

The Work Session meeting of the Town Board of the Town of Clarence was held on Wednesday November 19, 2025 at the Clarence Town Hall, One Town Place, Clarence, New York.

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

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

Director of Community Development - Jonathan Bleuer

PUBLIC HEARINGS:

Harris Hill Development, LLC.

This property is located at 8450 Sheridan Drive. It's on the north side of Sheridan Drive and west of Harris hill road. It is an existing 14.8-acre previously disturbed vacant parcel located in the Commercial and Restricted Business zones.

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

- 3 Mixed use building, each containing 8,065sqft of commercial and 11-15 apartments.
- 7 Residential townhouse buildings, each containing 4 units.
- 5 Residential apartment buildings, each containing 4 units.
- 3 Garage buildings, ranging from 8-10 bays each.

This results in a total of 85 residential units and 24,195sqft of commercial space.

FORMAL AGENDA ITEMS:

Robert Bagley

This property is located at 9329 Via Cimato Drive east of Pine Breeze Lane. It is an existing 0.34-acre parcel containing a single-family residence in the Residential Single-Family zone.

The applicant is requesting a Public Hearing to consider a Special Exception Use Permit for an attached secondary living unit. It would be approximately 900sqft.

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

Eurocharged NY

This property is located at 5844 Goodrich Road, south of Brookside Drive. It is an existing .071-acre parcel in the Traditional Neighborhood District, containing a commercial structure.

The applicant is requesting consideration of a Temporary Conditional Permit for an automotive repair and performance business.

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

Charles Pezzino

This property is located at 8750 Main Street west of Overlook Drive. It is an existing 9.6-acre property in the Traditional Neighborhood District and Residential-Single-Family zone. It contains a banquet facility and multiple-family housing units.

The applicant is requesting consideration of a Temporary Conditional Permit for a new outside dining patio bar at Samuel's Grand Manor. The Patio bar would consist of approximately 4800sqft with 3000sqft of seasonally enclosed space.

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

Natale Builders/Brookfield Estates

This SBL 57.16-1-2 is located at the west side of Woodside drive and north side of Greiner Road. It is a previously approved 14-lot Major Subdivision in the Residential Single-Family zone.

The applicant is requesting Final Plat approval, consisting of all 14 residential sublots, and road dedication of approximately 2625 linear feet of Woodside Drive.

Per the Zoning Law, the Town Board has final approval authority to approve a Final Plat. The Engineering Department is in the process of ensuring that the applicant has met the technical and town requirements necessary to consider this action.

Cimato Enterprises, Inc./Woodland Hills

This SBL 70.11-4-3.111 is located on the south side of Greiner Road and east side of Harris Hill Road. It is a previously approved 77-lot Major Subdivision in the Residential Single-Family zone on approximately 58-acres.

The applicant is requesting Final Plat approval of phase 2, consisting of 6 residential sublots, and the road dedication of approximately 614 linear feet of Paul's hideaway.

Per the Zoning Law, the Town Board has final approval authority to approve a Final Plat. The Engineering Department is in the process of ensuring that the applicant has met the technical and town requirements necessary to consider this action.

WORK SESSION ITEMS: None

TOWN BOARD REPORTS:

Supervisor Patrick Casilio

- White Collar Union to be voted on today.
- Motion for a land purchase.
- Going Places van will be parked in garage at Rec Center for the winter month. The SRO vehicles may also be parked there.
- Folgelsonger park paving will begin by the end of the week.

Councilman Peter DiCostanzo

- Drug and Alcohol Policy to cover all Town employees.
- Transfer in Parks.
- Jason Holden will be purchasing a new truck for the Parks Department.
- White collar agreement.
- December 3, 2025 there will be a morning organizational meeting.
- There have been many spam emails within the Town Department and should be forwarded to the Administrator email address.

Councilman J. Paul Shear

- No motions.
- Conservation wants to be involved in all land purchases.

Councilman Daniel Michnik

- No Motions.
- There was a great turnout for the Lion's club event and there were about 20 boxes of food donated.

Councilman Robert Altieri

- No Motions.
- Asks if the town wants a pine tree from Nativity. We can have it if we want to move it.

Motion by Supervisor Casilio, seconded by Councilman Shear, to adjourn the work session at 9:00 a.m. and enter into Executive Session pursuant to §105(1) h of the Open Meetings Law to discuss the 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 10:00 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, November 19, 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 Robert Altieri, Daniel Michnik, Paul Shear, Peter DiCostanzo and Supervisor Patrick Casilio. Other Town officials present were Director of Community Development Jonathan Bleuer, Town Attorney Lawrence Meckler and Town Engineer, Timothy Lavocat.

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to approve the Work Session and Town Board meeting minutes of November 5, 2025.

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

Motion by Supervisor Casilio, seconded by Councilman Altieri to authorize New York State Electric and Gas to activate five (5) LED cobrahead streetlights on Research Parkway per the layout dated October 31, 2025 and upon the complete installation in accordance with all current New York State Electric and Gas details and specifications. The standard, fixture, connection and mount to be owned and maintained by New York State Electric and Gas under the terms and conditions of the Service Class 3 street lighting agreement between New York State Electric and Gas and the Town of Clarence.

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

Motion by Supervisor Casilio, seconded by Councilman Michnik to approve transfer of \$10,000.00 from the Computer Software & Maintenance account, account number 001.1680.4572 to the Computer Hardware and Printer Account, account number 001.1680.0223.

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

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

WHEREAS, the Town of Clarence is committed to providing a safe, healthy, and productive work environment for all of its employees and the general public it serves; and

WHEREAS, drug and alcohol abuse in the workplace is detrimental to the safety, performance, productivity, and morale of employees; and

WHEREAS, the Town has operations that are subject to federal regulations regarding drug and alcohol testing, specifically those employees performing safety-sensitive functions (e.g., operating commercial motor vehicles subject to U.S. Department of Transportation regulations, 49 CFR Parts 40 and 382); and

WHEREAS, the Town desires to establish a formal policy to ensure compliance with all applicable federal and state laws and to provide clear guidelines and expectations for employee conduct regarding alcohol and controlled substances; and

WHEREAS, a comprehensive Drug and Alcohol Policy document, attached hereto as Attachment "A" and incorporated by reference, has been developed to outline prohibited conduct, testing procedures (pre-employment, random, reasonable suspicion, post-accident, return-to-duty, and follow-up), consequences of violations, and available assistance programs;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Clarence as follows:

Section 1. Adoption of Policy. The Town Board hereby adopts the "Town of Clarence Drug and Alcohol Testing Policy" attached as Attachment "A". This policy applies to all employees and, where specified by federal mandates, to employees in safety-sensitive positions.

Section 2. Compliance with Federal Regulations. The adopted policy is intended to meet and comply with all obligations under applicable Federal regulations, including but not limited to the Federal Drug-Free Workplace Act of 1988 and relevant U.S. Department of Transportation (DOT) agency regulations.

Section 3. Implementation and Administration. The Town Supervisor and/or the Director of Administration and Finance are authorized and directed to implement and administer the adopted policy, including providing employee education and supervisor training, distributing the policy statement, and coordinating testing and assistance programs.

On the question, Supervisor Casilio stated that we have excepted the White and Blue Collar contracts, this was in the contract so we are making it a Town Policy to also include our non-union employees.

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

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to approve transfer of funds from the 2025 Parks Department budget in the amount of \$20,000.00 from the Personnel Services – Part-Time account, account number 001.7110.0102 to the Other Equipment account, account number 001.7110.0279.

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

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to accept the quote of October 6, 2025 from West Herr for the purchase of a 2025 Ford F-550 Chassis with 11' Rugby 4-5 Yard Eliminator Dump and 9 ½ ' Stainless Plow for an amount not to exceed \$101,031.93 as they are the lowest quote.

On the question, this will be paid for from Capital Project #105 and the 2025 Parks Budget.

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

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

RESOLVED, that the Clarence Town Board hereby adopts the agreement between the Town of Clarence and the Civil Service Employees Association, Inc., Local 1000 AFSCME, AFL-CIO, Town of Clarence White Collar Unit of Local 815 for the period of January 1, 2026 to December 31, 2029 and authorizes the Supervisor to execute same.

On the question, this approval is contingent on the White-Collar Unit acceptance. Councilman DiCostanzo stated the contract has been accepted they need to conduct a union vote.

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

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to approve change in position from Seasonal Part-Time to Regular Part Time for Kelly Rusin, Recreation Specialist, at the rate of \$20.72 per hour, starting November 12, 2025.

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

Motion by Councilman DiCostanzo, seconded by Councilman Altieri upon recommendation of Recreation Direction Clifford Trapper, to appoint Kelly Klemann to the position of Recreation Specialist Part-Time in the Recreation Department effective November 12, 2025 at the rate of \$20.72 per hour.

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

Councilman DiCostanzo stated that we have an Organizational meeting December 3, 2025 at 8:30 a.m. at the Clarence Town Hall to generally go over the appointed positions in the Town, mostly volunteer based with some paid. We always have opening on these committees so please check the Town's website or contact the Supervisor's Office for information.

Motion by Councilman Shear, seconded by Councilman DiCostanzo to approve Kathleen Lukacz as Clerk Part-Time at the hourly rate of \$18.0717, effective December 8, 2025, upon completion of all pre-employment paperwork and requirements.

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

Councilman Michnik stated that the food bank is still accepting goods and yesterday the Clarence Lion's Club donated about 20 boxes of good to the Clarence Food Bank.

Councilman Altieri stated that the Clarence Lion's Club is working very hard on the new Inclusive Playground on Goodrich Road. They will be soliciting for donations through the mail as well as our network. We are about a 1/3 of the way of collection for the 1.6-million-dollar project.

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to approve the bill pay of November 6, 2025 as follows: General Funds \$176,423.75; Highway Funds \$63,984.43; Water Funds \$922.00; Drainage Funds \$30,568.64; Sewer Funds \$211.24; Capital Funds \$541,030.92 for a total bill pay of \$813,140.98.

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. Legion Hall: Janelle Rosenberry November 23, 2025, Nancy Meyer January 4, 2026, Laura Scarantine January 10, 2026, Karen Smaczniak January 17, 2026, American Legion Post - 2026 Monthly Meetings, Clarence Democratic Committee - 2026 Monthly Meetings, Girl Scout Troop 33441 - 2026 Monthly Meetings, Clarence Girl Scouts Linda Zakrzewski - 2026 Monthly Meetings, Clarence Log Cabin Quilters - 2026 Monthly Meetings. Clubhouse: Conservation Advisory Council December 11, 2025, Clarence Hollow Farmers Market - 2026 Monthly Meetings, Clarence Book Review Club - 2026 Monthly Meetings, Clarence Historical Society - 2026 Monthly Meetings, Log Cabin Quilters - 2026 Monthly Meetings, Garden Friends of Clarence - 2026 Monthly Meetings, Clarence Lion's Club - 2026 Monthly Meetings, Arts and Crafts Society - 2026 Monthly Meetings, Girl Scouts – Linda Zakrzewski - 2026 Monthly Meetings. Nature Center: Conservation Group - 2026 Monthly Meetings.

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

Harris Hill Development, LLC. at 8450 Sheridan Drive. North side of Sheridan Drive, west side of Harris Hill Road. An existing 14.8-acre previously disturbed vacant parcel located in the Commercial and Restricted Business zones. The applicant is requesting 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 8,065 sqft commercial and 11 to 15 apartments.
- 7 residential townhouse buildings, each containing 4 units.
- 5 residential apartment buildings, each containing 4 units.
- 3 garage buildings, ranging from 8 to 10 bays each.

This results in a total of 85 residential units and 24,195 sqft of commercial space. This property previously held Development Plan approval for a mixed-use project containing 80 residential units and 24,800 sqft of commercial space, which become null and void since the amended Concept Plan approval was granted. In February of this year, the Town Board referred this amended proposal to the Planning Board. In April, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). Since that time, the applicant has addressed comments received, planted the required vegetative buffer on the west side of the parcel, and constructed interim drainage improvements on the property. In August, the Planning Board issued a Negative Declaration under SEQRA and denial of the Concept Plan due to the 3rd story element of the mixed-use buildings. In September, the Zoning Board of Appeals issued variances for the 3rd story element of the mixed-use buildings. Also in September, the Planning Board issued Concept Plan approval subject to 25 conditions, and recommendation of a Special Exception Use Permit. The Town Board has the authority to consider this request after holding this Public Hearing.

Sean Hopkins and Ken Zollitsch were present on behalf of the applicant, Sean stated that they have been working on this project for about a decade now where we previously had approval but have gone back to the drawing board as we were asked to address several topics back in the spring. One, providing landscaping along the western edge which we did do with success. Then we were asked to work on temporary drainage on the back portion of the site which has been completed thanks to the Engineering Department and their staff. We were asked to increase the sqft. of the commercial footage now showing three, three story mixed used buildings along the frontage with multi family in the back with two different formats. A Negative Declaration was issued on August 20, 2025. During September's meeting the ZBA allowed a mixed-use three-story building as per the code with only commercial sqft. We went back to the Planning Board where we have Concept Plan of approval and now this is the next step to ask for a Special Exception Use Permit and if granted the we will submit fully engineered plans working with the Engineering Department and the back to the Planning Board for Development Plan approval. I think we have come a long way since earlier this year, I believe we are consistent with the criteria set forth in section 229-126 of the zoning code in terms of density, greenspace etc. We appreciate all the hard work by all of the involved Town Departments to get to this point.

Supervisor Casilio stated we are not rushing this, as you stated we have been working on this for ten years. I will say we are not crazy about three story building but I can say this is a poster child of three-story buildings that are very nice looking. The step look rather than the flat top that you have included are a remarkable design.

Sean Hopkins stated we were asked to enhance the building and that is what we have provided.

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 Shear, seconded by Councilman Altieri, resolved, that after a public hearing held at the duly convened Town Board meeting on Wednesday, November 19, 2025, and after all interested parties having been heard, the Clarence Town Board hereby approves the request of the applicant, Harris Hill Development, LLC, for Special Exception Use Permit, located at 8450 Sheridan Drive, for a mixed-use project containing multiple-family housing and commercial space within structures greater than 10,000 square feet and a cumulative total of greater than 30,000 square feet, in the Commercial and Restricted Business Zones, subject to the following condition:

1. All twenty-five (25) conditions of the Planning Board Concept Plan Approval on October 1, 2025.

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

Robert Bagley at 9329 Via Cimato Drive. South side of Via Cimato Drive, east of Pine Breeze Lane. An existing 0.34-acre parcel containing a single-family residence in the Residential Single-Family zone. The applicant requests a Public Hearing to consider a Special Exception Use Permit for an attached secondary living unit as an addition to the principal structure. The addition is approximately 900 sqft and proposed to be located to the east of the existing home. The application states that the in-law suite will be utilized by an aging mother-in-law. Town Board has the authority to consider this request after setting and holding a Public Hearing.

Robert Bagley was present to answer any questions.

Supervisor Casilio stated that this does not look like a duplex and a lot of times they become rental units in the future which we don't want. Who will be living in the unit?

Robert Bagley stated his mother-in-law. My wife is currently driving back and forth to Cheektowaga to care for her so now she will be with us making it easier. There is no front entrance and it will balance the house making the house look appealing.

Supervisor Casilio stated we have to do a public hearing incase a neighbor wants to say something but like you said this project has checked all the boxes.

Councilman DiCostanzo stated that if one person is moving in your typically see one bedroom but you have two.

Robert Bagley stated that in the original plan two bedrooms were one for each of my in-laws to have their own rooms but since my father-in-law has passed. In the long term, I hope that my wife and I can live there and one of my kids will take over the house.

Motion by Councilman Michnik, seconded by Councilman Altieri to set a Public Hearing for Wednesday January 21, 2026 at 10:15 a.m., to consider the request of the applicant, Robert Bagley at 9329 Via Cimato Drive, of a Special Exception Use Permit for the construction of an attached secondary living unit located in the Residential Single-Family zone.

On the question Robert Bagley asked if the public hearing could be moved up.

Karen Hawes, Town Clerk stated that unfortunately it is too soon for the meeting in December and due to the Holiday's, there is only one meeting. January 7, 2026 is the Organizational Meeting where no public hearings are held so the next meeting is January 21, 2026.

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

Eurocharged NY at 5844 Goodrich Road. West side of Goodrich Road, south of Brookside Drive. An existing 0.71-acre parcel in the Traditional Neighborhood District, containing a commercial structure utilized by a music studio and a vacant warehouse portion to the rear. The applicant, Kyle Whalen, is requesting consideration of a Temporary Conditional Permit for an automotive repair and performance business. The business specializes in European vehicle repair, diagnostics, tuning, and maintenance. All operations are proposed to occur within the rear warehouse. A referral to the Planning Board would allow for a thorough review and recommendation of this proposal.

Supervisor Casilio stated that item number 12 he is a partner on so is recusing himself from the discussion and has a recusal filed with the Town Clerk's Office.

Phil Casilio of P & R Casilio was present as the representative of the owner of the building, with Kyle Whalen, owner of Eurocharged NY, who is the renter of the space. Previously to the warehouse entity that just left, this back space has been a long-time auto service facility. In Clarence Center there are currently other car service facilities in the area as well.

Councilman Shear stated that he is well aware of the history of the building and the past uses of the property. We the Board and the Planning Board have concerns, one there's no outside parking of vehicles, overnight is ok but no extended periods of time. We so not want to see any collision work or painting performed in that building, these are our major concerns. This is a proper use of the building and will do well base on the vehicles you see in the area.

Phil Casilio stated that we both, as the owner and renter, are very aware of the concerns.

Councilman Shear stated that it will be discussed with the Planning Board and then come back to the Town Board.

Councilman DiCostanzo stated that they don't have to anticipate any sales of vehicles.

Kyle Whalen stated that there will be no sales or storage of vehicles outside the building. This is double the size of what we are currently in, in Lancaster so all the vehicles will be kept inside.

Councilman Michnik asked how many cars can be parked in that building to be worked on at any given time.

Kyle Whalen stated that he has four lifts currently and with that size of a building they could fit 15 to 20 cars inside easily with our operation.

Motion by Councilman Shear, seconded by Councilman Altieri to refer to the Planning Board for review and recommendation, the request of the applicant, Eurocharged, NY at 5844 Goodrich Road, consideration of a Temporary Conditional Permit for an automotive repair and performance facility in the Traditional Neighborhood District.

Upon roll call – Ayes: Councilman Altieri, Michnik, Shear and DiCostanzo; Noes: None; Absent: None; Recued: Supervisor Casilio; Motion carried.

Charles Pezzino at 8750 Main Street. North side of Main Street, west of Overlook Drive. Existing 9.6-acre property in the Traditional Neighborhood District and Residential-Single-Family zone, containing a banquet facility and multiple-family housing units. The applicant is requesting consideration of a Temporary Conditional Permit for a new outside dining patio bar at Samuel's Grande Manor, known as the Tavern on Main. The patio bar consists of approximately 4,800 sqft, with 3,000 sqft of seasonally enclosed space planned to the west of the Samuel's front lobby entrance, and 1,800 sqft of patio space to the east of the front lobby entrance. A referral to the Planning Board would allow for a thorough review and recommendation of this proposal.

Charles Pezzino was present to answer any questions and stated that they are looking to have the left side of the building enclosed for access all year round. The east side will be for summer only, we have a private parking lot and there will be about 130 seats inside. It will be an exciting restaurant with garage doors that will open up in the summer time that we feel Clarence can use all year round.

Supervisor Casilio asked if they would ever tent in the right side like Santora's on Transit Road.

Charles Pezzino stated that they would like to put an awning on that side.

Councilman Michnik asked what the time frame was on this project for completion.

Charles Pezzino stated he would like to start in April of 2026 and it would probably take about three months.

Councilman Michnik stated that you are committed to completing this project in a timely manner.

Charles Pezzino stated absolutely.

Councilman Shear asked if they will be serving food and if so full service or bar food.

Charles Pezzino stated there will be bar food as well as dinners for a combination of both. We will be putting in a lot of booths in the back providing a very easy comfortable restaurant where you can go and have a beer after work.

Supervisor Casilio asked if they would be cooking the food in the main kitchen or will they be putting in a second kitchen.

Charles Pezzino stated everything will be cooked in the main kitchen.

Supervisor Casilio stated I think this is a great project and an asset to the Harris Hill area where it is lacking these kinds of venues.

Motion by Councilman Altieri, seconded by Councilman Michnik to refer to the Planning Board for review and recommendation, the request of the applicant, Charles Pezzino at 8750 Main Street, consideration of a Temporary Conditional Permit for a new outside dining patio bar at Samuel's Grande Manor, known as the Tavern on Main, located in the Traditional Neighborhood District.

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

Natale Builders/Brookfield Estates, SBL 57.16-1-22. West side of Woodside Drive, north side of Greiner Road. Previously approved 14-lot Major Subdivision in the Residential Single-Family zone on approximately 58-acres. The applicant is requesting Final Plat approval, consisting of all 14 residential sublots, and the road dedication of approximately 2,625 linear feet of Woodside Drive. Per the Zoning Law, the Town Board has final approval authority to approve a Final Plat. The Engineering Department is in the process of ensuring that the applicant has met the technical and Town requirements necessary to consider this action.

Ken Zollitsch was present on behalf of the applicant as well as representatives from Natalie Builders. As Jonathan stated, especially the project is wrapped up and we are here for Final Plat with the understanding there are a few touch ups that needs to be completed. We are looking for an approval and dedication of the road.

Supervisor Casilio stated the conditions are listed so this isn't pre-approved, are we beyond this?

Timothy Lavocat, Town Engineer, stated that yes there are very few items on Woodside Drive that need to be completed and we have all the paperwork needed.

Motion by Councilman Michnik, seconded by Councilman Altieri hereby approves the request of the applicant, Brookfield Estates – Natale Builders, for Final Plat Approval for of a previously approved Major Subdivision, SBL 57.16-1-22, consisting of 14 sublots and the road dedication of approximately 2,625 linear feet of Woodside Drive, 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 Brookfield Estates 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. No building permits shall be issued until the Conservation Easement, as required, is submitted by the applicant to the Town Planning Office and Town Attorney's Office for review and approval, and once approved by the Town, to be filed in the Erie County Clerk's Office and proof of same is submitted to the Town Attorney's Office.
7. No building permits shall be issued until bonds for any unfinished public infrastructure construction items are provided to and approved by the Town Engineer.
8. Subject to Open Space, Recreation, and any other applicable fees, as required.

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

Ken Zollitsch stated yes.

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

Cimato Enterprises, Inc./Woodland Hills at SBL 70.11-4-3.111. South side of Greiner Road, east side of Harris Hill Road. Previously approved 77-lot Major Subdivision in the Residential Single-Family zone on approximately 58-acres. The applicant is requesting Final Plat approval of phase 2, consisting of 6 residential sublots, and the road dedication of approximately 614 linear feet of Paul's Hideaway. Per the Zoning Law, the Town Board has final approval authority to approve a Final Plat. The Engineering Department is in the process of ensuring that the applicant has met the technical and Town requirements necessary to consider this action.

Jeff Palumbo of behalf of the applicant as well as Ken Zollitsch were present to answer any questions. Jeff Palumbo stated that they are here for Final Plat approval.

Supervisor Casilio congratulated them on this phase of this project and how fast the houses are going up nowadays.

Councilman DiCostanzo stated there are only six now, but what is the time frame for the next phase.

Ken Zollitsch stated they are hoping for submission next year with some more construction.

Supervisor Casilio asked if there was an HOA.

Timothy Lavocat stated there should be as they have to have a common ownership to maintain certain things.

Supervisor Casilio stated I am asking so that moving forward, there isn't an issue with who has to maintain and take care of signage of the project.

Ken Zollitsch stated that the HOA is in existence.

Motion by Councilman DiCostanzo, seconded by Councilman Altieri the Town Board hereby approves the request of the applicant, Cimato Enterprises, Inc, for Final Plat Approval for Phase 2 of Woodland Hills, SBL 70.11-4-3.111, consisting of 6 sublots and the road dedication of approximately 614 linear feet of Paul's Hideaway, 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 Phase 2 of Woodland Hills 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, Recreation, and any other applicable fees, as required.

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

Councilman DiCostanzo wanted to congratulate the fall sports teams of Clarence Central High School for all of the achievements they accomplished.

There being no further business, Supervisor Casilio closed the meeting at 10:46 a.m.

Karen Hawes
Town Clerk