

The Work Session meeting of the Town Board of the Town of Clarence was held on Wednesday October 8, 2025 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 8:31 a.m.

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

Director of Community Development - Jonathan Bleuer

PUBLIC HEARINGS:

Annual Community Development Block Grant Program

This is to consider potential funding needs for the Federal Community Development Block Grant (CDBG) request. Based on comments received, the Town has currently identified the following projects for consideration:

- a. Sidewalk ADA Intersection Improvements
- b. Rural Transit Services, Inc.

The Town Board has authority to act after holding this Public Hearing.

FORMAL AGENDA ITEMS:

Spaulding Green Subdivision

This property is located north of Greiner Road, east of Goodrich Road. SBL's 58.00-4.35.111 & 58.00-4-35.121. This is a previously approved 405-lot subdivision in The Residential Single-Family zone on 400 acres.

The applicant is requesting final Plat approval for Phase 7B, consisting of 19 residential building lots and the road dedication of approximately 1,045 linear feet of Longleaf Trail and 298 linear feet of Spaulding Green Parkway.

Town Board has final approval authority to approve a Final Plat.

Spaulding Green Subdivision

This property is located north of Greiner Road, east of Goodrich Road. SBL's 58.00-4-35.111 & 58.00-4-35.121.

The applicant is requesting final Plat approval for Phase 8 consisting of consisting of 25 residential building lots and the road dedication of approximately 1,143 linear feet of Spaulding Green Parkway

The Town Board has final approval authority to approve a Final Plat.

Michael Plyter

This is located at 5605 Kraus Road, east side of Kraus Road and north of Greiner Road. It is a 7-acre parcel in the Agricultural Rural-Residential Zone Containing a residence and detached accessory structure.

The applicant is requesting Local Historic Landmark designation of the property.

The Town Board has the authority to schedule a Public Hearing to consider this request.

Lawrence Tschopp

This property located at 10830 Main Street is on the north side of Main Street and east of Salt Road. It's an existing 2.4-acre parcel in the Hollow Traditional Neighborhood District.

The applicant is requesting Local Historic Landmark designation of the property. The Clarence Historic Preservation Commission has reviewed it and has recommended the designation.

The Town Board has the authority to schedule a Public Hearing to consider this request.

Visone Co. Site Development, LLC.

The location for this property is 8560-8574 Main Street. It's at the north side of Main Street and the east end of Harris Hill Road. It is 6 existing parcels totaling approximately 7-acres in the Traditional Neighborhood District and Residential Single-Family zone.

The applicant is requesting Public Hearings to consider Rezoning from Residential Single-Family to Traditional Neighborhood District, and Special Exception Use Permits for a Conceptually approved mixed-use project containing multiple-family housing and commercial

space in structures greater than 10,000 sq ft.

WORK SESSION ITEMS:

Harris Hill Development, LLC.

This property is located at 8450 Sheridan Drive on the north side of Sheridan Drive and west of Harris Hill Road. This is an existing 14.8-acre parcel in the Commercial and Restricted Business zones.

The applicant is requesting a Public Hearing to consider a Special Exception Use Permit for a Conceptually approved mixed-use project containing multiple-family housing and commercial space. The project consists of the following:

- 3 mixed-use buildings, each containing 8,065sq. 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.

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

Dynabrade, Inc.

This property is located at 8989 Sheridan Drive. South side of Sheridan Drive, west of Main Street. It is an existing 15.7-acre property located in the Commercial zone.

The applicant is requesting preliminary Conceptual review of an approximately 40,000sq. ft. light manufacturing and office addition to the rear of the existing facility. The addition would be constructed with CMU block, and also contain new loading bays.

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

Love Your Dog, Inc.

This property is located at 8625 Transit Road at the southeast corner of Transit Road and Tonawanda Creek Road. It's an existing 1.30-acre parcel.

The applicant is requesting a renewal of a Temporary Conditional Permit (TCP) for a pet care facility. The Town Board granted a 6-month extension of the TCP due to non-compliance of conditions of approval. During this 6-month period, the applicant was to comply with conditions of approval, and bring the site and operation into conformance.

The Town Board has the authority to consider this request.

DC Landscaping & Design, Inc.

Located at 7615 Goodrich Road east side of Goodrich Road south of Delaware Road. This is an existing 37.61-acre vacant parcel in the Agricultural Flood Zone.

The applicant is requesting a renewal of their Temporary Conditional Permit (TCP) for a landscape business as an expanded home occupation. The applicant hasn't submitted anything to the Planning Office yet.

The Town Board has the authority to consider this request.

Buffalo AutoSpa

This is an existing .60-acre parcel located at 8870 Sheridan Drive and Shimerville Road. This parcel is located in the Restricted Business zone containing a converted gas and station service.

The applicant is requesting renewal of a Temporary Conditional Permit (TCP) for an automotive detailing operation. The applicant has made site improvements with curb cut removal and pavement. To date they have not yet completed other requirements such as landscaping and structure improvements. Signage has been installed without permits and they are currently in the violation process.

The Town Board has the authority to consider this request.

TOWN BOARD REPORTS:

Supervisor Patrick Casilio

- Motions to set Public Hearings.
- Motion to send Patrol Officers to training in Rochester with a vehicle.
- Budget was turned into Town Board and kept under the tax cap.

- Per Town Engineer Tim Lavocat there was a reduction in the electrical part of the scope for the rooftop units. There will be a \$9000.00 credit on the project.
- Tim said the Memorial capstone showed up cut to the wrong radius so they will need to be replaced and that will need no cost time extension.
- Committee went to meeting on recreation center. Tim states there will be 6 pickleball, 2 basketball, 2 volleyball and a 30ft extension for offices, bathrooms and storage. The building is expandable if they want to add anything in the future.

Councilman Peter DiCostanzo

- Residential Single-Family permits show 9 for July and 4 for August. So far there are 56 total for the year.
- Motion for Mary Morris to do online trainings and to attend a seminar.
- Motion for Court to increase their petty cash from \$100.00 to \$150.00.
- The Parks department added 2 new laborers.
- Tim Lavocat talks about progress on the Fogelsonger park. Tim says things are going well, sidewalks should be wrapping up the next week or so. The painting the courts and the fencing is ongoing. Everything is on schedule.

Councilman J. Paul Shear

- Motion for leaf and guards. The cost will be \$3600.00. It will be taken out of the Legal budget.
- David Bowers for summer planning.

Councilman Daniel Michnik

- Motion for Youth member to become full member.
- Historical Society is having a Halloween party October 12th 11-3.
- Youth Bureau Halloween event is October 25th at the Nature Center from 5-7.

Motion by Supervisor Casilio, seconded by Councilman Shear, to adjourn the work session at 9:57a.m.

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

Janel A. Farolino
Deputy Town Clerk

Regular meeting of the Town Board of the Town of Clarence was held on Wednesday, October 8, 2025 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 10:04 a.m.

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

Motion by Councilman DiCostanzo, seconded by Councilman Shear to approve the Work Session and Town Board meeting minutes of September 24, 2025.

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

Motion by Supervisor Casilio, seconded by Councilman Michnik to approve two (2) Special Patrol Officers, Scott Piel and Robert Ellis, to attend the 3rd Annual Preventing Targeted Violence Symposium at the Monroe Community Hospital in Rochester, New York Wednesday October 15, 2025. This symposium is co-sponsored by the Monroe County Sheriff's Office and the Rochester Threat Advisory Committee (ROCTAC).

On the question, the request includes wage compensation and reimbursement of breakfast and lunch as it is not included. There is no cost to attend the symposium. Special Patrol Officers will have use of a Special Patrol Officer Town Vehicle.

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

Motion by Supervisor Casilio, seconded by Councilman Shear to approve Change Order No. 1 to the Contract between the Town of Clarence and the Betlem Service Corporation for the Police and Court Rooftop Unit Replacements Project in the total deduction amount of \$9,000.00.

On the question, this Change Order is for the reduction in the electrical scope for the project.

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

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo to approve a forty-five (45) day no-cost contract time extension for the Veterans Memorial Improvements Project Contract between Wayside Nursery, Inc. and the Town of Clarence.

On the question, this contract extension is for unforeseen finish material delivery delays.

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

Motion by Supervisor Casilio, seconded by Councilman Michnik that the Town is authorized to contract with Zoladz Construction, Inc of Alden New York to remove and replace the failed and deteriorated storm sewer system on Woodside Drive due to exigent circumstances. The Town Board hereby approves payment to Zoladz Construction, Inc. in the amount of \$62,813.16 per the provided cost proposal dated October 3, 2025. Payment will be authorized upon the complete installation of a new storm sewer collection system including all associated restoration work.

And further, the Highway Department is authorized to purchase the primary materials at New York State Contract pricing for installation by Zoladz Construction, Inc. in the amount of \$17,211.34.

On the question, this is to be paid by allocating Drainage Fund Balance to Account 7.8540.4340 Professional Services due to the exigent circumstances.

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

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo the Town Board hereby authorizes the Town Supervisor to execute an agreement with the County of Erie for Snow Removal and Ice Control. The agreement will run from the period of September 1, 2025 through August 31, 2028.

On the question, the agreement may be extended at the request of the County with the approval of the Town of Clarence. The agreement is available in the Town Attorney's Office.
Upon roll call – Ayes: All; Noes: None; Absent: Councilman Altieri; Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to approve the request for Town of Clarence Assessor Mary Morris to attend two (2) virtual training courses sponsored by the New York State Assessors Association on Professional Development which are required for Assessor Certification.

Course One: is a date to be announced and will be a cost of \$60.00.
Course Two: November 3rd, 5th, 10th, 12th, 14th at a cost of \$495.00.

On the question, the total cost for both courses are \$555.00 and the funds are available within the 2025 Assessors Budget.

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

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to approve the request for Town of Clarence Assessor Mary Morris to attend a virtual training course on Creating a Valuation Factor File on Friday October 17, 2025. This virtual course is sponsored by the New York State Assessors Association and Assessor will receive education credit.

On the question, the cost for this course is \$120.00 and the funds are available within the 2025 Assessors Budget.

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

Motion by Councilman DiCostanzo, seconded by Councilman Shear to increase the petty cash amount in the Town of Clarence Justice Court to \$150.00 for each Town Court Justice.

On the question, the petty cash was previously approved at the Organizational meeting for \$100.00 for each Town Court Justice.

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

Motion by Councilman DiCostanzo, seconded by Councilman Michnik at the request of the Parks Department Superintendent Jason Holden, he recommends the appointment of the following two (2) individuals to the open position of Laborer Full-Time at the budgeted rate of \$28.1262 per hour, both with a start date of October 20, 2025, subject to all pre-employment paperwork and requirements being met as per the Blue-Collar Unit #6771 contract regulations:

Anthony Sweeney

Jake Sweeney

On the question, Councilman DiCostanzo stated that these are twins and incredibly hard workers who come very well recommended. We will now have five Sweeney boys working for the Town, all of having really good work ethic.

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

Councilman DiCostanzo mentioned Fogelsonger Park, thanking Tim Lavocat for all the work he has done there. Someone had asked what was happening over there, Supervisor Casilio did write a column that was in the Clarence Bee a couple of months ago. For anyone who missed that article, they are adding a parking lot up front with landscaping, two pickleball courts, two tennis courts and a basketball court. The pavilion has been redone and is completed, parking to the West has been extended, adding a walkway to the church parking lot as well as the parking at the end of Glennwood is being improved. Additional updates with in the playground and maybe, someday, the wooden playground from Harris Hill being moved there as well. The Park will be fantastic once everything is completed, there are a lot of people in that area and it gets a lot of foot traffic.

Councilman Shear mentioned that at the Nature Center on September 25, 2025 there was a presentation on owls with various walks on the trails. The event was well attended.

Councilman Michnik stated that October 12, 2025, Fallfest at the museum from 1:00 p.m. until 3:00 p.m. at the Town Park on Main Street. October 14, 2025 at the Clubhouse on Main Street there will be a presentation at 7:00 p.m., The Spirit of Buffalo. John O'Hare will additionally be having a presentation next month at the Clubhouse, details to come.

Supervisor Casilio added one additional motion as follows.

Motion by Supervisor Casilio, seconded by Councilman Shear to approve the contract with Switala Siding and Cedar Inc. for gutter and down spout improvements at the Clarence Nature Center in the amount not to exceed \$3,600.00.

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

Karen Hawes, Town Clerk stated that there are 4 ½ days left to pay your School Tax Bills to be considered on time payments. Monday October 13, 2025 is Columbus Day and the Town Hall will be closed. Residents can utilize the deposit box to the right of the main entrance on the brick wall to leave payments and if you have any questions, please call the office.

Lawrence Meckler, Town Attorney presented the public hearing to consider the application of Spectrum Northeast, LLC for the renewal of Charter Communications, Inc for a 15-year agreement. This proposal would increase about 40 percent of fees that Spectrum will provide to Town.

A representative was not present, she emailed the Supervisor this morning as she was not feeling well.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to close the public hearing.

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

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

An application has been duly made to the Board of the Town Board of the Town of Clarence, County of Erie, New York, by Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications, Inc. ("Charter"), a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 2604 Seneca Avenue, Niagara Falls, NY 14305, for the approval of a renewal agreement for Charter's cable television franchise for fifteen (15) years commencing with the date of approval by the Public Service Commission.

The franchise renewal agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing was held in the Town of Clarence, New York on October 8, 2025 at 10:15A.M. and notice of the hearing was published in the Clarence Bee on September 25, 2025. NOW, THEREFORE, the Town Board of the Town of Clarence finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Town Board of the Town of Clarence hereby grants the cable television franchise of Spectrum Northeast, LLC and the Town of Clarence for fifteen (15) years commencing with the date of approval by the Public Service Commission and expiring fifteen (15) years hence.

BE IT FURTHER RESOLVED that the Town Board of the Town of Clarence hereby confirms acceptance of this franchise renewal agreement.

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

Annual Community Development Block Grant Program to consider potential funding needs for the Federal Community Development Block Grant (CDBG) request. Based on comments received, the Town has currently identified the following projects for consideration:

- a) Sidewalk ADA Intersection Improvements
- b) Rural Transit Services, Inc.

The sidewalk ADA Intersection Improvements in the Hidden Ponds neighborhood and greater Clarence Center area. This would include ADA compliant ramps and access ways to the existing sidewalks. Thank you to our Engineering Department, we do have a budget for this project \$155,200.00, the grant application maximum is \$150,000.00, with a \$5,200.00 match from the Town of Clarence. The second project is consistent to prior years where the Supervisor will certainly speak to the importance of this program. The Town Board has authority to act after holding this public hearing.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to close the public hearing.

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

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

WHEREAS, the Clarence Town Board is desirous to provide services to low- and moderate-income persons who reside in the Town of Clarence; and

WHEREAS, the Clarence Town Board set a public hearing for October 8, 2025, at 10:20 a.m. to provide an opportunity for public input to the citizens of the Town to express community development and housing needs and possible projects that would benefit low- and moderate-income persons residing in the Town; and

WHEREAS, the Clarence Town Board will consider and submit all projects that qualify for the Community Development Block Grant program for CDBG funds; and

NOW, THEREFORE BE IT,

RESOLVED, that a meeting of the Clarence Town Board duly convened on Wednesday October 8, 2025, a public hearing was held, and after all interested parties having been heard, the Clarence Town Board hereby authorizes Patrick Casilio, Supervisor of the Town of Clarence, Erie County, New York, to sign, submit and execute a contract with the Community Development Block Grant (CDBG) for the following projects upon approval of CDBG:

- 1. Sidewalk ADA Intersection Improvements
- 2. Rural Transit Services

RESOLVED, that upon approval of the application for financial assistance, the Town will make available up to \$5,200.00 in matching funds from the Town's General Fund Appropriations to satisfy the requirements of the funding program.

On the question, Jonathan Bleuer added, to the first priority of the sidewalk ADA compliance, this was at the request and suggestion of the neighborhood. We are aware of an individual who is handicapped and has a challenging time accessing the existing sidewalk.

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

Spaulding Green Subdivision SBL's 58.00-4-35.111 & 58.00-4-35.121. North of Greiner Road, east of Goodrich Road. Previously approved 405-lot subdivision in the Residential Single-Family zone on approximately 400 acres. The applicant, Natale Builders, is requesting final plat approval for Phase 7B, consisting of 19 residential building lots and the road dedication of approximately 1,045 linear feet of Longleaf Trail and 298 linear feet of Spaulding Green Parkway. Per the Zoning Law, the Town Board has final approval authority to approve a Final Plat.

Ken Zollitsch of GPI was present on behalf of the applicant to answer any questions. We are seeking dedication and Final Plat approval, this is the second part of this phase and falls into conjunction with phase 8 of this project to pretty much wrap this project up. The requirements and documentation needed by the Town has been taken care of today.

Supervisor Casilio congratulated them on the connection of Green Valley, looking like it was always supposed to be there.

Timothy Lavocat stated that it has not been dedicated yet to be open but it has been substantially constructed.

Supervisor Casilio stated that he is thinking ahead that the barricades will be taken down with no announcements once it is ready to be opened. Congratulations on a great project, what Dominik has done for the Town on our first Open Space design major project. This has been very successful for the people who live there, the Town and our residents.

Motion by Councilman Shear, seconded by Councilman Michnik that the Town Board hereby approves the request of the applicant, Spaulding Green Subdivision – Natale Builders, for Final Plat Approval for of a previously approved Major Subdivision, SBL 58.00-4-35.111 and SBL 58.00-4-35.121, consisting of 19 sublots and the road dedication of approximately 1,045 linear feet of Longleaf Trail and 298 linear feet of Spaulding Green Parkway, in the Residential Single-Family 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 Spaulding Green Subdivision
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 building 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.

On the question, Councilman Shear asked the applicant if he had heard, understands and agrees with the conditions.

Ken Zollitsch replied, yes.

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

Spaulding Green Subdivision SBL's 58.00-4-35.111 & 58.00-4-35.121. North of Greiner Road, east of Goodrich Road. Previously approved 405-lot subdivision in the Residential Single-Family zone on approximately 400 acres. The applicant, Designer Homes, is requesting final plat approval for Phase 8, consisting of 25 residential building lots and the road dedication of approximately 1,143 linear feet of Spaulding Green Parkway. Per the Zoning Law, the Town Board has final approval authority to approve a Final Plat. Dominic Piestrak, who is no longer with us, had a vision for this property many many years ago and I am certain he had no idea how this was going to turn out, nor did any of us know. We appreciated working with him for so many years through the good and the challenging times. We are thankful for this subdivision that I think showed WNY and the greater State of NY, modern design with appropriate amenities and variety, thank you for what he has provided the Town of Clarence.

Councilman DiCostanzo stated that back in 2008 probably we promised the people on Green Valley that that connection would not be made and it would be the final phase of the project. At that time there were people who had little kids who were worried about all the traffic, the kids that they were worried about probably have their own kids now with the project going on for so long. So, after Phase 8, then Green Valley can open.

Jonathan Bleuer stated it can open as soon as it is dedicated to the Town.

Supervisor Casilio stated that I am sure those people there may be ready to even down size now.

Ken Zollitsch of GPI was present to represent the applicant and answer any question. Ken stated that Jonathan covered the project well. I started working on this project 20 years ago, with all the frequent changes wanting to hit the market just right, purchasing premier product for the Town and having a good client who wasn't looking for how many lots can we fit in the area. I think this project turned out great and is a project in some ways I am happy to see completed and in other ways a little disappointed as well.

Stephen Schop was present stating he had been working on the project for only 15 years and it wasn't always easy but with all of the people involved we were able to get through what was very complex and involved project. It wasn't just Dominic, John Buyers, Bruce Buyers, Jim Collins and Susan Greene were the principles of Spaulding Green and all deserve congratulations. Unfortunately, Dominic and Bruce are no longer with us but hope they are happy with what we have done.

Motion by Councilman DiCostanzo, seconded by Councilman Michnik that the Town Board hereby approves the request of the applicant, Spaulding Green Subdivision – Designer Homes, for Final Plat Approval for of a previously approved Major Subdivision, SBL 58.00-4-35.111 and SBL 58.00-4-35.121, consisting of 25 sublots and the road dedication of approximately 1,143 of Spaulding Green Parkway, in the Residential Single-Family 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 Spaulding Green Subdivision
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 building 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.

On the question, Councilman Shear asked the applicant if they have heard, understand and agree to the conditions.

Ken Zollitsch replied yes.

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

Michael Plyter 5605 Kraus Road. East side of Kraus Road, north of Greiner Road. Existing 7-acre parcel in the Agricultural Rural-Residential zone containing a residence and detached accessory structure. The applicant is requesting Local Historic Landmark designation of the property. After a thorough review by the Clarence Historic Preservation Commission, they have recommended designation. The property features a 1931 English Revival, Tudor Cottage. The Town Board has the authority to schedule a Public Hearing to consider this request. Michael & Julie were not able to attend today but will be present for the Public Hearing if the Board will consider it.

Motion by Councilman Michnik, seconded by Councilman Shear to set a public hearing for November 5, 2025 at 10:20 a.m. at the request of Michael Plyter to consider Local Landmark status of the property located at 5605 Kraus Road featuring a 1931 English Revival, Tudor Cottage.

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

Lawrence Tschopp of 10830 Main Street. North side of Main Street, east of Salt Road. Existing 2.4 parcel in the Hollow Traditional Neighborhood District containing a mixed-use building. The applicant is requesting Local Historic Landmark designation of the property. After a thorough review by the Clarence Historic Preservation Commission, they have recommended designation. The property features a 1911 Independent Order of Odd Fellows Hall. The Town Board has the authority to schedule a Public Hearing to consider this request.

Lawrence Tschopp was present at the meeting.

Supervisor Casilio stated that he was glad to bring the building forward having the building still look the way it did back then.

Motion by Councilman Michnik, seconded by Councilman Shear to set a public hearing for November 5, 2025 at 10:25 a.m. at the request of Lawrence Tschopp to consider Local Landmark status of the property located at 10830 Main Street featuring a 1911 Independent Order of Odd Fellows Hall.

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

Visone Co. Site Development, LLC. 8560-8574 Main Street. North side Main Street, east of Harris Hill Road. Six existing parcels totaling approximately 7- acres, located in the Traditional Neighborhood District and Residential Single-Family zone. The applicant is requesting Public Hearings to consider Rezoning from Residential Single-Family to Traditional Neighborhood District, and Special Exception Use Permits for a Conceptually approved mixed-use project containing multiple-family housing and commercial space in structures greater than 10,000 sqft. Three new structures are proposed; two three-story mixed-use structures along Main Street, and one townhome structure at the middle of the site. Two existing structures are to remain, the rear apartment building and the rear portion of the western plaza building. This would result in a total of 49 apartments, 41 newly proposed; and a total of 20,611 sqft of commercial space, 8,801 sqft newly proposed. This proposal was initially on Town Board work session agendas in April and July of 2024. Due to comments received, the applicant and project architect met with the Planning Department and modified the architectural style of the proposed mixed-use buildings. The proposed buildings now feature gable pitched roofs, and a mixture of building materials and façade elements. In September of 2024, the Town Board referred the proposal to the Planning Board. In October of 2024, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). During this time, the applicant addressed comments received, and removed the proposed drive-through facility. In June of this year, the Planning Board issued a Negative Declaration under SEQRA and denial of the Concept plan due to the overall height of the mixed-use buildings. In August, the Zoning Board of Appeals issued variances of 5’8” for the overall height of the mixed-use buildings. In September, the Planning Board issued Concept Plan Approval subject to 17 conditions, and recommendations of Rezoning, Special Exception Use Permits, and Architectural Style. The Town Board has the authority to consider these requests after setting and holding Public Hearings.

Brianne Frawley was present on behalf of the applicant stating that the proposed project is a significant investment to the Harris Hill area. Bring in in a mixed uses development enhancing the area making the area a walkable community.

Supervisor Casilio thanked the owner and all the Town boards that have worked on this project design.

Motion by Councilman Shear, seconded by Councilman Michnik to set a public hearing for November 5, 2025, 2025 at 10:30 a.m. at the request of Visone Co. Site Development, 8560-8574 Main Street, to consider Rezoning from Residential Single-Family to Traditional Neighborhood District for a mixed-use project containing multiple-family housing and commercial space.

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

Motion by to set a public hearing for November 5, 2025 at 10:35 a.m. at the request of Visone Co. Site Development, 8560-8574 Main Street, to consider Special Exception Use Permits for a mixed-use project containing multiple-family housing and commercial space in structures greater than 10,000 square feet.

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

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to approve the applications as follows: Clubhouse: Clarence Girls Volleyball November 13, 2025; Legion Hall: Renda AlNaji October 19, 2025 and we had one addition for the Clubhouse.

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

Motion by Councilman DiCostanzo, seconded by Councilman Shear to approve the bill pay of September 25, 2025 as follows: General Funds \$199,177.60; Highway Funds \$70,066.55; Drainage Funds \$278.31; Sewer Funds \$610.16 and Capital Funds \$21,465.60 for a total bill of \$291,598.22.

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

There being no further business, Supervisor Casilio continued the meeting to discuss the Agreement between the Town of clarence and Blue-Collar Unit of Local 815 at 10:50 a.m.

Karen Hawes
Town Clerk

Motion by Supervisor Casilio seconded by Councilman Shear to enter into Executive Session to discuss Employment history at 11:35 a.m.

Meeting adjourned at 12:35 p.m.