuts to go to the inlets.

Mr. Zollitsch stated that he does not have the full drainage plan with him, but they did work with the Town Engineer and the Highway Superintendent to be sure that they were satisfied.

Regarding the Erosion and Sediment Control Plans, Mr. Geasling asked if there is a construction fence proposed to delineate areas that are not to be disturbed.

Mr. Zollitsch responded yes; they generally use orange construction fence in the critical areas of a site development so that contractors do not extend any clearing or land disturbance beyond the fencing.

Mr. Geasling stated that particularly for the west and southern limits it was not intended to be used for the buffer areas.

Mr. Zollitsch explained that the orange construction fence is set up more for the site contractor. It is unlikely that the site contractor will be disturbing any of the buffer for the northwestern portion of the lot, as there is no infrastructure in that back area.

When it comes to individual lot development with the homes, Mr. Zollitsch stated that they need to have individual lot grading and drainage plans submitted to the Town, reviewed and approved by the Engineering Department. They need to be sure that the Wetlands are left intact and the limits of disturbance on those individual lots do not come close to the area.

Mr. Geasling asked if the wetland buffer areas are intended to be monumented and delineated so that the future property owners do not get in to those areas.

Mr. Zollitsch explained that on everyone's lot survey they receive once they take ownership of the property, the wetlands will be monumented along the areas where disturbance would be closer to it making it known that it cannot be disturbed.

Mr. Zollitsch explained that the Army Corp of Engineers wetlands located at southeast portion of the site are monumented.

Regarding the 50 ft. perimeter buffer that they have throughout the property would not be monumented, according to Mr. Zollitsch.

Mr. Geasling asked if that is the Conservation area.

Mr. Zollitsch responded yes.

Mr. Geasling stated that he was under the assumption that was being monumented.

Mr. Bengart informed Mr. Zollitsch that the Planning Board and Town of Clarence are going to want that monumented.

Mr. Zollitsch stated that they can work with the Town in the Private Improvement Permit (PIP) stage. They have certain set monuments that they use for the wetlands that describe exactly what it is. Those are requirements of the Army Corp of Engineers or Department of Environmental Conservation. In terms of Town monumenting, they have not done that previously with projects, so there are no set standards for that type of monument to be placed. They can work with the Town on what they would like to see.

Mr. Bengart stated that the goal is going to designate where property lines end so that people do not encroach in to those areas.

Regarding lot grading, Mr. Geasling noted that it appears they go right up to the federal wetlands and the ditch area that runs north-south. Mr. Geasling also asked about the corrugated culverts that are proposed for the driveways. Are those intended to be installed as each house is built, or as part of the development.

Mr. Zollitsch responded that they would be installed with each house construction. Given the size of the lots in the development, it is challenging for them because they do not know exactly where each house will be placed, or the location of each driveway. He does not feel that it would be wise to do it at the stage of site construction. He does not believe any of the culverts will be installed during home construction.

Mr. Zollitsch noted that Natale Builders are also the home builders for this project, as well as the developer. They are present at this meeting, and will be aware of any conditions or concerns that may be placed. They will not be selling off the home lots to other builders that may not be aware of all of the restraints that are present.

Mr. Geasling asked if when the builder builds each house, is there anything that they need to do in regards to the wetland disturbances.

Mr. Zollitsch stated that all of the permits were included under the Army Corp of Engineers permits. They did not include a specific impact in the permit for each of those crosses. They normally work

with a wetland consultant that helps them with notification to the board when there will be disturbances.

Mr. Zollitsch stated that as long as the grading does not encroach on the wetlands whatsoever, that can be graded.

Mr. Geasling asked how long a wetland permit is good for.

Mr. Zollitsch responded that it is good for 5 years.

Mr. Geasling asked if the subdivision will be completed within that time.

Mr. Zollitsch responded yes; and if necessary, there is a renewal option. Generally speaking, when they get within 6 months of a permit expiration and all work has not been completed, they will submit to the Army Corp of Engineers for an extension. The duration of an extension is up to the discretion of the Army Corp of Engineers.

Regarding Public Participation, no one spoke.

With no one wishing to be heard, Public Participation was closed for this project at this time.

ACTION:

Motion by Jason Geasling, seconded by Richard Bigler to **approve** the Natale Builders Brookfield Estates Major Subdivision **Development Plan** as an extension of Woodside Drive on the north side of Greiner Road, west of Shimerville Road, as per the submitted development plan set by GPI dated September 2023, with a final revision date of June 28th, 2024, with the following conditions being met:

1. Compliance with requirements of the Town of Clarence Engineering Development Plan Review Letter, dated January 10th, 2025.
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, Building and Highway Departments, and any associated conditions, prior to any permits being obtained for construction on the property.
4. Applicant meeting the requirements of the Landscape Review Committee Approval on November 12th, 2024, and associated conditions, including but not limited to, the management of all landscaping in perpetuity and replacement, in-kind, should there be any deterioration, death, or disease to plantings.
5. Limits of clearing and disturbance shall be per the approved development plan. Areas designated as "Conservation Area" shall be controlled by a Conservation Easement, and 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 by the applicant, and maintained in perpetuity by the Homeowner's Association.
6. 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. 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 and prior to Final Plat approval by the Town Board.

- 7. Applicant shall grant and prepare any additional easements determined to be necessary by the Town of Clarence Engineering Department, based on technical review of the approved 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 and prior to Final Plat approval by the Town Board.
- 8. 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, and prior to submission to the Attorney General’s office so as to verify that the Home Owners Association Bylaws Rules and Regulations require the protection of the Conservation area and that the HOA Board has the obligation and authority to enforce the Protection of the Conservation Area.
- 9. 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.
- 10. Any permanent subdivision signage shall 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.
- 11. Subject to Open Space, Recreation, and any other applicable fees as required by Town Code.

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

Mr. Bengart asked Mr. Zollitsch to confirm that he understands the Town of Clarence will want to see the Homeowner’s Association (HOA) documents before filing. This is a new procedure, and a way to be sure that the information will end up in the agreement for everything we need to confirm that the Conservation Easement is protected.

Mr. Zollitsch responded yes.

ON THE QUESTION:

Daniel Tytka	Aye	Jason Geasling	Aye	Gregory Todaro	Aye
Wendy Salvati	Aye	Richard Bigler	Aye	Robert Sackett	Aye

MOTION CARRIED

Item 2

Bryan & Randy Schaefer
Agricultural-Rural Residential

Requests a determination under the State Environmental Quality Review Act for the proposed Demolition of the existing structures at 5774 Salt Road, in advance of a determination for the proposed Major Subdivision still under review.

DISCUSSION:

Mr. Bleuer introduced this project at 5774 Salt Road, located on the west side of Salt Road, south of Clarence Center Road.

An existing 112-acre property located in the Agricultural-Rural Residential zone, containing a vacant single-family residence, detached garage, and multiple agricultural structures.

The applicant is requesting a determination under the State Environmental Quality Review Act for the proposed Demolition of all existing structures on-site, in advance of an action on the proposed Major Subdivision still under review for this site.

The Town Board referred the overall proposal to the Planning Board in April of 2024. In May of 2024, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). Since that time, the applicant has worked and continues to work, to address comments received from involved and interested agencies.

The compromised structural integrity of the structures has resulted in active Building Code violations.

The applicant has requested that the Town allow the Demolition while they continue to address comments and requirements associated with the Major Subdivision.

The Planning Board has the authority to consider this request.

Bryan Schaefer was present to represent this request, adding that they have gone through historical review and their engineer's report after they surveyed the structures, and due to the dilapidated conditions, they have recommended demolition.

Mr. Tytka noted that the applicant has gone through the proper procedures, and they have seen the condition of the building. Mr. Tytka asked how long the demolition of the structures would take.

Mr. Schaefer explained that they have not pursued any steps yet, they have been waiting for the Planning Board action to determine what their next steps would be.

Mr. Tytka noted that the debris will need to be managed from the road and the neighbors.

Mr. Tytka asked if there is anything from the project that is salvageable as required by the Historical Preservation Committee.

Referring to a small building on the site, Mr. Schaefer stated that they plan to try to salvage that. Aside from the roof, it is in decent condition.

Mr. Schaefer also noted that there is some structural stone on the one building that they hope to salvage if they are able to.

Regarding Public Participation, no one spoke.

With no one wishing to be heard, Public Participation was closed for this project at this time.

ACTION:

Motion by Daniel Tytka, seconded by Gregory Todaro 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 Schaefer Demolition at 5774 Salt Road in the Agricultural-Rural Residential zone. This Type I Action involves the demolition of structures built before 1950. After thorough review of the submitted proposal, documents, meeting minutes, reports, letters, Town Code, and Environmental Assessment Forms, it is determined that the proposed action will not have a significant negative impact on the environment.

Daniel Tytka	Aye	Jason Geasling	Aye	Gregory Todaro	Aye
Wendy Salvati	Aye	Richard Bigler	Aye	Robert Sackett	Aye

MOTION CARRIED.

Motion by Daniel Tytka, seconded by Gregory Todaro to **approve** the Schaefer **Demolition** of all structures located at 5774 Salt Road with the following conditions being met:

1. Subject to the issuance of a Demolition Permit by the Clarence Building Department, and any associated conditions.
2. Compliance with the New York State Parks, Recreation and Historic Preservation letter dated November 8th, 2024.

After Mr. Bleuer clarified the two conditions that the State Historic Preservation Office (SHPO) laid out in their letter, which the first one Mr. Schaefer has already completed, which was the historical investigation. The second is mimicking the Town of Clarence Historical Preservation Commission’s request to preserve what they are able to. It is not a requirement, but it is a recommendation.

Mr. Schaefer stated that he has heard, understands, and agrees to the conditions.

Daniel Tytka	Aye	Jason Geasling	Aye	Gregory Todaro	Aye
Wendy Salvati	Aye	Richard Bigler	Aye	Robert Sackett	Aye

MOTION CARRIED.

Mr. Bengart has recused himself from Item 3.

Item 3

Edge Development LLC.
Commercial

Requests Concept Plan approval of a proposed mixed-use project containing multiple-family housing at 9105 Sheridan Drive.

DISCUSSION:

Mr. Bleuer introduced this project at 9105 Sheridan Drive, located on the south side of Sheridan Drive, west of Main Street.

It is an existing 2.8-acre vacant property located in the Commercial zone.

The applicant is requesting Concept Plan action of a proposed mixed-use project containing multiple-family housing and commercial space. The project consists of approximately 7,000 sq. ft. of commercial space and 22 apartments, as follows:

- One 3-story mixed-use building fronting Sheridan Drive containing 7,000 sq. ft. of commercial on the first floor, and 10 total apartments on floors 2-3.
- Three 2-story residential townhome buildings to the rear, each containing 4 units.

The Town Board referred this proposal to the Planning Board in October of 2024. Due to comments received, the applicant has modified the proposal. Modifications include; reducing the residential density by 2 units, increasing the total amount of commercial space, verifying that the proposed mixed-use building will meet the underlying zoning maximum building height limit of 45', increasing the front yard setback of the mixed-use building, and extending the proposed split rail fence along the frontage of Sheridan Drive. In November of 2024, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). Since that time, the applicant has worked to address comments received from involved and interested agencies.

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

Per Town Code, multiple-family projects in the Commercial zone are limited to a maximum of 2-stories, and projects without access to a public sanitary sewer are limited to 16 residential units. Additionally, the proposal exceeds the allowable multiple-family housing density by 12 units. If the applicant chooses to make an appeal to the Zoning Board and is successful, this proposal must return to the Planning Board for Concept Plan review.

Sean Hopkins with the law firm Hopkins Sorgi McCarthy was present on behalf of the applicant. Also present was Bill Burke, also representing the applicant.

Mr. Hopkins reviewed the project thus far, adding that there will be one curb cut on to Sheridan Drive, as well as a sidewalk connection to Sheridan Drive.

Referring to an aerial photo of the site, Mr. Hopkins noted that the proposed project is located next to two Department of Transportation (DOT) properties on both sides of Sheridan Drive.

Mr. Hopkins noted that although multi-family dwelling units are permitted, they are subject to the issuance of a Special Exception Use Permit by the Town Board.

Reviewing the intent of the Commercial Zone District, Mr. Hopkins noted that they are accomplishing the mixed-use with maximized parking behind the proposed building, high quality architecture, pedestrian connectivity, and enhancing the character of the neighborhood.

Mr. Hopkins reviewed the list of documentation that was included in the comprehensive concept submittal. The concept submission was updated based on comments received by the Town Board and Planning Board Executive Committee. The updated submission included an updated Part 1 Environmental Assessment Form.

Mr. Hopkins reviewed the timeline of the proposed project, emphasizing the changes that were made to the updated submission based on comments received. These modifications include an increase to the front yard building setback from 10' to 15' to allow for additional space for landscaping in the front of the building, extended the split-rail fence to the entire length of the western property line, and added some additional internal sidewalk specifically to connect the sidewalks out to Sheridan Drive.

Mr. Hopkins stated that although the property is only 2.8 acres in size, they are proposing extensive landscaping of nearly 100 trees, 250 shrubs, 84 ornamental grasses and ground covers. The proposed landscape plan will require review and approval by the Landscape Review Committee.

Mr. Hopkins stated that this proposed project is consistent with the goals and planning objectives of the Clarence Master Plan 2030.

Referring to the three zoning variances that this proposed project needs from the Zoning Board of Appeals, Mr. Hopkins explained that they are seeking an area variance for 8 additional units, as this site is serviced by septic. They are also proposing a variance for the total number of floors as the 3-story mixed-use building will have a peak height of 44'. Additionally, they will need a variance for more than 16 residential units on a property with septic sanitary sewer service.

Mr. Hopkins stated that the SEQRA Coordinated Review did not result in any concerns by the agencies for this board to act as Lead Agency, or any concerns regarding any significant adverse environmental impacts. They made sure to define the action very broadly in the EAF to require all required approvals and permits.

Mr. Hopkins continued to review the SEQRA correspondence received as a result of the 30-day coordinated review, as well as their follow-up response.

Mr. Hopkins noted that the only comment from Erie County was that they have no comment, and deferred to the Town of Clarence. Erie County Water Authority (ECWA) indicated that the applicant will need to design their water system in compliance with their standards. SHPO indicated that based on their documentation, it is their opinion that this project will not have any adverse impacts on archaeological, cultural, or historical resources.

Mr. Hopkins continued to review the comments from the Coordinated Review, all are on file.

Mr. Hopkins stated that they have submitted a series of colored renderings prepared by Sutton Architecture. All lighting on the site will be dark sky compliant with no lighting spillover.

Mr. Hopkins reviewed the renderings that were displayed on the screen, all are on file.

Mr. Hopkins stated that in his opinion he feels they are meeting a couple of different markets, those being a more traditional apartment in a mixed-use building, and also for the townhomes with an attached garage.

Mr. Geasling asked what the allowable number is for local family housing units that this proposed project exceeds.

Mr. Bleuer explained that they did come up with different calculations, but after exploring every option for a density calculation, the Planning Office has deemed that this proposed project is 12 units over the allowable density. Mr. Bleuer stated that there is something in the code that allows for a “transfer incentive” where you can take out multi-family units and get two mixed-use units. However, they have deemed that this proposed project does not have enough multi-family units to give, to take advantage of that transfer incentive. In interest of being as thorough as possible, they applied the largest variance that they were able to.

Noting that the landscape plan is very nice with a nice variety of vegetation and trees, Mrs. Salvati stated that typically landscape plans will show what is existing that is being removed. This landscape plan does not show that, and she would like to see that added to this landscape plan. Mrs. Salvati would like it to show either on the landscape plan or site plan what vegetation is being removed, specifically the larger trees to the back of the property that are proposed to be removed.

Mr. Hopkins asked Mrs. Salvati if she is asking specifically for a tree survey or a clearing plan.

Mrs. Salvati responded a clearing plan or even just on the plan itself, show what trees will be removed.

Mr. Hopkins responded that he understands.

Regarding Public Participation, no one spoke.

With no one wishing to be heard, Public Participation was closed for this project at this time.

ACTION:

Motion by Jason Geasling, 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 Edge Development proposal at 9105 Sheridan Drive, in the Commercial zone. This Type I action involves the construction of 22 apartments and approximately 7,000 sq. ft. of commercial space in the Commercial zone. After thorough review of the submitted plans, documents, meeting minutes, reports, letters, 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 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 **deny** the Edge Development Concept Plan per the submitted drawing by Carmina Wood Design dated October 10th, 2024.

Daniel Tytka	Aye	Jason Geasling	Aye	Gregory Todaro	Aye
Wendy Salvati	Aye	Richard Bigler	Aye	Robert Sackett	Aye

MOTION CARRIED.

ON THE QUESTION:

While this proposal meets the underlying maximum height requirement, 3-story multiple-family housing structures are prohibited in the zone. Additionally, the proposal exceeds the allowable multiple-family housing density by 12 units. If the applicant chooses to make an appeal to the Zoning Board and is successful, this proposal must return to the Planning Board for Concept Plan review.

Daniel Tytka	Aye	Jason Geasling	Aye	Gregory Todaro	Aye
Wendy Salvati	Aye	Richard Bigler	Aye	Robert Sackett	Aye

MOTION CARRIED.

Mr. Bengart returned to the meeting.

Item 4

Leonard Deni
Industrial Business Park

Requests Conceptual review of a proposed automotive self-storage facility and sport courts facility on Harris Hill Road, SBL 57.11-3-5.2.

DISCUSSION:

Mr. Bleuer introduced this project on Harris Hill Road, SBL 57.11-3-5.2, located on the east side of Harris Hill Road, south of Roll Road.

It is an existing 18-acre vacant parcel in the Industrial Business Park zone.

The applicant is requesting preliminary Conceptual review of a proposed automotive self-storage and sport courts facility, with single access to Harris Hill Road, and the ability for cross access to 8575 Roll Road. The project is proposed to comprise of the following:

- Automotive Self Storage: Six “car cave” buildings, for up to 62 storage bays, each with the ability to contain garage area, studio space with kitchenette and bathroom, and upper mezzanine level.
- Sport Courts Facility: One approximately 20,500 sq. ft. building, containing nine pickleball courts and associated amenities, together with six outdoor pickleball courts.

The Town Board referred this proposal to the Planning Board in December of 2024.

The initiation of a coordinated review under the State Environmental Quality Review Act will allow for involved agency and interested party comment.

Ken Zollitsch with the engineering firm Greenman Pedersen Inc. was present to represent this project, noting that the proposed project sits further back on the site, approximately 500' to 600' back from the road.

Mr. Zollitsch stated that because this property is in the Industrial Business Zone as well as the type of project proposed, it will have a relatively low impact on the adjacent neighbors.

Noting that stormwater detention facilities are proposed, Mrs. Salvati noted that she does not see them on the plans. Understanding that this is early on in the review process, Mrs. Salvati asked that Mr. Zollitsch please indicate where they will be located.

Mr. Zollitsch apologized, explaining that it was not included on the plan but that they expect to have the stormwater detention facility adjacent to the ditch crossing, between that and the outdoor courts.

Mrs. Salvati stated that a wetland delineation will need to be done for this project which will need to comply with the regulations, and a SHPO review also, as there may be archaeological concerns. Fire Safety will also need to review this plan particularly because of the extensively long driveway and requirements for hydrants.

Mr. Zollitsch stated that regardless of where the hydrants are located on Harris Hill Road, they know they will need some private hydrants because they already exceed 400 ft. just with the frontage. They understand there will be the need for a domestic and private fire line.

They have a wetland consultant and have begun work on the delineation that they understand needs to be verified by the Army Corp of Engineers and the Department of Conservation.

Mrs. Salvati continued to review the plans and other items that need to be submitted for this project, including preliminary elevations.

Reiterating that it is early in the process, Mrs. Salvati asked what preliminary plans are for lighting on this site.

Mr. Zollitsch stated that is a point that he will need to discuss with the developer, he is unsure how they will handle the lighting from the building area. He does know that due to the length of the main access driveway and the curvature of it, they will have some post lighting but beyond that, he is unsure what the considerations are at this point.

Mrs. Salvati asked about snow removal and storage on the site, noting that at some point that will also need to be included in the plans.

Referring to the proposed connection to 8575 Roll Road, Mrs. Salvati asked if that will be for main site or emergency access.

Mr. Zollitsch stated that it would only be for emergency access, and is not intended to be a main or secondary access for this project. The main access for the site will be from Harris Hill Road, but they are looking at the emergency access to connect to Roll Road.

Mrs. Salvati asked if the emergency access will be gated.

Mr. Zollitsch responded that there would be some type of gate, but he does not think it is necessary to have one that locks. It may be a matter of having a simple gate there to prevent people from driving through it. They will look further in to that as they progress through the review process.

Mrs. Salvati asked if there will be any signage proposed for out at the road.

Mr. Zollitsch responded yes.

Referring to the south side of the property where the bays are, Mr. Todaro noted that it looks like there is a building located in the middle that is approximately 156' long, and asked what that is.

Mr. Zollitsch stated that it is not a unit, it will be open green space though they are unsure at this point if it will be a turf or pavers, it may be a place to gather with the cars to show them off.

Mr. Todaro asked if the bays are 50' per bay, and if so, does that mean more than one vehicle can be stored in a bay.

Mr. Zollitsch responded yes.

Mr. Todaro asked regarding the pickleball facility, will they be courts only or will there be other facilities as well like restrooms.

Mr. Zollitsch stated that there are other facilities such as restrooms and a gathering area. There are no separate training facilities or workout rooms or shower, only restrooms and locker rooms to support the activity.

Mr. Todaro asked if for the rental of the auto bays will that have an office as well, or is the office in the Pickleball area.

Mr. Zollitsch stated that he is not aware of any proposal to have an on-site office like you would for a self-storage facility or similar.

Chairman Sackett asked if the car bays will have any utilities.

Mr. Zollitsch stated that they are planned to have water and sanitary sewer service to the bays.

Regarding Public Participation, no one spoke.

With no one wishing to be heard, Public Participation was closed for this project at this time.

ACTION:

Motion by Wendy Salvati, seconded by Gregory Todaro that pursuant to Article 8 of the Environmental Conservation Law, to **accept** the Part 1 Environmental Assessment Form as submitted and to seek Lead Agency status and **commence a coordinated review** among involved and interested agencies on the Deni automotive self-storage facility and sports court facility project at Harris Hill Road SBL 57.11-3-5.2. This Unlisted action involves the construction of up to six automotive self-

storage buildings featuring approximately 62 studio garages, and the construction of an indoor/outdoor pickleball facility, all in the Industrial Business Park zone.

Daniel Tytka	Aye	Jason Geasling	Aye	Gregory Todaro	Aye
Wendy Salvati	Aye	Richard Bigler	Aye	Robert Sackett	Aye

MOTION CARRIED.

Item 5

Capretto Management LLC.
Industrial Business Park

Requests Conceptual review of a proposed warehouse for personal use on James Ryan Parkway, SBL 44.00-1-55.

DISCUSSION:

Mr. Bleuer introduced this project on James Ryan Parkway, SBL 44.00-1-55, proposed subplot 8. It is located on the east side of James Ryan Parkway, south of County Road

Proposed subplot 8 is currently vacant and will contain 1.94-acres within the previously approved Cimato Industrial Business Park, in the Industrial Business Park zone.

The applicant is requesting preliminary Conceptual review of the subdivision of land, and a proposed warehouse for personal use. The warehouse is proposed to be approximately 5,100 sq. ft., and feature a variety of composite and metal materials selected for durability and design. A single access is proposed to James Ryan Parkway.

The Town Board referred this proposal to the Planning Board in December of 2024.

The initiation of a coordinated review under the State Environmental Quality Review Act will allow for involved agency and interested party comment.

Jeffrey Palumbo with the law firm Block Longo was present to represent this project. This will be a warehouse / garage for Mr. Capretto’s personal use and storage of his vehicles.

Mr. Todaro asked Mr. Palumbo to briefly describe the materials planned for the building.

Mr. Palumbo does not have the list of materials that was included with the submission.

Mr. Bleuer stated that the applicant has dropped off material samples, they are at the Planning Office. They are a variety of composite materials that were selected for durability and longevity. They are what the Town considers premium materials. There are also some metal elements, but they are not the standard siding and roofing material but rather higher end materials.

Mr. Todaro noted that he will take Mr. Bleuer’s word that they are the type of materials they prefer for that area.

Mr. Todaro stated that he believes this to be the proper place for a building like this, and a perfect location.

Mr. Todaro asked where the mechanicals may be located.

Mr. Palumbo stated that they will not be on the roof, they will be inside, and anything on the outside of the building will be properly shielded.

Noting that this is the first building proposed for that area, Mr. Todaro added that it will set a standard and he wants to make sure they are consistent.

Mr. Palumbo added that a Landscape Plan was submitted that shows detailed landscaping around the whole facility.

Mr. Todaro noted that the landscape looks very good.

Mr. Todaro asked why there are so many parking spaces for a storage facility, and is that all required. If not, can it be banked.

Mr. Palumbo stated that this plan was prepared and the parking spots are based on what is required. They probably do not need them all.

Mr. Todaro asked about the lighting on the building, and whether it is low-level sconce lighting or a brighter pack lighting that will be shielded.

Mr. Palumbo confirmed that it will be shielded.

In regard to storage outside, Mr. Todaro asked if anything will be stored outside.

Mr. Palumbo stated that there are no plans to store anything outside. The facility is specifically for storing his vehicles, and perhaps some other equipment stored inside.

Mr. Todaro noted that it appears that the dumpster is located to the rear of the proposed building, and enclosed.

Mr. Palumbo responded yes.

Mr. Todaro asked if there is fencing or gates somewhere on the property.

Mr. Palumbo stated that he does not believe there are any gates located on the property, aside from the fence gating proposed around the dumpster.

Chairman Sackett clarified with Mr. Palumbo to review necessary parking with the applicant. He may be able to address what the applicant prefers for parking rather than what is required.

Mr. Palumbo stated that he does not think the applicant needs the number of parking spots that are required, but he will review that with the applicant.

Mrs. Salvati added that if the applicant does not need all of the required parking, it can be land-banked.

Regarding Public Participation, no one spoke.

With no one wishing to be heard, Public Participation was closed for this project at this time.

ACTION:

Motion by Gregory Todaro, 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 to seek Lead Agency status and **commence a coordinated review** among involved and interested agencies on the Deni automotive self-storage facility and sports court facility project at Harris Hill Road SBL 57.11-3-5.2. This Unlisted action involves the construction of up to six automotive self-storage buildings featuring approximately 62 studio garages, and the construction of an indoor/outdoor pickleball facility, all in the Industrial Business Park zone.

Daniel Tytka	Aye	Jason Geasling	Aye	Gregory Todaro	Aye
Wendy Salvati	Aye	Richard Bigler	Aye	Robert Sackett	Aye

MOTION CARRIED.

Meeting **adjourned** at 8:07 p.m. with a motion by Gregory Todaro.

Amy Major
Senior Clerk Typist