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**Exhibit 1 – Justification for Requested Area  
Variance for Three-Story Mixed-Use  
Buildings**

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## **EXHIBIT 1 OF VARIANCE APPLICATION**

### **I. DESCRIPTION OF REQUESTED AREA VARIANCE:**

The Project requires a variance from the Zoning Board of Appeals as described below.

- **Three-Story Building Construction [Section 229-126 D. (1) (f) of the Zoning Code]**: Buildings within a multiple-family development shall be limited to a maximum of two stories.

The Applicant is proposing to construct 3 three-story mixed-use buildings along the Sheridan Drive frontage of the Project Site as depicted on the Concept Plan prepared by GPI Engineering dated April of 2025. A full-size copy of the Concept Plan is attached and a reduced-size copy is attached as **Exhibit “2”**. A full-size copy of the Elevation Plan for the three proposed mixed-use buildings [Drawing A-201 – Date: 04/11/25] is attached and a reduced-size copy of the Elevation Plan is provided at **Exhibit “3”**. It is important to note that the building height will not exceed the 45 ft. maximum building height allowed for commercial buildings in the Commercial and Restricted Business zoning districts. For example, a three-story commercial building with the same height would be considered an “As-of-Right” use on the Project Site.

### **II. NARRATIVE PROVIDING JUSTIFICATION FOR THE REQUESTED AREA VARIANCE FOR THE MIXED-USE PROJECT:**

#### **A. Introduction:**

NYS Town Law §267-b(3)(b) sets forth a statutorily mandated balancing test to be considered by a zoning board of appeals in connection with its review of a request for area variances. The statutorily mandated balancing test requires a zoning board of appeals to balance the benefits that will be realized against the resulting detriments to the health, safety and welfare of the community.

The granting of the requested area variance will result in substantial benefits to the Applicant including the ability of the Applicant to proceed with the proposed mixed-use project

pursuant to the current project layout depicted on the Concept Plan that has been previously presented to both the Planning Board and the Town Board.

The granting of the requested area variance will not result in any detriment to the health, safety and welfare of the community. In applying the statutorily mandated balancing test set forth above, NYS Town Law §267-b(3)(b) requires a ZBA to consider five (5) criteria as described below:

1. **Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of area variances:**

The granting of the requested area variance will not produce any undesirable changes to the character of the neighborhood or detriments to nearby properties. Sheridan Drive is a State Highway consisting of numerous land uses on both sides of the highway, including commercial uses, retail uses, industrial uses, residential homes, and manufactured housing. The Project will result in a desirable change to the character of the neighborhood and is consistent with the planning goals and objectives that have been established by the Town per the Comprehensive Plan.

The Project was designed with consideration of the goals of the Comprehensive Plan and the “Business Center Design Criteria” the Intent of the Zoning Code. The Project incorporates the goals of pedestrian connectivity as well as building and site design requirements that will achieve a high standard of development. The Project features visually pleasing and creative architectural design for the mixed-use buildings with an overall site layout that satisfies the directives identified in the Comprehensive Plan. Additionally, the building closest to the adjacent residential uses to the west of the Project Site includes a ‘step down’ on the sides to two-stories to more closely blend with the existing residential neighborhood. The parking areas are not concentrated at one location



but instead are interspersed on the Project Site in order to provide proximate parking for future commercial and residential tenants.

The Sheridan Drive corridor is identified as an area ripe with opportunity within the Comprehensive Plan. The Comprehensive Plan calls for a blend of office uses, civic uses, multi-family living opportunities and limited retail operations that meet the needs of the surrounding neighborhood and the traveling public. The layout of the Project effectively accommodates the potential for office and retail uses mixed with high quality residential units for lease.

The granting of the requested area variance for the proposed three-story mixed-use buildings along the Sheridan Drive frontage of the Project Site will not result in any detriments to nearby properties. The project layout reflects input that has been received during the project review process and the lower intensity standalone residential buildings are located behind the mixed-use building on the portion of the Project Site that is adjacent to the existing residential subdivision previously developed by the Applicant.

**2. Whether the benefits sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance:**

The Applicant has previously pursued alternative development opportunities. The previously approved project that included eight (8) proposed 2-story mixed-use buildings consisting 3,100 sq. ft. of 1st floor commercial space and 3 upper story apartments per building along the Sheridan Drive frontage of the Project Site was determined to not be feasible. The granting of the requested area variance to allow three-story mixed-use buildings is essential for the Project to be feasible.

**3. Whether the requested area variance is substantial:**

The requested area variance to allow three-story mixed-use buildings along the Sheridan Drive frontage of the Project Site is not substantial. The reason the magnitude of the variance is

relevant is that, generally, the larger the difference the more likely it is that a negative effect would be generated. See Matter of Human Development Services of Port Chester v. Zoning Board of Appeals of the Village of Port Chester, 110 A.D.2d 135, aff'd, 67 N.Y.2d 702. However, in any particular case, the facts may demonstrate that while a variance may seem noteworthy on paper, no negative effect would be produced and, accordingly, the sought-after variance should be granted.

For example, in Matter of Frank v. Scheyer, 227 A.D.2d 558, 642 N.Y.S.2d 956 (2d Dept. 1996), the parcel was 19,983 square feet. However, the zoning code required a minimum lot size of one acre or 43,560 square feet. The variance at issue was more than 54%. Nevertheless, based on the facts presented, no harm would befall the community and the Court directed the zoning board of appeals to grant the application. The Court took similar action in Matter of Shaughessy v. Roth, 204 A.D.2d 333, 611 N.Y.S.2d 281 (2d Dept. 1994), in which the premises contained 50 feet of frontage and 5,000 square feet of area. The zoning code required 80 feet of frontage and a minimum lot size of 10,000 square feet. Accordingly, the application concerned a 50% reduction in lot area coupled with a second area variance seeking a 62.5% reduction from the required frontage. Nevertheless, based on the facts in the record, the Court directed the respondents to issue the variances. Additionally, in Matter of Sasso v. Osgood, 86 N.Y.2d 374 (1995), the applicant sought area variances for a 60% reduction in lot area and a 50% reduction in lot width. Based on all of the facts presented, the Court of Appeals, the State's highest court, overturned the holding of the appellate court and directed that the requested area variances be granted.

Merely because a requested area variance may seem noteworthy on paper does not mean that any "harm" would be generated on the surrounding community, and it is "harm" that is balanced against the interest of the applicant according to the Town Law §267-b(3) test. The

granting of the requested area variance in furtherance of the proposed mixed-use project will not result in any “harm” on the surrounding community.

**4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district:**

The granting of the requested area variance will not have adverse effects or impacts on the physical or environmental conditions in the neighborhood or district. The Project has undergone and an extensive review by the Planning Board. The Planning Board conducted a coordinated environmental review of the Project pursuant to the State Environmental Quality Review Act (“SEQRA”).<sup>1</sup> The Planning Board issued a Negative Declaration pursuant to SEQRA on August 20, 2025. A copy of the Negative Declaration issued by the Planning Board by a unanimous vote during its meeting on August 20, 2025 is provided at **Exhibit “4”**.

It is also important to mention that the Project will comply with the numerous technical standards that apply in order to receive Development Plan Approval from the Planning Board as well as the required approvals and permits from involved agencies.

**5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variances:**

Town Law Section 267-b(3)(b) expressly states that the issue of whether an alleged difficulty is self-created cannot be utilized as the sole criteria in determining whether to grant a requested area variance. Since the Applicant has knowledge of the zoning classifications of the

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<sup>1</sup> The Town of Clarence issued a Lead Agency Solicitation letter dated May 5, 2025 pursuant to SEQRA with a thirty (30) day lead agency solicitation response that expired on June 12, 2025. None of the responding agencies identified an adverse effect or impact on the physical or environmental conditions in the neighborhood.

Project Site and the applicable sections of the Zoning Code, the alleged difficulty can viewed as being self-created.

The economic challenges that have resulted in the need for the Applicant to seek the requested area variance include increased construction costs, increased interest rates and additional capital contribution requirements. While the Applicant is not taking the position that it is the responsibility of the Zoning Board of Appeals to solve the financial challenges that would result from the development of the Project Site without the requested area variance, the Applicant believes this is a relevant fact that should be considered by the Zoning Board of Appeals.

### **III. Conclusion:**

The Applicant requests that the Zoning Board of Appeals grant the requested area variance being sought in connection with the proposed mixed-use project. The granting of the requested area variances is justified since the benefits that will be received by Applicant if the requested area variances are granted clearly outweighs any resulting detriments per the statutorily mandated balancing test and the five criteria.

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**Exhibit 2 – Reduced Size Copy of the Concept  
Plan Prepared by GPI Engineering dated  
April of 2025**

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**Exhibit 3 – Reduced-Size Copy of Elevation  
Plan for Mixed-Use Buildings  
[Drawing A-201 – Date: 04/11/25]**

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**Exhibit 4 – Negative Declaration Issued by  
the Planning Board pursuant to the State  
Environmental Quality Review Act  
("SEQRA") on August 20, 2025**

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**State Environmental Quality Review  
Negative Declaration  
Notice of Determination of Non-Significance**

Date: August 20, 2025

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Clarence Planning Board, acting as the designated Lead Agency in connection with the coordinated environmental review of the action, has determined that the proposed action described below will not have any potentially significant adverse impacts on the environment and as such a Draft Environmental Impact Statement will NOT be prepared.

**Project Name:** Sheridan Hill Commons Mixed-Use

**Project Number:** TOC05012025

**Location of Project:** 8450 Sheridan Drive - SBL: 70.11-5-1  
North side of Sheridan Drive | West side of Harris Hill Road

**Lead Agency:** Town of Clarence Planning Board

**SEQRA Classification:** The proposed project is a Type I Action. The Town conducted a coordinated environmental review and none of the involved agencies expressed any objection to the Planning Board acting as the designated lead agency.

**Description of Action:** Existing 14.8-acre previously disturbed vacant parcel located in the Commercial and Restricted Business zones. A mixed-use project containing multiple-family housing and commercial space. The project consists of the following:

- 3 mixed-use buildings, each containing 8,065 sqft commercial and 11 to 15 apartments.
- 7 residential townhouse buildings, each containing 4 units.
- 5 residential apartment buildings, each containing 4 units.
- 3 garage buildings, each with 8 to 10 bays.
- This results in a total of 85 residential units and 24,195 sqft of commercial space.

Each of the three mixed-use buildings contain a third-floor element. To consider this proposal, variances will be required by the Zoning Board of Appeals.

The Planning Board has thoroughly evaluated the Part 1 of the Environmental Assessment Form, the completed Parts 2 and 3 of the Environmental Assessment Forms, submitted plans, documents, reports, and letters, as well as all supporting documentation and meeting minutes associated with the coordinated environmental review of the action pursuant to SEQRA.

Compared to the criteria listed in Section 617.7 of the SEQR Regulations, the Planning Board, acting as the designated lead agency, has determined that all identified areas of environmental

concern have been identified and thoroughly evaluated, and that the proposed action will not have any potentially significant adverse impacts on the environment. The Planning Board's reasoned elaboration in support of its determination that the proposed project will not result in any potentially significant adverse environmental impacts is provided below.

### **Executive Summary:**

The "Project Site" is located at 8450 Sheridan Drive. The Project Site consists of +/- 14.77 acres of land and is split zoned between Commercial ("C") and Restricted Business ("RB") pursuant to the Town of Clarence Zoning Map. The "Proposed Project" is a mixed-use project containing multiple-family housing and commercial space. The project consists of the following:

- 3 mixed-use buildings, each containing 8,065 sq.ft. commercial and 11 to 15 apartments.
- 7 residential townhouse buildings, each containing 4 units.
- 5 residential apartment buildings, each containing 4 units.
- 3 garage buildings, each with 8 to 10 bays.

This results in a total of 85 residential units and 24,195 sq.ft. of commercial space. Each of the three mixed-use buildings contain a third-floor element. To consider this proposal, variances will be required by the Zoning Board of Appeals

After a thorough review with involved and interested agencies, it has been determined that the Proposed Project will not have a potentially significant adverse impact to the environment. The Proposed Project is in keeping with the zoning classifications' recommended land use, design guidelines, and site layout standards. *Clarence 2030 – Town of Clarence Comprehensive Plan*, encourages the development of complementary commercial and residential uses in the Town of Clarence.

### **1. Impact on Land:**

The Proposed Project involves the alteration and clearing and previously disturbed natural land. The average depth to water table is greater than three feet on the Project Site. The Proposed Project does not involve construction on slopes of 15% or greater, and bedrock is not within 5 feet of the existing ground surface on the Project Site. The Proposed Project will not involve the excavation and removal of more than 1,000 tons of natural material. Since the Proposed Project will result in disturbance of more than one acre of land, a Stormwater Pollution Prevention Plan ("SWPPP") prepared by a licensed engineering firm will be required and the SWPPP will need to be reviewed and approved by the Town Engineering Department prior to project construction. The requirement for the SWPPP is outlined per the letter dated August 6, 2025 from Joseph Lancellotti of the Town of Clarence Engineering Department, and per the letter dated June 11, 2025 from Lisa M. Czechowicz of the New York State Department of Environmental Conservation ("NYSDEC")

The Proposed Project will result in physical disturbance and vegetation removal; however, this potential impact represents a small impact since construction activities will need to comply with required applicable erosion and sediment control measures. Such erosion and sediment control measures will be specified in the engineered plans to be prepared by a licensed engineering firm as well as the required Stormwater Pollution Prevention Plan ("SWPPP"). The proposed erosion control measures will be reviewed by the Town Engineering Department during the Development Plan review process. The Project Site is not located within a designated Coastal Erosion hazard area.

Construction of the Proposed Project is anticipated to occur in three (3) phases and the

construction of the Proposed Project is anticipated to occur for a period of more than one year. However, construction activities in furtherance of the Proposed Project will be intermittent and represent a temporary and unavoidable adverse impact that is not potentially significant. During the construction phases, the Proposed Project will need to comply with the applicable stringent standards for stormwater quality and storm quantity management as well as applicable standards for required infrastructure improvements. This will be verified by the Town Engineering Department in connection with the Development Plan review process.

**2. Impact Geological Features:**

There are no unique or unusual land forms on the Project Site.

**3. Impact on Surface Water:**

The Project Site currently consists of previously disturbed natural land. There are no existing water bodies on the Project Site. The management of stormwater from impervious surfaces on the Project Site will require the installation of a stormwater management system. The stormwater management system will be designed by a licensed engineering firm to collect, discharge and improve the quality of surface water. The stormwater management system will be required to comply with the applicable stringent stormwater quality and quantity standards of the NYSDEC and the applicable drainage standards of the Town of Clarence. The Project Sponsor, in collaboration with the Town of Clarence Engineering Department, proposed an interim plan for stormwater management to collect, discharge and improve the quality of surface water during the review process of the Proposed Project.

In a letter dated June 11, 2025 from Lisa M. Czechowicz of the NYSDEC, it was stated that most activities that involve disturbance within a wetland or its 100-foot adjacent area require an Environmental Conservation Law (ECL) Article 24, Freshwater Wetlands permit from the NYSDEC. Additionally, it was stated that to determine whether the property contains regulated freshwater wetlands, the Project Sponsor must submit a request for a Parcel Jurisdictional Determination (“Parcel JD”). The Project Site was previously subject to a separate New York State Environmental Quality Review Act action (“SEQRA”) in 2020. A wetland delineation was performed by Wilson Environmental Technologies as a part of that SEQRA review and determination. The aforementioned delineation found that there was an isolated and non-jurisdictional wetland area on the Project Site. A subsequent Jurisdictional Determination was issued by the United States Army Corps of Engineers (“USACE”) in November of 2020. The Jurisdictional Determination is valid for five (5) years from the issued date. The Project Site was disturbed as part of the 2023 Development Plan approved mixed-use project that was previously proposed. The Proposed Project does not involve any physical land alteration within a jurisdictional wetland or the 100-foot adjacent area of a wetland.

The Project Site is located within Clarence Town Sewer District 10. In an email correspondence letter dated June 5, 2025 from Michael Larson of the Erie County Division of Sewerage Management (“ECDSM”), it was stated:

1. The proposed project revisal is located in Clarence Town District - 10. The sanitary sewers near the proposed project revisal are owned by the Town of Clarence. The sanitary flows are tributary to Erie County and Town of Clarence trunk and interceptor lines and ultimately the Amherst Wastewater Treatment Plant.
2. A 56-unit project titled Harris Hill Mixed Use was approved on this site in November 2022. The current SEQRA proposal is for an 85-unit project titled Sheridan Hill Commons. The

increase from 56 residential units to 85 will not be permissible until the completion of the parallel peanut line as there is no capacity for additional flow. The project may continue under its original scope of 56 residential units but no modifications involving any additional flow increase will be accepted. Alternatively, the 85-unit project may be submitted for sanitary sewer review and approval upon completion of the parallel peanut line project.

3. The Review and approval of any proposed sanitary sewers is required by Erie County DSM.
4. The assigned Sanitary sewer Inflow and Infiltration (I/I) removal work in ECSD No. 5 will still be in effect for this project if the project continues under its original scope. However, this would change if the project is resubmitted with additional proposed flow upon completion of the parallel peanut line and a Downstream Capacity Analysis (DSCA) may be required at that time.
5. Sanitary sewer system design shall be in accordance with Ten States Standards and Erie County Sewer District Rules and Regulations and Design Requirements.

After consultation with the Project Sponsor and the Town of Clarence, the ECDSM issued a subsequent email correspondence letter dated July 9, 2025 from Michael Larson. The email stated that the ECDSM is withdrawing its comment no.2 of the June 5, 2025 email and offers the following:

- The originally proposed mixed-use project as approved on November 17, 2022, consisted of 80 residential units and 24,800 sq. ft. of commercial space, resulting in a peak flow of 92,901 gpd.
- The currently proposed mixed-use project consists of 85 residential units and 24,195 sq. ft. of commercial space, resulting in a peak flow of 97,452 gpd.
- The current proposed project would increase the peak flow by 4,551 gpd. This increase would change the number of required developer's I/I remedial work from 9 building sewers to 10 building sewers.

The Project Sponsor will be required to obtain approval from the ECDSM for the sanitary sewer flows that will be conveyed into the sanitary sewer infrastructure owned by ECSD #5 and to comply the applicable I/I requirement. The Project Sponsor shall work with the ECDSM to provide an updated DSCA in order to obtain sanitary sewer extension approval. Additionally, the sanitary sewer system design shall be in accordance with Ten States Standards and Erie County Sewer District rules, regulations and design requirements.

#### **4. Impact on Groundwater:**

There will be minimal additional ground water introduced as a result of the Proposed Project. A portion of the post developed site stormwater will be collected, managed and disbursed on-site for eventual percolation into the groundwater system, through stormwater detention areas, as designed and permitted to meet Federal, State and Local standards.

The Proposed Project will connect to existing water services and will require review and approval by the Erie County Water Authority ("ECWA"). In a letter dated June 2, 2025 from Mark S. Carney of the ECWA, it was stated that the Proposed Project will require the Erie County Water Authority review for the new watermain extension associated with the Proposed Project. Additionally, it was stated that due to the size of the Proposed Project and potential demand the ECWA Engineering has some concerns relative to the impact of additional demand on the system.

The Proposed Project will require ECWA review of the existing infrastructure and the possibility for the need to increase the size of the watermain associated with this Proposed Project. The Project Sponsor shall obtain all necessary permits and approvals from the ECWA.

**5. Impact on Flooding:**

The Project Site is not located in either the regulated 100-year Floodplain nor a designated floodway. The Proposed Project will require modifications of existing drainage patterns. Future Development Plan submittals shall include an Engineer's Report prepared by a licensed engineering firm as well as grading and drainage plans and details prepared by a licensed engineering firm for review and approval by the Town's Engineering Department prior to the Planning Board granting Development Plan Approval. In addition, the Proposed Project will include the implementation of NYSDEC compliant stormwater management practices per the applicable standards. Modifications to the existing drainage patterns on the Project Site does not represent a potentially significant adverse environmental impact due to the requirement for the installation of a stormwater management system that complies with the applicable stringent stormwater quantity and quality standards.

**6. Impacts on Air:**

The Proposed Project does not involve a State regulated air emission source.

**7. Impact on Plants and Animals:**

Although the Project Site was previously disturbed, the Proposed Project will result in the further clearing of existing vegetation on the Project Site. There was no documented presence of protected, threatened or endangered species on the Project Site as confirmed by lead agency concurrence letter issued by the NYSDEC dated June 11, 2025. A Landscape Plan prepared by a Registered Landscape Architect will need to be reviewed and approved by the Town Landscape Review Committee for the purpose of introducing native and beneficial vegetation to the Project Site.

**8. Impact on Agricultural Resources:**

The Project Site does not contain agricultural resources and is not located in a County Agricultural District. As such, the Proposed Project will not result in any adverse impacts to agricultural resources.

**9. Impact on Aesthetic Resources:**

The Project Site is located on Sheridan Drive, which is a New York State Highway. The Proposed Project contains multiple-family housing and commercial space, which is not in sharp contrast to the nearby land use patterns. Surrounding land use patterns include numerous commercial uses and residential homes. Furthermore, the proposed mixed-use project is consistent with the Clarence 2030 - Town's Comprehensive Plan. There are no officially designated federal, state, or local scenic or aesthetic resources within 5 miles of the Project Site, and the Proposed Project would not eliminate or significantly screen an officially designated scenic view.

**10. Impact on Historic and Archeological Resources:**

The Project Site is located in, or is adjacent to, an area designated as sensitive by the New York State Historic Preservation Office ("SHPO") archeological site inventory. In a letter dated



May 12, 2025 from Daniel Mackay of SHPO, it was stated that the Proposed Project was reviewed in accordance with the New York State Historic Preservation Act of 1980. Based upon this review, it is the opinion of SHPO that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

**11. Impact on Open Space and Recreation:**

The Project Site consists of privately owned property that currently consists of previously disturbed natural vegetation. The Proposed Project will not result in a loss of recreational opportunities or a reduction of protected open space. As part of the Proposed Project, the project layout will be required to contain a recreational component, as approved by the Town of Clarence. The recreational component will be reviewed during the Development Plan review of each phase of the Proposed Project. Conceptually, the Proposed Project proposes a recreational trail easement granted to the Town of Clarence and an outdoor community recreational area.

**12. Impact on Critical Environmental Areas:**

The Project Site is not located within or adjacent to a designated Critical Environmental Area.

**13. Impact on Transportation:**

After a thorough review by involved and interested agencies, including but not limited to the New York State Department of Transportation (“NYSDOT”), Clarence Fire Review, Erie County Department of Public Works (“ECDPW”), and Clarence Highway Department, it has been determined that the Proposed Project will not have a significant adverse impact on the existing transportation system.

On June 2, 2025, Alyssa Schoenfeldt of the NYSDOT issued an e-mail communication stating the following in reference to a January 11, 2022 Restriping Plan.

- NYSDOT concurs with the Town of Clarence for it to act as the Lead Agency
- The restriping work, as shown in the attached PDF, shall be done as previously agreed upon.
- The remainder of the site, including entrances, was previously agreed upon.
- NYSDOT is requesting updated documents reflecting the new site plan, with the correct striping.
  - Does the new site plan change the trip generation?

During the Development Plan review process of the Proposed Project, the Project Sponsor shall coordinate with the NYSDOT and provide all necessary documents to the NYSDOT for review and approval. The Project Sponsor will be required to obtain all appropriate permits from NYSDOT for any proposed curb cut modifications and restriping within the NYSDOT right-of-way.

On June 3, 2025, Garrett M. Hacker of the ECDPW issued a letter stating the following.

- The preliminary plans are acceptable; however, the following comments from this department will need to be addressed:
  - A stormwater management report shall be provided for our review. Stormwater drainage for this site shall be designed in accordance with the New York State stormwater management design manual and local Town requirements.

- The Traffic Impact Study (TIS) dated March 4, 2019 shows no left turns from northbound Harris Hill Road into the full access driveway 1. This department disagrees with the determination that no vehicles would make this movement. The TIS should be revised to reconsider left turns into the site from Harris Hill Road, and include a left turn lane warrant analysis of driveway 1.

The Project Site was previously subject to a separate New York State Environmental Quality Review Act action (“SEQRA”) in 2020. A Traffic Impact Study (“TIS”) was conducted by SRF Associates as a part of that SEQRA review and determination. The aforementioned TIS found that the previously proposed project, with the recommended mitigation, will have minor traffic impacts on the existing roadway network operations. The Proposed Project modifies the trip generation when compared to the previously proposed project due to the five (5) additional residential units and the decreased amount of first floor commercial space. These changes are minor in nature and do not have any substantial impact on the TIS conducted by SRF Associates in connection with the coordinated environmental review of the previously approved project. During the Development Plan review process of the Proposed Project, the Project Sponsor shall coordinate with the ECDPW and provide all necessary documents to the ECDPW for review and approval. The Project Sponsor will be required to obtain all appropriate permits from ECDPW for any proposed curb cut modifications and restriping within the ECDPW right-of-way.

#### **14. Impact on Energy:**

The Proposed Project will cause an increase in the use of energy. The Proposed Project shall be designed to meet energy compliance standards through the installation of energy efficient facilities and features, having minimal impact on the environment. As part of the Development Plan review process, the Project Sponsor shall coordinate with the appropriate utilities to obtain all appropriate permits as required.

#### **15. Impact on Noise, Odor, and Light:**

The potential impact from noise, odors, and lighting will be addressed through the installation of new landscaping to reduce noise impacts; the installation of enclosed dumpsters / tote garbage facilities to reduce odors; and installation of dark-sky compliant shielded lighting to avoid off-site light pollution. In addition, the general impact to noise, odor and light will be consistent with existing surrounding commercial and residential land uses. There will be temporary and unavoidable impacts to noise, odor and lighting during construction activities in furtherance of the Proposed Project; however, the Planning Board has determined this is not a potentially significant adverse environmental impact.

In a letter dated June 5, 2025, Timothy P. German of the Erie County Department of Environment and Planning (“ECDEP”) stated that the Town of Clarence and the Project Sponsor should consider adding an enhanced landscape buffer at the rear property line to the extent practicable in order to provide visual screening for residential properties to the north. A Landscape Plan prepared by a Registered Landscape Architect will need to be reviewed and approved by the Town Landscape Review Committee for the purpose of introducing landscape buffers to adjoining residential homes to help address potential impacts from noise, odors, and lighting.

#### **16. Impact on Human Health:**

The Project Site does not include a known source of regulated hazardous materials detrimental to human health. If regulated hazardous materials exceeding the applicable NYSDEC



thresholds are unexpectedly encountered during the construction of the Proposed Project, clean-up activities compliant with Federal, State and Local standards will be completed prior to construction on the relevant portions of the Project Site.

#### **17. Consistency with Community Plans:**

*Clarence 2030 – Town of Clarence Comprehensive Plan (“Clarence 2030”)* is the Town’s adopted Comprehensive Plan. Clarence 2030 encourages the development of complementary mixed-use projects. The *Clarence 2030* review process began in December 2014 and was adopted by the Town Board in December of 2016, which included numerous opportunities for public input and participation. Map 8 of *Clarence 2030* (“Future Land Use Map”) designates the Project Site as appropriate for Transitional Business. The purpose of the Transitional Business land use classification is to foster a blend of office uses, civic uses, multi-family living opportunities, and limited retail operations that meet the needs of the surrounding neighborhoods and the traveling public. As part of *Clarence 2030*, the Town has placed an increasing emphasis on providing pedestrian connectivity throughout these areas, as well as building and site design requirements in order to achieve a higher standard of development. The Proposed Project is keeping with the desired complementary mixed-use design of this section of Sheridan Drive.

*Vision: Sheridan* was adopted by the Town Board in April of 2025. The goals of *Vision: Sheridan* are to identify a unified approach to improve the physical and visual appeal of Sheridan Drive, recognize and build upon the unique character areas contained within the corridor, and bridge the broad initiatives and policies in the Comprehensive Plan with focused efforts for Sheridan Drive. *Vision: Sheridan* identifies the Project Site as a “Core Node” and “Focal Node” with an emphasis on making these areas more accessible, commercially diverse, and uniquely identifiable. Additionally, *Vision: Sheridan* recommends design guidelines for the Sheridan Drive area, which include:

- Orienting the principal buildings to the main thoroughfare and visualizing a front yard setback line through the installation of an architectural feature for buildings set back further than the established front yard setback line.
- Providing pedestrian connections from the street to the main entrance of the buildings, and providing pedestrian amenities such as shade structures and outdoor seating.
- Limiting the number of parking aisles within the front yard setback.
- Providing and planting trees and landscaping to promote pedestrian comfort.
- Encouraging pitched roofs on buildings and use of high-quality building materials.

The Proposed Project is consistent with the recommended land use, design guidelines and site layout guidance for the relevant portion of the Town along Sheridan Drive. The Proposed Project will require area variances from the Zoning Board of Appeals. The area variances would be for the third stories associated with the three (3) mixed-use buildings fronting Sheridan Drive. Should the area variances for the number of stories for the mixed-use buildings be granted by the Zoning Board of Appeals, it has been determined that these area variances do not represent a potentially significant adverse environmental impact. Two-story mixed-use buildings are permitted pursuant to the Town’s Multifamily Law, and the Commercial and Restricted Business zoning classifications also allow a building height of up to forty-five feet. The Project Sponsor has indicated that the proposed three-story buildings would be under forty-five feet. The Proposed Project is intending to keep with the desired character as outlined in the Town’s guiding documents. If the Zoning Board of Appeals does not grant the area variance for the number of

stories, the Project Sponsor will be required to adjust the design of the proposed mixed-use building to comply with the relevant two-story height standard.

The Proposed Project will require a Special Exception Use Permit from the Town Board for the Multiple-Family component, and for structures measuring between 10,000 and 30,000 square feet. A density calculation for the number of multifamily units to be provided was prepared pursuant to the Section 229-126D of the Zoning Code, and is as follows:

- Commercial (C) and Restricted Business (RB) land area = 14.77 acres
  - Allowed per section 229-126(D)(1)(c) of the Zoning Code: 50% of the property shall be committed to a commercial use.
  - $14.77 \text{ acres} / 2 = 7.38 \text{ acres}$  of required commercial use area.
- Within the commercial component per section 229-126(D)(5)(a) of the Zoning Code:
  - Within the minimum 50% of the development committed to commercial uses, mixed-use designs may be allowed with a density of 4 units per acre.
  - $7.38 \text{ acres} \times 4 \text{ units per acre} = 29$  allowed units in the commercial component.
- Within the residential component per section 229-126(D)(1)(a) of the Zoning Code:
  - Maximum density for multi-family developments with sanitary sewer access shall be 8 units per acre.
  - $7.38 \text{ acres} \times 8 \text{ units per acre} = 59$  allowed units in the residential component.
- The Project Sponsor is proposing a total of 85 residential units within the Proposed Project. The total number of allowed residential units would be 88 residential units.

Should the Special Exception Use Permits be granted by the Town Board, it has been determined that this action does not represent a potentially significant adverse environmental impact. The density and square footage of the Proposed Project is in keeping with the allowable provisions set by the Town's Zoning Code.

#### **18. Consistency with Community Character:**

Sheridan Drive is a State Highway made up of a mixture of land uses on either side, including commercial, mixed-use, and residential. The Proposed Project will not be in sharp contrast to existing community character. The Proposed Project will result in a more compliant community character per the Town's allowable uses in the zone and vision per the adopted Comprehensive Plan. The primary buildings in the immediate area of the Project Site are a mixture of 1 to 2 story buildings that contain a range of uses, including professional office, retail, and residential.

The Proposed Project is subject to the guidelines and restrictions set forth by the Town Zoning Code for the Commercial and Restricted Business zones, *Clarence 2030*, and *Vision: Sheridan*. The Proposed Project is consistent with the stringent standards for the Commercial and Restricted Business zoning classifications, which include minimum setbacks from property lines, lot coverage, and the site and architectural design standards. As part of the conceptual review of the Proposed Project, overall design guidelines for the Proposed Project were prepared to ensure consistency and unified design. The layout of the Proposed Project fulfills a transitional land-use pattern, whereby the higher intensity commercial component is oriented along Sheridan Drive while the residential uses are orientated to the north of the Project Site, which is adjacent to the existing residential neighborhoods. This transitional land use pattern achieves compatibility between existing and proposed land uses. While the existing architectural scale and character of the area varies, the Proposed Project does not reflect a moderate to large impact due to the Proposed

Project being consistent with the underlying zoning classifications and community's design guidelines.

As part of the Coordinated Review for this Proposed Project, the Harris Hill Volunteer Fire Company and the Clarence Central School District were listed as involved / interested agencies. A copy of the full application was provided to all listed agencies as part of the Coordinated Review under SEQRA, and all agencies were provided an opportunity to comment on the Proposed Project.

**Conclusion:** A complete and thorough review of the proposed action was completed by the Planning Board, the Town's Department of Planning & Zoning, the Town's Engineering Department as well as involved agencies.

The Planning Board formally issues a Negative Declaration on the proposed action as of August 20, 2025.

All documentation is on file at the Town of Clarence Planning and Zoning Department, One Town Place, Clarence, New York 14031. These records may be examined by the public between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday. Written comments may be submitted to the Director of Community Development.



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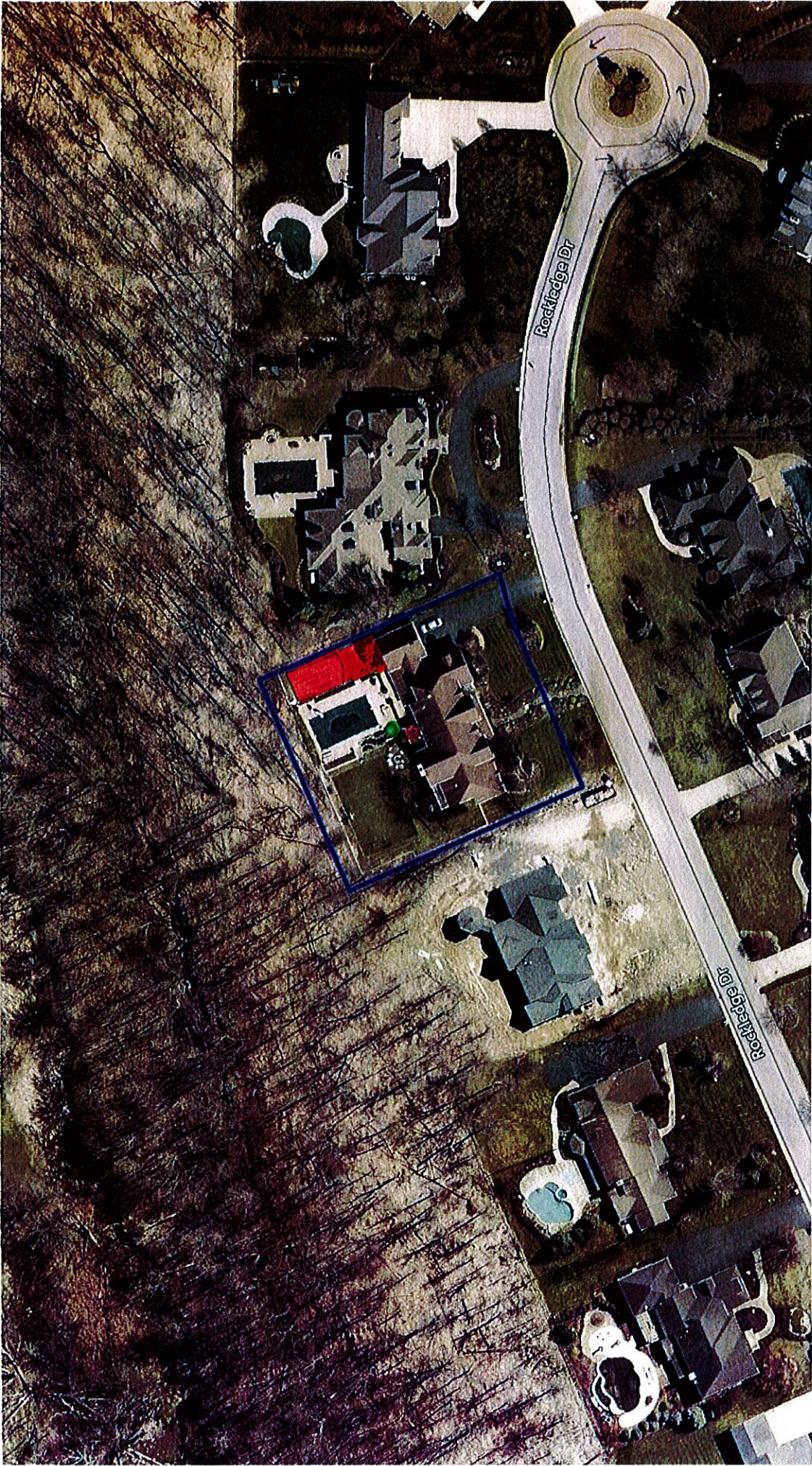
Jonathan Bleuer, Director of Community  
Development, Department of Planning and Zoning

For further information contact:

Jonathan Bleuer, Director of Community Development  
Office of Planning and Zoning  
One Town Place  
Clarence, NY 14031  
Tel: 716.741.8933  
E-mail: [jbleuer@clarence.ny.us](mailto:jbleuer@clarence.ny.us)

[illegible]





\*\*\*note the parcel lines displayed are approximate\*\*\*

Proposed addition to the principal structure (pool house) with a 9'0" side yard setback and a 12'6" rear yard setback.

## 5130 Rockledge Drive



The minimum side yard setback for a principal structure is 12'6". A 3'6" variance is requested.

The minimum rear yard setback for a principal structure is 45'0". A 32'6" variance is requested.



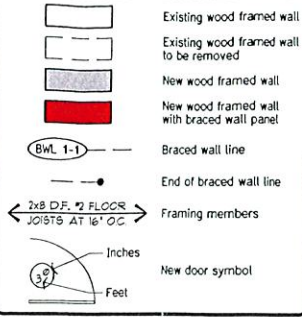
[illegible]



Project Notes

- All work is to be coordinated with the owner. The contractor is to meet with the owner prior to construction.
- Contractor shall keep the job free of debris and make final cleanup to the satisfaction of the owner. Contractor shall be responsible for removal of all construction debris from the project site and shall provide dumpsters etc. as required. Remove all debris on a daily basis.
- Contractor shall be responsible for the protection of all existing buildings and other installations that are to remain intact while performing the specified work. Provide and maintain fire extinguishers on project site during construction.
- Unless indicated otherwise, all material furnished and incorporated into the work shall be new, unused and of quality standard to the industry for first class work of similar nature and character. Install all materials to the manufacturer's recommendations and best standard of the trades involved.
- Remove all existing constructions and finishes necessary for the completion of the work is depicted on the drawings, including but not limited to, items shown on the plans with dashed lines. Necessary disconnects and alterations to existing mechanical and electrical systems shall be included. Patch as required all constructions to remain in accordance with the contract drawings. Where contractor is designated to make removals, disposition of materials is responsibility of the contractor. Verify with owner disposition and removal of any components of salvageable value.
- Do not scale drawings.
- Sections, details materials, methods, etc., shown and/or noted on the drawings shall apply to all similar locations unless otherwise noted.
- Contractor to provide necessary blocking or other supports within walls to accommodate all finishes, equipment, fixtures, etc., whether or not indicated on the drawings.
- Patch all finishes to match existing, including but not limited to, gypsum board, plaster, acoustic systems, wood trim, covers, base, panels, rails and wainscot. Verify match of new finish materials to existing color, texture, thickness, cut, etc. to satisfaction of owner prior to installations.
- Patch existing walls (gypsum, drywall or plaster) to match existing of sufficient thickness to maintain uniform wall thickness. All exposed portions of wall shall be finished with coats of spackling, sanded and left in paint ready condition.
- All wood in contact with concrete or masonry shall be pressure treated.
- Footings to sit on undisturbed soil.
- Contractor shall verify dimensions of all masonry and rough openings with manufacturers of materials or equipment to be installed. Notify owner's representative of any discrepancies prior to construction.
- Caulking at all exterior joints, openings, between wall and foundation, etc.
- Provide sealant at all joints in different materials.
- Provide new smoke detectors in all existing bedrooms, outside each separate sleeping area in the immediate vicinity of the bedrooms and on each additional story (including basement) in accordance with section R314 and Appendix J of the 2020 Residential Code of New York State.
- Provide new carbon monoxide (CO) detector on each story with bedrooms in the immediate vicinity of the bedrooms in accordance with sections R315, A1601.8.2 and A1801.3.2 of the 2020 Residential Code of New York State and section 915.3.1 of the 2020 Fire Code of New York State.
- While every attempt has been made in the preparation of these documents to avoid mistakes, the maker cannot guarantee against the possibility of human error. The builder or contractor on the job must check and verify all dimensions and other details of these drawings prior to construction and be responsible for them.
- The makers of these documents are not responsible for or have control of means, methods, and techniques of construction or responsible for the actions of the contractor or the actions of the contractor's sub-contractors.
- Framing plans, if provided, are for illustrative purposes only. Do not estimate or count members from these sheets. Use conventional estimating procedures. Actual framing may vary from what is shown. The contractor, builder, framer, etc., shall use their professional knowledge, judgment, & discretion during the construction of this building.
- Visit the site to verify existing conditions. Existing concealed conditions and connections are based upon information taken from limited field investigations. Contractor shall make required adjustments to system components as necessitated by actual field conditions at no additional cost to owner or architect. Report any discrepancies between the drawings and actual field conditions to the architect before construction begins.

Symbol Legend

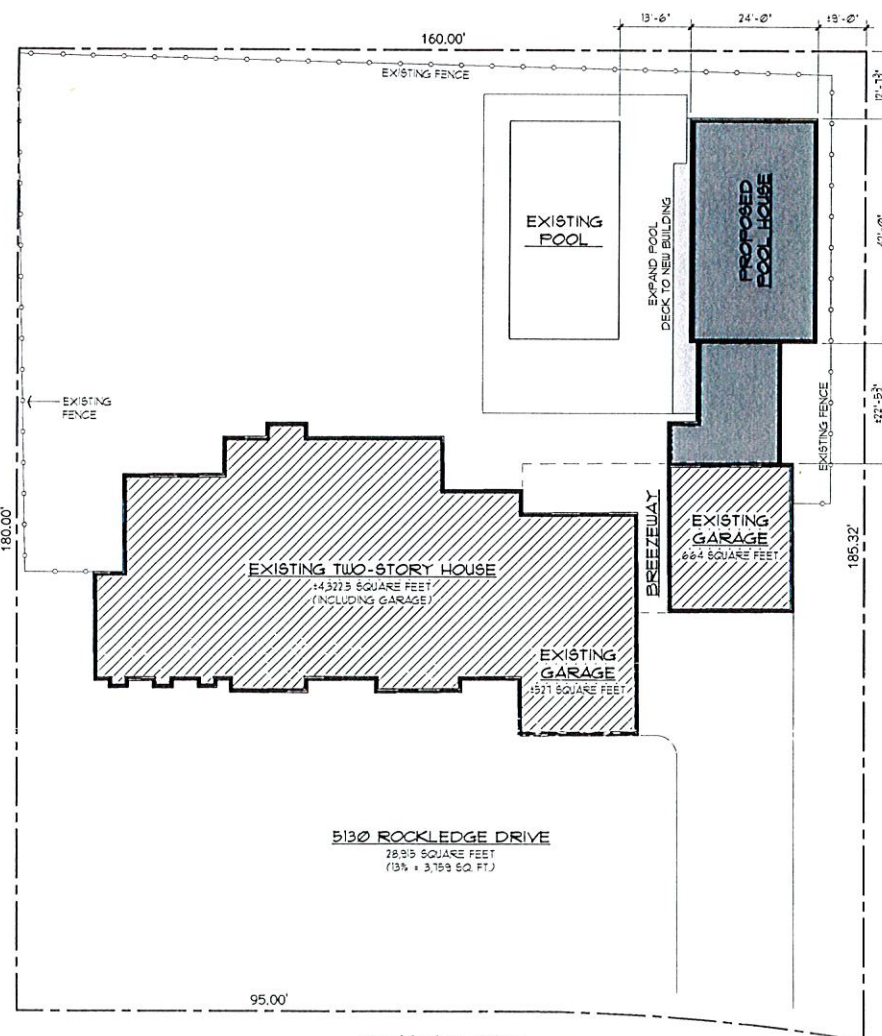


Design Criteria

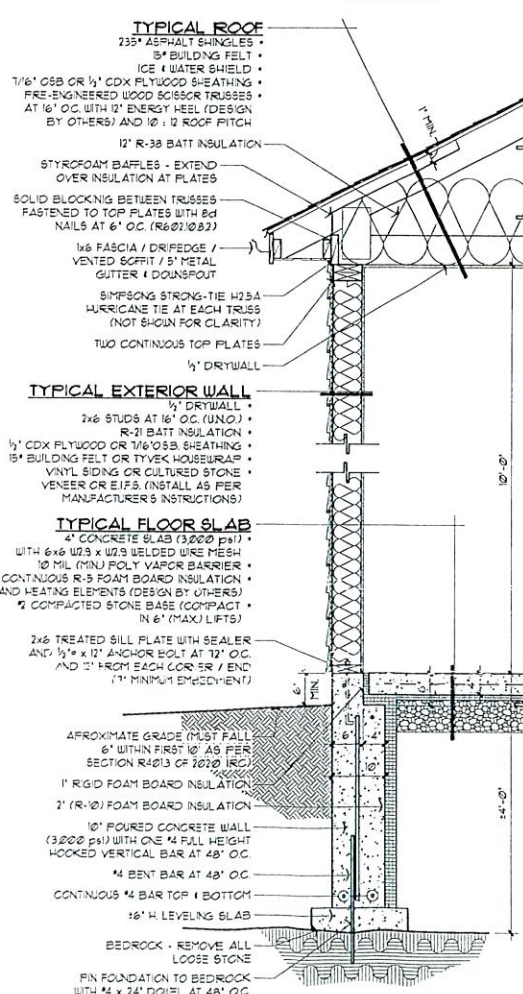
- Design Criteria Used:
  - A. Ground snow load: 50 psf
  - B. Wind Speed: 115 mph
  - C. Seismic Design: Category 'B'
  - D. Subject to damage from:
    - Weathering: Severe
    - Frost line depth: 48"
    - Termite: Slight to moderate
    - Decay: None to slight
  - E. Winter design Temp: 2°F
  - F. Ice shield underlayment required: Yes
- Uniformly distributed loads used:
  - A. Living Area: 40 psf live load / 10 psf dead load
  - B. Sleeping Area: 30 psf live load / 10 psf dead load

NOTES

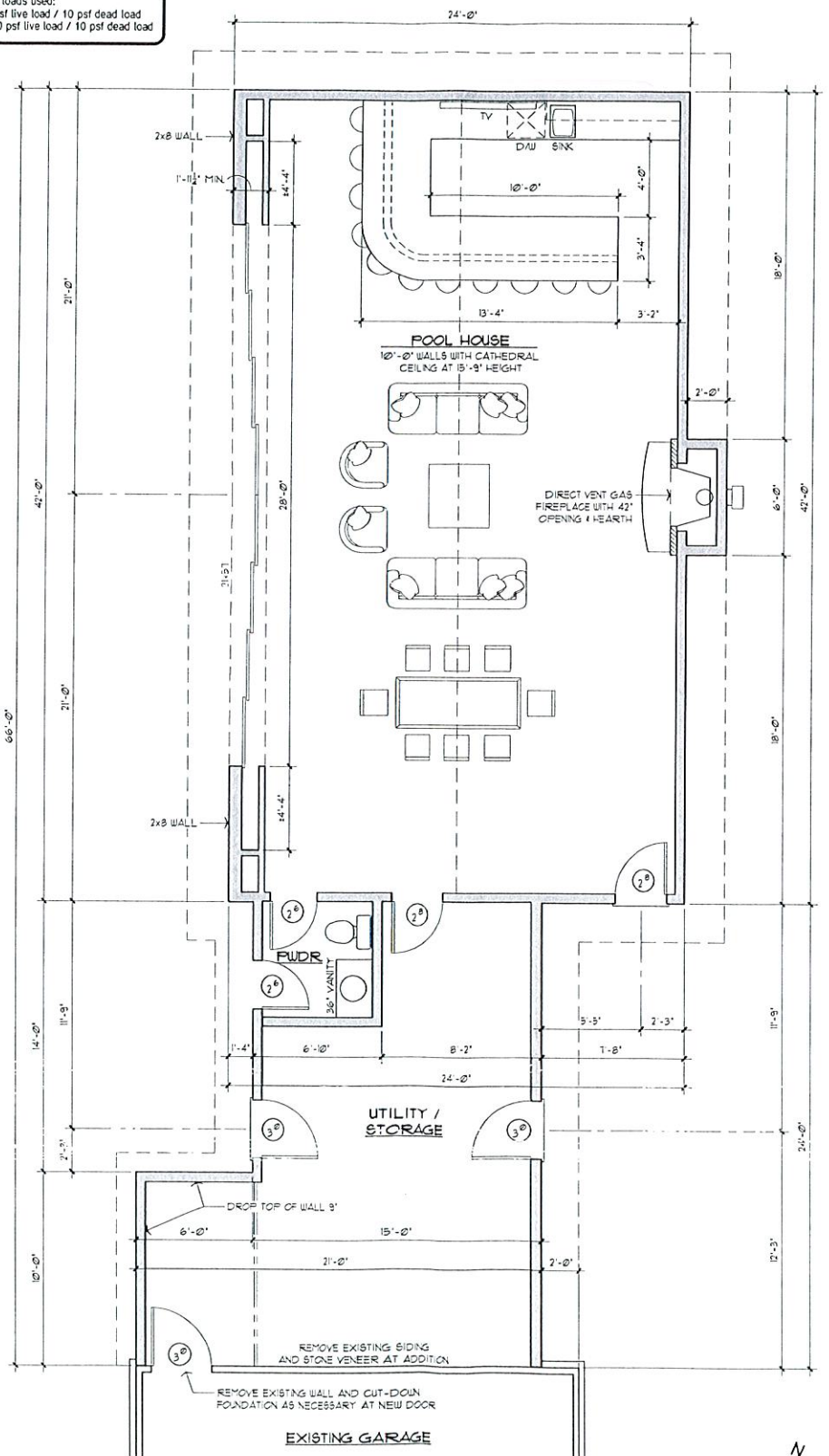
- PLANS CONFORM TO 2020 RESIDENTIAL CODE OF NEW YORK STATE.
- DIMENSIONS SHOWN ARE NOMINAL AND MAY BE MODIFIED TO FIT FIELD CONDITIONS.
- ALL EXISTING CONSTRUCTION TO COMPLY WITH SECTIONS A14 (REPAIRS), A15 (ALTERATION - LEVEL 1) AND A16 (ALTERATION - LEVEL 2) OF APPENDIX J OF THE 2020 RESIDENTIAL CODE OF NEW YORK STATE.
- NEW EXTERIOR WINDOWS AND DOORS TO HAVE A MAXIMUM U-VALUE OF 0.30.
- FOOTER DESIGN BASED ON 1500 PSF SOIL BEARING CAPACITY.
- NEW EXTERIOR DOOR AND WINDOW HEADERS TO BE 3 - 2x8 HEADER WITH FULL FLYWOOD SPACERS UNLESS NOTED OTHERWISE.
- JOIST HANGERS TO BE SIMPSON STRONG-TIE (OR APPROVED EQUAL) INSTALL WITH SPECIFIED NUMBER AND SIZE OF NAILS AS PER MANUFACTURER'S INSTRUCTIONS.
- PROVIDE SOLID BLOCKING TO FOUNDATION OR BEAMS BELOW ALL SOLID BEARING POINTS.
- ALL NEWLY INSTALLED ELECTRICAL, PLUMBING AND MECHANICAL SYSTEMS ARE TO COMPLY WITH THE 2020 RESIDENTIAL CODE OF NEW YORK STATE AND ALL OTHER APPLICABLE CODES.
- ICE & WATER SHIELD ALL VALLEYS, HIPS AND ROOF / WALL TRANSITIONS IN BOTH DIRECTIONS.
- PROVIDE CONTINUOUS RIDGE VENTS AND VENTED SOFFITS.



Rockledge Drive  
New Site Plan  
Scale: 1/8" = 1'-0"



Typical Section  
Scale: 3/4" = 1'-0"



New Floor Plan  
Scale: 1/4" = 1'-0"

Project:  
**New Cabana**  
5130 Rockledge Drive  
Clarence, New York 14031

**JAMES. E. BOY ARCHITECTS**  
124 LINDEN AVENUE  
KENMORE, NEW YORK 14217  
PHONE: (716) 853-1380  
CONTACT: (716) 852-0749

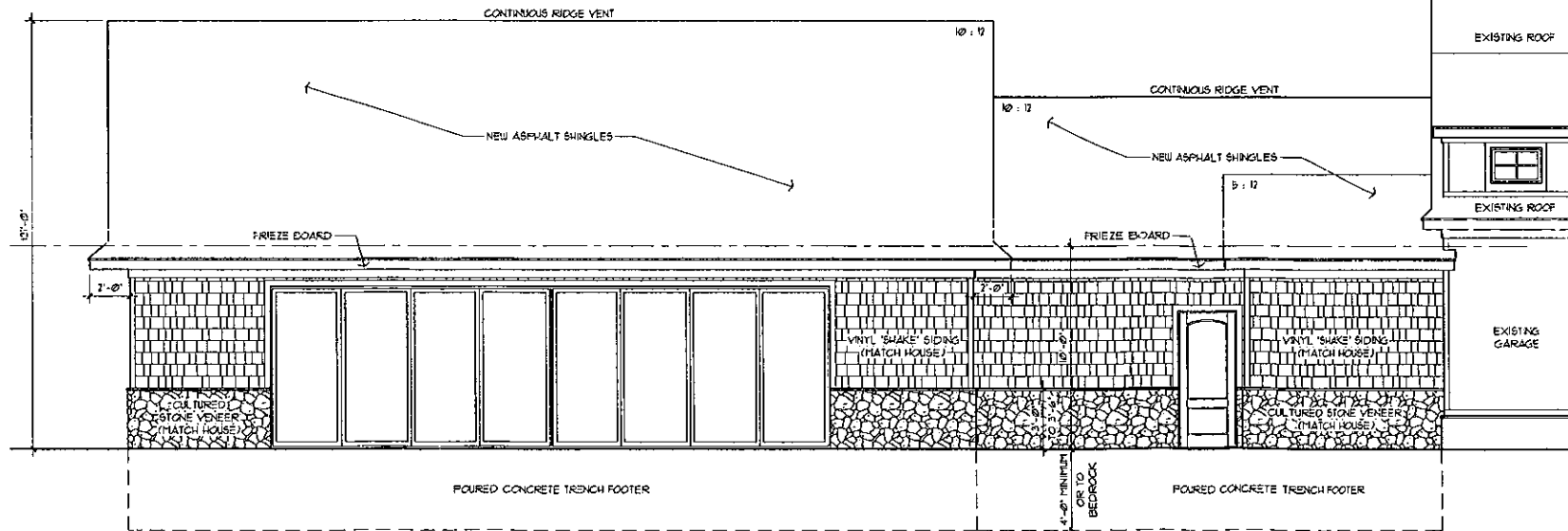
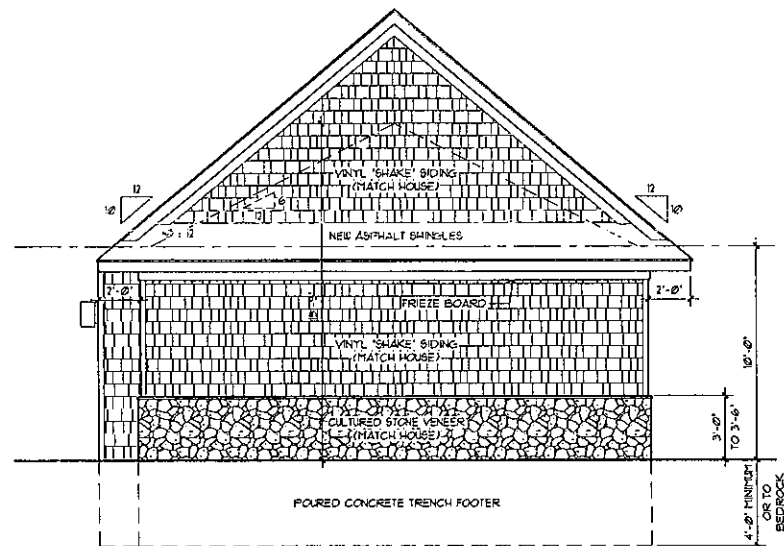
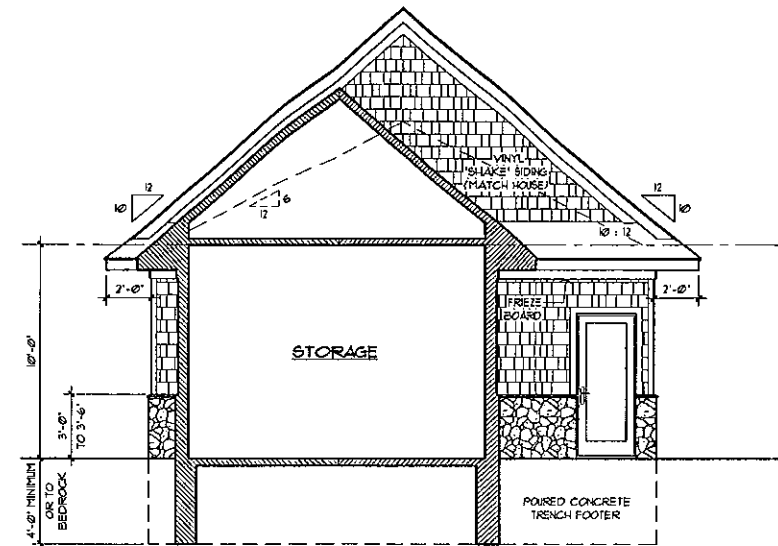
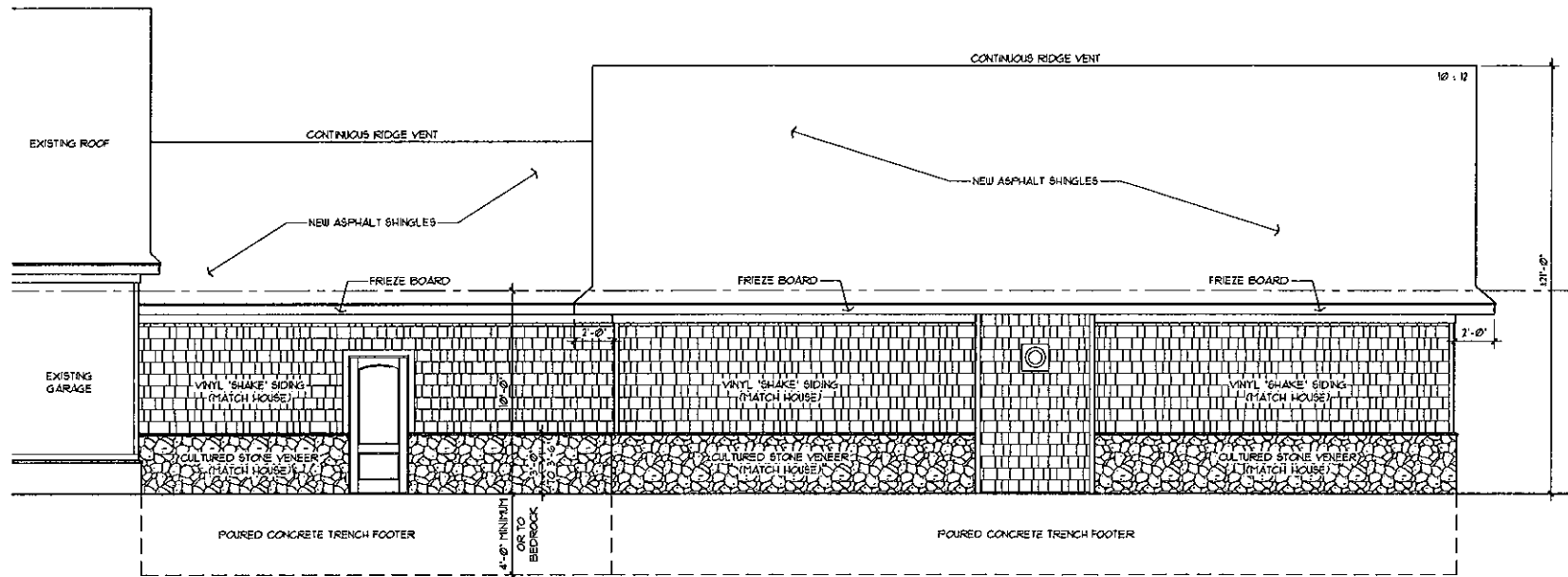
Revisions:	Description:
No: 1	Add storage room / connect to existing garage
Date: 4-30-25	

Sheet Title:	Project No.:	Checked By:
New Site Plan, Cabana Plan, Typical Section and Notes	24-2710	JEB
Scale:	As Noted	Drawn By:
		BWE
Date:		
December 20, 2024		

©2024 All drawings & written material herein constitute original & unpublished work of the architect & may not be duplicated, used or disclosed without written consent of the architect. Do not scale drawings. Use given dimensions only. If not shown, verify correct dimensions with the architect. Contractor shall check and verify all dimensions & conditions at the site.

Drawing Number:  
**A-1**





Project:  
**New Cabana**  
5130 Rockledge Drive  
Clarence, New York 14031

**JEB**  
JAMES. E. BOY  
ARCHITECTS  
124 LINDEN AVENUE  
KENNEDY, NEW YORK 14217  
PHONE: (716) 963-1380  
FAX: (716) 963-0748  
CONTACT: (716) 963-0748

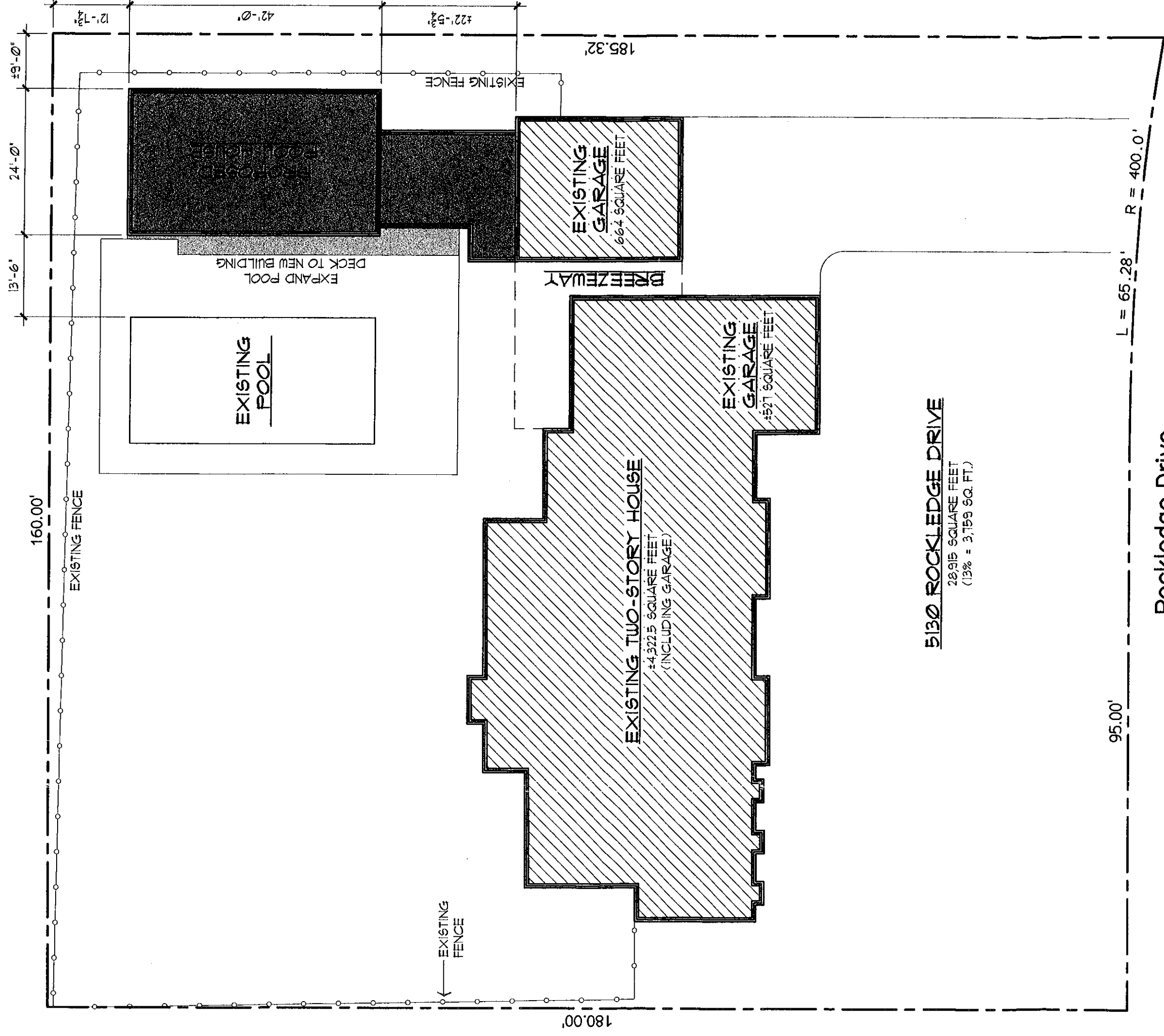
Revisions:	Description:
No. 1	Add storage room / connect to existing garage
Date: 4-30-25	

Sheet Title:  
**Cabana Elevations**  
Project No.: 24-2710  
Checked By: JEB  
Scale: As Noted  
Drawn By: BWE  
Date: December 20, 2024

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Drawing Number:  
**A-2**



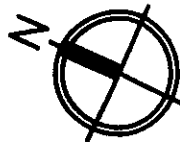


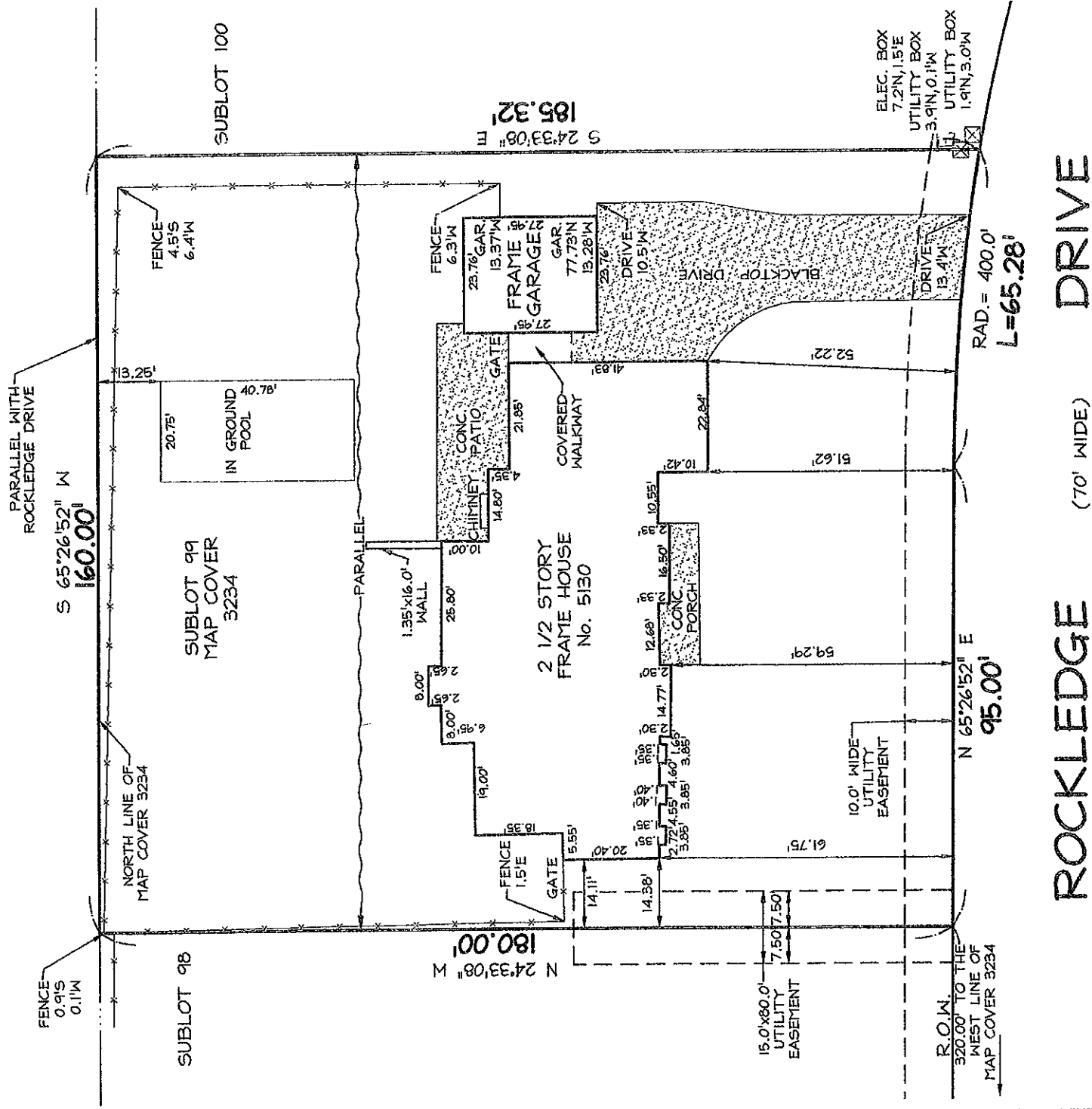
**5130 ROCKLEDGE DRIVE**  
28,915 SQUARE FEET  
(13% = 3,759 SQ. FT.)

**Rockledge Drive**

**New Site Plan**

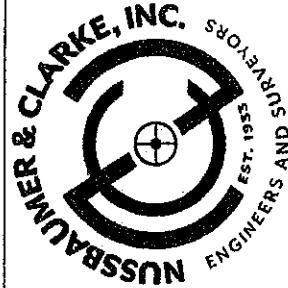
Scale: 1/16" = 1'-0"





NOTE: PHYSICAL FEATURES AT GROUND LEVEL NOT CHECKED AND/OR LOCATED DUE TO THE PRESENCE OF EXCESSIVE SNOW AND/OR ICE.

3556 Lake Shore Road, Suite 500, Buffalo, NY 14219  
p (716) 827-8000 f (716) 270-6091 www.nussclarke.com



## BOUNDARY SURVEY 5130 ROCKLEDGE DRIVE

Part of Lot 9, Section 6 Township 12, Range 6  
Holland Land Company's Survey  
Town of Clarence  
County of Erie, State of New York

Date of Survey: 01/19/2021

Scale: 1" = 30'

Project No.: 2132-0006

Successors to the records of Graf Land Surveyors Successors to the records of James L. Shisler, Land Surveyor

NO IRONS SET OR FOUND AT PROPERTY CORNERS UNLESS NOTED HEREON  
This survey was prepared without the benefit of an abstract of title and is subject to any state of facts that may be revealed by an examination of such.  
Unauthorized alterations or additions to any survey, drawing, design, specification, plan or report is a violation of section 7209, provision 2 of the New York State Education Law.

**Appeal No. 4**

Steve Seedhouse  
Planned Unit Residential Development

Town Code Reference:

1. §229-55(H)
2. §229-55(E)(2)

Applicant requests variances:

1. of 808 sq. ft. to allow a 1,008 sq. ft. detached accessory structure (pool house); and
  2. of 5' to allow a 21' tall detached accessory structure (pool house);
- located at 5130 Rockledge Drive.

**DISCUSSION:**

Steve Seedhouse was present to represent his request, explaining that they would like to build a pool house on a rectangular area of their lawn in the backyard, next to the pool. The proposed pool house is basically the same size and footprint as the pool, and located immediately behind their garage. The other two sides of the proposed pool house are wooded.

Mr. Seedhouse added that the idea for the proposed structure itself is to have it enclosed on three sides, and have the same façade as the home, so that it matches as close as they are able to.

Mr. Seedhouse noted that the builders that they are using also put two additions on a house nearby, and they did a great job.

Mr. Seedhouse explained that the idea for the side of the proposed pool house that will face the pool is to have sliding glass doors. Inside they plan to have a half bath on one side, and some storage on the other, and a bar seating area.

Mr. Seedhouse added that they feel the proposed pool house will complete the outdoor part of their property, and they have an awkward covered patio space that is not really a great use of the space. They would like some more shaded coverage where they can gather with family and friends by the pool.

Mr. Seedhouse stated that it fits in with the neighborhood, and would add value to the property. They have small children and this would be a safe way to walk them in to the pool.

Mr. Seedhouse noted that both neighbors were notified and are fine with the proposed plans.

Mrs. Burkard complimented Mr. Seedhouse's beautiful home, stating that the proposed pool house will add to the appeal of the home.

Mr. Krey asked what the square footage of their home is.

Mr. Seedhouse stated that it is approximately 5,500 sq. ft., not including the finished basement.

Mr. Krey explained that the variance is based off of 200 sq. ft., which is fixed for the entire Town. In general, that is a good rule, but when you are working with a larger home, it does not make as much sense.

Noting that he does not believe it will be visible from the road height wise, Mr. Krey confirmed with Mr. Seedhouse that he is requesting a variance to increase the height of the proposed pool house.

Mr. Seedhouse noted that the proposed structure is planned to have peaked ceilings, and will not be visible from the street. They have a two-story detached garage that this proposed structure would line up behind. Mr. Seedhouse stated that their neighbor has an attached garage connected to their home with a breezeway, that is next to their home. This proposed structure is basically behind two garages, with a wooded area behind it.

Mr. Krey asked if the escarpment is behind Mr. Seedhouse's property.

ZBA 11-12-2024



Mr. Seedhouse responded yes, and the neighbor has large evergreens located in the back also.

Referring to the elevations and plans that were provided, Chairman Mills asked if the materials shown are a vinyl cedar shake-look siding.

Mr. Seedhouse responded yes; the architect informed him that before proceeding, they would need to request a variance for the size of the proposed structure. Mr. Seedhouse would like to match it to the same material as the house if that is still available. They have a combination of red brick and stone that he is unsure they will be able to match, so they would most likely do something to closely match the stone.

Chairman Mills referred to the photo showing stone along the bottom of the proposed structure, and asked Mr. Seedhouse if that would be either stone or brick.

Mr. Seedhouse noted that they have not yet decided on that, he is not particular one way or another.

Chairman Mills asked if they made it a condition that either stone or brick is used to add some of the stone element to the proposed structure, would Mr. Seedhouse be in agreement with that.

Mr. Seedhouse responded yes.

Chairman Mills added that although it may be only partially viewed from the street, based on the size the neighbors will be able to see it, and if the house is eventually sold or new neighbors move in, there is a large enough span that it would be nice to have a stone or brick element.

Mr. Seedhouse agreed.

In regard to Public Participation, no one spoke.

Neighbor Notifications are on file, no comments were received.

Mr. Drinkard asked if the measurement on the elevation that shows a less-sloped roof that would bring the height down to 15' 9" instead of 21' would not need a variance. Mr. Drinkard asked Mr. Seedhouse if he needs a roof that high.

Chairman Mills labeled the floor plan and side elevation that was provided as Exhibit A. Mr. Drinkard is referring the dashed marks showing a 12' x 6" pitch which would go up to a height of 15' 9" instead of the proposed 21' variance.

Mr. Seedhouse stated that he was not aware of that, he has not discussed it with his architect.

Mr. Drinkard stated that if Mr. Seedhouse goes with the 15' 9" pitch he would not need a variance. But the added slope gives more character and pitch to the roof.

Mr. Seedhouse stated that he prefers the higher roof.

Mr. Drinkard stated that he asked the question because it is shown on the plan.

Mr. McNamara clarified that the measurements Mr. Drinkard is questioning are the interior roof ceiling inside, not another option.

ZBA 11-12-2024



**ACTION:**

Motion by Patricia Burkard, seconded by Gerald Drinkard, to **approve** Appeal No. 4 as written, with the following condition:

1. stone or brick on the bottom at least 36 in. or 42 in. in height, to match the house all the way around

**ON THE QUESTION:**

Mr. Krey added that what is unique about this request is that it backs up to the escarpment which provides a buffer so that the neighbor behind will not be facing the structure. There are trees on the other side of the house, the way the property is situated, and the way the structure will be built, there will be limited visibility from the street.

Mr. Krey also stated that because the home itself is such a large size, relative to the home the pool house will fit nicely and not have any adverse effect on the neighborhood.

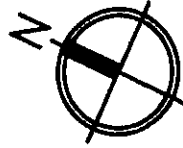
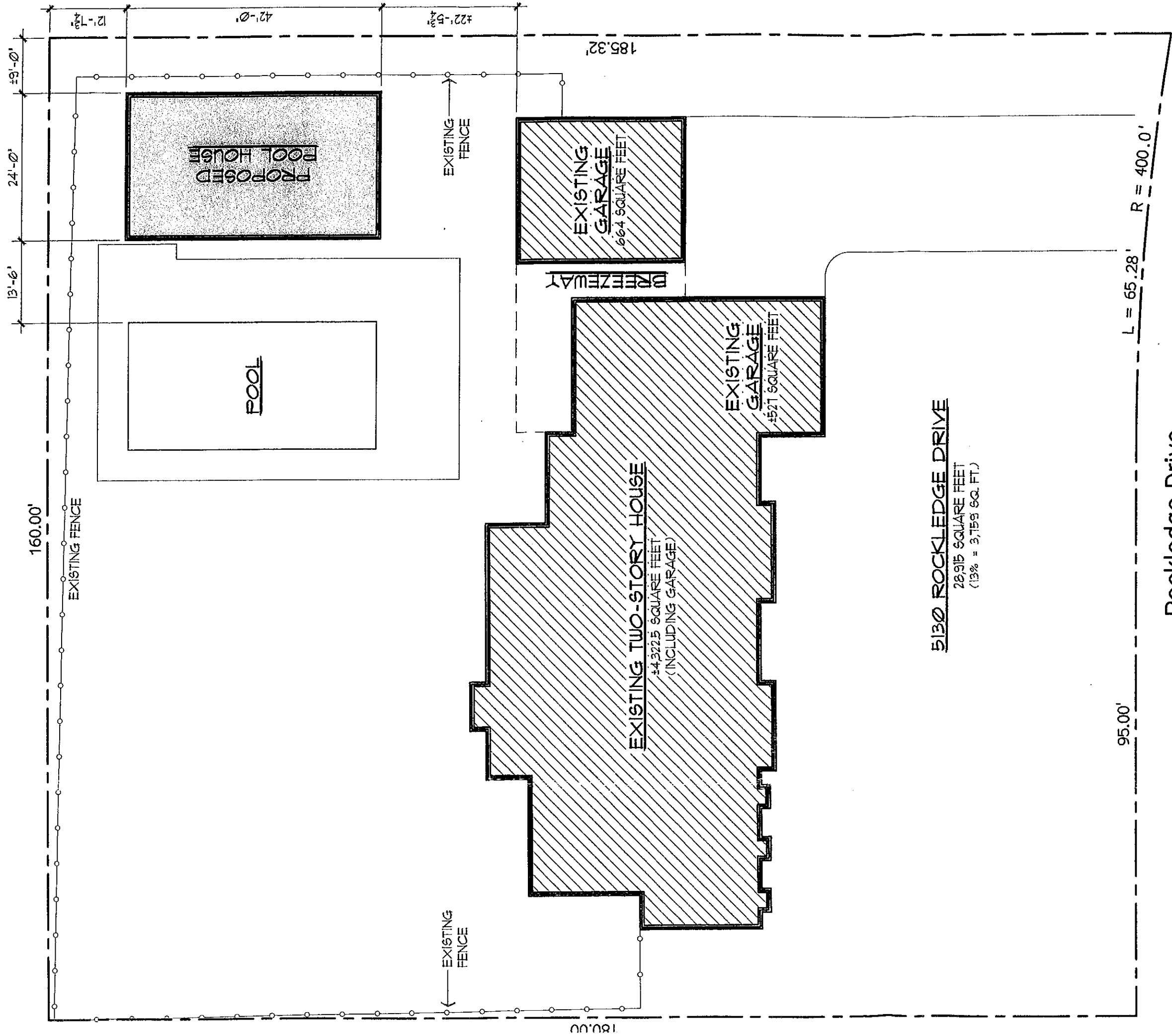
Gerald Drinkard	Aye	Raymond Skaine	Aye	Ryan Mills	Aye
Patrick Krey	Aye	Richard McNamara	Aye		

MOTION CARRIED

ZBA 11-12-2024



11-12-2024  
Request



Rockledge Drive

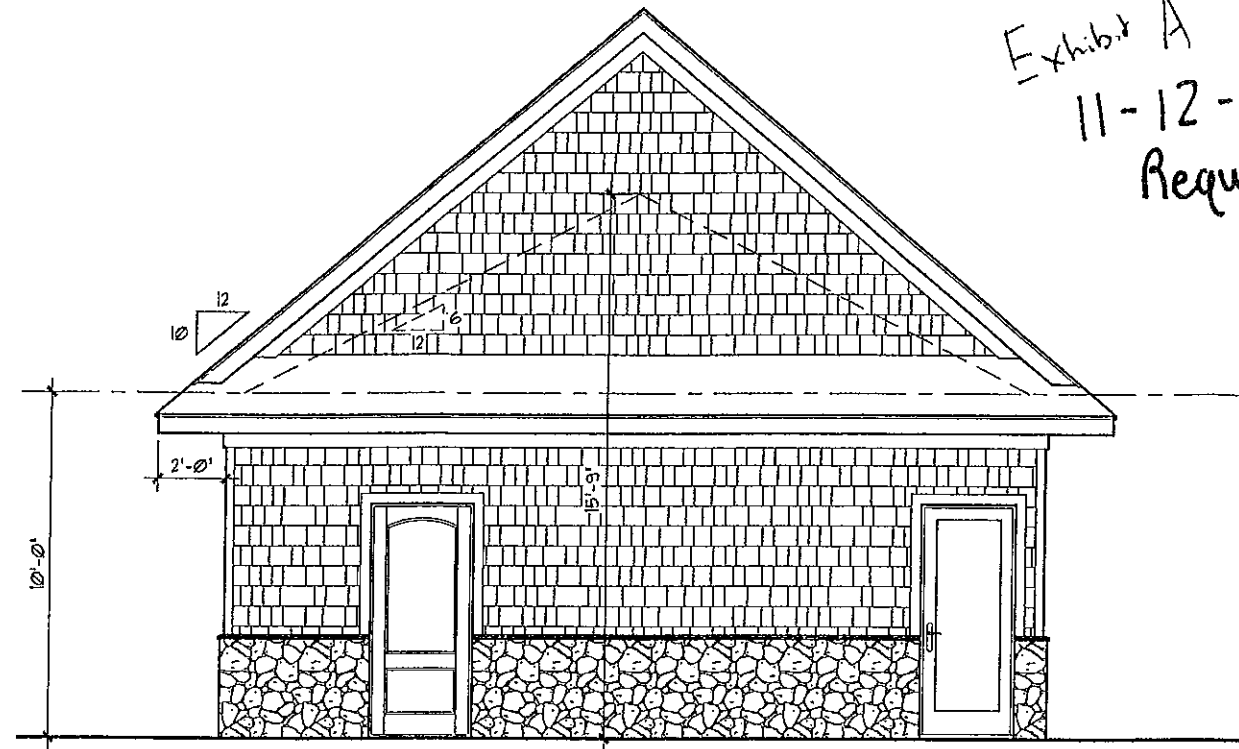
## New Site Plan

Scale: 1/8" = 1'-0"

5130 ROCKLEDGE DRIVE

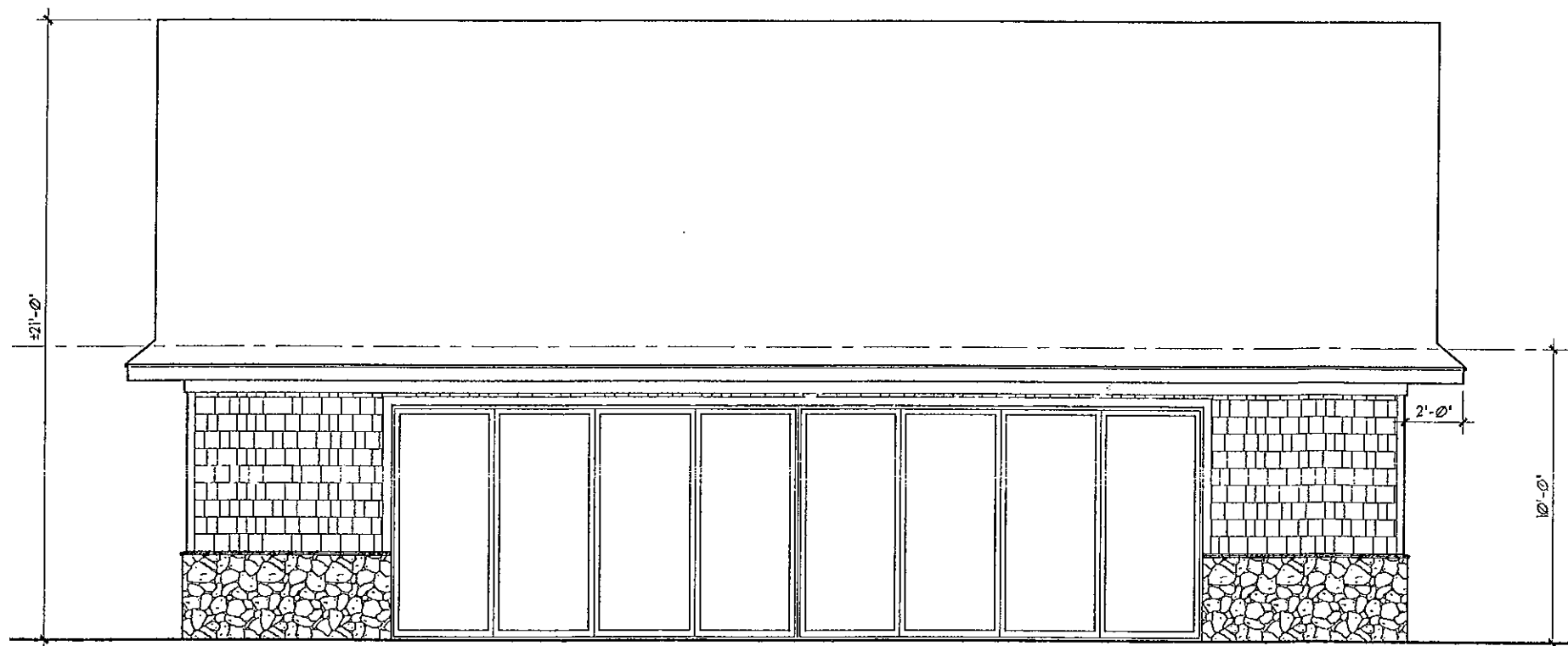
28,915 SQUARE FEET  
(13% = 3,759 SQ. FT.)

Exhibit A  
11-12-2024  
Request



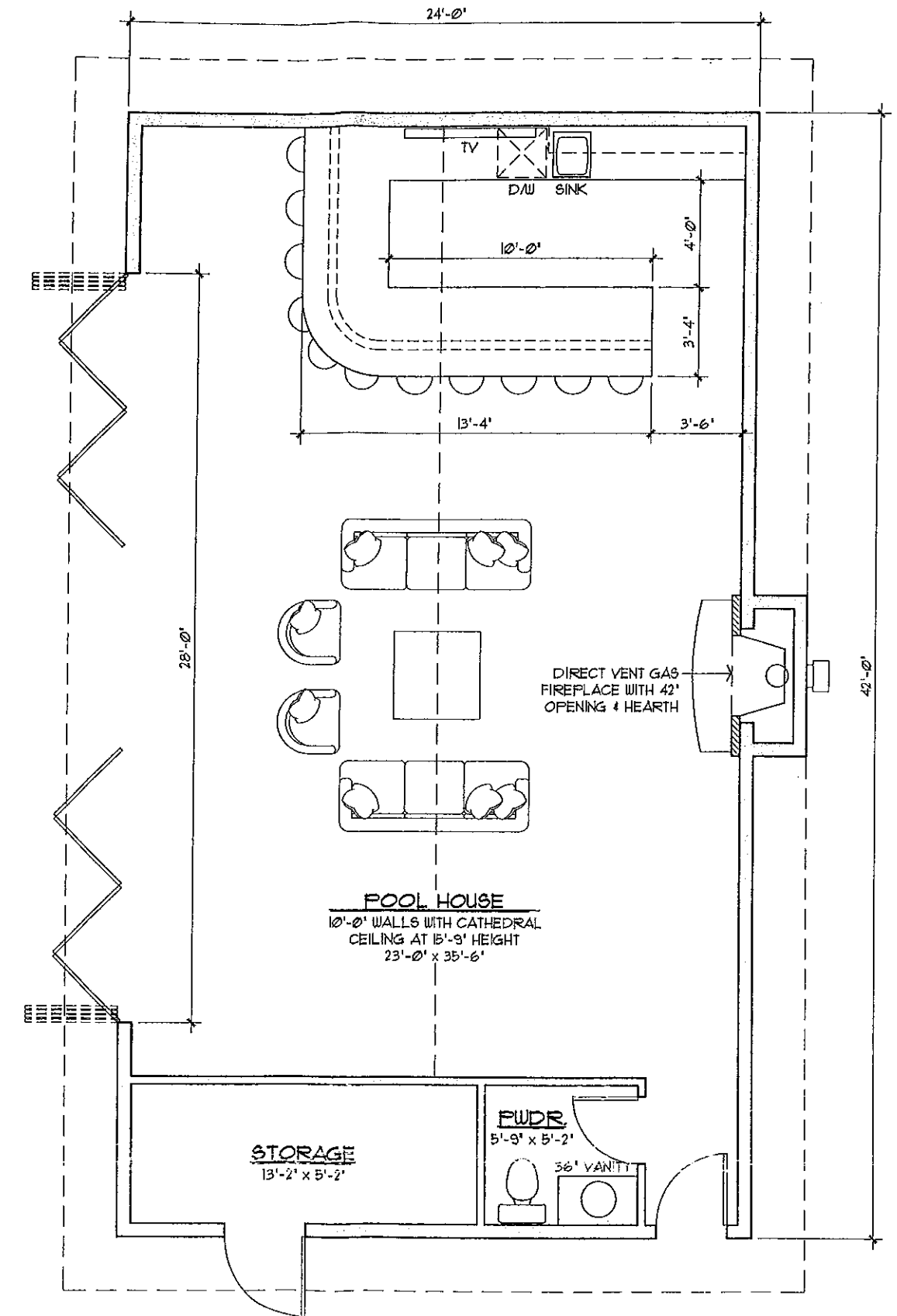
Side Elevation

Scale:  $\frac{1}{4}" = 1'-0"$



Pool Side Elevation

Scale:  $\frac{1}{4}" = 1'-0"$

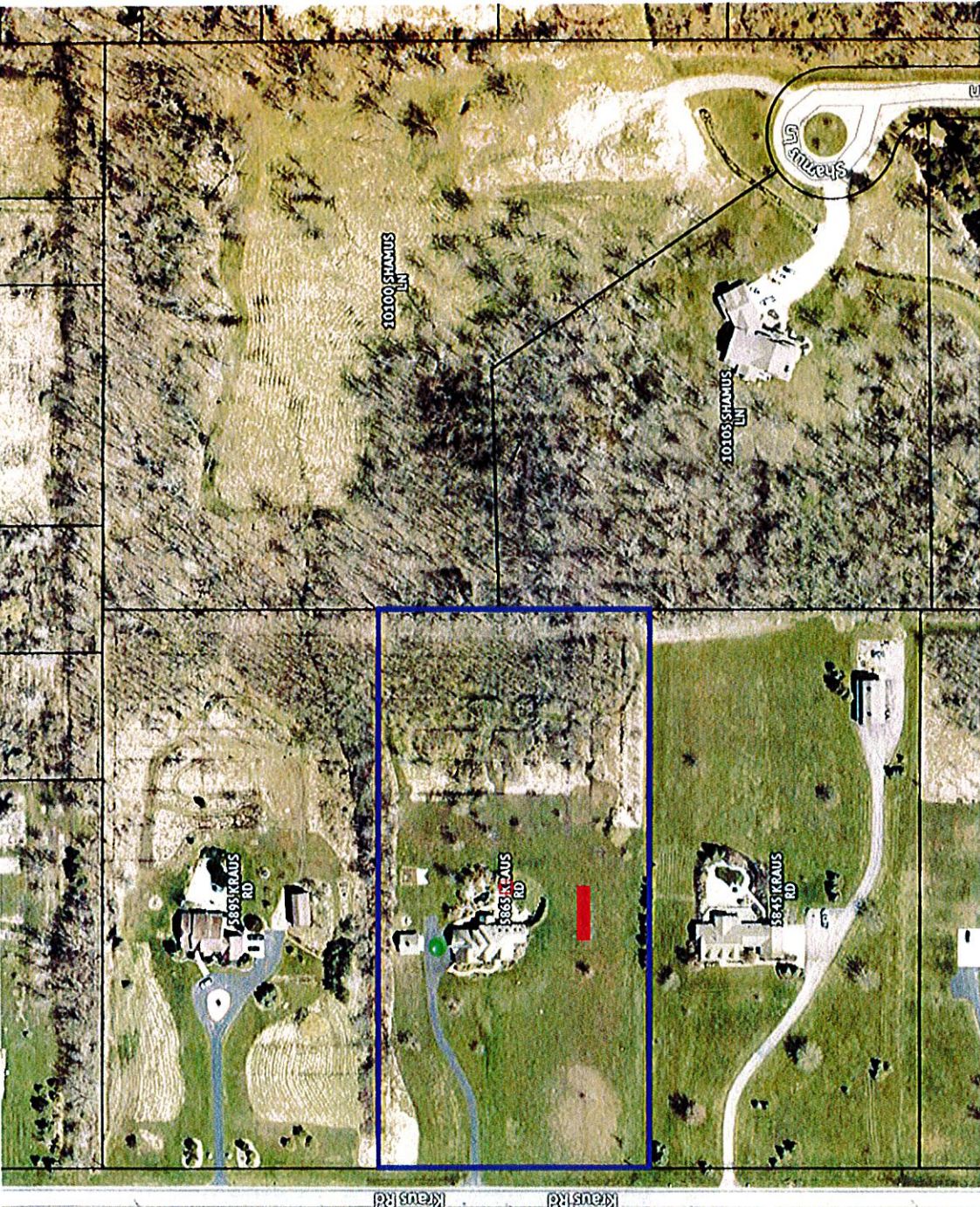


Cabana Plan

Scale:  $\frac{1}{4}" = 1'-0"$

Action: By: On: Fee: Paid:





\*\*\*note the parcel lines displayed are approximate\*\*\*

## Proposed Ground-Mounted Solar Photovoltaic System (Type 2 SPS)

A Type 2 SPS is not permitted on a parcel in the Agricultural Rural Residential zone that is under 5 acres in size.

Existing lot size is 4.69 acres.



## 5865 Kraus Road



# Tom Petersen

Architects • Planners

Construction Official  
Building Department for project at:  
5865 Kraus Road  
Clarence, NY 14031

August 6, 2025

Re: Solar Panel Installation  
Dudo Residence  
5865 Kraus Road  
Clarence, NY 14031

Dear Sirs,

I've reviewed the proposed solar panel installation at this location to evaluate the existing roof structure and the connection of the panels to the roof.

Criteria: Applicable codes: 2020 Residential Code of New York State  
2018 Wood Frame Construction Manual  
Design roof load: 50 psf live load, 10 psf dead load, 60 psf total load  
Design wind load: 115 mph

My findings are as follows.

1. The installation is a ground-mount with 1 array of 30 panels total. The new solar panels, rails and rack system themselves imply an additional dead load of 15 psf. However, wind uplift is the critical design parameter. The foundation, connectors and racking, (see attached drawings), are designed to withstand 115 mph wind load.
2. The solar panels are installed with the foundation, rack system, connectors and components as shown on the attached drawings. The rack system, connections and connection spacing are rated for 115 mph.

*It is a violation of NYSED 7209 for any person, unless acting under the direction of a licensed professional, to alter an item in any way. If an item bearing the seal of a licensed professional is altered, the altering licensed professional must attach the notation 'altered by' with his seal, signature, date of alteration, and description of the alteration.*

I therefore certify that this installation complies with the applicable codes and design loads mentioned above, as well as ASCE 7-16, and is acceptable for approval. Please let me know if you have any questions on this information. Thanks!

Sincerely yours,



Tom Petersen

Cc: Lisa Gustam, Essential Power





GENERAL NOTE

THE SCOPE OF THIS PROJECT INVOLVES THE PLACEMENT OF SOLAR PANELS, WHICH WILL BE SECURED USING A PRE-DESIGNED RACKING SYSTEM. AFTER BEING ARRANGED ON THE RACKS, THE SOLAR MODULES WILL BE JOINED TOGETHER USING DC TO AC POWER INVERTERS, AND THEN LINKED TO THE LOCAL UTILITY THROUGH METHODS THAT COMPLY WITH THE REGULATIONS IMPOSED BY THE UTILITY AND THE JURISDICTION RESPONSIBLE FOR ISSUING PERMITS.

PROJECT DETAILS	
ZONING	RESIDENTIAL
USE AND OCCUPANCY CLASSIFICATION	SINGLE FAMILY DWELLING
PERMITTING AUTHORITY	
UTILITY COMPANY	NYSEG
METER SERIAL NUMBER	
NEC VERSION	2017 NEC (NFPA 70)
FIRE CODE	2020 NYS RESIDENTIAL CODE, IBC 2015.

DIRECTORY OF PAGES	
PV - 1	TITLE PAGE
PV - 2	SITE PLAN
PV - 3	ATTACHMENT PLAN
PV - 4	3-LINE DIAGRAM
PV - 5	SAFETY LABELS
PV - 6	DATASHEETS
	INVERTER DATASHEET
	MOUNTING SYSTEM DATASHEET
	PANEL DATASHEET



SITE LAYOUT



INTERCONNECTION DETAILS	
POINT OF CONNECTION	LINE SIDE ( AC CONNECTION PER NEC ARTICLE 705.12(D)
UTILITY SERVICE	120 / 240 V
ELECTRICAL PANEL	MAIN SERVICE PANEL W/TOP-FED 200 A BUSBAR, 200 A MAIN BREAKER

SITE DETAILS	
ASHRAE EXTREME LOW	-4.0° F
ASHRAE 2% HIGH	86.0° F
CLIMATE DATA SOURCE	TMY3
WIND SPEED	115 MPH
WIND EXPOSURE CATEGORY	B
GROUND SNOW LOAD	60 PSF

SYSTEM DETAILS	
DESCRIPTION	NEW GRID-INTERACTIVE PHOTOVOLTAIC SYSTEM WITH NO BATTERY STORAGE
DC RATING OF SYSTEM	12,750 W
AC RATING OF SYSTEM	9,900 W
INVERTER(S)	(30) ENPHASE IQ8MC (240 V)
INVERTER TYPE	MICRO INVERTER
MODULE	(30) JKM425N-54HL4-B

ESSENTIAL POWER

13 Trade Zone Drive,  
Ronkonkoma, NY  
11779 Unit #13

Customer Information

James Dudo  
Residence

5865 Kraus Rd •  
Clarence, NY 14031

DRAWN BY:

AN

DATE:

08/20/2025

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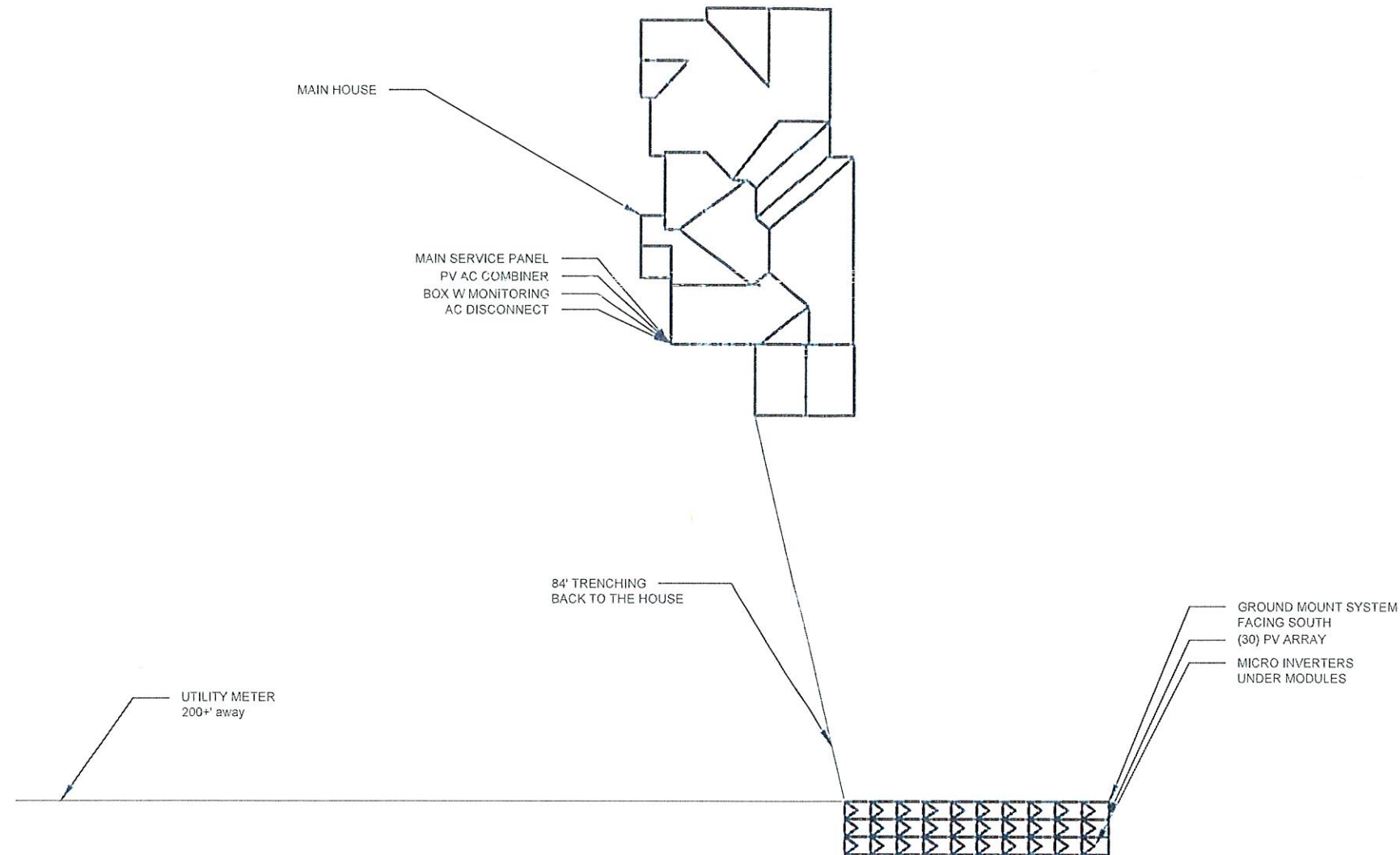
1, PROJECT SUMMARY

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FRONT OF HOUSE, FACING STREET



GENERAL NOTES

- 1 THE CONTRACTOR SHALL USE ONLY COMPONENTS LISTED BY A NATIONALLY RECOGNIZED TESTING LABORATORY FOR THE INTENDED USE.
- 2 THE CONTRACTOR IS ACCOUNTABLE FOR PROVIDING ALL NECESSARY EQUIPMENT, CABLES, ADDITIONAL CONDUITS, BOXES, RACEWAYS, AND OTHER ACCESSORIES REQUIRED TO ENSURE A FULLY FUNCTIONAL AND OPERATIONAL PV SYSTEM.
- 3 EQUIPMENT LIKELY TO BE WORKED UPON WHILE ENERGIZED SHALL BE INSTALLED IN LOCATIONS THAT SATISFY MINIMUM WORKING CLEARANCES PER NEC 110.26
- 4 THE SYSTEM MUST SATISFY THE NEC ARTICLE 690, ADHERE TO ALL MANUFACTURERS' LISTING AND INSTALLATION GUIDELINES, AND COMPLY WITH THE PERTINENT CODES AS STATED BY THE AUTHORITY HAVING JURISDICTION'S (AHJ) RELEVANT REGULATIONS.
- 5 IF A DC PV SOURCE OR DC PV OUTPUT CIRCUITS ARE ROUTED WITHIN THE BUILDING, THEY MUST BE ENCLOSED IN METAL RACEWAYS, TYPE MC METAL-CLAD CABLE, OR METAL ENCLOSURES FROM THE POINT OF ENTRY INTO THE BUILDING UP TO THE INITIAL DISCONNECTING MECHANISM READILY ACCESSIBLE, AS PER NEC 690.31(G).

**R324.6 ROOF ACCESS AND PATHWAYS** - ROOF ACCESS, PATHWAYS, AND SETBACK REQUIREMENTS SHALL BE PROVIDED IN ACCORDANCE WITH SECTIONS R324.6.1 THROUGH R.324.6.2.1. ACCESS AND MINIMUM SPACING SHALL BE REQUIRED TO PROVIDE EMERGENCY ACCESS TO THE ROOF, TO PROVIDE PATHWAYS TO SPECIFIC AREAS OF THE ROOF, PROVIDE FOR SMOKE VENTILATION OPPORTUNITY AREAS, AND TO PROVIDE EMERGENCY EGRESS FROM THE ROOF.

**EXCEPTIONS:**

1. DETACHED, UNINHABITABLE STRUCTURES, INCLUDING BUT NOT LIMITED TO DETACHED GARAGES, PARKING SHADE STRUCTURES, CARPORTS, SOLAR TRELLISES AND SIMILAR STRUCTURES, SHALL NOT BE REQUIRED TO PROVIDE ROOF ACCESS.
2. ROOF ACCESS, PATHWAYS AND SETBACKS NEED NOT BE PROVIDED WHERE THE BUILDING OFFICIAL HAS DETERMINED THAT ROOFTOP OPERATIONS WILL NOT BE EMPLOYED.
3. THESE REQUIREMENTS SHALL NOT APPLY TO ROOFS WITH SLOPES OF TWO UNITS VERTICAL IN 12 UNITS HORIZONTAL (17-PERCENT SLOPE) OR LESS.

**(NY) R324.6.1 PATHWAYS** - NOT FEWER THAN TWO PATHWAYS, ON SEPARATE ROOF PLANES FROM LOWEST ROOF EDGE TO RIDE AND NOT LESS THAN 36 INCHES (914MM) WIDE, SHALL BE PROVIDED ON ALL BUILDINGS. NOT FEWER THAN ONE PATHWAY SHALL BE PROVIDED ON THE STREET OR DRIVEWAY SIDE OF THE ROOF. FOR EACH ROOF PLANE WITH A PHOTOVOLTAIC ARRAY, A PATHWAY NOT LESS THAN 36 INCHES WIDE (914MM) SHALL BE PROVIDED FROM THE LOWEST ROOF EDGE TO RIDGE ON THE SAME ROOF PLANE AS THE PHOTOVOLTAIC ARRAY, ON AN ADJACENT ROOF PLANE, OR STRADDLING THE SAME AND ADJACENT ROOF PLANES. PATHWAYS SHALL BE OVER AREAS CAPABLE OF SUPPORTING FIRE FIGHTERS ACCESSING THE ROOF. PATHWAYS SHALL BE LOCATED IN AREAS WITH MINIMAL OBSTRUCTIONS SUCH AS VENT PIPES, CONDUIT, OR MECHANICAL EQUIPMENT. PATHWAYS ON OPPOSING ROOF SLOPES SHALL NOT BE LOCATED ALONG THE SAME PLANE AS THE TRUSS, RAFTER, OR OTHER SUCH FRAMING SYSTEM THAT SUPPORTS THE PATHWAY.

**EXCEPTION:** ACCESS PATHWAYS SHALL NOT BE REQUIRED ON ROOF SLOPES CONTAINING PHOTOVOLTAIC MODULES, PANELS, OR AN ARRAY WHERE THE OPPOSING OR ADJACENT ROOF SLOPE IS AN ACCESS ROOF.

**(NY) R324.6.2 SETBACK AT RIDGE** - PHOTOVOLTAIC ARRAYS SHALL NOT BE LOCATED LESS THAN 18 INCHES (457MM) FROM A HORIZONTAL RIDGE.



ESSENTIAL POWER

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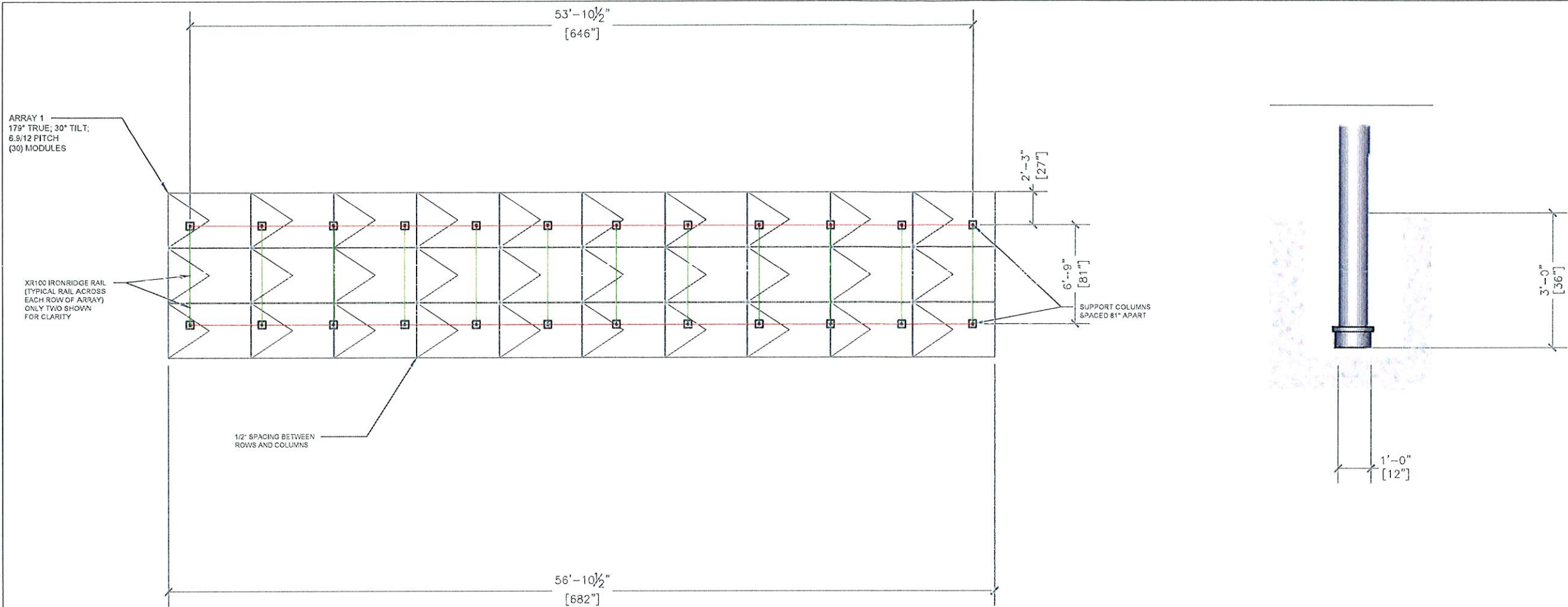
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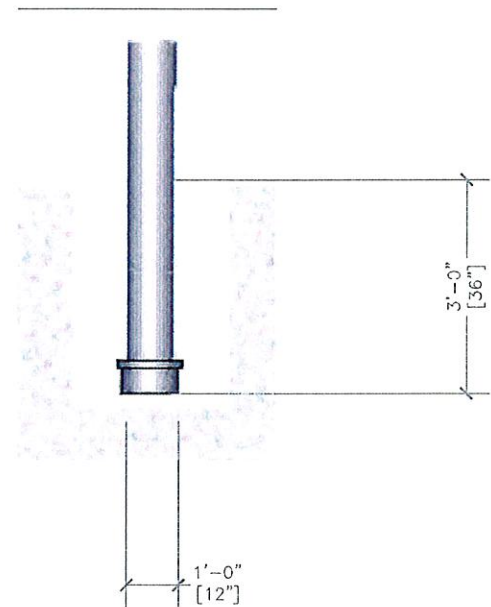
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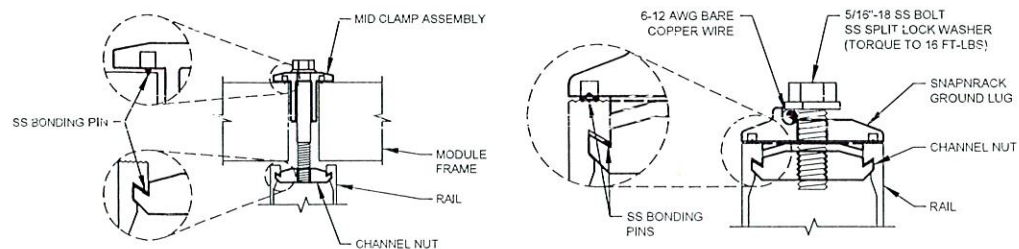
SCALE 1/8" = 1'-0"



#### NOTE

- AN 18" WIDE CLEARING (FREE OF SOLAR EQUIPMENT) SHALL BE PROVIDED ALONG AT LEAST ONE SIDE OF THE ROOF RIDGE ON THE SAME SIDE AS THE SOLAR EQUIPMENT OR ON ANOTHER SIDE OF THE RIDGE THAT DOES NOT HAVE SOLAR EQUIPMENT ON IT. SUFFICIENT ACCESS PATHWAYS, ROOF ACCESS POINTS, AND GROUND ACCESS AREAS SHALL BE PROVIDED IN ACCORDANCE WITH THE 2020 NYS RESIDENTIAL CODE.
- ROOF SHALL HAVE NO MORE THAN A SINGLE LAYER OF ROOF COVERING IN ADDITION TO THE SOLAR EQUIPMENT.
- INSTALLATION OF SOLAR EQUIPMENT SHALL BE FLUSH-MOUNTED, PARALLEL TO AND NO MORE THAN 6-INCHES ABOVE THE SURFACE OF THE ROOF.
- WEIGHT OF THE INSTALLED SYSTEM SHALL NOT EXCEED MORE THAN 5-PSF.
- ANY PLUMBING VENTS ARE NOT TO BE CUT OR COVERED FOR SOLAR EQUIPMENT INSTALLATION. ANY RELOCATION OR MODIFICATION OF THE VENT REQUIRES A PLUMBING PERMIT AND INSPECTION.

THIS PV SYSTEM HAS BEEN DESIGNED TO MEET THE MINIMUM DESIGN STANDARDS FOR BUILDING AND OTHER STRUCTURES OF THE ASCE 7-16, 2020 NYS RESIDENTIAL CODE.



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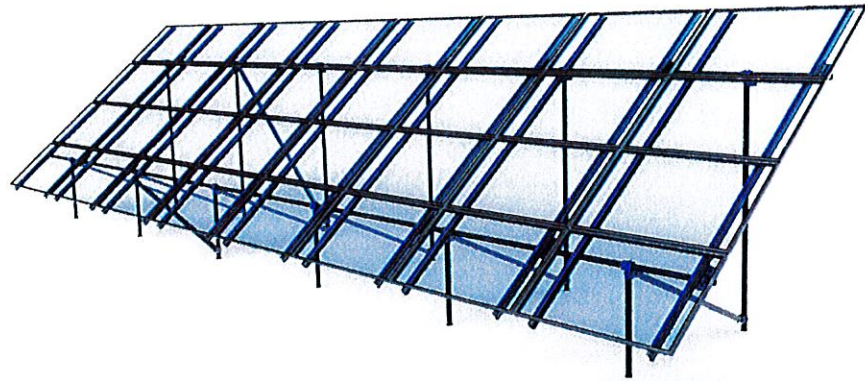
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## UNIRAC Code-Compliant Installation Manual

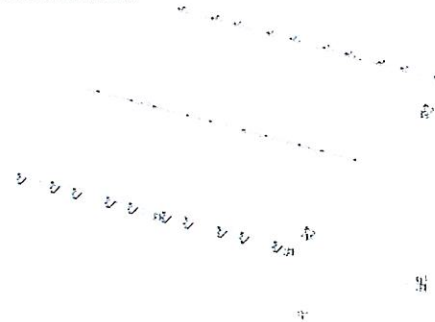
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PUB2024JUL12

### ULA PORTRAIT ARRAY

Portrait arrays utilize the same components as landscape arrays.



### MATERIAL SPECIFICATIONS

Rails, caps, sliders, rail brackets, cross braces, bottom mounting clips, and top mounting clamps: 6105-T5 aluminum extrusion; caps are welded.

Fasteners: 304 stainless steel.

Horizontal and vertical pipe (installer supplied):

Minimum requirement of 2" ASTM A53B Schedule 40 galvanized steel pipe.

Concrete (installer supplied):

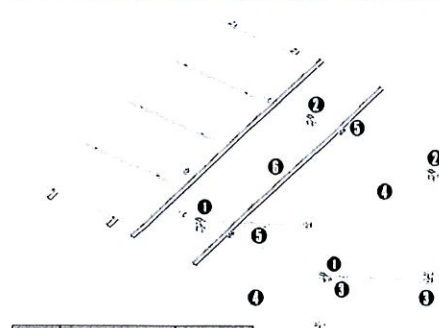
Rated for a minimum of 2,500 pounds per square inch.

\*See Appendix B for different clamp configurations.

### ULA COMPONENTS

Components and quantities specific to your installations are listed on your quotation.

Note: Incidental materials such as temporary bracing or gravel may be necessary.



S.NO.	PART	PART NUMBER
1	Front cap	403211C
2	Rear cap	403214C
3	Slider	403215C
4	Optional Cross Brace	403200C
5	Rail Bracket	403216M
6	SM Rail CLR	310000C
	SM Rail DRK	310000D
	SM Rail MILL	310000M
	GFT Rail	411166M

Note: East-West Cross Braces must be installed in pairs with a rear and a front brace connected to the same vertical pipe bay.

- Brace pairs can be installed on any leg pair in the array.
- Bonding Clamps are Single use only.

- Front cap:** Attaches front horizontal pipe and upper end of North-South braces to vertical pipe. Included hardware: (2) U-bolts, cross-brace bolt, (5) flange nuts, set screws.
- Rear cap:** Attaches back horizontal pipe and upper end of East-West braces to vertical pipes. Included hardware: (2) U-bolts, (4) flange nuts, set screws.
- Slider:** Attaches lower end of North-South cross brace and both ends of East-West braces to vertical pipes. Included Hardware: (1) cross-brace bolt, (1) flange nut, set screws.
- Optional Cross Brace:** Provides North-South and East-West diagonal bracing. \*See design guide or U-Builder.
- Rail Bracket:** Attaches rail to horizontal pipes. Included hardware: (1) U-bolt, (1) 1/2 inch bolt, and (2) flange nuts.
- SOLARMOUNT OR GFT Rails:** SM Standard or GFT rails support PV modules.

### FOUNDATIONS

Lay out and excavate leg positions

Consult the engineered plans to determine the North-South and East-West foundation spacing. Establish a grid and mark the foundation locations. Verify that all angles are square as shown in Figure 1.

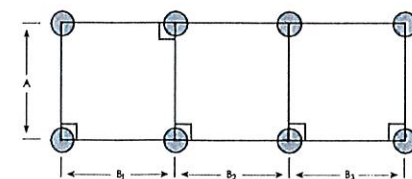


Figure 1 North-South leg spacing (A) is fixed. East-West spacing (B1, B2, etc.) is identical in most installations, see "Average leg spacing E-W" (Nominal Values under "Design parameters") on page 2 of your Specs Sheet. However, if you needed to shift leg positions, follow the east-west spacing you set during your planning session.

### SELECT AN ASSEMBLY SEQUENCE

The assembly sequence depends on installer preference and the size of the installation. Either of these options may be followed:

- If a ULA has just a few pairs (up to 3 pairs) of legs, installers may prefer to assemble the full truss structure prior to pouring concrete. See figure 2.
- On the larger ULA structures with many pairs (more than 3 pairs) of legs, installers prefer to place the vertical leg pipes, pour the concrete, and let it cure overnight before installing. See figure 5.

Note: In either case, when mounting rails, be sure to center them on the horizontal pipes, which will leave about 20 percent overhang on north and south slides.

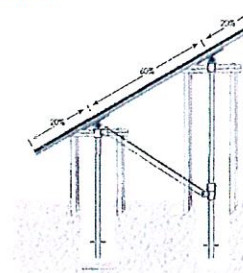


Figure 2

\*Visit [unirac.com/technical-support/](http://unirac.com/technical-support/) for more information on Ground Screw installation.



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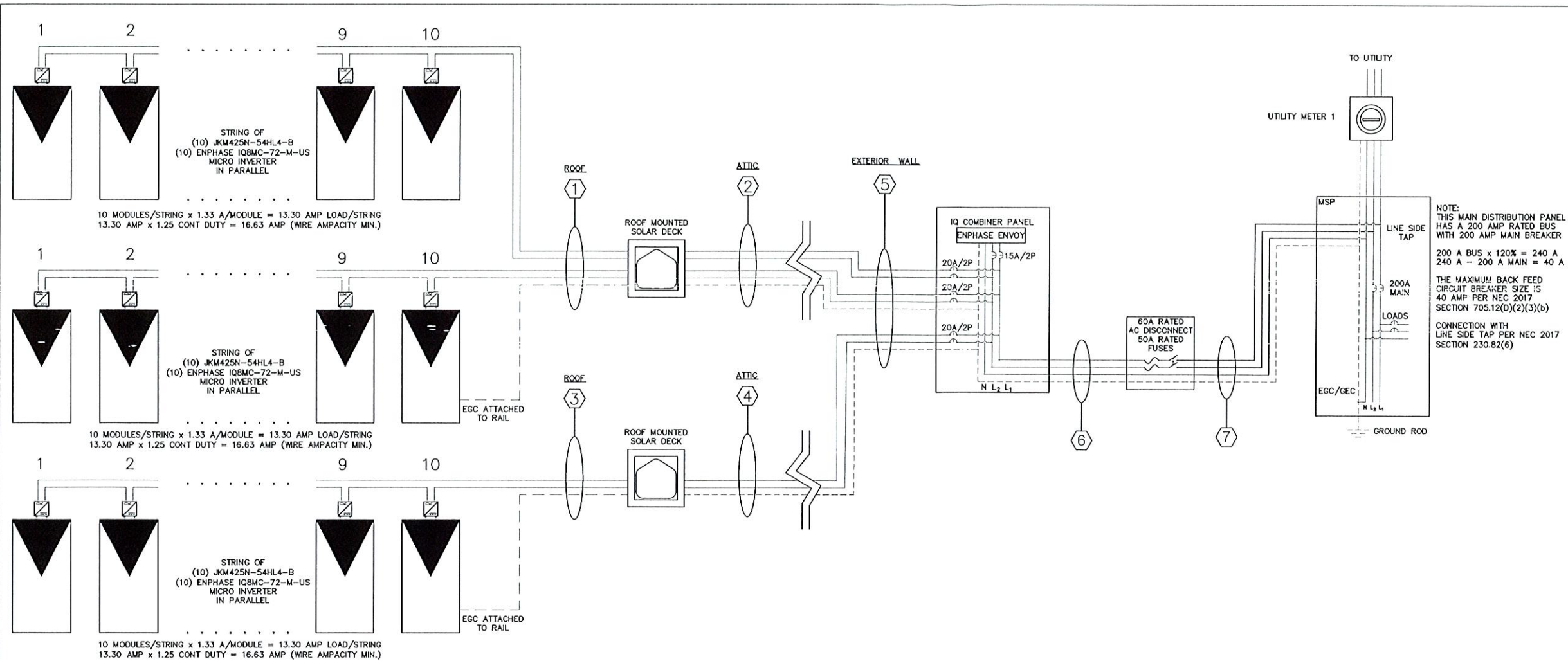
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### CONDUIT AND CONDUCTOR SCHEDULE

TAG	CONDUCTOR TYPE	CONDUCTOR GAUGE	NUMBER OF CONDUCTORS	CONDUIT TYPE	CONDUCTOR SIZE	RUN LENGTH
1	ENPHASE Q-CABLE	12	4	N/A	N/A	100'-0"
	BARE COPPER GND IN FREE AIR	6	1	N/A	N/A	35'-0"
2	THHN	10	4	LFMC & PVC	1"	40'-0"
3	ENPHASE Q-CABLE	12	2	PVC SCH. 40	1"	100'-0"
	BARE COPPER GND IN FREE AIR	6	1	PVC SCH. 40	1"	35'-0"
4	THHN	10	2	LFMC & PVC	1"	40'-0"
5	THHN	10	6	PVC SCH. 40	1"	25'-0"
	EGC	10	2	PVC SCH. 40	1"	25'-0"
6	THHN	6	3	PVC SCH. 40	1"	20'-0"
	EGC	6	1	PVC SCH. 40	1"	20'-0"
7	THHN	6	3	PVC SCH. 40	1"	20'-0"
	GEC	6	1	RMC	1"	20'-0"

### GENERAL NOTES

1	ALL MODULES WILL BE GROUNDED IN ACCORDANCE WITH CODE AND THE MANUFACTURER'S INSTALLATION INSTRUCTIONS
2	ALL PV EQUIPMENT SHALL LISTED BY RECOGNIZED TESTING LAB
3	WHEN A BACKFEED BREAKER IS METHOD OF UTILITY INTERCONNECTION, BREAKER SHALL NOT READ LINE AND LOAD
4	WHEN A BACKFEED BREAKER IS METHOD OF UTILITY INTERCONNECTION, THE BREAKER SHALL BE INSTALLED AT THE OPPOSITE END OF THE BASS BAR OF THE MAIN BREAKER
5	WORK CLEARANCE AROUND ELECTRICAL EQUIPMENT WILL BE MAINTAINED PER NEC 110.26(A)(1), 110.26(A)(2), 110.269(A)(3)
6	ALL EXTERIOR CONDUITS, FITTINGS AND BOXES SHALL BE RAIN TIGHT AND BE MIN. NEMA 3R RATED
7	AC AND DC GROUNDING CONDUCTORS PER NEX ARTICLE 690.43(A) THRU (F) CONNECTED AS PER 690.45(A), 690.46 AND SIZED PER 250.112
8	PROVIDE EXPANSION JOINTS AND ANCHORING OF ALL CONDUIT RUNS AS PER NEC REQUIREMENTS
9	PROVIDE LABEL, PLACARD AT EXISTING UTILITY CONNECTION WITH "WARNING - CUSTOMER OWNED ELECTRICAL GENERATION EQUIPMENT CONNECTED" WITH APPROPRIATE HAZARD AND OUTPUT RAITING OF PV SYSTEM



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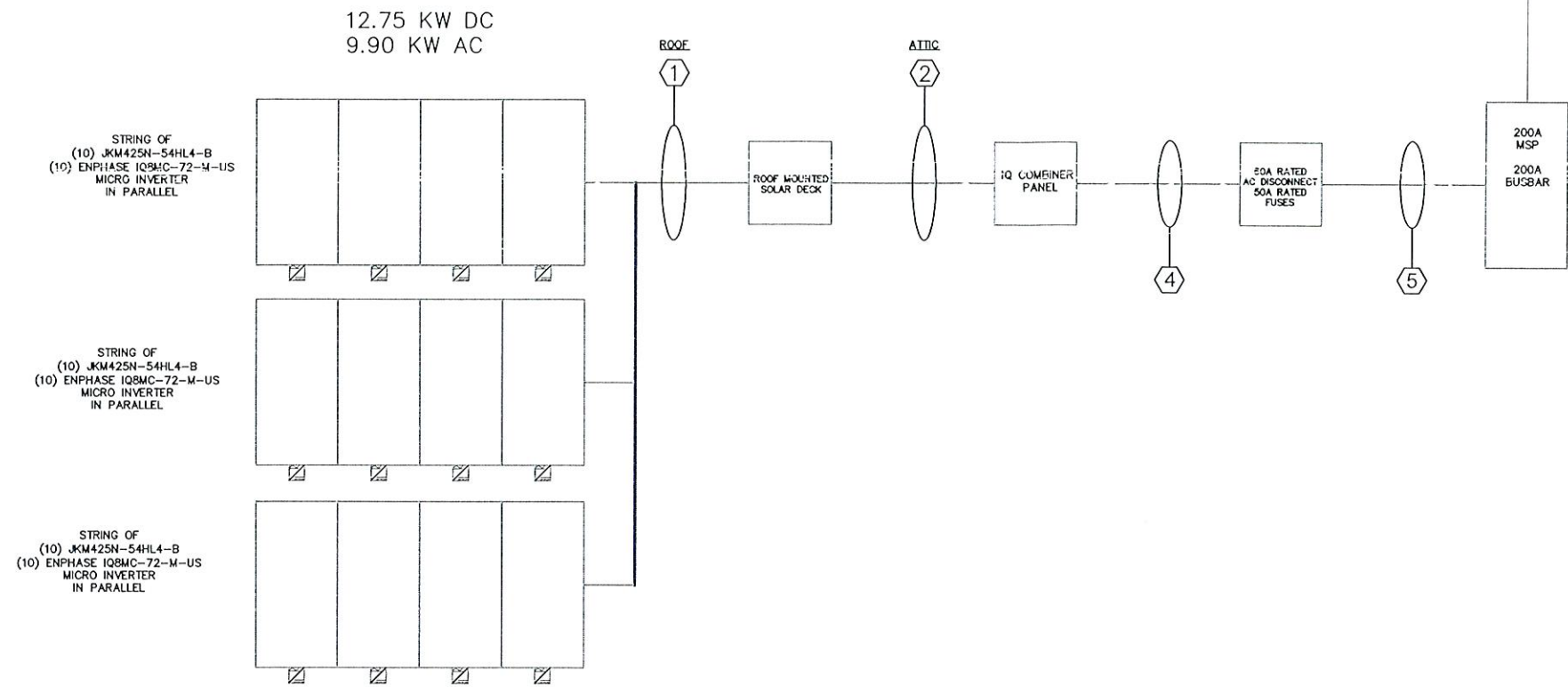
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### CONDUIT AND CONDUCTOR SCHEDULE

TAG	CONDUCTOR TYPE	CONDUCTOR GAUGE	NUMBER OF CONDUCTORS	CONDUIT TYPE	CONDUCTOR SIZE	RUN LENGTH
1	ENPHASE Q-CABLE	12	4	N/A	N/A	100'-0"
	BARE COPPER GND IN FREE AIR	6	1	N/A	N/A	35'-0"
2	THHN	10	4	LFMC & PVC	1"	40'-0"
3	ENPHASE Q-CABLE	12	2	PVC SCH. 40	1"	100'-0"
	BARE COPPER GND IN FREE AIR	6	1	PVC SCH. 40	1"	35'-0"
4	THHN	10	2	LFMC & PVC	1"	40'-0"
5	THHN	10	6	PVC SCH. 40	1"	25'-0"
	EGC	10	2	PVC SCH. 40	1"	25'-0"
6	THHN	6	3	PVC SCH. 40	1"	20'-0"
	EGC	6	1	PVC SCH. 40	1"	20'-0"
7	THHN	6	3	PVC SCH. 40	1"	20'-0"
	GEC	6	1	RMC	1"	20'-0"

### GENERAL NOTES

1	ALL MODULES WILL BE GROUNDED IN ACCORDANCE WITH CODE AND THE MANUFACTURER'S INSTALLATION INSTRUCTIONS
2	ALL PV EQUIPMENT SHALL LISTED BY RECOGNIZED TESTING LAB
3	WHEN A BACKFEED BREAKER IS METHOD OF UTILITY INTERCONNECTION, BREAKER SHALL NOT READ LINE AND LOAD
4	WHEN A BACKFEED BREAKER IS METHOD OF UTILITY INTERCONNECTION, THE BREAKER SHALL BE INSTALLED AT THE OPPOSITE END OF THE BUSBAR OF THE MAIN BREAKER
5	WORK CLEARANCE AROUND ELECTRICAL EQUIPMENT WILL BE MAINTAINED PER NEC 110.26(A)(1), 110.26(A)(2), 110.269(A)(3)
6	ALL EXTERIOR CONDUITS, FITTINGS AND BOXES SHALL BE RAIN TIGHT AND BE MIN. NEMA 3R RATED
7	AC AND DC GROUNDING CONDUCTORS PER NEC ARTICLE 690.43(A) THRU (F) CONNECTED AS PER 690.45(A), 690.46 AND SIZED PER 250.112
8	PROVIDE EXPANSION JOINTS AND ANCHORING OF ALL CONDUIT RUNS AS PER NEC REQUIREMENTS
9	PROVIDE LABEL, PLACARD AT EXISTING UTILITY CONNECTION WITH "WARNING - CUSTOMER OWNED ELECTRICAL GENERATION EQUIPMENT CONNECTED" WITH APPROPRIATE HAZARD AND OUTPUT RATING OF PV SYSTEM



ESSENTIAL POWER

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**⚠ WARNING ⚠**  
**PHOTOVOLTAIC  
POWER SOURCE**

1 NEC ARTICLE 690.31(G)(3)

**⚠ WARNING ⚠**  
**ELECTRIC SHOCK HAZARD**  
DO NOT TOUCH TERMINALS  
TERMINALS ON BOTH THE LINE AND  
LOAD SIDES MAY BE ENERGIZED  
IN THE OPEN POSITION

2 AT THE EACH DISCONNECTING  
MEANS FOR PHOTOVOLTAIC  
EQUIPMENT. NEC ARTICLE  
690.17(4)

**⚠ WARNING ⚠**  
**ELECTRIC SHOCK HAZARD**  
IF GROUND FAULT IS INDICATED  
ALL NORMALLY GROUNDED  
CONDUCTORS MAY BE  
UNGROUND AND ENERGIZED

3 AT EACH DEVICE WHERE  
ENERGIZED, UNGROUNDED  
CIRCUITS MAY BE EXPOSED  
DURING SERVICE. NEC ARTICLE  
690.35(F)

**DC PHOTOVOLTAIC POWER SOURCE**  
RATED MPP VOLTAGE = 367 VDC  
MAX SYSTEM VOLTAGE = 507 VDC  
RATED MPP CURRENT = 72 AMPS  
SHORT CIRCUIT CURRENT = 68 AMPS

4 DC DISCONNECT, NEC ARTICLE  
690.53 (FOR REFERENCE ONLY)

**AC DISCONNECT**  
**PHOTOVOLTAIC SYSTEM  
POWER SOURCE**  
RATED AC  AMPS  
NOMINAL OPERATING  VOLTS  
AC VOLTAGE

5 AC DISCONNECT, NEC ARTICLE  
690.54 (FOR REFERENCE ONLY)

**SOLAR PV SYSTEM EQUIPPED  
WITH RAPID SHUTDOWN**

6 NEC ARTICLE 690.56(C)

**WARNING**  
**POWER SOURCE  
OUTPUT CONNECTION  
DO NOT RELOCATE THIS  
OVERCURRENT DEVICE**

7 SOLAR BREAKER (MSP) NEC  
ARTICLE 705.12(D)(2)(3)(B)

**WARNING**  
**DUAL POWER SOURCES  
SECOND SOURCE IS  
PHOTOVOLTAIC**

8 ANY AC ELECTRICAL PANEL  
THAT IS FEED BY BOTH THE  
UTILITY AND THE  
PHOTOVOLTAIC SYSTEM (MSP)  
NEC ARTICLE 705.12(D)(4)

**CAUTION**  
**SOLAR CIRCUIT ⚡**

9 PLACED ON ALL INTERIOR  
AND EXTERIOR DC  
CONDUIT, RACEWAYS,  
ENCLOSURES, AND CABLE  
ASSEMBLIES AT LEAST  
EVERY 10 FEET  
IFC603.11.1.4

**LABELING NOTES**

1	ALL PLAQUES AND SIGNAGE REQUIRED BY 2017 NEC WILL BE INSTALLED AS REQUIRED
2	IT IS REQUIRED TO PLACE WARNING LABELS ON EACH DC RACEWAY EVERY 10 FEET, AS WELL AS WITHIN ONE FOOT OF EVERY TURN OR BEND, AND ONE FOOT ABOVE AND BELOW ANY PENETRATION OF ROOF/CEILING ASSEMBLIES, WALLS, OR BARRIERS. THESE LABELS MUST CONTAIN THE MARKING "WARNING: PHOTOVOLTAIC POWER SOURCE" AND HAVE 3/8" TALL LETTERS. THE LABEL MUST BE REFLECTIVE WITH WHITE TEXT ON A RED BACKGROUND.
3	A PERMANENT PLAQUE OR DIRECTORY MUST BE INSTALLED TO INDICATE THE LOCATION OF THE SERVICE DISCONNECTING MEANS AND THE PHOTOVOLTAIC SYSTEM DISCONNECTING MEANS, IF THEY ARE NOT IN THE SAME LOCATION. THIS IS TO ENSURE COMPLIANCE WITH NEC 690.56(B).
4	LABEL(S) WITH MARKING "SOLAR PV SYSTEM EQUIPPED WITH RAPID SHUTDOWN." SHALL BE LOCATED POINT-OF-INTERCONNECTION OR AT MAIN SERVICE DISCONNECT. THE LABEL SHALL HAVE 3/8" TALL LETTERS AND BE REFLECTIVE WITH WHITE TEXT ON A RED BACKGROUND
5	IF THE INVERTERS ARE REMOTELY LOCATED FROM ONE ANOTHER, DIRECTORIES MUST BE INSTALLED AT EACH DC PHOTOVOLTAIC SYSTEM DISCONNECTING MEANS, AC IS CONNECTING MEANS, AND MAIN SERVICE DISCONNECTING MEANS. THESE DIRECTORIES MUST SHOW THE LOCATION OF ALL AC AND DC PHOTOVOLTAIC SYSTEM DISCONNECTING MEANS IN THE BUILDING, IN ACCORDANCE WITH NEC 690.4(H).
6	ALL LABELS, WARNINGS, AND MARKINGS MUST FOLLOW ANSI Z535.4 REGULATIONS. THIS REQUIRES THE USE OF DANGER, WARNING, AND CAUTION SIGNS WITH STANDARD HEADER COLORS, HEADER TEXT, AND SAFETY ALERT SYMBOL ON EACH LABEL. THE ANSI STANDARD ALSO DEMANDS A HEADING THAT IS AT LEAST 50% TALLER THAN THE BODY TEXT, AS SPECIFIED BY NEC ARTICLE 110.21(B) i.
7	THE MATERIALS USED FOR MARKING MUST BE WEATHER RESISTANT, IN COMPLIANCE WITH CBC 511.3.1. IT IS RECOMMENDED THAT UL 969 BE USED AS STANDARD TO DETERMINE WEATHER RATING



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5, SAFETY LABELS

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## THE MOST DEPENDABLE SOLAR PRODUCT

### EAGLE® 54 G6R

420-440 WATT • N-TYPE TOPCON

Positive power tolerance of 0~+3%

- NYSE-listed since 2010, Bloomberg Tier 1 manufacturer
- Top performance in the strictest 3<sup>rd</sup> party labs
- Automated manufacturing utilizing artificial intelligence
- Vertically integrated, tight controls on quality
- Premium solar factories in USA, Vietnam, and Malaysia

#### KEY FEATURES

- Superior Aesthetics**  
Black backsheet and black frame create ideal look for residential applications.
- N-Type Technology**  
N-type cells with Jinko's in-house TOPCon technology offers better performance and improved reliability.
- Thick and Tough**  
Fire Type 1 rated module engineered with a thick frame, 3.2mm front side glass, and thick backsheet for added durability.
- Shade Tolerant**  
Twin array design allows continued performance even with shading by trees or debris.
- Protected Against All Environments**  
Certified to withstand humidity, heat, rain, marine environments, wind, hailstorms, and packed snow.
- Warranty**  
25-year product and 30-year linear power warranty.

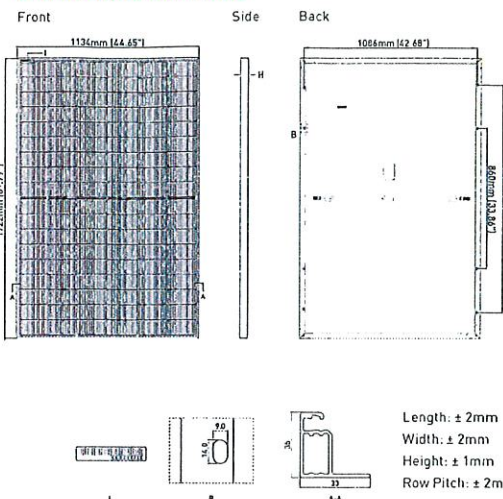
- ISO9001:2015 Quality Standards
- ISO14001:2015 Environmental Standards
- IEC61215, IEC61730 certified products
- ISO45001:2018 Occupational Health & Safety Standards
- UL61730 certified products



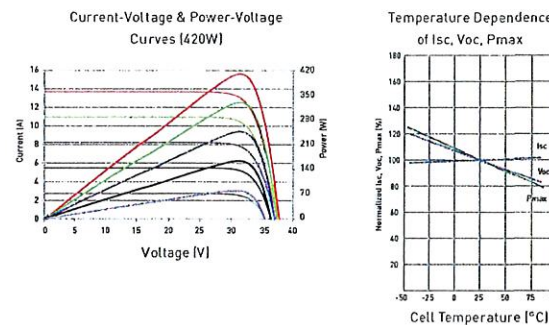
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**Jinko** Solar

#### ENGINEERING DRAWINGS



#### ELECTRICAL PERFORMANCE & TEMPERATURE DEPENDENCE



#### ELECTRICAL CHARACTERISTICS

Module Type	JKM420N-54HL4-B		JKM425N-54HL4-B		JKM430N-54HL4-B		JKM435N-54HL4-B		JKM440N-54HL4-B	
	STC	NOCT	STC	NOCT	STC	NOCT	STC	NOCT	STC	NOCT
Maximum Power (Pmax)	420Wp	316Wp	425Wp	320Wp	430Wp	323Wp	435Wp	327Wp	440Wp	331Wp
Maximum Power Voltage (Vmp)	32.16V	29.95V	32.37V	30.19V	32.58V	30.30V	32.78V	30.50V	32.99V	30.73V
Maximum Power Current (Imp)	13.06A	10.55A	13.13A	10.60A	13.20A	10.66A	13.27A	10.72A	13.34A	10.77A
Open-circuit Voltage (Voc)	38.74V	36.80V	38.95V	37.00V	39.16V	37.20V	39.36V	37.39V	39.57V	37.59V
Short-circuit Current (Isc)	13.51A	10.91A	13.58A	10.96A	13.65A	11.02A	13.72A	11.08A	13.80A	11.14A
Module Efficiency STC (%)	21.51%		21.76%		22.02%		22.28%		22.53%	

\*STC: ☀ Irradiance 1000W/m<sup>2</sup>  
NOCT: ☁ Irradiance 800W/m<sup>2</sup>

Cell Temperature 25°C  
Ambient Temperature 20°C

AM = 1.5  
AM = 1.5

Wind Speed 1m/s

\*Power measurement tolerance: ±3%

The company reserves the final right for explanation on any of the information presented hereby. JKM400-420N-54HL4-B-F4-US

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**Jinko** Solar

#### MECHANICAL CHARACTERISTICS

No. of Half Cells	108 (2 x 54)
Dimensions	1722 x 1134 x 35mm (67.79 x 44.65 x 1.38 inch)
Weight	21.0kg (46.3lbs)
Front Glass	3.2mm, Anti-Reflection Coating High Transmission, Low Iron, Tempered Glass
Frame	Anodized Aluminum Alloy
Junction Box	IP68 Rated
Output Cables	12 AWG, 1400mm (55.12in) or Customized Length
Connector	Staubli MC4
Fire Type	Type 1
Pressure Rating	5400Pa (Snow) & 2400Pa (Wind)*

\*see Supplemental Installation Manual for higher wind pressure rating solutions

#### TEMPERATURE CHARACTERISTICS

Temperature Coefficients of Pmax	-0.29%/°C
Temperature Coefficients of Voc	-0.25%/°C
Temperature Coefficients of Isc	0.045%/°C
Nominal Operating Cell Temperature (NOCT)	45±2°C

#### MAXIMUM RATINGS

Operating Temperature (°C)	-40°C~+85°C
Maximum System Voltage	1000VDC
Maximum Series Fuse Rating	25A

#### PACKAGING CONFIGURATION

(Two pallets = One stack)  
31pcs/pallets, 62pcs/stack, 805pcs/40 HQ Container

#### WARRANTY

25-year product and 30-year linear power warranty  
1<sup>st</sup> year degradation not to exceed 1%, each subsequent year not to exceed 0.4%, minimum power at year 30 is 87.4% or greater.



ESSENTIAL POWER

13 Trade Zone Drive,  
Ronkonkoma, NY  
11779 Unit #13

#### Customer Information

James Dudo  
Residence

5865 Kraus Rd •  
Clarence, NY 14031

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AN

DATE:

08/20/2025

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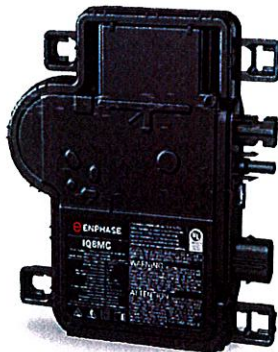
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DATA SHEET

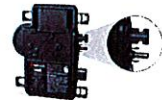


## IQ8MC Microinverter

Our newest IQ8 Series Microinverters are the industry's first microgrid-forming\*, software-defined microinverters with split-phase power conversion capability to convert DC power to AC power efficiently. The brain of the semiconductor-based microinverter is our proprietary application-specific integrated circuit (ASIC), which enables the microinverter to operate in grid-tied or off-grid modes. This chip is built in advanced 55-nm technology with high-speed digital logic and has superfast response times to changing loads and grid events, alleviating constraints on battery sizing for home energy systems.



Part of the Enphase Energy System, IQ8 Series Microinverters integrate with the IQ Battery, IQ Gateway, and the Enphase App monitoring and analysis software.



Connect PV modules quickly and easily to the IQ8 Series Microinverters that have integrated MC4 connectors.



IQ8 Series Microinverters redefine reliability standards with more than one million cumulative hours of power-on testing, enabling an industry-leading limited warranty of up to 25 years.



IQ8 Series Microinverters are UL Listed as PV rapid shutdown equipment and conforms with various regulations when installed according to the manufacturer's instructions.

\*Meets UL 1741 only when installed with IQ System Controller 2 or 3.

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### Easy to install

- Lightweight and compact with plug-and-play connectors
- Power line communication (PLC) between components
- Faster installation with simple two-wire cabling

### High productivity and reliability

- Produces power even when the grid is down\*
- More than one million cumulative hours of testing
- Class II double-insulated enclosure
- Optimized for the latest high-powered PV modules

### Microgrid-forming

- Complies with the latest advanced grid support
- Remote automatic updates for the latest grid requirements
- Configurable to support a wide range of grid profiles
- Meets CA Rule 21 (UL 1741-SA) and IEEE 1547-2018 (UL 1741-SB)

### NOTE:

- IQ8 Microinverters cannot be mixed together with previous generations of Enphase microinverters (IQ7 Series, IQ6 Series, and so on) in the same system.
- IQ Microinverters ship with default settings that meet North America's IEEE 1547 interconnection standard requirements. Region-specific adjustments may be requested by an Authority Having Jurisdiction (AHJ) or utility representative. An IQ Gateway is required to make these changes during installation.

IQ8MC-MC4-DSH-00049-4.0-EN-US-2024-02-09

## IQ8MC Microinverter

INPUT DATA (DC)	UNITS	IQ8MC-72-M-US
Commonly used module pairings <sup>1</sup>	W	260-460
Module compatibility	—	To meet compatibility, PV modules must be within the following max. input DC voltage and max. module $I_{sc}$ . Module compatibility can be checked at <a href="https://enphase.com/installers/microinverters/calculator">https://enphase.com/installers/microinverters/calculator</a> .
MPPT voltage range	V	25-45
Operating range	V	18-58
Min./Max. start voltage	V	22/58
Max. input DC voltage	V	60
Max. continuous operating DC current	A	14
Max. input DC short-circuit current	A	25
Max. module $I_{sc}$	A	20
Overvoltage class DC port	—	II
DC port backfeed current	mA	0
PV array configuration	—	Ungrounded array; no additional DC side protection required; AC side protection requires max 20 A per branch circuit

OUTPUT DATA (AC)	UNITS	IQ8MC-72-M-US @240 VAC	IQ8MC-72-M-US @208 VAC
Peak output power	VA	330	315
Max. continuous output power	VA	320	310
Nominal grid voltage (L-L)	V	240, split-phase (L-L), 180°	208, single-phase (L-L), 120°
Min./Max. grid voltage <sup>2</sup>	V	211-264	183-229
Max. continuous output current	A	1.33	1.49
Nominal frequency	Hz	60	
Extended frequency range	Hz	47-68	
AC short circuit fault current over three cycles	A rms	2.70	
Max. units per 20 A (L-L) branch circuit <sup>3</sup>	—	12	10
Total harmonic distortion	%	<5	
Overvoltage class AC port	—	III	
AC port backfeed current	mA	18	
Power factor setting	—	1.0	
Grid-tied power factor (adjustable)	—	0.85 leading ... 0.85 lagging	
Peak efficiency	%	97.4	97.2
CEC weighted efficiency	%	97.0	96.5
Nighttime power consumption	mW	33	25

MECHANICAL DATA	UNITS
Ambient temperature range	-40°C to 65°C (-40°F to 149°F)
Relative humidity range	4% to 100% (condensing)
DC connector type	Stäubli MC4
Dimensions (H × W × D); Weight	212 mm (8.3") × 175 mm (6.9") × 30.2 mm (1.2"); 1.1 kg (2.43 lbs)
Cooling	Natural convection - no fans
Approved for wet locations; Pollution degree	Yes; PD3
Enclosure	Class II double-insulated, corrosion-resistant polymeric enclosure
Environ. category; UV exposure rating	NEMA Type 6; outdoor

COMPLIANCE	
Certifications	CA Rule 21 (UL 1741-SA), UL 62109-1, IEEE 1547-2018 (UL 1741-SB), FCC Part 15 Class B, ICES-0003 Class B, CAN/CSA-C22.2 NO. 107.1-01. This product is UL Listed as PV rapid shutdown equipment and conforms with NEC 2014, NEC 2017, NEC 2020, and NEC 2023 section 690.12 and C22.1-2018 Rule 64-218 rapid shutdown of PV systems for AC and DC conductors when installed according to the manufacturer's instructions.

(1) No enforced DC/AC ratio.  
(2) Nominal voltage range can be extended beyond nominal if required by the utility.  
(3) Limits may vary. Refer to local requirements to define the number of microinverters per branch in your area.

IQ8MC-MC4-DSH-00049-4.0-EN-US-2024-02-09



ESSENTIAL POWER

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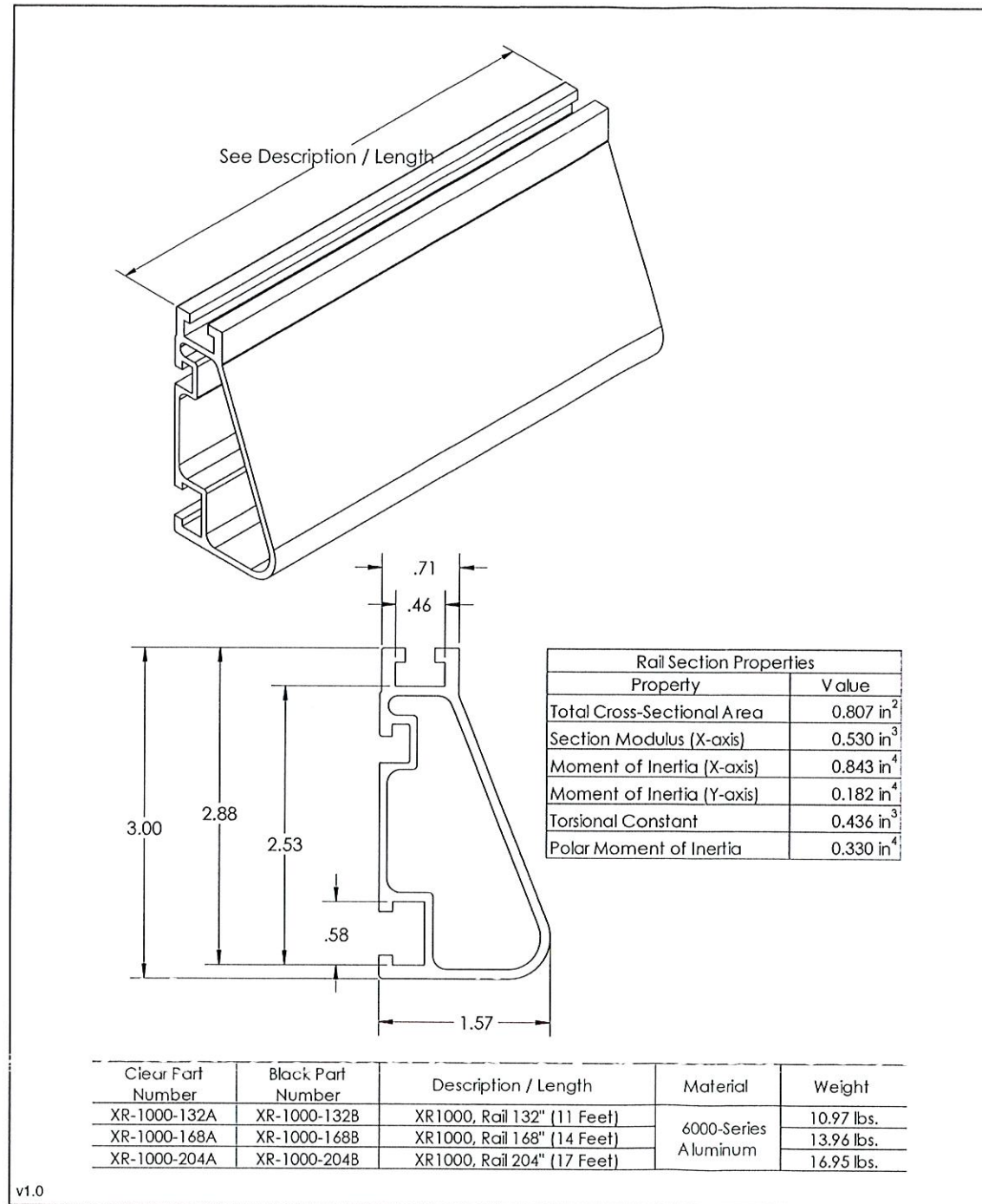
### Engineering Seal:





Cut Sheet

## XR1000® Rail



ESSENTIAL POWER

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Engineering Seal:







DATASHEET



X-IQ-AMI-240-5  
X-IQ-AMI-240-5C

## IQ Combiner 5/5C

The IQ Combiner 5/5C consolidates interconnection equipment into a single enclosure and streamlines IQ Series Microinverters and IQ Gateway installation by providing a consistent, pre-wired solution for residential applications. IQ Combiner 5/5C uses wired control communication and is compatible with IQ System Controller 3/3G and IQ Battery 5P.

The IQ Combiner 5/5C, along with IQ Series Microinverters, IQ System Controller 3/3G, and IQ Battery 5P provides you with a complete grid-agnostic Enphase Energy System.



**IQ Series Microinverters**  
The high-powered smart grid-ready IQ Series Microinverters (IQ6, IQ7, and IQ8 Series) dramatically simplify the installation process.



**IQ System Controller 3/3G**  
Provides microgrid interconnection device (MID) functionality by automatically detecting grid failures and seamlessly transitioning the home energy system from grid power to backup power.



**IQ Battery 5P**  
Fully integrated AC battery system. Includes six field-replaceable IQ8D-BAT Microinverters.



**IQ Load Controller**  
Helps prioritize essential appliances during a grid outage to optimize energy consumption and prolong battery life.



5-year  
limited  
warranty



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IQC-5-5C-DSH-00007-2.0-EN-US-2023-09-27

## IQ Combiner 5/5C

### MODEL NUMBER

IQ Combiner 5 (X-IQ-AMI-240-5)

IQ Combiner 5 with IQ Gateway printed circuit board for integrated revenue grade PV production metering (ANSI C12.20 ±0.5%), consumption monitoring (±2.5%) and IQ Battery monitoring (±2.5%). Includes a silver solar shield to deflect heat.

IQ Combiner 5C (X-IQ-AMI-240-5C)

IQ Combiner 5C with IQ Gateway printed circuit board for integrated revenue grade PV production metering (ANSI C12.20 ±0.5%), consumption monitoring (±2.5%) and IQ Battery monitoring (±2.5%). Includes Enphase Mobile Connect cellular modem (CELLMODEM-M1-06-SP-05)<sup>1</sup>. Includes a silver solar shield to deflect heat.

### WHAT'S IN THE BOX

IQ Gateway printed circuit board

IQ Gateway is the platform for total energy management for comprehensive, remote maintenance and management of the Enphase IQ System.

Busbar

125A busbar with support for 1 x IQ Gateway breaker and 4 x 20A breaker for installing IQ Series Microinverters and IQ Battery 5P.

IQ Gateway breaker

Circuit breaker, 2-pole, 10 A/15 A.

Production CT

Prewired revenue-grade solid core CT, accurate up to 0.5%.

Consumption CT

Two consumption metering clamp CTs, shipped with the box, accurate up to 2.5%.

IQ Battery CT

One battery metering clamp CT, shipped with the box, accurate up to 2.5%.

CTRL board

Control board for wired communication with IQ System Controller 3/3G and the IQ Battery 5P.

Enphase Mobile Connect (only with IQ Combiner 5C)

4G-based LTE-M1 cellular modem (CELLMODEM-M1-06-SP-05) with a 5-year T-Mobile data plan.

Accessories kit

Spare control headers for CTRL board.

### ACCESSORIES AND REPLACEMENT PARTS (NOT INCLUDED, ORDER SEPARATELY)

CELLMODEM-M1-06-SP-05

4G-based LTE-M1 cellular modem with a 5-year T-Mobile data plan.

CELLMODEM-M1-06-AT-05

4G-based LTE-M1 cellular modem with a 5-year AT&T data plan.

Circuit breakers (off-the-shelf)

Supports Eaton BR210, BR215, BR220, BR230, BR240, BR250, and BR260 circuit breakers. Supports Eaton BR220B, BR230B, and BR240B circuit breakers compatible with hold-down kit.

Circuit breakers (provided by Enphase)

BRK-10A-2-240V, BRK-15A-2-240V, BRK-20A-2P-240V, BRK-15A-2P-240V-B, and BRK-20A-2P-240V-B (More details in "Accessories" section).

XA-SOLARSHIELD-ES

Replacement solar shield for IQ Combiner 5/5C.

XA-ENV2-PCBA-5

IQ Gateway replacement printed circuit board (PCB) for Combiner 5/5C.

X-IQ-NA-HD-125A

Hold-down kit compatible with Eaton BR-B series circuit breakers (with screws).

### ELECTRICAL SPECIFICATIONS

Rating

80 A

System voltage

120/240 VAC, 60 Hz

Busbar rating

125 A

Fault current rating

10 kAIC

Maximum continuous current rating (input from PV/storage)

64 A

Branch circuits (solar and/or storage)

Up to four 2-pole Eaton BR series distributed generation (DG) breakers only (not included).

Maximum total branch circuit breaker rating (input)

80 A of distributed generation/95 A with IQ Gateway breaker included.

IQ Gateway breaker

10 A or 15 A rating GE/Siemens/Eaton included.

Production metering CT

200 A solid core pre-installed and wired to IQ Gateway.

Consumption monitoring CT (CT-200-CLAMP)

A pair of 200 A clamp-style current transformers is included with the box.

IQ Battery metering CT

200 A clamp-style current transformer for IQ Battery metering, included with the box.

<sup>1</sup>A plug-and-play industrial-grade cell modem for systems up to 60 microinverters. (Available in the US, Canada, Mexico, Puerto Rico, and the US Virgin Islands, where there is adequate cellular service in the installation area.)

IQC-5-5C-DSH-00007-2.0-EN-US-2023-09-27



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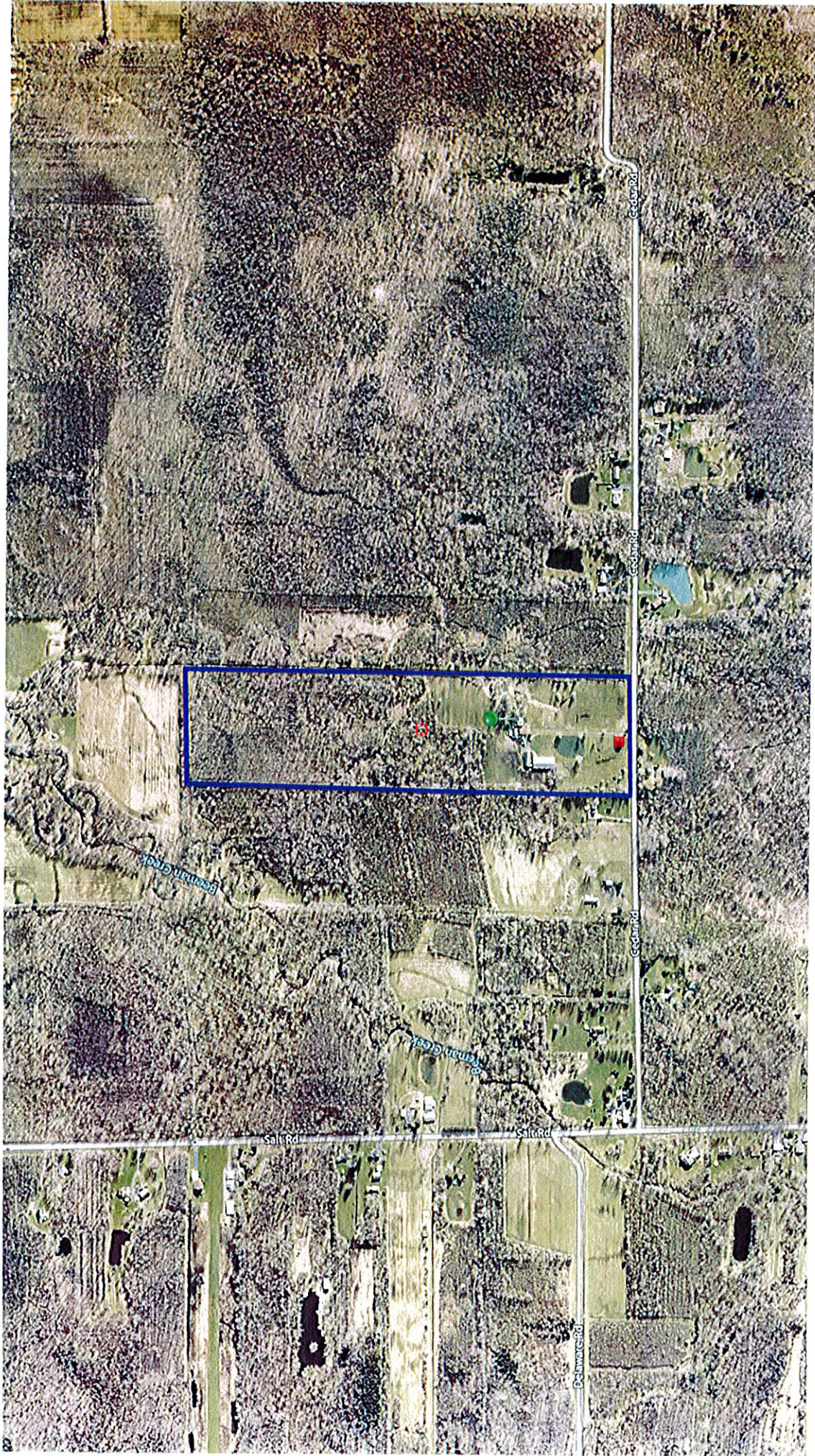
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\*\*\*note the parcel lines displayed are approximate\*\*\*

## 10490 Cedar Road



Proposed detached accessory structure (produce stand) to be within the front yard setback.

Detached accessory structures may only occur in side and rear yards.





\*\*\*note the parcel lines displayed are approximate\*\*\*



## 10490 Cedar Road

Proposed detached accessory structure (produce stand) to be within the front yard setback.

Detached accessory structures may only occur in side and rear yards.



[illegible]

We appreciate your consideration of our application for a variance to allow for our farm store structure in what is our front yard. As Clarence is a Right to Farm Community, we moved here in 2023 to expand our pre-existing farm operation in order to provide for a wider audience. We strive to bring the freshest farm products, which we raise entirely on our farm here in Clarence, to our customers throughout the year. Our current residence is set back approximately 500 feet from the road, and our front yard is approximately 7 acres of open farm fields which we use for rotational grazing of our livestock. We wish to use a 10x20 professionally built shed in our front yard as our future farm shop; we chose this location due to the visibility and proximity to the road, and the distance it provides our family from the shop which helps us maintain a sense of tranquility and security while operating the business site at our home.

The structure we intend to use for our farm shop was manufactured by Amish Valley Sheds, a local construction company, providing high quality, and structurally sound products. Our shed is built on 2x6 pressure treated lumber, on top of 4x6 skids which run the length of the structure. The walls are 2x4 framed with board and batten siding. The roof is a new, metal roof construction.

Having a well-planned farm store will allow us to make all of our farm products readily available to our community members at their convenience during predictable hours. Not only that, they can see the property from which their food was harvested, in some instances that very morning! We feel it is important for people to have a relationship with their food as well as those producing it. Providing electrical power to the farm shop will allow us to maintain the quality of our produce and flowers in a temperature-controlled environment and we will be able to offer a storefront with freezers and refrigeration for our eggs and meats.

We want our customers to feel safe pulling in and out of our driveway, and have thoughtfully considered the impact that increased traffic could have on our road. We plan to have clear signage designating traffic flow and parking, and will place the farm shop in a location where views of the road are unobstructed so that our neighbors, customers, sanitation workers, postal carriers, delivery workers, and utilities crews will all continue to have safe access to the roadway as needed. Our driveway already has a natural turn around, plus we intend to add more parking in the future to meet the needs of the farm. The shed will be placed approximately 70ft off the road, on our own privately maintained driveway which will allow for a safe sight line of the road when entering or exiting our driveway, with enough room to react as necessary. We have ample room to accommodate all parking on site.

Without this variance, we will be unable to provide an easily accessible location for our farm to provide an outlet for our products to the community. We will struggle to maintain our economic viability if we don't have an on-site location with regular business hour access for our customers, that also gives our family a safe a secure space to live (we are not an agritourism location and do not offer open visitation to our farm). Specifically, this summer has been extremely difficult to maintain our produce, given the weather and temperatures we have experienced. Our produce is often un-sellable after 24 hours at the stand due to high temperatures, and we then must dispose of it in the compost pile. If our variance is granted, we will no longer have to waste our produce by discarding it; we could preserve it and lengthen its freshness for our customers, satisfying both consumer and farmer. And that previously disposed of produce can now be increased sales for us, improving our economic viability, deepening our tie to the community for what we hope is generations to come.

Building construction: Our shed was purchased from Amish Valley Sheds LLC. Their website is [www.amishvalleyshedsllc.com](http://www.amishvalleyshedsllc.com). Below are details regarding the construction of our shed:

- 4 x 6 pressure treated skids
- 2 x 6 pressure treated floor joists
- 3/4" tongue and groove treated L.P. ProStruct flooring
- 2 x 4 kiln dried premium lumber studded walls (16" O.C.)
- 6' 4" walls standard
- Board and Batten Wooden Siding
- Metal roof bubble wrap insulation
- 5/12 pitch roof





SHED FOR  
PROPOSED VARIANCE

503  
14







15CH 50LKS = 1023'D  
TO THE N.W. CORNER OF LOT 53  
699.11'D TO THE  
N.W. CORNER OF LOT 53  
PARALLEL WITH THE  
WEST LINE OF  
LOT 53  
648.00' MEAS.  
330.11'D & 330.00'M  
15CH = 330.00' D&M  
88°18'14"W  
12.00' D&M  
WEST LINE OF  
KELLER L. 1041 P. 488

2541.09'D & 2537.17'M  
38CH 43LKS = 2536.38'D & 2537.17'M

2537.88' D&M

38CH 43LKS = 2536.38' D&M

FENCE  
10.79' WEST

EXCEPTION

233.79'

232.99'

FENCE  
19.13' EAST

FENCE  
21.23' EAST  
31.10' NORTH

FENCE  
6.74' WEST

FENCE  
17.91' WEST  
20.03' NORTH

WATER PUMP

699.50' D&M TO THE  
WEST LINE OF LOT 53

20.41'  
20.76'

NORTH LINE OF  
CEDAR RD.  
CENTER LINE OF  
CEDAR RD.

CEDAR ROAD

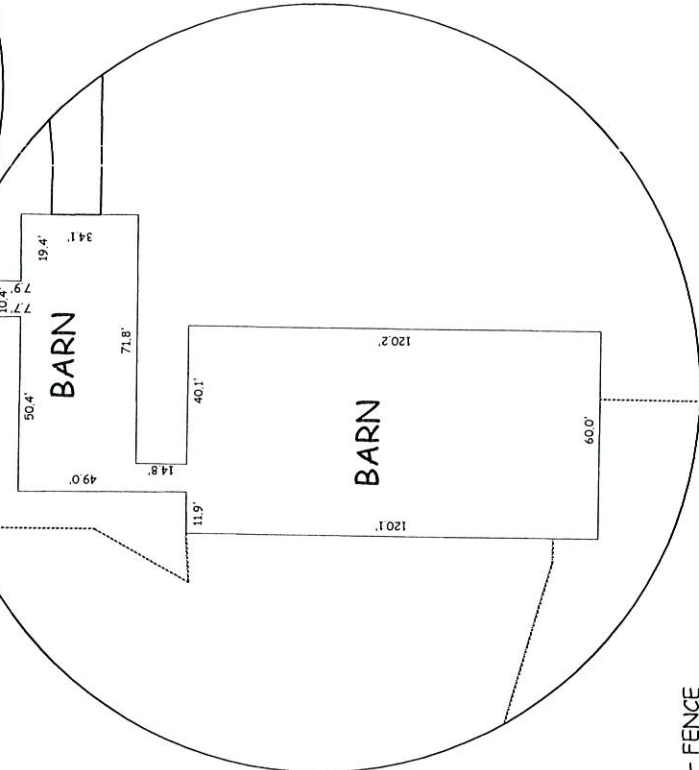
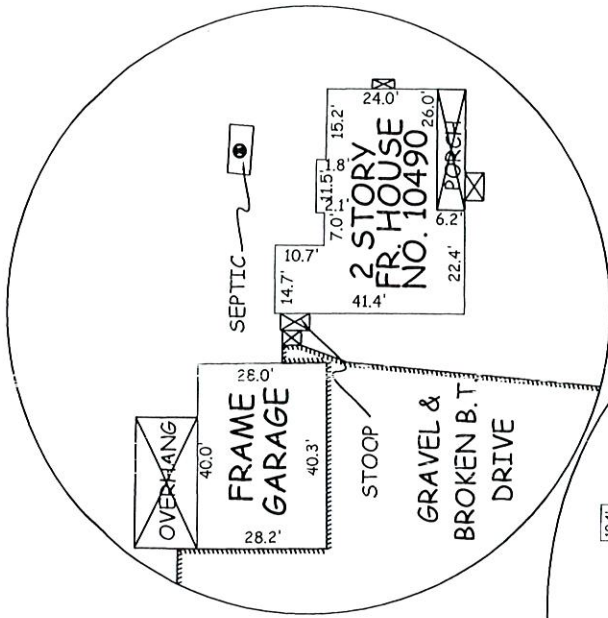
(49.5' WIDE)

(FKA CEDAR SWAMP ROAD)



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MANGUSO LAND SURVEYING, P.C.  
FREDERICK M. MANGUSO, 049775-1  
TRACY A. SPADA, 050806

572 TUSCARORA RD.

ANGOLA, NY 14006

PHONE & FAX 716 549 4717

EMAIL OFFICE@MangusoL.andSurveying.com

SUCCESSOR TO THE RECORDS OF

WILLIAM C. BUCKLAND L.S.

NORMAN B. JOHNSON L.S.

WILSON M. HUNTER L.S.

LEGEND

These standard symbols will  
be found in the drawing.

- EXISTING IRON PIPE
- SET IRON PIPE
- ⊙ UTILITY POLE
- BOUNDARY
- CENTERLINE OF ROAD
- FENCE
- DRIVE
- OVERHEAD UTILITY LINE

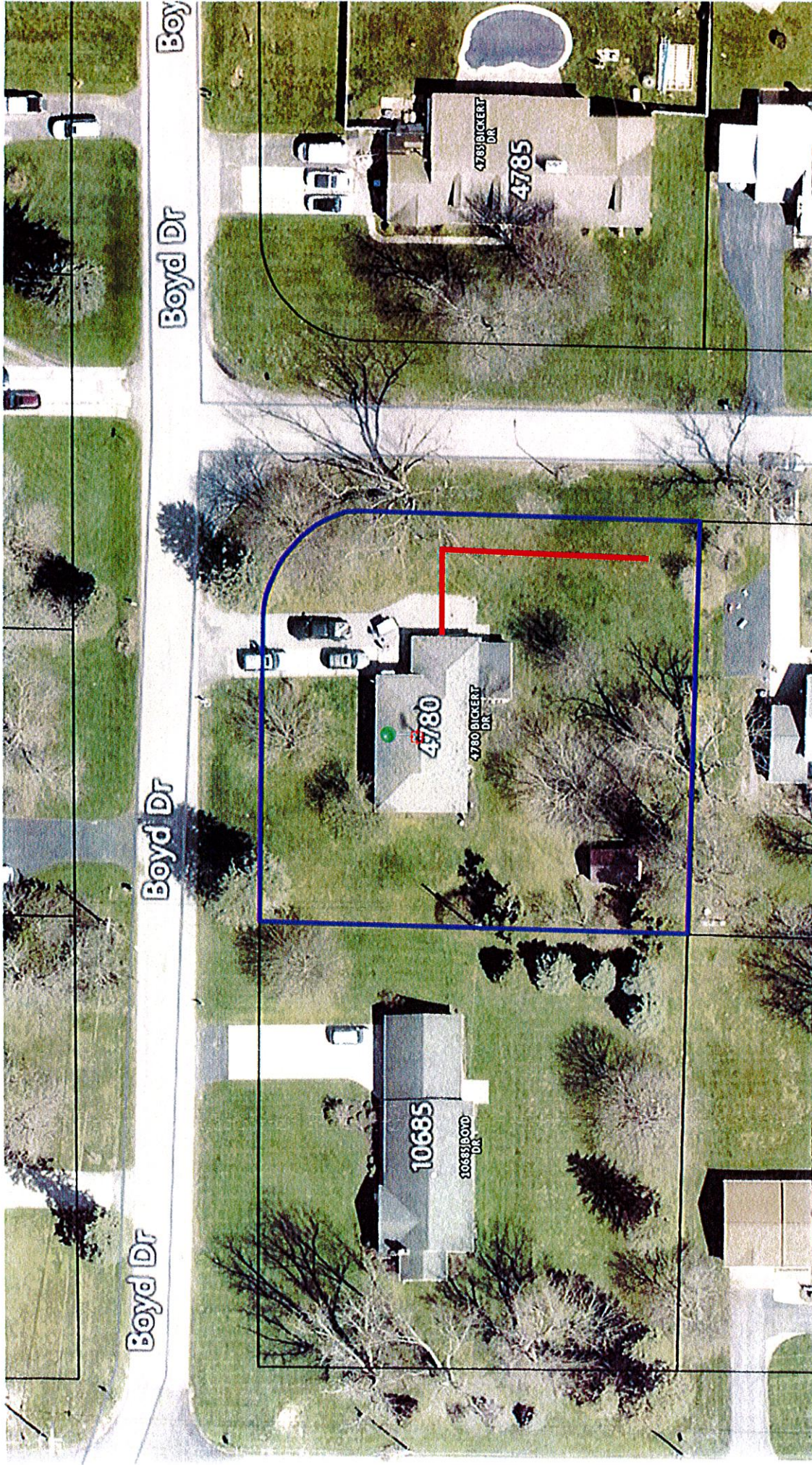
Handwritten signature of Frederick M. Manguso.

10490 CEDAR ROAD

DRAWN	DATE	PART OF LOT 53, T-13, R-6		
BAB	06/08/23	TOWN OF CLARENCE		
APPROVED	DATE	COUNTY OF ERIE		
TAS	06/08/23	STATE OF NEW YORK		
SCALE	SHEET	PROJECT NO.		
1" = 250'		20230436		







\*\*\*note the parcel lines displayed are approximate\*\*\*

Proposed 6' fence located within front yard. The maximum allowed height for a fence extending into the front yard is 4'. A 2' variance is requested.

Note: A corner lot shall be considered to have two front yards from the public road right-of-way to the closest point of the principal structure.



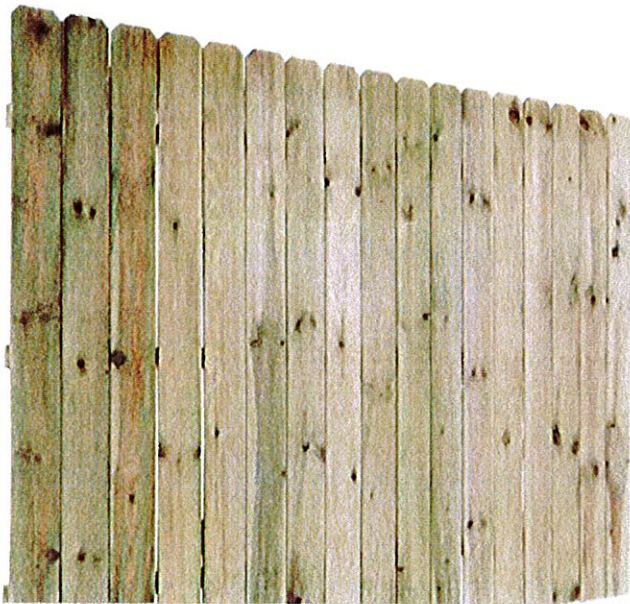
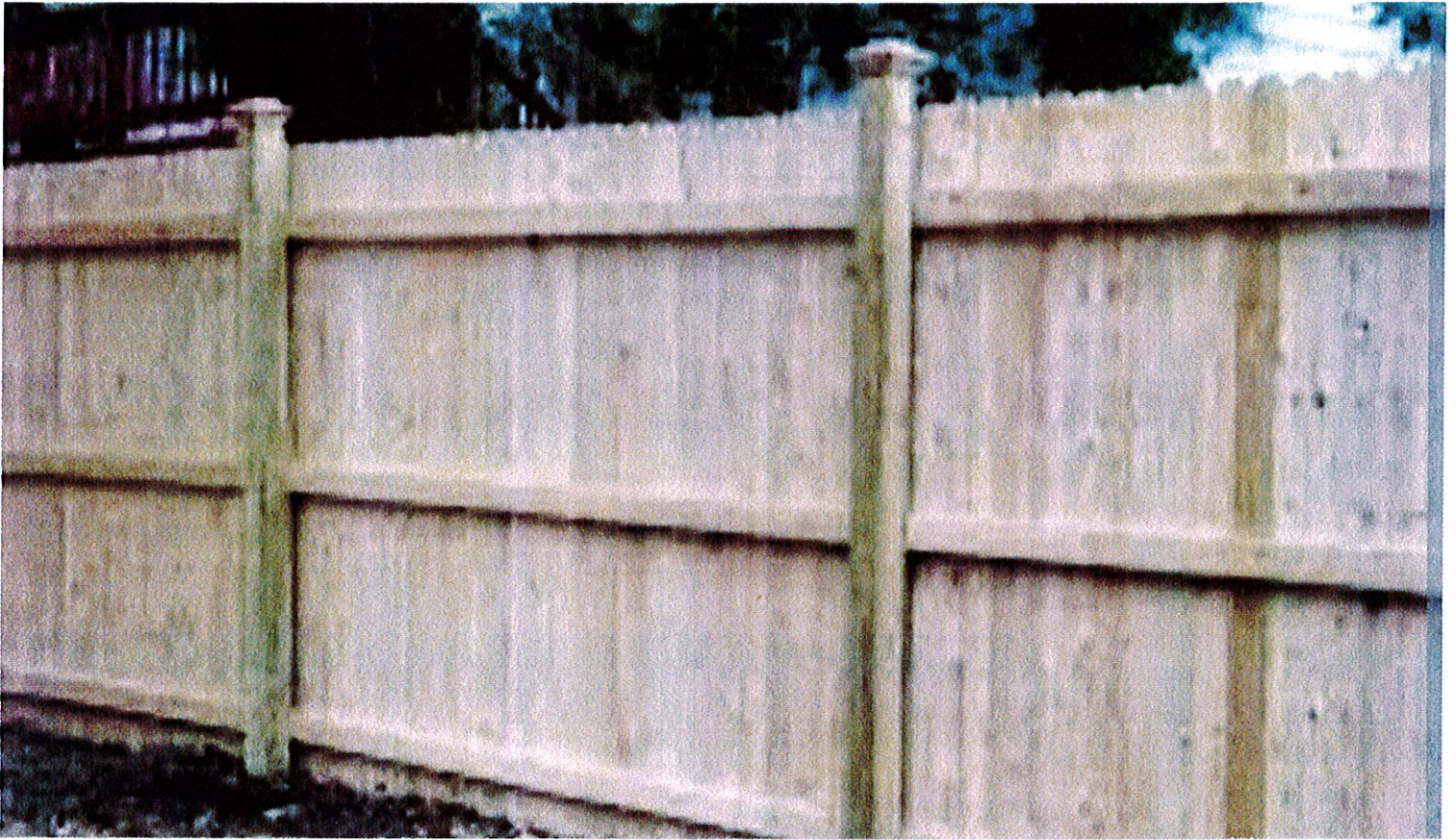
**4780 Bickert Drive**



Paid:



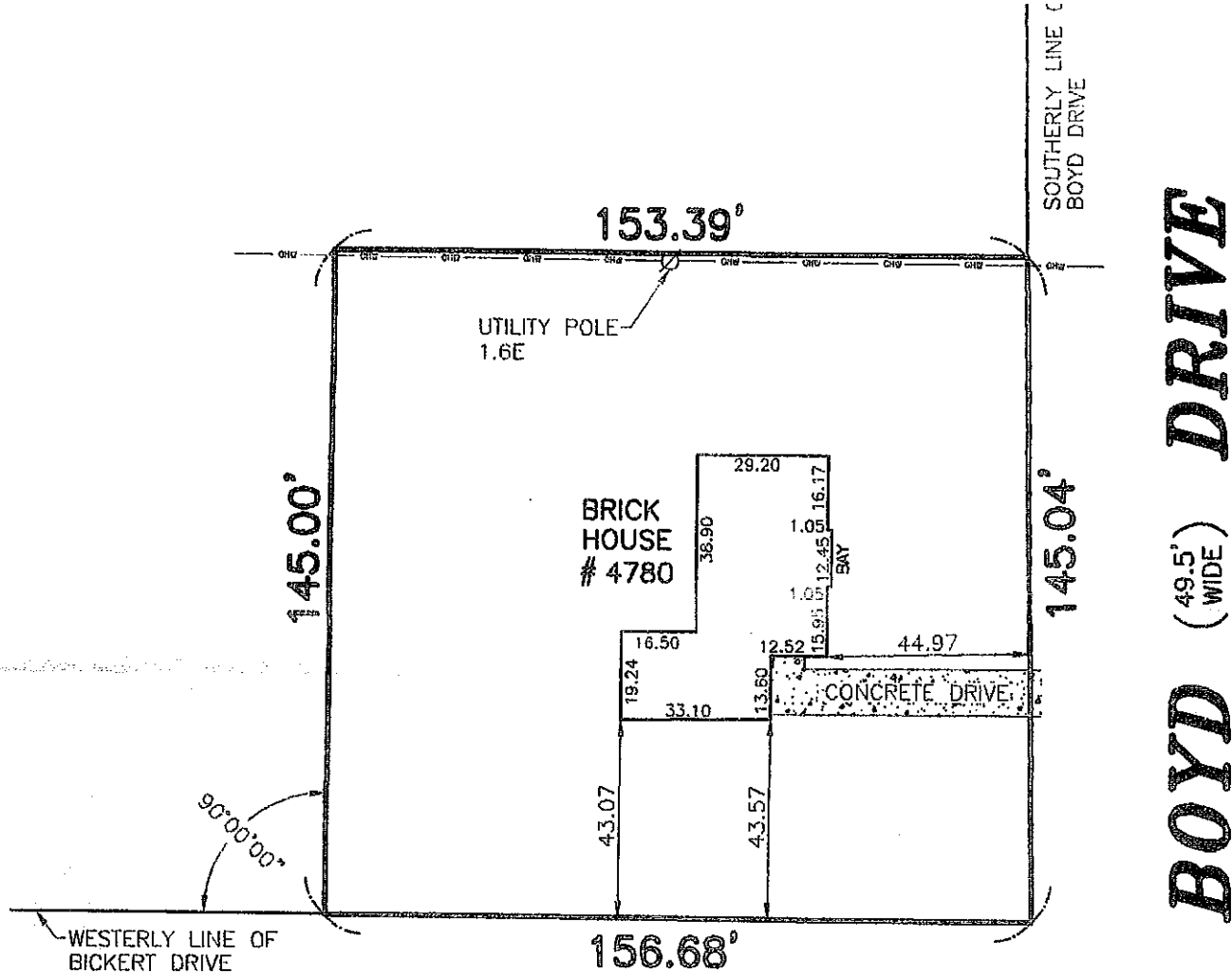
- Fence Permit -  
4780 Bickert Drive  
Clarence NY 14031



6<sup>FT</sup> Dog Ear Fence







*SPC*

LOCATION: TOWN OF CLARENCE	MAP COVER: 1664	JOB NO.: 18-3867
COUNTY OF ERIE, STATE OF NEW YORK	SUBLOT(S): 8	DRAWN BY: J. HARTWELL
PART OF LOT 6, SECTION 1, TOWNSHIP 12, RANGE 6 OF THE HOLLAND LAND COMPANY'S SURVEY	DATE: MAY 5, 2018	SCALE: 1"= 40'
	REVISIONS:	CHECKED BY: S. CARVER
<b>STEVE A. CARVER PLS.</b> <b>LAND SURVEY SERVICES</b> 965 RUE ROAD, NORTH TONAWANDA NY 14120 TEL. 716-525-1250 FAX 716-525-1275 CELL 716-361-2939 EMAIL CARVERSURVEY@GMAIL.COM		
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Proposed 308 sq.ft. detached accessory structure (shed).

The maximum allowable square footage for a detached accessory structure when an attached garage exists is 200 sq.ft. A 108 sq.ft. variance is requested.

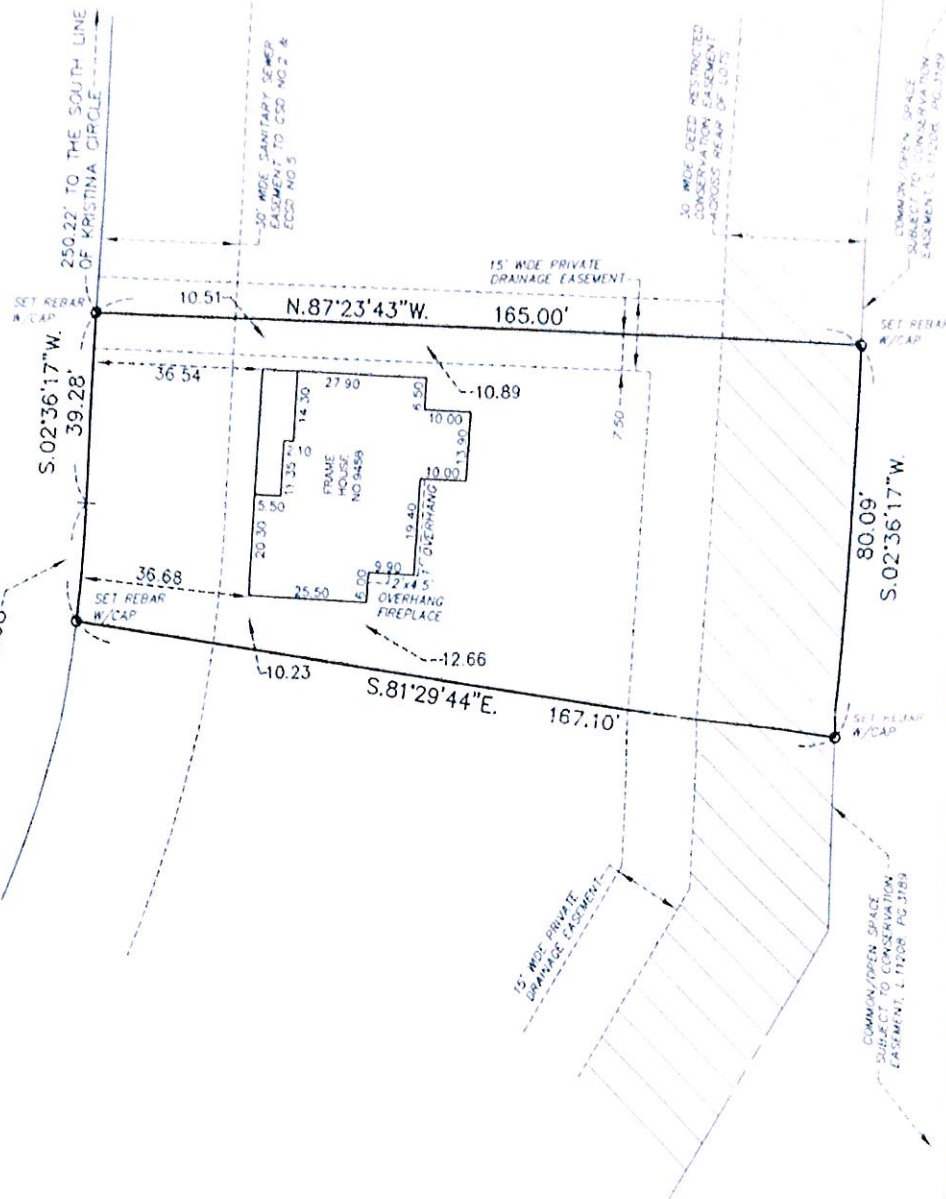


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$R=230.00'$   
 $L=23.68'$



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**WM SCHUTT**  
**ASSOCIATES**

WWW.WAISCHUTT.COM

**Exterior Materials (exact match to our home, both materials and color)**

1. **Front Siding:** Foundry 7" Split Shake 316 (spruce color)
2. **Siding For Remaining Sides:** Certainteed MainStreet D4 Woodgrain (spruce color)
3. **Roof:** Certainteed Landmark Driftwood Architectural Shingles (roof pitch matches our sunroom)
4. **Windows:** Andersen 400 series gliding with grills matching our home
5. **Overhead Door:** Raynor Aspen AP200 or Clopay Gallery Steel. We will replace the existing overhead door for our garage so it will be an exact match.

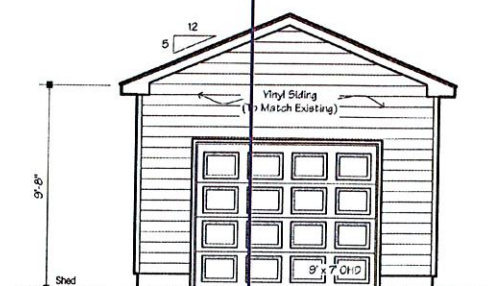
**Photos of House and Rough Lot Placement**

**Precise shed position is detailed in Section 6 of the attached architectural plan. Placement is at least 5 feet from the property line and avoids rear easement.**

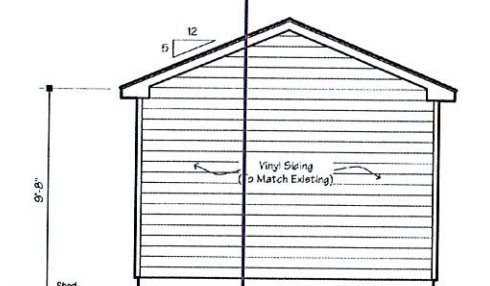




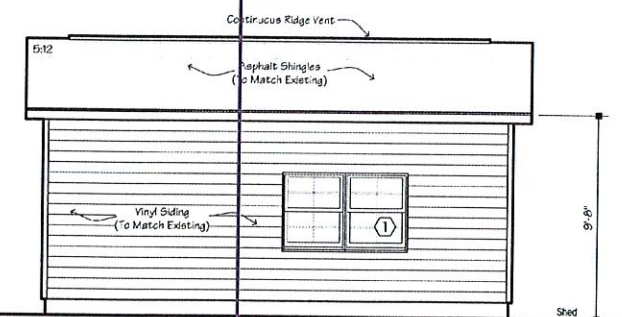




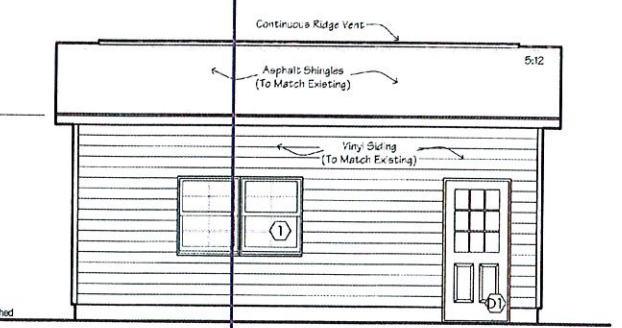
**1 FRONT ELEVATION**  
1/4"=1'-0"



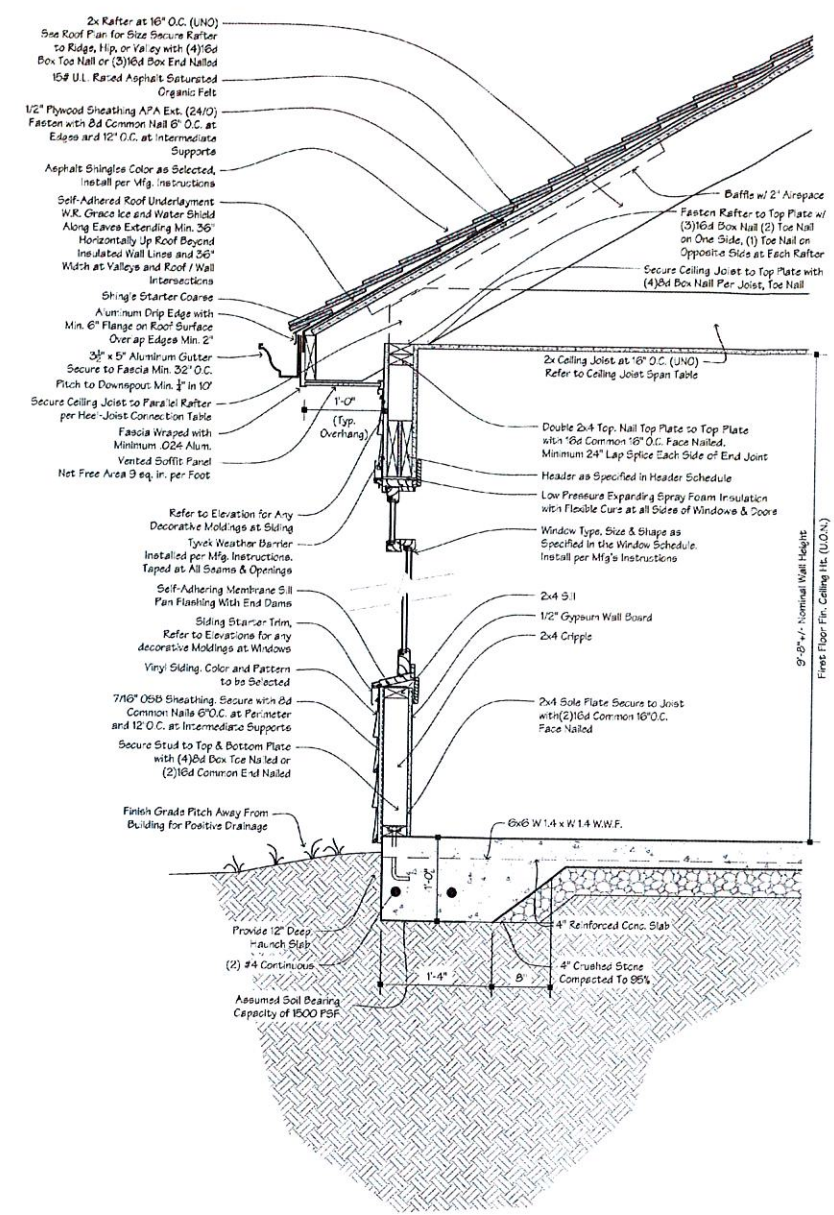
**2 REAR ELEVATION**  
1/4"=1'-0"



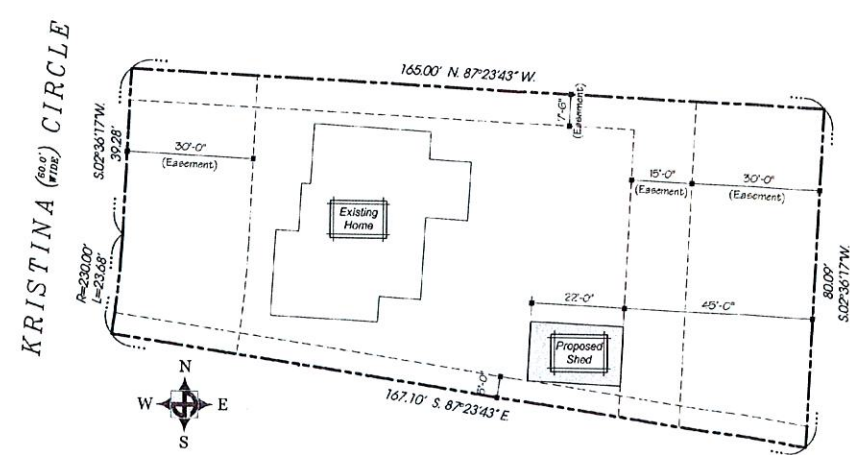
**3 RIGHT ELEVATION**  
1/4"=1'-0"



**4 LEFT ELEVATION**  
1/4"=1'-0"



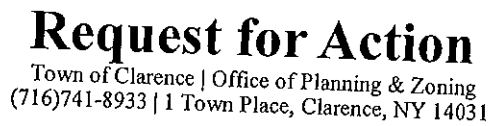
**5 TYP. WALL SECTION**  
1"=1'-0"



**6 SITE PLAN**  
1"=20'-0"

No.	Description	Date	By
1	8-8-2025		
2			
3			
4			
5			
6			
7			
8			
9			
10			



**Town Use Only**

**Date:** August 21, 2025

Received By: Planning & Zoning Office

**APPLICANT REQUEST:**

**Project Address:** 9751 Martin Road

**SBL #:** 30.00-4-33.2

**Action Desired:**

Applicant requests a variance of 5' to allow a 5' detached accessory structure side yard setback located at 9751 Martin Road in the Agricultural Rural Residential zone.

Reason:

Town Code Reference:  
§229-44(F)(2)

**CONTACT INFO:**

## APPLICANT INFO

Name / Business: Chris Janson

E-Mail:

Phone #:

Address:

Town:

State: \_\_\_\_\_ Zip: \_\_\_\_\_

**PROJECT SPONSOR INFO** (If Different Than Applicant)

Name / Business:

E-Mail:

Phone #:

Address:

Town:

State: \_\_\_\_\_ Zip: \_\_\_\_\_

## CORRESPONDENCE

Please indicate the preferred entity that shall receive the appropriate correspondence and billing associated with this Request for Action. Please select only one.

☒

Applicant

Project Sponsor

**SIGNATURE**

Request for Action shall be filled out completely in the spaces provided. The complete Request for Action shall be submitted to the Office of Planning and Zoning along with all necessary plans, maps, and supporting documentation. By signing below I certify that I have the authority to submit this Request for Action, and further certify its contents to be true and correct.

Signed: Signature On File

**Town Use Only:**

[illegible]





\*\*\*note the parcel lines displayed are approximate\*\*\*

Proposed detached accessory structure (shed) with a 5' side setback.

The minimum required side yard setback for a detached accessory structures over 200 sq.ft. is 10'.

A 5' variance is requested.



## 9751 Martin Road



Paid:

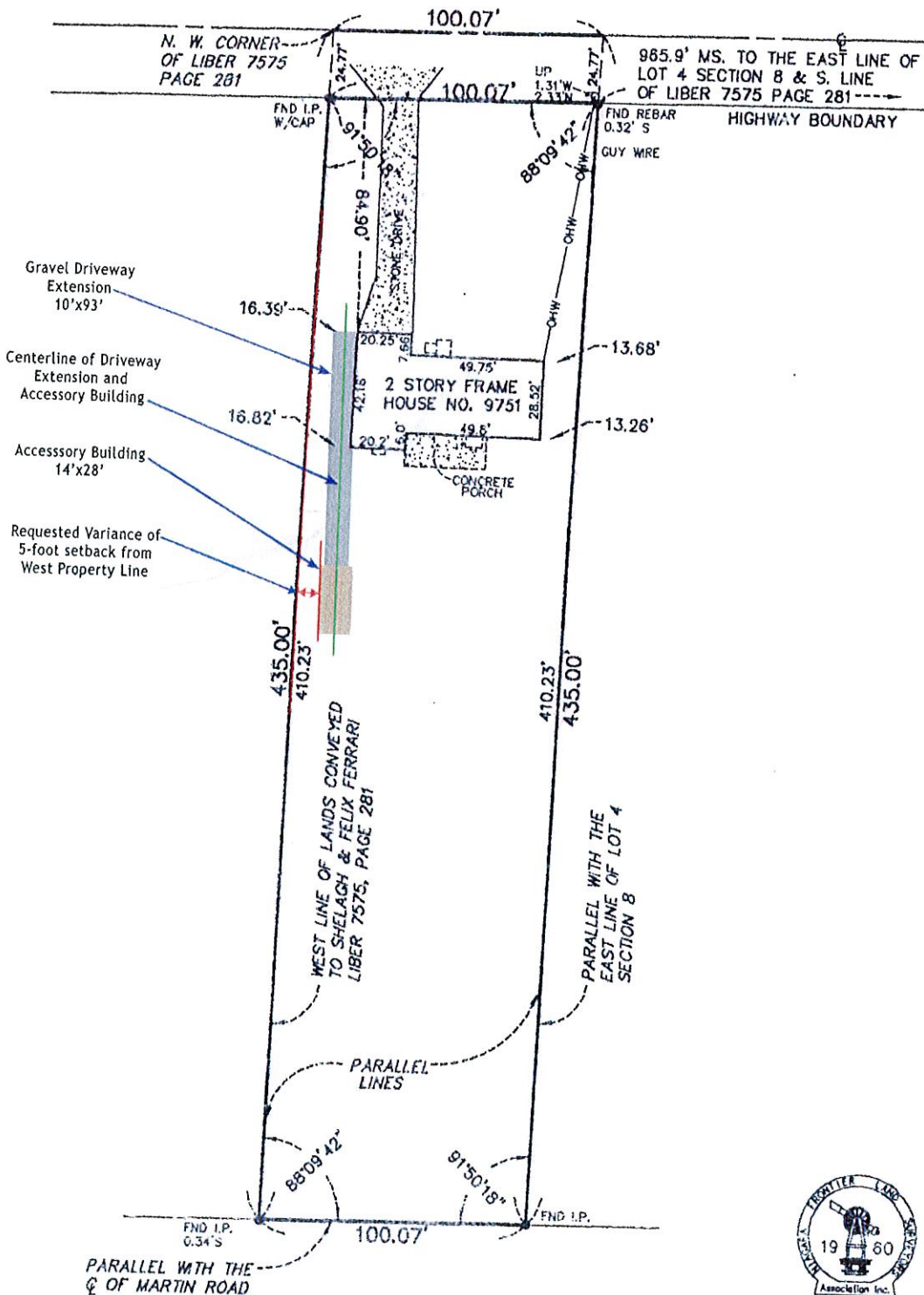


NORTH

MARTIN

(49.5' WIDE)

ROAD



ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MAP MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL AND SIGNATURE SHALL BE CONSIDERED TO BE VALID TRUE COPIES

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.



PART OF LOT: 4		SECT: 8	TWP: 12	RGE: 6
MAP COVER:		SUB LOT:		
LOCATED IN: TOWN OF CLARENCE, COUNTY OF ERIE, STATE OF NEW YORK				
BLK:				
WM. SCHUTT & ASSOCIATES, P.C.				
SUCCESSORS TO THE SURVEY RECORDS OF KREIBEL ASSOCIATES				
ENGINEERING LAND SURVEYING PLANNING CONSTRUCTION ADMINISTRATION				
5380 CENESEE STREET P.O. BOX 46 BOWMANVILLE, NEW YORK 14026-0046 TEL: (716) 683-5961 FAX: (716) 683-0169				
DATE		DRAWING REVISIONS		
DESCRIPTION				
WARNING: ALTERING THIS DOCUMENT IS IN VIOLATION OF THE LAW EXCEPTING AS PROVIDED IN SECTION 7209, PART 2 OF OF THE NEW YORK STATE EDUCATION LAW.				



Variance Requested  
5' Setback from  
Property Line

Accessory  
Building  
14'x28'

Privacy Fence  
6'x93'

Gravel Driveway  
Extension  
10'x93'

Property Line

Centerline of Gravel  
and Accessory Building





2022.7.2

