

The Work Session meeting of the Town Board of the Town of Clarence was held on Wednesday March 26, 2025 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 8:33 a.m.

Members of the Town Board present were Councilmembers Robert Altieri, Daniel Michnik, J. Paul Shear, Peter DiCostanzo, and Supervisor Patrick Casilio. Other Town officials present were Director of Community Development Jonathan Bleuer, Town Engineer Timothy Lavocat and Town Attorney Lawrence Meckler.

Director of Community Development - Jonathan Bleuer

FORMAL AGENDA ITEMS:

**Harmoni Towers / PI Tower Development, LLC.**

The applicant is requesting permit authorization for the construction of a site plan approved 150 ft tall telecommunication monopole tower wholly located in the Industrial Business Park zone, approximately 210 ft off the rear lot line of 4610 Shisler Road, on the west side of Shisler Road, south of the Clarence West Shore Line Recreational Trail.

The tower will support a Verizon antenna array, with the ability to support additional carriers in the future, and the potential for emergency services utilization through future proposed improvements to the facility.

In March 2025 the Planning Board issued a negative declaration under SEQRA, site plan and subdivision approvals, and a recommendation of permit authorization to the Town Board. The applicant struggled through the Planning Board meeting so they will be bringing in a radio frequency engineer to the Town Board meeting this morning to answer any technical questions regarding coverage, location and rationale.

Councilman Shear asked when the tower is put up and additional users are added, does the capacity or distance reduce.

Jonathan said no, they are exclusively separate. The lower the antenna is on the tower the less distance you have.

Councilman Altieri said he is concerned about coverage because the applicant really was not good at answering questions at the Planning Board meeting.

Supervisor Casilio asked if he should speak to Amherst or the fire company.

Jonathan responded the fire coverage needs have been designed on the tower. It is not approved, and would be subject to another review.

Supervisor Casilio asked if we can hold them to one building and one generator, and can we make that a condition.

Jonathan said they have stated why they cannot do that.

Councilman Michnik asked if it is diesel or propane.

Councilman Shear said diesel.

Councilman Altieri asked if this is 150 feet plus.

Jonathan said 150 feet is what is approved. There is an opportunity for fire to come back to request an extension of ten feet. That would require a variance through the Zoning Board of Appeals.

Councilman Michnik asked why they don't put it together all at one time.

Councilman Shear said because Amherst isn't ready.

Jonathan said it isn't our project and we aren't exactly sure what fire will eventually need.

Supervisor Casilio commented they are talking about going over to trunked radios, which would be maybe everybody all in for ten million dollars and possibly two million to us.

Councilman Shear asked if it gives the fire companies anything they don't have now.

Supervisor Casilio said he doesn't think so.

The Town Board has the authority to consider this request, which if approved, would constitute the final Board action prior to construction. The applicants would proceed to the Building Department for any necessary permits and also must meet with the Landscape Review Committee.

**Dynabrade, Inc.**

The applicant is requesting a public hearing to consider Special Exception Use Permits for a conceptually approved 90,000 sq ft manufacturing and office building located at 9035 Sheridan Drive along with associated site improvements; as a campus addition to the existing business operation at 8989 Sheridan Drive. This is on the south side of Sheridan Drive, west of Main Street.

In March 2025 the Planning Board issued a negative declaration under SEQRA, concept plan and conceptual architectural approvals, and a recommendation to the Town Board for issuance of Special Exception Use Permits. Everything is in order to set a public hearing.

The Town Board has the authority to consider this request after setting and holding a public hearing.

### **Buffalo AutoSpa**

The applicant is requesting a public hearing to consider a Temporary Conditional Permit (TCP) for an existing unpermitted automotive detailing operation located at 8870 Sheridan Drive, on the northeast corner of Sheridan Drive and Shimerville Road.

This has a very long history of illegal operation on that corner. In March 2025, the Planning Board recommended issuance of a TCP, subject to fourteen conditions.

Proposed modifications to the site include, but are not limited to, the reduction of one of the two curb cuts to Sheridan Drive, replacement of pavement with greenspace around the existing freestanding sign frame, addition of a stone base to the canopy columns, replacement and striping of parking areas, and the installation of landscaping and dumpster enclosure. We do have owner authorization from the property owner, but it does require Nash Kraft of Buffalo AutoSpa make the improvements.

The Planning Board did condition, should the TCP be issued, that the work be done within one year.

Councilman Altieri asked about the curb cut on Shimerville Road.

Jonathan said it stays as is, and added that it has been recommended to Mr. Kraft that he attends the Town Board meetings and to certainly be at the public hearing.

Councilman Michnik asked if we trust him to get all that done.

Councilman Shear said no.

Supervisor Casilio added the applicant should understand that this a temporary permit.

Town Engineer Timothy Lavocat asked if the site plan improvements are part of the process for this TCP.

Jonathan said yes.

Mr. Lavocat explained, this has to be coordinated with the DOT sidewalk project that is coming through here and asked who the site engineer is.

Jonathan said it is Carmina Wood.

Mr. Lavocat added, anything that is proposed in the State right of way may be disturbed with the sidewalk project. Every project will have to coordinate with our engineer that is doing the Sheridan Drive sidewalk project. We are in the middle of that design phase.

Jonathan added that Mr. Kraft will be required to get a DOT permit to close the curb cut and their plans will have to be reviewed by the Engineering Department.

Mr. Lavocat said when they go for the DOT permit, that will flag it for the DOT to make sure it is coordinated with the Sheridan Drive project and then also on our end.

Councilman Michnik asked how we protect ourselves that this will get completed.

Councilman Shear said we just don't renew the permit next year.

Town Attorney Lawrence Meckler added we could take legal action.

Supervisor Casilio asked if we could issue the TCP for six months, instead of one year. Not asking that everything be done, but see some action.

Jonathan said you could put thresholds on and require the applicant to come back in six months.

The Town Board has the authority to consider this request after setting and holding a public hearing.

Mr. Lavocat clarified that on the Dynabrade project, it is going through the standard development plan process, so we will coordinate that sidewalk project with the applicant.

### **Tickers Import Performance & CD Tinting**

The applicant is requesting consideration of a Temporary Conditional Permit for an automotive repair and customization business located at 8925 Sheridan Drive, on the south side of Sheridan Drive, east of Shimerville Road.

The Town's Zoning Inspector witnessed the business operation occurring on the property, and contacted the property owner and tenant. The tenant has since met with the Planning Office, and submitted an application per comments received.

The existing 2-acre parcel is in the Restricted Business zone, contains one principal and one accessory structure formerly used by Miranda Auto. Miranda had a long standing TCP, which has expired. The current business is operating illegally.

The applicants want to improve the site. They said it was left in very rough shape and are willing to work with the Town. Their business's mean everything to them.

Councilman Shear said he thinks it is a big building for two small businesses and is concerned that additional tenants will move in. He would like to know that ahead of time.

A referral to the Planning Board would allow for a thorough review of this proposal.

## **2025 Temporary Conditional Permit Renewals**

The Planning Office has developed a renewal list with 40 potential renewals for 2025. All existing Temporary Conditional Permits (TCP) are subject to renewal upon the conclusion of the previously approved term. Each permit may be considered for renewal with a maximum term up to 5 years. The renewal list is on file in the Planning Office. Appropriate applications and fees are being collected.

The Planning Office is requesting direction from the Town Board if they will be requesting any applicants to be at the Town Board meeting.

Zoning Inspector Steven Leising spoke and said he visited Lemon Auto and they claim they will get down to their allowable number of cars.

Jonathan asked if the Town Board would like the owner to appear at the public hearing.

Supervisor Casilio said yes.

Jonathan gave a positive update on DC Landscape but due to current circumstances recommends the TCP be renewed for only one year. Discussion continued. Owner, Dave Christopher will be requested to attend the public hearing.

Concept Concrete Construction, has no violations, but is being asked to attend the public hearing to defend himself against the neighbors.

There are concerns regarding Love Your Dog.

Councilman Shear said, it is just landscaping.

Jonathan added it is also pavement and the Building Department said there are also permit issues.

Councilman Shear said we should talk to the owner.

Jonathan said they will ask the owner to appear. Discussion continued.

The Town Board has the authority to schedule a public hearing to consider these renewal requests.

## **WORK SESSION ITEMS:**

### **Frank & Julie Rivett**

The applicant is requesting a Special Exception Use Permit for the construction of a secondary living unit as an expansion to the existing residence located at 10100 Shamus Lane, northerly lot at the terminus of Shamus Lane.

The addition is in the form of an attached 2-story carriage house with first floor garage and patio, and second floor secondary living unit.

A referral to the Planning Board would allow for a thorough review of this proposal. Alternatively, The Town Board has the authority to consider this request after setting and holding a public hearing.

### **L Visone Development, LLC.**

The applicant is requesting preliminary conceptual review of a 6-unit commercial structure to the rear of the property located at 10151 Main Street, on the south side of Main Street, west of Shisler Road.

The existing 9.2-acre property contains existing commercial buildings and associated facilities in the Commercial zone.

The proposed structure is to be approximately 8,400 sq ft, with metal siding and metal roof. The application states that the tenants would be small commercial ventures with examples listed such as, but not limited to; IT, real estate, wedding planner, photography studio, cosmetic supply, and film production studio.

The proposed retail building is proposed to have 7.5 ft side yard setbacks (25 ft required) and a 10 ft rear yard setback (25 ft required). Should the Town wish to consider this request; the applicant will be required to seek variances from the Zoning Board of Appeals.

Supervisor Casilio said the setbacks are a concern.

Jonathan said the industrial roller doors also don't make sense with the tenants proposed. We will work on getting the building to fit with the use.

A referral to the Planning Board would allow for a thorough review of this proposal.

## Vision Sheridan

Vision Sheridan is a neighborhood master plan promoting a visually and physically vibrant community corridor that connects to the history of the Town while pursuing sustainable growth, creating destinations, and maintaining a high quality of life for residents and employees.

This vision is Sheridan Drive from Transit Road to Main Street, and Harris Hill Road between Greiner Road and Sheridan Drive.

The plan was commissioned by the Clarence Industrial Development Agency (CIDA), and formally accepted by the CIDA and recommended for adoption to the Town Board on March 20, 2025.

Councilman Shear said Jonathan had made an interesting comment, that the residents do not like apartments and three-story buildings, which is what he believes the Town wants. We should also look at density for the new code.

Councilman DiCostanzo thanked the CIDA for funding this, but Jonathan and Andrew from the Planning Office did the heavy lifting working with Wendel to get this done.

Supervisor Casilio said this is the perfect application for the CIDA, which is exactly what they should be doing. Thanked the Planning Office for their time spent on it. It is a great guideline for the Town. That is why we have to be tough on some of these projects. It is the future for us. Had previously spoken to Jonathan regarding two-story buildings and density and it is the footprint that affects the density.

The Town Board has the authority to adopt Vision Sheridan as an addendum to Clarence 2030, the Town's Comprehensive Plan.

## TOWN BOARD REPORTS:

Supervisor Patrick Casilio

- Has ministerial motions.
- Councilman Michnik has a motion today for the new Senior Center monument sign. It is matching the Highway Department sign.

Mr. Lavocat explained there are three addresses on the Highway campus. All three addresses are on the sign. Each building is also labeled. Discussion continued regarding the signs.

- Brought up the Meals on Wheels canopy at the Senior Center.

Mr. Lavocat explained, we are waiting for Kohler's submittal for their permit. It is a joint project with us and the Parks Department. They will be doing the site work and the finished concrete once the canopy is up. We are hoping to start in May. It will take a lot of coordination with Meals on Wheels. We have to move them temporarily because they can't operate out of that door for a period of time. The garage addition bid date should be coming up soon. We will coordinate with the Highway Department in regards to the paving and striping of the parking lot. The main parking lot is fine, but when the paving is done along the back, the foundation should be in first with the grade set.

Councilman Michnik added when he spoke to Highway Superintendent James Dussing, he said he was going to try to move the entrance a little more North and restripe it so there is a better flow. Also suggested a directional sign to the Senior Center be put somewhere at the corner of Main Street, Sheridan Drive and Thompson Road. The State and the County will not allow it.

Supervisor Casilio thanked Mr. Lavocat for the work he has done.

- Asked for an update on Fogelsonger Park.

Mr. Lavocat explained we are entering into final design for the site work. The bid date will be a couple months away. We are hoping to get in the ground in August, because we have to have that money spent by the end of December 2025. The trees have been dropped in the park, as we had to, in order to meet the federal regulations. Hopefully we will have positive news on a schedule for the pavilion soon. Discussion continued regarding Fogelsonger Park.

- Had a capital meeting and is trying to get the tennis courts at Harris Hill Park redone.

Councilman Altieri asked about having the fence removed.

Supervisor Casilio added it is not forgotten that the quarry wanted to do something for us there. Would love to see a new pavilion there, but our pavilions are pole barns and we are dealing with rock there.

Supervisor Casilio said we are also possibly looking for more storage capacity for the Parks Department.

Councilman Peter DiCostanzo

- Has multiple motions.
- At the last IDA meeting there was conversation that the people at the State level are always trying to squash IDA's. He thought it passed vote at the State Assembly and

Senate, that any IDA projects of five million or more would have to be at prevailing wage. Aaron Aisen, chair of the Ethics Board also introduced himself at the meeting.

- The Harris Hill Elementary playground was very busy last Sunday morning. Supervisor Casilio explained that playground has been offered to the Town because they are purchasing a new one. Discussion continued regarding the playground.

Councilman J. Paul Shear

- No report, in the interest of time.

Councilman Daniel Michnik

- Has one motion.

Councilman Robert Altieri

- Grant application discussion is tomorrow for the Lion's playground.
- There is a meeting at the Highway Department on Friday to discuss where the trees will be planted for the Arbor Day event.

Town Engineer Timothy Lavocat reported before the next meeting we may have the roof project going on here, so access will be moved down to the east end of the building for that two-week period of time. And lastly, we did make progress with the County on the Deer Valley sidewalk on Goodrich Road. The Engineering Department is taking the lead on it, to make sure it is done this summer.

Motion by Supervisor Casilio, seconded by Councilman Shear to adjourn the work session at 9:50 a.m. and enter into Executive Session pursuant to §105(1) f and h of the Open Meetings Law to discuss employment history and the acquisition of real property. Upon roll call – Ayes: All; Noes: None. Motion carried.

Gayle M. Brace  
Deputy Town Clerk

Motion by Supervisor Casilio, seconded by Councilman Shear, to adjourn the Executive Session at 10:02 a.m. Upon roll call – Ayes: All; Noes: None. Motion carried. No action taken.

Regular meeting of the Town Board of the Town of Clarence was held on Wednesday, March 26, 2025 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 10:10 a.m.

Members of the Town Board present were Councilmembers Robert Altieri, Daniel Michnik, Paul Shear, Peter DiCostanzo and Supervisor Patrick Casilio. Other Town officials present were Director of Community Development Jonathan Bleuer, Town Attorney Lawrence Meckler and Town Engineer Timothy Lavocat.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to approve the Work Session and Town Board meeting minutes of March 12, 2025.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Michnik that after holding an open competitive bid and per the C.J. Brown Energy, P.C. recommendation letter dated March 19, 2025, the Clarence Town Board awards the Police and Court Building HVAC Rooftop Unit Replacements Bid to The Betlem Service Corporation of Rochester New York for a base bid of \$95,600.00 as they were the lowest responsible bidder. And be it further resolved that the Supervisor is authorized to sign and enter into an agreement with The Betlem Service Corporation upon review and approval of the Town Attorney.

On the question, to be paid from Capital Project 1502 and General Fund appropriation. To allocate Fund Balance of \$41,851.89 to budget line 1.1110.4540

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo that after holding an open competitive bid and per the Donald Gallo Consulting Engineer, P.C. recommendation letter dated March 13, 2025, the Clarence Town Board awards the Clarence Engineering Department Building Exterior Improvements Project Bid to Horizon Masonry Restoration, Inc. of Depew New York for a base bid of \$62,930.00 as they were the lowest responsible bidder. And be it further resolved that the Supervisor is authorized to sign and enter into an agreement with Horizon Masonry Restoration, Inc. upon review and approval of the Town Attorney.

On the question, to allocate Fund Balance of \$62,930.00 to Capital Project #156 Improvements to Engineering and Building Department. This includes paint as well.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Altieri to award General Services During Construction and Resident Inspection Services for the Clarence Engineering Department Building Exterior Improvements Project to Donald Gallo Consulting Engineer, P.C of Buffalo, New York in the amount of \$11,300.00 in accordance with the scope of work and fee proposal dated February 12, 2025 and authorizes the Supervisor to sign and enter into an agreement with Donald Gallo Consulting Engineer, P.C upon review and approval of the Town Attorney.

On the question, to allocate Fund Balance of \$11,300.00 to Capital Project #156 Improvements to Engineering and Building Department.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Michnik that after holding an open competitive bid and per the award recommendation letter by Architecture Unlimited, LLC dated March 20, 2025, the Clarence Town Board awards the Highway Department Fuel Canopy Replacement Project Bid to Building Innovation Group, Inc. of East Rochester, New York for a base bid of \$220,953.00 as they were the lowest responsible bidder. And be it further resolved that the Supervisor is authorized to sign and enter into an agreement with Building Innovation Group, Inc upon review and approval of the Town Attorney.

On the question, to be paid as part of the pending insurance claim.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo to award Construction Administration Services for the Highway Department Fuel Canopy Replacement Project to Architecture Unlimited, LLC of Clarence, New York in the amount of \$15,000 in accordance with the scope of work and fee proposal dated September 09, 2024 and authorizes the Supervisor to sign and enter into an agreement with Architecture Unlimited, LLC upon review and approval of the Town Attorney.

On the question, to be paid as part of the pending insurance claim.  
Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Altieri to approve the following transfer of funds in the 2025 General Fund Budget:

\$1,334.30 from account #001.5010.0224- Furniture & Fixtures  
to account #001.5132.4540– Stationary Plant & Equipment Maintenance

\$4,089.40 from account #001.5010.4575- Repair & Maintenance Buildings & Grounds  
to account #001.5132.4540– Stationary Plant & Equipment Maintenance

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Shear to approve the request of Town Justice, Michael Powers, for Mary Kelley, Court Clerk, and Sally Moore, Court Clerk to attend the Erie County Magistrates Association and Erie County Town & Village Court Clerks Association training meeting on Saturday April 5, 2025 at Hamburg Town Court, located at 6100 South Park Avenue, Hamburg, New York.

On the question, the request includes wage compensation and mileage reimbursement. If they choose, they may take a Town car as well.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to accept the March 18, 2025, quote and approve the purchase of a 22ft Equipment tilt trailer from Trailers Sales of New York. We are purchasing with the lowest bid at an amount not to exceed \$6,911.00. We will be using funds from the Parks Other Equipment budget line 001.7110.0279.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to set a bid date of Thursday April 24, 2025 at 10:00AM for the Veterans Memorial Improvements Project.

On the question, bid documents will be available on the Avalon Document Services Buffalo online plan room starting April 3rd, 2025 per the published Notice to Bidders.

Supervisor Casilio stated we received one maybe two grants on this project.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Michnik that upon recommendation of Parks Superintendent Jason Holden, to appoint Travis Griner to the open Parks Department Laborer position effective April 7, 2025 to be paid at the Union Step 1 Rate of \$28.1262 per hour according to the Blue-Collar Contract, pending pre-employment requirements and background check.

On the question, Councilman DiCostanzo congratulated Travis, one or two of my kids wrestled with him and he is seen around town married and has a child, he's a great guy.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Shear that upon recommendation of Recreation Director Clifford Trapper, to appoint Matthew Scalzo to the position of Recreation Specialist in the Recreation Department effective April 1, 2025 at the rate of \$20.72 per hour.

On the question Matthew has been with us for 10 years now.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to accept the quote of February 4, 2025 from ADMAR Supply Co. Sales Quote 2845391 for the purchase of a Kubota V-Series UTV Model# D1105 at an amount not to exceed \$18,098.86

On the question, the purchase will be paid from the Other Equipment budget line 001.7110-0279, per the NYS Contract PC69404.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to approve changes to temporary and current status of two members of the Board of Assessment Review:

Thomas Halter is a Temporary Member of the Board of Assessment Review, with a term expiring September 30, 2025. He will be put on as a Regular Member, effective immediately, with a term then expiring September 30, 2029, fulfilling the term commitment for Regular Member James Shoemaker.

James Shoemaker is a Regular Member of the Board of Assessment Review, with a term expiring September 30, 2029. He will be put on as a Temporary Member, effective immediately, with a term then expiring September 30, 2025, fulfilling the term commitment for Temporary Member Thomas Halter.

Supervisor Casilio stated this is not an easy or a fun job, so thank you to them.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Councilman Michnik, seconded by Councilman DiCostanzo that after requesting proposals from qualified contractors for a new monument sign at the Senior Center, the Clarence Town Board awards the proposal for a new Senior Center sign, to Ulrich Signs of Lockport, New York they being the lowest responsive proposal received in the amount of \$25,765.00.

Supervisor Casilio thanked Timothy Lavocat for his hard work on that.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Councilman Michnik wished his wife Debbie a Happy Birthday today and announced her June 20<sup>th</sup> retirement.

Councilman Altieri mentioned the Fireworks Committee is meeting and the display will be Monday June 30, 2025 with a rain date of Tuesday July 1, 2025. More information to come and anyone looking to volunteer please contact me.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to approve the request of the applicant, Ellen Rich, on behalf of JDS Foundation, for a Special Event Permit for the “Wiffle Ball Tournament Fundraiser” to be held on Sunday, June 8, 2025, from 8:00 a.m. to 6:00 p.m., at Meadowlakes Park, subject to meeting all conditions of the Special Event Permit, the Memorandum of Agreement requirements including submitting the required insurance certificate(s) naming the Town as an additional insured to be reviewed and approved by the Town Attorney’s Office.

On the question, all Food Trucks for this event MUST be licensed in accordance with Chapter 147 of the Town of Clarence Town Code and be properly insured. Applicant will be the sole vendor serving alcohol and MUST include Host Liquor Liability Coverage on their Certificate of Liability Insurance. Bring your own bottle or self-service will not be permitted.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Harmoni Towers / PI Tower Development LLC., represented by Henry Zomerfeld, Council, Brant Riggs, Representative, Dave Weisenreder, Engineer, for Shisler Road, SBL 72.00-2-16. West side of Shisler Road, south side of the Clarence West Shore Line Recreational Trail. An existing 76.6-acre vacant parcel located in the Residential Single-Family and Industrial Business Park zones. The applicant is requesting Permit authorization for the construction of a Site Plan approved 150’ tall telecommunication monopole tower wholly located in the Industrial Business Park zone, approximately 210’ off the rear lot line of 4610 Shisler Road. The tower will support a Verizon antenna array, with the ability to support additional carriers in the future, and the potential for emergency services utilization through future proposed improvements to the facility. The Town Board referred the proposal to the Planning Board in August of 2024. In



October of 2024, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). In March of this year the Planning Board issued a Negative Declaration under SEQRA, Site Plan and Subdivision approvals, and a recommendation of Permit authorization to the Town Board. The Town Board has the authority to consider this request, which if approved, would constitute the final Board action prior to construction.

Henry Zomerfeld, Council, Brant Riggs, Representative, Dave Weisenreder, Engineer and Patrick Makubire, Verizon Representative. Henry stated there are some remaining questions around the coverage, gaps of coverage and did our best to address those early on but are here today for addition questions. I did obtain some addresses of concern which are Town Park and the Hollow Farm Market both on Main Street in Clarence. Based on my review from watching the last Planning Board meeting, there were a number of board members and residents supporting this recognizing that there are coverage issues in the town. I will let Patrick from Verizon speak to how this project will provide coverage and fill those gaps around town.

Patrick Makubire, Verizon representative, stated that the objective of the site is there are service issues in the area and you have a lot of complaints. This proposed site would allow coverage to all the area mentioned to help with better coverage for the residents. The coverage at this location would not reach out to the I-90 that would be too far.

Supervisor Casilio asked who the carriers on the tower would be.

Henry Zomerfeld stated that Verizon is coming to be there and there is interest from other carriers however they have not committed yet. T-Mobile is one of them and anticipate that once this is approved, we will have additional inquiries. Remember also that early on we had discussions with the Fire Companies with the goal to eventually be, once approved, for them to be added to the tower. The reason this is not done at this stage as it would be complicated and delay things from the company's perspective until it is approved. This would be a huge service to the fire companies that respond in the County.

Supervisor Casilio asked if there was a chance of the signal to reach down to the Town Hall, I know that's a long shot but it is 150 feet in the air.

Patrick Makubire, stated that once the tower is activated you will definitely see great coverage. While I was waiting, I was reviewing the coverage in this building and it's not good. We definitely want to make sure this site gets activated.

Supervisor Casilio stated that it could be a police emergency with the State police and Sheriffs stations right next to us. I know it has been stated many times but you are committed to where you are?

Henry Zomerfeld stated yes, we have discussed logistics of the property and just from the company's perspective based on the lease and the applications pending before the Board, this is the best location and no variances are needed per the code.

Supervisor Casilio additionally asked if this will help the coverage at the Clarence High School on Main Street? Also, will these signals be on copper lines or how is the signal coming from that tower.

Patrick Makubire stated most definitely this will help the coverage at the school and the signals are fiber signals.

Supervisor Casilio asked how many phone calls will this tower be able to get out if you are the one provider how many calls will you be able to get out.

Patrick Makubire replied that the way he designed the site, which has been revised, each sector can provide about 1000 plus calls per session. I have added two additional sectors, which doubles the capacity, to accommodate these concerns that have been shared to be able to help with the situation.

Supervisor Casilio stated that at the high school alone there are 1000 phone between students and teachers, if they are on there phones but not calls is that using the coverage up that the tower is producing.

Patrick Makubire stated that yes, even if the phone is not in use, it is always constantly connected to the network. Even if the phone isn't being used there are always apps running in the background. The current site is so far away that the signal isn't getting to places like the Hollow or the high school reaching its capacity. This new site will absolutely help this situation. We do have additional items that could help with other issues such as WIFI for commercial buildings like the clubhouse for indoor issues.

Supervisor Casilio stated that if we are talking about a true police emergency the concern is that all the lines will be in use. It's human nature in an emergency that everyone is on the phone to find information out when it's imperative for local agencies to not have to utilize radios or land lines for contact.

Lawrence Meckler asked, not related to this project, there is a tower going up in East Amherst on Transit Road by the East Amherst Fire Department. How far east will that signal go to help the Clarence residents in that area.

Patrick Makubire stated that he is not familiar with that location and perhaps it is another company or a different tower that isn't Harmoni Towers per Henry Zomerfeld.

Councilman Michnik asked how long before this project will be started once approved.

Brant Riggs stated that once approved start to finish would safely be 60 days.

Councilman Shear asked a general question that wasn't specific to this motion. I was told that Verizon will sit on the top of the tower, as additional carriers are added lower on that same tower, does that diminish the capability of all the carriers.

Patrick Makubire stated no, at that height of the tower there is adequate space for additional carriers with 10 feet between them with no issues at all. Interference would only happen if they are only five feet in distance.

Councilman Altieri mentioned Rock Oak Estates that is on Main Street in Clarence with about 500 or more homes and that community is complaining about no service.

Supervisor Casilio stated they will get the service but again that more than 500 phone tying up the lines.

Patrick Makubire stated they will definitely get better coverage unless the building is made out of steel. If so, they would need to be near a window or outside to get better coverage.

Supervisor Casilio mentioned that 5G is not great and more of a pain than anything.

Timothy Lavocat asked for clarification, the Verizon tower that you are installing, you are saying would provide us with a wireless solution at our Clubhouse.

Patrick Makubire stated that we have several commercial products or even a residential product that could help with WIFI signals in the building.

Timothy Lavocat stated that we would not need a hard wire from the road to the building it would be wireless.

Patrick Makubire replied yes that is correct. There are two products one is FIOS and the other is residential WIFI.

Councilman Michnik asked what the cost of this would be.

Patrick Makubire stated that sometimes it could be no cost but the sales department handles that and there could be a cost, I am not certain.

Supervisor Casilio stated that we will get you in contact with our IT Department Kevin. We are committed to the location and it will not be deeper. Fencing has all been taken care of by the Planning Department and gated at Shisler Road.

Motion by Councilman Shear, seconded by Councilman Michnik that the Town Board hereby approves the request of the applicant, Harmoni Towers / PI Tower Development, LLC, for Permit Authorization to construct a 150-foot-tall telecommunication tower on the property located at 0 Shisler Road, SBL 72.00-2-16 in the Industrial Business Park Zone, subject to the following conditions:

1. All twelve (12) conditions of the Planning Board Site Plan approval on March 5, 2025.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Supervisor Casilio stepped out of the meeting.

Dynabrade, Inc., represented by Jason Utzig, C&S, Marc Velocci, Silvestri, at 9035 Sheridan Drive. South side of Sheridan Drive, west of Main Street. An existing 21.75-acre properties containing a light manufacturing and office facility located in the Commercial zone. The applicant is requesting a Public Hearing to consider Special Exception Use Permits for a Conceptually approved 90,000 sqft manufacturing and office building at 9035 Sheridan Drive along with associated site improvements; as a campus addition to the existing business operation at 8989 Sheridan Drive. In September of 2024, the Town Board referred the proposal to the Planning Board. In October of 2024, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). In March of this year the Planning Board issued a Negative Declaration under SEQRA, Concept Plan and Conceptual Architectural approvals, and a recommendation of Special Exception Use Permits issuance to the Town Board. The Town Board has the authority to consider this request after setting and holding a Public Hearing.

Jason Utzig of C&S, Marc Velocci, Silvestri and Colin Brogan from Dynabrade to answer any questions.

Councilman Shear stated that we have beaten this to death in planning, it is a great project.

Councilman Altieri thanked them for bringing this to Clarence.

Motion by Councilman Altieri, seconded by Councilman Shear to set a public hearing for Wednesday, April 23, 2025 at 10:15 a.m. to consider the request of the applicant, Dynabrade, for Special Exception Use Permits for the construction of a conceptually approved 90,000 square foot light manufacturing and office building at 9035 Sheridan Drive in the Commercial zone.

Upon roll call – Ayes: All; Noes: None; Absent: Supervisor Casilio; Motion carried.

Buffalo AutoSpa, represented by Nash Kraft, Tenant, Pat Sheedy, Engineer, Jeff Palumbo or Matt Dubois, Council, at 8870 Sheridan Drive. Northeast corner of Sheridan Drive and Shimerville Road an existing 0.60-acre parcel located in the Commercial zone, containing a former gas and service station. The applicant is requesting a Public Hearing to consider a Temporary Conditional Permit for an existing unpermitted automotive detailing operation. Proposed modifications to the site include, but are not limited to, the reduction of one of the two curb cuts to Sheridan Drive, replacement of pavement with greenspace around the existing freestanding sign frame, addition of a stone base to the canopy columns, replacement and striping of parking areas, and the installation of landscaping and dumpster enclosure. On June 26, 2023, the applicant was advised that his operation was unpermitted and illegal, and no signage would be permitted and installed until the use was reviewed and approved by the Town. From August 24, 2023 to March 7, 2025, the Town attempted to work with the landlord, applicant, and their representatives in order to place this item on an agenda. On March 7, 2025, the applicant submitted owner authorization for property improvements and permit / approval applications. On March 19, 2025, the Planning Board recommended issuance of a Temporary Conditional Permit, subject to fourteen conditions. The Town Board has the authority to consider this request after setting and holding a Public Hearing.

Matt Dubois applicant Council and applicant Nash Kraft owner are available for additional questions. Matt Dubois stated that they have been working with the Planning Board closely and will be with the Landscape Committee soon and will address any concerns raised by the Planning Board.

Councilman Shear stated that there a number of conditions and improvement to the property which is ambitious so you will need a time frame to complete the work. Whose responsibility is this the owner or the tenant?

Matt Dubois stated that it will be both parties' responsibilities.

Motion by Councilman Shear, seconded by Councilman Altieri to set a public Hearing for Wednesday, April 23, 2025 at 10:20 a.m. to consider a Temporary Conditional Permit for an automotive detailing operation known as Buffalo AutoSpa, located at 8870 Sheridan Drive, in the Restricted Business Zone.

Upon roll call – Ayes: All; Noes: None; Absent: Supervisor Casilio; Motion carried.

Tickers Import Performance & CD Tinting represented by Chris Tucker, Tickers, Colton Depke, CD Tinting, at 8925 Sheridan Drive. South side of Sheridan Drive, east side of Shimerville Road. An existing 2-acre parcel in the Restricted Business zone, containing one principal and one accessory structure formerly used by Miranda Auto. The applicant is requesting consideration of a Temporary Conditional Permit for an automotive repair and customization business. The business specializes in import vehicle performance solutions and automotive restyling. The Town's Zoning Inspector witnessed the business operation occurring on the property, and contacted the property owner and tenant. The tenant has since met with the Planning Office, and submitted an application per comments received. A referral to the Planning Board would allow for a thorough review of this proposal.

Chris Tucker and Colton Depke were present to answer any questions. Chris Tucker stated they are just looking to open up their business here where there is history of the building for what we want to do as well as the high end clientele in the area.

Councilman Altieri mentioned his concern with the picture being show which may be a couple years old, what does the property look like today.

Chris Tucker stated nothing like that at all. There are two maybe three cars in the lot right now, then it looked like a junk yard and it does not look like that anymore. We are aiming for a higher clientele so we want to have a visual appearance and plan to have fencing with no cars visual to the street. We plan to paint the building and half of the roof has been replaced with the other side being completed soon. We would like the pull in entrance discussed but that will be done after all of this.

Councilman Altieri stated that you can see the houses right next to you so we don't want them looking at a mess.

Councilman Shear stated that the Planning Department will go into detail with you about that and what expectations are. The other concern is the building is very large and there are only two of you right now operating out of there. We would not entertain any sub leasing without a discussion.

Chris Tucker stated that they do lease the entire building.

Motion by Councilman Michnik, seconded by Councilman Altieri to refer the request of the applicant, Tickers Important Performance & CD Tinting, at 8925 Sheridan Drive, to Planning Board for a thorough review and recommendation of a Temporary Conditional Permit for an automotive repair and customization facility in the Restricted Business zone.

Upon roll call – Ayes: All; Noes: None; Absent: Casilio; Motion carried.

Supervisor Casilio returned to the meeting.

2025 Temporary Conditional Permit Renewals for all existing Temporary Conditional Permits are subject to renewal upon the conclusion of the previously approved term. Each Permit may be considered for renewal with a maximum term up to 5 years. The Planning Office has developed a renewal list with 40 potential renewals for 2025. The renewal list is on file in the Planning Office, and appropriate applications and fees are being collected. The Town Board has the authority to schedule a Public Hearing to consider these renewal requests.

Motion by Councilman Michnik, seconded by Councilman Altieri to set a public hearing for Wednesday April 23, 2025 at 10:25 a.m. to consider the Annual Renewal of Temporary condition Permits for the following:

1. JSN Auto, 8400 County Road, Auto Sales
2. Autobahn Body Werks, 8200 Main St, Auto Service
3. Hoehman Auto, 8310 Goodrich Rd, Auto Service
4. Lemon Auto Detail, 8145 Sheridan Drive, Auto Detail
5. Buffalo Car Care, 8214 Main Street, Auto Detail
6. Burgher & Grainsy Auto Sales, 10939 Main St, Auto Sales
7. Epic Motor Cars, 9829 Main Street, Auto Sales
8. A. Vaillancourt, 10364 County Rd, Auto Repair
9. Stem Automotive, 10575 Main St, Auto Repair
10. Uniland/Mountain Development, 4545 Transit Rd, Auto Storage
11. Bocce Club Pizza, 6235 Goodrich Rd, Outside Dining
12. Gertie's, 6010 Goodrich Rd, Outside Dining
13. Cielito Lindo Taqueria, 4125 Transit Rd, Outside Dining
14. Bar-Bill North, 8326 Main St, Outside Dining
15. Sto-Lat Bar, 4475 Transit Rd, Outside Dining
16. The Humbert House, 10622 Main St, Outside Dining
17. Shaloby Loofer Brewing, 10737 Main St, Outside Dining
18. Bruster's Ice Cream, 5205 Transit Rd, Outside Dining
19. Starbucks, 9430 Main St, Outside Dining
20. Cam Services, 10165 Main St, Outside Display
21. Sturdi-Sheds, 4545 Transit Road, Outside Display
22. Grace Landscaping, 9200 Wehrle Dr Outside Storage
23. The Amish Peddler, 8630 Roll Rd, Outside Display
24. Calarco Landscaping, 8558 Stahley Rd, Landscaping
25. Beaver Landscaping, 5640 Davison Rd, Landscaping
26. Gallagher Landscape/Stonewell Corp, 9780 Lapp Rd, Landscaping
27. Hewson Tree Service, 9000 Lapp Rd, Tree Trimming
28. GCR Landscaping, 5750 Shimerville Rd, Landscaping
29. Burghardt Landscaping, 8694 Lapp Rd, Landscaping
30. DC Landscaping, 7615 Goodrich Rd, Landscaping

31. K & A Landscaping, 8905 Sheridan Dr, Landscaping
32. R.E. Peters, 8055 Goodrich Rd, Landscaping
33. AJ's Tree Service, 9500 Martin Rd, Tree Cutting
34. All Season Outdoor, 9737 County Rd, Landscaping
35. Bison Nursery, 9000 Main St, Landscaping
36. Regan Landscape, 8490 Wolcott Rd, Landscaping
37. Papa's Popcorn, 6610 Goodrich Rd, Popcorn Stand
38. Clarence Hollow Assoc., 10717 Main St, Farmer's market
39. Concept Concrete Construction, 8846 Goodrich Rd, Concrete Business
40. Love Your Dog, 8625 Transit Rd, Dog Grooming/Boarding

On the question, Supervisor Casilio stated many of them do not have any complaints on them but have asked a few to attend the meeting.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Supervisor Casilio apologized for leaving the meeting, out IT department was in the building so I introduced him to Patrick from Verizon while he was here.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to approve the following applications with two additions as follows: Legion Hall: Corinne Bernd May 3, 2025, Wayne Shaff May 4, 2025, Clarence Log Cabin Quilters May 10, 2025, Patrick Wangler May 18, 2025, Carol Hockwater June 21, 2025, Melanie Nickle August 2, 2025, Daniel Stahley October 11, 2025. Clubhouse: Clarence Girl Scouts April 6, 2025, Clarence Concert Association July 6, 13, 20 & 27, 2025, Town of Clarence CSEA November 7, 2025. Nature Center: Conservation Committee April 25 & 26, 2025, Clarence Conservation Advisory Council May 30, 2025, Clarence Center Elementary June 4, 2025, Youth Bureau July 2 & August 1, 2025

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to approve the Bill Pay of March 13, 2025 as follows: General Funds \$173,537.38, Highway Funds \$83,578.94, Water Funds \$1,768.80; Fire Protection Districts \$81,854.24; Lighting Funds \$624.61, Capital Funds \$20,736.35 for a total bill pay of \$362,100.32.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

With no additional business, Supervisor Casilio closed the meeting at 11:09 a.m.

Karen Hawes  
Town Clerk