

The Work Session meeting of the Town Board of the Town of Clarence was held on Wednesday November 05, 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. Councilman Robert Altieri was absent. Other Town officials present were Director of Community Development Jonathan Bleuer, and Town Attorney Lawrence Meckler.

Director of Community Development - Jonathan Bleuer

PUBLIC HEARINGS:

Michael Plyter

This property is located at 5605 Kraus Road, north of Greiner Road. It is an existing 7-acre parcel in the Agricultural Rural-Residential zone.

The applicant is requesting Local Historic Landmark designation. They will be here today at the Town Board meeting.

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

Lawrence Tschopp

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

The applicant is requesting Local Historic Landmark designation of the property. After review from the Clarence Historic Preservation Commission, they have recommended designation.

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

Visone Co. Site Development, LLC.

This property is located at 8560-8574 Main Street. It's on the north side of Main Street, east of Harris Hill Road. It contains six existing parcels totaling approximately 7-acres, located in the Traditional Neighborhood District and Residential Single-Family zone.

The applicant is requesting 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 10,000sqft.

FORMAL AGENDA ITEMS:

R&D Contracting Inc.

SBL 70.15-3-19-11 is located on the south side of Sheridan Hill Drive to the current terminus of Boncrest West. It's an existing vacant land of approximately 14-acres located in the Residential Single-Family zone.

The applicant is requesting public road Dedication and Acceptance of the recently converted public t-sub terminus of Boncrest West into a code complaint cul-de-sac circle.

Per the Zoning Law, the Town Board has final approval authority to dedicate and accept this newly constructed cul-de-sac.

WORK SESSION ITEMS:

Robert Bagley

This is located at 9329 Via Cimato Drive. It is on the south side of Via Cimato Drive, east of Pine Breeze Lane. It is an existing .034-acre parcel containing a single-family residence in the Residential Single-Family zone.

The applicant is requesting consideration of a Special Exception Use Permit for an attached secondary living unit as an addition to the principal structure. This addition has no exterior access. The application states it would be utilized by an aging in-law.

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

Supervisor Patrick Casilio has recused himself from the next item and has left the room. Peter Casilio is present for the discussion.

Eurocharged NY

This property is located at 5844 Goodrich Road. It's on the west side of Goodrich Road and south of Brookside drive. It's an existing 0.71-acre parcel in the Clarence center Traditional Neighborhood District.

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.

Paul Shear asks if they are storing anything outside or if there will be any collision or painting done there. He says it wouldn't work in that building.

Peter Casilio stated they have owned this building for over 35 years. When they purchased it, they did have an outside storage area. Then it was leased to a car restoration repair shop. It was auto repair for over 10 years. At Your Care Car Service was then in there for over 10 years. The last 4 years it was leased to Campione, which was all safety equipment. It's a pre-engineered building and not something that can be converted into something more traditional. He introduces Kyle Whalen as the person putting this in front of the Town. He says Kyle plans on painting the facade of the building and doesn't know what his plan is for signage. He plans on restoring the inside of the building and does not do body work inside this facility. He won't be doing any retail and there will be no outside storage. Peter also has some interest as leasing the warehouse space for cannabis. He says it seems to be doing well as it has been used for automotive car facility. Kyle will doing high end automotive.

Kyle says will be servicing European and exotic cars like Audi, Mercedes & BMW. It's double the space he now has in Lancaster so nothing will be outdoors.

Supervisor Patrick Casilio has returned to the meeting.

Charles Pezzino

Located at 8750 Main Street west of Overbrook Drive, this is an existing 9.6-acre parcel in the Traditional Neighborhood District and Residential-Single-Family Zone.

The applicant is requesting consideration of a Temporary Conditional Permit for a new outside dining patio bar at Samuel's Grande Manor. It would flank the entry way. There would be about 3000sqft on the left-hand side and 1800sqft on the right. This would be a seasonal bar space open to the public.

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

Woodland Hills

SBL 70.11-4-3.111 is located on the south side of Greiner Road, east side of Harris hill Road. It was 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 pf 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.

Brookfield Estates

SBL 57.16-1-22 is located on the west side of Woodside drive, north of Greiner Road. This was a previously approved 14-lot Major Subdivision in the Residential Single-Family zone on approximately 58-acres.

The applicant Natale Builders 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 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.

TOWN BOARD REPORTS:

Supervisor Patrick Casilio

- Motion for 2 Laborers to start in the Highway Department.
- Motion for Court Clerk Mary Kelley to attend training in NYC. The travel arrangements will be handled over here at Town Hall.

Councilman Peter DiCostanzo

- Motion to transfer funds into Parks Department.
- Jason and the Parks Department did a great job with the planting of all the trees.

Councilman J. Paul Shear

- No motions.

Councilman Daniel Michnik

- Motion for Dawn Kinney.
- Tuesday night John Ohare is doing a presentation on Clarence.

Motion by Supervisor Casilio, seconded by Councilman Shear, to adjourn the work session at 9:10 a.m. and enter into Executive Session pursuant to §105(1) e/h of the Open Meetings Law to discuss collective negotiations and acquisition of real property.

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

Janel A. Farolino
Deputy Town Clerk

Motion by Supervisor Casilio, seconded by Councilman Michnik, to adjourn the Executive Session at 10:00 a.m.

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

Regular meeting of the Town Board of the Town of Clarence was held on Wednesday, November 5, 2025 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 10:06 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. Councilmember, Robert Altieri and Town Engineer, Timothy Lavocat were absent.

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to approve the Work Session and Town Board meeting minutes of October 22, 2025.

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

Motion by Supervisor Casilio, seconded by Councilman Shear upon the recommendation of Superintendent of Highways, to appoint Dalton Englert to the open Laborer Full-Time position in the Highway Department, effective Monday November 17th, 2025 at the union rate of \$29.1106 per hour and subject to receipt of all pre-employment paperwork and pre-employment requirements being met as per the Blue-Collar Unit #6771 contract regulations.

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

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo upon the recommendation of Superintendent of Highways, to appoint Matthew Baron to the open Laborer Full-Time position in the Highway Department, effective Monday November 24th, 2025 at the union rate of \$29.1106 per hour and subject to receipt of all pre-employment paperwork and pre-employment requirements being met as per the Blue-Collar Unit #6771 contract regulations.

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

Motion by Supervisor Casilio, seconded by Councilman Michnik to approve the request of Town Justice Michael Powers, for Mary Kelley, Court Clerk, to attend the following two (2) Court Clerk Trainings:

1. New York State Association Magistrate Court Clerk (NYSAMCC) Executive Business Meeting in Albany, New York from November 7 – 9, 2025. This request is for wage compensation for November 8 only; all food, lodging, travel expenses are to be paid by NYSMACC, Inc.
2. New York Association of Towns (NYAOT), to attend mandatory training for Court Clerks February 14-17, 2026, in New York City. Mary Kelly will also be teaching and facilitating classes at this conference. Hotel expenses will be covered by NYSAMCC and this request is for meals, and other travel expenses, including round-trip airfare.

On the question, the 2026 NYAOT Conference is on the agenda in 2025 as there is an early bird registration deadline of November 16, 2025 to save significant cost in expenses.

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

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to approve the following transfer of funds in the 2025 Parks Department Budget:

\$23,358.00 from account #001.7110.265- Improvements to account #001.7110.4500 – Repair & Maintenance Buildings & Grounds

\$23,000.00 from account #001.7110.102- Personal Services- Part Time to account #001.7110.4380 – Light, Heat, Power & Water

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

Councilman DiCostanzo mentioned the single-family residential home permits in the month of September being one (1). The total number of homes through September are 57, which seems crazy with all the activity in the town but there may be more in October. This is coming right from the building departments report so it is a true number. Additionally, I wanted to thank

Jason Holden, Parks Superintendent, and his whole crew for planting all the trees they did at Memorial Park. He got a great end of season special and now the bike path near the softball fields are all surrounded by trees as well as along the bike path to provide more shade in years to come.

Councilman Shear mentioned an additional comment about the street trees that they have finished planting this year totaling 298 trees and they will be continuing again next year.

Motion by councilman Michnik, seconded by Councilman Shear for approval for Dawn Kinney, Executive Director of the Youth Bureau, to Attend the Annual Association of NYS Youth Bureaus Director's/Youth Development Training Conference, November 19 and 20, 2025 in Albany, New York. The State Association of Youth Bureaus is covering the registration fee for Directors, one night hotel stay at the Marriott Albany for the evening of November 19, lunch on November 19, breakfast and lunch on November 20. All other reasonable and necessary expenses to be paid by the Town and the use of a Town Vehicle to travel to and from the conference is requested.

On The Question, the cost for the seminar has been budgeted for in the Youth Bureau 2025 departmental budget.

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

Councilman Michnik mentioned John O'Hare will be having a talk about the Pioneer Cemetery on November 11, 2025 at 7:00 p.m. at the Main Street Town Park Clubhouse, make sure to arrive prior to get a seat.

Supervisor Casilio mentioned that the Legion Post 838 will be having a Veteran's Day Event at the Main Street Clubhouse on November 11, 2025 at 11:00 a.m.

Supervisor Casilio introduced the first public hearing for the Preliminary Budget and Special District Assessment Roll for the Town of Clarence for the year of 2026.

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 Supervisor Casilio, seconded by Councilman Shear for the following:

RESOLVED, that after a public hearing duly held on November 5, 2025 and after all interested parties being heard, the Clarence Town Board adopts the Preliminary Budget and Special District Assessment Roll for the Town of Clarence for the year 2026 as the Adopted Budget for 2026.

On the question, Supervisor Casilio stated that the budget was approved by the Town Board. The budget I handed in ended up lowering the tax rate in the Town of Clarence.

Councilman DiCostanzo stated that the General Fund tax rate went down \$0.02.

Supervisor Casilio stated we stayed below the tax cap. One of the Fire Companies mentioned they received 3% from another Town, I want to thank them for staying at the 2% and for what they do in the Town. The Fire Company who stated they received 3%, I verified and he was wrong they got 2% from other towns as well. We have been negotiating with our unions and did come to an agreement with the Blue Collar for the next couple years. Thank you to Kim Ignatowski, Director of Administration and Finance, as well as Lawrence Meckler, Town of Clarence Attorney, for all of your help with the budget. There are several towns that are going way above the tax cap and we try very hard every year to stay at the 2% for our residents and keep the lowest taxes in Erie County.

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

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to approve the Bill Pay of October 23, 2025 as follows: General Funds \$125,085.34; Highway Funds \$65,036.08; Drainage Funds \$138,352.94; Sewer Funds \$151,705.85 and Capital Funds \$47,577.55 for a total of \$527,757.76.

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

R&D Contracting Inc., SBL 70.15-3-19.11 on the South Side of Sheridan Hill Drive to the current terminus of Boncrest West. An existing vacant land of approximately 14-acres

located in the Residential Single-Family zone. The applicant is requesting public road Dedication and Acceptance of the recently converted public t-stub terminus of Boncrest West into a code compliant cul-de-sac circle, with lot line revisions allowing for 2 residential sublots, encompassing an area previously proposed to contain 4 residential sublots, 2 of which were approved. The Boncrest West subdivision extension was originally planned for 24 residential sublots, with a u-shaped public road configuration to Sheridan Hill Drive. The westerly portion of the u-shaped road was constructed, and a total of 14 sublots were approved. The eastern portion of the u-shaped road was never constructed, and 10 of the planned sublots were never approved. The applicant is also currently in the Conceptual review phase of a proposed 2-lot residential Open Development Area on approximately 6.11-acres, with a single private drive access to Sheridan Hill Drive. The 2-lot proposal encompasses an area previously planned for 8 sublots. In summary and total, this would result in the area containing 16 residential sublots, down from the original 24 planned, and 14 approved. This request was first on your agenda in November of 2024. Since that time the applicant has addressed comments received and constructed the cul-de-sac. Per the Zoning Law, the Town Board has final approval authority to dedicate and accept this newly constructed cul-de-sac.

Ken Zollitsch of GPI, was present on behalf of the applicant, Johnathan laid this project out really well and we are just looking for road dedication. Taken what was a previous substandard of a turn around at the end of Boncrest and making it a Town standard cul-de-sac. This has been previewed by the Town Engineering Department as well as the Highway Superintendent.

Councilman DiCostanzo commented that it sounds like it went from a substandard “T” to a substandard cul-de-sac to now a standard cul-de-sac.

Zen Zollitsch replied yes.

Motion by Councilman Michnik, seconded by Councilman DiCostanzo to approve the request of the applicant, R&D Contracting, Inc., for Final Approval for public road Dedication and Acceptance of the recently converted t-stub terminus of Boncrest West, SBL 70.15-3-19.11, into a code-compliant cul-de-sac circle, in the Residential Single-Family zone, subject to the following conditions:

1. All conditions as approved by the Town Engineer.
2. All applicable fees.
3. All documents for the road dedication and any easements are to be submitted to the Town Attorney for review and approval.
4. No building permits shall be issued until the road deeds and easements are filed with the Erie County Clerk’s Office and proof of same is submitted to the Town Attorney’s Office.

On the question, Councilman Shear asked the applicant if he has read, understands and accepts the condition.

Zen Zollitsch replied, yes.

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

Michael Plyter at 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 consider this request after holding a Public Hearing. Additionally, members of the Town of Clarence Historic Preservation Committee were present in the audience, thank you for being here.

Steve Grimaldi & Julie Plyter were present to answer any questions.

Supervisor Casilio stated that the Town Board has been looking at this property and you received recommendation from the Historical Committee.

Councilman DiCostanzo thanked the applicant for bringing this to the board.

Councilman Shear stated this is a beautiful piece of property.

Supervisor Casilio thanked the applicant as well.

Councilman DiCostanzo asked the applicant if they could share any pictures of what they have done with the house once it is completed, would be great.

Julie Plyter stated that there has been a lot of work already.

Motion by Councilman DiCostanzo, seconded by Councilman Michnik 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 to adopt the following resolution:

WHEREAS, the property located at 5605 Kraus Road has been the subject of an Intensive Level Survey as prepared by Clinton Brown Company Architecture, PC; and

WHEREAS, the property at 5605 Kraus Road has been identified to possess special character or historic or aesthetic interest or value, is identified with historic personages, and embodies the distinguishing characteristics of an architectural style or method of construction; and

WHEREAS, The Town of Clarence Historic Preservation Commission has unanimously forwarded a recommendation to officially designate the property located at 5605 Kraus Road as a Historic Landmark within the Town of Clarence; and

WHEREAS, The Clarence Town Board has held a duly advertised public hearing on the proposed designation on November 5, 2025, per the Town of Clarence Town Board Notification Policy.

NOW THEREFORE BE IT

RESOLVED, that the Clarence Town Board, approves the designation of 5605 Kraus Road, a 1931 English Revival Tudor Cottage, as a Local Historic Landmark per the Town of Clarence Historic Preservation Local Law; and be it further

RESOLVED that the affected Site be designated on the Official Zoning Map of the Town of Clarence filed for recording in the Office of the Erie County Clerk.

On the question, Supervisor Casilio thanked members of the Historic Preservation Committee for attending today.

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

Lawrence Tschopp at 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 consider this request after holding a Public Hearing.

Lawrence Tschopp was present to answer any questions.

Supervisor Casilio stated this is a perfect example, the building hasn't changed and is a 500 plus year old building.

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

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

Motion by Councilman Shear, seconded by Councilman Michnik to adopt the following resolution:

WHEREAS, the property located at 10830 Main Street has been the subject of an Intensive Level Survey as prepared by Clinton Brown Company Architecture, PC; and

WHEREAS, the property at 10830 Main Street has been identified to possess special character or historic or aesthetic interest or value, is identified with historic personages,

embodies the distinguishing characteristics of an architectural style or method of construction, and is the work of a designer whose work has significantly influenced an age; and

WHEREAS, The Town of Clarence Historic Preservation Commission has unanimously forwarded a recommendation to officially designate the property located at 10830 Main Street as a Historic Landmark within the Town of Clarence; and

WHEREAS, The Clarence Town Board has held a duly advertised public hearing on the proposed designation on November 5, 2025, per the Town of Clarence Town Board Notification Policy.

NOW THEREFORE BE IT

RESOLVED, that the Clarence Town Board, approves the designation of 10830 Main Street, featuring a 1911 Independent Order of Odd Fellows Hall, as a Local Historic Landmark per the Town of Clarence Historic Preservation Local Law; and be it further

RESOLVED that the affected Site be designated on the Official Zoning Map of the Town of Clarence filed for recording in the Office of the Erie County Clerk.

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

Visone Co. Site Development, LLC. for 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 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 holding these Public Hearings.

Michael Metzger and Brianne Frawley were present on behalf of the applicant.

Jonathan Bleuer was requested to point out on the screen what is existing on the project, what is new and what would be demolished.

Supervisor Casilio asked how much of the single family is being asked to be rezoned.

Jonathan Bleuer stated all of it will be rezoned to village scale TND.

Supervisor Casilio stated that the single family already has a multi-family development already on it with six units in it.

Michael Metzger stated as just mentioned there are three existing buildings on the property right now. One will be demolished, the front portion and then replaced with new structures. The existing building all the way in the back will remain in place with a new building in between those with eight new town homes in it. Currently, there is over 25,000 sqft of commercial space there and eight residential units total on the property. This will be replaced with a lesser amount of commercial space, 20,000 sqft., and 49 residential units. We are going to be making improvements to the property, right now the whole front is wide open asphalt that people can come and go as they please. It will be restricted not to be specific to ingress and egress on the new plan which will be a drastic improvement of traffic flow there. The goal is to

bring the 50's/60's vintage site to a more modern time, improve the viability of the site as the mixed use are not good from a financial stand point. As things change there are different ways of doing things in the world today from 70 years ago. As for the ascetics we are very happy with the buildings that are being proposed and think it will make a drastic improvement to that site. We are looking forward to improving the environmental footprint of the site as well with a brand-new septic system which will be a state of the art sewage system. Safety improvements which we mentioned with the front of the property with a specific entrance. Lastly, the TND zone will be an enhancement. There are multiple steps that have been done for all of this, thorough environmental review, one variance for building height was needed, the concept plan, and the recommendation to this board which we are here today for. We have worked with a multitude of board and agencies to make improvements to this property and are very please with what we have agreed to resulting from the process.

Supervisor Casilio stated the property down below that you want rezoned, it has six people living there already. Is there room for any other structures down there?

Michal Metzger replied no, our storm water management will be there as well at the septic system. We were able to fit things in with a very nice buffer, anywhere from 80 to 150 feet of natural vegetation in the back of the property.

Joan Ollendorf was present stating she is downhill to the woods that slope upward to Main Street. When we purchased the home, we looked at this as our forever home with a very private back yard. We are behind where the old Paula's Doughnuts used to be, just a little to the side. We agree with improving the Main Street area however we are concerned with the height of the buildings, even though they are towards the street, they are three stories high. This could possibly be towering over the trees looking down on our property, destroying the privacy we have. Right now, when we are on our back porch looking up, we see trees and maybe a little bit of the church, when the foliage comes down, we do see a little bit of the building that now exist. We find it very disturbing that with three stories, the people living there will be able to see onto our property. My other concern with the septic and storm water in the back I don't know what that could possibly do as we are downhill from that and if they will be taking out any of the vegetation to accommodate the system, they are putting in.

Carol Conwall was present stating that there is a devil's cave back there that has historic value. No one can go in it but the historic value to Hometown Cleaners.

Supervisor Casilio asked if where it was if it was on Nativity's Church property.

Carol Conwall stated that we need to have that checked and preserved. With the multi-housing, how is that going to affect the school system and will the three stories be taller than the church steeple.

John Ollendorf was present stating not just this property specifically but all the development going on in the Town of Clarence in this area and how is it all going to affect the area. The traffic with this, Tim Hortons, Geiner and Sheridan, what will this do to Harris Hill Road. Will we have backed up traffic plus the schools 15 mph limit we could really have a mess. What I am asking the board to do is not look at one thing at a time look at everything going on as a whole picture to not create something that can't be dealt with.

Tom Steffan was present stating looking at the overheads, this might be early to make this comment but it seems like the project is very tall and could be out of scale compared to the school and church right next door. Yes, this is a 60's development, it is historic being over 50 years, I would just comment that the architectural design of these buildings are mainstreamed and compliment.

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

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

Supervisor Casilio stated that they had a flat top roof like they do in Amherst, we don't want to look like the Town of Amherst so what you see now is what we asked them to do to match the character of the town, we have had input.

Michael Metzger started with the heights of the buildings, we did have buildings that were in compliance with the code, but for all of the reasons just stated there was need to make sure we had something that was more esthetically pleasing. With that said putting the peak roof on rather than the flat roof it put us above the height requirement of the maximum. The max is 40 feet, we are at 45 feet 8 inches to the peak which was discussed thoroughly with the boards and more specifically with the Zoning Board of Appeals who allowed us to go to that height. The church steeple is well over 100 feet tall. Everyone took a really close look at the surrounding area and is felt to be consistent with what exists. The concern with the septic and stormwater at

the back of the property, the septic will be in the same area that it currently is as we will be rebuilding that. As for the stormwater pond, this will fill up but will be emptied in 24 hours, designed properly and looked at by the Town Engineer.

Councilman DiCostanzo asked about the trees by the pond in the Northwest corner, will they be gone.

Michael Metzger stated these will remain in place, towards the front of the site, there will be a loss of some. The closes point will be 80 feet with the furthest being 150 feet. There will be little vegetation loss as we will be leaving most of it in place.

Councilman DiCostanzo asked about the three-story height being several hundreds of feet from the property line.

Michael Metzger stated yes, a few hundred feet and the back side of the building has two windows in it, the focus will be to the east and west. The front building will have some windows on the north side but will be several hundred feet away and have buildings in-between them and the property line as well as the remaining vegetation. For the traffic, we worked with the NYSDOT and the traffic generated for this project, keeping in mid that this is a redevelopment project not a blank slate of property. The traffic for the uses on site today actually exceeds the peek hours and this will actually decrease the amount of traffic with the new entrance.

Jonathan Bleuer stated that there are several steps that need to be taken, first there will be a geotechnical analysis of this property through the development review prosses. They will be investigating not just above surface level but below as well. This will require multiple trips to the Landscape Review Committee to make sure surrounding properties were appropriately buffered. Long range planning, I appreciate the Ollendorf's being here who didn't have the ability to take part in any of the planning efforts that have occurred since 2016. The Town's Comprehensive Plan Clarence 2030 calls out very specifically the objectives for this Town. It was built out of the desires and wished of the community members. We have spent may of occasion in the Harris Hill area and heard the disappointment of the amount of vacancy in their hamlet. The redevelopment of the Village Scale Mixed Use Traditional design and this is what the planning Board feels like they have achieved with the applicant. These would be smaller boutique users that would move into the area and hopes that is what the developer does. Traffic is looked at individually on a project-by-project basis but also looked at comprehensively, consistently. Whenever a traffic study is created, we look at cumulative impact so not just the specific project but the over all trends. When you have very few commercially owned properties in the town, it is important that we reserve the rights of Commercial Development. I would note that the Town of Clarence has one of the most restrictive residential density standards of any community in Western New York, upstate New York. We are a unit per acre and would challenge anyone to look for a parcel of this size and understand the amount of greenspace being preserved from our highly restrictive zoning code. With that there is a lot further to go on this project, but at this stage matters have been addressed.

Supervisor Casilio stated that they are trying to get rid of the Harris Hill vacancy by bringing projects like this forward. The buildings across the street are very close to the height of this project. The Engineer is not here to answer the stormwater question, but you are not allowing water to drain down below the pond, correct.

Michael Metzger state nice thing about the Town is that prior to the approval we need to provide a drainage plan which we did and was approved by the Town Engineer.

Jonathan Bleuer stated we are currently in the plan 2030 but are currently in a Zoning Code update which we are hoping to see come through in 2026.

Councilman DiCostanzo mentioned the traffic, it did go through SEQER so it was through a traffic study or didn't need a traffic study.

Michael Metzger stated that they worked with the NYSDOT on that with generated trips and is actually less that what the site is currently should be producing.

Councilman DiCostanzo asked if it was reviewed when it was not vacant and the building was full.

Michael Metzger replied correct.

Supervisor Casilio stated as Jonathan Bleuer pointed out, we have very limited commercial corridors. When we have someone who wants to clean up a property that has fallen in disrepair, we are in favor of that especially for commercial corridors.

Joan Ollendorf asked if we are in our backyard and we can see that three-story building, is it a possibility that it could be made into a two-story building still allowing for the look they are trying to achieve at a lower level.

Supervisor Casilio stated that he doesn't believe they will be affected from 900 feet away but I will have Jonathan Bleuer respond to that. I am sorry you live below in a valley, but I have seen projects in the Town of Amherst where a three-story building is 10 feet away from a

residential home. With the distances we are talking about I think will far exceed the worries that you might have.

Brianne Frawley stated that it is not economically feasible for them to change the design.

Supervisor Casilio stated that he understands the residents concerns however he feels that they wont even notice it once it is there.

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

Resolved, that after a Public Hearing held at the duly convened Town Board Meeting on November 5th, 2025, and after all interested parties having been heard, the Clarence Town Board hereby approves the request of the applicant, Visone Co. Site Development, LLC, to rezone the rear of the properties, located at 8560-8574 Main Street, from Residential Single-Family to Traditional Neighborhood District, per the recommendation of the Planning Board.

Supervisor Casilio stated that there is already a multi-family existing at this location in the residential zone and to have the devils cave flagged to be looked into.

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

Jonathan Bleuer stated that this is the same project with another item for it which is a Special Exception Use Permit. Being a Multi Family Project, this is required due to structures being over 10,000 sqft. as well as the architectural style of the build. You the Town Board has spent a significant amount of time right out of the gate as the applicant proposed flat top mixed-use buildings. With the Boards requirement, we worked very closely with the applicant and used a very traditional area knows as Dublin Ohio as inspiration of the design of these structures. With that everything is in order for you to consider this request.

Michael Metzger and Brianne Frawley were present on behalf of the applicant.

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:

Resolved, that after a public hearing held at the duly convened Town Board meeting on Wednesday, November 5, 2025, and after all interested parties having been heard, the Clarence Town Board hereby approves the request of the applicant, Visone Co. Site Development, LLC, for Special Exception Use Permits, located at 8560-8574 Main Street, for a mixed-use project containing multiple-family housing and commercial space in structures greater than 10,000 square feet; subject to the following conditions:

1. All seventeen (17) conditions of the Planning Board Concept Plan approval on September 17, 2025, and consistent with the Architectural Style as hereby approved.

On the question, Jonathan Bleuer stated that the applicant agreed to all seventeen (17) conditions.

Michael Metzger replies yes, we did.

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: Legion Hall: Renda Al-Naji November 21, 2025; Cynthia Koronowski December 14, 2025 and Sharon Groff February 8, 2026

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

There being no further business, Supervisor Casilio closed the meeting at 11:13 a.m.

Karen Hawes
Town Clerk