

Town of Clarence  
One Town Place, Clarence, NY 14031  
**Planning Board Minutes**  
Wednesday, April 1, 2026

**Work Session 6:30 pm**

Status of SEQR Coordinated Reviews  
Review of Agenda Items  
Miscellaneous

**Agenda Items 7:00 pm**

Approval of Minutes

Chairman Robert Sackett called the meeting to order at 7:00 p.m.

Councilman Altieri led the Pledge of Allegiance.

Planning Board Members present:

Chairman Robert Sackett  
2<sup>nd</sup> Vice-Chair Wendy Salvati  
Jason Geasling  
Keith Lukowski

Vice-Chair Richard Bigler  
Gregory Todaro  
Daniel Tytko

Planning Board Members absent:

Jason Lahti

Town Officials Present

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

Other Interested Parties Present:

Dom Farbo	Becky Farbo	Shawn Reidy	Jaimee Reidy	Rob Gauchat
Thomay Tierney	Ken Barrett	Charles Malcomb	David Chiazza	Dave Sutton
Ken Zollitsch	Arianna Kwiatkowski		William Appenheimer	

**Item 1**

Paul & Dora Iskalo  
Residential Single-Family

Requests Conceptual review of a current exception parcel in Stone Ledge Estates, 5125 Kraus Lane, SBL 71.02-2-26, to be buildable as an Open Development Area lot.

**DISCUSSION:**

Mr. Bleuer introduced this project at 5125 Kraus Lane / SBL 71.02-2-26, located east of Kraus Road, south of the Stone Ledge Estates private drive.

It is an existing 10.3-acre exception parcel located within the Stone Ledge Estates private subdivision in the Residential Single-Family zone. This exception parcel is commonly known as the “stable sub-parcel”, and has a history of agricultural operations.

The applicant is requesting Conceptual review to allow the current exception parcel, known as 5125 Kraus Lane / “stable sub-parcel”, to be buildable as a single-family residential Open Development Area lot.

In the late 1990’s, a private drive (known as Kraus Lane) was constructed off Kraus Road, to access four residential sublots. Between 1998 and 2001, a residence was built on each of the four sublots.

In 2005, the DeRose’s received approval to subdivide their adjacent horse farm into four additional sublots accessing the same existing private drive. Thereafter, one residence was built on a subplot in 2006. In 2007, another subplot was split into two sublots and both were recognized as buildable, resulting in another one of the original four DeRose sublots becoming an exception parcel. This exception parcel is known as 5125 Kraus Lane / “stable sub-parcel”, and is the subject of this current request. Together these past actions have resulted in a total of five DeRose sublots, four of which are considered buildable from a Planning/Zoning perspective. Of the four buildable sublots, three remain vacant.

Finally, between 2007 and 2026, there have been a series of lot line adjustments associated with the five DeRose sublots.

The initiation of a coordinated review under the State Environmental Quality Review Act (SEQRA) will allow for involved agency and interested party comment.

Present to represent the applicant is David Chiazza, Executive Vice President with Iskalo Development Corp. Mr. Chiazza reviewed some slides, reiterating that they have an exception parcel that is not one of the 4 lots that are permitted to be in the open development.

Mr. Chiazza referred to a letter from the Stone Ledge Estates Homeowner’s Association (HOA) stating that they are in support of the Town of Clarence approving this parcel to be buildable on the condition that the 30’ strip be conveyed back to the HOA to address any concerns they have about a future connection to the Pine Ledge subdivision to the south.

Mr. Chiazza referred to a letter that they sent to the residents last week regarding the Planning Board meeting, and an exhibit that identified where the parcel and 30' strip are located. They also noted in the letter that this request is isolated to the Stone Ledge Estates subdivision, and will not impact the property owners.

Mr. Tytka asked why there is a need to get this lot approved when the other three lots are vacant.

Mr. Chiazza stated that over time, Mr. Iskalo acquired 4 parcels, starting with 3 lots then finished with the 4<sup>th</sup> lot. He had intentions of building his home there, but as the years went by, he never got around to it. Recently, 3 of the lots went up for sale and sold faster than expected, which left only this exception parcel. Mr. Iskalo decided that is where he would like to build his retirement home, but right now it is not buildable. Each of the 3 lots were sold within the past 6-9 months, and they all plan to build homes on the lots.

Mr. Tytka asked if there will be a driveway, or part of the private road.

Mr. Chiazza stated that if approved, 5129 and 5125 would share a common driveway from Kraus Lane. There would be a 4' easement for those two lots the driveway would come from an existing road that would be widened 20' and approved as a driveway. As it moves back in to each respective lot, it would branch off to service each lot. There will still be only 4 driveways connected to Krause Lane, but these two lots would share one of the driveways.

Mr. Tytka noted that maintenance of the driveways must be considered.

Mr. Chiazza responded yes.

Noting that the location is pretty set back from any road, Mr. Tytka asked if they have figured out a way for fire protection. This will need to be reviewed by the fire inspector during review.

Mr. Chiazza stated that as shown on the plan, each home will most likely have its own fire suppression system.

Mr. Tytka asked if there have been any suggested utility easements to gain access yet.

Mr. Chiazza stated that the utilities exist along Kraus Lane. The conveyance of the 30' strip to the HOA would be subject that it is for utilities only. It has not been determined yet whether all utilities are best coming from Kraus Lane, or whether some would be better coming in from the strip to the south.

Regarding the 30' strip, Mr. Tytka stated that they want to be sure it does not become a road.

Mr. Chiazza noted that he expects whichever board issues final approval on this request, will make it a condition of their approval that no driveway is put in on the 30' strip, they would agree to that.

Mrs. Salvati asked if the 30' strip could be available to either of the adjoining property owners if they wanted to purchase it, but if it needs to be used for utilities, that will not be able to happen.

Mr. Chiazza explained that they made an arrangement was made with the HOA last July that from the time that the board would approve the request to make this a buildable lot, there could still be conversations with the HOA as to whether they want them to convey it to a property owner, or take it

back themselves. In good faith, their arrangement was with them, and they wanted to honor it with them. If there is such a conversation as to convey ownership to an adjacent property owner, then they would work with the HOA to make that happen.

Mr. Chiazza added that the utility easement will be underground, if there are utilities running through there, they will be sub-surface, and will still look as it does currently.

In regard to Public Participation, the following resident spoke:

1. Arianna Kwiatkowski of 10050 Pineledge Drive West:
  - questioned the number of lots in an Open Development Area (ODA) and the number in this ODA if this lot is approved
  - concerns with the impact the proposed lot may have on the Pineledge neighborhood, adjacent to this proposed lot
  - had a couple of questions for Mr. Chiazza, her husband Thomas Tierney, reached out to him to discuss whether the applicant would be interested in conveying the 30' strip of land to them
  - the rear of the Pineledge neighborhood has a substantial wooded area, their backyard is wooded for approximately 15'-20'
  - they believed that the 30' strip of land was a paper road owned by the Town of Clarence, and have recently found out it is privately owned by Mr. Iskalo. It separates their yard from their neighbor's yard. They have been maintaining that strip of property for the past 6 years
  - she understands that there may have been an agreement made some time ago for the HOA to acquire the 30' strip of land under the condition that it not be developed in the future, and are willing to agree to the same type of condition
  - on behalf of the Pineledge neighborhood, they are not interested in having the neighborhoods connect

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

Chairman Sackett stated that there are two issues; use and ownership. The use will be restricted by the Planning Board, and asked the applicants if they would be willing to sit down with the owners of the Pineledge property to see if some agreement can be made.

Mr. Chiazza stated that their first obligation is to the HOA, before they have a conversation with anyone else. He did speak with Mr. Tierney earlier, but at the end of the day he needs to have a conversation with the HOA.

Chairman Sackett asked Mr. Chiazza if he would be willing to remain in contact with Mr. Tierney and Ms. Kwiatkowski. Tonight, we will only begin the State Environmental Quality Review Act (SEQRA) but will not touch on any restrictions of the land.

Mr. Chiazza agreed to do that.

Chairman Sackett stated that if an agreement could be reached and understood before this request comes to the Planning Board for another meeting, that would be helpful.

Mr. Chiazza responded yes; it will come down to whether the property is conveyed to the HOA, or to Mr. Tierney and Ms. Kwiatkowski. The principal is that it will be conveyed to someone so as to not be used as a connection.

Regarding the 4 lots of the ODA, Mr. Bleuer stated that the Open Development Law states that an Open Development Area may have up to 4 lots with a 36’ right of way to the main street. There is a provision in the law that allows for additional open development area lots with sufficient road frontage being preserved beyond the 36’. In all of the research for Kraus Lane and the development of it, they have significant more frontage than 36’. Unsure of how it was originally approved, Mr. Bleuer added that there is significantly more than 36’ road frontage. They will take the Coordinated Review period to research this more thoroughly, but there is the opportunity for additional Open Development Area lots if the frontage exists.

Chairman Sackett requested that Mr. Chiazza discuss the use of the land with Mr. Tierney and Ms. Kwiatkowski, that would be helpful, in conjunction with the HOA.

Mr. Chiazza agreed to do that.

**ACTION:**

Motion by Daniel Tytka, seconded by Richard Bigler, that pursuant to Article 8 of the Environmental Conservation Law, to **accept** the Part 1 Environmental Assessment Form as submitted and to seek Lead Agency status and **commence a coordinated review** among involved and interested agencies on the proposed Paul & Dora Iskalo project at 5125 Kraus Lane, SBL 71.02-2-26. This Unlisted Action involves the proposed construction of a single-family residence as an Open Development Area lot on a current exception parcel in the Residential Single-Family zone.

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

**MOTION CARRIED**

**Item 2**

NY Clarence I, LLC., NY Roll Road III, LLC., Epic Storage Solutions, LLC. Industrial Business Park	Requests Concept Plan approval of a solar, self-storage, and commercial/warehouse project at 8550 Roll Road, and SBL’s 1.11-4-14.1 & 43.19-3-1.1.
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**DISCUSSION:**

Mr. Bleuer introduced this project at 8550 Roll Road and SBL’s 1.11-4-14.1 & 43.19-3-1.1, located on the north side of Roll Road, east of Harris Hill Road.

Existing properties comprised of approximately 93.4 acres located in the Industrial Business Park zone, the Roll Road frontage contains a recently constructed self-storage facility.

The applicants, commonly known as Bullrock Corp., Solar Liberty, and Natale Builders, are requesting Concept Plan approval of a solar photovoltaic system, and phase 2 of a self-storage facility to include commercial/warehouse space, all accessed from Roll Road through the existing self-storage facility.

The project consists of a 10.45-megawatt direct current (MWdc) solar facility, a 215-unit self-storage facility, and 11,450 sq. ft. of flexible commercial/warehouse space. Should the flexible commercial/warehouse space be successful, the Town and applicant reserve the right to consider the replacement of self-storage units in favor of additional commercial/warehouse space.

The Town Board referred the proposal to the Planning Board in August of 2025. In September 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 (SEQRA).

Ken Zollitsch with the engineering firm Greenman Pedersen Inc., was present on behalf of the applicants, as well as a number of representatives for the commercial site, and solar facility.

Mr. Zollitsch reviewed the proposed project thus far, stating that the first phase has been constructed, and is operational. They are now looking at the north side of Gott Creek, where the 2<sup>nd</sup> phase will require a crossing of Gott Creek where it will open up to the commercial development portion of the proposed project.

Mr. Zollitsch explained that there will be approximately 210 self-storage units, as well as 11,000 sq. ft. of warehouse space. Much of it will be market driven, in terms of identifying tenants for the space, currently set up as a single building with 9 garage bays to potentially be rented. They are also seeking individual tenants to take up the entire space. If this is successful, they would move forward to work with the town to introduce additional warehousing and fewer self-storage units, as they understand that is what the town prefers.

Mr. Zollitsch stated that the back portion of the site would be the solar facility, as it extends up to the north, essentially to a New York State Department of Environmental Conservation (DEC) wetland. They are not looking to disturb and of the wetlands on site, any of the DEC wetlands to the north, and there is a significant buffer from where the solar facility ends, and the residences up to the north. They are approximately 1,300 ft. away from any development, and a significant portion of the property will remain as is, as it is DEC regulated wetlands.

Mr. Zollitsch stated that the site itself does not require utilities in terms of traditional utilities, and a solar facility does not require any. The commercial facility would require an extension of the private water line, currently on-site. It will need to have a septic system as well, due to the proposed commercial rental warehouse property.

Mr. Zollitsch added that they have been working with the town over the past approximately 8 months, refining concepts or providing additional comments and information to both the Planning and Engineering Departments.

Mr. Todaro asked what will be used as buffering on all sides of the proposed solar facility.

William Appenheimer from Solar Liberty responded to Mr. Todaro's question, explaining that generally what is used as landscaping buffer is the Green Giant Arborvitae. They are deer resistant, and generally speaking, there is some wildlife in this area. Their biggest focus is on the western border where there are residences fairly close. As they reach development, they plan to provide a detailed landscaping plan.

In regard to fencing, Mr. Todaro asked where it would be located on the property.

Mr. Appenheimer stated that it will go around the entire array, as a safety precaution.

Mr. Todaro asked if the goal is to have the vegetation inside of the fencing.

Mr. Appenheimer responded that generally, they want the vegetation on the outside of the fencing.

Mr. Todaro asked if there will be any other entry way along the perimeter of the fencing, aside from the main entry way.

Mr. Appenheimer responded that generally speaking, they often see requirements from towns and entities requiring a man-door elsewhere along the fencing for emergency access. They are open to whatever the Town of Clarence would like.

Regarding the cross-over of Gott Creek, Mr. Todaro asked Mr. Appenheimer to explain how the bridge will work, and when it will be installed, during which phase, and will it be able to handle trucks.

Mr. Zollitsch responded, explaining that as part of the Phase 1 development, they have already reviewed this, and knew that lands across Gott Creek were owned by the developer. This was taken in to consideration as part of the Phase 1 development. It is a straight shot from Roll Road through the Phase 1 site, across the proposed bridge, and in to the Phase 2 development. At this point of the review process, materials have not been determined yet, and is more of an engineering concern. They have determined that floodway modeling will need to be done due to the floodway that is associated with Gott Creek. It will need to run through the process with the Federal Emergency Management Agency (FEMA), they will need to review this as a conditional letter of map revision, which would change their flood mapping.

Mr. Zollitsch added that before they do that, they need to provide a copy to the town engineer for his review and approval, and acceptance that what they are proposing is acceptable.

In terms of construction phasing, Mr. Zollitsch stated that both the commercial development and the solar facility will be developed concurrently. In terms of when the proposed bridge actually gets installed, that is a detail that will need to be worked out. Working with FEMA can take some time, they do have an alternative access to the back portion of the property at this time.

Mr. Todaro asked about how the solar system will work in terms of wiring, where it will be located, and where it will be located on the system itself.

Mr. Appenheimer stated that a lot of the wiring will be on the system itself, with this being a tracking system, it will be located right behind the panels. This is where all of the modules will connect to each other that feed over to the equipment pack, where the transformers are. Shortly after that is where they

will need to come above ground with everything for the utility. They do not allow underground interconnection; it has to be on the poles for ease of access and maintenance.

Mr. Todaro clarified that interconnection on poles is for the system to the utility. The actual wires for the system itself can be underground.

Mr. Appenheimer responded yes.

Mr. Todaro asked how the panels themselves work, noting that this location is on the flight path to the Buffalo Niagara International Airport, so reflection and motor movement are concerns.

Mr. Appenheimer stated that all of the panels installed have an anti-glare coating on them, they are already designed to capture light. They fully intend to comply with the Federal Aviation Administration (FAA), giving them the coordinates of the system itself which the FAA runs through their programs to make sure it is safe. Mr. Appenheimer assured the board that they will share the determination with them.

Mr. Todaro asked if the inverters will be located in a housing unit somewhere on the property.

Mr. Appenheimer explained that they will be exposed to the weather, generally speaking when there is an enclosure it is for central inverters; one or two inverters working for the entire system. Mr. Appenheimer added that they are usually pretty loud, which is not ideal for anyone in the general area. This proposed project will have between 40-60 individual inverters, sized anywhere between 125-250 kW and do not give off any type of noise. They are mounted just outside of the array, close to the equipment pad that would also have the transformer as well.

Mr. Todaro asked if there would be any type of generator or other equipment that gives off a loud noise anywhere on the property.

Mr. Appenheimer responded no; there is a very small point in time where generators may be on site, but it will not be anything larger than what would be used by a standard construction crew. They will be used simply for testing purposes before the whole system goes online.

Mr. Todaro asked about the facility that would bring power to the servicing poles. Is there a structure on site that would be needed for this.

Mr. Appenheimer responded no; the wiring goes from the modules all the way to the inverters. From there to the switch gear and transformers on the equipment pad, all of which is outdoors.

Regarding lighting on the site, Mr. Todaro noted that the plan currently depicts 20' lighting poles, and asked Mr. Appenheimer to explain a bit about the lighting on the site, if at all.

Mr. Appenheimer stated that there should not be any lighting on the solar site.

Mr. Zollitsch stated that any proposed lighting that they have at this time, would likely be on the buildings themselves, to illuminate the area of the garage doors. At this point, he is not aware of any that are proposed for the solar site.

Mr. Zollitsch added that they likely would have 1 or 2 poles that are close to the creek crossing for safety purposes, but he does not anticipate the need of having those be 20' high. This can be worked on and discussed further, during the development stage.

Mr. Todaro asked if there are any plans for disturbance in the back wetlands area and if not, how will it be protected.

Mr. Zollitsch stated that there do not appear to be any plans for disturbances. They may be in to the buffer a little bit towards the back, but not the wetlands themselves.

Mr. Zollitsch added that typically during the development plan stage is when they will introduce a sediment control plan, and often times they propose orange construction fencing prior to site disturbances.

Mr. Todaro asked the applicant to describe their decommissioning plan, and what happens for this facility once the mechanicals are expended or fail for whatever reason.

Mr. Appenheimer stated that generally if that happens, they decommission them. Everything is all set and ready to go at the end of its expected life, it can be removed. Every item that is in the array will be removed, and it will all be detailed out in an extensive plan.

Mr. Todaro asked if there is any plan for on-site storage of equipment.

Mr. Appenheimer responded no; on a site like this there may be a few spare panels, but that is the extent of it.

Mr. Todaro asked if there is any need for sanitation.

Mr. Appenheimer responded no; during construction they have porta-potties, and that is all they expect with this.

Chairman Sackett asked Mr. Todaro if his sanitary question was for the solar portion only, or did it apply to both parts of the proposed project.

Mr. Todaro stated that he only meant for it to apply to the solar portion.

In regard to Public Participation, no one spoke.

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

**ACTION:**

Motion by Gregory Todaro, seconded by Daniel Tytka, 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 NY Clarence I, LLC., NY Roll Road III, LLC., & Epic Storage Solutions, LLC. project at 8550 Roll Road and SBL's 1.11-4-14.1 & 43.19-3-1.1, in the Industrial Business Park zone. This Type I action involves the construction of an approximately 10.45 megawatt solar, self-storage, and commercial/warehouse project. 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
Robert Sackett	Aye				

**MOTION CARRIED**

Motion by Gregory Todaro, seconded by Daniel Tytka, to **approve** the Roll Road Solar and Commercial **Concept Plan**, located at 8550 Roll Road and SBL’s 1.11-4-14.1 & 43.19-3-1.1, per the submitted drawings by PWGC and GPI, dated February 24<sup>th</sup>, 2026, and February 2026, all 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 standards and requirements of the Town of Clarence Fire District, Fire Inspector & Emergency Services.
3. Subject to Development Plan review by the Town, including a technical review of the final Development Plans by the Town Engineering Department.
4. Prior to Development Plan action by the Planning Board, the applicant shall work with the Town Attorney’s Office regarding the taxable status of the solar project and any related applicable elements, including but not limited to a Host Community Agreement.
5. Subject to Town Building and Engineering Department approval prior to any permits being obtained for the construction on the property.
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. Landscape Committee approval of a final landscape plan, including the solar photovoltaic system screening and landscaping plan, prior to Development Plan approval, including any 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.
8. Limits of clearing and disturbance shall be shown within the development plan set.
9. 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 20’. 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.
10. 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 as well as vertical and horizontal articulation for any monotonous or blank wall areas. Building materials to be used shall be of industry standard high quality for durability and appearance.
11. 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.

12. Paved areas to be striped and maintained in perpetuity. No parking of vehicles outside the designated parking areas.
13. No business operations or operators without proper application made by the applicant and with review and approval by the Town.
14. 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.
15. Any future proposed commercial outside operations shall be subject to a Temporary Conditional Permit as reviewed and approved by the Town of Clarence.
16. Subject to Open Space Fees, and any other applicable fees as required by Code.
17. If the solar photovoltaic system, **hereby referred to as SPS**, poses a safety hazard, as determined by a Clarence Building Code Enforcement Officer, the owner or operator shall take immediate action to remedy the hazard. The Building Code Enforcement Officer shall have the authority to cause the abatement of any hazardous situation.
18. If the SPS has been nonoperational or abandoned for a period of one year or more, the system shall be removed within 45 days of written notice from the Town of Clarence to the property owner or operator of the system.
19. Records of SPS inspections, reports and maintenance activities shall be provided to the Town of Clarence Building Department within 10 days of written request by the Town of Clarence.
20. The applicant shall provide the following information regarding decommissioning of the SPS and restoring the site upon application:
  - A. The anticipated life;
  - B. The estimated decommissioning costs in current dollars;
  - C. The method and schedule for updating the costs of decommissioning and restoration;
  - D. A method of ensuring that funds will be available for decommissioning and restoration;
  - E. The anticipated manner in which the SPS will be decommissioned and the site restored; and
  - F. Such other requirements as the Town of Clarence shall require.
21. An acceptable bond and/or surety for the purposes of removing the SPS shall be purchased and remain in force for the life of the SPS. Said bond shall be submitted for review and approval by the Town Attorney's office.
22. A maintenance and removal plan made in writing to the Town of Clarence to include an agreement by the applicant and/or owner, in writing, to remove all components of the SPS if such facility becomes nonfunctional or ceases to be used for its originally intended purpose, as determined by the Town of Clarence. The maintenance and removal plan shall remain in force for the life of the SPS.
23. All interconnecting cables between the SPS and accessory or servicing structures shall be installed underground or within the structure they are mounted upon.
24. Building permit applications shall be accompanied by standard drawings of structural components of the SPS, including support structures, base and footings. Drawings shall be stamped and any necessary calculations shall be certified, in writing, by a New York State licensed professional engineer or architect, that the system complies with the current New York State Building Code.

25. Building permit applications shall be accompanied by a line drawing identifying the electrical components of the SPS to be installed in sufficient detail to allow for a determination that the manner of installation conforms to the electrical code.
26. The application shall include a statement from a New York State licensed professional engineer or architect indicating that the SPS electrical system conforms to sound engineering practices and complies with the National Electrical Code. All equipment and materials shall be used or installed in accordance with such drawings and diagrams.
27. The SPS shall be properly maintained and be kept free from hazards, including, but not limited to, faulty wiring, loose fastenings, and creation of an unsafe condition or detriment to public health, safety or general welfare.
28. The applicant shall submit an SPS screening and landscaping plan, stamped and signed by a New York State licensed landscape architect, showing adequate measures to screen through landscaping, grading or other means so that the solar panels and other equipment's visibility is minimized from roadways and neighboring properties. The screening and landscaping plan shall include the locations, elevations, height, plant species, and/or materials that will comprise the structures, landscaping and/or grading used to screen and/or mitigate any adverse aesthetic effects of the system.
29. A detailed SPS safety plan specifying the measures that will be used to prevent public access to unsafe areas and to provide for emergency response, including but not limited to the location, height, materials, and colors of fencing and other barriers to access and a safety signage plan that contains the locations, sizes and text of signs that will be used to warn the public away from unsafe areas and that shall include the name and phone number of an official of the owner or operator who can be contacted in the event there is an emergency or any question about safety.
30. Documentation shall be provided to identify that no element of the SPS shall reflect glint or glare, as defined by the FAA.
31. No signage or graphic content may be displayed on the SPS except the manufacturer's badge, safety information and equipment specification information. Said information shall be depicted within an area no more than 36 square inches in size.
32. SPS and site may not be used for displaying advertising except for identification of the owner/operator and shall comply with all signage restrictions.
33. SPS disconnect and other emergency shutoff information will be clearly displayed at/on the meter location for emergency personnel.
34. Twenty-four-hour emergency contact information will be clearly displayed at the SPS access.

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

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

MOTION CARRIED

**Item 3**

8750 Main Street Associates, LLC.

Requests Concept Plan approval of a multiple-family housing project to the rear of the Samuel's

Traditional Neighborhood District and Residential Single-Family

Grande Manor property at 8750 Main Street, and SBL 70.20-4-3.12.

## **DISCUSSION:**

Mr. Bleuer introduced this project at 8750 Main Street and SBL 70.20-4-3.12, 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 of a 50-unit multiple family housing project 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 will require rezoning consideration by the Town Board.

In 2021, the property owner Charles Pezzino proposed a 40-unit project. After a thorough Town review and project modification, a 24-unit project was Conceptually approved. In 2023, the property owner deemed the project cost prohibitive, and proposed a 20-unit project. During the Town's thorough review, the applicant ceased to pursue that project. Since then, the property owner has entered into an agreement with the current project sponsor who is now proposing 50 units.

The Town Board referred the proposal to the Planning Board in May of 2025. At that time, the proposal included two 3-story multi-family buildings containing 51 residential units. Thereafter, the applicant addressed comments received and modified the proposal to one 3-story, 50-unit building resembling a brownstone community set along a private tree-lined street corridor. In September of 2025, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). In February of this year, the Planning Board issued a Negative Declaration under SEQRA. In March, the Zoning Board of Appeals issued a Variance for the size of the multi-family housing building.

The Planning Board has the authority to act on this request.

Present to represent the applicant and this proposed project is project architect Dave Sutton with Sutton Architecture.

Mr. Sutton acknowledged the progress they have made on this project, specifically from an architectural standpoint. They have made the building look less like an apartment building, and more like a sense of place. They have evolved to this design, which is still a 3-story building, but has an entirely different character to it. With an established pedestrian connection, the correct scales and proportions, divides the building up proportionally, almost to give a rowhouse feel.

Noting that this proposed building is located approximately 600' from Main Street, Mr. Sutton added that it is important to have some type of visibility or connection to Main Street directly. Once entering

the site, they want to create a pedestrian feel; a sense of neighborhood, a sense of place within the 50 units that they are creating. They feel that architecturally, this design achieves that.

Mr. Sutton stated that with a flat roof, the overall height of the building is substantially reduced. The majority of the proposed building is approximately 34' in height, maxing out at 37' feet in height as opposed to the peaked roof which was 46' total in height.

Mr. Sutton explained that it is a very unique design with a series of 1-bedroom apartments on the first floor with individual entrances. The two buildings are linked with a transparent vertical floor bar, which is the elevator shaft. On the 2<sup>nd</sup> and 3<sup>rd</sup> floor, it becomes a more traditional apartment complex for efficiencies and cost.

Mr. Sutton reviewed the history of the project, explaining that the updated design gives more of a sense of place. Much of the interior of the site has natural greenspace that is really appreciated as a public amenity, or public area space. This will benefit not only the backside of Samuel's Grande Manor, but for the tenants of the newly proposed apartments to enjoy the common greenspace.

Referring to the site plan, Mr. Sutton acknowledged their attempts to clarify some of the ambiguity in the parking of the existing parking lot, as well as to really define the established parking of where they are proposing to expand.

Mr. Sutton stated that they are going a long way to not only add some quality to the parking, but also to correct some well needed definition in the existing parking lot and the existing building up front.

Mr. Sutton noted that the Town of Clarence Engineering Department has given preliminary approval for Grading and Drainage. At this point, further engineering obviously needs to be developed, presented, and approved formally.

Mr. Sutton further reviewed the proposed project to this point, noting that they have received a confirmation from the NYS Department of Environmental Conservation stating that this proposed project is exempt from the newly established wetlands and regulations that went in to effect on January 1. This means that they are not restricted by wetland delineations that many properties are subject to.

Moving forward, Mr. Sutton stated that they will be seeking a Special Exception Use Permit from the Town Board. They are aware that they have to go to the Landscape Committee for approval of their Landscape Plan, and finally they will need Development Plan approval.

Mr. Geasling asked where the mechanicals are proposed to be located on this structure.

Mr. Sutton explained that the bonus to having a flat roof, is that it allows the mechanicals to be located on the roof, which is the best way of screening them. They have set all of the mechanicals in the middle of the building, which will not be able to be seen from the ground. They are low profile, small residential condenser style units that are no more than 2.5'-3' tall.

Noting that the building is significantly lower elevation wise, relative to the front of the site, Mr. Geasling asked Mr. Sutton to make sure that site lines visible from the front of the site and the road.

Mr. Sutton acknowledged Mr. Geasling's concerns, adding that, if need be, they can revisit the mechanicals and put some type of screening around them. While he does not think it will be necessary, they will agree to that if they are able to provide alternative screening that would be an add-on.

Referring to the minutes from the Zoning Board of Appeals meeting, Mr. Geasling noted the question in regard to parking on the site and accessibility to this proposed project.

Mr. Sutton explained that many of the concerns brought up at the Zoning Board of Appeals were due to poorly defined parking spaces and parking areas. Mr. Sutton noted that there will be a site improvement that clearly defines striping, which will show people where to park, and how to park appropriately.

Mr. Geasling asked if the proposed additional greenspace in the parking areas is part of this project, or another project.

Mr. Sutton stated that it is part of this site plan and proposed project. At this point he is not sure who will be taking responsibility for it, but at this time it is part of the site plan proposal.

Mrs. Salvati asked if the first-floor units will need secondary egress.

Mr. Sutton responded no; they do not. They will 100% comply to New York State Building Code, but there is no requirement for a door at the rear of those units.

Stating that she understands that anything concerning septic systems is under the jurisdiction of the Erie County Department of Health, Mrs. Salvati wondered about the existing septic systems and what condition they are in.

Mr. Sutton stated that he is unsure; it is not part of their scope of work but the new system will comply with all of Erie County's regulations.

Mr. Todaro asked how the elevators between the buildings will work. Is it just one door, or are there doors to the buildings, are there multiple entryways to the elevator.

Mr. Sutton responded no; then proceeded to explain the layout of the elevator, as depicted on the plan, it is a unique design. There are 3 units downstairs, then once you reach the 2<sup>nd</sup> floor it becomes a more traditional apartment complex.

Mrs. Salvati noted the stairwells.

Mr. Sutton responded yes; for vertical circulation, but most importantly for fire, and life safety.

Noting that the HVAC systems will be located on the roof, Mr. Bigler asked where the electric meters will be located.

Mr. Sutton stated that they are at the mercy of the electric power company in terms of where they will bring them in to the building, but they will request that they are located on the sides of the building, though he is unsure what side. With a setback revision, they could provide individual screening on them. They do tend to have vertical stacking with multiple units. They can add some landscaping buffer, to give a visual break on the mechanical components of this proposed building.

Mr. Bigler stated that they will need to be included on the landscape plan, but is confident they will be screened.

Mr. Sutton added that they are hoping to receive word from the power company as to where they will come in, but they have been very delayed in their engineering and planning.

Mrs. Salvati asked how the bathrooms for the 50 units will be vented.

Mr. Sutton explained that the nature of this design allows them to stack, making it much more efficient not only from a visual standpoint, but also from a cost-effective standpoint. The great thing about a flat roof is that you do not see the penetration emerging from the roof.

In regard to Public Participation, no one spoke.

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

**ACTION:**

Motion by Jason Geasling, seconded by Wendy Salvati, to **approve** the 8750 Main Street Associates, LLC. **Concept Plan**, located at 8750 Main Street and SBL 70.20-4-3.12, per the submitted plan by Carmina Wood Design, dated March 11<sup>th</sup>, 2026, and to **approve** the **Conceptual Architectural** drawings by Sutton Architecture, dated February 9<sup>th</sup>, 2026, 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. Limits of clearing and disturbance shall be shown within the development plan set.
7. 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.
8. 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.
9. 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’.
10. 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 as well as vertical and

horizontal articulation for any monotonous or blank wall areas. Building materials to be used shall be of industry standard high quality for durability and appearance.

- 11. Any exposed mechanicals shall be shielded from view by approved screening and/or landscaping, and any visible vents shall be painted to match the wall or roof.
- 12. Buildings and site shall be maintained as approved, in perpetuity, and any building and site deficiencies shall be repaired or replaced as approved.
- 13. Site curbing, parking island, pedestrian access, and traffic flow plans shall be submitted as part of Development Plan and Landscape review.
- 14. Paved areas to be striped and maintained in perpetuity. No parking of vehicles outside the designated parking areas.
- 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.

The applicants have heard, understand, and agree to the conditions.

**ON THE QUESTION:**

This proposal has previously received a Negative Declaration from the Planning Board, and a Variance from the Zoning Board of Appeals for the square footage of the multiple-family housing building.

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

**MOTION CARRIED**

Motion by Jason Geasling, seconded by Wendy Salvati, to **recommend** to the Town Board, **Rezoning** of the rear portion of Main Street SBL 70.20-4-3.12 from Residential Single-Family to Traditional Neighborhood District.

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

**MOTION CARRIED**

Motion by Jason Geasling, seconded by Wendy Salvati, to **recommend** to the Town Board approval of **Special Exception Use Permit** and **Architectural Style** for the 8750 Main Street Associates, LLC. project at 8750 Main Street and SBL 70.20-4-3.12, containing multiple-family housing units as per the approved Concept Plan and associated conditions.

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

**MOTION CARRIED**

Meeting **adjourned** at 8:17 p.m. with a motion by Gregory Todaro.

MOTION CARRIED

Amy Major  
Senior Clerk Typist