

The Work Session meeting of the Town Board of the Town of Clarence was held on Wednesday August 27, 2025 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 8:35 a.m.

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

Director of Community Development - Jonathan Bleuer

PUBLIC HEARINGS: None

FORMAL AGENDA ITEMS:

NY Clarence I, LCC., NY Roll Road III, LLC., Epic Storage Solutions, LLC.

Located at 8550 Roll Road and SBL's 1.11-4-14.1 & 43.19-3-1.1. North side of Roll Road, east of Harris Hill Road.

These are existing properties comprised of approximately 93.4 acres and located in the Industrial Business Park zone. The Roll Road frontage contains a self-storage facility currently under construction.

The applicant is requesting a preliminary conceptual review of a solar photovoltaic system, and phase 2 of a self-storage storage facility to include commercial/warehouse space, all accessed from Roll Road through the existing self-storage facility.

The project consists of a 10.45-megawatt direct current (MWdc) solar facility, a 215-unit self-storage facility, and 11,450 sqft of flexible commercial/warehouse space. Should the flexible commercial/warehouse space be successful, an alternate plan shows the removal of 73-units of self-storage and the addition of another 11,450 sqft of flexible commercial/warehouse space.

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

Paul Shear asked if it was outside storage of equipment. Jonathan Bleuer replied it is all inside.

Easy Camp RV Rental, LLC.

Located at 6659 Goodrich Road. East side of Goodrich Road, south of County Road.

This as an existing 11.25-acre parcel zoned Industrial Business Park and Agricultural Rural-Residential, containing a residence and detached accessory structure.

The applicant is requesting consideration of a Temporary Conditional Permit to operate an RV rental business, with on-site fleet storage. Up to 10 RV's are proposed to be staged and parked on-site, adjacent and to the rear of the existing detached accessory structure.

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

Stephen Development

This is located at the north side of Wehrle Drive, SBL 83.00-3-31. surrounding the existing Research Parkway stub street.

This is an existing 194-acre parcel located in the Industrial Business Park zone.

The applicant is requesting Final Plat Approval for phase 1 of a previously approved industrial business park, known as Clarence Solar Industrial Park, consisting of 6 sublots and the road dedication of approximately 1,212 linear feet of Research Parkway.

Per the Zoning Law, the Town Board has final approval authority to approve a Final Plat. Future proposed uses for each approved industrial sublot are subject to full review and approval by the Town, including but not limited to an environmental review through SEQRA.

Severyn Development

Located at 9585 The Maples. Northeast side of The Maples, west of Spaulding Drive.

This is an existing .685-acre vacant parcel located in the Planned Unit Residential Development zone, within the Spaulding Lake subdivision.

The applicant is requesting a Public Hearing to consider a Special Exception Use Permit for an attached secondary living unit as part of a new residence construction. The application states the in-law suite will be utilized by parents.

Town Board has the authority to consider this request after setting and holding a Public Hearing.

Pro-Cut Property Services, LLC.

Located at 8325 Transit Road. East side of Transit Road, south of Tonawanda Creek Road.

This is an existing 2-acre parcel in the Restricted Business zone, containing a pre-existing single-family residence and detached accessory structure.

The applicant is requesting a Public Hearing to consider a landscape operation Temporary Conditional Permit. The operation is proposed to consist of outside equipment and material storage to the rear of the existing residence, and within the detached accessory structure.

Town Board has the authority to consider this request after setting and holding a Public Hearing.

Value Turf, LLC.

Located at 8337 Sheridan Drive. South side of Sheridan Drive, east of Helenwood Drive.

This is an existing 1.7-acre parcel in the Restricted Business and Residential Single-Family zones, containing an existing residence, detached garage, and outbuilding.

The applicant is requesting a Public Hearing to consider an implement sales and service Temporary Conditional Permit, including the addition of an existing detached accessory structure. The addition is proposed to be 2,400 sq. ft. and located on the south side of the existing detached accessory structure, used for business storage and operation.

Town Board has the authority to consider this request after setting and holding a Public Hearing.

WORK SESSION ITEMS: None

TOWN BOARD REPORTS:

Supervisor Patrick Casilio – 1 Motion

- Motion to hire Part-Time seasonal employee for the Highway Department.
- Negotiation budget discussion.

Councilman Peter DiCostanzo - No Motions

- Pool closed last Saturday. There was an average of 189 visitors daily and 13k overall this season.

Councilman J. Paul Shear - 3 Motions

- Motion to appoint Steve Dale to the Planning Board Full Time.
- Motion to appoint an alternate to the Planning Board.
- Motion to rescind previous alternate.
- 46 residents want trees this fall.
- Discussion regarding leaf filters on the gutters at the Nature Center.

Councilman Robert Altieri – No Motions

- Discussion of an incident at Library. Three youths were at the library. Two stayed outside while one went inside the library. The youth that entered the building started using an air horn and was asked to leave and refused. Employees were instructed to call police immediately if this happens again.

Motion by Supervisor Casilio, seconded by Councilman Shear, to adjourn the work session at 9:24 a.m.

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

Janel A. Farolino
Deputy Town Clerk

Regular meeting of the Town Board of the Town of Clarence was held on Wednesday, August 27, 2025 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 10:08 a.m.

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

Motion by Councilman DiCostanzo, seconded by Councilman Shear to approve the Work Session and Town Board meeting minutes of August 13, 2025.

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

Motion by Supervisor Casilio, seconded by Councilman Shear, that upon the recommendation of the Highway department Superintendent, to appoint Laborer Part-Time Matthew Constable as Laborer Part-Time Seasonal, at the rate of \$16.6304 per hour, effective August 30, 2025.

On the question, this change in position would increase his weekly maximum working hours from nineteen (19) to forty (40) at the same pay rate

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

Councilman DiCostanzo stated that the Town Pool is now closed for the season and with 56 visits, congratulations to Dood Forrestel having the most trips, swimming every good weather day. Additionally, most of us had attended a joint School and Town Board Meeting which is held once a year prior to the school year. This keeps us in touch with the School Board, thank you to Jonathan Bleuer from the Planning Department for his presentation. This shows all the developments that are being developed or on the drawing board to show how many people and people with kids might be moving into town. Lastly, kudos to any fireman, I know that from Pat's Fire Company, Clarence, many people went to the bus crash Friday on the New York State 90 Thruway. If you didn't get to see it, there was a fireman on scene that wrote a fantastic opinion piece about what happened out there, it is very good, talking about how everyone worked together out there.

Supervisor Casilio mentioned he was going to speak about the bus incident as well as everyone did a remarkable job. Kudos to Pembroke, who is not well endowed in rescue equipment, who called in Newstead and Clarence Fire Companies to assist. Between all the companies, they had everything that was needed to help save the victims. Additionally, Dadswell towing service was there to assist in lifting the bus off of one person who was trapped under it. Sadly, this is an event that firefighters will remember forever as it was a traumatic scene with the people who passed away.

Motion by Councilman Shear, seconded by Councilman DiCostanzo to rescind the appoint of Waaris Hundal to the Clarence Planning Board Alternate position effective immediately due an inability to complete pre-employment application requirements.

On the Question, the Planning Board once again has an open Alternative Position, and applications will be accepted for this position.

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

Motion by Councilman Shear, seconded by Councilman Altieri to appoint Steven Dale from the Clarence Zoning Board Alternative position to a Full Member effective immediately to fill a vacant seat with a term to expire on December 31, 2027.

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

Motion by Councilman Shear, seconded by Councilman Altieri to appoint R. Forest Rung to the Clarence Zoning Board Alternate position effective immediately to fill an opening, with a term to expire on December 31, 2025.

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

Councilman Shear reminded everyone that this upcoming weekend is the Clarence Center Labor Day event. It starts on Friday and runs through Monday with the parade on Monday, it's quite the show if you can make it.

Councilman Altieri mentioned the unfortunate rash of vehicle break-ins throughout the town. Just a reminder to please lock your doors and take your keys out of the car, the last couple of break-ins the keys were unfortunately in the car.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to approve the request of the applicant, Town of Clarence Baseball Association & Lori White, for a Special Event Permit for the Clarence Venom baseball fundraiser's "Clarence Baseball Bingo Bash" to be held on Thursday August 28, 2025 from 6:00 p.m. to 10:00 p.m. at the Clarence Town Park, 10405 Main Street, subject to meeting all conditions of Special Event Permit, the Memorandum of Agreement requirements, including submitting the required insurance certificate(s) naming the Town as an additional insured which must include liquor liability to be reviewed and approved by the Town Attorney's Office.

On the question, applicant will be the sole vendor serving alcohol and must include Host Liquor Liability coverage on their Certificate of Liability Insurance. Applicant will also provide the Town with a one-day NYS Liquor Authority Permit prior to the event. The Town reserves the right to cancel the event if all requirements are not met.

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

Motion by Supervisor Casilio, seconded by Councilman Shear, that upon the recommendation of Town Clerk, Karen Hawes, Rachel Guadagno, is appointed as 2nd Deputy Town Clerk and Sub-Registrar of Vital Statistics effective September 8, 2025 at the rate of \$27.9807 per hour.

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

NY Clarence I, LLC., NY Roll Road III, LLC., Epic Storage Solutions, LLC. at 8550 Roll Road and SBL's 1.11-4-14.1 & 43.19-3-1.1. North side of Roll Rd, east of Harris Hill Rd. An existing property comprised of approximately 93.4 acres and located in the Industrial Business Park zone. The Roll Road frontage contains a self-storage facility currently under construction. The applicants, commonly known as Bullrock Corp., Solar Liberty, and Natale Builders, are requesting preliminary conceptual review of a solar photovoltaic system, and phase 2 of a self-storage storage facility to include commercial/warehouse space, all accessed from Roll Road through the existing self-storage facility. The project consists of a 10.45-megawatt direct current (MWdc) solar facility, a 215-unit self-storage facility, and 11,450 sqft of flexible commercial/warehouse space. Should the flexible commercial/warehouse space be successful, an alternate plan shows the removal of 73-units of self-storage and the addition of another 11,450 sqft of flexible commercial/warehouse space. A referral to the Planning Board would allow for a thorough review of this proposal.

Ken Zollitsch of GPI was present on behalf of the applicant, looking to get this project underway and an understanding of what the Town is looking for. We have been working with the Town of Clarence over the course of the last year determining what would best fit on site to accommodate what the Town wants to see as well. What you have in front of you is an expansion of an existing self-storage facility located on Roll Road and will be on the North side of the property which is 85 acres. Looking at a structure that we are assessing at this time, a self-storage facility which will range somewhere between 140 – 215 units with the flexibility of bays that could be of mixed use or office space for 9 bays that could be expanded to 18 bays in the second building. The remainder acres of the property will either be undeveloped wet land as well as the solar array, if you have additional questions on the solar part, which is out of my expertise, they can come up to assist. In terms of utilities, there will be some minor utilities that are needed to be installed, the electrical lines, water line that is already present in Phase I as well as the fire hydrants and onsite septic. As for the stormwater we have a preliminary plan that we have submitted to the Engineering Department.

Councilman Shear asked about the industrial storage, and if all storage will be inside.

Ken Zollitsch stated that currently on the plan we have no outdoor storage.

Councilman Altieri asked if there was three separate project and if they are all tied together, wondering if one project doesn't go through what happens with the other two projects.

Ken Zollitsch replied that the overall site development with the first phase is already existing but not fully open yet but just about finished. The 2nd phase will be the expansion of that self-storage facility that will be installed with the solar field part being more of an accessory use that could be a standalone project. There is a grievance amongst all parties involved on the land

with access so we are moving forward with what is essentially Phase II of the storage site and solar field as a concept together.

Councilman Shear asked if the Industrial Storage will be lighted and heated.

Ken Zollitsch stated definitely lights with some sort of heating given the flexibility allowed. Some units may need cold storage while some maybe utilized as office's which would require heat and a bathroom if they require a location for an office.

Councilman Shear asked additionally, how large are the individual units. If they are large enough, they could include businesses like manufacturing.

Ken Zollitsch replied that they will be in the neighborhood of a little over 1000 sq. ft. per bay. With this type of product there is the flexibility if the tenant wants one or two bays which is a matter of leasing. Typically, the frame work will be completed then the garage doors and as they have tenants come in, they will work with them to outfit the interior for their specific needs.

Councilman Shear stated then you will potentially need places for parking.

Ken Zollitsch replied with something like this, obviously, will need parking for people coming in but most likely, they will be parking right in front of their garage doors or man doors. I don't believe the intent for this is necessarily for the manufacturing end more for an enhanced office and garage space. This is certainly something we can work with the Planning Board on as we have decent sized green space with a paved section as well. As we move along, we can get a better understanding of who might be interested and the needs of the tenants.

Councilman Shear stated that he understands this is the beginning, just wants everyone to understand the potential.

Supervisor Casilio stated we had a resident concerned about the units with electric with a potential of a fire. This essentially could be for people to live in so this is a new avenue for us to go down, additionally having the proper exits with New York State codes.

Ken Zollitsch stated, maybe not exactly these examples, but GPI's design, like the one on Walden Avenue in Lancaster, where WNY Plumbing is based. They have a working space with an office up front which is very similar to what we are doing here.

Supervisor Casilio mentioned HCA costs of 5800 megawatt, please tell me what that charge is.

Charles Malcomb, the attorney for the applicants was present to respond, stated he believes you are referring to the Host Community Agreement, that is what the HCA stands for. As part of this project, early on we sent a notice of commencement of construction. The town I believe had sent a letter indicating that they will require an agreement and there may have been an opt out phrase. It was unclear whether it was filed with authorities so as a precautionary measure the town sent us a letter requiring a pilot with a special counsel at the time.

Lawrence Meckler stated that at the time in 2017 when we passed the local law, we did subsequently file, so the local law from 2017 would be in effect.

Charles Malcomb stated that they are happy to have those conversations, ultimately as part of these projects. Our client will negotiate with the town, I don't know specifically what the number is, the community agreement is something that is standard for these projects and be willing to discuss.

Supervisor Casilio stated that he just wants the applicant to understand that they have a law they need to follow. Going ahead, there are no tax incentives by moving the location in the Town of Clarence, make sure that your owner is aware of that.

Charles Malcomb replied, understood.

Supervisor Casilio stated as far as the HCA we are not paying the \$5,800.00, we are not interested in anything like that.

Charles Malcomb stated message received and I'm sure we will be speaking with the town attorney as well during negotiation.

Motion by Councilman Shear, seconded by Councilman Altieri to refer to the Planning Board the request of the applicants, NY Clarence I, LLC., NY Roll Road III, LLC., Epic Storage Solutions, LLC., at 8550 Roll Road and SBL's 1.11-4-14.1 & 43.19-3-1.1. Requests preliminary Conceptual review of a solar, self-storage, and commercial/warehouse project in the Industrial Business Park zone.

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

EZ Camp Rental at 6659 Goodrich Road. East side of Goodrich Road, south of County Road. An existing 11.25-acre parcel zoned Industrial Business Park and Agricultural Rural-Residential, containing a residence and detached accessory structure. The applicant is requesting consideration of a Temporary Conditional Permit to operate an RV rental business, with on-site fleet storage. Up to 10 RV's are proposed to be staged and parked on-site, adjacent and to the

rear of the existing detached accessory structure. The applicant made initial application in November of 2018. The item was on the Town Board Work Session agenda in January of 2019. At that time, the application was not advanced to a formal agenda due to submittal deficiencies. In January of 2021, the applicant provided additional documentation. In March of 2021, the Planning Office determined that there were still deficiencies in the submittal. In June of this year, the Planning Office contacted the applicant due to unpermitted activity occurring on the property. The applicant then submitted an updated application per comments received. A referral to the Planning Board would allow for a thorough review of this proposal.

Larry Bull was present to answer any questions, stating that really, they just want to park their own RV's on the property. It is a seasonal business that runs May through November.

Supervisor Casilio stated that he believes they will be sending this to the planning Board to look at the whole project. I know you mentioned seasonal but specifically you are retail selling, correct.

Larry Bull replied not really, we only sold one this year. We don't do retail, people fly into town to pick them up or we delivery them taking them to waterfront for concerts or supply them for people who have been displaced from their homes from a fire or flood damage. We don't sell much off our lot.

Councilman Shear stated that we know obviously you are selling because you have a for sale sign on one. You say occasionally, what does that mean, how many.

Larry Bull replied that one was sold last week to a broker off of the internet, we don't get any retail street sales. Yes, there is a for sale sign on everything if someone wants to pay the price, they can buy it.

Supervisor Casilio stated the concern is how things are displayed or in years to come it will be a used car lot.

Larry Bull stated that we don't have any hours of operation.

Supervisor Casilio asked about the proposed barn.

Larry Bull stated that they are going to change that around, add an addition on to the existing barn, maybe a 40 x 40-foot addition if that works.

Jonathan Bleuer stated that the current structure is in the Industrial Zone.

Councilman Altieri stated that you mentioned May through November as your busy months, what happens outside of those months are they stored there.

Larry Bull replied they park them outback.

Supervisor Casilio asked if he was still on County Road.

Larry Bull replied no, we are downsizing and using the property for what it was intended for.

Councilman Shear asked if he houses storage for the trailers.

Larry Bull replied I just store my own stuff.

Motion by Councilman Altieri, seconded by Councilman Shear to refer to the Planning Board the request of the applicant, EZ Camp RV Rental, LLC., at 6659 Goodrich Road. Requests consideration of a Temporary Conditional Permit for the operation of an RV rental business, with on-site fleet storage in the Industrial Business Park zone.

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

Stephen Development at SBL 83.00-3-31, the North side of Wehrle Drive, surrounding the existing Research Parkway stub street. An existing 194-acre parcel located in the Industrial Business Park zone. The applicant is requesting Final Plat Approval for phase 1 of a previously approved industrial business park, known as Clarence Solar Industrial Park, consisting of 6 sublots and the road dedication of approximately 1,212 linear feet of Research Parkway. In October of 2022, the Town Board referred the project to the Planning Board. In November of 2022, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). In August of 2023, the Planning Board issued a Negative Declaration under SEQRA, Concept Plan approval of the 11-lot Industrial Business Park, the Dimar facility (one sublot of eleven), and the solar photovoltaics system (two sublots of eleven). Also in August of 2023, the Planning Board issued Development Plan approval of the Dimar facility, which has since been constructed. In September of 2024, the Planning Board issued Development Plan approval for phase 1 of the industrial business park and the solar photovoltaic system. Since that time, the applicant worked to construct the necessary infrastructure associated with phase 1 of the industrial business park. Per the Zoning Law, the Town Board has final approval authority to approve a Final Plat. Future proposed uses for each approved industrial sublot are subject to full review and approval by the Town, including but not limited to an environmental review through SEQRA.

Noel Dill was present to answer any questions stating they are very happy to make it to this moment here today working on this project for many years. Jonathan gave the lengthy history and we are happy to be at the finish line and have a completed road.

Councilman DiCostanzo stated that it almost looks like you are going into the quarry business back there, what is going to happen with all of the stone.

Noel Dill replied we used that stone for the construction of our areas and that area has a lot of stone anytime you dig. We did pay very close attention to the comments early in respect to the solar items and your position on them.

Supervisor Casilio congratulated them on getting this done, the goal was to I am presuming that a pipe would go to the sewer treatment plant that they want to shut down or will it never to go that. Would it be big enough?

Timothy Lavocat stated that the County would let them tie into that if they wanted to. The ultimate goal for our sewer plant is for the elimination of the small package treatment plants, being on public sewer from Main Street to Goodrich Road to the trunk line.

Noel Dill stated its not \$40,000 or \$50,000 it's more like \$2,000,000 to expand it. We hope that at some point the sewer that comes from the high school could accept all the flow.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to approve the request of the applicant, Stephen Development, SBL 83.00-3-3, for Final Plat approval for Phase 1 of a previously approved Industrial Business Park, known as the Clarence Solar Industrial Park, consisting of six (6) sublots and the road dedication of approximately 1,212 linear feet of research Parkway in the Industrial Business Park Zone, subject to the following conditions:

1. All conditions and approvals by the Town Engineer
2. All conditions and approvals by the Highway Superintendent
3. All conditions of past approvals and Boards associated with the Clarence Solar Industrial Park
4. All documentation for the road dedications and easements shall be submitted to the Town Attorney's Office for review and approval prior to filing with the Erie County Clerk's Office.
5. No permits shall be issued until the road deeds and easements, as required, are filed in the Erie County Clerk's Office and proof of same is submitted to the Town Attorney's Office.
6. Subject to Open Space and any other applicable fees, as required.

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

Severyn Development, Inc. at 9585 The Maples. Northeast side of The Maples, west of Spaulding Drive. An existing .685-acre vacant parcel located in the Planned Unit Residential Development zone, within the Spaulding Lake subdivision. The applicant, on behalf of Alisa and Chris Gasz, is requesting a Special Exception Use Permit for an attached secondary living unit as part of a new residence construction. The application states the in-law suite will be utilized by parents. Town Board has the authority to consider this request after setting and holding a Public Hearing.

Alisa Gasz was present to answer any question.

Supervisor Casilio stated that because this is a new home, we have to set a public hearing on it and send it to planning. After the public hearing you will be all set, do we have a plan on file.

Timothy stated I don't believe so, we have to have this phase complete to move forward.

Supervisor Casilio stated that we are streamlining a little bit as this doesn't look like a duplex.

Motion by Councilman Altieri, seconded by Councilman Shear to set a public hearing for Wednesday September 24, 2025 at 10:15 a.m. to consider the request of the applicant, Severyn Development, to consider a Special Exception Use Permit for the construction of an attached secondary living unit as part of new home construction at 9585 The Maples, in the Planned Unit Residential Development zone.

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

Pro-Cut Property Services, LLC. at 8325 Transit Road. East side of Transit Road, south of Tonawanda Creek Road. An existing 2-acre parcel in the Restricted Business zone, containing a pre-existing single-family residence and detached accessory structure. The applicant is requesting a Public Hearing to consider a landscape operation Temporary Conditional Permit. The operation is proposed to consist of outside equipment and material storage to the rear of the existing residence, and within the detached accessory structure. The Town's Zoning Inspector witnessed the business operation occurring on the property, and contacted the property owner and tenant. The tenant and a representative of the property owner met with the Planning Office, and submitted an application per comments received. The Town Board referred this proposal to the Planning Board in July of this year. Since that time, the applicant has addressed additional comments received. In August, the Planning Board recommended approval of a Temporary Conditional Permit, subject to 11 conditions. Town Board has the authority to consider this request after setting and holding a Public Hearing.

Andrew Yaeger was present to answer any questions.

Supervisor Casilio thanked the applicant for spending time with the Planning Board and as you know there are 11 conditions. If you were listening earlier, we are trying to avoid things like looking like Erie Avenue as far as having lawn mowers and stuff all over the place. I am sure the Planning Board covered this but we are not looking for any retail operations either. You are aware of all of this correct.

Andrew Yaeger replied yes, correct.

Councilman Shear stated he had the opportunity to sit in on the meeting and I think you both have come up with a mutual agreement and I think it is an excellent project.

Motion by Councilman Shear, seconded by Councilman Altieri to set a public hearing for Wednesday September 24, 2025 at 10:20 a.m. am at the request of the Applicant Pro-Cut Property Services, LLC of 8325 Transit Road, to consider a Temporary Conditional Permit for the operation of a landscape business to the rear of property, in the Restricted Business zone.

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

Value Turf, LLC. at 8337 Sheridan Drive. South side of Sheridan Drive, east of Helenwood Drive. An existing 1.7-acre parcel in the Restricted Business and Residential Single-Family zones, containing an existing residence, detached garage, and outbuilding. The applicant is requesting a Public Hearing to consider an implement sales and service Temporary Conditional Permit, including the addition of an existing detached accessory structure. The addition is proposed to be 2,400 sqft and located on the south side of the existing detached accessory structure, used for business storage and operation. This item was initially on the Town Board work session agenda in April of this year. At that time, the item was not advanced to a formal agenda due to concerns relating to the proposed business and site activity. In May, representatives of the Planning Office met on-site with the applicant to better understand the existing and proposed business and site activity for the purpose of providing further information to the Town Board. In June, the Town Board referred this amended proposal to the Planning Board. Since that time, the applicant has modified the proposal per comments received. Modifications include removing the proposed additional outbuilding in favor of expanding the existing outbuilding, and designating an area for vehicle and trailer parking, all while preserving the existing vegetative buffer to the south. In August, the Planning Board recommended approval of a Temporary Conditional Permit with allowance of a detached accessory structure addition, all subject to 11 conditions. Town Board has the authority to consider this request after setting and holding a Public Hearing.

John Leising was present to answer any question.

Supervisor Casilio stated if you haven't seen the theme here with the other applicants, accidental displaying go lawnmowers is what the main concern would be and we state that in the conditions. You have guaranteed us that wouldn't happen though.

John Leising stated correct.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to set a public hearing for Wednesday September 24, 2025 at 10:25 a.m. to consider a Temporary Conditional Permit at the request of the applicant Value Turf, LLC, at 8337 Sheridan Drive, for the construction of a detached accessory structure for business storage, in the Restricted Business and Residential Single-Family zones.

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

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to approve the applications as follows, Legion Hall: Eduardo Casas September 20, 2025, Aaron Aisen December 12, 2025. Nature Center: Clarence Conservation Advisory Council September 27, 2025

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

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to approve the Bill Pay of August 14, 2025 as follows: General Funds \$225,284.46; Highway Funds \$138,903.74; Drainage Funds \$9,180.00; Lighting Funds \$720.50; and Capital Funds \$2,938.50 for a total bill pay of \$377,027.20.

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

Grant Loomis, a resident, was present thanking everyone on their service to the Town of Clarence. I wanted to address with you all my growing frustration with the code enforcement in the town.

Supervisor Casilio asked if he was the dump truck in the street.

Grant Loomis stated no but he is glad that it is moved with school starting next week. My concern is greater than that, currently on High Street there is a property that currently has a living room couch, not an outdoor piece of furniture, a refrigerator and a school bus that is painted army green and gray in front of the house. For those things to be allowed to go on in a residential Street, for me one of three things has to be true. 1- Town code isn't being enforced, 2 - it's being selectively enforced or 3 - it is inadequate. My sense is that the current code is inadequate. It is very frustrating to be a very responsible property owner who invests in my property has a common sense of fairness and respect to their neighbors. To have a code that seemingly supports a few bad actors who don't invest in their property and have no respect to their neighbors, treat their property like a junk yard. I would really encourage you gentlemen to use your expertise, your experience and your dedication to the town to look at ways on how the current Town Code can be strengthened. Support property owners like myself and not the folks who don't.

Supervisor Casilio asked if he has the address of the property.

Grant Loomis stated I don't but it is right at the corner of High Street and Railroad Street. I believe that the bus additionally has someone living in it from time to time.

Councilman DiCostanzo asked if the couch and the refrigerator is like someone putting it out to the curb to be picked up by the garbage.

Grant Loomis replied no, it has been there for two years.

Supervisor Casilio stated that he can speak for our people that they are on top of things right away. We are spending a lot of money reviewing our code to streamline it to get some results on things like you are talking about. Unfortunately, on things like this they have notices that they have ten days to move something like that, then end up in the court system and be there for two years. I guarantee you that I know the people who handle those files and they are all over things like that. Unfortunately, we have to work with other departments that are outside of this building that don't move as quickly as we would like to see it. I feel your pain like you can't imagine.

Grant Loomis added that he has written the Town Board a bunch of times and wanted to thank the Supervisor for answering every time.

Supervisor Casilio stated that this makes our departments look bad and we have very hard-working people who are on top of these items and even try to negotiate deals and aren't afraid to drop paper on them but then it ends up dying someplace else out of our control.

Grant Loomis stated that if there is something else, I can do to articulate to another government please let me know. I really do believe in looking at other towns and their code as this has become a growing frustration for me and I am spending the time to look at these codes. If I was a tax payer in Orchard Park for example, I don't think my neighbor would be allowed to do what is happening here. I hear everything you are saying and understand but really, I am just here to reiterate that there are places where the Town Code can be strengthened not allowing these bad actors to be allowed to be carrying on month after month.

Supervisor Casilio stated that no one is to be allowed to be living in anything like that but the only grey area is if the bus is licensed or not. If it is not licensed, we have a short fuse on that.

Jonathan Bleuer replied that a notice of violation is typically a ten-day removal period but the process is much longer than that if the owner does not comply. Thank you for waiting and coming today, we are actually in the middle of a Town Code up date right now, we want you to be part of that. On the Town's website, on the Planning and Zoning page we have a link to our updated zoning code, please follow that. There will be public outreach opportunities where we want to hear your thoughts and show you what we are putting on paper. As you know, this is very complex and what we don't want to do is write code that will negatively impact 98% of our community who are doing the right thing. There is always give and take but we are up for the task as the codes are very old, it's dated and in the coming years we will have a much stronger product. One of the four principals that is guiding us in this code update is exactly that, to add enforcement to a degree that is appropriate.

Grant Loomis thanked everyone.

Councilman Shear commented that he lives in Clarence Center and lives a block from the location Mr. Loomis is speaking about and I share your pain.

Grant Loomis stated yes, I am aware of where you live and if you are at that corner no resident in eye shot would enjoy living next to this.

Councilman DiCostanzo suggested Mr. Loomis apply for a Planning Zone Board alternate.

Grant Loomis stated he would be happy to serve. I would like to add with all of the new development in the town I don't have any issues with it partially because I trust that you gentlemen have put a process in place that ensures the new development is done responsibly and sustainably. I would love to have a discussion on how to strengthen the existing neighborhoods for the few bad apples.

Supervisor Casilio stated there are HOA's that control that and we don't want to become that. We are taking a look at the codes and spending a lot of time on them.

Timothy Lavocat stated that he will take a look at that property and have a conversation with our Property Maintenance Inspector.

Councilman DiCostanzo state that not long ago someone in his neighborhood put a couch to the curb well in advance of garbage day and someone must have called because it was moved to the side of the house until it was garbage day.

Grant Loomis stated that he will follow up and leave his name and number if you would like a tax payer to be part of the process, I am more than happy to help.

Councilman Shear stated that we do have an opening if you would like to apply.

Councilman Altieri asked if they were items that just were waiting for garbage day.

Grant Loomis stated they have been there for two years so no.

Supervisor Casilio thanked the resident for attending.

There being no further business, Supervisor Casilio adjourned the meeting at 11:06 a.m.

Karen Hawes
Town Clerk