

The Work Session meeting of the Town Board of the Town of Clarence was held on Wednesday June 25, 2025 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 8:34 a.m.

Members of the Town Board present were Councilmembers J. Paul Shear, Peter DiCostanzo, Robert Altieri, Daniel Michnik 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

PUBLIC HEARINGS:

Mitchell Rivera

Located at 10377 Clarence Center Road. This is the detached accessory structure that currently exists on the property.

The applicant is requesting a Special Exception Use Permit for the construction of a detached secondary living unit for parents in an Agricultural-Rural Residential zone. We have received inquiries by neighbors. We will see if anyone sows up.

Severyn Development, Inc.

Located at 7178 Kenfield Road. This is on the corner of Kenfield and Lapp. This is a new construction home.

The applicant is requesting a Special Use Permit for the construction of an attached secondary living unit as part of new home construction in the Agricultural-Rural Residential zone.

FORMAL AGENDA ITEMS:

Greenleaf Landscape Services, LLC.

Located at 10020 Main Street. Greenleaf is operating on that property without approval. Our Zoning Inspector noticed them on site and identified that it was not allowable.

The applicant requests consideration of a Temporary Conditional Permit for the operation of a landscape business to the rear of Hector's Hardware, in the Commercial and Residential Single-Family zones.

Refer this to the Planning Board to really study this and investigate. It does back up to a residential street Pineledge Drive West. The neighbors will be interested and will have to understand the intensity of the business.

VisoneCo Site Development, LLC.

Located at 9300 Main Street. This is a 5-acre property. It is a rehab of an existing barn on the rear of the property. The barn will be converted to commercial space on the first floor and 2 residential apartments on the second floor.

The applicant requests preliminary Conceptual review of the rehabilitation of an existing detached accessory structure into a mixed-use project containing multiple-family housing in the Commercial zone.

WORK SESSION ITEMS:

Pro-Cut Property Services, LLC.

Located at 8325 Transit Road. We have a long history with this property. For a time, it was an illegal stone crushing operation. Our zoning inspector worked years to clean up. Most recently it was a lay down yard for utility projects. Again, our zoning inspector has identified there's a user in there that does not have the approvals to use the space.

The applicant requests consideration of a Temporary Conditional Permit for the operation of a landscape business to the rear of the property, in the Restricted Business zone.

TOWN BOARD REPORTS:

Supervisor Patrick Casilio - Reports

- Dirt bikes driving down main roads in the town with traffic. Dirt bike and e-bikes riding down bike paths disrespecting and harassing others using these paths. Law enforcement is talking about impounding bikes. We may need to implement a local law with an impound element. There has been a lot of back and forth between parents on social

media. This needs to be addressed with authorities. Town Attorney Lawrence Meckler talks about Local Law and the police enforcing it, to not put us in a position to be responsible for not enforcing it.

- Electric bikes tore up tennis courts at the high school. It was all on video and authorities are handling it. The Sheriff's have been driving down bike paths showing a presence.
- Asking about sealing of tennis courts at Harris Hill. No updates yet.
- Parks Department did a great job at the Pickleball tournament.

Councilman Peter DiCostanzo – 3 Motions

- Motion to remove Joseph Nemmer from the Traffic Safety Committee. He does not show up to meetings and has not turned in his ethics forms.
- Motion to add a couple Parks Department employees.
- Motion to slightly increase pay to returning lifeguards.

Councilman J. Paul Shear - No Motions

- Who will maintain the sidewalks on Goodrich? The board answered the home owners would be responsible.

Councilman Daniel Michnik – No Motions

- Bringing on 3 new students.
- Summerfest July 19th 4-8. Food truck lists will be coming to get inspections.
- Youth Bureau member will be giving high-school commencement speech. She has over 200 hours of volunteer hours.

Councilman Robert Altieri – No motions

- Senator Gallivan may be at Library tomorrow to meet with the trustees.
- Fireworks in the park is Monday. Working on their permits.
- Dockside boat business on Transit Rd. has lawnmowers out front for sale. Wondering if that's ok.

Town Engineer Timothy Lavocat - Reports

- Bid for the Rec building very high so looking into other options.
- Canopy was installed Friday at the Senior Center. The garage was started and will be framed in the next week or so. The sign company will be next week.
- Deer Valley sidewalks will be completed in a week or two. Three utility poles had to be moved. Milling that road today then paving.
- Tomorrow we are opening bids for Fogelsonger Park.
- Clarence Center sidewalk project update - Yesterday morning consultant interviews took place. A recommendation will be sent back to the board within 2-4 weeks to award the design portion of the DOT to a consultant. It's a very lengthy process.

Motion by Supervisor Casilio, seconded by Councilman Michnik to adjourn the work session at 9:31 a.m. Upon roll call – Ayes: All; Noes: None. Motion carried.

Janel A. Farolino
2nd Deputy Town Clerk

Regular meeting of the Town Board of the Town of Clarence was held on Wednesday, June 25, 2025 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 10:08 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 Michnik to approve the Work Session and Town Board meeting minutes of June 11, 2025.

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

Supervisor Casilio spoke about the use of electric vehicles in the Town of Clarence who is working closely with the Sheriff's and State Troopers. We are looking at what options we have with local laws to help law enforcement slow down the use of these vehicles especially on our bike paths. We have a rule in place now but we are trying to enhance that to make it easier to stop these kids from doing what they are doing. We are well aware of the what's on social media and this is a problem in every town with gasoline powered and electric. Right now, on the bike trails we have no motorized vehicles, but what is a motorized vehicle, we are trying to define that better. Certainly, we don't want to penalize people who might have electric powered bicycles on the bike trails. We need to redefine what vehicles can be on the trails.

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to remove Joe Nemmer from serving on the Traffic Safety Committee due to not returning the Annual Statement of Disclosure Form for 2025 as required by the Town of Clarence Ethics Code.

On the question, Councilman DiCostanzo stated that we have tried multiple times and this person isn't showing up to meetings either. This is part of our ethic rules to return this so we are removing him.

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

Motion by Councilman DiCostanzo, seconded by Councilman Shear at the request of the Parks Department Superintendent, he recommends the hiring of the following two (2) employees for Laborer Part-Time Seasonal at the budgeted rate of \$16.6304 per hour, both with a start date of June 30, 2025, subject to all pre-employment paperwork and requirements being met:

Riley Lincoln

Camden Morgan

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

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to approve the change in the rate of pay of \$17.1847 for the eight (8) following Lifeguard Part Time-Seasonal employees effective June 16, 2025:

Jayden Geasling	Travis Unocic	Sean Tenbrink
Matthew Tenbrink	Peter Colafranceschi	Sydney Spear
Jacob Clinnard	Johnathan Fleming	

On the question, the change in rate of pay is to align with the lifeguards who are returners getting an increase and to match the Seasonal Youth employees as well. These are some of our better employees that return yearly to work for us.

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

Councilman DiCostanzo mentioned that Monday June 30, 2025 will be the Towns fireworks in the park that Councilman Altieri will talk about more later in the meeting.

Councilman Michnik mentioned the Youth Bureau's Summerfest July 19, 2025 from 4:00 p.m. until 8:00 p.m. at the Town Park on Main Street. Lots of activities are planned for the day with vendors as well, always a great turn out.

Councilman Altieri reminded everyone that as mentioned, the fireworks in the Town of Clarence will be Monday Jun 30, 2025 with a rain date of Tuesday July 1, 2025. The event will be from 4:00 p.m. to dusk when the fireworks will be. Thank you to Emily from the Clarence Bee and Kevin from the Town for all the social media blasts. We look forward to seeing everyone there.

Councilman Shear mentioned that in Clarence Center there is a concert, Music in the Center, at 6204 Goodrich Road Clarence Center, NY 14032. June 25, 2025, July 16, 2025 and August 20, 2025. The music is a free event with games and activities as well as a food truck. Public Parking is across the street in the Pocket Park by the Clarence Highway Building.

Motion by Councilman Michnik, seconded by Councilman Altieri to approve the request of the applicant, Clarence Arts & Crafts Society, for a Special Event Permit for the "49th Annual Clarence Arts & Crafts Fall Show" to be held at the Main Town Park Clubhouse, 10405 Main Street, on Saturday, September 6, 2025 from 10:00 a.m. to 4:00 p.m. and on Sunday, September 7, 2025 from 10:00 a.m. to 4:00 p.m., subject to meeting all conditions of the Special Event Permit, Memorandum of Agreement, and the receipt of the required Certificate of Insurance naming the Town of Clarence as an additional insured from the applicant.

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

Karen Hawes, Town Clerk, reminded all residents, if they haven't paid their 2025 Town and County Bills that were due February 18, 2025, the last day to collect at our office is Monday June 30, 2025. Any unpaid taxes will be turned over to Erie County and that is where payments can then be made.

Mitchell Rivera at 10377 Clarence Center Road. South side of Clarence Center Road, east of Strickler Road. An existing 4.8-acre property in the Agricultural-Rural Residential zone containing a single-family home and detached accessory structure. The applicant is requesting a Special Exception Use Permit for the construction of a secondary living unit as a conversion of an existing detached accessory structure behind the primary residence. The existing residence driveway would be extended to the rear yard structure that is proposed to be converted into the 2-bedroom 1-bathroom unit for the applicant's parents. Town Board has the authority to consider this request after holding a Public Hearing.

Mitchell Rivera was present to answer any questions.

Councilman Shear mentioned having a second exit from the addition.

Timothy Lavocat stated they are showing egress windows, the building department will go over that with them.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to close the public hearing with no comments being made.

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

Motion by Councilman DiCostanzo, seconded by Councilman Shear for the following:

RESOLVED, that after a public hearing duly held on Wednesday, June 25, 2025, and after all interested parties having been heard, the Clarence Town Board approves the request of the applicant, Mitchell Rivera, for a Special Exception Use Permit to allow for the construction of a detached secondary living unit as part of the existing home at 10377 Clarence Center Road in the Agricultural-Rural Residential zone subject to the following conditions:

1. All conditions as required in the Zoning Law must be met.
2. Unit must be secondary to the principal dwelling and not converted to a rental unit.
3. Occupancy shall be limited to family members, paid employees or temporary guest(s).
4. Occupancy shall be restricted to 2 persons to occupy the unit.
5. A Deed restriction shall be placed into the deed for the property restricting its use so as not to allow for the two-family dwelling to be utilized or converted into a rental unit and such deed restriction language is to be submitted and approved by the Town Attorney prior to the filing the deed.
6. An Agreement shall be entered into between applicant (and others if applicable) and the Town of Clarence, which agreement shall require that the applicant (and others if applicable) to prepare and record a Deed Restriction incorporating the conditions as spelled out in this resolution which shall be placed into their Deed. The Agreement and deed restrictions shall continue in perpetuity. A copy of the Agreement is

required to be filed as an attachment to the Deed. A copy of the Agreement is to be submitted to the Town Attorney prior to the filing of the Deed for approval.

7. Proof of filing of the approved deed and attachment is required and must be submitted to the Town Attorney's office before a Certificate of Occupancy can be issued to the applicant.
8. The property owners, or any future property owners, shall provide certification to the Town Planning & Zoning office on an annual basis that the unit is being used in conformance with the conditions of approval. Failure to submit the annual certification may result in the termination of the Special Exception Use Permit, resulting in a Zoning Violation subject to enforcement and penalties as outlined within Town Code Zoning Law Chapter 229-160 and 161 or any changes made to the Code of the Town of Clarence in the future.

On the question, the specific language for the deed restrictions and the Agreement may be obtained from the Town Attorney's office.

Councilman Shear asked the applicant if he has heard, understands and accepts all the condition.

Mitchell Rivera replied yes.

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

Severyn Development, Inc., William Severyn representing, of 7178 Kenfield Road, northwest corner of Kenfield Road and Lapp Road. An existing 5-acre vacant corner parcel located in the Agricultural-Rural Residential zone, recently split from the overall 38.5-acre parent parcel after Minor Subdivision approval by the Planning Board. The applicant, on behalf of the Seufert's, is requesting a Special Exception Use Permit for an attached secondary living unit as part of a new residence construction with access to Kenfield Road. Within the approximately 6,000 sqft home, the secondary living unit is proposed to contain approximately 1,280 sqft. Town Board has the authority to consider this request after holding a Public Hearing.

William Severyn of Severyn Development, Inc was present to answer any questions.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to close the public hearing with no comments being made.

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

Motion by Councilman Altieri, seconded by Councilman Shear for the following:

RESOLVED, that after a public hearing duly held on Wednesday, June 25, 2025, and after all interested parties having been heard, the Clarence Town Board approves the request of the applicant, Severyn Development Inc., for a Special Exception Use Permit to allow for the construction of an attached secondary living unit as part of the existing home at 7178 Kenfield Road in the Agricultural-Rural Residential zone subject to the following conditions:

1. All conditions as required in the Zoning Law must be met.
2. Unit must be secondary to the principal dwelling and not converted to a rental unit.
3. Occupancy shall be limited to family members, paid employees or temporary guest(s).
4. Occupancy shall be restricted to 2 persons to occupy the unit.
5. A Deed restriction shall be placed into the deed for the property restricting its use so as not to allow for the two-family dwelling to be utilized or converted into a rental unit and such deed restriction language is to be submitted and approved by the Town Attorney prior to the filing the deed.
6. An Agreement shall be entered into between applicant (and others if applicable) and the Town of Clarence, which agreement shall require that the applicant (and others if applicable) to prepare and record a Deed Restriction incorporating the conditions as spelled out in this resolution which shall be placed into their Deed. The Agreement and deed restrictions shall continue in perpetuity. A copy of the Agreement is required to be filed as an attachment to the Deed. A copy of the Agreement is to be submitted to the Town Attorney prior to the filing of the Deed for approval.
7. Proof of filing of the approved deed and attachment is required and must be submitted to the Town Attorney's office before a Certificate of Occupancy can be issued to the applicant.
8. The property owners, or any future property owners, shall provide certification to the Town Planning & Zoning office on an annual basis that the unit is being used in conformance with the conditions of approval. Failure to submit the annual certification may result in the termination of the Special Exception Use Permit, resulting in a Zoning Violation subject to enforcement and penalties as outlined within Town Code Zoning Law Chapter 229-160 and 161 or any changes made to the Code of the Town of Clarence in the future.

On the question, the specific language for the deed restrictions and the Agreement may be obtained from the Town Attorney's office.

Councilman Shear asked if he has heard, understands and accepts the conditions.

William Severyn, on behalf of the applicant, replied yes.

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

Greenleaf Landscape Services, LLC., Sean Haentges, Business Owner, at 10020 Main Street. North side of Main Street, east of Kraus Road. An existing 3-acre parcel in the Commercial and Residential Single-Family zones, containing a Hector's Hardware retail store. The applicant is requesting consideration of a Temporary Conditional Permit for a landscape business. The operation is proposed to consist of outside equipment and material storage. The Town's Zoning Inspector witnessed the business operation occurring on the property, and

contacted the property owner and tenant. The property owner and tenant 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.

Sean Haentges, Greenleaf Landscape Services, LLC, owner and Augustine Mecca, Hector's Hardware owner were present to answer questions.

Sean Haentges stated that they would like to park their trucks and vehicles as well as a little storage for basic material, stone or mulch. We have cleaned up the property considerably since we have been there. We are there in the mornings, employees park up front where the retail building is, we don't make a lot of noise and are gone by 7:00 a.m. for the day. We are just looking for a little bit of storage and park our trucks and equipment outside. Everything will be parked neatly and clean.

Councilman Shear stated that they have seen it.

Supervisor Casilio stated that a lot of it isn't their fault as he has been a business owner for over 50 years and it's just an accumulation of stuff overtime.

Councilman Shear asked if they will be doing lawn cutting as well or just landscaping.

Sean Haentges replied that they do lawn cutting, mostly commercial and we don't bag the grass and we will not be dumping anything back there.

Councilman Shear stated they would be very unhappy with piles of cut grass.

Councilman Michnik asked if they will be doing snow plowing.

Sean Haentges stated they do snow removal commercially.

Councilman Michnik asked how much equipment do they have and will it be stored at this site.

Sean Haentges stated that he stores his loaders and heavy equipment so there will be none at this site. The trucks and salters will be stored in the building with nothing outside.

Councilman Shear stated there will be a concern that there will be no removed snow drought in and dumped there.

Sean Haentges stated that will not be an issue.

Councilman Altieri asked again that nothing will be stored passed the parking area in the back.

Sean Haentges stated that area is about half way back and beyond that is natural habitat that we will not be disturbing and leaving as is.

Councilman Shear stated it is the intent to move this forward so we are just making sure we understand what you will and won't do.

Motion by Councilman Shear, seconded by Councilman Michnik to refer the request of the applicant, Greenleaf Landscape Services, LLC, to the Planning Board for review and recommendation of a Temporary Conditional Permit for the operation of a landscape business to the rear of Hector's Hardware, at 10020 Main Street, in the Commercial and Residential Single-Family zones.

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

Visone Co Site Development, LLC., represented by Ronald Trigilio, Architect, of 9300 Main Street. North side of Main Street, east of Thompson Road. An existing 5.2-acre parcel in the Commercial zone, containing a dwelling complex and detached accessory structure (barn) to the rear of the property. The applicant is requesting preliminary Conceptual review of the

rehabilitation of the barn into a mixed-use project containing approximately 1,358 sqft of commercial space on the first floor and two multiple family housing units on the second floor. A referral to the Planning Board would allow for a thorough review of this proposal.

Ronald Trigilio, architect was available for questions on behalf of the applicant.

Supervisor Casilio stated there is just a question of the existing building being up to code for you to put your stamp on.

Ronald Trigilio stated that we will be working on that as we go modifying if as needed.

Councilman Shear stated that the picture they received makes it appear that the building is on a major slope, not sure if that is true or not.

Ronald Trigilio stated that he has been on site several times and it is not.

Councilman Altieri asked how old the building was.

Ronald Trigilio replied he does not know. This project is going to take a lot of work refurbishing the building to rehab it.

Motion by Councilman Shear, seconded by Councilman Altieri to refer the request of the applicant, Visone Co. Site Development, LLC, to the Planning Board for preliminary Conceptual review of the rehabilitation of an existing detached accessory structure into a mixed-used project containing multiple-family housing at 9300 Main Street in the commercial zone.

On the question, Councilman Shear stated that his understanding is this will be residential and commercial but it does not state that.

Ronald Trigilio replied yes it will be.

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

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to approve the following applications: Clubhouse; Clarence Concert Association October 24, 2025. Legion Hall; Clarence Youth Football and Cheer Organization June 28, 2025, Adam & Kristin Sobieraj July 26, 2025, John Burgher August 16, 2025, Lauren Craven September 13, 2025 and Leona Allan December 13, 2025.

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

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to approve the bill pay of June 19, 2025 as follows: General Fund \$920,937.83, Highway Funds \$117,271.88, Central Alarm Funds \$312,628.04, Lighting Funds \$686.89, Sewer funds \$51,516.07 and Capital Funds \$45,448.34 for a total bill pay of \$1,448,525.05.

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

Councilman DiCostanzo mentioned that an ongoing concern of a dog named Rigley in the town has been missing for a total of 12 days now. There have been a number of people invested in helping find him and as of this morning Rigley has returned home safe.

With no additional business, Supervisor Casilio closed the meeting at 10:37 a.m.

Karen Hawes
Town Clerk