

The Work Session meeting of the Town Board of the Town of Clarence was held on Wednesday January 21, 2026 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, Robert Altieri and Supervisor Patrick Casilio. Councilmember Peter DiCostanzo was absent. 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:

Robert Bagley

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

The applicant requests a Special Exception Use Permit for an attached secondary living unit as an addition to the principal structure.

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

Eurocharged, NY

This Property is located at 5844 Goodrich Road. It is an existing 0.71-acre parcel in the Traditional Neighborhood District, containing a commercial structure and a warehouse portion to the rear.

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

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

GMA Concrete Design

The property is located at 9377 County Road on the south side of County Road and west of Goodrich Road. This is an existing 3.67-acre parcel containing a warehouse and office facility in the Industrial Business Park zone.

The applicant is requesting a Temporary Conditional Permit for outside business storage and operation.

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

FORMAL AGENDA ITEMS:

7361 Transit Road, LLC.

Located at 7631 Transit Road on the southeast corner of Transit Road and Wolcott Road, this is an existing 6.88-acre property. It is in the Restricted Business zone.

The applicant is requesting preliminary Conceptual review of an approximately 36,000sqft commercial retail building for LENCO Supplies.

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

WORK SESSION ITEMS:

A&A's Tree Service

This property is located at 9635 Clarence Center Road on the south side of Clarence Center Road and west of Creekview Drive. It's an existing 1.4-acre parcel in the Clarence Center Traditional Neighborhood District. It contains a small structure that was formerly a home and rear detached accessory structure.

The applicant is requesting consideration of a Temporary Conditional Permit for a tree trimming and removal business.

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

Councilmember Daniel Michnik has recused himself from this item.

Patrick Casilio said they might want to add fencing for the neighbors. He asks if they are storing anything there. Jonathan Bleuer said no just a small pile of debris, but his application doesn't say anything about outside storage.

VisoneCo Site Development, LLC.

The property is located at 4880 Ransom Road on the west side of Ransom Road and south of Main Street. It is an existing 3.16-acre vacant parcel located in the Residential Single-Family zone.

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

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

L. Visone Development, LLC.

This property is located at 10151 Main Street on the south side of Main Street and west of Shisler Road. It's an existing 9.2-acre property containing existing commercial buildings and associated facilities in the Commercial zone.

The applicant is requesting preliminary Conceptual review of a 6-unit commercial structure to the rear of the property.

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

Paul Shear asked what is behind it. Jonathan answered Dimar.

Patrick Casilio states the property has septic.

TOWN BOARD REPORTS:

Supervisor Patrick Casilio

- Supervisor Patrick Casilio and Jonathan Bleuer Director of Community Development will be attending an award ceremony in NYC on February 16, 2026. They will be receiving a gold award for "Town of Excellence".
- State of the Town will be held at Brookfield Country Club on January 30, 2026.
- The new Rec Center is now in the design phase.

Councilman J. Paul Shear

- 4 motions for today's meeting.
- Evan from Clarence Schools Enrichment Program is requesting a spot light and a golf cart for the headlamp walk on January 30, 2026.

Councilman Daniel Michnik

- 7 resolutions for today's meeting.
- Discussion of a request the Arboretum Committee may make.
- Winterfest is scheduled to be held January 24, 2026 from 12pm-3pm.

Councilman Robert Altieri

- 7 motions for today's meeting.
- 2 trustees have left the library board.

Town Engineer Timothy Lavocat adds there will be an additional Public Hearing for the Amherst sewer project.

Motion by Supervisor Casilio, seconded by Councilman Shear, to adjourn the work session at 9:24 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: Peter DiCostanzo. Motion carried.

Janel A. Farolino
Deputy Town Clerk

Motion by Supervisor Casilio, seconded by Councilman Shear, to adjourn the Executive Session at 10:05 a.m.

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

Regular meeting of the Town Board of the Town of Clarence was held on Wednesday, January 21, 2026 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 10:15 a.m.

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

Motion by Councilman Shear, seconded by Councilman Michnik to approve the Town Board Organizational meeting minutes of January 7, 2026.

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

Supervisor Casilio mentioned that Emily from the Clarence Bee was present and it is her last day for a Town Board meeting as she has resigned from her position with the paper. The Town Board complimented Emily for her hard work as the editor, writing on both sides of the story. She will be greatly missed.

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Motion by Supervisor Casilio, seconded by Councilman Altieri to authorize Town Supervisor to sign and enter into an agreement with GAR Associates, LLC for the 2026-2027 town-wide reassessment plan upon review and approval of the Town Attorney.

On the question, this contract is the result of a competitive bid for the services.

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

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

RESOLVED, that the Clarence Town Board hereby adopts the agreement between the Town of Clarence and the Town of Newstead, for the use of the Going Places Van and authorizes the Supervisor to execute the same.

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

Motion by Supervisor Casilio, seconded by Councilman Michnik to approve Trina Boller as Real Property Appraisal Technician at Step 4 of the White-Collar Union contract, hourly rate of \$32.8144, effective January 21, 2026. Ms. Boller scored in the top three (3) of the Erie County Civil Service exams.

On the Question, per the White-Collar Union contract any employee who is promoted to a higher grade will be placed in the lowest step in the higher grade that grants an increase.

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

Motion by Supervisor Casilio, seconded by Councilman Michnik to approve the request of Councilman Peter DiCostanzo to attend the 2026 Association of Towns of New York State Annual Meeting and Training School from February 16, 2026 to February 18, 2026 in New York City with all reasonable and necessary expenses paid by the Town per the Town's Travel Policy and to appoint Councilman Peter DiCostanzo as the Delegate to vote on behalf of the Town of Clarence for the Association of Towns Annual Meeting 2026.

On the question Supervisor Casilio added himself to attend for one day at the awards ceremony. Additionally, the Town of Clarence won an award, Jonathan Bleuer will give details on this.

Jonathan Bleuer stated that the Town of Clarence was notified by the New York Association of Town's for the Town of Excellence which covers a broad range of categories associated with good government, good planning and good management. There will be several representatives present to accept this award.

Supervisor Casilio stated there are 922 counties/villages in the state, our tax rate is in one of the categories as well keeping in my ten years the tax cap at 2%, or lowering the rate not raising it.

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

Motion by Supervisor Casilio, seconded by Councilman Altieri to authorize New York State Electric and Gas (NYSEG) to activate one (1) LED Cobrahead streetlight on existing NYSEG pole 358-30A on Greiner Road as part of Woodland Hills Subdivision Phase 1 per the layout dated November 21, 2025 and upon the complete installation in accordance with all current NYSEG details and specifications. The standard, fixture, connection and mount to be owned and maintained by NYSEG under the terms and conditions of the Service Class 3 street lighting agreement between NYSEG and the Town of Clarence.

On the question, Supervisor Casilio stated that there aren't too many of these left to install, placing them at the entrances and exits of the developments.

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

Motion by Supervisor Casilio, seconded by Councilman Shear upon the recommendation of the Highway Superintendent to declare the following of the Highway Department equipment and items as surplus no longer needed for Town purposes:

2003 Gradall Excavator (H-55). This declaration includes a second similar machine the Highway Department acquired and used for parts. Both items will be sold at auction.

On the question, the surplus equipment and logs will be sold through Auctions International or disposed of and then removed from the Highway inventory list.

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

Motion by Supervisor Casilio, seconded by Councilman Altieri to approve the following transfer of funds in the 2025 Drainage Fund Budget:

\$51,080.00 from account #007.8540.100- Personal Services to account #007.8540.4330- Equipment Rental

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

Motion by Supervisor Casilio, seconded by Councilman Shear to approve the following transfer of funds in the 2025 Highway Fund Budget:

\$45,137.00 from account #002.5110.100- Personal Services to account #002.5130.100- Personal Services

\$26,039.00 from account #002.5142.100- Personal Services to account #002.5130.100- Personal Services

\$4,149.00 from account #002.9030.800- Benefits- Social Security to account #002.9010.800- Benefits- NYS Retirement

\$12,065.00 from account #002.9050.800- Benefits- Unemployment to account #002.9040.800- Benefits- Compensation Insurance

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

Motion by Councilman Shear, seconded by Councilman Altieri to authorize Supervisor Casilio to Sign the 2026 Intermunicipal Agreement between the Town of Clarence and the Town of Lancaster for composting at the Town of Clarence Highway Department, agreement commencing from the date signed and expiring on December 31, 2026.

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

Motion by Councilman Shear, seconded by Councilman Altieri to approve the request of Jonathan Bleuer, Director of Community Development of Planning & Zoning to attend the New York Association of Towns 2026 Training School and Annual Meeting to be held in New York City from February 16, 2026 through February 18, 2026 with all reasonable and necessary costs covered by the Town.

On the question, the cost of the conference is a budgeted item and Supervisor Casilio will be in attendance as well.

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

Motion by Councilman Shear, seconded by Councilman Altieri to approve the following transfer of funds in the 2025 General Fund Budget:

\$3,500.00 from account #001.7180.102- Personal Services to account #001.7180.4003– Uniforms

\$3,400.00 from account #001.7140.102- Personal Services to account #001.7140.4250.1004– Recreation Supplies

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

Motion by Councilman Shear, seconded by Councilman Altieri to approve the following transfer of funds in the 2025 General Fund Budget:

\$1,103.00 from account #001.1320.4304- Annual Audit to account #001.1310.100– Personal Services

\$5,000.00 from account #001.1420.102- Personal Services to account #001.1420.4711– Legal & Professional Services

\$95.00 from account #001.3989.4350- Special Programs to account #001.3989.102– Personal Services

\$1,026.00 from account #001.7140.100- Personal Services to account #001.7020.100– Personal Services

\$36,106.00 from account #001.9040.800-Benefits- Comp Insurance to account #001.1910.4010– Unallocated Insurance

\$2,034.00 from account #001.7110.100- Personal Services to account #001.7450.4503– Utilities & Repair

\$41,716.00 from account #001.7110.100- Personal Services to account #001.5182.4382– Street Lighting

\$1,414.00 from account #001.7140.102- Personal Services to account #001.7610.102– Personal Services

\$4,145.00 from account #001.1990.4023- Contingent to account #001.3120.272.103– Uniforms SPO

\$50,877.00 from account #001.7110.100- Personal Services to account #001.3120.102– Personal Services

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

Motion by Councilman Michnik, seconded by Councilman Altieri to approve Jessica Wruck, Program Leader of the Clarence Youth Bureau, to attend the State Association of Youth Bureaus Annual Youth Leadership Forum in Albany, New York February 2, 2026 and February 3, 2026. Jessica will chaperone four (4) Clarence High School Students, three (3) of who are members of the Clarence Youth Board and all are part of the Volunteer Program. They will have the opportunity to meet our State Legislators, Senator Patrick Gallivan and Assemblyman Paul Bologna to advocate for youth bureaus and share their experiences as members of Clarence Youth Board.

On the question, there is no cost for this event. All costs are covered by the State Association of Youth Bureaus. Jessica will submit receipts for any food expense not covered by the State Association.

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

Motion by Councilman Michnik, seconded by Councilman Shear to approve Dawn Kinney as Executive Director of the Youth Board Part-Time at the hourly rate of \$57.50, effective January 26, 2026.

On the question, Dawn Kinney has retired as Full-Time Executive Director effective January 20, 2026.

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

Motion by Councilman Michnik, seconded by Councilman Altieri to encumber funds from the 2025 General Fund Budget as follows:

\$57,111.90 from Master Plan 1.8010.4730 for the Professional Services regarding Zoning & Code Updates for the Town Phases 2 & 3 with PO 132907 signed January 1, 2025 from CPL Architects.

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

Motion by Councilman Michnik, seconded by Councilman Shear to encumber funds from the 2025 General Fund Budget as follows:

\$1,356.04 from Recreation Supplies 1.7410.4250.1004 for the purchase of (14) 12-packs of Slow-pitch Softballs with PO 132905 ordered December 10, 2025 from Amazon.

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

Motion by Councilman Michnik, seconded by Councilman Altieri to encumber funds from the 2025 General Fund Budget as follows:

\$388.00 from Professional Services 1.1680.4340 for Pickup and Disposal of surplus electronics with PO 132192 ordered September 9, 2025 from E-Waste.

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

Motion by Councilman Michnik, seconded by Councilman Altieri to encumber funds from the 2025 General Fund Budget as follows:

\$100.08 from Repair and Maintenance of Buildings and Grounds 1.7110.4500 for the purchase of detergent for dish machine with PO 132858 ordered December 17, 2025 from Hillyard.

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

Motion by Councilman Michnik, seconded by Councilman Shear to encumber funds from the 2025 General Fund Budget as follows:

\$5,698.38 from Recreation Supplies 1.7110.4250 for the purchase of bases and plates for various fields with PO 132386 ordered September 8, 2025 from Laux Sporting Goods.

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

Councilman Michnik mentioned that this weekend is Winterfest on Saturday January 24, 2026 with events inside as well as outside. Additionally, if anyone is up in the Hollow area, there is a lost beagle for the last couple of days, if you see anything contact the Animal Shelter.

Motion by Councilman Altieri, seconded by Councilman Shear to encumber funds from the 2025 General Fund Budget as follows:

\$9,930.96 from Repair of Buildings & Grounds 1.440.4500 for Upgrades of the Surveillance System at 6221 Goodrich Road with PO 132846 ordered December 16, 2025 from Life Safety Integrated Systems.

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

Motion by Councilman Altieri, seconded by Councilman Michnik to encumber funds from the 2025 General Fund Budget as follows:

\$2,779.50 from Uniforms 1.7180.4003 for the purchase of hooded sweatshirts and swim suits for Lifeguards with PO 132903 ordered December 31, 2025 from Van Vliet Enterprises.

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

Motion by Councilman Altieri, seconded by Councilman Shear to encumber funds from the 2025 General Fund Budget as follows:

\$3,600.00 from Improvements 1.8730.265 for the purchase and installation of Gutters and Downspouts at the Nature Center with PO 132894 ordered September 5, 2025 from Switala's.

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

Motion by Councilman Altieri, seconded by Councilman Shear to encumber funds from the 2025 General Fund Budget as follows:

\$5,500.00 from Improvements 1.7180.265 for the purchase of an Outlook Lifeguard Stand for the Town Pool with PO 132958 ordered December 30, 2025 from Majestic Pools.

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

Motion by Councilman Altieri, seconded by Councilman Shear to encumber funds from the 2025 General Fund Budget as follows:

\$1,940.00 from Recreation Supplies 1.7410.4250.1004 for the purchase of Recreation Staff clothing with PO 132904 ordered December 31, 2025 from Van Vliet Enterprises.

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

Motion by Councilman Altieri, seconded by Councilman Shear to encumber funds from the 2025 General Fund Budget as follows:

\$2,250.00 from Contingent 1.1990.4023 for the Professional Services rendered regarding the Hollow Farmers Market Master Plan with PO 132906 signed May 28, 2025 from Wendel.

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

Motion by Councilman Altieri, seconded by Councilman Shear to encumber funds from the 2025 General Fund Budget as follows:

\$100.00 from Other Unclassified 1.8730.4790 for a Live Animal Presentation at the Library with PO 132979 dated December 29, 2025 from Mark Carra.

On the Question, this was originally scheduled in December but cancelled due to weather.

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

Motion by Councilman Altieri, seconded by Councilman Shear upon the recommendation of the Highway Superintendent, to set a bid date for Tuesday, February 10, 2026 at 10:00 a.m. at the Clarence Town Clerk's Office. The bid will be for the following items from the Highway Department:

1. Two (2) 2026 Chevy Silverado 1500 DBL LT 4WD
2. One (1) 2025 or newer Ford F-550 Cab 84 CA Cab Chassis

On the question, bid packages can be obtained at the Clarence Town Clerk's office or the Town of Clarence Highway Department.

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

Motion by Councilman Altieri, seconded by Councilman Michnik to appoint Jeffrey Allan to the Clarence Historic Preservation Commission position effective immediately January 21, 2026 with a term to expire on December 31, 2026. This opening is to fill the vacant seat left by Laurie Hauer-LaDuca.

On the Question, the Historic Preservation Commission unanimously recommended this appointment. With this appointment, the Historic Preservation Commission now has one (1) remaining vacancy.

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

Councilman Altieri mentioned the Clarence Chamber's State of the Town, Friday January 30, 2026 at Brookfield Country Club at 11:30 a.m. until about 1:30 p.m. Supervisor Casilio will be speaking, it is an interesting event that recaps the happenings within the Town from the last year presented by the Planning and Zoning Office.

Motion by Councilman Michnik, seconded by Councilman Altieri to grant the request for a Special Event for the #838 American Legion Post Memorial Day Parade to be held on May 25, 2026, beginning at 10:30 a.m. and ending at approximately 1:30 p.m.

On the question, the parade is on Main Street and will begin at Gunnville Road with the fire companies and balance of participants will join in at Kraus Road and end at the Clarence Town Park at 10405 Main Street and requires closure on Main Street at approximately 10:45 a.m. to 12:15 p.m. The ceremony will be at the Veterans Memorial. In the event of inclement weather, the parade will be cancelled and the memorial ceremony will be held in the Town Park Clubhouse at 11:00 a.m. All the appropriate agencies will be notified.

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

Karen Hawes, Town Clerk, stated that the 2026 Town and County tax bills have been received from Erie County as well as the warrant to collect. All tax bills have been mailed and they are due February 17, 2026. You can make payment at the Town Clerk office during regular hours, online, mailing your payment or using the night deposit at the Town Hall's main entrance, the door that faces North. Penalties do apply February 18, 2026, if you have any question feel free to contact our office.

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 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 holding a Public Hearing. I will note that we have received one letter of correspondence from a resident on the opposition of this proposal bases on community character and long-term effects to the neighborhood.

Robert Bagley was present to answer any questions.

Councilman Shear stated that the addition actually makes the house look better.

Supervisor Casilio stated that our main goal is that these additions don't look like duplexes or someday become duplexes. This one, looks like it fits the neighborhood well.

Councilman Michnik stated that the only entrances is through the front door.

Robert Bagley stated yes.

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

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

Motion by Councilman Altieri, seconded by Councilman Michnik that resolved, that after a public hearing held at the duly convened Town Board meeting on Wednesday, January 21, 2026, and after all interested parties having been heard, the Clarence Town Board hereby approves the request of the applicant, Robert Bagley, for Special Exception Use Permit, located at 9329 Via Cimato Drive, for the construction of an attached secondary living unit located in the Residential Single-Family 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 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 Councilman Shear asked the applicant if he has heard, understands and accepts the conditions.

Robert Bagley stated yes.

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

Jonathan Bleuer stated the deed language can be picked up in the legal department.

Timothy Lavocat introduced the Peanut Line Parallel Interceptor Sewer project, a sanitary sewer line that has been planned for well over 30 years as part of the Town of Clarence Intermunicipal Sewer Agreement with the Town of Amherst. This sewer line will provide capacity benefits to the Town of Clarence, Town of Amherst and Erie County Sewer District No.5.

The proposed Parallel Interceptor Sewer is approximately 3,000 feet of 24" diameter pipe to be installed parallel to the existing (18") peanut line sewer from Transit Road to Paradise Road along the existing peanut line right of way in the Town of Amherst.

The proposed Peanut Line Parallel Interceptor Sewer will provide sewer capacity towards the goals and objectives outlined in the following Town of Clarence planning documents:

- Master Sewer Plan 2030 (adopted in 2018)
- Comprehensive Plan 2030 (adopted 12/14/2016)
- Vision Main Street (adopted April 2017)
- Vision Sheridan Drive (adopted September 2024)

The main objectives and goals of the Parallel Interceptor Sewer for the Town of Clarence are to provide sewer capacity for pollution abatement and for commercial development opportunities including:

- Expansion of Clarence Sewer District No. 9 (Clarence Hollow) to service existing residential properties.
- Harris Hill, Main Street and Sheridan Drive existing commercial areas
- Main Street at Goodrich Road existing commercial area
- Elimination of existing package wastewater treatment plants (Spaulding Lake, Research Parkway, Brothers of Mercy)
- The proposed Eastern Hills Mall Living Center project located in ECSD5.

The Town of Clarence approved the Memorandum of Agreement between the Town of Clarence, Town of Amherst and Erie County Sewer District No. 5 on July 23, 2025 which allows the parties to memorialize the sanitary sewer flow capacity allocations and construction cost share.

The Parallel Peanut Line Interceptor Sewer project received a Negative Declaration under SEQR on October 22, 2025.

The proposed construction cost for the project is estimated at \$5,060,000. The Town of Clarence share of allocated cost for the project is estimated to be \$2,500,000.

Construction approval for the Peanut Line Parallel Interceptor Sewer and authorization for the issuance of \$2,500,000 in serial bonds are the subjects of this public hearing.

Mike Patterson, a resident was present, in favor of the project and spoke with the Town Engineer about the project. I stopped by today to get a description of the Towns 2030 Plan and found in the hall a beautiful display of all the master plans. I want to commend whoever is in charge of them, they are precise and accurate with a lot of details for everyone to see and have an appreciation of what's happening.

Supervisor Casilio, thanked Mr. Patterson for the comments and stated at one time the Town was going to get their own sewer treatment plan and the voters turned 97% funding down. The DEC directed us to the plant that we now share with the Town of Amherst and we pay them for usage, this is just a part of that whole operation. Thank you for taking the time to research and get your knowledge to know about this project.

Timothy Lavocat stated that this is mutually beneficial to be able to handle a few of Erie County issues both in Erie County 5 and some of the plants here in Clarence.

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

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

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

**RESOLUTION OF THE TOWN OF CLARENCE, NEW YORK, ADOPTED
JANUARY 21, 2026, APPROVING THE CONSTRUCTION OF A SEWER
IMPROVEMENT WITHIN THE TOWN, IN AN AREA OF THE TOWN OUTSIDE OF
ANY VILLAGES, WHICH HAS BEEN DETERMINED TO BE THE BENEFITED
AREA, AND MAKING OTHER DETERMINATIONS IN CONNECTION
THEREWITH**

Recitals

WHEREAS, the Town Board of the Town of Clarence (herein called the "Town Board" and "Town" respectively), in the County of Erie, New York, has entered into an intermunicipal agreement dated August 18, 2025 among the Town of Clarence, New York, the Town of Amherst, New York, and the County of Erie, New York/Erie County Sewer District No. 5, for the construction of the "Peanut Line Parallel Interceptor Sewer Project" (the "Sewer Improvement") consisting of approximately 3,000 lineal feet of new 24-inch diameter pipe, manholes, a new chamber, flow measuring devices, and other appurtenances installed from Transit Road to Paradise Road, in the Town of Amherst, New York for the benefit of all parties

to the agreement, pursuant to Article 12-C of the Town Law, in accordance with the map, plan and report prepared therefor by GHD, competent engineers duly licensed by the State of New York, heretofore supplied to the Town by the Town of Amherst and filed in the office of the Town Clerk for public inspection; and

WHEREAS, the proposed area within the Town to be benefited by the proposed Sewer Improvement (herein designated and called the "Sewer Improvement Area"), consists of the entire area of the Town outside of any villages; and

WHEREAS, the Town Board and the Town and other parties to the intermunicipal agreement have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation; and

WHEREAS, the Town Board determined to proceed with the construction of such Sewer Improvement and adopted an order on December 10, 2025, reciting a description of the improvements proposed, a description of the proposed benefited area, the proposed method of financing to be employed, the fact that map, plan and report describing the same are on file in the Town Clerk's Office for public inspection and specifying January 21, 2026 at 10:20 a.m. (Prevailing Time) as the time when, and the Town Hall, in the Town, as the place where, the Town Board would meet to consider the construction of such Sewer Improvement and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town in relation thereto as may be required by law; and

WHEREAS, certified copies of such order were duly published and posted pursuant to the provisions of Article 12-C of the Town Law; and

WHEREAS, a public hearing in the matter of the construction of the proposed Sewer Improvement was duly held by the Town Board on the 21st day of January, 2026, commencing at 10:20 a.m. (Prevailing Time) at the Town Hall, in the Town, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the construction of said Sewer Improvement;

Now, therefore, upon the evidence adduced at such public hearing, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARENCE, IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. It is hereby determined that:

(a) the notice of public hearing was published and posted as required by law, and is otherwise sufficient; and

(b) it is in the public interest to construct the Sewer Improvement, as described in the recitals hereof, at the estimated maximum cost of \$5,060,000 and the maximum amount proposed to be expended by the Town for its allocated share of the cost of construction of the Sewer Improvement is estimated to be \$2,500,000;

(c) all the property in the proposed Sewer Improvement is benefited by the Sewer Improvement and all the property benefited by the Sewer Improvement is included in the proposed Sewer Improvement.

Section 2. The construction of the Sewer Improvement within the Sewer Improvement Area is hereby approved, as hereinabove described, and such improvements are hereby authorized to be constructed, as set forth in said Order Calling Public Hearing, within the Sewer Improvement Area, in the Town, situate wholly outside of any incorporated village.

Section 3. The estimated total cost of the project is \$5,060,000 and the maximum amount proposed to be expended by the Town for its allocated share of the cost of construction of the Sewer Improvement is estimated to be \$2,500,000, which is planned to be financed by the issuance of serial bonds of the Town and a charge upon the several lots and parcels of land in the entire area of the Town outside of any villages, to be levied and collected in the same manner and at the same time as other Town charges, to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 4. The annual cost of operation and maintenance of said Sewer Improvement shall be paid by a charge upon the several lots and parcels of land in the entire area of the Town outside of any villages which shall be levied and collected in the same manner and at the same time as other Town charges.

Section 5. The said \$2,500,000 of the Town's share of the estimated cost of such improvements, as stated in said Order Calling Public Hearing, does not exceed one-tenth of one per centum of the full valuation of the taxable real property in the area of the Town outside of any villages, and the permission of the Comptroller of the State of New York is therefore not required in order to finance the cost of said Sewer Improvement, in the Town, as herein described, pursuant to the provisions of said Town Law.

Section 6. The Town Clerk of the Town is hereby authorized and directed to record a certified copy of this resolution, within ten (10) days of its adoption, in the office of the County Clerk of Erie County.

Section 7. This resolution shall take effect immediately.

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

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

BOND RESOLUTION OF THE TOWN OF CLARENCE, NEW YORK, ADOPTED JANUARY 21, 2026, FOR THE CONSTRUCTION OF SEWER IMPROVEMENTS WITHIN THE SEWER IMPROVEMENT AREA, IN SAID TOWN, AND STATING THE TOWN'S ALLOCABLE LOCAL SHARE OF THE ESTIMATED MAXIMUM COST THEREOF IS \$2,500,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$2,500,000 BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

Recitals

WHEREAS, the Town Board of the Town of Clarence (herein called the "Town Board" and "Town" respectively), in the County of Erie, New York, has entered into an intermunicipal agreement dated August 18, 2025 among the Town of Clarence, New York, the Town of Amherst, New York, and the County of Erie, New York/Erie County Sewer District No. 5, for the construction of the "Peanut Line Parallel Interceptor Sewer Project" (the "Sewer Improvement") consisting of approximately 3,000 lineal feet of new 24-inch diameter pipe, manholes, a new chamber, flow measuring devices, and other appurtenances installed from Transit Road to Paradise Road, in the Town of Amherst, New York for the benefit of all parties to the agreement; and

WHEREAS, a map, plan and report in the form of a Technical Memorandum describing the project, prepared by GHD, competent engineers duly licensed by the State of New York, and supplied to the Town by the Town of Amherst, has been heretofore prepared and duly filed in the office of the Town Clerk for public examination; and

WHEREAS, after a public hearing duly called and held, the Town Board of the Town determined that it is in the public interest to construct said Sewer Improvement, and ordered that such Sewer Improvement be constructed and the maximum amount proposed to be expended by the Town for its allocated share of the cost of construction of the Sewer Improvement is estimated to be \$2,500,000;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARENCE, IN THE COUNTY OF ERIE, NEW YORK (by favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of \$2,500,000 for the Town's allocated share of the cost of the construction of the Sewer Improvement within an unincorporated area of the Town outside of any villages, which area has been determined to be the benefited area (herein referred to as the "Sewer Improvement Area"), in accordance with the map, plan and report prepared therefor by GHD, competent engineers duly licensed by the State of New York, on file in the office of the Town Clerk and heretofore supplied to the Town by the Town of Amherst and approved by the Town Board of the Town. The estimated maximum cost of construction of said Sewer Improvement, including preliminary costs and costs incidental thereto and the financing thereof, is \$5,060,000 and the maximum amount proposed to be expended by the Town for its allocated share of the cost of construction of the Sewer Improvement is estimated to be \$2,500,000, which is planned to be financed by the issuance of serial bonds of the Town and a charge upon the several lots and parcels of land in the entire area of the Town outside of any villages, to be levied and collected in the same manner and at the same time as other Town charges, to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of \$2,500,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance the Town's share of said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4. of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and the renewals of said bond anticipation notes, and as to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in the official newspaper of the Town, having general circulation in said Town, together with the Town Clerk's statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Upon roll call – Ayes: All; Noes: None; Absent: Councilman DiCostanzo; 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 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. The Town Board referred this proposal to the Planning Board in November of 2025. Since that time, the applicant has addressed comments received. In December of 2025, the Planning Board recommended approval of a Temporary Conditional Permit, subject to thirteen (13) conditions. Town Board has the authority to consider this request after holding a Public Hearing.

Supervisor Casilio recused himself from this project and left the meeting during discussion.

Kyle Whalen of EuroCharged was present to answer any question.

Councilman Shear stated that this property has historically been used for many years for auto repair. The Planning Board has gone through this in great detail and I am comfortable with what they have done.

Councilman Michnik stated this was a good project.

Councilman Altieri stated this was a good project.

Liang Ma, a resident was present who lives adjacent to the property site. He stated that he formally apposes of the request for a Temporary Conditional Permit for an automobile repair and performance facility at 5844 Goodrich Road, located in the Traditional Neighborhood District. I have also submitted signatures from directly impacted neighbors who share this objection. The following are our concerns.

1. Auto repair is not self -containing use. It is fundamentally incompatible with Traditional Neighborhood District and nearby residential zoning and would introduce hazardous materials, safety risk, noise and traffic impacts that cannot be adequately mitigated. Auto repair operations necessarily involve oils, fuels, solvents, batteries and particulate matter. Some commonly used products may contain or generate highly toxic substances such as hydrofluoric acid, which can cause severe injury and long-term environmental damage even at low exposure levels. These materials may be used, stored or bought on-site by employees, contractors, or customers and the risk of spills, leaks, fire or improper disposal exists regardless of compliance assurance. Adverse weather events, including strong winds, storms, flooding or other emergencies, increase the likelihood and severity of these risks.
2. Policies such as hours of operation or storage restrictions require constant enforcement, and a use that depends on ongoing oversight is not appropriate in a Traditional Neighborhood District and nearby residential district.
3. This location is also next to a day care center and homes with young children, elderly residents and household pets-populations that are especially vulnerable to environmental, safety and traffic hazards.
4. Traditional Neighborhood District and nearby Residential zoning exists to preserve neighborhood character and protect property values. Allowing an incompatible commercial use here would undermine those protections and primarily benefit a single property owner at the expense of the surrounding community.

For these reasons, I respectfully ask the Board to deny this request and uphold the integrity of the Traditional Neighborhood District and nearby residential zoning scheme. Thank you for your consideration. Additional correspondence was given to the Town Board and the Planning and Zoning Office.

Councilman Shear stated that that covered a great deal of information. My primary concern is the question of toxic materials, noise and hours of the shop.

Kyle Whalen stated the shop hours will be Monday – Friday 7:30 a.m. – 6:00 p.m.

Councilman Shear asked if there would be any painting in the building or collision work.

Kyle Whalen stated no to both painting and collision work. Any fluids that we handle we have safe containers that they would go into as well as companies that recycle all of our materials. Everything is kept clean contained and recycled for the community.

Councilman Shear asked about storage of vehicles and parts.

Kyle Whalen stated that everything will be inside, only time a vehicle would be outside is if a customer drops a vehicle off overnight. Projects will be kept inside as well, nothing outside.

Councilman Michnik asked if there would be storage of any batteries.

Kyle Whalen stated that batteries need to be returned to the stores right away so most of the time we won't have any batteries on site.

Councilman Altieri asked about weekend hours.

Kyle Whalen stated no weekend hours.

Councilman Altieri asked how many cars he thought they would be working on at one time.

Kyle Whalen stated that he has himself and 3 technicians which would be four maybe five cars at one time.

Councilman Shear stated that the applicant has a facility in Lancaster currently, will that facility be closed?

Kyle Whalen stated yes it will be.

Jonathan Bleuer stated for the residents, if the Board chooses to move forward, this will not constitute a one and done. This would be for a Temporary Conditional Permit which is a

renewable permit. It provides an opportunity for the Town and the Applicant to be partners in this process to ensure that all conditions are complied with no ill effects to surrounding neighborhoods. If there are issues, then the Town and applicant would take action and if no sufficient action is made, this would be a renewable permit that can be modified or even pulled if that is what the Board chooses if there are violations.

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

Upon roll call – Ayes: All; Noes: None; Absent: Councilman DiCostanzo; Recused; Supervisor Casilio. Motion carried.

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

Resolved, that after a public hearing held at the duly convened Town Board meeting on Wednesday, January 21, 2026, and after all interested parties having been heard, the Clarence Town Board, hereby, approves the request of the applicant Eurocharged, NY, for a Temporary Conditional Permit for an automotive repair and performance facility at 5844 Goodrich Road, in the Traditional Neighborhood District, 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 and/or construction on the property.
3. Business to be operated and site to be managed per the submitted application, and assurance letter of the applicant, dated November 25, 2025.
4. Building and site shall be maintained as approved, in perpetuity, and any building and site deficiencies shall be repaired or replaced as approved.
5. Rear yard existing vegetation buffer shall not be disturbed, and shall be maintained in perpetuity, and replaced in-kind, should death or disease occur.
6. No building lighting shall extend above the roof ridgeline and no freestanding lighting shall be elevated above 15'. All lighting shall be turned off no later than one hour after business hours except for necessary security lighting, and all lighting shall comply with Town Code, be dark sky compliant and shielded to prevent spillage onto adjoining properties.
7. Dumpster shall be screened from view with Town approved dumpster enclosure, and shall remain closed at all times when not in use. Garbage service shall occur in conformance with Town Code. No garbage or debris shall accumulate outside of the dumpster.
8. No automotive work shall occur outside of the structure. During times when the business produces sounds in excess of the ambient sound level of the surrounding neighborhood, bay door shall remain closed.
9. Parking areas to be striped, and maintained in perpetuity. No parking of vehicles outside the designated parking areas.
10. No outside storage, display, or sales of any kind on the property, including, but not limited to unlicensed vehicles, goods, materials, and debris.
11. Beyond that of automotive repair and performance work, no additional future business operations or operators without proper application made by the applicant and review and approval by the Town.
12. 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.
13. 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.

Kyle Whalen replied yes.

Upon roll call – Ayes: All; Noes: None; Absent: Councilman DiCostanzo; Recused; Supervisor Casilio. Motion carried.

GMA Concrete Design at 9377 County Road. South side of County Road, west of Goodrich Road. An existing 3.67-acre parcel containing a recently constructed warehouse and office facility in the Industrial Business Park zone. The applicant is requesting a Temporary Conditional Permit for outside business storage and operation. In August of 2022, the Planning Board approved the GMA Concrete Design Development Plan, subject to fourteen (14)

conditions. Since then, the applicant has partially constructed the project with the original intent of operating a concrete business fully inside of the newly constructed building. Prior to project completion, the on-site operations have changed from the original intentions. GMA Concrete Design and tenant DC Landscaping & Design then filed an amended site plan that better suits the needs of the proposed operation on the site. Since that time, the applicant has addressed comments received. In December of 2025, the Planning Board approved an amended Development Plan and recommended approval of a Temporary Conditional Permit, subject to nine (9) conditions. Also in December of 2025, the Landscape Review Committee approved an amended landscape plan for the site, including outside storage and operation screening. Town Board has the authority to consider this request after holding a Public Hearing.

Mike Giangreco of GMA was present to answer any questions.

Supervisor Casilio stated this is pretty clear, thank you for the time that you spent on this project making improvements to the property. We are revisiting this now because now you would like to have outside storage.

Councilman Michnik asked how many vehicles, as well as trailers, do they currently have and will they all be stored outside.

Mike Giangreco replied we have six or seven vehicles with trailers and only a couple of them will be outside as they are able to put some in the inside storage.

Councilman Altieri asked if they would be stored where the stripes are in the lot.

Mike Giangreco stated yes or where we have been approved in the back of the property in a stoned area out of site.

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

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

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

Resolved, that after a public hearing held at the duly convened Town Board meeting on Wednesday, January 21, 2026, and after all interested parties having been heard, the Clarence Town Board, hereby, approves the request of the applicant GMA Concrete Design, for a Temporary Conditional Permit for an outside business storage and operation at 9377 County Road, in the Industrial Business Park zone, subject to the following conditions:

1. Initial Temporary Conditional 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 Certificate of Occupancy being issued.
3. Applicant installing the required landscaping, fencing, and dumpster enclosure shown on the approved plan prior to Certificate of Occupancy being issued. All landscaping and fencing shall be maintained in perpetuity, and replaced in-kind should there be any deterioration, death or disease. Any revisions from the previously approved landscape plan shall be submitted to the Landscape Committee for approval.
4. Any temporary stockpiles of soil, mulch, and gravel to be exclusively stored within the bins as shown on the approved plan and detailed in the applicant assurance emails dated November 23, 2025.
5. No dumping of grass clippings, off-site snow, logs, or vegetation on the property.
6. Outside storage shall be limited to vehicles and equipment as detailed in the applicant assurance emails dated November 21 and 23, 2025, and only placed within designated parking spaces.
7. Beyond that of outside business storage and operation, no additional future business operators, other than GMA Concrete Design and DC Landscape Design, and no additional operations without proper application made by the applicant and review and approval by the Town.
8. Apart from restrictions of outside storage and operation, all prior conditions of the Planning Board Development Plan Approval on August 17, 2022 remain in full force and effect.
9. Subject to applicable fees as required by Town Code.

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

Mike Giangreco replies yes.

Jonathan Bleuer added for condition number eight this would also include the most recent conditions from the Planning Board Development Plan Approval on December 3, 2025.

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

7631 Transit Road, LLC. at 7631 Transit Road. Southeast corner of Transit Road and Wolcott Road. An existing 6.88-acre property in the Restricted Business zone formerly home to Bitterman's Automotive complex of buildings and two residential structures, all of which have since been demolished apart from one warehouse building on the east side of the property. The applicant is requesting preliminary Conceptual review of an approximately 36,000 sqft commercial retail building for LENCO Supplies on the south side of the property, fronting Transit Road. The central portion of the site is preserved as an outparcel/lease area. The north portion of the site fronting Wolcott Road is proposed to be a natural open space area. Finally, the existing warehouse building on the east side of the property is proposed to be reduced in size due to floodway standards, but otherwise preserved. In 2023, Rane Property Management received Town approval to construct a mixed-use project containing commercial space, multiple-family housing, and accessory structures on the property. This construction never occurred and the property has since been sold. Reason for Board Action: A referral to the Planning Board would allow for a thorough review of this proposal. Apart from small scale retail operations in a mixed-use setting, commercial retail operations are not allowable in the Restricted Business zone. Additionally, structures containing over 10,000 sqft or a cumulative total of 30,000 sqft or more require a Special Exception Use Permit. Should the Town consider this proposal, exceptions will be required by the appropriate Board(s).

David Sutton of Sutton Architecture was present on behalf of the applicant as well as Kevin Coppola of LENCO Supplies. David stated a bit of history on LENCO Supplies, they have been in business for over 70 years locally, family owned and not a big franchise. This is the next step for growth for what we consider a neighborhood type business. The size of the building is a direct result of the product they sell, kitchen faucets to windows. The size of the building might not be reflective of the nature of the business proposing this structure at the southern most part of this property. This would leave the Northern part of the property as recreational including a partial removal of an existing structure. Entrances are on Transit Road as well as Wolcott Road that will be maintained. The nature of the business is very similar to other businesses in the area and spending a lot of time with the structure itself to reflect the character of the Town of Clarence. We feel that this structure will make a big statement in this area making the project inviting and separating ourselves from the big box stores. We are respectfully here today to be able to move forward with the next steps for this project.

Supervisor Casilio stated that he understands there is nothing they can do about it but does not like the retention pond in the front of the property and wish it was able to be moved.

Timothy Lavocat, Town Engineer asked the applicant of the engineering firm to reach out to the Town's Engineering department as we would like them to investigate the feasibility of moving that location of the pond if possible.

David Sutton stated that they would like that as well from a design stand point so they will have them reach out to consider different options.

Councilman Michnik asked if there will be flowers as in the picture all year round.

David Sutton replied they will be reflective to the season they are in and will do the best they can during the winter months.

Councilman Michnik asked if the current Eastern Hills location will remain if this project goes through.

David Sutton replied they will be closing that location to relocate to the new location. The goal for the Lenco family is to have an established ownership and continue to grow in Clarence that is a well needed and necessary move for the business.

Councilman Altieri asked how big the Eastern Hills building was.

Kevin Coppola stated the building is 56,000 sqft.

Councilman Altieri stated then that is a reduction of about 20,000 sqft.

Kevin Coppola stated yes, there was a portion of the building that was inefficient for the business.

Councilman Shear asked if this location would be a drive thru similar to the one in South Buffalo.

Kevin Coppola stated no there will be no drive thru.

Motion by Councilman Shear, seconded by Councilman Altieri to refer the request of the applicant, 7631 Transit Road, LLC to the Planning Board, for Conceptual review of an approximately 36,000 sqft commercial retail building for LENCO Supplies at 7631 Transit Road in the Restricted Business zone.

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

Motion by Councilman Shear, seconded by Councilman Altieri to approve the applications as follows: Legion Hall: Maria Bassig January 30, 2026, Stephen Weimer January 31, 2026, Madison Delgato February 7, Allison English February 15, 2026, Christian Schneider February 22, 2026, Brandon Richardson February 28, 2026, Rachael & Salvatore Riniolo March 1, 2026, Girl Scout Book Exchange March 10, 2026 and Joseph Emmanuele December 5, 2026. Clubhouse: Clarence Chamber of Commerce March 17, 2026, Boy Scout Troop 93 March 22, 2026, Northtowns FCU March 26, 2026, Town of Clarence Youth Bureau April 4 & April 17, 2026 and Citizens for Dan Michnik May, 14, 2026. Nature Center: North Gate Homeschool Co-Op Meetings – Multiple Dates for 2026, Conservation Advisory Council January 25, 2026 and Canisius University Army ROTC February 19 & February 26, 2026.

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

Motion by Councilman Shear, seconded by Councilman Michnik to approve the bill pay of January 8, 2026 as follows: General Funds \$329,622.60, Highway Funds \$446,230.89, Water Funds \$1,032.00, Fire Protection Districts \$13,386.00, Drainage Funds \$28,891.34, Sewer Funds \$550.98, Capital Funds \$225,192.15 and Agency Funds \$40.49 for a total bill pay of \$1,044,946.45.

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

Motion by Councilman Shear seconded by Councilman Altieri to approve the bill pay of January 15, 2026 as follows: General Funds \$175,742.74, Highway Funds \$63,168.88, Drainage Funds \$60,562.00, Lighting Funds \$699.68 and Capital Funds \$8,939.78 for a total bill pay of \$309,113.08.

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

With no further business, Supervisor Casilio adjured the meeting at 11:37 a.m.

Karen Hawes
Town Clerk