

Town of Clarence
One Town Place, Clarence, NY 14031
Planning Board Minutes
Wednesday, January 28, 2026

Work Session 6:00 pm
Status of SEQR Coordinated Reviews
Review of Agenda Items
Miscellaneous

Agenda Items 7:00 pm
Approval of Minutes

Vice-Chairman Richard Bigler called the meeting to order at 7:00 p.m.

Councilman Shear led the Pledge of Allegiance.

Planning Board Members present:

Vice-Chair Richard Bigler	2 nd Vice-Chair Wendy Salvati
Gregory Todaro	Jason Geasling
Daniel Tytka	Keith Lukowski

Planning Board Members absent: Robert Sackett Jason Lahti

Town Officials Present

Director of Community Development Jonathan Bleuer
Junior Planner Andrew Schaefer
Councilman Paul Shear
Councilman Bob Altieri
Deputy Town Attorney David Donohue

Other Interested Parties Present:

Lori White	Ed Shaffer	Linda Shaffer	Leslie Baragona
Micaela Lauer	Carmine Tiso	Ken Melson	Paula Melson
Bill Burke	Michael Metzger		

Motion by Wendy Salvati, seconded by Jason Geasling, to **approve** the minutes of meeting held on December 3, 2025, as written.

Keith Lukowski	Aye	Daniel Tytka	Aye	Jason Geasling	Aye
Gregory Todaro	Abstain	Wendy Salvati	Aye	Richard Bigler	Aye

MOTION CARRIED

Item 1

Lucas James
Commercial

Requests Concept Plan approval of a proposed 27-room Skyline Hotel and Restaurant, at 9485 Main Street, SBL 71.15-2-2.1.

DISCUSSION:

Mr. Bleuer introduced this project at 9485 Main Street, SBL 71.15-2-2.1. Located on the south side of Main Street, west side of Gunnville Road, north side of North Melinda Drive. It is an existing 9.5-acre vacant parcel in the Commercial and Residential Single-Family zones.

The applicant is requesting Concept Plan approval of a proposed 27-room boutique hotel and restaurant, called the Skyline Hotel & Restaurant. The structure is proposed to be 3-stories and approximately 45' tall at the highest point of the roof ridgeline, and wholly located in the Commercial zone.

The Town Board referred this proposal to the Planning Board in September of 2024. Due to comments received, the applicant modified and clarified the proposal as follows; moved the building closer to Main Street to comply with the required front yard setback, relocated the proposed on-site sanitary system and discussed the feasibility of such system with the Erie County Health Department, reduced the building square footage to better fit the character of the area, added a pitched roof design that meets the maximum height requirement of the underlying zone, proposed building materials of high quality such as stone, stucco, glass and extruded aluminum wood finishes, and reduced the amount of parking/impervious surfaces and size of the pond. In November of 2024, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). Since that time, the applicant has addressed additional comments received.

The Planning Board has the authority to act on this request, after an action through the State Environmental Quality Review Act.

Lucas James was present to represent his request, adding that the Department of Health recommended moving the sanitary system to a different location which would create a larger buffer zone between the residential area and the parking lot and building. While a similar size, the sanitary system is split in to two parts, located behind the patio at the rear of the building.

Mr. James also stated that they relocated the dumpster to the rear corner of the parking lot.

Mr. Bigler asked Mr. Bleuer if relocating the septic tank can impact this review at all. Mr. Bleuer responded that it certainly could, but the impacts would not be known until and if the applicant proceeds to the development plan review stage.

Mr. James pointed out that the septic system is shown on the plans that the Planning Board has, so they do have the updated plans.

Mr. Todaro started off by acknowledging correspondence that the Planning Office received today from Lori White, and David Brown. This as well as all prior correspondence is placed in the project file after it is dispersed to all board members for review.

Because this is concept plan review tonight, there may be questions that Mr. Todaro does not ask because they are more apropos of development plan review stage.

Mr. Todaro summarized some of the concerns that have been stated in the correspondence: use of residentially zoned land to support the commercial project, inconsistencies with the restaurant and patio seating capacities, patio location and orientation toward residential areas, traffic, noise, lighting, and operational impacts, requested conditions that offered for approval going forward that could be reviewed between the developer and/or brought to the attention of the Planning Board for consideration.

Regarding the new drawing, Mr. Todaro asked Mr. James where the new septic locations infringe in regard to any residential zoning in the rear.

Mr. James explained that the septic both prior and currently was or is in a residential zone. Mr. James read the neighbor correspondence, and stated that they are not using any residential space at all. They would be happy to disconnect it from the project and sell it off, it has nothing to do with the proposed project.

Mr. James stated that they have worked with the Department of Environmental Conservation (DEC) as far as wetlands, nearby wetlands to the west of the property, and the nearby buffer does extend a little bit on to this property mainly in the residential section. They are not touching the residential areas, and are maintaining significant buffers between the residential and commercial areas.

Referring to the flex space in back where the patio is, Mr. James explained that it is a sanctuary and koi garden that they consider a flex space. That is approximately 300' from a residential area with substantial mature tree buffered area.

Mr. James stated that when the Department of Health recommended moving the septic system to the other side, Mr. James agreed because it also correlates with his plans to keep everything away from the residential area. That is their highest priority since the beginning, is to keep as much separation as possible from the residential zones.

Regarding the septic system as shown on the drawings, Mr. Todaro asked Mr. James if the goal is to eventually have vegetation grow over the septic system area. Additionally, does the new location for the septic push the vegetation closer to the residential areas.

Mr. James explained that short plantings like grasses can be planted over septic systems, but trees and other vegetation needs to be kept at least 10' from the septic system. There is a significant number of mature trees that are being left and untouched, they are not touching anything in the residential zone at all.

Mr. Todaro asked Mr. James to explain how the proposed patio will be used, and what to expect in regard to potential noise levels.

Mr. James explained that what they are calling a flex space with a sanctuary garden, multiple seating areas around it, so it is meant to be calm and part of nature. It is supposed to draw in the picturesque, beautiful area it is in, and not intended for any excessive noise uses. They do not have an exact plan for back there, they know they want to do something really nice. There is a great view from the upper

deck of the patio, and want to do something that does not lock them in. They hope to do events sometime in the future if they are able to.

Mr. Todaro noted that would be his concern from a resident's standpoint; noise, lighting, or other situations that could potentially occur back there in that area where the sound could travel past 300'. Another of Mr. Todaro's concerns is that the use could change in to something different than what they are currently intending.

Mr. James stated that he has no intentions to have bands back there, but fully intends to abide by town regulations as far as noise and any events that are held in the back. He is hoping to do events like yoga, fitness classes are popular events in hotels such as what they are proposing.

Understanding that lighting is a significant concern as well, Mr. James noted that he does not plan any lighting except for bollard lights to line the walkway going back there, for safety purposes. There are no plans for any big lights because they do not plan to use the area at night or for any loud events.

Mr. James stated that the photometric plan that they have done is very specific with regard to minimal leakage to even the commercial spaces and 0 leakage to the residential areas.

Referring to the parking lot, Mr. Todaro confirmed that the light standards in that area will be dark-sky compliant, shielded, and no higher than 15'.

Mr. James noted that the light standards in their plan are 15', and still need to be reviewed by the Town.

Mr. Todaro asked Mr. James to explain how the retention basins on the west side of the property work.

Mr. James explained that there is a series of retention and detention basins, mainly dry for the most part. Engineering can better explain this, but there are significant mature plantings along the west side. He is not certain, but believes it will be dry most of the year, expressing that he is not completely sure of this.

Mr. Todaro asked about the dumpsters; where they will be located, and confirmed they will be enclosed.

Mr. James stated that the dumpsters will have a fencing around them with gates in the front, as well as some plantings. He has worked with the Landscape Committee and has been working to incorporate a significant number of their comments in to their plans.

Mr. Todaro noted that it appears Mr. James has 137 parking spaces.

Mr. James stated that he thinks there are 120. Their needs were 111, and what they are supplying are 110, as well as overflow spaces.

Discussion continued.

Mr. Todaro commented on whether Mr. James needs all of the parking that they show on the plans.

Mr. James noted that he would rather have a few extra parking spaces, than not enough.

Referring to the correspondence received from David Brown, Mr. Todaro asked Mr. James if he feels there will be any traffic issues with Main Street.

Mr. James stated that as with the other elements of this project, they have been pretty thorough. They had a trip generation report put together by Passero Associates, they estimated approximately at peak hour use a day, that approximately 54-55 trips may be added. Agencies like the Department of Transportation (DOT) put out a number and they say if they are getting to 100 trips or over, it is a significant impact that needs to be reviewed. This estimate for the proposed project is at about half of that number.

Mr. James added that the report also reviews the trips that are expected to occur on the side streets as well. Gunnville Road is expected to generate between 4-6 additional trips per day at the busiest time.

Mr. James reiterated that they are at approximately half the trip numbers that the DOT considers to be a significant impact. It may be noticeable, but it will not be significant.

Mr. Todaro stated that he personally feels this is a good use in this area, he likes the look and concept of the proposed building, more of the questions that he will have in the future apply more to the development phase.

Mrs. Salvati asked with respect to the traffic, when Mr. James anticipates seeing activity occurring at this facility, as this will be when the majority of traffic is generated.

Mr. James stated that there are a couple different uses within this proposed project; a boutique hotel with 27 rooms, the peak use for the hotel will be during check-in and check-out times. This will occur mid-morning, which is when they expect the most significant demand in terms of traffic for the hotel aspect.

In regard to the restaurant portion of the proposed project, Mr. James noted that it will take place between mid-afternoon in to evening. Because this is early in the review process, they have not determined any set hours yet, but they do plan to offer lunch. Mr. James stated that it will not impact all at one time.

Mrs. Salvati noted that formal signage will be discussed and determined during development review, but asked Mr. James if they intend to have a sign at their entrance on Main Street.

Mr. James responded yes; it will be on the west side, upon recommendation of the Landscape Review Committee, the existing tree will be removed and a small monument sign will be installed. There will most likely be a sign on the building as well, and he understands that anything that they propose will be high-end and classy.

Mrs. Salvati asked where snow storage will be, because it cannot be placed in the retention basins.

Mr. James explained that when needed, it will probably go in the rear next to the dumpster and to the west of that. This is also one of the reasons he wants extra parking. This site has so much room that they can get rid of the residential areas and it will not affect the property.

Referring to the line of parking spaces along Main Street at the front of the building, Mrs. Salvati noted that a planted island will need to be installed. When the required amount of parking spaces is exceeded, a planted island is required to break up the monotony of the cars.

Mr. James stated that he was not aware of that, but is happy to oblige by any conditions that they need to.

Mrs. Salvati noted that we have no idea what will become of the vacant land next to this property, but typically when they have projects with adjacent vacant properties, the Board asks for consideration of driveway cross-access.

Mr. James stated that if the Board makes that a requirement, he will make it happen, but he does not think it is completely applicable for a couple of different reasons; the property directly to the west has a very significant utility easement that runs through close to the center of it. It will be very difficult for it to be developed around the power lines. Additionally, it is a very small lot with no sewer so a septic system would be necessary, and there is minimal room for a septic system. If he was required to do it, he would make every attempt to find a way, but he does not think in this case it makes a lot of sense to do it.

In regard to Public Participation, the following residents spoke:

1. Micaela Lauer of 4500 Patricia Drive:
 - lives in the residential area behind this proposed project
 - concerns with the transient population that hotels typically have coming and going
 - concerns with the 3rd floor of the proposed hotel and if it will have visible access to the adjacent residential areas
 - questioned what kind of buffers will be put in and will they block access to the adjacent neighborhood

2. Lori White of 4480 Patricia Drive:
 - concerns with the traffic pattern and the potential access road for this proposed project potentially across from the plaza that is across the street
 - traffic coming and going from the high school at dismissal times and during any extracurricular events
 - according to the State Environmental Quality Review Act (SEQRA) report, the last traffic report is from 2021, which was at a time where many people worked and went to school remotely
 - concerns with the traffic patterns from Main Street on to Gunnville Road and the potential for chaos

3. Ryan Kedzerski of 4590 Gunnville Road:
 - there is already heavy traffic on Gunnville Road at the light at Main Street
 - what would be the use of the strip of property touching Gunnville Road
 - lives nearby to the hotel, can hear the announcements and bells from the high school, the hotel guests will also hear these things

With no one else wishing to speak, Public Participation was closed for this item for this meeting.

Mr. James returned to address questions and concerns, explaining that the 3rd story of the proposed hotel will not have any hotel rooms, it is the restaurant space. The height of the building is capped at 45' which a lot of 2-story homes are relatively close to that.

The closest home on Patricia Drive is approximately 600' with an abundance of mature trees in between.

Regarding the strip of land that is on Gunnville Road, Mr. James stated that they do not have plans for that, it can stay vacant greenspace or if a neighbor is interested in purchasing it, that is also an option.

Mr. Todaro confirmed that they do not have any plans to develop the strip of land on Gunnville Road.

Mr. James responded that is correct, they are not developing it at all, and will most likely put it up for sale as well as the piece of land that is in the residential area. They do not have any plans to develop either area.

Mr. James explained that they plan to have higher-end clientele staying at this proposed hotel, to the best of their ability.

Regarding the flow of traffic and the entrance / exit area, Mr. James stated that the DOT will not allow them to put the entrance / exit anywhere else on the property. It has to be directly across from the development across the street. Anything that is developed on this site has to have the access road right in this area.

Mr. James stated that it makes sense to have the entrance / exit directly across from the existing one across the street, and actually reduces confusion for people turning in and out of bother developments when it lines up.

Mr. Bigler confirmed that most of the trees that are remaining will mitigate the views from the third floor of the hotel in to the residential area.

Mr. James responded yes.

ACTION:

Motion by Gregory Todaro, seconded by Wendy Salvati, that pursuant to Article 8 of the Environmental Conservation Law, to **accept** the Part 1 Environmental Assessment Form as submitted and **approve** the Part 2 & 3 Environmental Assessment Forms as prepared and to **issue a Negative Declaration** on the proposed Lucas James Skyline Hotel and Restaurant at 9485 Main Street. This Unlisted action involves the construction of a 27-room hotel and restaurant facility in the Commercial zone. After thorough review of the submitted plans, documents, meeting minutes, reports, letters, and Environmental Assessment Forms, it is determined that the proposed action will not have a significant negative impact on the environment.

ON THE QUESTION:

Mrs. Salvati asked Mr. Bleuer if since the applicant has indicated that the site plan that the Planning Board has before them has changed, should they condition this approval of the Concept Plan on the revised Site Plan.

Mr. Bleuer stated that he does not feel it is necessary; he would continue through with the review that is shown before them, and the modification would be reviewed as part of Development Plan.

Keith Lukowski	Aye	Daniel Tytko	Aye	Jason Geasling	Aye
Gregory Todaro	Aye	Wendy Salvati	Aye	Richard Bigler	Aye

MOTION CARRIED

Motion by Gregory Todaro, seconded by Wendy Salvati, to **approve** the Lucas James Skyline Hotel and Restaurant **Concept Plan**, located at 9485 Main Street, per the submitted plan by DEL Resource, dated October 12th, 2025, and to **approve** the **Conceptual Architectural** drawings by Mussachio Architects, dated August 1st, 2024, all subject to the following conditions being met:

1. Applicant meeting the grading and drainage standards and requirements of the Town of Clarence Engineer.
2. Applicant meeting the fire code standards and requirements of the Town of Clarence Fire Inspector.
3. Subject to Development Plan review by the Town, including a technical review of the final Development Plan by the Town Engineering Department.
4. Subject to Town Building and Engineering Departments approval prior to any permits being obtained for site work activity.
5. Subject to New York State Department of Transportation approval for the proposed access points to Main Street.
6. Subject to Erie County Health Department and New York State Department of Environmental Conservation approval, if required, for the proposed on-site sanitary facilities.
7. Limits of clearing and disturbance shall be shown within the development plan set.
8. Landscape Committee approval of a final landscape plan, prior to Development Plan approval, including any stone wall, planting, and dumpster or tote fencing where applicable. In addition, a maintenance plan shall be submitted as part of the landscape plan to ensure landscaping and fencing remain in perpetuity, and are maintained or replaced in kind should there be any deterioration, or death and disease to plantings.
9. Dumpster or tote enclosures 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 dumpsters or totes.
10. Review of a photometric lighting plan prior to Development Plan approval. All site lighting shall comply with the Town Code, be dark sky compliant and shielded to prevent spillage onto adjoining properties. No building lighting shall extend above the roofline 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 any necessary security lighting. Any and all security lighting shall be depicted on the lighting plan.
11. Final building elevations to be submitted as part of the Development Plan review, including the labelling of material types and colors with detailing and material variety for any monotonous or blank wall areas. Building materials to be used shall be of industry standard high quality for durability and appearance.
12. Any exposed mechanicals shall be shielded from view by approved screening and/or landscaping, and any roof vents shall be painted to match the roof color.
13. Site curbing plan shall be submitted as part of Development Plan review.

- 14. Buildings and site shall be maintained as approved, in perpetuity, and any building and site deficiencies shall be repaired or replaced as approved.
- 15. Paved areas to be striped and maintained in perpetuity. No parking of vehicles outside the designated parking areas.
- 16. No outside display or storage of any kind on the property unless same shall have been pre-approved by the Town, including but not limited to goods, materials, debris, or other items.
- 17. No additional business operations or operators without proper application made by the applicant and with review and approval by the Town.
- 18. Any future proposed commercial outside operations shall be subject to a Temporary Conditional Permit as reviewed and approved by the Town of Clarence.
- 19. Any permanent signage 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.
- 20. Subject to Open Space, and any other applicable fees as required by Town Code.

Mr. James has heard, understands, and agrees to the conditions.

Keith Lukowski	Aye	Daniel Tytka	Aye	Jason Geasling	Aye
Gregory Todaro	Aye	Wendy Salvati	Aye	Richard Bigler	Aye

MOTION CARRIED

Item 2

R&D Contracting, Inc.
Residential Single-Family

Requests Concept Plan approval of a proposed 2-lot residential Open Development Area with private drive access to Sheridan Hill Drive, east of 8627 Sheridan Hill Drive, SBL 70.15-3-19.11.

DISCUSSION:

Mr. Bleuer introduced this project, SBL 70.15-3-19.11, it is located on the south Side of Sheridan Hill Drive, east of 8627 Sheridan Hill Drive. It is an existing vacant land of approximately 14-acres located in the Residential Single-Family zone, with approximately 6.11-acres assigned to this proposal.

Subdivision History: 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 requesting Concept Plan approval of a proposed 2-lot residential Open Development Area (ODA) 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.

If approved, this would result in the total Boncrest West subdivision area containing 16 residential sublots, down from the original 24 planned, and 14 approved.

The existing public t-stub terminus of Boncrest West has recently been constructed 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.

Project History: The Town Board referred this ODA proposal to the Planning Board in September of 2024. In November of 2024, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). Since that time, the applicant has addressed comments received.

The Planning Board has the authority to act on this request, after an action through the State Environmental Quality Review Act.

Present to represent the applicant was Ken Zollitsch with the engineering firm Greenman Pedersen Inc., adding that this is the last part of the previously slated development that would have no longer met code.

Mr. Zollitsch reiterated the proposal for a 2-lot Open Development Area, each lot would be just under 3 acres each. They have identified areas where they think the homes may be placed, the anticipated area of disturbance for the lots themselves, including the natural buffer that they intend to keep around the edge of this property to the best of their abilities.

Mr. Zollitsch stated that they do understand there may have been additional clearing from adjacent properties on to their property. They are looking at supplemental landscape plantings in those areas specifically along the west end along both sides of the driveway as you enter in to the site.

Mr. Zollitsch noted that they do understand this is the first step in the process, they will need to meet with the Landscape Review Committee. They will also be working with the neighbors to assure they have landscaping that is satisfactory to them so that everyone feels they are properly screened from the driveway.

Mr. Zollitsch stated that the driveway is a private drive, it is code compliant in terms of fire turnaround, apparatus access, and as the proposed project progresses, they will work to determine what is necessary in terms of any additional fire hydrants. They will work to assure that they are meeting any and all requirements of the town and fire code within the town.

Mr. Zollitsch stated that they believe this to be a straightforward project, down to just 2 lots from the original number of 24 lots, and a much larger and wider public right-of-way.

Regarding the property on the northwest side, Mr. Tytka noted that the previous owner slowly started taking some of that property. Mr. Tytka confirmed with Mr. Zollitsch that they do plan to put in additional greenery along that area.

Mr. Zollitsch stated yes; as it stands today, the owner at the northwest corner of this project, their driveway is on this property. They have an easement for that, the easement is only for ingress and egress to their property, it is not for any other uses. Mr. Zollitsch noted that they are looking to separate that and cleanly cut it off; a representative with the developer has been in contact with the owner of that property. They are proposing a separate driveway so that there are no concerns in the

future over maintenance agreements, since the driveway for the proposed project will be a private driveway for the 2 residences.

Mr. Tytka asked if there will be a Homeowner's Association (HOA).

Mr. Zollitsch stated that he is not sure that has been determined yet, there will most likely be some type of HOA in order to maintain the water line and the road itself coming in to the property. Whether it is snow plow maintenance, or just a future fund for future escrow for repaving at some point.

Mr. Zollitsch explained that considering these are two separate lots, while there are no sanitary sewer connections here, they will be on septic. The water line will be shared as they are most likely not able to get dual services coming off of that road.

Mr. Zollitsch noted that there will need to be some type of HOA or maintenance agency to service the common areas for the overall lot.

Mr. Tytka asked if the plan is to clear-cut all three acres, of each lot, or is that yet to be determined.

Mr. Zollitsch responded, stating that due to the size of the properties, a majority of the property is wooded, and they expect the houses that would be built will be custom homes, he expects each property will be custom fit for that home. They have laid out on the site plan what they believe to be a reasonable area of site disturbance which clearly shows the hatched area will be the undisturbed area. They are certainly not looking to clear the entire area; it would not benefit the developer or any of the adjacent properties.

Mr. Tytka asked how stormwater runoff will be managed to assure that it does not go on to adjoining properties.

Mr. Zollitsch explained that they have perimeter swales that they intend to install. They have a preliminary Grading and Drainage plan that was reviewed by the town's Engineering Department. There will be further refinement as they proceed through the development plan process. The swales will lead over to a central drain in between the two lots, which is more or less like a well. Drainage at this site is not a major issue, as long as they are taking it and intercepting it so that it does not flow on to adjoining properties, which is also against code.

In regard to Public Participation, the following residents spoke:

1. Paula Melson of 8627 Sheridan Hill Drive:

- the applicant is planning to come and take the space that she has used and maintained as her own for over 21 years
- has never had any interaction with a property owner until last year
- the proposed driveway would run along a line where at least 4 fully matured trees sit, she is concerned with what might happen to these trees once they start construction of the proposed driveway
- concerns with her garage and the property line; they purchased their property with the garage already there
- concerns for the electrical lines that are located behind their garage
- concerns with snow removal from the proposed properties out to the end of the driveway to the road
- concerns with the wildlife
- concerns with water flooding issues, as they are on the escarpment

Mr. Donohue asked Mrs. Melson if she was aware that it was not their property that they were using.

Mrs. Melson responded that 21 years ago they were told that there could be some development.

2. Ken Melson of 8627 Sheridan Hill Drive:

- concerns with cars and headlight glare coming from the proposed new driveway
- biggest concern is the trees and how much space will be between the actual property line and the proposed driveway
- confusion with how the proposed new driveway will work in relation to their garage that faces the proposed driveway
- if the driveways connect, will they be included in any potential HOA

Mr. Donohue asked Mr. Melson if he was aware that it was not his property.

Mr. Melson stated that the driveway was a paper road.

Mr. Donohue reiterated that Mr. Melson understood it was not their property.

Mr. Melson said yes; he was just taking care of it for the past 21+ years.

Mr. Geasling asked if they purchased this property with the garage and what is currently their driveway already there.

Mr. Melson responded yes; they have not changed anything.

Mr. Geasling asked if anything showed on the survey that the driveway was not on their property.

Mr. Melson responded yes; it was always a paper road.

Mr. Geasling stated that it is not a paper road; the driveway is not on their physical property, they were aware of that.

Mr. Melson responded yes.

Mr. Zollitsch returned to address questions and concerns, beginning with a potential HOA, explaining the intent is to separate their driveway from where it is now and create a new one, so that they do not need to be a part of the HOA. There will not be any fees assessed or anything like that. Mr. Zollitsch reiterated that this is only the concept stage, there are many details yet to be worked out, and formal agreements that the Town will want to see before granting Development Plan approval.

Mr. Zollitsch stated that in terms of the developer stating this is what I am responsible for doing for you in terms of any tree maintenance, tree removal, driveway construction, lawn maintenance and more. Mr. Zollitsch expects that this Board and the Town will demand those items before any Development Plan approval.

Mr. Bigler asked Mr. Zollitsch if he or the developer have been in contact with the Melson's at all yet.

Mr. Zollitsch responded yes; representatives with the developer have been in touch with them. In order to try to clarify how their driveway will be, Mr. Zollitsch explained that they have attempted to create a sketch of how the driveway would look, utilizing enough room and what they expect with a standard side-load garage. Having a 30' pad from the garage door out so that there is room. The Melson's are using their driveway and garage for storing vehicles, they have enough room to back up, pull out and that type of activity. Typically for side-load garages they are around 24' but are at 30' as shown in the sketch. Mr. Zollitsch explained that he is more than willing to refine it and adjust it and work with the neighbor to establish something that is satisfactory to them.

Mr. Zollitsch noted that he understands and is sympathetic for the Melson's, they have lived with this for over 20 years, but ultimately it is not their property, it is only an easement. The language was written that they had those rights until such a time that a street was installed.

Regarding the property lines and garages, Mr. Zollitsch stated that in speaking with representatives with the developer, there have been discussion about what they could potentially do to move the back out building off of the property, they do not want any structures straddling property lines to prevent any future concerns over rights to a structure.

Mr. Zollitsch stated that in terms of snow storage and the driveway itself, between edge of pavement this is a proposed 26' wide private drive between the edge of that and the property line, there will be approximately 13' of space. This is more than enough room for snow storage on-site, as well as some supplemental plantings.

Mr. Bigler asked if the 4 trees will be impacted.

Mr. Zollitsch stated that he cannot comment on that, he does not have those specific trees on the current information that he has. It is something that they can definitely take a look at, if they need to send their surveyors out to determine and clearly define where they fall in relation to the property line. He will certainly look in to it.

Mr. Zollitsch noted that there are electric lines running along the back of the property; he does not anticipate any issues with that. They will need to work with NYSEG for any lines that are crossing through.

Mr. Bigler stated that all regulations prevent any kind of flooding on to their property.

Mr. Zollitsch confirmed, when their stormwater design and grading plans are developed, they are reviewed by the Town of Clarence Engineer to assure they are not shedding their water on to adjoining properties. They can never guarantee that the stormwater situation will be approved, but it certainly will not be any worse than what it is presently. Generally speaking, when they do have projects such as this, they believe that they do improve the situation because a lot of times the original designs are outdated, and new regulations are much more stringent than even 20 years ago.

Mr. Bigler stated that it appears the drainage will be captured on the south end of the property rather than the north end, which would impact the neighbor.

Mr. Zollitsch stated that generally speaking, the lay of the land has everything flowing towards the south. The high point is further north and generally goes down until you reach the cul-de-sac. If they find any low areas that they feel drainage needs to be picked up, they will look in to extending swales or doing what they need to in order to collect the stormwater drainage and stormwater runoff.

ACTION:

Motion by Daniel Tytka, seconded by Gregory Todaro that pursuant to Article 8 of the Environmental Conservation Law, to **accept** the Part 1 Environmental Assessment Form as submitted and **approve** the Part 2 & 3 Environmental Assessment Form as prepared and to **issue a Negative Declaration** on the proposed R&D Contracting Open Development Area at SBL 70.15-3-19.11 in the Residential Single-Family zone. This Unlisted Action involves the proposed construction of a 2-lot residential Open Development Area with private drive access to Sheridan Hill Drive. After thorough review of the submitted plans, documents, meeting minutes, reports, letters, and Environmental Assessment Forms, it is determined that the proposed actions will not have a significant negative impact on the environment.

Keith Lukowski	Aye	Daniel Tytka	Aye	Jason Geasling	Aye
Gregory Todaro	Aye	Wendy Salvati	Aye	Richard Bigler	Aye

MOTION CARRIED

Motion by Daniel Tytka, seconded by Gregory Todaro, to **approve** the R&D Contracting 2-lot Open Development Area **Concept Plan** at SBL 70.15-3-19.11 per the submitted drawing set by GPI, dated December 2025, with a final revision date of December 19th, 2025, subject to the following conditions being met:

1. Applicant meeting the requirements of the Town of Clarence Engineering preliminary grading and drainage review, and associated conditions.
2. Applicant meeting the requirements of the Town of Clarence Building Department preliminary fire code compliance review, and associated conditions.
3. Subject to Development Plan review by the Town, including a technical review of the final Development Plan by the Town Engineering Department.

4. Review and approval by the Town of Clarence Highway Superintendent for access to Sheridan Hill Drive.
5. ~~Review and approval by the Erie County Health Department of on-site sanitary facilities for the sublots.~~
6. Landscape Committee approval of a final landscape plan, prior to Development Plan approval, to include a minimum of two street trees per lot, and landscape buffering of the private drive and property boundaries adjacent to existing residences. Street trees to be a minimum of 2.5" caliper, double staked, and species to be chosen from the Town's recommended street tree list, planted and maintained per the Town's Tree Management Plan. In addition, a maintenance plan shall be submitted as part of the landscape plan to ensure all landscaping remains in perpetuity, and is maintained or replaced in kind should there be any death and disease to plantings.
7. Limits of clearing and disturbance shall be shown within the development plan set.
8. All lots shall be developed per the lot data table placed within the development plan set, including but not limited to, basement type, lot grading type, and setbacks.
9. Applicant shall grant and prepare any easements determined to be necessary by the Town of Clarence Engineering Department, based on technical review of the development plan set. Said Easements shall be submitted by the applicant for review and approved by the Town Engineering, Highway and Legal Departments. After approval, applicant shall file same in the Erie County Clerk's office and provide a stamped "Filed" copy to the Town Attorney's office after recording and prior to building permit issuance by the Building Department.
10. If a Homeowner's Association is to be created by the applicant, a copy of the bylaws, rules and regulations shall be prepared and submitted to the Planning Office and Town Attorney's Office for review and approval, prior to building permit issuance by the Building Department, and prior to submission to the Attorney General's office.
11. Any entrance or private drive lighting must be dark sky compliant and shielded to prevent spillage onto adjoining parcels.
12. Any subdivision signage shall be subject to review and approval by the Sign Review Committee.
13. Subject to Open Space, Recreation, and any other applicable fees as required by Town Code.
14. Homeowner's Agreement to be reviewed by the Town of Clarence Attorney's Office.
15. Driveway Agreement to be reviewed by the Town of Clarence Attorney's Office.

ON THE QUESTION:

Mr. Bleuer stated that the Planning Office has gone through this overall project file, and as you heard, it is very complex over the course of decades. The Town of Clarence does feel for the Melson's, this is an issue that they inherited. It is also something that Mr. Zollitsch's client has worked to correct in the past years by making the code-compliant turnaround on Boncrest West. The Town of Clarence will be looking for both Mr. Zollitsch's client and the adjacent property owners to come to a mutually agreeable resolve both for vegetation and for access that actually works.

Mr. Bleuer thanked Mr. Zollitsch for his word that he will work on that, and we will not move forward until that is taken care of.

Regarding condition #5, Mr. Zollitsch clarified that it is not required for Development Plan approval, but rather for a building permit. Typically, those are based on house size specific to the house. It is not something he is going to try to get approval before Development Plan.

It was agreed that condition #5 be stricken.

Mr. Zollitsch has heard, understands and agrees to these conditions.

Keith Lukowski	Aye	Daniel Tytko	Aye	Jason Geasling	Aye
Gregory Todaro	Aye	Wendy Salvati	Aye	Richard Bigler	Aye

MOTION CARRIED

Item 3

Edge Development, LLC.
Commercial

Requests Development Plan approval of a Conceptually approved mixed-use project containing multiple-family housing and commercial space at 9105 Sheridan Drive.

DISCUSSION:

Mr. Bleuer introduced this project at 9105 Sheridan Drive, located on the south side of Sheridan Drive, west of Main Street. It is an existing 2.8-acre vacant property located in the Commercial zone.

The applicant is requesting Development Plan approval for a Conceptually approved mixed-use project containing multiple-family housing and commercial space. The project consists of approximately 6,400 sq. ft. of commercial space and 23 apartments, as follows:

- One 3-story mixed-use building fronting Sheridan Drive containing 6,400 sq. ft. of commercial on the first floor, and 11 total apartments.
- Three 2-story residential townhome buildings to the rear, each containing 4 units.

The Town Board referred this proposal to the Planning Board in October of 2024. In November of 2024, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). In January of 2025, the Planning Board issued a Negative Declaration under SEQRA. In April of 2025, the Zoning Board of Appeals issued variances for the total number of multiple-family housing units and the third story of the mixed-use building, and the Planning Board issued Concept Plan approval, subject to fifteen conditions. In May of 2025, the applicant made modifications to the proposal; reducing the interior commercial space, adding a 900 sq. ft. commercial outdoor patio, and increasing the residential density by one unit. In June of 2025, the Town Board issued a Special Exception Use Permit, subject to the issuance of an additional variance by the Zoning Board of Appeals. In July of 2025, the Zoning Board of Appeals issued an additional variance for the total number of multiple family units proposed. Also in July of 2025, the Landscape Review Committee approved a final landscape plan. Finally in December of 2025, the Engineering Department determined that the development plan meets all technical requirements.

The Planning Board has the authority to consider this Development Plan. An approval would constitute the final Board action prior to construction.

Bill Burke with Edge Development was present to represent this request, adding that they are excited about this project, it will be a great addition to Sheridan Drive.

Mr. Geasling referred to the elevations and renderings, and noted that it appears there are 3 entrances on both the front and rear elevations. Looking at the plans, it does not appear that there are 3 access points. Mr. Geasling asked for clarification.

Mr. Burke asked Mr. Geasling if he is referring to the concrete lead walks adding that there will be lead walks at the front and rear entrances. They were missed on the details, but they are shown on the artistic rendering to give a better idea of what it will look like.

Referring to the proposed studio apartment, Mr. Geasling asked if there will be ingress egress to the apartment, and/or to the patio from the apartment.

Mr. Burke explained that it is a detail that they are working with the architect to get that figured out. It will most likely end up being an access from the rear of the building, and because there is a window on the bedroom, the patio will not be there.

Mr. Geasling confirmed that the patio will not be included.

Mr. Burke responded that is correct.

Mr. Geasling asked if the wall will no longer be necessary.

Mr. Burke responded that is correct. That will be something that if they end up putting a restaurant or some type of tenant that would utilize the patio, it may be a consideration. But it will most likely not be included.

Mr. Geasling asked Mr. Burke what the anticipated lighting height is for the parking lot.

Mr. Burke responded that code has a 15' limit for the lighting standards, so that is the height they will use.

Mr. Geasling asked what the plan is for the mechanicals.

Mr. Burke explained that for the 3-story building there will be rooftop mounted units. There may be 1 or 2 mechanicals on the 1st floor pad mounted. The majority of the units will be on the rooftop.

For the townhomes, there will only be an AC condenser in the rear of the building.

Mr. Geasling confirmed that ground mounted will be screened.

Mr. Burke responded yes; with extensive landscaping. The rooftop mechanicals will be screened with a parapet wall, they will not be visible from the street.

Mr. Geasling asked about the handicap ramps that are shown on the plans, noting that they are floating between handicap spaces and the hatched-out area.

Mr. Burke noted that they will be shifted over to the hatched-out areas.

Mr. Bleuer asked for clarification on whether the mechanicals will be roof-top mount, or attic mount.

Mr. Burke responded rooftop mount, and the way they designed the roof, you will not see it, but at the peak of the roof there will be a cut-out right at the middle section of the roof at the peak.

Mr. Bleuer asked if it will be on the back side.

Mr. Burke responded right in the middle. The peak will come up to match the peak of the roof gables, and they will be recessed in to the roof so you will not be able to see any of the rooftop mechanicals.

Mr. Bleuer asked Mr. Burke if he would commit to providing details of the mechanicals prior to submitting PIPs.

Mr. Burke responded yes.

Mr. Bigler asked Mr. Bleuer about the walkways and patio access adjustments, and whether this Board can move forward before they are complete.

Mr. Bleuer stated yes; he has worked with Mr. Geasling, and they have worked out some potential language on the question.

Mrs. Salvati stated that typically with mixed-use developments that have residential units in them, there is some type of vent piping that has to come up out of the roof. She would like to see that piping be colored to match the roof.

Mr. Burke responded yes, absolutely. Typically, they do a very good job at locating them to the rear of the building, occasionally there are a few at the front, but they will for sure paint them so that they are concealed and blended in.

ACTION:

Motion by Jason Geasling, seconded by Daniel Tytka to **approve** the Edge Development, LLC. **Development Plan**, located at 9105 Sheridan Drive, per the submitted plan by Carmina Wood Design, dated June 2025, with a final revision date of September 2025, and to **approve** the **Final Architectural** drawings by Sutton Architects, dated August 7th, 2025, and August 20th, 2025, all subject to the following conditions being met:

1. Applicant meeting the requirements of the Town of Clarence Building Department fire code compliance review, and associated conditions.
2. Applicant meeting any additional requirements of the Town of Clarence Engineering and Building Departments, and any associated conditions, prior to any permits being obtained for construction on the property.
3. Subject to New York State Department of Transportation approval for the proposed access point to Sheridan Drive.
4. Subject to Erie County Health Department and New York State Department of Environmental Conservation approval, if required, for the proposed on-site sanitary facilities.
5. Applicant meeting the requirements of the Landscape Committee Approval on July 8th, 2025, and associated conditions, including but not limited to, the management of all landscaping in perpetuity and replacement, in-kind, should there be any deterioration, or death, or disease to plantings; and the maintenance of all walls and fencing, and replacement in kind, should there be any deterioration or damage.

6. Any exposed mechanicals shall be shielded from view by approved screening and/or landscaping, and any roof vents shall be painted to match the roof color.
7. Dumpster or tote enclosures 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 dumpsters or totes.
8. All site lighting shall comply with the Town Code, be dark sky compliant and shielded to prevent spillage onto adjoining properties. No building lighting shall extend above the roofline 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 residential lighting and any security lighting as called out on the approved site lighting plan.
9. Buildings to be constructed per the labelled materials and rendered colors, and building materials to be used shall be of industry standard high quality for durability and appearance.
10. Building and site shall be maintained as approved, in perpetuity, and any building and site deficiencies shall be repaired or replaced as approved.
11. Paved areas to be striped and maintained in perpetuity. No parking of vehicles outside the designated parking areas, and all parking areas shall be curbed except for any pedestrian access ramp areas.
12. No outside display or storage of any kind on the property unless same shall have been pre-approved by the Town, including but not limited to goods, materials, debris, or other items.
13. No additional business operations or operators without proper application made by the applicant and with review and approval by the Town.
14. Any future proposed commercial outside operations shall be subject to a Temporary Conditional Permit as reviewed and approved by the Town of Clarence.
15. Any permanent signage 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.
16. Subject to Open Space, Recreation, and any other applicable fees as required by Town Code.

Mr. Burke stated that he has heard, understands, and agrees to the conditions.

ON THE QUESTION:

Mr. Geasling stated that per discussion and applicant commitment, applicant shall make the necessary modifications to the development plan for Engineering review and approval prior to issuance of private improvement permit by the Town.

Mr. Bleuer stated that additionally, the applicant has agreed to work with the Planning Office to verify any rooftop mechanicals.

Keith Lukowski	Aye	Daniel Tytka	Aye	Jason Geasling	Aye
Gregory Todaro	Aye	Wendy Salvati	Aye	Richard Bigler	Aye

MOTION CARRIED

Item 4

Charles Pezzino
Traditional Neighborhood District

Requests Concept Plan approval and recommendation of a Temporary Conditional Permit to the Town Board for a new outside dining patio bar at Samuel's Grande Manor, known as the Tavern on Main, at 8750 Main Street.

DISCUSSION:

Mr. Bleuer introduced this project at 8750 Main Street, located on the north side of Main Street, west of Overlook Drive.

It is an existing 9.6-acre property in the Traditional Neighborhood District and Residential-Single-Family zone, containing a banquet facility and multiple-family housing units.

The applicant is requesting Concept Plan approval and a Recommendation to the Town Board of a Temporary Conditional Permit for a new outside dining patio bar at Samuel's Grande Manor, known as the Tavern on Main, wholly in the Traditional Neighborhood District. The patio bar consists of approximately 4,800 sq. ft., with 3,000 sq. ft. of seasonally enclosed space planned to the west of the Samuel's front lobby entrance, and 1,800 sq. ft. of patio space to the east of the front lobby entrance.

The Town Board referred this proposal to the Planning Board in November of 2025. Since that time, the applicant has addressed comments received.

The Planning Board has the authority to act on this request, after an action through the State Environmental Quality Review Act.

Charlie Pezzino with Samuel's Grande Manor, and Michael Metzger with Metzger Civil Engineering were present to represent this project.

Mr. Metzger added that Mr. Pezzino's son Michael was also present.

Mr. Metzger stated that it is a pretty straightforward project, reiterating what Mr. Bleuer introduced. Mr. Metzger added that there will be a separate entrance for this proposed restaurant, and while it can be accessed from the lobby of the banquet facility, there will be an exterior entrance in and out of the restaurant. You do not need to come in to the banquet facility to obtain access to the proposed restaurant.

Mr. Metzger stated that they will also be adding another entrance to the banquet facility. Since the restaurant will be occupying the southwesterly corner of the building, they are looking at it as if parking for the restaurant will be the 72 spaces that are up front. They will be adding quite a bit of landscaping that will act as a delineation between the two areas.

Mr. Todaro complimented the project, adding that he thinks it will be a great addition.

Regarding the additional entrance on the west side, Mr. Todaro asked if it will be ADA compliant.

Mr. Metzger explained that due to some elevation differences, that entrance will not be the ADA compliant entrance. Another entrance just before the main banquet facility entrance will be handicap accessible.

Mr. Todaro asked what parking is being delineated for this proposed project, will it be the square area to the front.

Mr. Metzger responded yes.

Mr. Todaro asked what the hours of operation will be.

Mr. Metzger stated that Sunday through Thursday will be 11am – 9pm, Friday and Saturday 11am-midnight.

Mr. Todaro asked about the potential for noise from this proposed project to the apartments up above.

Mr. Pezzino stated that where this proposed restaurant is located, there is nothing above it.

Mr. Metzger explained the location of the proposed restaurant with the renderings shown on the screen.

Mr. Metzger added that when the Pezzino's built the apartments at Samuel's, they put in special flooring within the apartments that make them sound-proof.

Mr. Todaro confirmed that this is a year-round restaurant, the doors will be closed in the winter and open in the summer.

Mr. Pezzino responded yes.

Mr. Todaro asked if there is any additional sanitation that will be needed for this proposed project.

Mr. Metzger stated that they have already reached out to the ECDOH and provided them the necessary information for this proposed project as it relates to the event center and the apartments. They received a response stating that they accept the proposed flows in to the existing system without any requirement to make any upgrades.

Mr. Todaro asked where the existing septic system is located on the property.

Mr. Metzger stated that it is to the rear of the property. There is a series of septic tanks leading up to the sand filters, and further explained that process of the septic on site.

With no one wishing to speak, Public Participation was closed for this item at this meeting.

ACTION:

Motion by Gregory Todaro, seconded by Wendy Salvati, that pursuant to Article 8 of the Environmental Conservation Law, to **accept** the Part 1 Environmental Assessment Form as submitted and **approve** the Part 2 & 3 Environmental Assessment Forms as prepared and to **issue a Negative Declaration** on the proposed Charles Pezzino Patio Bar project at 8750 Main Street. This Unlisted

Action involves the proposed construction of a patio bar and restaurant in the Traditional Neighborhood District. After thorough review of the submitted plans, documents, meeting minutes, reports, letters, and Environmental Assessment Forms, it is determined that the proposed action will not have a significant negative impact on the environment.

Keith Lukowski	Aye	Daniel Tytka	Aye	Jason Geasling	Aye
Gregory Todaro	Aye	Wendy Salvati	Aye	Richard Bigler	Aye

MOTION CARRIED

Motion by Gregory Todaro, seconded by Wendy Salvati, to **approve** the Charles Pezzino Patio Bar **Concept Plan**, located at 8750 Main Street, per the submitted plan by Metzger Civil Engineering, dated January 15th, 2025, subject to the following conditions being met:

1. Applicant meeting the grading and drainage standards and requirements of the Town of Clarence Engineer.
2. Applicant meeting the fire code standards and requirements of the Town of Clarence Fire Inspector.
3. Subject to Development Plan review by the Town, including a technical review of the final Development Plan by the Town Engineering Department.
4. Subject to Town Building and Engineering Departments approval prior to any permits being obtained for site work activity.
5. Subject to Erie County Health Department and New York State Department of Environmental Conservation approval, if required, for any modification or expansion of on-site sanitary facilities, if required.
6. Landscape Committee approval of a final landscape plan, prior to Development Plan approval, including any patio walls, landscaped parking islands, plantings, and dumpster or tote fencing where applicable. In addition, a maintenance plan shall be submitted as part of the landscape plan to ensure landscaping and walls remain in perpetuity, and are maintained or replaced in kind should there be any deterioration, or death and disease to plantings.
7. Dumpster or tote enclosures 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 dumpsters or totes.
8. Review of a photometric lighting plan prior to Development Plan approval. All site lighting shall comply with the Town Code, be dark sky compliant and shielded to prevent spillage onto adjoining properties. No building lighting shall extend above the roofline 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 any necessary security lighting. Any and all security lighting shall be depicted on the lighting plan.
9. Final construction elevations to be submitted as part of the Development Plan review, including the labelling of material types and colors. Building materials to be used shall be of industry standard high quality for durability and appearance.
10. Building and site shall be maintained as approved, in perpetuity, and any building and site deficiencies shall be repaired or replaced as approved.
11. Paved areas to be striped and maintained in perpetuity. No parking of vehicles outside the designated parking areas.

- 12. No outside display or storage of any kind on the property unless same shall have been pre-approved by the Town, including but not limited to goods, materials, debris, or other items.
- 13. No additional business operations or operators without proper application made by the applicant and with review and approval by the Town.
- 14. Any permanent signage 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.
- 15. Subject to Open Space, and any other applicable fees as required by Town Code.

Mr. Pezzino stated that he has heard, understands, and agrees to these conditions.

Keith Lukowski	Aye	Daniel Tytko	Aye	Jason Geasling	Aye
Gregory Todaro	Aye	Wendy Salvati	Aye	Richard Bigler	Aye

MOTION CARRIED

Motion by Gregory Todaro, seconded by Wendy Salvati, to **recommend** to the Town Board issuance of **Temporary Conditional Permit** for the Charles Pezzino Patio Bar at 8750 Main Street, as per the approved Concept Plan and associated conditions, and after a technical review of applicant supplied outdoor operation detail during the Development Plan review phase.

Keith Lukowski	Aye	Daniel Tytko	Aye	Jason Geasling	Aye
Gregory Todaro	Aye	Wendy Salvati	Aye	Richard Bigler	Aye

MOTION CARRIED

Item 5

Dynabrade, Inc.
Commercial

Requests Concept Plan approval of an approximately 40,000 sq. ft. light manufacturing and office addition to the rear of the existing facility at 8989 Sheridan Drive.

DISCUSSION:

Mr. Bleuer introduced this project at 8989 Sheridan Drive, located on the south side of Sheridan Drive, west of Main Street. It is an existing 15.7-acre property containing a light manufacturing and office facility located in the Commercial zone.

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

In 2024, the applicant proposed a 90,000 sq. ft. light manufacturing and office building on the adjacent parcel, 9035 Sheridan Drive. In June of 2025, the applicant formally withdrew that application, citing budgetary and timing issues concerning their Tonawanda subsidiary's lease/buy building agreement. In October of 2025, the Town Board referred this new proposal to the Planning Board. In November of 2025, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). Since that time, the applicant has addressed comments received.

The Planning Board has the authority to act on this request, after an action through the State Environmental Quality Review Act.

Jason Utzig with C&S Engineers, and Colin Brody with Dynabrade were present to represent this request.

Mr. Utzig stated that they have received Preliminary Grading and Drainage comments from the Engineering Department and have addressed those.

Mr. Tytka confirmed that the materials on the proposed addition will match the materials on the existing facility.

Mr. Utzig responded that is correct.

Mr. Tytka asked if there are any new lighting standards proposed for the parking lot or the building.

Mr. Utzig responded no; they have not gotten to that point with the design yet. If anything, there may be a couple of pole lights for the parking lot.

Mr. Tytka asked if there will be the need for any additional clearing.

Mr. Utzig responded no; it is pretty much right at the limit of what will be cleared.

With no one wishing to speak, Public Participation was closed for this item at this meeting.

ACTION:

Motion by Daniel Tytka, seconded by Gregory Todaro, that pursuant to Article 8 of the Environmental Conservation Law, to **accept** the Part 1 Environmental Assessment Form as submitted and **approve** the Part 2 & 3 Environmental Assessment Forms as prepared and to **issue a Negative Declaration** on the proposed Dynabrade, Inc. project at 8989 Sheridan Drive. This Unlisted Action involves the proposed construction of an approximately 40,000 sq. ft. light manufacturing and office addition to the rear of the existing facility in the Commercial zone. After thorough review of the submitted plans, documents, meeting minutes, reports, letters, and Environmental Assessment Forms, it is determined that the proposed action will not have a significant negative impact on the environment.

Keith Lukowski	Aye	Daniel Tytka	Aye	Jason Geasling	Aye
Gregory Todaro	Aye	Wendy Salvati	Aye	Richard Bigler	Aye

MOTION CARRIED

Motion by Daniel Tytka, seconded by Gregory Todaro, to **approve** the Dynabrade **Concept Plan**, located at 8989 Sheridan Drive, per the submitted plan by C&S Companies, dated August 5th, 2024, with a final revision date of October 1st, 2025, and to **approve** the **Conceptual Architectural** drawings by Silvestri Architects, dated September 30th, 2025, all subject to the following conditions being met:

1. Applicant meeting the grading and drainage standards and requirements of the Town of Clarence Engineer.

2. Applicant meeting the fire code standards and requirements of the Town of Clarence Fire Inspector.
3. Subject to Development Plan review by the Town, including a technical review of the final Development Plan by the Town Engineering Department.
4. Subject to Town Building and Engineering Departments approval prior to any permits being obtained for site work activity.
5. Subject to Erie County Health Department and New York State Department of Environmental Conservation approval, if required, for the proposed on-site sanitary facilities.
6. Landscape Committee approval of a final landscape plan, prior to Development Plan approval, including any planting, dumpster fencing, and frontage split rail fencing details where applicable. In addition, a maintenance plan shall be submitted as part of the landscape plan to ensure landscaping and fencing remain in perpetuity, and are maintained or replaced in kind should there be any deterioration, or death and disease to plantings.
7. Review of a lighting plan prior to Development Plan approval. All site lighting shall comply with the Town Code, be dark sky compliant and shielded to prevent spillage onto adjoining properties. No building lighting shall extend above the roofline, 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. Any and all security lighting shall be depicted on the lighting plan.
8. Final building elevations to be submitted as part of the Development Plan review, including the labelling of material types and colors. Building materials to be used shall be of industry standard high quality for durability and appearance.
9. Any exterior building mechanicals shall be identified, detailed, and shielded on any future Development Plan submittals.
10. Building and site shall be maintained as approved, in perpetuity, and any building and site deficiencies shall be repaired or replaced as approved.
11. Paved areas to be striped and maintained in perpetuity. No parking of vehicles outside the designated parking areas, and all parking areas shall be curbed except for any pedestrian access ramp areas.
12. No outside storage or display of any kind on the property unless same shall have been pre-approved by the Town, including, but not limited to vehicles, goods, materials, and debris.
13. No additional business operations or operators without proper application made by the applicant and with review and approval by the Town.
14. Any permanent signage 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.
15. Subject to Open Space, and any other applicable fees as required by Town Code.

The applicant has heard, understands, and agrees to the conditions.

Keith Lukowski	Aye	Daniel Tytko	Aye	Jason Geasling	Aye
Gregory Todaro	Aye	Wendy Salvati	Aye	Richard Bigler	Aye

MOTION CARRIED

Meeting **adjourned** at 8:54 p.m. with a motion by Daniel Tytko.

MOTION CARRIED

Amy Major
Senior Clerk Typist