

The Work Session meeting of the Town Board of the Town of Clarence was held on Wednesday September 24, 2025 at the Clarence Town Hall, One Town Place, Clarence, New York.

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

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

Director of Community Development - Jonathan Bleuer

PUBLIC HEARINGS:

Severyn Development, Inc.

This property is located at 9585 The Maples. It is an existing personal home with a .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 a Public Hearing.

Pro-Cut Property Services, LLC.

This property is located at 8325 Transit Road. East side of Transit Road, south of Tonawanda Creek Road. It has been operating illegally. It's 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 Temporary Conditional Permit to operate a landscape business. 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 holding a Public Hearing.

Value Turf, LLC.

This property is located at 8337 Sheridan Drive. South side of Sheridan Drive, east of Helenwood Drive. It 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, John Leising, is requesting a Temporary Conditional Permit to operate an implement sales and service business, and expand the existing detached accessory structure for business storage. The building addition is proposed to be 2,400sqft and located on the south side of the existing detached accessory structure.

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

FORMAL AGENDA ITEMS:

RMI Properties, LLC.

This property is located at 10594 Main Street on the north side of Main Street, west of Bank Street. It's an existing 0.27-acre vacant parcel located in the Hollow Traditional Neighborhood District.

The applicant Scott Irish-Bronkie is looking for consideration for a Special Exception Use Permit or a Temporary Conditional Permit for the installation and operation of a dog memorial park. A fenced-in off-leash area with lighting and pet water stations is also proposed, accessed via a bridge over Ransom Creek.

Annual Excavation Permit Renewals

Proposal: Consider the annual renewal of the following excavation permits:

- A. New Enterprise/Buffalo Crushed Stone, 8615 Wehrle Drive
- B. Lakeside Sod, 6660 Goodrich Road
- C. Michael Development, 10001 Wehrle Drive
- D. Michael Development, 10051 Wehrle Drive

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

WORK SESSION ITEMS:

Visone Co. Site Development, LLC.

This property is located at 8560-8574 Main Street east of Harris Hill Road. This is a six-parcel location with approximately 7-acres. It is located in the Traditional Neighborhood District and residential Single-Family Zone.

The applicant is requesting Public Hearings to consider Rezoning for 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.

The Town Board has the authority to consider these requests after setting and holding Public Hearings.

Supervisor Casilio asks if the unused signs will be cleaned up and the representative for Visone Co. nods her head yes.

Paul Shear asked if anything would be done with the parking lot n the back, Jonathan Bleuer said no it will be left as it is.

Spaulding Green Subdivision

The properties SBL's 58.00-4-35.111 & 58.00-4-35.121 are north of Greiner Road and East of Goodrich Road.

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.

Per the Zoning Law, the Town Board has final approval authority to approve a Final Plat.

Spaulding Green Subdivision

The properties SBL's 58.00-4-35.111 & 58.00-4-35.121 are north of Greiner Road and East of Goodrich Road.

The applicant 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.

Michael Plyter

This property is located at 5605 Kraus Road, north of Greiner Road. It is an existing 7-acre parcel containing a residence and detached accessory structure.

The applicant is requesting Local Historic Landmark designation. After review by the Historic Preservation Commission, they have recommended redesignation.

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

Lawrence Tschopp

This property is located at 10830 Main Street, the north side of Main Street and east of Salt Road. This is an existing 2.4-acre parcel containing a mixed-use building.

The applicant is requesting Local Historic Landmark designation. After review by the Historic Preservation Commission, they have recommended redesignation.

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

TOWN BOARD REPORTS:

Supervisor Patrick Casilio

- Motions to set Public Hearings.
- Motions for Employment.
- Budget turned into Town Clerk.

Councilman Peter DiCostanzo

- Residential Single-Family permits show 9 for July and 4 for August. So far there are 56 total for the year.

Councilman J. Paul Shear

- Motion for fund transfer for trees.

- 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.

Councilman Robert Altieri

- No Motions.
- Thanks, Jason Holden, for a great job done by the Parks Department with the work erecting poles at Beeman Park.
- Thanks, Jamie Dussing for repairing potholes in Library parking lot.

Motion by Supervisor Casilio, seconded by Councilman Shear, to adjourn the work session at 9:28 a.m. and enter into Executive Session pursuant to §105(1) f/h of the Open Meetings Law to discuss employment history and acquisition of real property.

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

Janel A. Farolino
Deputy Town Clerk

Motion by Supervisor Casilio, seconded by Councilman Shear, to adjourn the Executive Session at 10:03 a.m.

Upon roll call – Ayes: All; Noes: None. Absent: None. Motion carried. No action taken.

Regular meeting of the Town Board of the Town of Clarence was held on Wednesday, September 24, 2025 at the Clarence Town Hall, One Town Place, Clarence, New York.

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

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

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to approve the Work Session and Town Board meeting minutes of September 10, 2025.

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

Supervisor Casilio mentioned the five participants online joining the meeting via zoom.

Motion by Supervisor Casilio, seconded by Councilman Altieri for the following:

Whereas, the Northern Erie Sno-Seekers Inc. Snowmobile Club, has requested permission from the Clarence Town Board to use the following Town owned properties for the 2025/2026 Snowmobiling Season as insured New York State Class A corridor snowmobile trails:

1. “West Shoreline” bike path that runs from Salt Road to Davison Road.
2. Allow for parking on the Salt Road Parking area for “Drop and Ride” site.
3. Trail running through Memorial Park between the parking lots and baseball diamond and the northern side of east/west main driveway.
4. Allow for parking on the stone parking lots at Memorial Park between the baseball diamonds and the north side of the main driveway for a “Drop and Ride” site.
5. Begin at Goodrich Road running parallel on the north side of the Peanut Line Bike Path, heading east through the former Thompson property and former Cimato Property into Memorial Park between the parking lots and baseball diamonds on the north side of the east/west driveway
6. Beeman Creek Park Trail to connect the trails on the North side of the Town.
7. Ransom Road Bridge for access to area businesses conditioned on the bridge being protected with rubber matting and the trail being clearly marked and maintained by the Norther Erie Sno-Seekers, Inc.
8. Town owned property north of Greiner and west of Salt with written permission from the lessee, Kreher’ s Poultry Farms with copy of same to the Town.
9. From Strickler Road east to Salt Road as a shared use recreational and snowmobile trail subject to the terms and conditions as provided for in the letter dated September 12, 2025 from Northern Erie Sno-Seekers Snowmobile club.

Resolved, that the Clarence Town Board grants permission to the Northern Erie Sno-Seekers Inc. Snowmobile Club for the use of the above Town owned property subject to the following conditions:

1. The Northern Erie Sno-Seekers Inc. Snowmobile Club is to provide the Town of Clarence with a certificate of insurance naming the Town as an additional insured on the Northern Snow Seekers, Inc. Snow Mobile Club’s insurance and name the above areas on said certificate.
2. This use is approved and authorized with the understanding that snowmobiles are allowed only on the right-of-way of the bike path and absolutely not allowed on the paved portions of the bike path except for the use of the bike path from Strickler Road

east to Salt Road pursuant to the terms and conditions as stated in the letter dated September 12, 2025 from the Northern Erie Sno-Seekers Club that is on file with the Town Clerk and the Town Attorney.

- 3. That all trails will be clearly marked with signs and barrels and the path maintained throughout by the Northern Erie Sno-Seekers Inc. Snowmobile Club
- 4. That the season will run from December 15, 2025 to April 1, 2026.
- 5. This approval is for the 2025-2026 term expiring on April 1, 2026 and is to be reviewed on a year-to-year basis upon receipt of the request for use of said properties by the Northern Erie Sno-Seekers and subject to review and approval by the Town Attorney’s office.

On the question, Supervisor Casilio stated that we have been doing this for ten years and have had no complaints. This shows where they are able to park and ride on the Town’s property.

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

Motion by Supervisor Casilio, seconded by Councilman Shear that upon the recommendation of the Highway department Superintendent, John Kelkenberg is appointed to the Full-Time position of Auto Mechanic Crew Chief/Promotional in the Highway Department at Step 1, to be paid at the union rate of \$38.9519 per hour, as per the Town of Clarence Blue-Collar Unit #6771, with a start date of September 25, 2025.

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

Motion by Supervisor Casilio, seconded by Councilman Altieri to set Public Hearings to be held on October 22, 2025 to consider entering into contracts with the fire companies for fire protection in the Town of Clarence for the year 2026 as follows:

Supervisor Casilio mentioned this is for 2026 basic firefighting, on top of this the Town of Clarence covers retirement program as well as a level two cancer insurance policy that equates to about \$300,000.00 additional money.

10:15 a.m.	Clarence Center Volunteer Fire Company, Inc. for an amount not to exceed (one year Contract for year 2026)	<u>\$971,699.00</u>
10:20 a.m.	East Amherst Fire Department, Inc. for an amount not to exceed (one year Contract for year 2026)	<u>\$322,067.00</u>
10:25 a.m.	Harris Hill Volunteer Fire Company for an amount not to exceed (one year Contract for year 2026)	<u>\$883,154.00</u>
10:30 a.m.	Rapids Volunteer Fire Company for an amount not to exceed (one year Contract for year 2026)	<u>\$50,395.00</u>
10:35 a.m.	Swormville Fire Company, Inc. for an amount not to exceed (one year Contract for year 2026)	<u>\$269,970.00</u>

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

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo to declare the following vehicle and list as surplus equipment no longer needed for Town purposes and to be removed from the Town’s inventory and sold at auction:

H-21 2010 Ford F150 Pickup Truck - VIN: 1FTNF1EV6AKE39563

Various Surplus Highway Equipment and parts

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

Motion by Supervisor Casilio, seconded by Councilman Altieri for a resolution in support of congressman nick Langworthy’s energy choice act (H.R. 3699, S. 1945) and in opposition to government-mandated natural gas bans.

WHEREAS, affordable and reliable energy is essential to the health, safety, and economic prosperity of New York families, businesses, and communities; and

WHEREAS, natural gas remains a dependable, cost-effective, and clean-burning energy source used by millions of New Yorkers to heat their homes, cook their food, and power their businesses; and

WHEREAS, in 2019, New York State enacted the Climate Leadership and Community Protection Act (CLCPA), which mandates aggressive emissions reductions and serves as the foundation for sweeping energy restrictions, including efforts to phase out natural gas; and

WHEREAS, building on the CLCPA, Governor Kathy Hochul and the New York State Legislature in 2023 enacted provisions in the state budget banning natural gas and other fossil fuel hookups in most new residential and commercial buildings, effective 2026 for smaller buildings, and 2029 for larger buildings, thereby eliminating consumer choice and limiting access to affordable energy; and

WHEREAS, Governor Hochul has publicly supported these bans and related measures as part of her administration’s climate and energy agenda, despite widespread concerns that such mandates will increase costs, strain grid reliability, and restrict energy diversity; and

WHEREAS, these top-down policies undermine affordability, threaten reliability during peak demand, and strip away the freedom of consumers and businesses to choose the energy sources that best meet their needs; and

WHEREAS, Congressman Nick Langworthy of New York and Senator Jim Justice of West Virginia introduced the Energy Choice Act (H.R. 3699, S. 1945), federal legislation that ensures state and local governments cannot restrict consumer access to natural gas and other affordable energy sources, thereby protecting freedom of choice for New Yorkers and all Americans; and

WHEREAS, the Energy Choice Act would safeguard households, small businesses, hospitals, farmers, and manufacturers from harmful government overreach and preserve access to an “all-of-the-above” energy strategy that strengthens reliability and affordability;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Clarence strongly supports the Energy Choice Act as introduced by Congressman Langworthy (H.R. 3699) and Senator Justice (S. 1945) and stands firmly opposed to New York State’s natural gas bans, the CLCPA-driven restrictions, and other state energy mandates that eliminate consumer choice; and

BE IT FURTHER RESOLVED, that the Town of Clarence urges Congress to pass the Energy Choice Act to defend consumer choice, protect energy affordability, and preserve reliable access to natural gas for New Yorkers; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Congressman Nick Langworthy, Senator Jim Justice, the New York Congressional delegation, Senators Chuck Schumer and Kirsten Gillibrand, Governor Kathy Hochul, and leadership of the New York State Legislature.

On the question, Supervisor Casilio stated that I have had meeting with other Town Supervisors, the head of NYS gas and electric and the CLCPA Act is putting a strain on our grid system and upgrades, we don’t have enough power, generated power to support the legislations that are coming from Albany. We don’t have a strong enough grid system to get that power to where Albany wants to put it. There are two phases in the CLCPA where the second phase is even more restricted. A lot of this money is going to be spent down state and we are all going to be paying for it. The electric bill that you have now is more than likely going to double in a few years because of the CLCPA. What is silly about this bill is a lot of people feel, and I have expressed my concerns, they need public service announcements on it and they don’t go public on that. People think the main powers comes from Niagara Falls, it doesn’t, some of it is from Canada as NYS shut down two power plants that burn natural gas. Tell me how this makes sense to not allow home owners to purchase inexpensive natural gas to heat their homes or run generators in a power outage when the plants are.

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

Motion by Supervisor Casilio, seconded by Councilman Michnik to authorize payment in the amount of \$792.00 to the Town of Amherst for Flood Gauge Metering of Tonawanda Creek at Rapids as part of the joint funding agreement with the Town of Amherst.

On the question, the flood gauge at Rapids is monitored remotely in real time by the Town of Clarence to determine flood levels in northern Clarence during flooding events. To be paid from the Joint Drainage Facility Account.

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

Motion by Supervisor Casilio, seconded by Councilman Michnik to update Section 510 Telephone/Cell Phone Usage of the Town Policy to reflect two (2) Part-Time Code Enforcement Officers at a 50% reimbursement.

On the question, currently Town Policy includes one (1) Part-Time Code Enforcement Officer at 50% reimbursement.

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

Motion by Councilman DiCostanzo, seconded by Councilman Shear to approve the Purchase of a R145DR Automatic Tilt Back VSC Tire Machine and Pro Truck 2D Tire Balancer for the Parks Department from Vehicle Service Group in the amount not to exceed \$17,656.29, pursuant to Quote # 2025764 and GSA Contract # GS07F294AA.

On the question, to be paid from the 2025 Parks Budget line 1.7110.279 – Other Equipment.

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

Motion by Councilman DiCostanzo, seconded by Councilman Michnik at the request of the Parks Department Superintendent Jason Holden, he requests approval to send the following three (3) employees to attend a one (1) day Municipal Arborists Tree Academy Workshop at Draves Arboretum, 1815 Sharrick Road, Darien, New York on October 15, 2025 with the use of a town vehicle:

Jeremy Gasiewicz

Steve Moreno

Tyler Skowronski

On the question, the cost per employee is eighty-five dollars (\$85.00) and lunch is included.

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

Councilman DiCostanzo announced that for July and August of 2025, residential single family homes building permits for July were nine (9) and August was four (4) with a total through the end of August of 56 for the year. There is some building going on at Woodland Hills, Spaulding Green and Cannon Woods. This will be in the 80-90% range for the year.

Motion by Councilman Shear, seconded by Councilman Altieri a request to allocate \$8,550.00 from General Fund Balance to the 2025 General Fund Conservation Budget for Town-wide Tree Replacement (001.8730.4006)

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

Motion by Councilman Shear, seconded by Councilman Michnik to appoint David Bowers to the planning position of Junior Planner Part-Time Seasonal Intern effective September 30, 2025, and concluding on December 31, 2025, with a budgeted rate of \$22.1738 per hour, subject to receipt of all pre-employment paperwork and pre-employment requirements being met.

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

Councilman Shear stated that if anyone had missed the Fallfest this past weekend on Saturday in Clarence Center, it was an incredibly evening with my estimate of about 2,000 people. Food trucks were there, the fire department was open, bands, all the restaurants were open, just a remarkable event.

Motion by Councilman Michnik, seconded by Councilman Altieri for a request to approve the updated term date for Bryan Renzoni who serves on the Youth Board from June 30,

2025 to December 31, 2025, as Bryan was approved to transition from a Student Youth Board seat to Adult Youth Board seat at the July 13, 2022 Town Board Meeting.

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

Motion by Councilman Michnik, seconded by Councilman Shear to appoint Katie Gajewski as Dog Control Officer Part-Time at the budgeted rate of pay effective October 6, 2025, pending all pre-employment requirements.

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

Councilman Michnik mentioned that October 12, 2025 there will be an old time Halloween party at the Historical Society on Main Street from 11:00 a.m. to 3:00 p.m. with many events for all. The Clarence Youth Bureau will be having a Halloween Party October 18, 2025 at the Main Street Park with Trunk-or-Treat. Lastly October 4, 2025 the Hollowfest is at the Main Street Park from 12:00 p.m. – 11:00 p.m. with a kid zone put on by the Clarence Youth Bureau.

Councilman Altieri mentioned October 25, 2025 there will be a Halloween Hike at the Nature Center that was well attended last year, looking forward to another great year. I would like to thank Jason Holden and the Parks Department to working with the Conservation Committee to putting in two telephone poles at Beeman Park. Additional thank you to Jamie Dussing and the Highway Department for being proactive and filling the pot holes at the Clarence Library.

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to approve the request for the applicant, The Hollow Hashers Running Club/Thomas Heins, for a Special Event Permit for the “Run Through the Hollow” 5-K Run to be held and starting at the Farmers Market lot at 10717 Main Street on Saturday October 25, 2025 from 10:00 a.m. to 12:00 p.m., subject to meeting all conditions of the Special Event Permit, Memorandum of Agreement and the receipt of the required Certificate of Insurance naming the Town of Clarence as an additional insured from the applicant.

On the question, the Route for the event is as per the submitted map. All the appropriate agencies will be notified including the Clarence Highway Department. The applicant will obtain any permits they may need from Erie County and New York State for use of their highways, if applicable. Street closures are not required and traffic control will be provided by Clarence Volunteer Fire Department and Fire Police Event staff shall be at all crossing to safely direct traffic.

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

Motion by Councilman Shear, seconded by Councilman Altieri to approve the request of the applicant, Brookfield Country Club, for a Fireworks Display Permit for Saturday October 11, 2025 at 5120 Shimerville Road.

On the question, the approval for the Fireworks Display Permits is subject to receipt of all the appropriate paperwork, fees, insurances and fire chief approvals are on file in the Planning and Zoning office.

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

Town Clerk, Karen Hawes advised that all tax payment were mailed out September 15, 2025 and are due October 15, 2025. Per the law weather you receive a bill or not you, as the property owner are still responsible to pay. Fees apply October 16, 2025 at 7.5% so please make sure to pay on time. Columbus Day, October 13, 2025 the office will be closed but you can utilize the deposit box on the brick wall at the main entrance of the Town Hall. Payments that are mailed must be posted marked by the post office appropriately by the 15th to be applied as an on-time payment. We highly suggest not paying through your bill pay online, your bank is safe, however they do not have the appropriate post mark stamp on the envelopes, which means if they are received after the 15th fees will apply.

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 a Public Hearing.

Bill Severyn, of Severyn Development, Inc. and Alisa Gasz, property owner were present to answer any question.

Councilman Shear stated that we are very comfortable with this project and we have no questions.

Sarah D'Auria, a resident, was present stating that she does not understand what the request is so she is unsure of how she feels about the project without getting more information. The information that was provided to me was unclear.

Councilman Shear stated that if you can wait a moment, we will put up floor plans and a street view of the project, you will understand exactly what is being done.

Sarah D'Auria asked if the decision will be made today or do I have time to process everything.

Supervisor Casilio stated in basic terms they are building a large home that does not look like a duplex or apartment building. This is for an in-law apartment that is part of the drawing that we show here. The architectural standards that they are meeting are equal to the existing houses as well as the size of the structure.

Sarah D'Auria asked if it will be a single address or two addresses.

Jonathan Bleuer stated it will be one address, when a new home is built, they are often built with double master suites. When the building department looks at the floor plan and sees that there is a secondary kitchen it requires a minuscule action. It is an action that requires the home owner to deed restrict the property that can never be used for a two-family home. With it having two kitchens the Town never wants to see that get diced in half and become a double. The deed restriction would then be built in for the life of the property, going owner to owner and never be used for rental purposes. The house can be built as is, it doesn't require any variances or setbacks, it truly is the secondary kitchen.

Councilman DiCostanzo stated that what we get very leery of, like Jonathan stated, is when you see a second kitchen that they are trying to build a duplex. This is in a single-family neighborhood and nowadays people are building something for in-laws or sick relatives. This is making people say this is never going to be rented.

Eleanor Fallon, a resident, was present concerned about the in-law component and where that is going to be located as it butts up to our property and the floor plan for the primary property looks quite large as well. I am trying to get a better sense of what that visually looks like with a little bit more time to review this with our neighbors. We would like a better understanding of the function on the home as well as a time line for the construction. I am a little bit worried that the construction on the road as I have three small children and came here for a quite loop and I'm concerned for such a large property with an in-law suite as well.

Supervisor Casilio commented on the construction, stating that there is no reason to delay the construction. When it is time to build it is time to build, which is never a good time. Do you know what your timeline is?

Bill Severyn stated our plan would be to start at the middle to end of October based on final approvals. Then the structure would be up and ruffed in by the end of 2025 with a completion of June or July of 2026.

Supervisor Casilio asked what the square footage was.

Alisa Gasz, the applicant, stated 4,040 sqft.

Supervisor Casilio stated this is not abnormally large as there are 8,000 sqft. homes nearby.

Alisa Gasz spoke to the in-law suite location stating that it will be in the back of the home and nobody would ever even know it is there. It is about 1,200 sqft. per say with a fully wooded lot and the neighbor is about 250 feet away from the lot line.

Bill Severyn added that the intension is for Alisa parents to be there and they do have an understanding of the restrictions.

Alisa Gasz added she has an 83-year-old father that she needs to get out of a two-story house and into a one story that is better suited for him.

Supervisor Casilio asked about the four-bay garage that looks like a three bay.

Jonathan Bleuer asked if there would need to be HOA approval.

Alisa Gasz stated yes and this has already been submitted to the HOA.

Jonathan Bleuer stated they are obviously waiting for this meeting to approve so the residents could additionally speak to the HOA for questions. From the Town's perspective this is a good build on a subdivision lot that wasn't built on for many years. We would honor that regardless of the secondary living aspect.

Supervisor Casilio stated the neighbors have time to get their concerns into the HOA but this is a buildable lot and they have that right to build if they so choose too.

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

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

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

RESOLVED, that after a public hearing duly held on Wednesday, September 24, 2025, and after all interested parties having been heard, the Clarence Town Board approves the request of the applicant, Severyn Development, for a Special Exception Use Permit to allow for the construction of an attached secondary living unit as part of new home construction at 9585 The Maples in the Planned Unit Rural Residential zone subject to the following conditions:

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

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

Councilman Shear asked if the applicant has heard, understand and accepts the conditions.

Bill Severyn and Alisa Gasz replied yes.

Supervisor Casilio added this is guaranteeing the neighbors that this property will not become a duplex.

Upon roll call – Ayes: All; Noes: None; Absent: None; 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 Temporary Conditional Permit to operate a landscape business. 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 holding a Public Hearing.

Andrew Yaeger was present for any question.

Councilman Shear stated that this project has been thoroughly reviewed by the Planning Board and the applicant has been very accommodating.

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

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

Motion by Councilman Michnik, seconded by Councilman Altieri resolved, that after a public hearing held at the duly convened Town Board meeting on Wednesday, September 24, 2025, and after all interested parties having been heard, the Clarence Town Board, hereby, approves the request of the applicant Pro-Cut Property Services, LLC, for a Temporary Conditional Permit to operate a Landscape operation at 8325 Transit Road, in the Restricted Business zone, subject to the following conditions:

1. Initial permit shall be for a term no greater than one year.
2. Applicant meeting any requirements of the Town of Clarence Engineering, Building, and Fire Inspector, and any associated conditions.
3. Any future proposed site or structure modifications subject to Town review.
4. Detached accessory structure and site shall be maintained, in perpetuity, and any deficiencies shall be repaired or replaced in kind.
5. Dumpsters shall be enclosed with a Town standard privacy fence and door, and the enclosure shall remain closed at all times when not in use. Dumpster service shall occur in conformance with Town Code. No garbage or debris shall accumulate outside of the dumpsters.
6. Drive lanes and yard to be kept in a maintained condition, that prevents excessive dust.
7. No business operation, storage, refuse, or display in front of the dumpster enclosure.
8. All business site lighting shall be dark sky compliant and shielded to prevent spillage onto adjoining properties. No lighting shall be elevated above the roof ridge lines and all lighting shall be turned off no later than one hour after business hours except for any necessary building security lighting.
9. Any temporary stockpile of job materials, such as wood and stone, shall be located in their respective locations and contained within bin blocks as dimensioned and depicted on the approved plan. No dumping of grass clippings or off-site snow shall be permitted on the property.
10. No additional future business operations or operators unless reviewed and approved by the Town.
11. Any future permanent signage will be subject to review and approval by the Sign Review Committee, and any temporary signage subject to review and approval by the Office of Planning and Zoning.

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

Andrew Yaeger replied yes.

Upon roll call – Ayes: All; Noes: None; Absent: None; 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, John Leising, is requesting a Temporary Conditional Permit to operate an implement sales and service business, and expand the existing detached accessory structure for business storage. The building addition is proposed to be 2,400 sqft and located on the south side of the existing detached accessory structure.

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 holding a Public Hearing.

John Leising was present to answer any questions.

Supervisor Casilio stated that the concern is with sales of lawn mowers or anything at the road.

John Leising stated he will not be doing that.

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

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

Motion by Councilman DiCostanzo, seconded by Councilman Michnik resolved, that after a public hearing held at the duly convened Town Board meeting on Wednesday, September 24, 2025, and after all interested parties having been heard, the Clarence Town Board, hereby, approved the request of the applicant Valu Turf, LLC, at 8337 Sheridan Drive, for a Temporary Conditional Permit for the addition to a detached accessory structure for business storage and operation, in the Restricted Business and Residential Single-Family zones, subject to the following conditions:

1. Initial permit shall be for a term no greater than one year.
2. Applicant meeting any requirements of the Town of Clarence Engineering, Building, and Fire Inspector, and any associated conditions, prior to any permits being obtained for the detached accessory structure addition.
3. All structures and site shall be maintained, in perpetuity, and any deficiencies shall be repaired or replaced in kind.
4. No exterior business lighting shall be freestanding, or elevated above the roof ridge line. Any building lighting shall be turned off no later than one hour after business hours except for any necessary security lighting. All lighting shall comply with Town Code, be dark sky compliant and shielded to prevent spillage onto adjoining properties.
5. No business activity or outside storage to occur on the property outside of the area called out on the approved plan. Outside storage in this area to be limited to personal and business items as listed in the assurance letter from the applicant, dated August 15, 2025, and shall not contain business inventory for sale.
6. No business display, or display of items for sale on the property.
7. Access and parking areas to be maintained to prevent excessive dust to adjacent properties.
8. Existing vegetative buffer to the south shall not be disturbed without review and approval by the Town.
9. Beyond that of implement sales and service within the detached accessory structure, no additional future business operations or operators without proper application made by the applicant and review and approval by the Town.
10. Any permanent signage will be subject to review and approval by the Sign Review Committee, and any temporary signage subject to review and approval by the Office of Planning and Zoning.
11. Subject to Open Space, and any other applicable fees as required by Town Code.

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

John Leising replied yes.

Supervisor Casilio added that this is a one-year permit so if there are any complaints this could affect you in the future.

Councilman Shear stated the applicant has been very accommodating.

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

RMI Properties, LLC. at 10594 Main Street, north side of Main Street, west of Bank Street. An existing 0.27-acre vacant parcel located in the Hollow Traditional Neighborhood District. The applicant, Scott Irish-Bronkie, is requesting consideration of a Special Exception Use Permit or a Temporary Conditional Permit for the installation and operation of a dog memorial park. Known as Maxi's Memorial Dog Park, the project consists of community space that honors the memory of pets while providing a gathering place for residents and their dogs. A fenced-in off-leash area with lighting/pet water station is proposed, accessed via bridge over Ransom Creek. A referral to the Planning Board would allow for a thorough review and recommendation of this proposal.

Scott Irish-Bronkie was present to answer any question. First and for most this is a memorial park, I live down the street and own all the property up to it. I am on the Clarence Hollow Association and see the Hollow becoming more of a walkable community. Bringing in something like this is going to encourage people to walk, there is nothing like this around the area and is, what I think, a good use of the space. The idea of the park is to have a rainbow bridge where you can put your pets collars on, come to reflect and the life of people bringing in their own pets to the fenced in area. Additionally, there will be a small fenced in area where you can let your pets run inside that large park.

Councilman DiCostanzo mentioned you stated this is walkable, so if people drive, they will just have to park on the street.

Scott Irish-Bronkie stated yes and to my understanding the Town has the allowance of parking on Main Street which in turn encourages them to visit the other businesses.

Councilman Altieri asked if there will be a charge to use the park.

Scott Irish-Bronkie stated no, it will be donation based for us to continue to make improvements to the area. We will incorporate some items to be purchased like memorial stones. In the back where we show a fire pit, we hope to use the foundation that was saved from the building that was knocked down to incorporate that into the landscaping. Looking to hopefully have an eternal flame there with natural gas.

Councilman Michnik asked if people will be able to bring their dog remains there.

Scott Irish-Bronkie stated no.

Councilman Michnik stated the collars on the bridge is very big in Europe right now and I like that idea. Who will maintain this?

Scott Irish-Bronkie stated that he will be.

Councilman Michnik stated that means everything from people not cleaning up after their dogs and the lawn maintenance.

Scott Irish-Bronkie stated that this is a community project, I am getting married next year and plan to raise my family here and live right behind this area. I am here for the long run and have already spent a significant amount of time in the Hollow Association and this is something I want to do for the Community.

Councilman Michnik stated that he is just being honest and asked at what point does it deteriorate where then people are calling the Town with complaints. What do you have as a backup so this doesn't happen to us?

Scott Irish-Bronkie stated that if no one is utilizing it then I would just take the fence down and plant some trees allowing it to go back to a forest. I doubt that that is going to happen, I believe this is going to be a very popular thing.

Councilman Michnik asked if he had sufficient funds to back the concerns and keep the property maintained.

Scott Irish-Bronkie stated that yes, I have funds to back this project for 100 years. I believe that people really care about their pets and this will hopefully be donation based to continue to make improvements.

Motion by Councilman Michnik, seconded by Councilman Altieri to refer to the Planning Board for review and recommendation, the request of the applicant, RMI Properties, LLC at 10594 Main Street. Requests consideration of a Special Exception Use Permit or a Temporary Conditional Permit for the installation and operation of a dog memorial park, in the Hollow Traditional Neighborhood District.

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

Annual Excavation Permit Renewals Consider the annual renewal of the following excavation permits:

New Enterprise/Buffalo Crushed Stone, 8615 Wehrle Drive
 Lakeside Sod, 6660 Goodrich Road
 Michael Development, 10001 Wehrle Drive
 Michael Development, 10051 Wehrle Drive

The Town Board has the authority to consider these requests after setting and holding a Public Hearing. All required paperwork, including up-to-date tax bills, NYSDEC permits, bonding, and necessary fees have been collected by the Planning Office.

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to set a public hearing for October 22, 2025 at 10:40 a.m. to consider the Annual Excavation Permit Renewals for the following:

- A. New Enterprise/Buffalo Crushed Stone, 8615 Wehrle Drive
- B. Lakeside Sod, 6660 Goodrich Road
- C. Michael Development, 10001 Wehrle Drive
- D. Michael Development, 10051 Wehrle Drive

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

Motion by Councilman DiCostanzo, seconded by Councilman Shear to approve the applications as follows: Clubhouse: Republican Party/Bologna October 9, 2025, Clarence School's Family Support Center October 20, 2025, Girl Scout Troop #31093 October 20, 2025. Legion Hall: Michael Andres October 3, 2025, Nicole Blankenship October 12, 2025, Kristen Wangler October 17, 2025, Anthony Greico November 7, 2025, Kristen Wangler November 15, 2025. Nature Center: Girl Scout Troop 30936 Multiple 2025 dates

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

Mary D'Arrigo was present asking questions about the pet memorial, are there insurance requirements? If I bring my dog to the park and another dog attacks my dog how does that work. Is that an owner-to-owner conversation?

Supervisor Casilio stated that is funny you should ask that and I will let our attorney respond to this. I send videos of what happens at dog parks to this board all the time, it is not as romantic as it sounds.

Lawrence Meckler stated that because the property is privately owned, this would not fall to the Town. It would be a lot different if it was Town property.

Mary D'Arrigo asked if that would be part of the requirements from the Planning Board.

Councilman Shear stated that would be up to the property owner.

Councilman DiCostanzo stated that the owner is an LLC so I would think he would have adequate insurance.

Lawrence Meckler stated that this will all come up while the project is in front of the Planning Board.

There being no further business, Supervisor Casilio closed the meeting at 11:12 a.m.

Karen Hawes
 Town Clerk