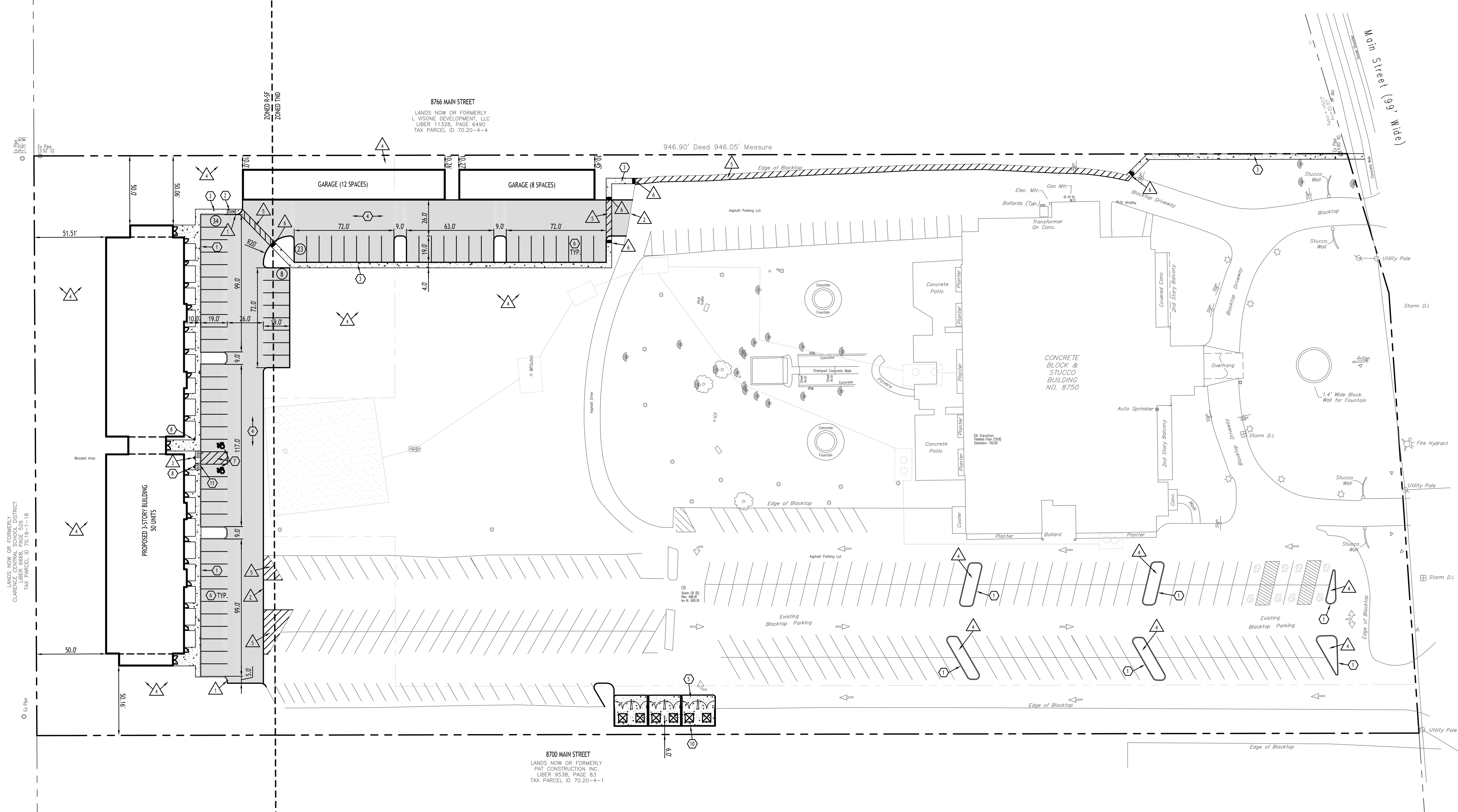


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SITE DATA		
SITE AREA = 9.42 AC±		
ZONED: TRADITIONAL NEIGHBORHOOD DISTRICT (1.66 AC± TO BE REZONED FROM R-SF TO TND)		
DESCRIPTION: PROPOSED MULTI-FAMILY BUILDING (50 UNITS) AND GARAGES		
SETBACKS - BUILDING	REQUIRED	PROVIDED
FRONT:	10 FT	104 (EX.)
SIDE:	10 FT	10 FT MIN.
REAR:	25 FT	N/A
SETBACKS - PARKING		
FRONT:	-	N/A
SIDE:	NONE	37.0 FT MIN.
REAR:	NONE	N/A
GREENSPACE		
TOTAL SITE (40% MIN.):	3.77 AC	3.88 AC (41.1%)
PARKING		
# OF SPACES - SEE CALCULATION BELOW	100 9x19	20 GARAGES 65 SPACES 85 SPACES TOTAL (PROP.)
MAX. BUILDING HEIGHT	40 FT	37 FT
MAX. BUILDING SIZE	30,000 GSF	52,185 GSF **
LOT COVERAGE (BLDG + IMPERVIOUS)	60% (5.65 AC)	58.9% (5.54 AC)
MULTI-FAMILY DENSITY (8 UNITS/AC)	75 UNITS	56 UNITS (50 PROP., 6 EX.)
REQUIRED COMMERCIAL (25% OF FLR. AREA)	26,230 SF	33% 35,000 SF (EX. BLDG)

* PARKING NOT ALLOWED IN FRONT YARD OF THE BUILDING
** VARIANCE GRANTED BY ZBA ON MARCH 10, 2026

NOTE: SPECIAL EXCEPTION USE PERMIT REQUIRED FOR MULTI-FAMILY USE

PARKING CALCULATION:
"RESIDENTIAL"
REQD PARKING = 2 SPACES PER UNIT
= 50 UNITS x 2 = 100 SPACES

Site Plan

SCALE: 1"=40'

- DETAIL LEGEND** SEE SITE DETAIL SHEET
- 1 TYPE 'A' CONCRETE CURB
 - 2 SIDEWALK CURB RAMP
 - 3 CONCRETE SIDEWALK
 - 4 STANDARD DUTY ASPHALT
 - 5 EXTERIOR CONCRETE SLAB ON GRADE
 - 6 90° PARKING STALL
 - 7 HANDICAPPED PAVEMENT MARKINGS
 - 8 HANDICAPPED PARKING SIGN
 - 9 LIGHT POLE FOUNDATION
 - 10 DUMPSTER ENCLOSURE
 - 11 HANDICAPPED PAVEMENT RAMP

- NOTE LEGEND**
- 1 RUNOUT CURB IN 2' OR MATCH EXISTING CURB
 - 2 SAWCUT LINE, MATCH EXISTING EDGE OF PAVEMENT
 - 3 INSTALL 'NO PARKING' SIGN, N.U.T.C.D. SIGN NO. P1-1C
 - 4 LANDSCAPED AREA - SEE LANDSCAPE PLAN, IF NO PLANTINGS, INSTALL TOPSOIL & SEED
 - 5 4" WIDE YELLOW PAVEMENT STRIPES @ 2' O.C. @ 45° TO PARKING LINES
 - 6 DETECTABLE WARNING STRIP

SITE NOTES:

- ALL RADII SHALL BE 3'-0" UNLESS OTHERWISE NOTED.
 - ALL DISTURBED AREAS: SHALL HAVE 4" MIN. OF TOPSOIL AND SEED.
 - ALL DIMENSIONS FROM PROPERTY LINES SHALL BE MEASURED PERPENDICULAR TO THE PROPERTY LINE.
 - CENTER ENTRANCE SIDEWALKS ON DOOR OPENINGS.
 - BUILDING DIMENSIONS ARE APPROXIMATE, REFER TO ARCHITECTURAL DRAWINGS FOR LAYOUT DIMENSIONS.
 - ALL HANDICAP RAMPS (NOT WITHIN THE NYS DOT R.O.W.) AND/OR SIDEWALKS FLUSH TO PAVEMENT SHALL HAVE ADA COMPLIANT TACTILE WARNING STRIPS WHERE ENTERING PARKING AREAS/DRIVEWAYS. SIDEWALKS FLUSH TO PAVEMENT WITHIN THE NYS DOT R.O.W. SHALL ADHERE TO THE NOTES AND DESIGN REGULATIONS AS STATED ON NYS DOT STANDARD SHEET 608-01.
- GENERAL NOTES:**
- INSTALL ALL MATERIALS TO MANUFACTURER'S RECOMMENDATIONS AND BEST STANDARDS OF TRADE INVOLVED.
 - SUBSTITUTIONS SHALL BE MADE ONLY WITH OWNER'S APPROVAL AND BE OF EQUIVALENT QUALITY TO WHAT IS SPECIFIED.
 - WORK SHALL BE COMPLETED IN STRICT ACCORDANCE WITH ALL LOCAL CODES AND OSHA SAFETY RULES AND REGULATIONS.
 - VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS AT THE SITE. NOTIFY OWNER & ENGINEER OF DISCREPANCIES IN CONDITIONS SHOWN ON DRAWINGS PRIOR TO PROCEEDING WITH THE WORK.
 - CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTION OF ANY EXISTING STRUCTURES TO REMAIN AND ANY FINISH MATERIAL INSTALLED WHILE WORKING ON OTHER COMPONENTS.
 - CONTRACTOR SHALL KEEP JOB FREE OF DEBRIS AND MAKE FINAL CLEANUP TO SATISFACTION OF OWNER.
 - CONTRACTOR SHALL ASCERTAIN THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION SO THAT THIS WORK WILL NOT DISTURB EXISTING LINES AND/OR INSTALLATIONS. COORDINATE ALL WORK WITH THE APPLICABLE UTILITY COMPANIES.
 - ALL OTHER PERMITS REQUIRED BY STATE OF NEW YORK, COUNTY OF ERIE, AND TOWN OF CLARENCE ARE THE RESPONSIBILITY OF THE CONTRACTOR/DEVELOPER/OWNER.

SITE LEGEND

PROPERTY LINE	---
PROPOSED CONCRETE CURB	=====
PROPOSED SIDEWALK / CONCRETE PAD	▨
NUMBER OF PARKING SPACES	27
PROPOSED SIGN	■
PROPOSED STANDARD DUTY ASPHALT PAVEMENT	▨
PROPOSED LIGHT POLE	⊙
PROPOSED WALL MOUNTED LIGHT	⊙

NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY OTHERS, CARMINA WOOD DESIGN ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.

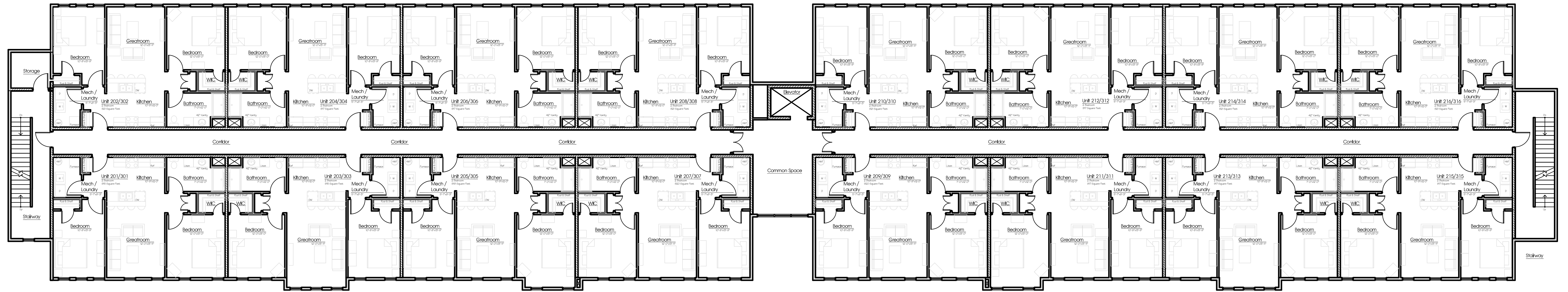
REVISIONS:

No.	Description	Date

DRAWING NAME:
Site Plan

Date: 3/11/26
Drawn by: P. Sheedy
Scale: As Noted

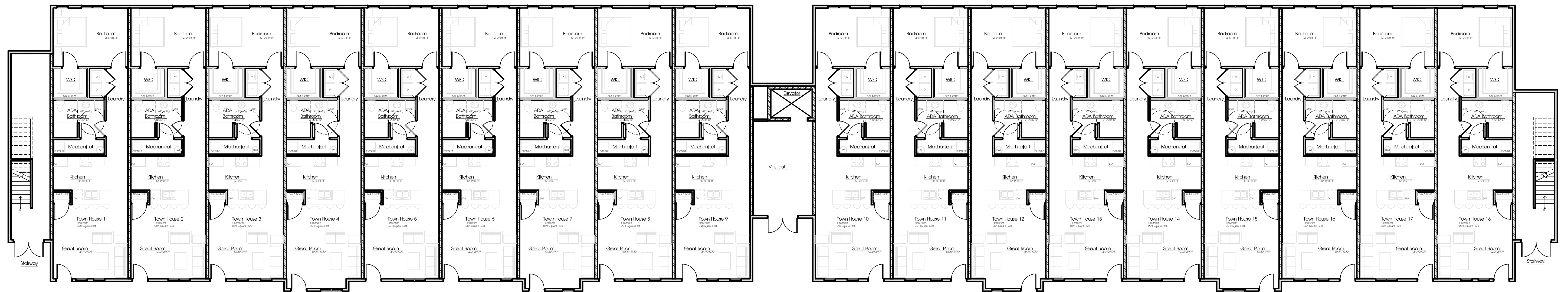
DRAWING NO.:
C-100
Project No: 25-4149



Concept Second Floor Plan

Third Floor Plan Similar
17,395 Square Feet Per Floor

3/32" = 1'-0"



Concept First Floor Plan

17,395 Square Feet Per Floor

3/32" = 1'-0"



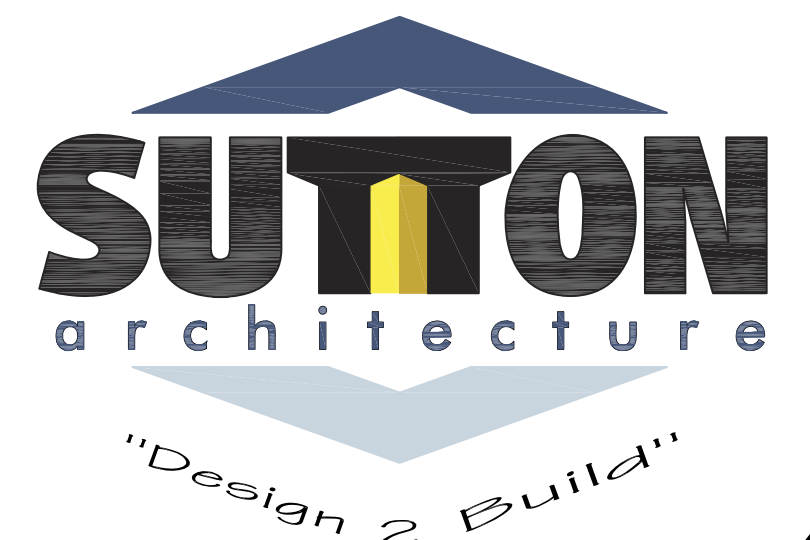
Concept Front Elevation

52,185 Total Building Square Footage

3/32" = 1'-0"

Samuels Apartments 50 Unit Multi-Family Concept Plans & Elevation

8750 Main Street
Town Of Clarence, NY
2/9/2026







LIFANG
works still in progress



LIFANG
works still in progress

**State Environmental Quality Review
Negative Declaration
Notice of Determination of Non-Significance**

Date: February 18, 2026

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Clarence Planning Board, acting as the designated Lead Agency in connection with the coordinated environmental review of the action, has determined that the proposed action described below will not have any potentially significant adverse impacts on the environment and as such a Draft Environmental Impact Statement will NOT be prepared.

Project Name: 8750 Main Street – Multifamily Residential Development

Project Number: TOC09172025A

Location of Project: 8750 Main Street - SBL: 70.20-4-3.11 & 0 Main Street – SBL: 70.20-4-3.12
North side of Main Street | East of Harris Hill Road

Lead Agency: Town of Clarence Planning Board

SEQRA Classification: The Proposed Project is a Type I Action. The Town conducted a coordinated environmental review and none of the involved agencies expressed any objection to the Planning Board acting as the designated lead agency.

Description of Action: Existing 9.6-acre property in the Traditional Neighborhood District and Residential-Single-Family zone, containing a banquet facility and multiple-family housing units. A 50-unit multiple family housing project is proposed to the rear of the existing Samuel’s Grande Manor facility. One 3-story structure is proposed. Two detached garage buildings are proposed, containing 8 and 12 bays. A portion of the project has been designed within the Residential Single-Family zone, which would require rezoning consideration.

The Planning Board has thoroughly evaluated the Part 1 of the Environmental Assessment Form, the completed Parts 2 and 3 of the Environmental Assessment Forms, submitted plans, documents, reports, and letters, as well as all supporting documentation and meeting minutes associated with the coordinated environmental review of the action pursuant to SEQRA.

Compared to the criteria listed in Section 617.7 of the SEQR Regulations, the Planning Board, acting as the designated lead agency, has determined that all identified areas of environmental concern have been identified and thoroughly evaluated, and that the proposed action will not have any potentially significant adverse impacts on the environment. The Planning Board’s reasoned elaboration in support of its determination that the proposed project will not result in any potentially significant adverse environmental impacts is provided below.

Executive Summary:

The “Project Site” is located on the north side of Main Street, is east of Harris Hill Road, and consists of 8750 Main Street - SBL: 70.20-4-3.11 & 0 Main Street – SBL: 70.20-4-3.12. The Project Site consists of +/- 9.6 acres of land and is zoned as Traditional Neighborhood (“TND”) and Residential Single-Family (“R-SF”) pursuant to the Town of Clarence Zoning Map. The Project Site currently contains a banquet facility along with multiple-family housing known as “Samuel’s Grande Manor.”

The Planning Board previously conducted a coordinated environmental review for the development of a portion of the Project Site for multiple-family housing that concluded with the issuance of a Negative Declaration on December 1, 2021. The Planning Board hereby affirms the Negative Declaration with amendment, first issued on December 1, 2021 for the same land use as depicted on the current project plans.

The Project involves the construction of a 50-unit multiple family housing building to the rear of the existing Samuel’s Grande Manor facility. One 3-story structure is proposed along with detached garage buildings. A portion of the project has been designed within the Residential Single-Family zone, which would require rezoning consideration. No modifications are proposed to the existing Samuel’s Grande Manor building as a result of this Project. After a thorough coordinated environmental review, it has been determined that the Project will not result in any potentially significant adverse impact to the environment. The Project is in keeping with the recommended land use, design guidelines, and site layout standards for the underlying zoning classification. *Clarence 2030 – Town of Clarence Comprehensive Plan*, encourages context sensitive mixed-use development along the commercial corridors of the Town of Clarence such as Main Street.

Compared to the criteria listed in Section 617.7 of the SEQRA Regulations, the Planning Board, acting in its capacity as the Lead Agency, has determined that the identified areas of environmental concern have been adequately addressed, and that the Project will not have any potentially significant adverse impacts on the environment. The reasoned elaboration of the Planning Board in support of its affirmation of the Negative Declaration with amendment, first issued pursuant to SEQRA on December 1, 2021 is provided below.

1. Impact on Land:

The Project involves ground disturbance to vacant land on the Project Site. The depth to water table is greater than three (3) feet on the Project Site. The Project does not involve construction on slopes of 15% or greater. Bedrock is within five (5) feet of the existing ground surface on certain portions of the Project Site. If blasting is necessary for infrastructure installation it shall be subject to compliance with all Federal, State and Local Laws and regulations. In addition, seismographs shall be deployed to monitor all blasts. Vibration and air blast over-pressure shall stay within the United States Bureau of Mines criteria. An audible warning system will be implemented to secure the blast area. Prior to any blasting, a Blast Plan in compliance with all Federal, State, and Local Laws and regulations shall be formulated by the blasting company on behalf of the Project Sponsor. The Project will not involve the excavation and removal of more than 1,000 tons of natural material. Since the Project will result in disturbance of more than one acre of land, a Stormwater Pollution Prevention Plan (“SWPPP”) prepared by a licensed engineering firm will be required and the SWPPP will need to be reviewed and approved by the Town Engineering Department prior to site disturbance. The requirement for the SWPPP is outlined per the letter dated December 1, 2025 from Joseph Lancellotti of the Town of Clarence

Engineering Department, and per the letter dated October 17, 2025 from Lisa M. Czechowicz of the New York State Department of Environmental Conservation (“NYSDEC”).

The Project will result in physical disturbance and vegetation removal; however, this potential impact is not significant since construction activities will need to comply with required applicable erosion and sediment control measures. Such erosion and sediment control measures will be specified in the engineered plans to be prepared by a licensed engineering firm as well as the required SWPPP. The erosion control measures will be reviewed by the Town Engineering Department during the Development Plan Application review process. The Project Site is not located within a designated Coastal Erosion hazard area.

Currently, the Project is anticipated to occur in one (1) phase and the construction of the Project is anticipated to occur for a period of one year. Construction activities in furtherance of the Project will be intermittent and represent a temporary and unavoidable adverse impact that is not potentially significant. During construction, the Project will need to comply with the applicable stringent standards for stormwater quality and storm quantity management as well as applicable standards for required infrastructure improvements. This will be verified by the Town Engineering Department in connection with the Development Plan Application review process.

On December 1, 2025, the Town Engineering Department issued a memorandum confirming the completed review of the Preliminary Grading and Drainage Plans dated November 24, 2025. The memorandum stated the reviewed plans provide sufficient information for purposes of the Concept Plan review process and listed four (4) comments to be addressed during the Development Plan review of the Project.

2. Impact on Geological Features:

There are no unique or unusual land forms on the Project Site. Any proposals for deep excavations are subject to a hydrogeologic/geotechnical evaluation report as required by the Town of Clarence Engineering Department. Such report shall include, but not be limited to, analysis of the deep soils, soil stability, proximity to existing structures, basin constructability, groundwater, dewatering operations, and ability to hold water.

3. Impact on Surface Water:

The Project Site currently consists of an existing banquet facility and associated facilities. In a letter dated October 17, 2025 from Lisa M. Czechowicz of the NYSDEC, Comment No. 1 stated that NYSDEC’s amended Article 24, Freshwater Wetlands Jurisdiction and Classification regulations (6 NYCRR Part 664) went into effect on January 1, 2025 and that portions of New York State regulated freshwater wetlands and their adjacent areas may be located in the project area. The relevant portion of the regulations is set forth in 6 NYCRR §664.1(d) and states as follows:

“Where a property owner has commenced, or plans to commence a project on a parcel that did not require a freshwater wetlands permit prior to January 1, 2025, and has a Final Environmental Impact Statement for the project which has been accepted by a lead agency pursuant to Part 617 of this Title prior to January 1, 2025, has received a negative declaration for a Type I or Unlisted actions pursuant to Part 617 of this Title for the project prior to January 1, 2025, or has received written site plan approval from a local government for the project prior to January 1, 2025, this Part shall not be applicable to such parcel until July 1, 2028 for projects determined to be Major projects.”

The Planning Board is affirming the Negative Declaration with amendment, first issued on December 1, 2021 for the development of the Project Site for multiple-family dwellings.

Wetlands Investigation Co. prepared a Wetland Delineation Report dated October & November 2025. The report concluded that there are no Federal or State jurisdictional wetlands present on the Project Site. The U.S. Army Corps of Engineers (“USACE”) previously issued a Jurisdictional Determination (LRB-201800808) in February of 2021.

The management of stormwater from impervious surfaces on the Project Site will require the installation of a stormwater management system. The stormwater management system will be designed by a licensed engineering firm to collect, discharge and improve the quality of surface water. The stormwater management system will be required to comply with the applicable stringent stormwater quality and quantity standards of the NYSDEC and the applicable drainage standards of the Town of Clarence.

4. Impact on Groundwater:

There will be minimal additional ground water introduced as a result of the Project. A portion of the post developed site stormwater will be collected, managed and disbursed on-site for eventual percolation into the groundwater system, through stormwater detention areas, as designed and permitted to meet Federal, State and Local standards.

The Project will connect to existing water services and will require review and approval by the Erie County Water Authority (“ECWA”). The Project Sponsor identified that there will be a need for new water services requiring anticipated water usage/demand per day of approximately 9,570 gallons. In a letter dated October 9, 2025 from Mark S. Carney of the ECWA, it was stated that the anticipated development of the Project will require ECWA review for any new service or modifications to the existing water service. The comment from the ECWA will be addressed during the Development Plan Application review process.

The Project includes treated wastewater discharge to groundwater in the form of an on-site sanitary system. In a letter dated October 17, 2025 from Lisa M. Czechowicz of the NYSDEC, it was stated that a State Pollutant Discharge Elimination System (“SPDES”) Permit is required for a facility whose treated sanitary wastewater discharge to groundwater is greater than 1,000 gallons per day. A licensed engineering firm will design the sewage management system for the Project Site and said design shall be reviewed and approved by the Erie County Department of Health (“ECDPH”) and the NYSDEC during the Development Plan Application review process.

5. Impact on Flooding:

The Project Site does not fall within a 100-year floodplain, nor is it located within a designated floodway. The Project will require modification of existing drainage patterns. Any future Development Plan submittal shall include an Engineer’s Report and full grading and drainage plans and details prepared by a licensed engineering firm for review by the Town prior to Development Plan Approval. In addition, the Project will include the implementation of NYSDEC compliant stormwater management practices.

6. Impacts on Air:

The Project does not involve a State regulated air emission source.

7. Impact on Plants and Animals:

The Project will result in the clearing of existing vegetation on the Project Site. There was

no documented presence of protected, threatened or endangered species on the Project Site as confirmed by lead agency concurrence letter issued by the NYSDEC dated October 17, 2025. A landscape plan prepared by a registered landscape architect will need to be reviewed and approved by the Town Landscape Review Committee for the purpose of introducing native and beneficial vegetation to the Project Site.

8. Impact on Agricultural Resources:

The Project Site does not contain agricultural resources and is not located in a County Agricultural District. Additionally, there are no agricultural fields currently on the Project Site and a majority of the undeveloped portions of the Project Site are naturally occurring vegetations and mowed lawns. As such, the Project will not result in any adverse impacts to agricultural resources.

9. Impact on Aesthetic Resources:

The Project Site is located on Main Street, which is a New York State Highway. The Project involves the construction of a multiple family housing building behind the existing banquet facility, which is not in sharp contrast to the nearby land use patterns. Surrounding land use patterns include numerous commercial uses, residential homes, community facilities, and schools. Furthermore, the Project is consistent with *Clarence 2030 – Town of Clarence Comprehensive Plan*. There are no officially designated Federal, State, or Local scenic or aesthetic resources within 5 miles of the Project Site that would be significantly impacted by the Project. Additionally, the Project would not eliminate or significantly screen an officially designated scenic view.

10. Impact on Historic and Archeological Resources:

The Project Site is located in, or is adjacent to, an area designated as sensitive by the New York State Historic Preservation Office (“SHPO”) archeological site inventory. Per the memorandum dated September 05, 2018 issued by the SHPO, it is the SHPO’s opinion that the Project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places. Additionally, a No Impact Determination letter was issued by Daniel MacKay of SHPO on September 24, 2025. The aforementioned letter from SHPO determined that no historic properties, including archeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by the Project; therefore, no further archeological investigations are warranted.

11. Impact on Open Space and Recreation:

The Project that consists of privately owned property will not result in a loss of recreational opportunities or a reduction of protected open space. As part of the Project there will be a requirement to include a recreational component, as approved by the Town of Clarence, for the use of the residents.

12. Impact on Critical Environmental Areas:

The Project Site is not located within or adjacent to a designated Critical Environmental Area.

13. Impact on Transportation:

After a thorough review by involved and interested agencies, including but not limited to

the New York State Department of Transportation (“NYSDOT”), Clarence Fire Review, and Clarence Highway Department, it has been determined that the Project will not have a significant adverse impact on the existing transportation system.

The primary access point for the Project is Main Street, and the Project Sponsor will be required to obtain all appropriate permits from NYSDOT for any curb cut modifications. On October 15, 2025 Thomas Nieswiadomy of the NYSDOT issued an email stating that the NYSDOT requests additional information through the SEQRA process in order to provide comments on the Project’s potential impact to the State Highway System. The Project Sponsor provided the requested information to the NYSDOT on December 24, 2025. After thorough review of the submitted documents, Kevin Hebert of the NYSDOT issued an email on January 2, 2026 stating that the NYSDOT does not have any additional comments on the Project at this time.

14. Impact on Energy:

The Project will cause an increase in the use of energy compared with the Project Site’s current state; however, the overall use of power will not exceed the amount of power currently available at the site. The Project shall be designed to meet energy compliance standards through the installation of energy efficient facilities and features having minimal impact on the environment. As part of the Development Plan review process, the Project Sponsor shall coordinate with the appropriate utilities to obtain all appropriate permits as required.

15. Impact on Noise, Odor, and Light:

The potential impacts from noise, odors, and lighting will be addressed through the installation of new landscaping to reduce noise impacts, the installation of enclosed dumpsters / tote garbage facilities to reduce odors, and the installation of dark-sky compliant shielded lighting to avoid off-site light pollution. In addition, the general impact to noise, odor and light will be consistent with existing surrounding commercial and residential land uses. There will be a temporary and unavoidable impact to noise, odor and lighting during construction; however, this is not a potentially significant adverse environmental impact.

16. Impact on Human Health:

The Project Site does not include a known source of regulated hazardous materials detrimental to human health. If regulated hazardous materials exceeding the applicable NYSDEC thresholds are unexpectedly encountered during the construction of the Project, clean-up activities compliant with Federal, State and Local standards will be completed prior to construction on the relevant portions of the Project Site.

17. Consistency with Community Plans:

Clarence 2030 – Town of Clarence Comprehensive Plan (“Clarence 2030”) is the Town’s adopted Comprehensive Plan. *Clarence 2030* review process began in December 2014 and was adopted by the Town Board in December of 2016 and included numerous opportunities for public input and participation. Map 8 (“Future Land Use Map”) of *Clarence 2030* designates the Project Site as appropriate for Hamlet Neighborhood; specifically, the Project Site falls within the boundaries of the Harris Hill Hamlet Neighborhood. The Harris Hill Hamlet Neighborhood is generally characterized by a mix of land uses, providing public and community uses as well as commercial establishments in close proximity to residential neighborhoods. As part of *Clarence 2030*, the Town has placed an increasing emphasis on providing pedestrian connectivity

throughout these areas, as well as building and site design requirements in order to achieve a higher standard of development.

The Project requires a rezoning of the northern portion of the Project Site from Residential Single-Family to Traditional Neighborhood (“TND”). Should the rezoning to TND be granted by the Town Board, it has been determined that this rezoning does not represent a potentially significant adverse environmental impact. The rezoning is keeping with the Future Land Use Map of *Clarence 2030*, and the Project is keeping with the desired complementary mixed-use design of this section of Main Street.

Vision: Main Street was adopted by the Town Board in April of 2017. The goals of *Vision: Main Street* are to identify a unified approach to improve the physical and visual appeal of Main Street, recognize and build upon the unique character areas contained within the corridor, and bridge the broad initiatives and policies in *Clarence 2030* with focused efforts for Main Street. The plan developed a range of design guidelines specifically for the Harris Hill section of Main Street. The key design guidelines for the Harris Hill area include:

- Two to three story buildings are encouraged, though one to two are more common. Where more than two stories are proposed, higher stories can be stepped back from the front building edge.
- Provide prominent facades along Main Street.
- Larger groups of buildings should be arranged in a campus-like setting.
- The building should include articulation of lower and upper stories and a street presence that is inviting to pedestrians and cyclists as well as motorists.
- Utilize high-quality building materials and the addition of architectural details.
- Roofs are to be pitched. Parapet walls can be used to give the appearance of a flat roof, provided architectural details and facade articulation are incorporated.

The Project is consistent with the recommended land use, design guidelines and site layout guidance for the relevant portion of the Town along Main Street. The Project will require one (1) variance from the Zoning Board of Appeals. The variance would be for the overall size of the multiple family housing building. Should the area variance for the overall size of the multiple family housing building be granted by the Zoning Board of Appeals, it has been determined that this area variance does not represent a potentially significant adverse environmental impact. Although the building is larger than the allowable code, the building is designed in such a way to give the appearance of two separate buildings that would meet the maximum overall size requirement. Additionally, the building is significantly set back from Main Street and is intending to keep with the desired character as outlined in the Town’s guiding documents. If the Zoning Board of Appeals does not grant the area variance for the overall size of the building, the Project Sponsor will be required to adjust the design of the multiple family housing building to comply with the relevant size standard.

The Project will require a Special Exception Use Permit (“SEUP”) from the Town Board for the Multiple-Family component. A density calculation for the number of multifamily units to be provided was prepared pursuant to Section 229-126E of the Zoning Code, and is as follows:

- Per section 229-126(E)(1) of the zoning code: The maximum residential density of the multiple-family development shall be limited to eight units per acre.
 - Traditional Neighborhood land area (*if rezoned*) = 9.42 acres
 - 9.42 acres x 8 allowed units = 75 units allowed
 - 56 units are proposed with 6 of the 56 already existing on the Project Site.

- Per section 229-126(E)(2) of the zoning code: A minimum of 25% of the total floor space shall be committed to commercial uses.
 - Total proposed and existing floor space = 97,185 sq. ft.
 - Total proposed and existing residential space = 62,185 sq. ft. (64%)
 - Total existing commercial space = 35,000 sq. ft. (36%)

Should the Special Exception Use Permit be granted by the Town Board, it has been determined that this action does not represent a potentially significant adverse environmental impact. The density and square footage of the Project is keeping with the allowable provisions set by the Town's Zoning Code.

Timothy P. German of the Erie County Department of Environment and Planning ("ECDEP") provided a comment letter dated September 24, 2025 stating that ECDEP has no recommendations and that the action has been reviewed and determined to be of local concern.

18. Consistency with Community Character:

Main Street is a State Highway made up of a mixture of land uses on either side, including commercial and mixed-use. The Project will not be in sharp contrast to existing community character. The Project is compliant with the Town's allowable uses for the underlying zoning classification and vision per the adopted Comprehensive Plan.

The Project is subject to the guidelines and restrictions set forth by the Town Zoning Code for Traditional Neighborhood, *Clarence 2030*, and *Vision: Main Street*. The Project is consistent with the stringent standards for the Traditional Neighborhood zoning classification, which includes minimum setbacks from property lines, lot coverage, and the site and architectural design standards. As part of the conceptual review of the Project, overall design guidelines for the Project were prepared to ensure consistency and unified design for the Harris Hill Hamlet. The layout of the Project fulfills a transitional land-use pattern, whereby the higher intensity commercial component is oriented along Main Street while the residential uses are orientated to the north of the Project Site, which is adjacent to the existing residential neighborhoods. This transitional land use pattern achieves compatibility between existing and proposed land uses. While the existing architectural scale and character of the area varies, the Project does not reflect a moderate to large impact due to the Project being consistent with the underlying zoning classifications and community's design guidelines.

As part of the coordinated review for this Project, Harris Hill Volunteer Fire Company and the Clarence Central School District were listed as involved / interested agencies. A copy of the full application was provided to all listed agencies as part of the coordinated review under SEQRA, and all agencies were provided an opportunity to comment on the Project.

Conclusion: A complete and thorough review of the proposed action was completed by the Planning Board, the Town's Department of Planning & Zoning, the Town's Engineering Department as well as involved agencies.

The Planning Board formally affirms with amendment on February 18, 2026, a Negative Declaration, first issued on December 1, 2021, for the proposed action.

All documentation is on file at the Town of Clarence Planning and Zoning Department, One Town Place, Clarence, New York 14031. These records may be examined by the public between the

hours of 8:00 a.m. and 4:30 p.m. Monday through Friday. Written comments may be submitted to the Director of Community Development.



Jonathan Bleuer, Director of Community
Development, Department of Planning and Zoning

For further information contact:

Jonathan Bleuer, Director of Community Development

Office of Planning and Zoning

One Town Place

Clarence, NY 14031

Tel: 716.741.8933

E-mail: jbleuer@clarence.ny.us