Request for Action

Town of Clarence | Office of Planning & Zoning
(716)741-8933 | 1 Town Place, Clarence, NY 14031

Town Use Only

Date: May 21, 2026

Received By: Planning & Zoning Office

APPLICANT REQUEST:

Project Address: 6120 Herr Road

SBL #: 44.19-3-29

Action Desired:

Applicant requests variances:
1) of 26' to allow for a lot frontage of 99' along Fairlane Drive; and
2) of 200 sq.ft. to allow for a Fairlane Drive lot acreage of 19,800 sq.ft.;
all to allow for a minor subdivision of land to create one new lot of record along Fairlane Drive, to be split from 6120 Herr Road in the Residential Single-Family zone.

Reason:

Town Code Reference:
1) §229-49(A)
2) §229-50(C)

CONTACT INFO:

APPLICANT INFO

Name / Business: Daniel Thompson - CT & ST Family, LLC.

E-Mail:

Phone #:

Address:

Town: State: Zip:

ON FILE

PROJECT SPONSOR INFO (If Different Than Applicant)

Name / Business:

E-Mail:

Phone #:

Address:

Town: State: Zip:

ON FILE

CORRESPONDENCE

Please indicate the preferred entity that shall receive the appropriate correspondence and billing associated with this Request for Action. Please select only one.

✓	Applicant
	Project Sponsor

SIGNATURE

Request for Action shall be filled out completely in the spaces provided. The complete Request for Action shall be submitted to the Office of Planning and Zoning along with all necessary plans, maps, and supporting documentation. By signing below I certify that I have the authority to submit this Request for Action, and further certify its contents to be true and correct.

Signed: Signature On File

Town Use Only:

Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:

Request for Action

Town of Clarence | Office of Planning & Zoning
(716)741-8933 | 1 Town Place, Clarence, NY 14031

Town Use Only

Date: 5/21/2026
Received By: A. Schaefer

APPLICANT REQUEST:

Project Address: 6120 Herr Road (Fairlane Drive)
SBL #: 44.19-3-29

Action Desired:

Requesting a variance of 26' to allow a new parcel in the Residential Single-Family zone to have a road frontage of 99' instead of the required 125'. The new parcel would be fronting Fairlane Drive between 6095 Fairlane Drive and 6075 Fairlane Drive.

Reason:

CONTACT INFO:

APPLICANT INFO

Name / Business: Daniel Thompson - CT & ST Family, LLC.
E-Mail:
Phone #:
Address:
Town:

PROJECT SPONSOR INFO (If Different Than Applicant)

Name / Business:
E-Mail:
Phone #:
Address:
Town: State: Zip:

SIGNATURE

Request for Action shall be filled out completely in the spaces provided. The complete Request for Action shall be submitted to the Office of Planning and Zoning along with all necessary plans, maps, and supporting documentation. By signing below I certify that I have the authority to submit this Request for Action, and further certify its contents to be true and correct.

Signed

CORRESPONDENCE

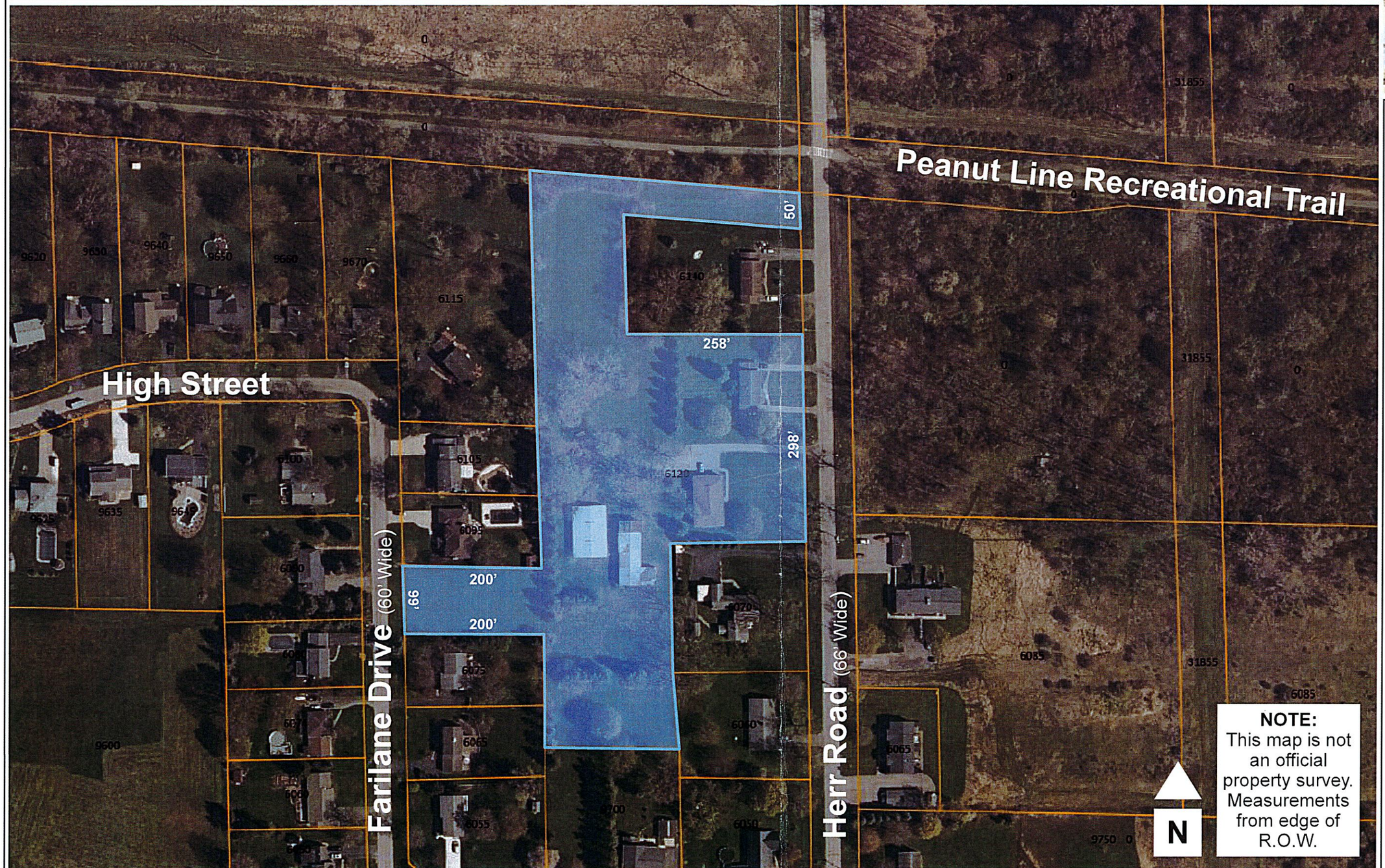
Please indicate the preferred entity that shall receive the appropriate correspondence and billing associated with this Request for Action. Please select only one.

X	Applicant
	Project Sponsor

Town Use Only:

Action:	By:	On:	Fee:	Paid:

Existing Configuration - 2026



NOTE:
This map is not an official property survey. Measurements from edge of R.O.W.

Legend

Parcels

Parcel A - Parent
Size:
+/- 5.34 acres
Frontage:
+/- 50' & 298' Herr Rd.
+/- 99' Fairlane Dr.

1: 2,257

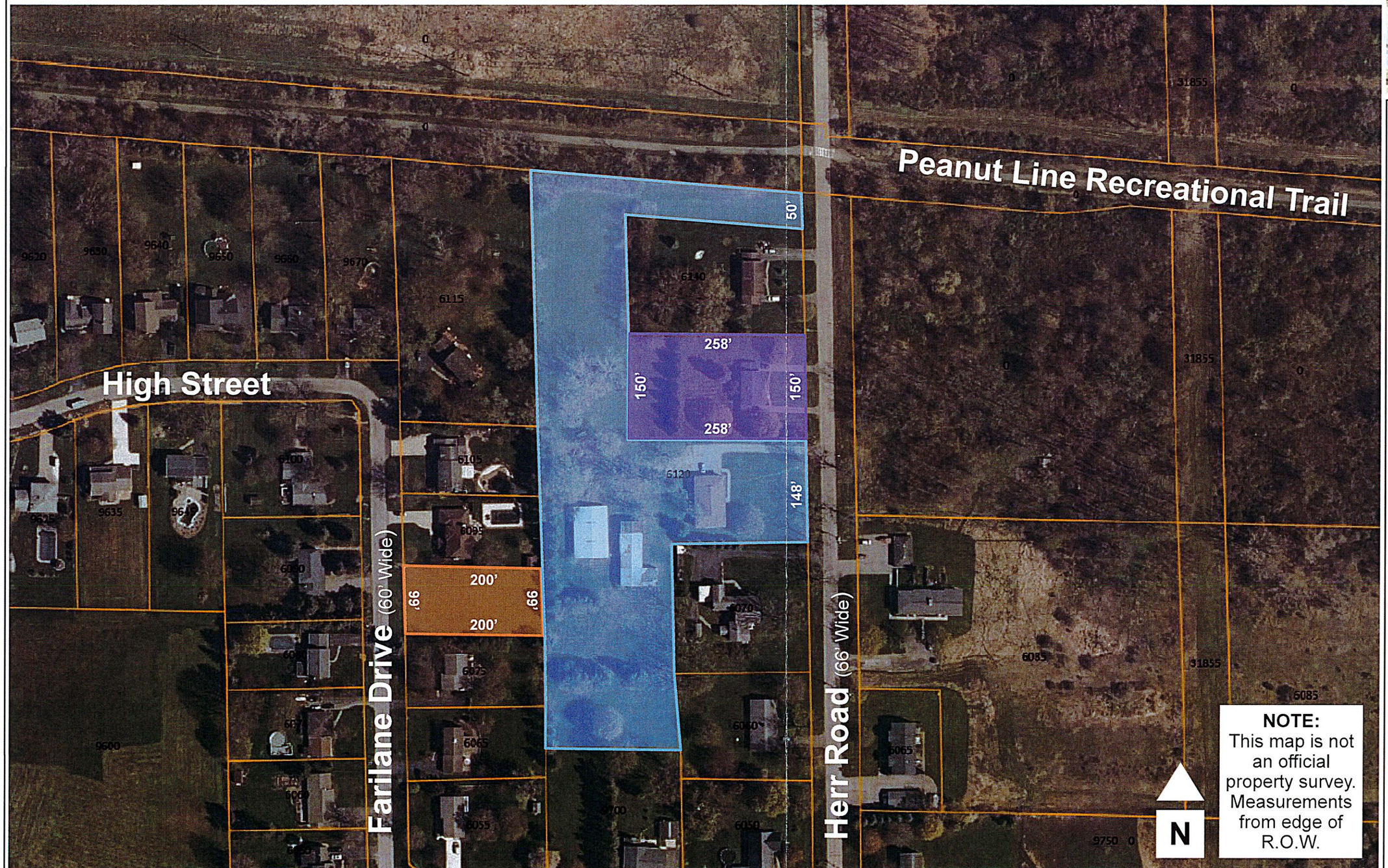
0.1 0 0.04 0.1 Miles

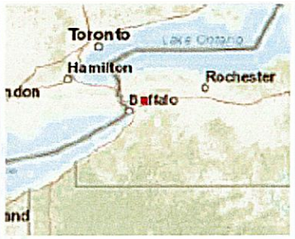
WGS_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION

ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Proposed Configuration - 2026





Legend

Parcels

Parcel A - Parent
Size:
+/- 4.00 acres
Frontage:
+/- 50' & 148' Herr Rd.
+/- 0' Fairlane Dr.

Parcel B
Size:
+/- 0.45 acres
Frontage:
+/- 99 ft - Fairlane Dr.

Parcel C
Size:
+/- 0.89 acres
Frontage:
+/- 150 ft - Herr Rd.

1: 2,257

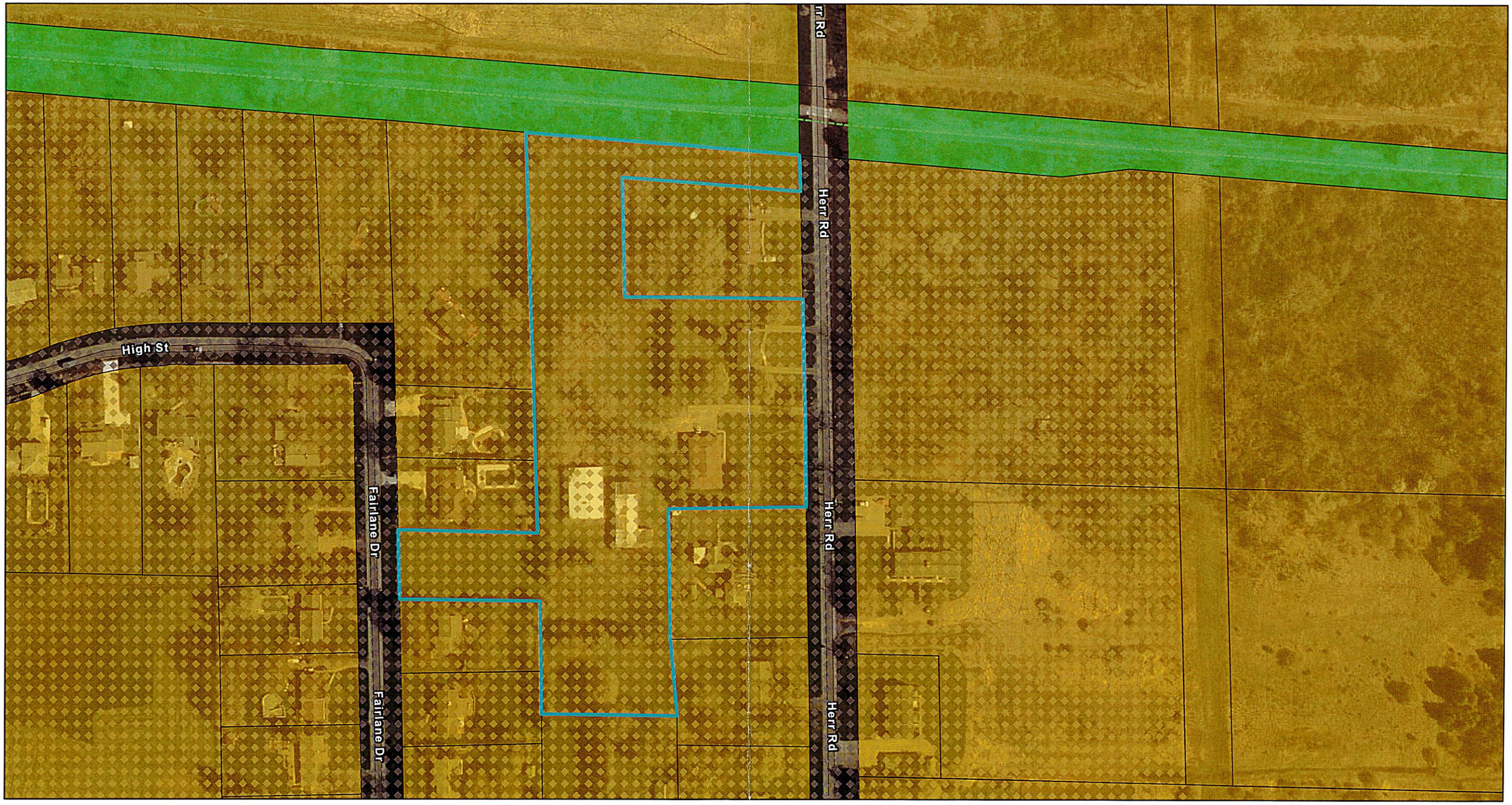
0.1 0 0.04 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION

ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Town of Clarence



4/6/2026, 1:57:59 PM

1:2,241

0 0.02 0.04 0.08 mi

0 0.03 0.07 0.13 km

Historic Property

Notable Locations

Town Park

Town Building

School

Fire Department

Police Station

Recreational Trails

Parcels

Zoning

Residential Single-Family

Traditional Neighborhood

Agricultural Rural Residential

Community Facility

Restricted Business

Commercial

Planned Unit Residential Development

Major Arterial

Agricultural Flood Zone

Industrial Business Park

Lifestyle Center

Zoning Overlay

Open Space Design Development Overlay

Clarence Center Overlay

Clarence Hollow Overlay

Town Boundary

World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

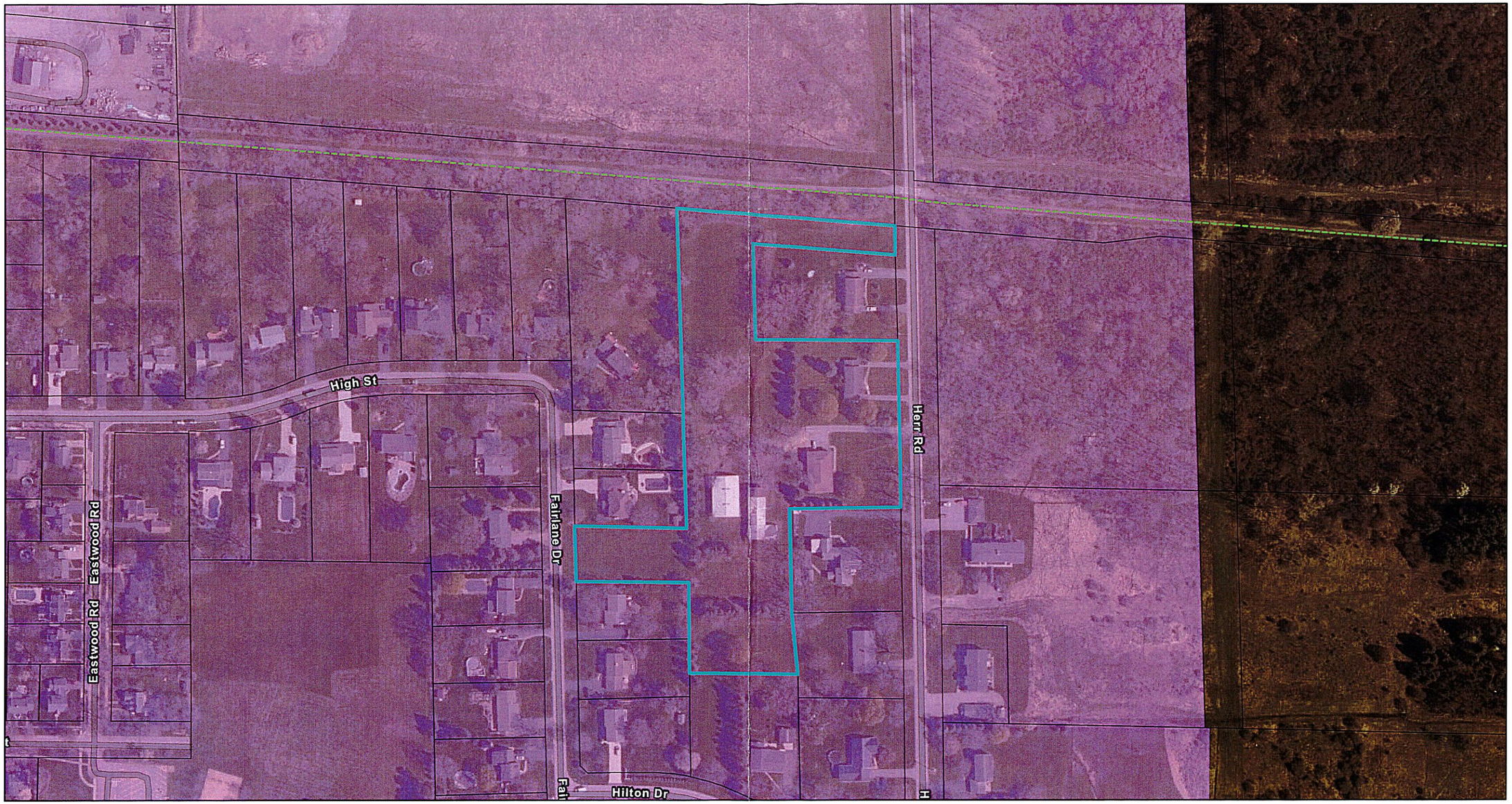
High Resolution 30cm Imagery

Citations

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, New York State, Microsoft, Vantor

Town of Clarence

Town of Clarence



4/7/2026, 3:51:38 PM

1:2,806

0 0.03 0.05 0.1 mi

0 0.04 0.08 0.16 km

Historic Property

Notable Locations

Town Park

Town Building

School

Fire Department

Police Station

Recreational Trails

Parcels

Sewer Districts

Erie County Sewer District Number 5

Package Plant

Clarence District 10

Clarence District 2

Clarence District 4

Clarence District 6

Clarence District 7

Clarence District 9

Town Boundary

World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

60cm Resolution Metadata

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, New York State, Microsoft, Vantor

Town of Clarence

Short Environmental Assessment Form
Part 1 - Project Information

COPY

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information

Name of Action or Project:
6120 Herr Road Lot Split (Fairlane Drive) & 6130 Herr Rd

Project Location (describe, and attach a location map):
6120 Herr Road - SBL: 44.19-3-29

Brief Description of Proposed Action:

The action desired is to split the property on Fairlane Drive between 6075 & 6095 off to its own lot.
The lot would be the same depths and width as the lots on either side. Its lot side would be roughly 100 x 200.
Additonally, 6130 Herr Rd SBL #44.19-3-29./A is apart of the same parcel but has lot that pays taxes.
We would like to have that be its own offical lot with size of 150 x 292. This would be almost the same size as the lot at 6140 Herr Rd.

Name of Applicant or Sponsor:	Telephone: 716-741-9417
Sue M. Thompson Daniel C. Thompson	E-Mail: ctstfamilyllc@gmail.com
Address: 9700 Hilton Drive	
City/PO: Clarence Center	State: New York / Zip Code: 14032

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Minor Subdivision Approval and a Variance	☐	☑

3. a. Total acreage of the site of the proposed action? _____ acres
   b. Total acreage to be physically disturbed? _____ acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

5. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☑ Residential (suburban)
   ☐ Forest ☑ Agriculture ☐ Aquatic ☐ Other(Specify):
   ☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☑	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☑

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑

	NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☑	☐

	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation services available at or near the site of the proposed action?	☑	☐
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☑

	NO	YES
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	☐	☑

	NO	YES
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	☑

	NO	YES
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☐	☑

	NO	YES
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	☑	☐
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☑

	NO	YES
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☐	☑
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☑	☐

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☑ Agricultural/grasslands ☑ Early mid-successional

☐ Wetland ☐ Urban ☑ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Henslow's Sparrow, Upland S...	☐	☑
16. Is the project site located in the 100-year flood plan?	☑	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	☑	☐
a. Will storm water discharges flow to adjacent properties?	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☑	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	☑	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	☑	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	☑	☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Daniel C. Thompson Date: 4/1/2026

Signature: Title: CT & ST Family LLC Manager

COPY

Agency Use Only [If applicable]

Project: 6120 - 6130 Herr Rd Minor Subdivision

Date: 05-06-2026

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☑	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☑	☐
3. Will the proposed action impair the character or quality of the existing community?	☑	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☑	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☑	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☑	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☑	☐
b. public / private wastewater treatment utilities?	☑	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☑	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☑	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☑	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☑	☐

PRINT FORM

Agency Use Only [If applicable]

Project: 6120 - 6130 Herr Rd Mi

Date: 05-06-2026

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

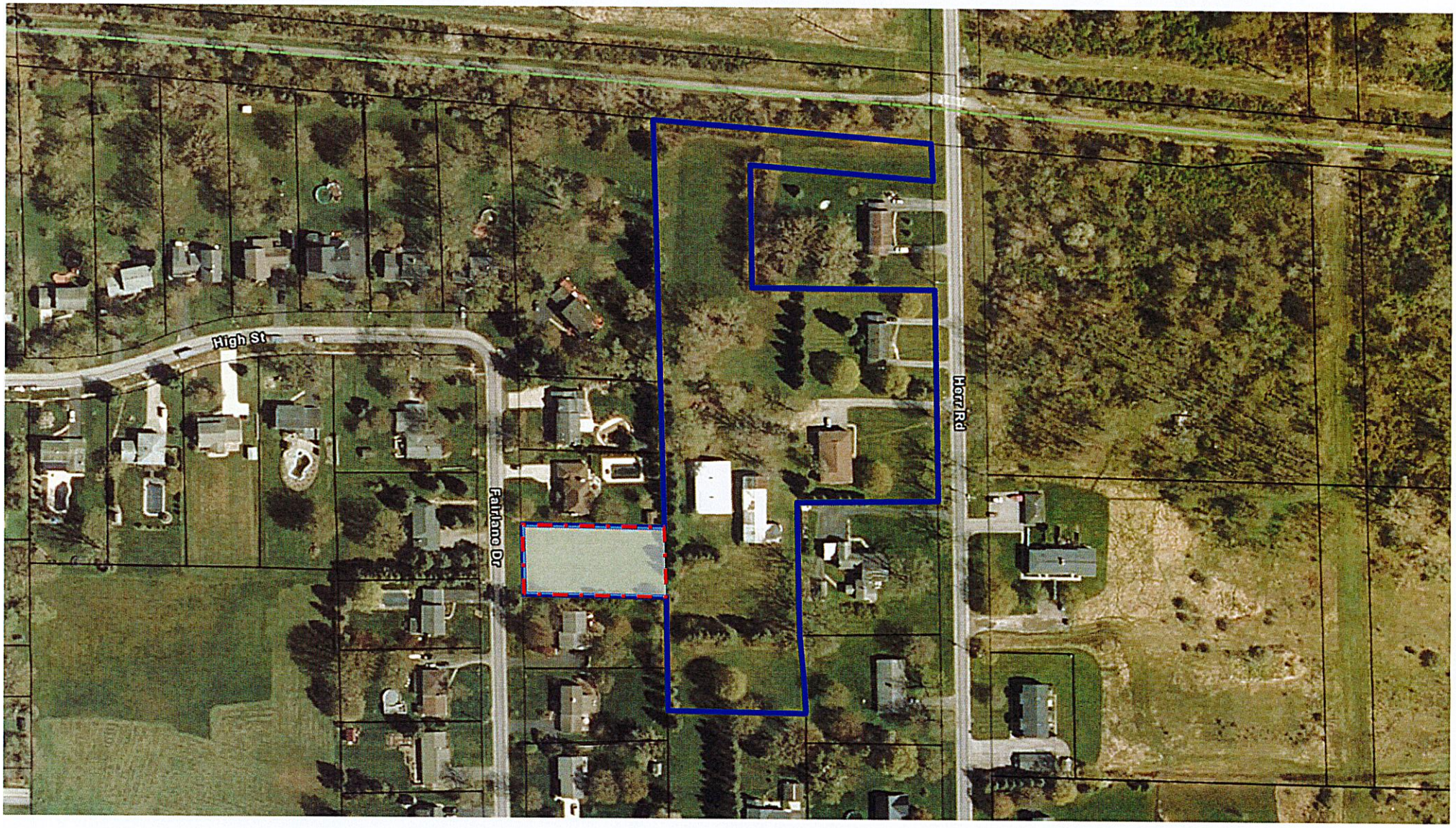
This Minor Subdivision of Land allows for the creation of two (2) new vacant frontage lots. There is no physical land disturbance as a result of this approval. Although the newly created lot fronting Fairlane Drive does not meet the minimum lot standards per the Town of Clarence Zoning Code, the parcel is not in sharp contrast to the surrounding existing parcels. Other than area standards code non-compliance, the proposed parcels would be consistent with the adopted comprehensive plan.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Clarence Planning Board	05-06-2026
Name of Lead Agency	Date
Robert Sackett	Town of Clarence Planning Board Chair
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM



note the parcel lines displayed are approximate

6120 Herr Road
Fairlane Drive
SBL: 44.19-3-29

N

Proposed lot along Fairland Drive with a frontage of 99' and an overall size of 19,800 sq.ft.

In the Residential Single-Family zone a lot must have a minimum of 125' of road frontage and be a minimum of 20,000 sq.ft. if it has access to sewer.

A 26' frontage variance and a 200 sq.ft. size variance are requested for the new proposed lot.

Request for Action

Town of Clarence | Office of Planning & Zoning
(716)741-8933 | 1 Town Place, Clarence, NY 14031

Town Use Only

Date: May 8, 2026

Received By: Planning & Zoning Office

APPLICANT REQUEST:

Project Address: 9063 Orchid Ledge

SBL #: 71.05-1-12

Action Desired:

Applicant requests a variance of 2' to allow a 6' fence to be within the front yard setback located at 9063 Orchid Ledge in the Residential Single-Family zone.

Reason:

Town Code Reference: §101-3(C)(2)
Note: A corner lot shall be considered to have two front yards from the public road right-of-way to the closest point of the principal structure.

CONTACT INFO:

APPLICANT INFO

Name / Business: Chris Louisos

E-Mail:

Phone #:

Address:

Town: State: Zip:

ON FILE

PROJECT SPONSOR INFO (If Different Than Applicant)

Name / Business:

E-Mail:

Phone #:

Address:

Town: State: Zip:

ON FILE

CORRESPONDENCE

Please indicate the preferred entity that shall receive the appropriate correspondence and billing associated with this Request for Action. Please select only one.

✓	Applicant
	Project Sponsor

SIGNATURE

Request for Action shall be filled out completely in the spaces provided. The complete Request for Action shall be submitted to the Office of Planning and Zoning along with all necessary plans, maps, and supporting documentation. By signing below I certify that I have the authority to submit this Request for Action, and further certify its contents to be true and correct.

Signed: Signature On File

Town Use Only:

Action:	By:	On:	Fee:	Paid:

JUNE 4TH / 84 MAY 22ND

Request for Action

Town of Clarence | Office of Planning & Zoning
(716)741-8933 | 1 Town Place, Clarence, NY 14031

Town Use Only

Date: 5/8/2026

Received By: P+Z

APPLICANT REQUEST:

Project Address: 9063 Orchid Ledge, Clarence, NY 14031

SBL #:

Action Desired: 10' Variance for a 56' white Vinyl Fence in backyard. See attached supportive documents.

Reason: Decorative, Privacy fence to extend only 10' from garage line on side yard. See attached supportive documents.

CONTACT INFO:

APPLICANT INFO

Name / Business: Chris Louisos

E-Mail:

Phone #:

Address:

Town:

PROJECT SPONSOR INFO (If Different Than Applicant)

Name / Business:

E-Mail:

Phone #:

Address:

Town: State: Zip:

SIGNATURE

Request for Action shall be filled out completely in the spaces provided. The complete Request for Action shall be submitted to the Office of Planning and Zoning along with all necessary plans, maps, and supporting documentation. By signing below I certify that I have the authority to submit this Request for Action, and further certify its contents to be true and correct.

Signed:

CORRESPONDENCE

Please indicate the preferred entity that shall receive the appropriate correspondence and billing associated with this Request for Action. Please select only one.

✓	Applicant
	Project Sponsor

Town Use Only:

Action:	By:	On:	Fee:	Paid:

RECEIVED

MAY 8 2026

ZONING OFFICE

Office of Planning and Zoning
Town of Clarence
Clarence, NY 14031

05-08-2026

Attn: Planning and Zoning,

I am providing you with a 'Notice of Variance' request for a small fence project that I would like to do in my backyard.

My request for a variance is because of my corner lot, inasmuch as any fence beyond the garage line (north & south), by Town of Clarence regulation, can only be 4' high. **I am asking the town to allow a variance of only 10' beyond my garage line (as illustrated on the survey) so that I can have a full 56' x 6' fence.**

Enclosed, please find and review the following documents:

1. Request for Action, Notice of Variance form/s

2. Copy of approved Permit 2026-24 issued 05-06-2026

3. A copy of my survey with a potential fence sketched in
   a. The proposed fence will run 56' wide east to west, 6' tall and be of white vinyl material
   b. It will begin 100' from Willowbrook Road, 24' from my rear property line and extend to the west 56'

4. Signed contractor deposit / contract

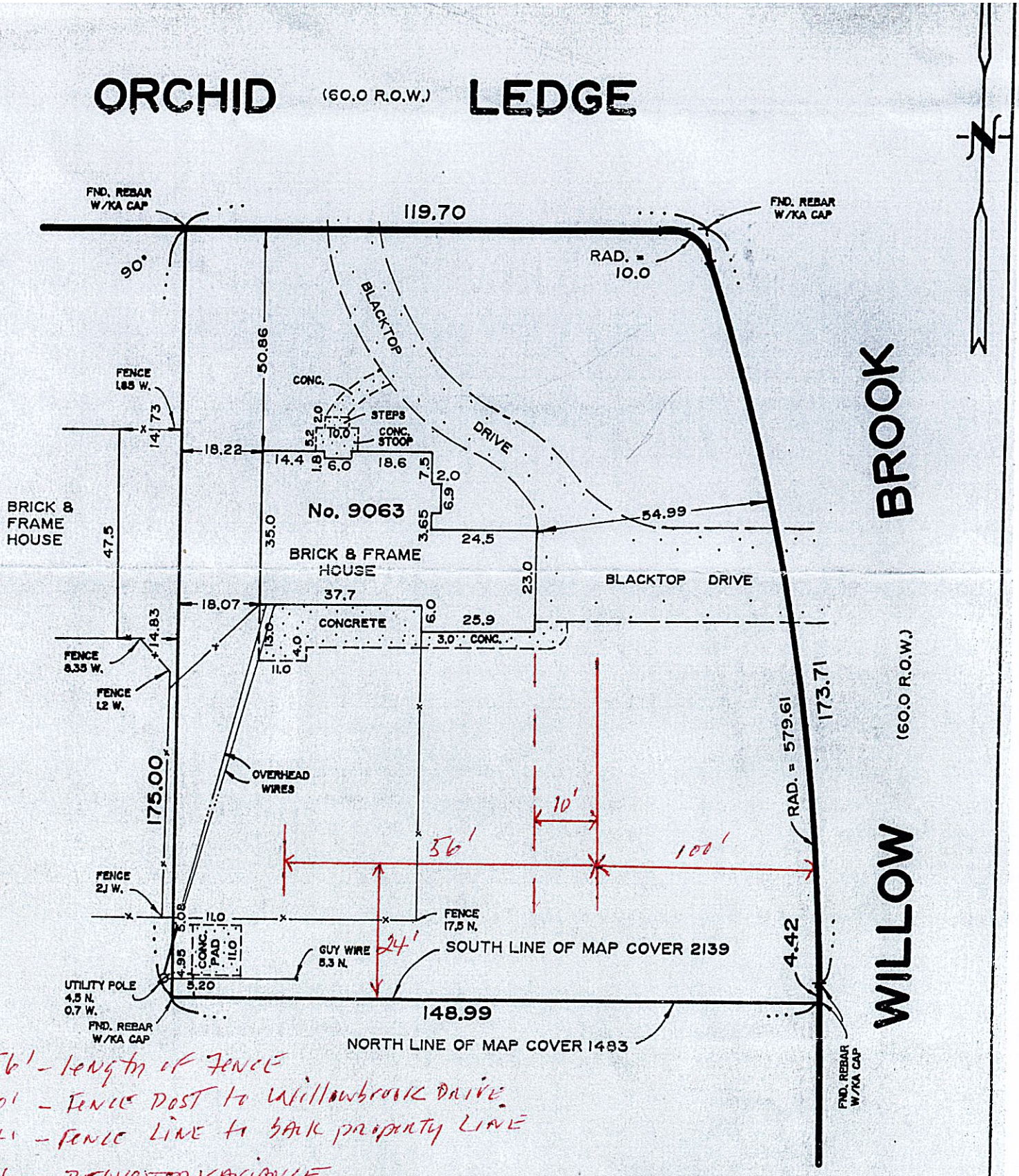
5. A rendering of the finished product

6. Copies of notice to my bordering neighbors

Of note, the easternmost fence post will be 100' from Willowbrook Road and of inconsequence to any site lines from that direction as well as nearly 150' from Orchid Ledge. I believe my request is straightforward, minimal and not unsightly in any form or fashion.

Thank you for your consideration!

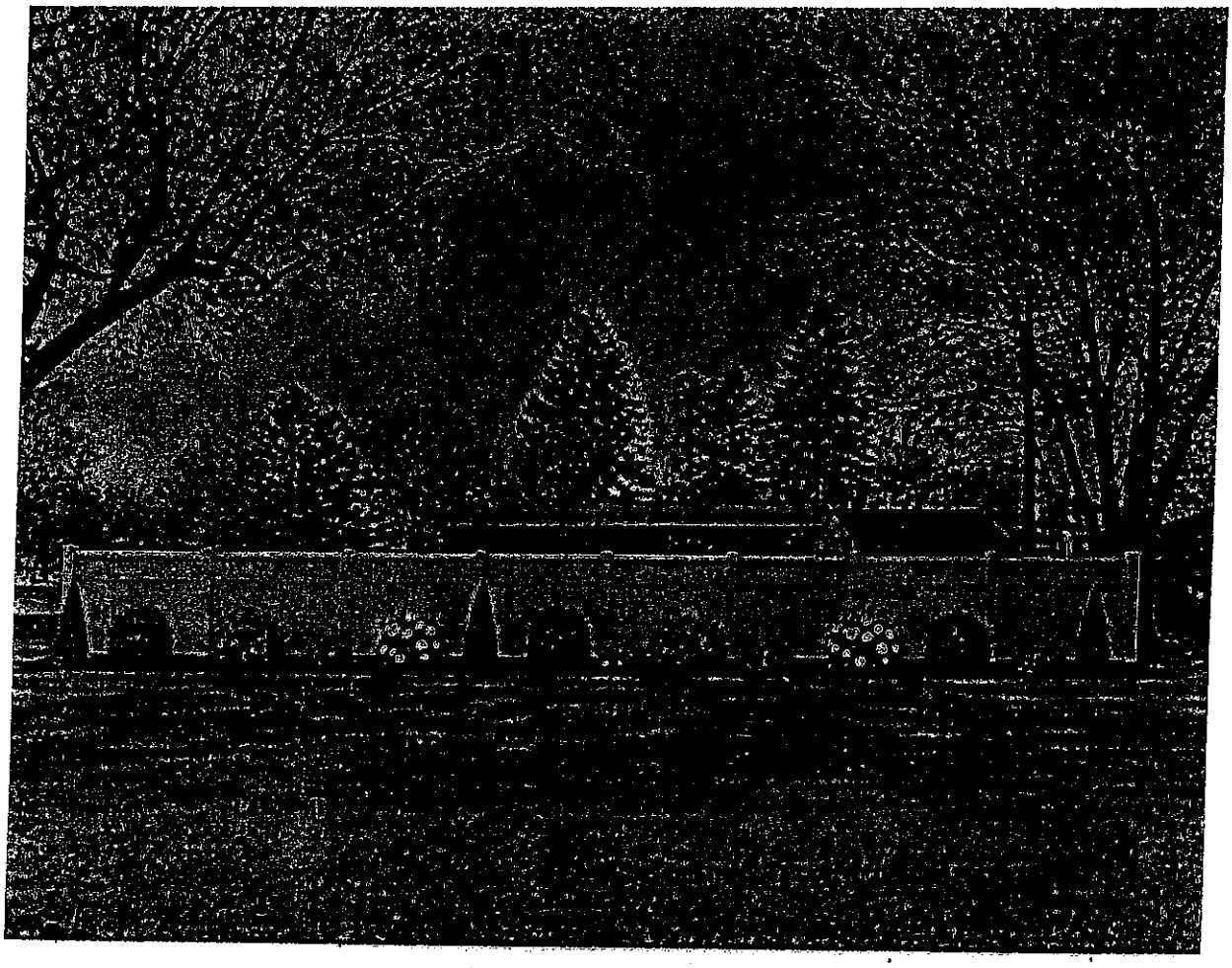
Regards,

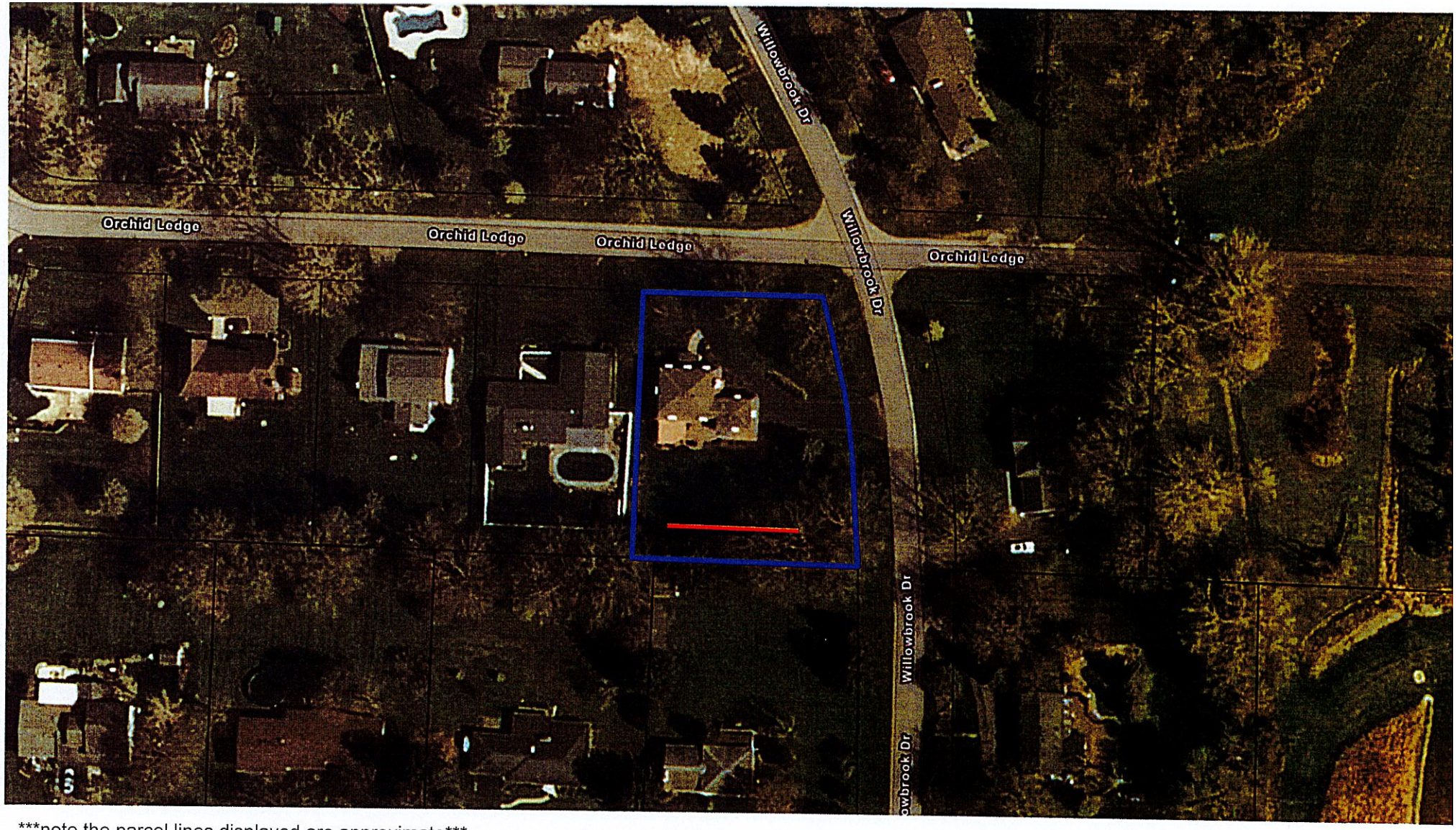


56' - length of fence
100' - fence post to willowbrook drive
24' - fence line to back property line
10' - requested variance

KREHBIEL ASSOCIATES 1870 NIAGARA FALLS BLVD. TONAWANDA, NEW YORK 14150 PHONE: 716-693-9300
ENGINEERS - SURVEYORS

LOCATION	TOWN OF CLARENCE,	ERIE	COUNTY, NEW YORK		RESURVEYED	
PART OF LOT	7	SECTION 10	TOWNSHIP 12	RANGE 6	8-28-97 LHK	
BEING	SUBLOT 15				12-17-98 LHK	
	MAP COVER 2139					





note the parcel lines displayed are approximate

Proposed 6' fence located within front yard. The maximum allowable height for a fence extending into the front yard is 4'.

A 2' variance is requested.

Note: A corner lot shall be considered to have two front yards from the public road right-of-way to the closest point of the principal structure.

9063 Orchid Ledge

N

Request for Action

Town of Clarence | Office of Planning & Zoning
(716)741-8933 | 1 Town Place, Clarence, NY 14031

Town Use Only

Date: May 18, 2026

Received By: Planning & Zoning Office

APPLICANT REQUEST:

Project Address: 4866 Kraus Road

SBL #: 71.12-1-10

Action Desired:

Applicant requests a variance of 2' to allow a 6' fence to be within the front yard setback located at 4866 Kraus Road in the Residential Single-Family zone.

Reason:

Town Code Reference: §101-3(C)(2)
Note: A corner lot shall be considered to have two front yards from the public road right-of-way to the closest point of the principal structure.

CONTACT INFO:

APPLICANT INFO

Name / Business: Lynn McCarthy

E-Mail:

Phone #:

Address:

Town: State: Zip:

ON FILE

PROJECT SPONSOR INFO (If Different Than Applicant)

Name / Business: Good Neighbor Fence Co.

E-Mail:

Phone #:

Address:

Town: State: Zip:

ON FILE

CORRESPONDENCE

Please indicate the preferred entity that shall receive the appropriate correspondence and billing associated with this Request for Action. Please select only one.

✓	Applicant
	Project Sponsor

SIGNATURE

Request for Action shall be filled out completely in the spaces provided. The complete Request for Action shall be submitted to the Office of Planning and Zoning along with all necessary plans, maps, and supporting documentation. By signing below I certify that I have the authority to submit this Request for Action, and further certify its contents to be true and correct.

Signed: Signature On File

Town Use Only:

Action:	By:	On:	Fee:	Paid:

Request for Action

Town of Clarence | Office of Planning & Zoning
(716)741-8933 | 1 Town Place, Clarence, NY 14031

Town Use Only

Date: 5/18/2026

Received By: [illegible]

APPLICANT REQUEST:

Project Address: 4866 Krauss Rd

SBL #:

Action Desired:

6' fence Along the back of my Property.

Reason: Privacy - We are looking to have a 6' fence along the back of the property line. To only be able to do 1/2 of 6' & the other 1/2 4' would look terrible & out of place. My fence has already been ordered & ready to be installed. I was unaware that I would need to apply for a variance. I am requesting approval for 6' to continue along the back side

CONTACT INFO:

APPLICANT INFO

Name / Business: Lynn McCarney

E-Mail:

Phone #:

Address:

Town:

SIGNATURE

Request for Action shall be filled out completely in the spaces provided. The complete Request for Action shall be submitted to the Office of Planning and Zoning along with all necessary plans, maps, and supporting documentation. By signing below I certify that I have the authority to submit this Request for Action, and further certify its contents to be true and correct.

Signed:

PROJECT SPONSOR INFO (If Different Than Applicant)

Name / Business: Good neighbor Fence Co

E-Mail:

Phone #:

Address:

Town:

CORRESPONDENCE

Please indicate the preferred entity that shall receive the appropriate correspondence and billing associated with this Request for Action. Please select only one.

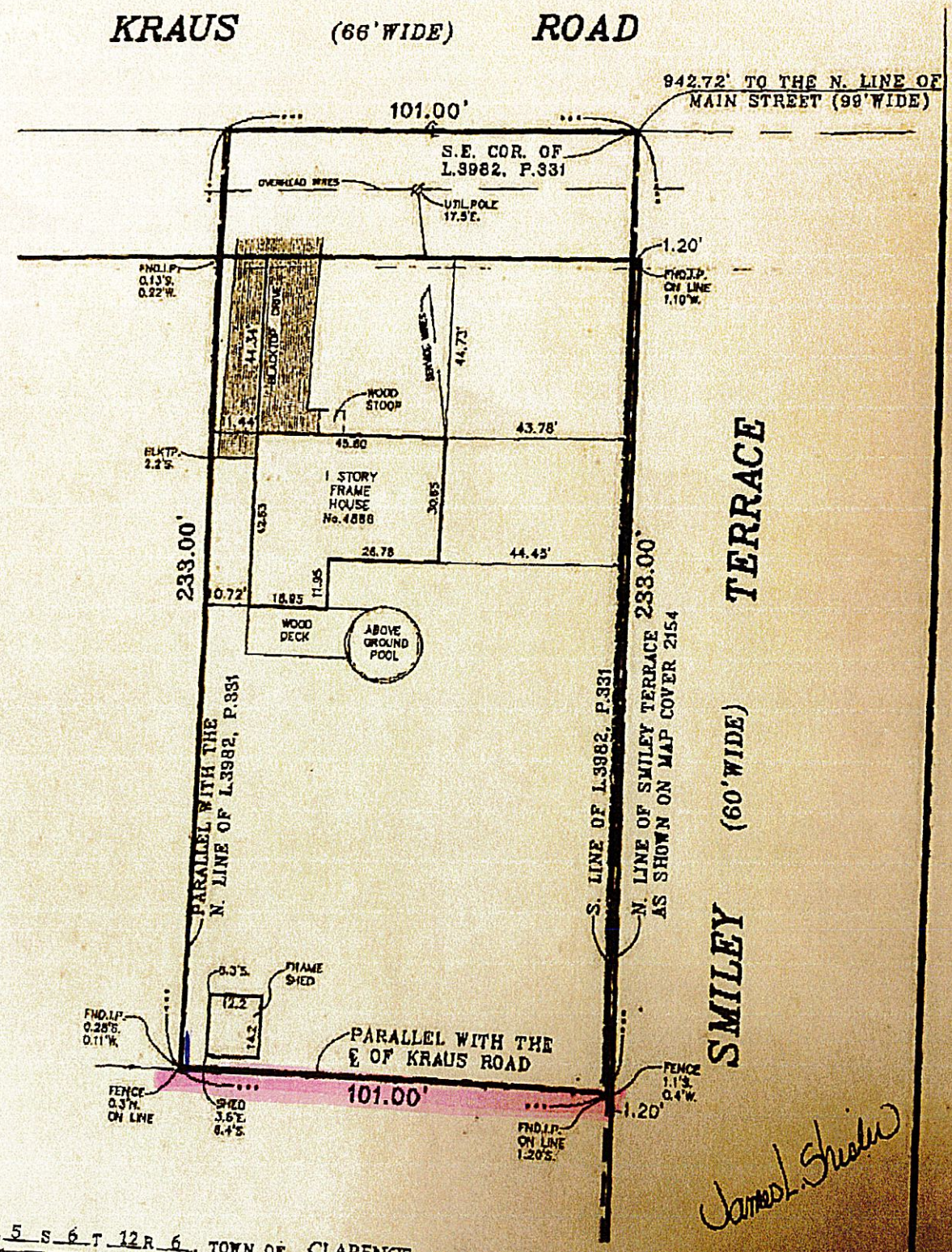
	Applicant
	Project Sponsor

Town Use Only:

Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:

UNAUTHORIZED ALTERATION OR ADDITION TO ANY SURVEY DRAWING, DESIGN, SPECIFICATION, PLAN OR REPORT IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACT THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.



James L. Shisler

PART OF L 5 S 6 T 12 R 6, TOWN OF CLARENCE, COUNTY OF ERIE, STATE OF NEW YORK

RESURVEY		
DATE	JOB	DESCRIPTION

JAMES L. SHISLER, L.S., P.C.
PROFESSIONAL LAND SURVEYORS
P.O. BOX 516
EAST AURORA, NEW YORK 14052-0516
(716) 655-1058

DRAWN BY: DMS
CHECKED BY: JLS
JOB NO.: 05517
SCALE: 1" = 30'
DATE: 8/24/05
SHEET

Request for Action

Town of Clarence | Office of Planning & Zoning
(716)741-8933 | 1 Town Place, Clarence, NY 14031

Town Use Only

Date: May 18, 2026

Received By: Planning & Zoning Office

APPLICANT REQUEST:

Project Address: 7039 Salt Road

SBL #: 31.00-2-10.11

Action Desired:

Applicant requests a variance to allow an existing pond to be closer than 100' to proposed property lines located at 7039 Salt Road in the Agricultural Rural Residential zone.

Reason:

Town Code Reference: §93-19(D)(1)

CONTACT INFO:

APPLICANT INFO

Name / Business: Peter Jackson Trust

E-Mail:

Phone #:

Address:

Town: State: Zip:

ON FILE

PROJECT SPONSOR INFO (If Different Than Applicant)

Name / Business: Kris Beyer Jones

E-Mail:

Phone #:

Address:

Town: State: Zip:

ON FILE

CORRESPONDENCE

Please indicate the preferred entity that shall receive the appropriate correspondence and billing associated with this Request for Action. Please select only one.

- [x] Applicant
- [ ] Project Sponsor

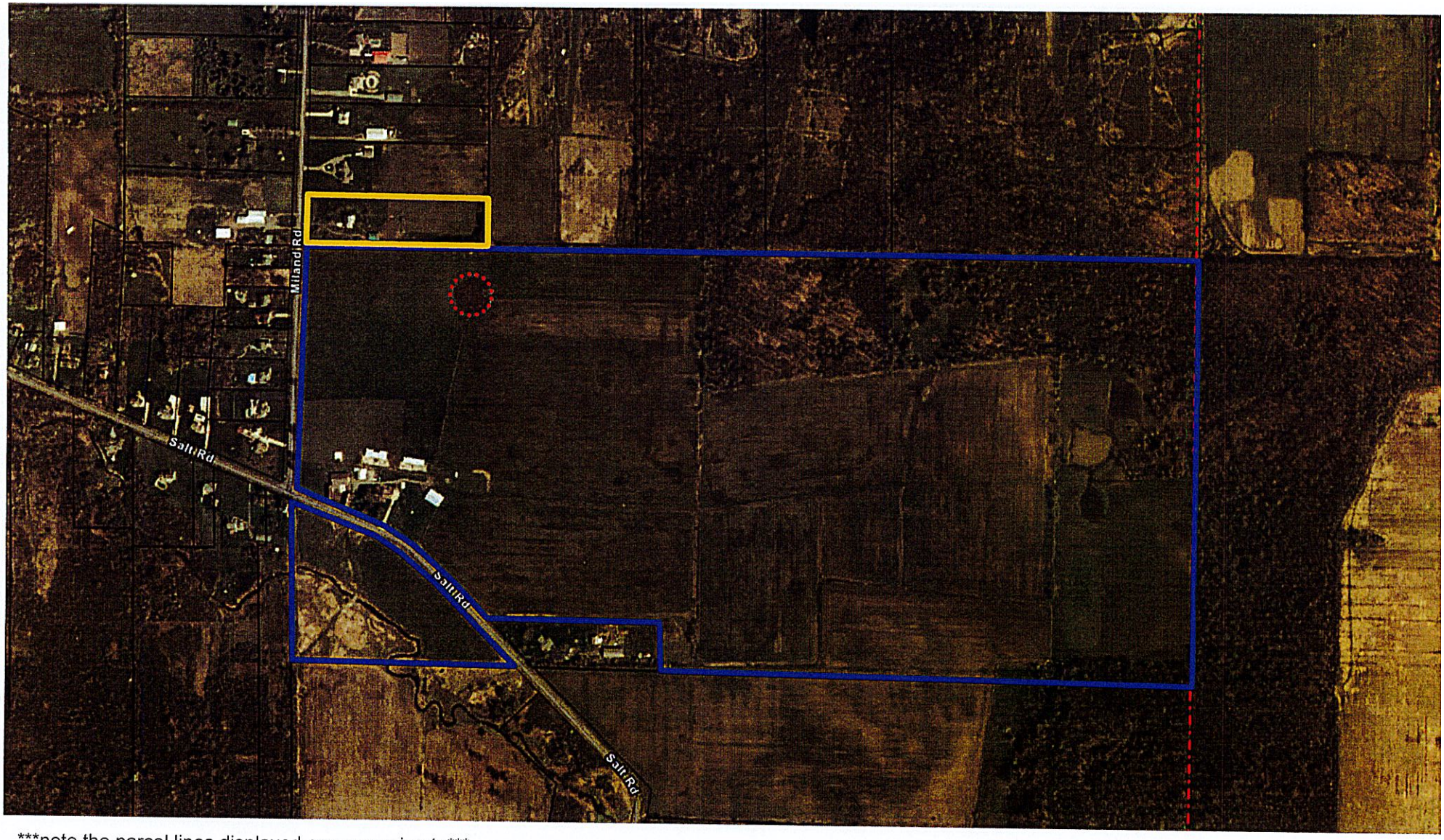
SIGNATURE

Request for Action shall be filled out completely in the spaces provided. The complete Request for Action shall be submitted to the Office of Planning and Zoning along with all necessary plans, maps, and supporting documentation. By signing below I certify that I have the authority to submit this Request for Action, and further certify its contents to be true and correct.

Signed: Signature On File

Town Use Only:

Action:	By:	On:	Fee:	Paid:



note the parcel lines displayed are approximate

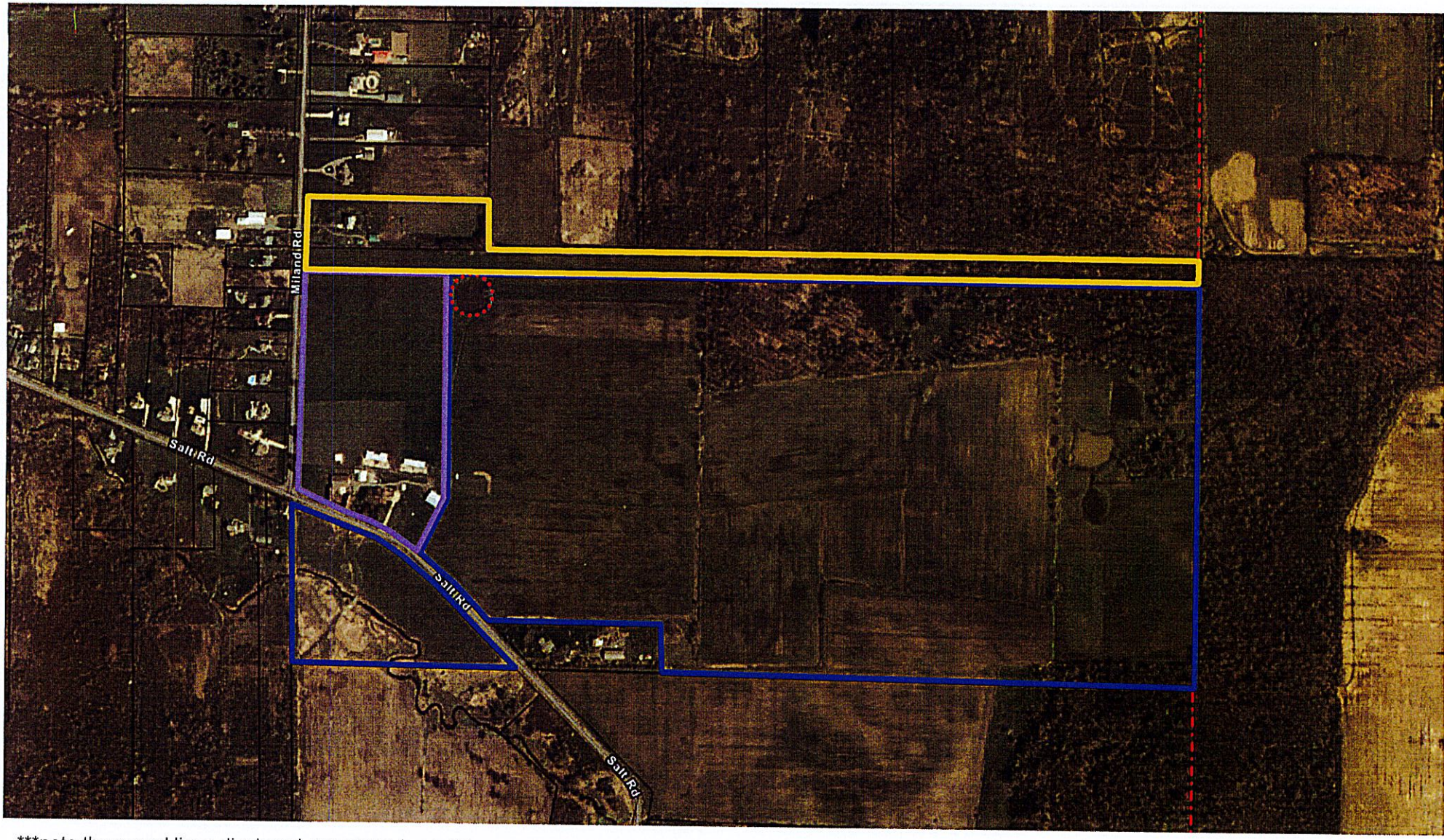
Existing Lot Configuration

7039 Salt Road

N

Proposed Minor Subdivision and Lot Line Adjustment resulting in an existing pond being less than 100' from the proposed lot lines.

The minimum setback for a pond to any property line is 100'.



note the parcel lines displayed are approximate

Proposed Lot Configuration

7039 Salt Road

N

Proposed Minor Subdivision and Lot Line Adjustment resulting in an existing pond being less than 100' from the proposed lot lines.

The minimum setback for a pond to any property line is 100'.

Request for Action

Town of Clarence | Office of Planning & Zoning
(716)741-8933 | 1 Town Place, Clarence, NY 14031

[redacted]

Date: 5/26/2026
Received By: A. Schaefer

APPLICANT REQUEST:

Project Address: 7039 SALT RD

SBL #: 31.00-2-10.11

Action Desired:

Requesting a variance to allow an existing pond to be closer than 100' to proposed property lines. A variance to Section 93-19(D)(1) of the Town Code.

Reason:

Currently pursuing a minor subdivision of land to create one new lot of record and a lot line adjustment between 7039 Salt Road and 10575 Miland Road.

CONTACT INFO:

APPLICANT INFO

Name / Business: Peter Jackson Trust

E-Mail:

Phone #:

Address:

Town:

PROJECT SPONSOR INFO (If Different Than Applicant)

Name / Business: Kris Beyer Jones

E-Mail:

Phone #:

Address:

Town: State: Zip:

SIGNATURE

Request for Action shall be filled out completely in the spaces provided. The complete Request for Action shall be submitted to the Office of Planning and Zoning along with all necessary plans, maps, and supporting documentation. By signing below I certify that I have the authority to submit this Request for Action, and further certify its contents to be true and correct.

Signed:

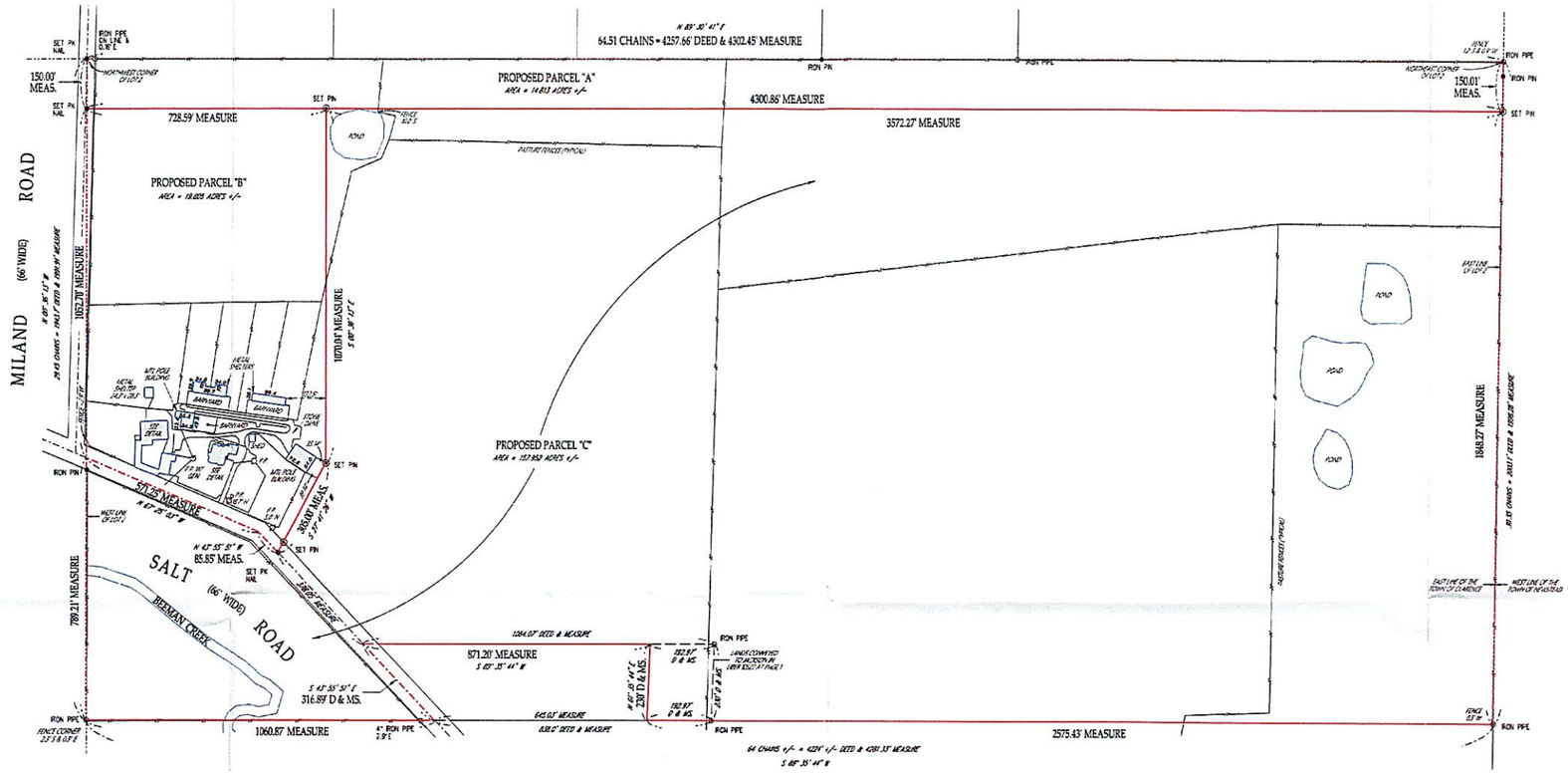
CORRESPONDENCE

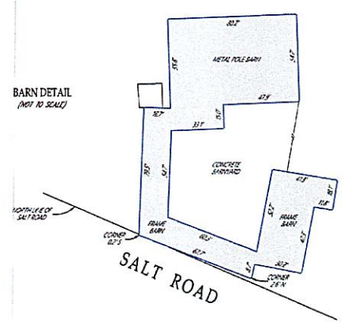
Please indicate the preferred entity that shall receive the appropriate correspondence and billing associated with this Request for Action. Please select only one.

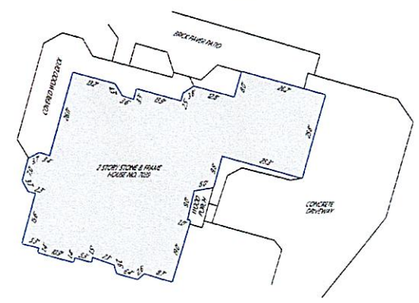
	Applicant
	Project Sponsor

Town Use Only:

Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:







A COPY OF THIS DOCUMENT WITHOUT A PROPER APPLICATION OF THE SURVEYOR'S EMBOSSED SEAL SHALL BE REGARDED TO BE AN UNAUTHORIZED COPY

MARK S. HARE LIC. NO 50840

TERRA POINTE LAND SURVEYING, PLLC

TERRA POINTE LAND SURVEYING, PLLC
1352 Swann Road
Youngstown, NY 14174
Phone: 716-205-3310
Email: mark.hare@terrapointepllc.com

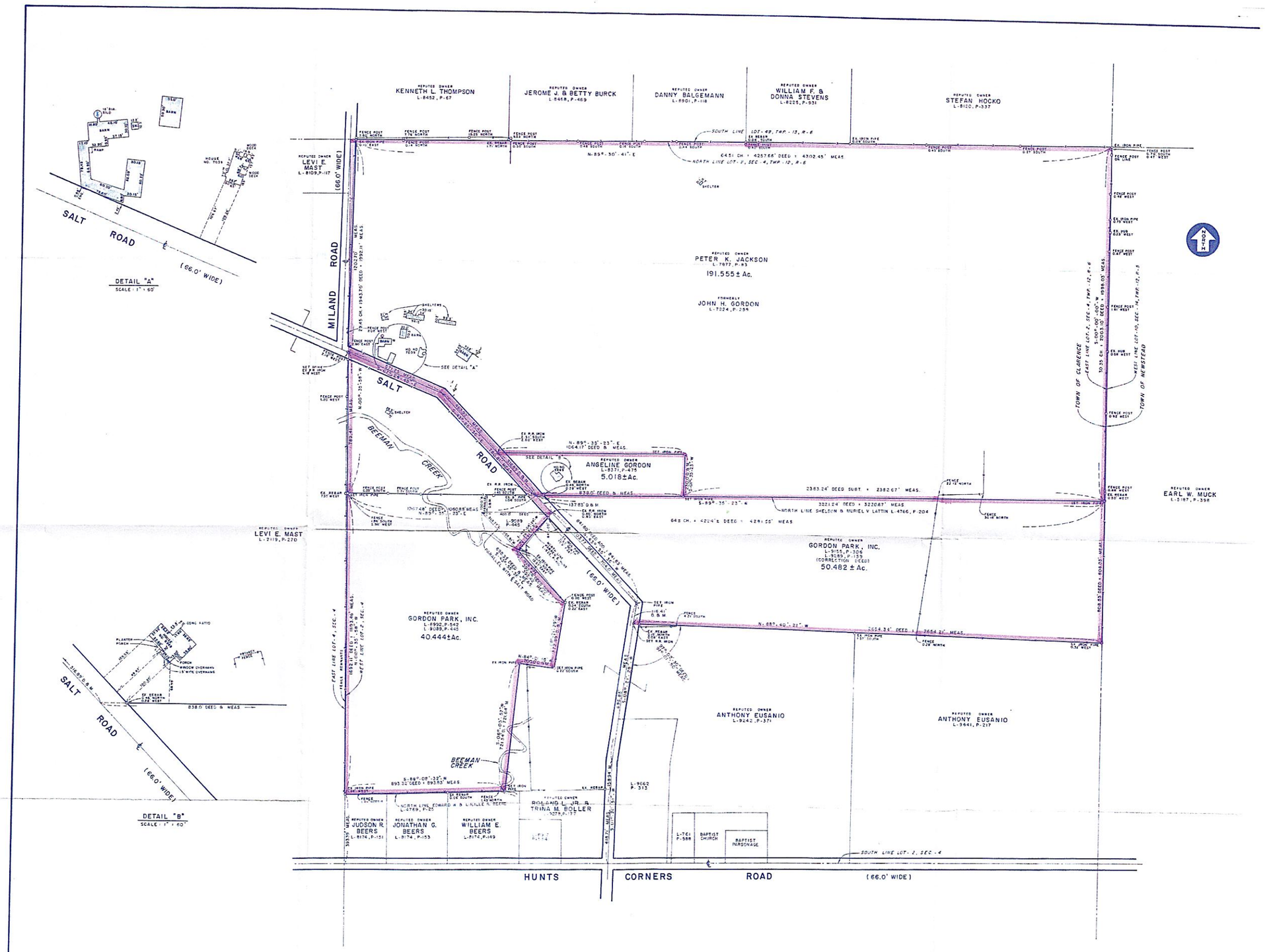
UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209 PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.

TOWN: CLARENCE	BEING PART OF LOT 2, SECTION 4, TOWNSHIP 12, RANGE 6 OF THE HOLLAND LAND COMPANY'S SURVEY	TAX ID NO: 31.00-1-10.11
COUNTY: ERIE		
STATE: NEW YORK		
DATE: SEPTEMBER 26, 2024		
SCALE: 1" = 200'	DEED REFERENCE: L-7877, P-83; L-10527, P-1	
JOB NO: 2088-24		

JOB TITLE: BOUNDARY SURVEY

DRAWING OF: LANDS OWNED BY:
PETER K. JACKSON
&
JOANNE G. JACKSON



NOTE: THE BEARING SYSTEM USED ON THIS SURVEY IS ARBITRARY.

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF ABSTRACT OF TITLE AND IS SUBJECT TO ANY AND ALL OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF TITLE.

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209 OF THE REVISED EDUCATION LAW OF THE NEW YORK STATE EDUCATION LAW.

RESURVEYED	REVISION

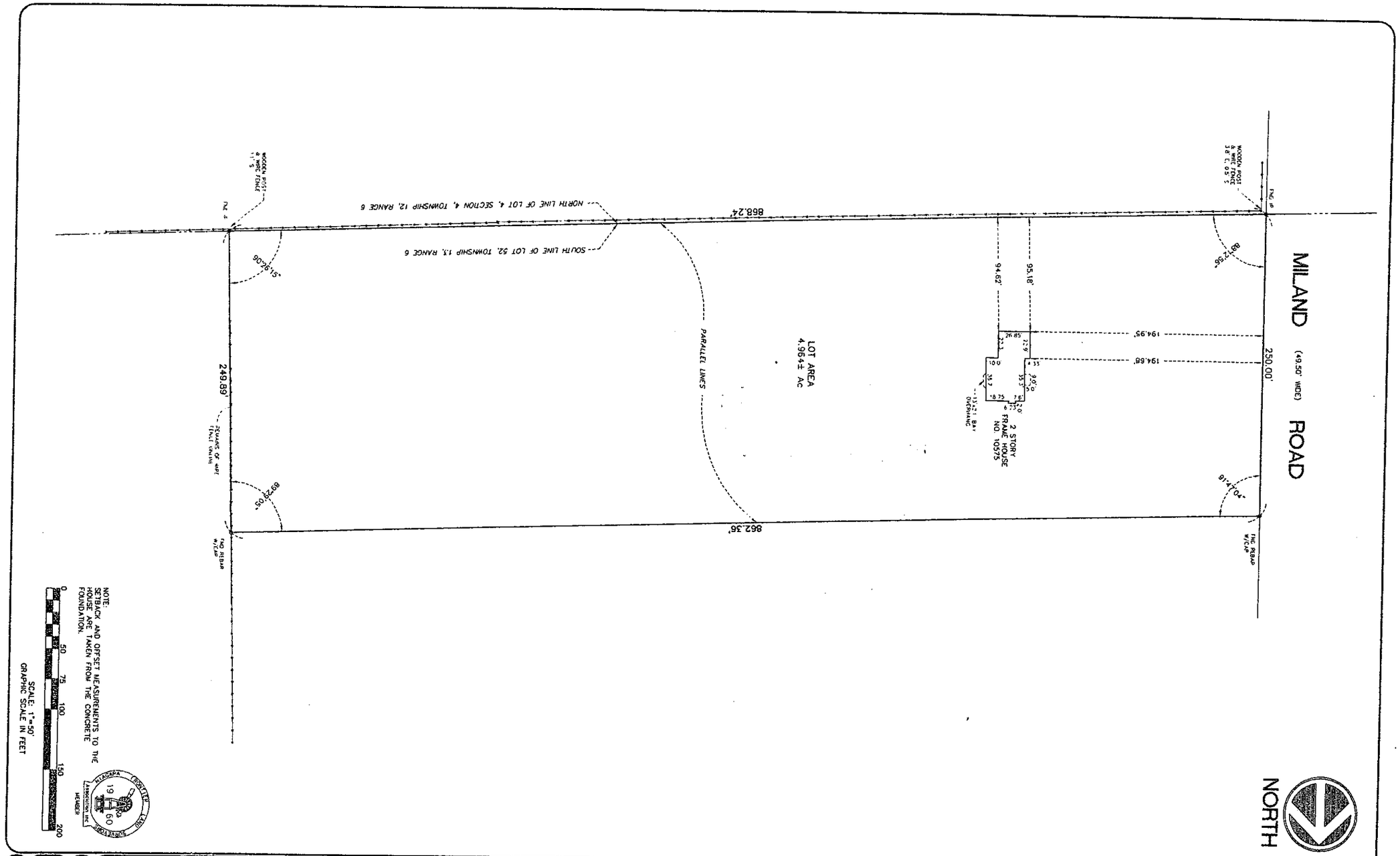
McINTOSH & McINTOSH, P.C.
CONSULTING ENGINEERS, LAND SURVEYORS, PLANNERS
LOCKPORT, NEW YORK — PHONE: 434-8133
BUFFALO, NEW YORK — PHONE: 625-8350

SURVEY OF PART OF LOT-2, SEC.-4, TWP.-12, R-6, HOLLAND PURCHASE

LOCATION: TOWN OF CLARENCE, ERIE COUNTY, NEW YORK

JOB No. 15-36-D20 | SCALE: 1" = 200' | DATE: JANUARY 19, 1988

DRAWN | COMP | DESC. | CHECKED



PROJECT NAME

10575 MILAND ROAD

PART OF LOT 52, TOWNSHIP 13, RANGE 6
TOWN OF CLARENCE - ERIE COUNTY - NEW YORK

DRAWING

BOUNDARY SURVEY

THIS SHEET ISSUED JUNE 21, 2001

SHEET NO. 1

DWG FILE: B/99151/01
WSA PROJECT NO. 99151

WSA
WM. SCHUTT & ASSOCIATES, P.C.
ENGINEERING
LAND SURVEYING
5360 GENESEE STREET P.O. BOX 46
BOWMANSVILLE, NEW YORK 14026-0046
TELE: (716)683-5961 FAX: (716)683-0169

STATE OF NEW YORK
GREG C. WITTER
LICENSED LAND SURVEYOR
No. 050193

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MAP MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL AND SIGNATURE SHALL BE CONSIDERED TO BE TRUE VALID COPIES

DESIGNED BY:	
DRAWN BY:	SMM
CHECKED BY:	GCW
DATE	SEPTEMBER 10, 1999
SCALE:	1"=50'

DRAWING REVISIONS

ITEM	DATE	DESCRIPTION
1	11/08/99	FENCE RELOCATION
2	3/15/01	RESURVEYED
3	6/21/01	RESURVEYED

Existing Configuration 2026

NOTE:
This map is not an official property survey. Measurements from edge of R.O.W.

Legend

Parcels

7039 Salt Road
Size:
+/- 192.5 acres
Frontage:
+/- 1,165 ft - Miland Rd.
+/- 1,125 ft - N. Salt Rd.
+/- 1,352 ft - S. Salt Rd.

0 Salt Road
Size:
+/- 87.0 acres
Frontage:
+/- 950 ft - N. Salt Rd.
+/- 170 ft - S. Salt Rd.

10575 Miland Road
Size:
+/- 4.96 acres
Frontage:
+/- 250 ft - Miland Rd.

Pond
Size:
+/- 0.45 acres
+/- 160' diameter

1: 2,257

0.1 0 0.04 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION

ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Proposed Configuration 2026

NOTE:
This map is not an official property survey. Measurements from edge of R.O.W.

Legend

Parcels

7039 Salt Road
Size:
+/- 19.8 acres
Frontage:
+/- 1,015 ft - Miland Rd.
+/- 747 ft - N. Salt Rd.

0 Salt Road
Size:
+/- 87.0 acres
Frontage:
+/- 950 ft - N. Salt Rd.
+/- 170 ft - S. Salt Rd.

10575 Miland Road
Size:
+/- 19.76 acres
Frontage:
+/- 400 ft - Miland Rd.

New Parcel - Salt Road
Size:
+/- 157.9 acres
Frontage:
+/- 378 ft - N. Salt Rd.
+/- 1,352 ft - S. Salt Rd.

Pond
Size:
+/- 0.45 acres
+/- 160' diameter

1: 2,257

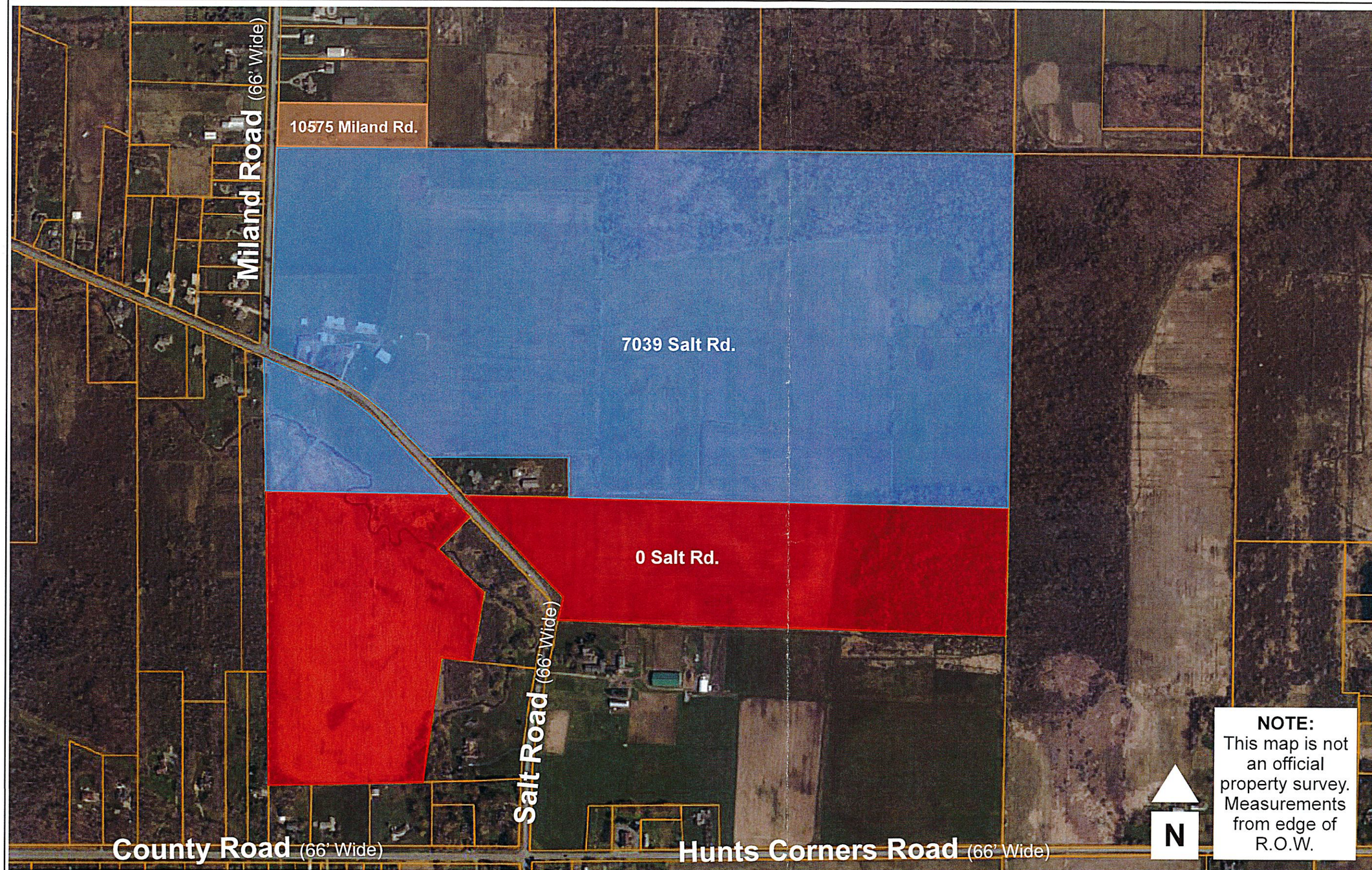
0.1 0 0.04 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION

ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Existing Configuration 2026



Legend

Parcels

7039 Salt Road
Size:
+/- 192.5 acres
Frontage:
+/- 1,165 ft - Miland Rd.
+/- 1,125 ft - N. Salt Rd.
+/- 1,352 ft - S. Salt Rd.

0 Salt Road
Size:
+/- 87.0 acres
Frontage:
+/- 950 ft - N. Salt Rd.
+/- 170 ft - S. Salt Rd.

10575 Miland Road
Size:
+/- 4.96 acres
Frontage:
+/- 250 ft - Miland Rd.

1: 9,028

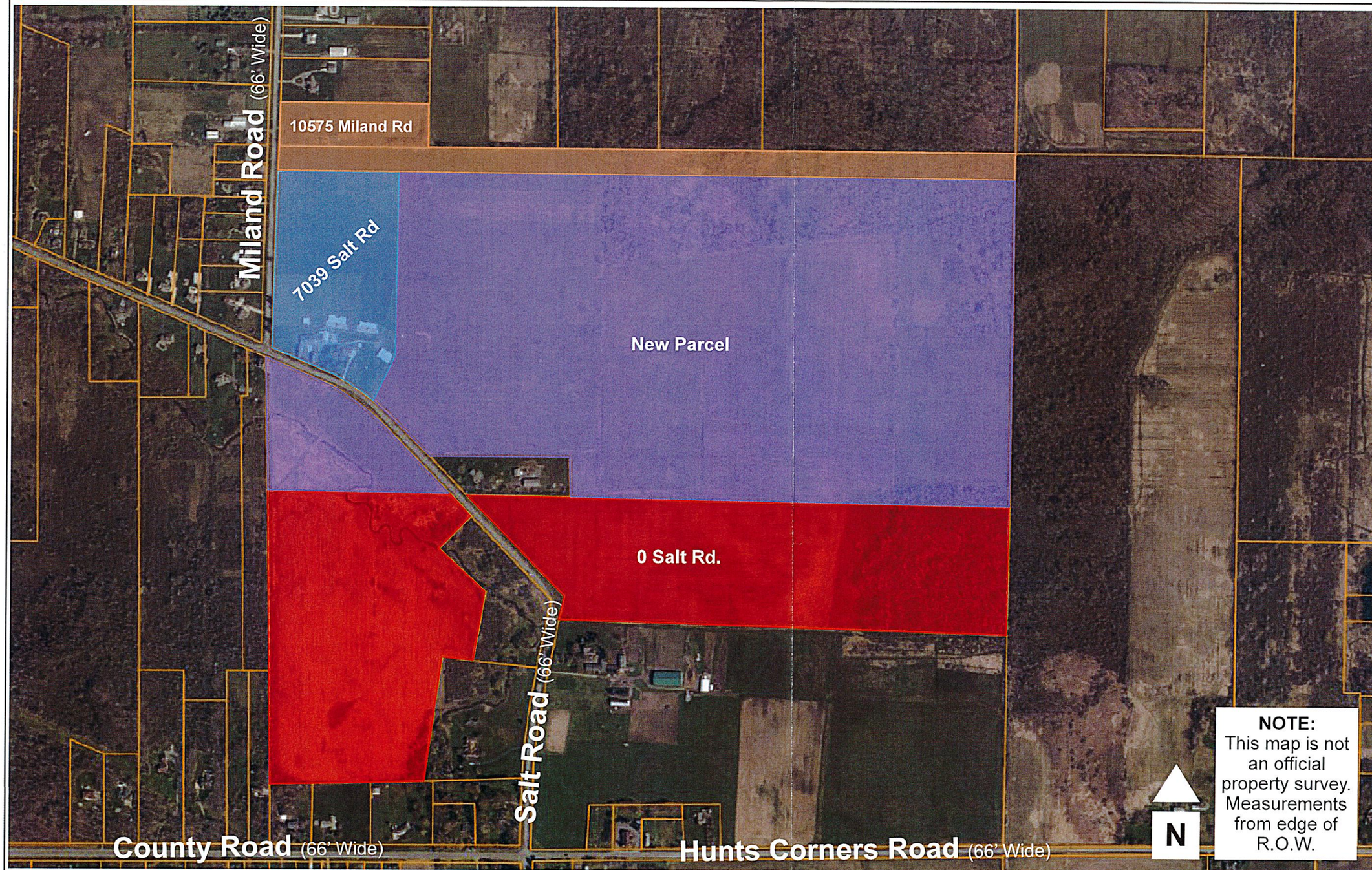
0.3 0 0.14 0.3 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION

ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Proposed Configuration 2026



Legend

Parcels

7039 Salt Road
Size:
+/- 19.8 acres
Frontage:
+/- 1,015 ft - Miland Rd.
+/- 747 ft - N. Salt Rd.

0 Salt Road
Size:
+/- 87.0 acres
Frontage:
+/- 950 ft - N. Salt Rd.
+/- 170 ft - S. Salt Rd.

10575 Miland Road
Size:
+/- 19.76 acres
Frontage:
+/- 400 ft - Miland Rd.

New Parcel - Salt Road
Size:
+/- 157.9 acres
Frontage:
+/- 378 ft - N. Salt Rd.
+/- 1,352 ft - S. Salt Rd.

1: 9,028

0.3 0 0.14 0.3 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION

ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Request for Action

Town of Clarence | Office of Planning & Zoning
(716)741-8933 | 1 Town Place, Clarence, NY 14031

Town Use Only

Date: May 22, 2026

Received By: Planning & Zoning Office

APPLICANT REQUEST:

Project Address: 5870 Forest Creek Drive

SBL #: 57.05-6-23

Action Desired:

Applicant requests variances:
1) to allow a secondary detached garage; and
2) of 376 sq.ft. to allow a 576 sq.ft. detached accessory structure (garage); and
3) of 4' to allow a 6' detached accessory structure (garage) side yard setback;
located at 5870 Forest Creek Drive in the Residential Single-Family zone.

Reason:

Town Code Reference:
1) §229-55(H)
2) §229-55(H)
3) §229-55(E)(1)

CONTACT INFO:

APPLICANT INFO

Name / Business: Kenneth Weinstein

E-Mail:

Phone #:

Address:

Town: State: Zip:

ON FILE

PROJECT SPONSOR INFO (If Different Than Applicant)

Name / Business:

E-Mail:

Phone #:

Address:

Town: State: Zip:

ON FILE

CORRESPONDENCE

Please indicate the preferred entity that shall receive the appropriate correspondence and billing associated with this Request for Action. Please select only one.

✓	Applicant
	Project Sponsor

SIGNATURE

Request for Action shall be filled out completely in the spaces provided. The complete Request for Action shall be submitted to the Office of Planning and Zoning along with all necessary plans, maps, and supporting documentation. By signing below I certify that I have the authority to submit this Request for Action, and further certify its contents to be true and correct.

Signed: Signature On File

Town Use Only:

Action:	By:	On:	Fee:	Paid:

Request for Action

Town of Clarence | Office of Planning & Zoning
(716)741-8933 | 1 Town Place, Clarence, NY 14031

Town Use Only

Date: 3/22/2026

Received By: PKZ

APPLICANT REQUEST:

Project Address: 5870 forest creek drive, east amherst 14051

SBL #:

Action Desired:

i want to build a 2 car 24 by 24 garage at the end of my driveway

Reason:

i need more storage for my cars

CONTACT INFO:

APPLICANT INFO

Name / Business: kenneth weinstein

E-Mail:

Phone #:

Address:

Town:

PROJECT SPONSOR INFO (If Different Than Applicant)

Name / Business:

E-Mail:

Phone #:

Address:

Town: State: Zip:

SIGNATURE

Request for Action shall be filled out completely in the spaces provided. The complete Request for Action shall be submitted to the Office of Planning and Zoning along with all necessary plans, maps, and supporting documentation. By signing below I certify that I have the authority to submit this Request for Action, and further certify its contents to be true and correct.

Signed:

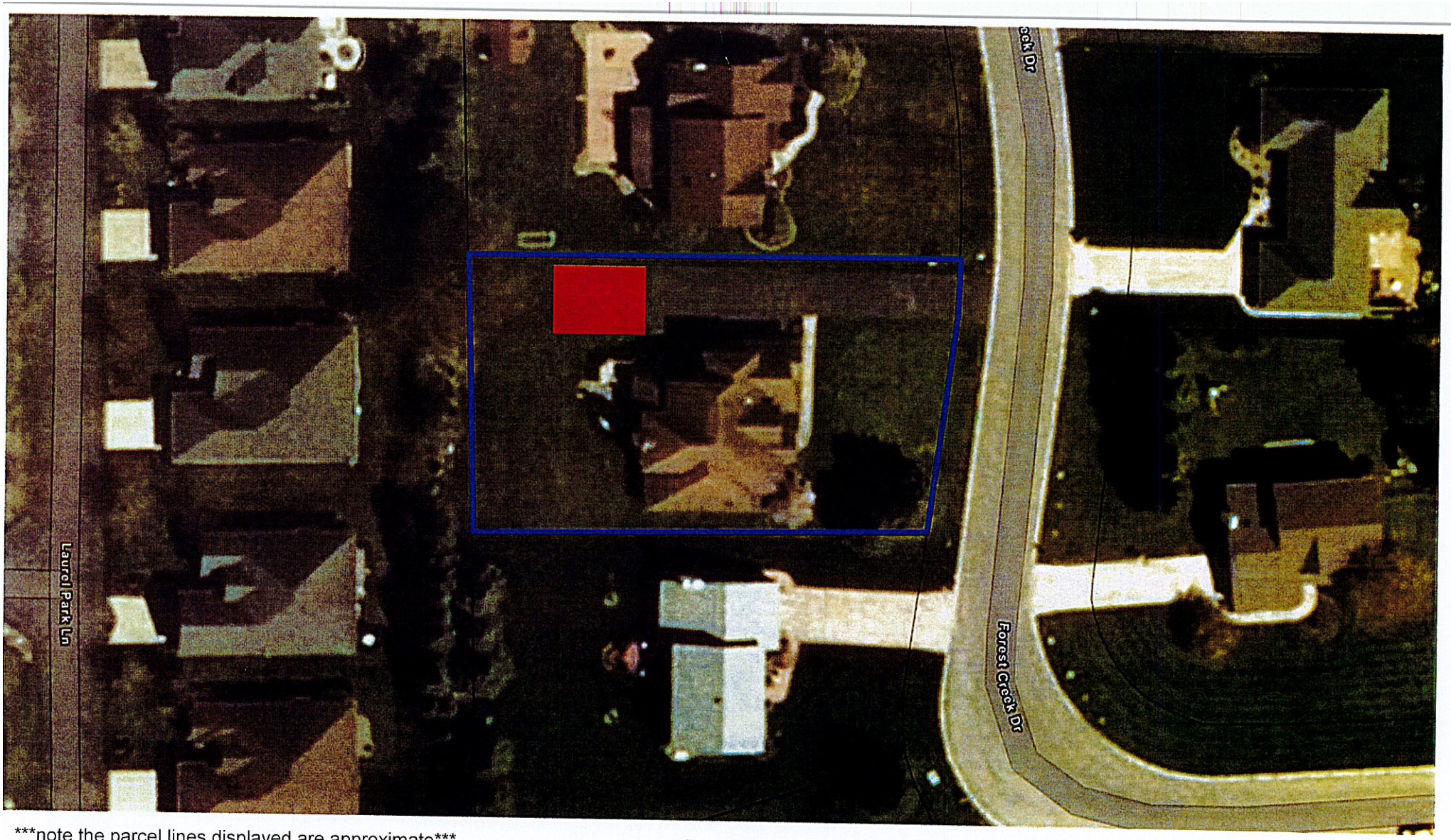
CORRESPONDENCE

Please indicate the preferred entity that shall receive the appropriate correspondence and billing associated with this Request for Action. Please select only one.

✓	Applicant
	Project Sponsor

Town Use Only:

Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:



note the parcel lines displayed are approximate

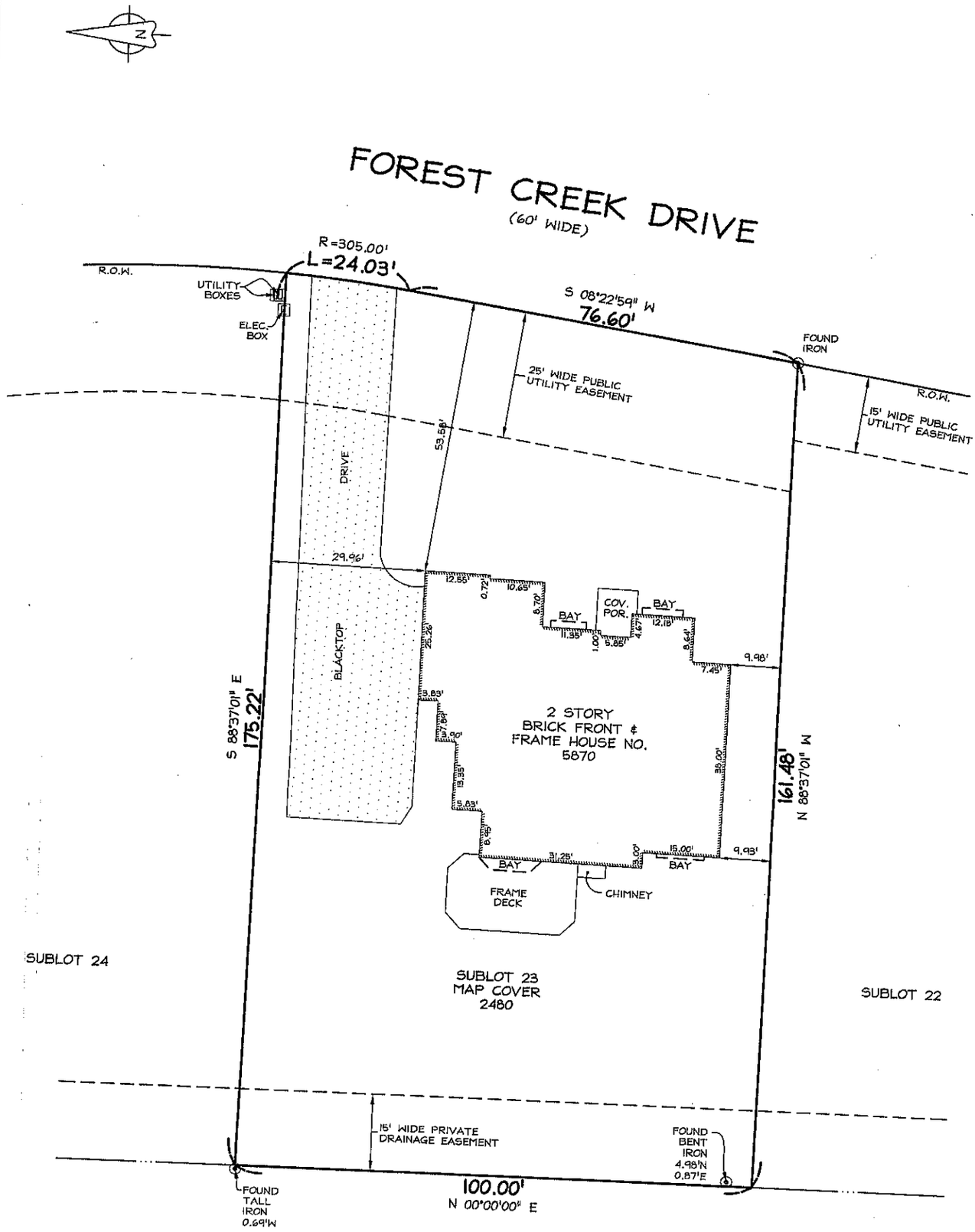
5870 Forest Creek Drive

N

Proposed 576 sq.ft. (24' x 24') detached accessory structure (garage).

200 sq.ft. is the maximum allowable square footage for a detached accessory structure when an attached garage exists. A 376 sq.ft. variance is requested.

Proposed 6' detached accessory structure (garage) side yard setback. The minimum required side yard setback for a detached accessory structure located within the side yard setback is 10'. A 4' variance is requested.



THIS SURVEY IS NOT VALID WITH AN AFFIDAVIT OF NO CHANGE

NO IRONS SET OR FOUND AT PROPERTY CORNERS UNLESS NOTED HERSON.

3556 Lake Shore Road, Suite 500, Buffalo, NY 14219
p (716) 827-8000 f (716) 270-6091 www.nussclarke.com

This survey was prepared without the benefit of an abstract of title and is subject to any state of facts that may be revealed by an examination of such.

Unauthorized alterations or additions to any survey, drawing, design, specification, plan or report is a violation of section 7209, provision 2 of the New York State Education Law.

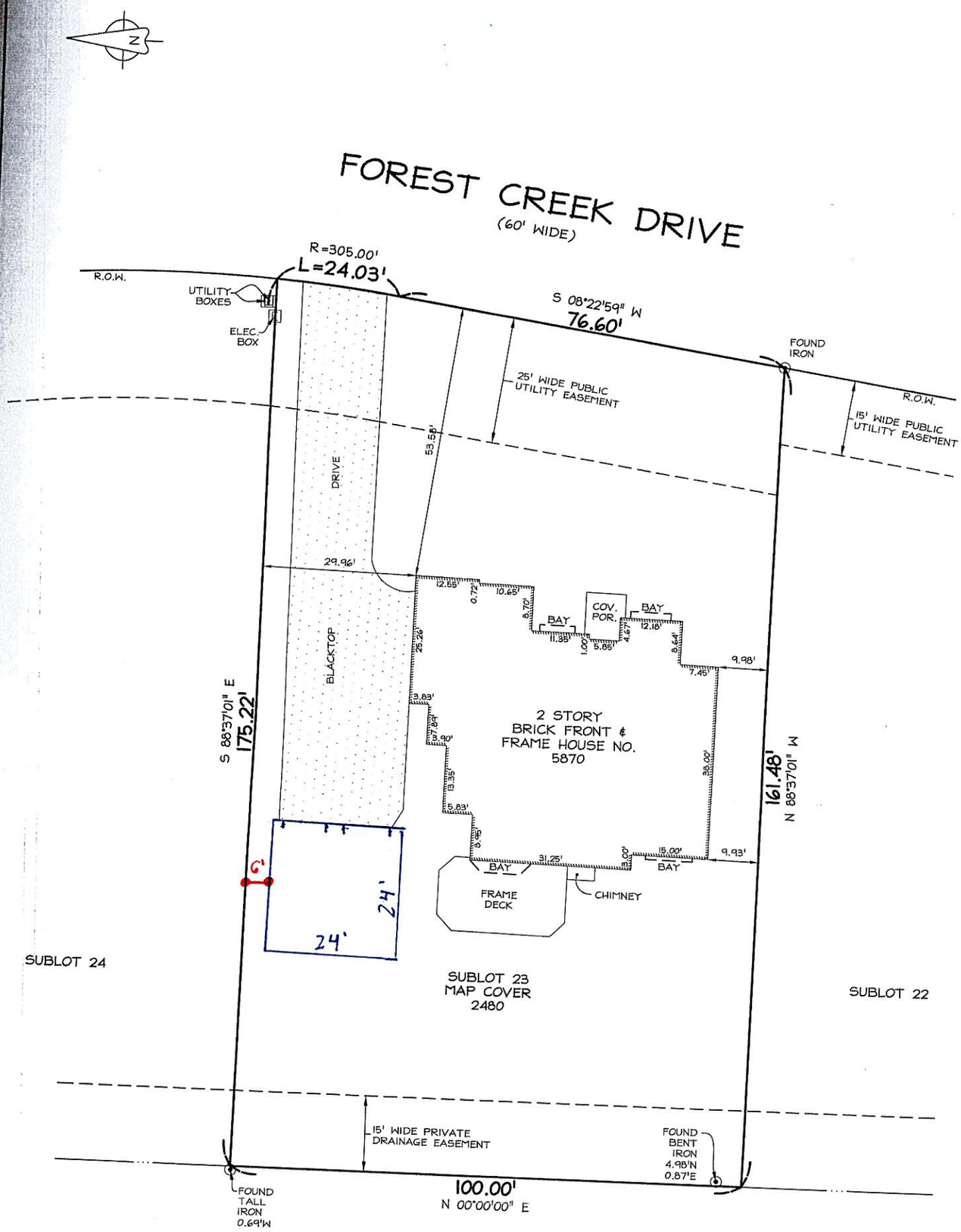
NUSSBAUMER & CLARKE, INC. EST. 1933 ENGINEERS AND SURVEYORS

BOUNDARY SURVEY
5870 FOREST CREEK DRIVE

Part of Lot 3, Section 15, Township 12, Range 6
Holland Land Company's Survey
Town of Clarence
County of Erie, State of New York

Date of Survey: 08/20/2021

Project No. 2172.7100



THIS SURVEY IS NOT VALID WITH AN AFFIDAVIT OF NO CHANGE

NO IRONS SET OR FOUND AT PROPERTY CORNERS UNLESS NOTED HEREON.

3556 Lake Shore Road, Suite 500, Buffalo, NY 14219
p (716) 827-8000 f (716) 270-6091 www.nussclarke.com

This survey was prepared without the benefit of an abstract of title and is subject to any state of facts that may be revealed by an examination of such.

Unauthorized alterations or additions to any survey, drawing, design, specification, plan or report is a violation of section 7209, provision 2 of the New York State Education Law.

NUSSBAUMER & CLARKE, INC. ENGINEERS AND SURVEYORS EST. 1933

BOUNDARY SURVEY
5870 FOREST CREEK DRIVE

Part of Lot 3, Section 15, Township 12, Range 6
Holland Land Company's Survey
Town of Clarence
County of Erie, State of New York
Date of Survey: 03/26/2021

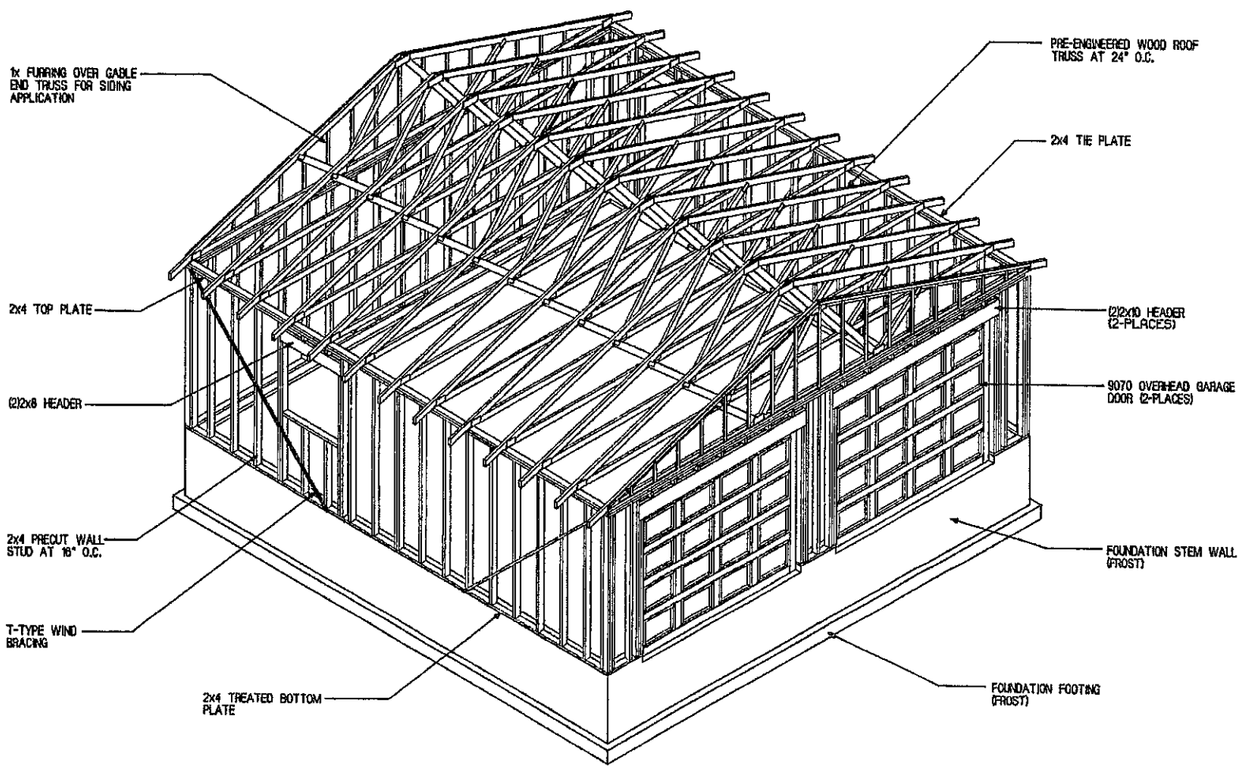
24'x24' Garage 50267

With Pre-Engineered Roof Trusses

NOTE: Substantial care and effort have gone into the creation of the design of these blueprints, however, because of the impossibility of providing any personal or on-site consultation, supervision and control over actual construction, and because of the great variance in local building requirements, building practices, and soil, seismic, weather and other conditions, 84 Lumber assumes no responsibility for any damages, including structural failure, due to any deficiencies, omissions or errors in these blueprints. 84 LUMBER MAKES NO WARRANTY, EXPRESS OR IMPLIED, WITH RESPECT TO THE CONTENT OR USE OF THESE BLUEPRINTS, INCLUDING BUT NOT LIMITED TO ANY WARRANTY OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE. We strongly advise that you consult a local architect or engineer, and check with your local building official prior to applying for any building permit and before beginning actual construction.

ISOMETRIC VIEWPOINT

NO SCALE



CONSTRUCTION PLANS

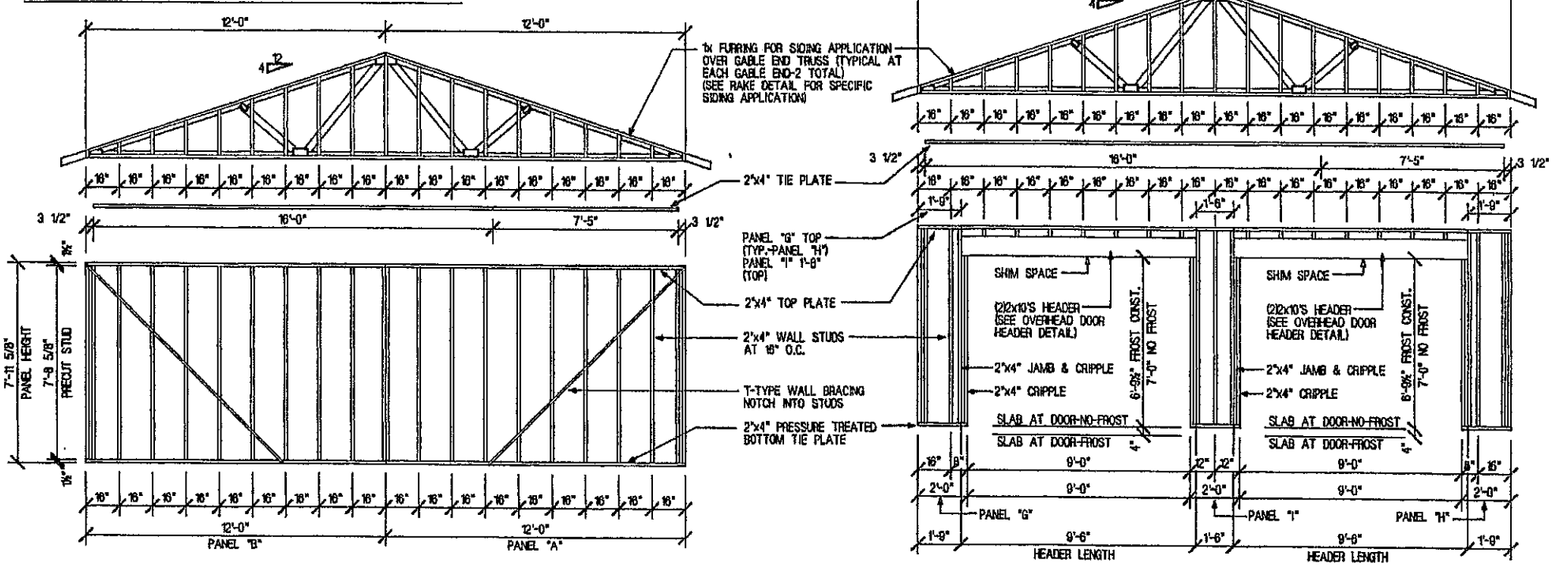
FOUNDATION PLAN SCALE: 1/4"=1'-0"

(FROST CONSTRUCTION SHOWN)

FLOOR PLAN SCALE: 1/4"=1'-0"

576 SQUARE FEET

PANEL ELEVATIONS



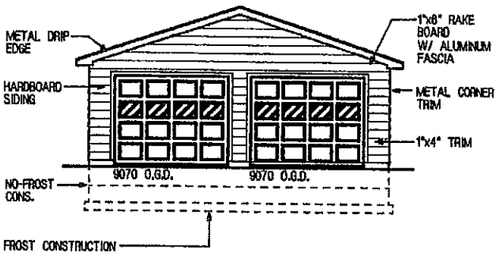
REAR WALL FRAMING ELEVATION

SCALE: 1/4"=1'-0"

FRONT WALL FRAMING ELEVATION

SCALE: 1/4"=1'-0"

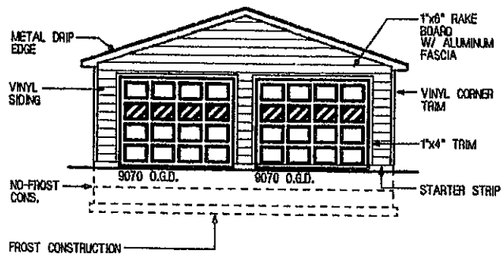
EXTERIOR ELEVATIONS



FRONT ELEVATION

HARDBOARD SIDING

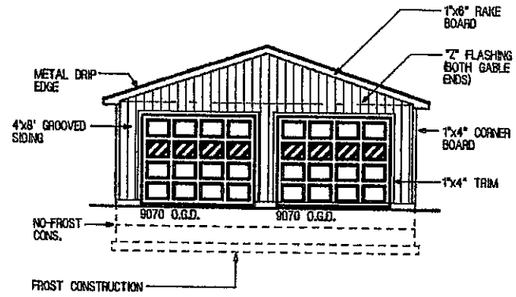
SCALE: 1/8"=1'-0"



FRONT ELEVATION

VINYL SIDING

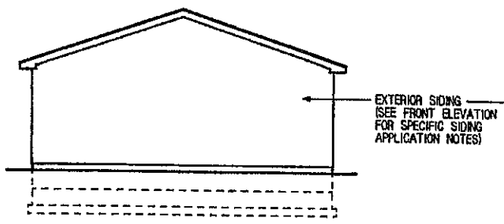
SCALE: 1/8"=1'-0"



FRONT ELEVATION

4'x8' GROOVED SIDING

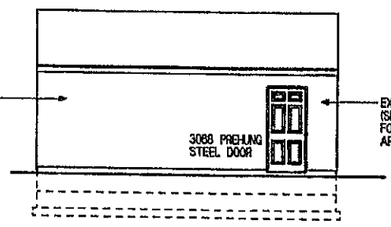
SCALE: 1/8"=1'-0"



REAR ELEVATION

4'x8' GROOVED SIDING
VINYL SIDING
HARDBOARD SIDING

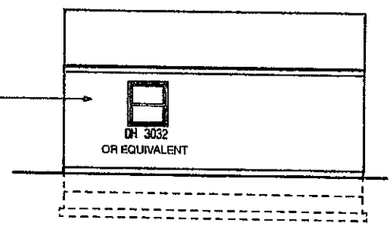
SCALE: 1/8"=1'-0"



RIGHT ELEVATION

4'x8' GROOVED SIDING
VINYL SIDING
HARDBOARD SIDING

SCALE: 1/8"=1'-0"



LEFT ELEVATION

4'x8' GROOVED SIDING
VINYL SIDING
HARDBOARD SIDING

SCALE: 1/8"=1'-0"

Request for Action

Town of Clarence | Office of Planning & Zoning
(716)741-8933 | 1 Town Place, Clarence, NY 14031

Town Use Only

Date: May 22, 2026

Received By: Planning & Zoning Office

APPLICANT REQUEST:

Project Address: 4445 Westwood Road

SBL #: 70.18-2-15

Action Desired:

Applicant requests a variance of 6'6" to allow a principal structure side yard setback of 6' to allow for an attached garage addition located at 4445 Westwood Road in the Residential Single-Family zone.

Reason:

Town Code Reference: §229-52(B)

CONTACT INFO:

APPLICANT INFO

Name / Business: Carolyn Vinci

E-Mail:

Phone #:

Address:

Town: State: Zip:

ON FILE

PROJECT SPONSOR INFO (If Different Than Applicant)

Name / Business:

E-Mail:

Phone #:

Address:

Town: State: Zip:

ON FILE

CORRESPONDENCE

Please indicate the preferred entity that shall receive the appropriate correspondence and billing associated with this Request for Action. Please select only one.

✓	Applicant
	Project Sponsor

SIGNATURE

Request for Action shall be filled out completely in the spaces provided. The complete Request for Action shall be submitted to the Office of Planning and Zoning along with all necessary plans, maps, and supporting documentation. By signing below I certify that I have the authority to submit this Request for Action, and further certify its contents to be true and correct.

Signed: Signature On File

Town Use Only:

Action:	By:	On:	Fee:	Paid:

Request for Action

Town of Clarence | Office of Planning & Zoning
(716)741-8933 | 1 Town Place, Clarence, NY 14031

Town Use Only

Date: 5/22/2026
Received By: P+Z

APPLICANT REQUEST:

Project Address: 4445 Westwood Rd
SBL #: 70.18-2-15

Action Desired:

Expansion to accommodate 2 vehicles and more storage

Reason:

Theft of car in March 2026, currently one car garage is not enough space

CONTACT INFO:

APPLICANT INFO

Name / Business: Carolyn Vinci
E-Mail:
Phone #:
Address:
Town:

PROJECT SPONSOR INFO (If Different Than Applicant)

Name / Business:
E-Mail:
Phone #:
Address:
Town: State: Zip:

SIGNATURE

Request for Action shall be filled out completely in the spaces provided. The complete Request for Action shall be submitted to the Office of Planning and Zoning along with all necessary plans, maps, and supporting documentation. By signing below I certify that I have the authority to submit this Request for Action, and further certify its contents to be true and correct.

Signed:

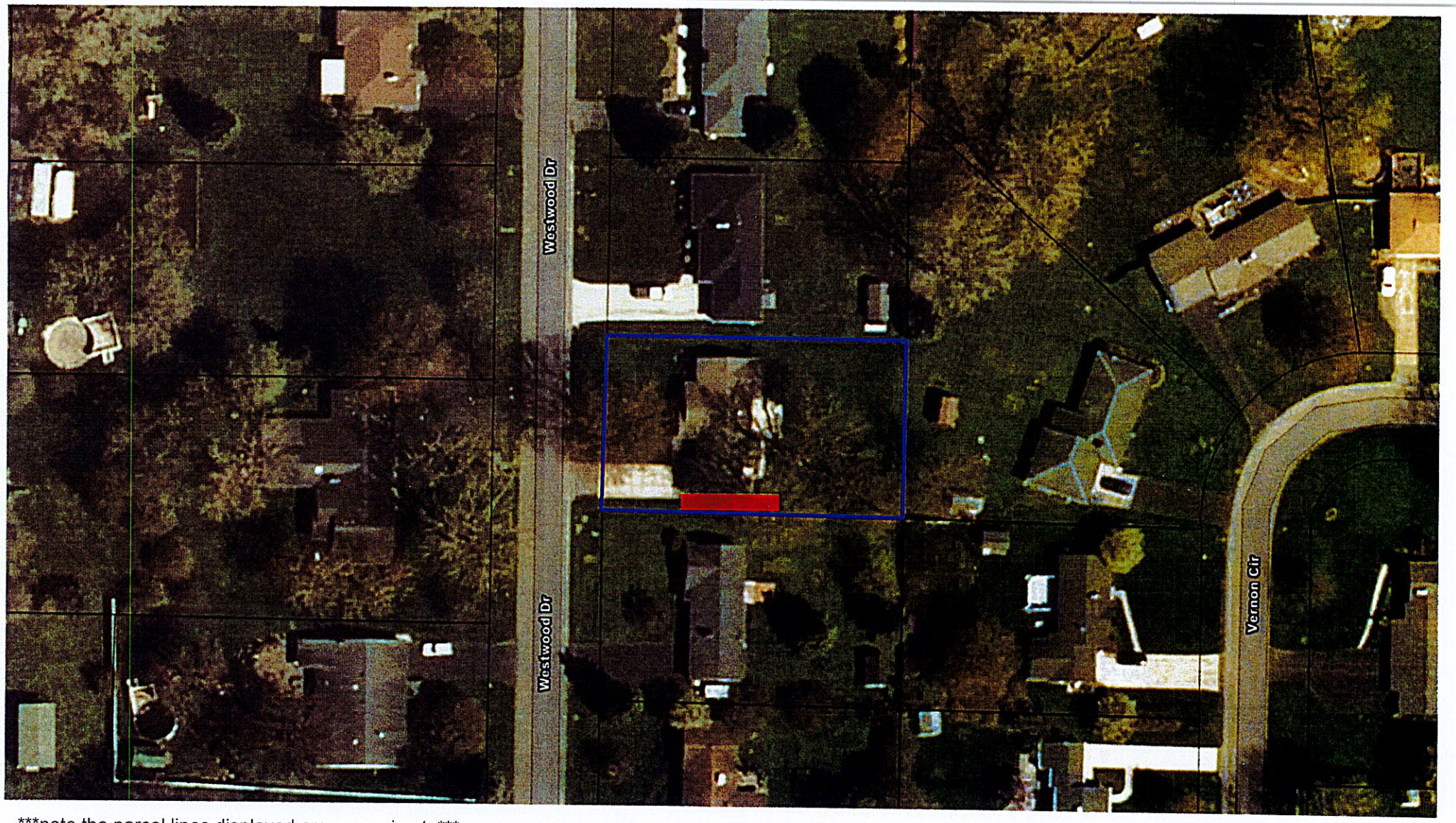
CORRESPONDENCE

Please indicate the preferred entity that shall receive the appropriate correspondence and billing associated with this Request for Action. Please select only one.

X	Applicant
	Project Sponsor

Town Use Only:

Action:	By:	On:	Fee:	Paid:



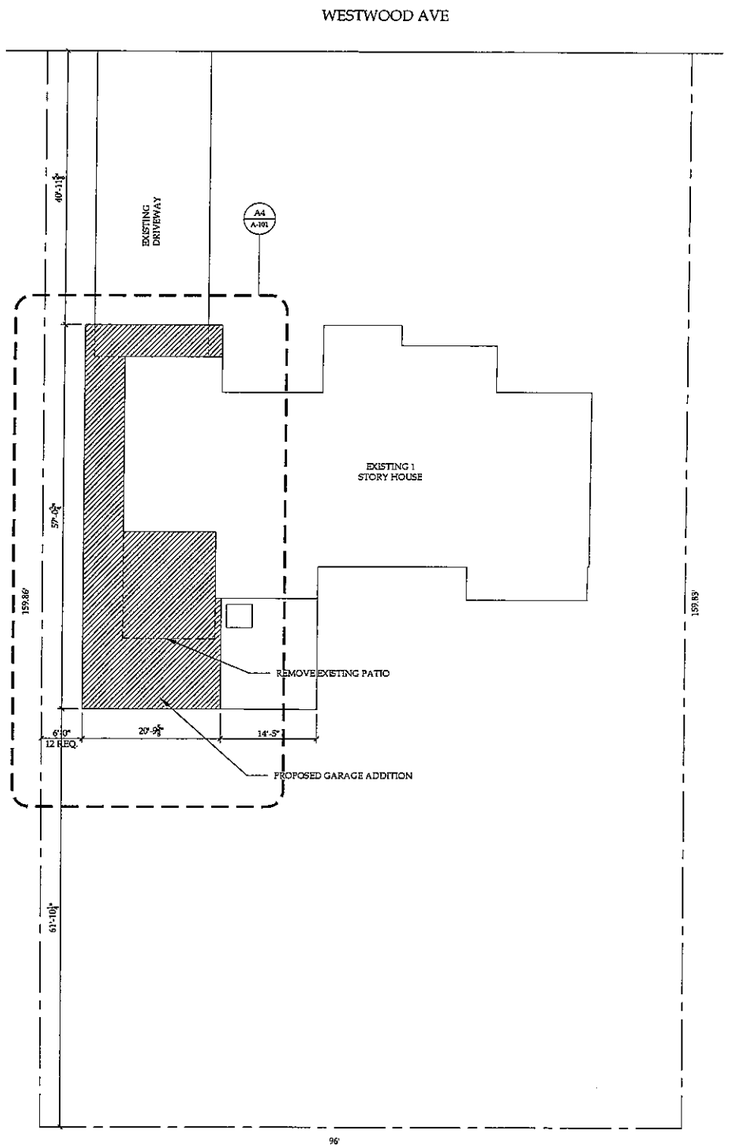
note the parcel lines displayed are approximate

4445 Westwood Drive

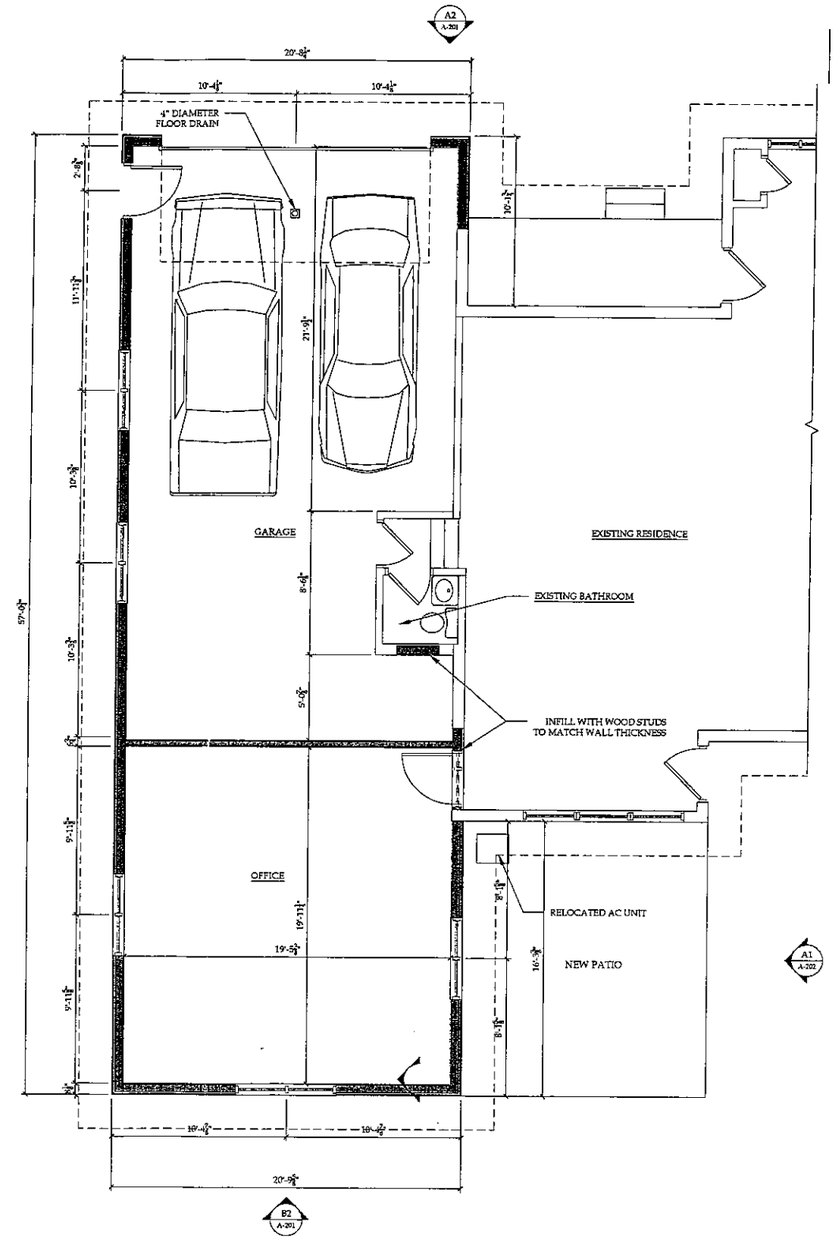
N

Proposed attached accessory structure expansion, which would result in a principal structure side yard setback of 6'.

The minimum side yard setback for a principal structure is 12'6". A 6'6" variance is requested.



A1 SITE PLAN
SCALE: 1" = 10'-0"



A4 PARTIAL FLOOR PLAN
SCALE: 1/4" = 1'-0"

NOTICE

This document, the property of, prepared and issued by the architect, is submitted for the specific project namely _____ and the recipient by accepting this document assumes custody and agrees that this document will not be copied or reproduced in part or in whole, and any special features peculiar to this design shall not be incorporated in any other project, unless prior agreement has been obtained in writing. These documents will be returned immediately upon completion of the project or upon the request of the architect.

This document is the exclusive property of the architect, no rights to ownership are transferable, or shall be lost by the filing of this document with any and all public authorities for the purpose of compliance with Codes and or Ordinances, i.e. Building Permit, etc.

Garage Addition for Casilio Vinci Residence

4445 Westwood Road
Buffalo, NY 14221

ISSUE:

SA PROJECT TEAM: PRINCIPAL P.Silvestri
PROJ. ARCH. _____ DRAFTER I.Zeno
JOB CAPT. _____ INTERIORS _____

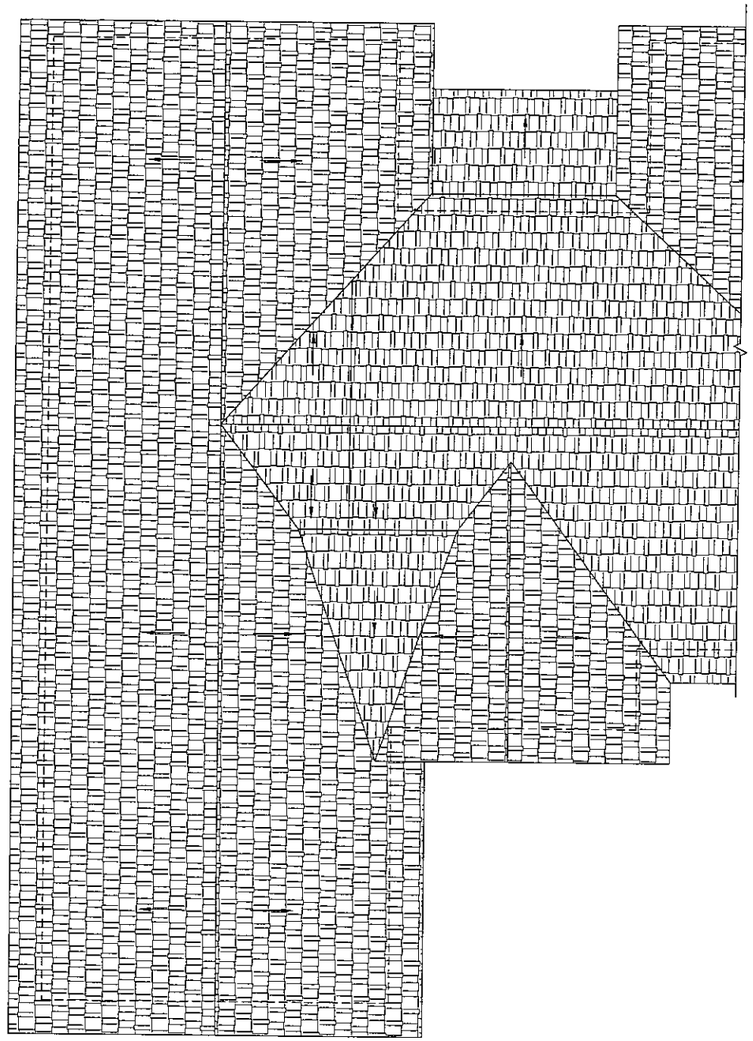
SEAL:

TITLE:

GARAGE PLANS

SILVESTRI
ARCHITECTS · PC
1321 MILLERSPORT HWY PH. 716.691.0900
AMHERST, NY 14221 FAX 716.691.4773

SA JOB #: 21011.01
DATE: 04-29-26
DRAWING #: A-101



A1 ROOF PLAN
SCALE: 1/4" = 1'-0"

N

Garage Addition for Casilio Vinci Residence

4445 Westwood Road
Buffalo, NY 14221

ISSUE:

SA PROJECT TEAM: PRINCIPAL P.Silvestri
PROJ. ARCH. _____ DRAFTER I.Zeno
JOB CAPT. _____ INTERIORS _____

SEAL:

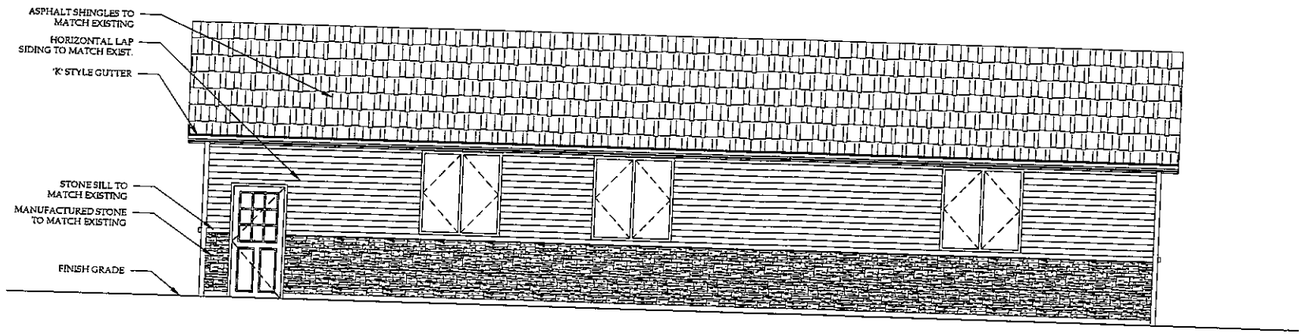
TITLE:

ROOF PLAN

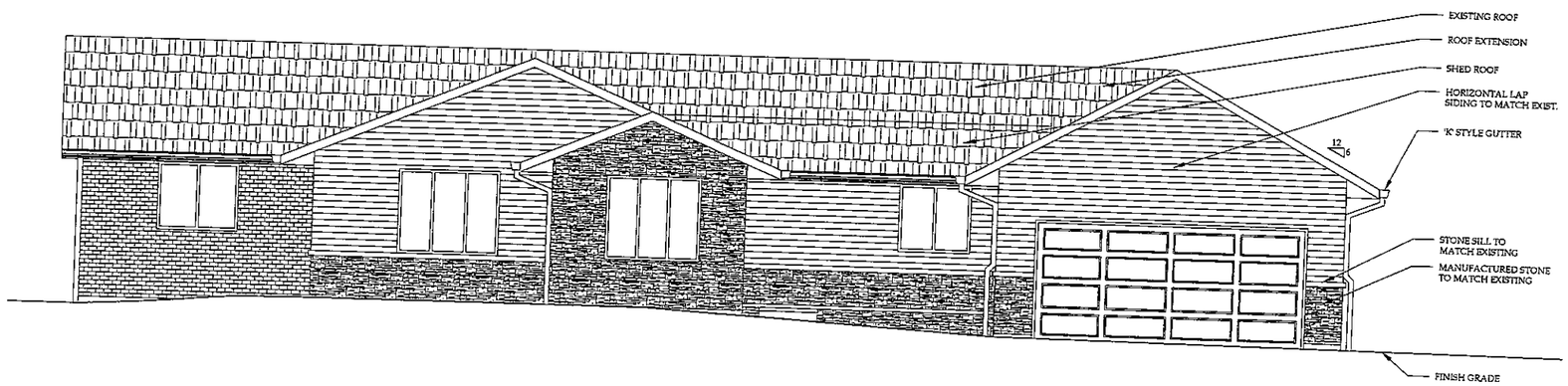
SILVESTRI
ARCHITECTS · PC
1321 MILLERSPORT HWY PH. 716.691.0900
AMHERST, NY 14221 FAX 716.691.4773

SA JOB #:	DATE:
21011.01	04-29-26

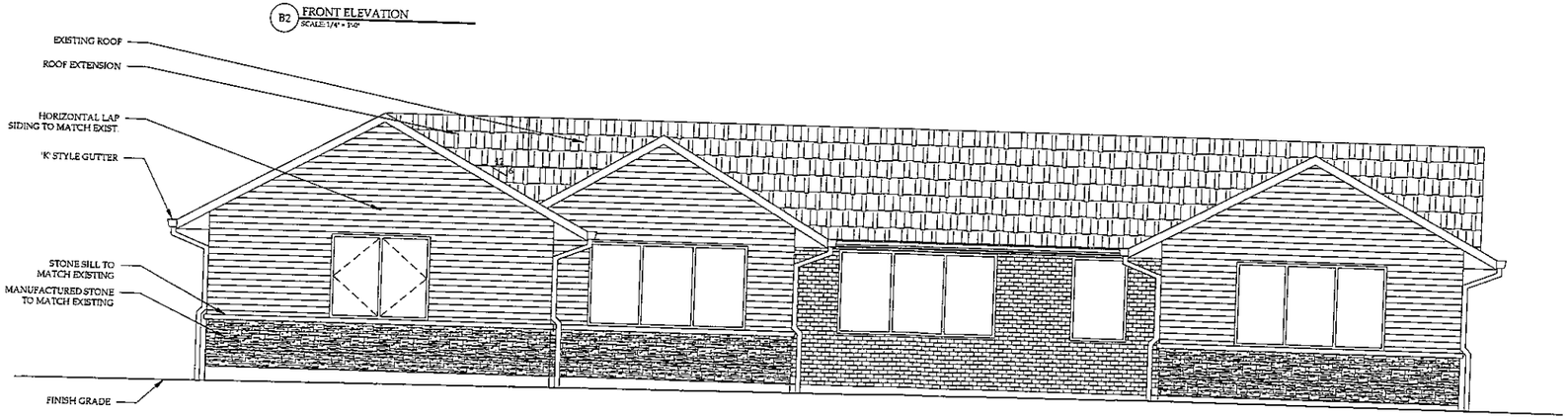
DRAWING #: A-102



D2 RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



B2 FRONT ELEVATION
SCALE: 1/4" = 1'-0"



A2 REAR ELEVATION
SCALE: 1/4" = 1'-0"

Garage Addition for Casilio Vinci Residence

4445 Westwood Road
Buffalo, NY 14221

ISSUE:

SA PROJECT TEAM: PRINCIPAL P.Silvestri
PROJ. ARCH. _____ DRAFTER J.Zeno
JOB CAPT. _____ INTERIORS _____

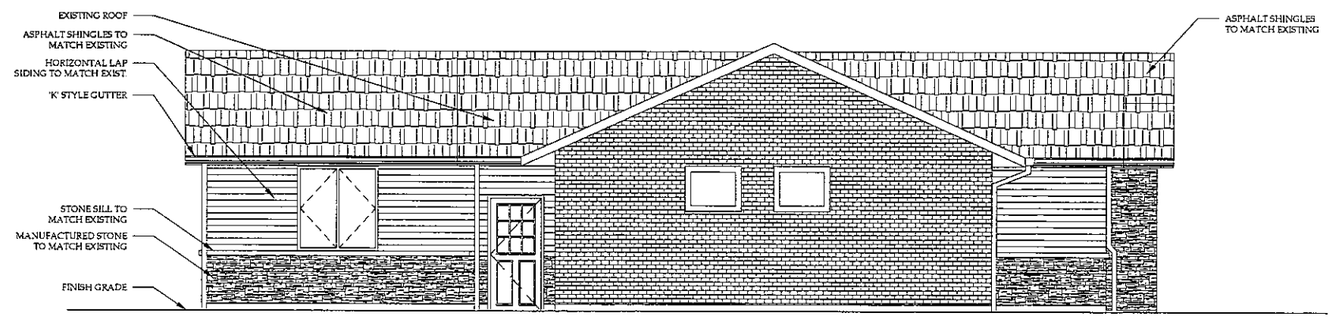
SEAL:

TITLE:

FRONT, REAR, AND RIGHT ELEVATIONS

SILVESTRI
ARCHITECTS ▸ PC
1321 MILLERSPORT HWY AMHERST, NY 14221
PH. 716.691.0900
FAX 716.691.4773

SA JOB #: 21011.01
DATE: 04-29-26
DRAWING #: A-201



A1 LEFT ELEVATION
SCALE 1/4" = 1'-0"

Garage Addition for Casilio Vinci Residence

4445 Westwood Road
Buffalo, NY 14221

ISSUE:

SA PROJECT TEAM: PRINCIPAL P.Silvestri
PROJ. ARCH. _____ DRAFTER J.Zeno
JOB CAPT. _____ INTERIORS _____

SEAL:

TITLE:

LEFT ELEVATION

SILVESTRI
ARCHITECTS · PC
1321 MILLERSPORT HWY PH. 716.691.0900
AMHERST, NY 14221 FAX 716.691.4773

SA JOB #: 21011.01
DATE: 04-29-26

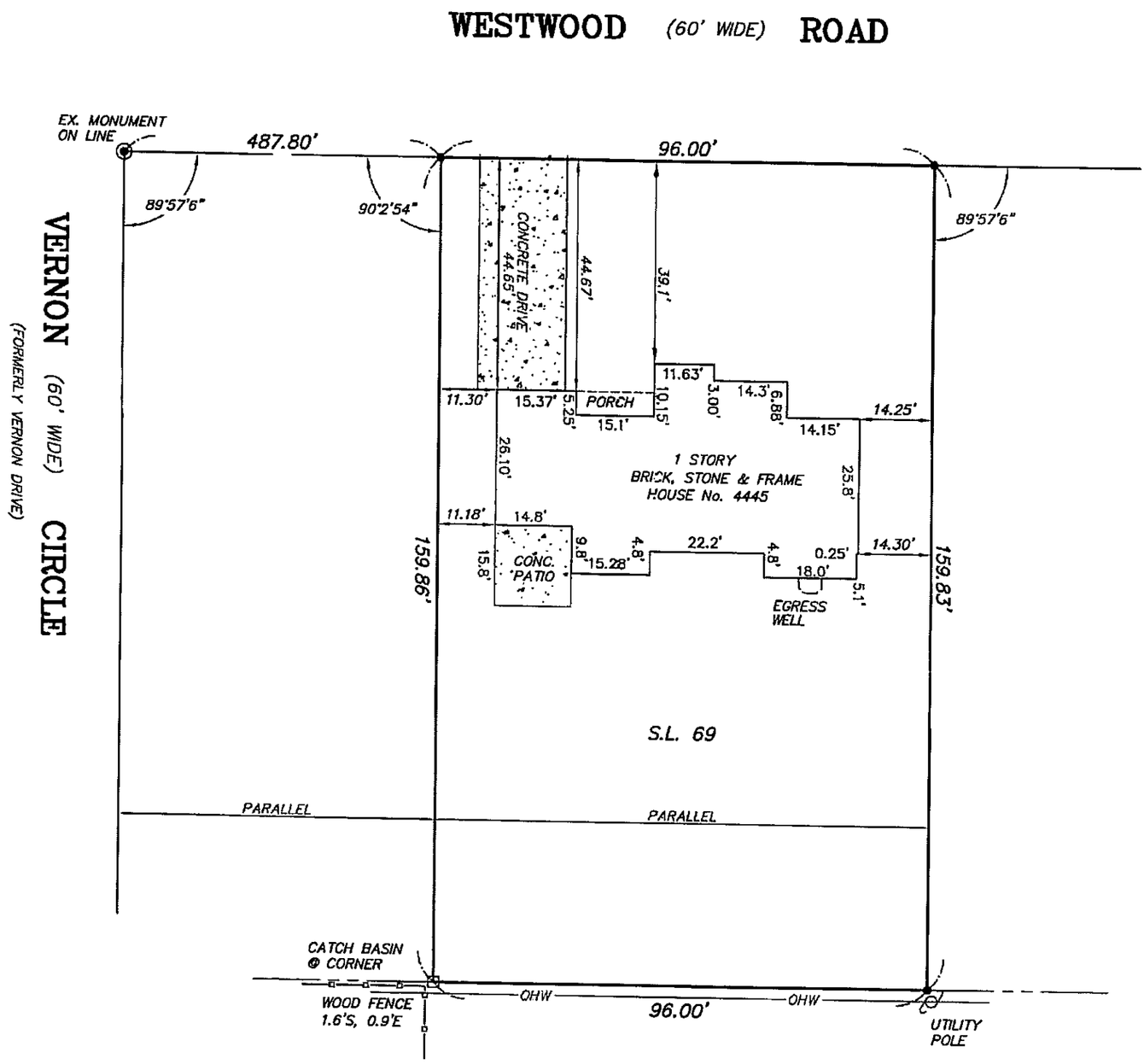
DRAWING #: A-202

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209 PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

ARBITRARY

● SET OR EX. 5/8" REBAR



SURVEY OF
SUB-LOT 69, MAP COVER 1775
VERNON HEIGHTS
PART OF LOT 8, SECTION 13, TOWNSHIP 12, RANGE 6
HOLLAND LAND SURVEY
TOWN OF CLARENCE, ERIE COUNTY, NEW YORK

DATE	REVISION/TYPE
11/27/17	RESURVEY

GPI ENGINEERING, LANDSCAPE ARCHITECTURE & SURVEYING, LLP
ENGINEERING · SURVEYING · LANDSCAPE ARCHITECTURE
4950 GENESEE STREET, SUITE 100
BUFFALO, NEW YORK 14225
(716) 633-4844 FAX 633-4940

Job No. 5482 Date: SEPTEMBER 8, 2015
Scale 1" = 30' Tax No. 70.18-2-15

Request for Action

Town of Clarence | Office of Planning & Zoning
(716)741-8933 | 1 Town Place, Clarence, NY 14031

Town Use Only

Date: May 22, 2026

Received By: Planning & Zoning Office

APPLICANT REQUEST:

Project Address: 7631 Transit Road

SBL #: 17.03-1-2.1

Action Desired:

Applicant requests a use variance to operate a retail business located at 7631 Transit Road in the Restricted Business zone.

Reason:

Town Code Reference: §229-76

CONTACT INFO:

APPLICANT INFO

Name / Business: 7631 Transit Road, LLC.

E-Mail:

Phone #:

Address:

Town: State: Zip:

ON FILE

PROJECT SPONSOR INFO (If Different Than Applicant)

Name / Business: Sean Hopkins, Esq., Hopkins Sorgi & McCarthy, PLLC.

E-Mail:

Phone #:

Address:

Town: State: Zip:

ON FILE

CORRESPONDENCE

Please indicate the preferred entity that shall receive the appropriate correspondence and billing associated with this Request for Action. Please select only one.

✓	Applicant
	Project Sponsor

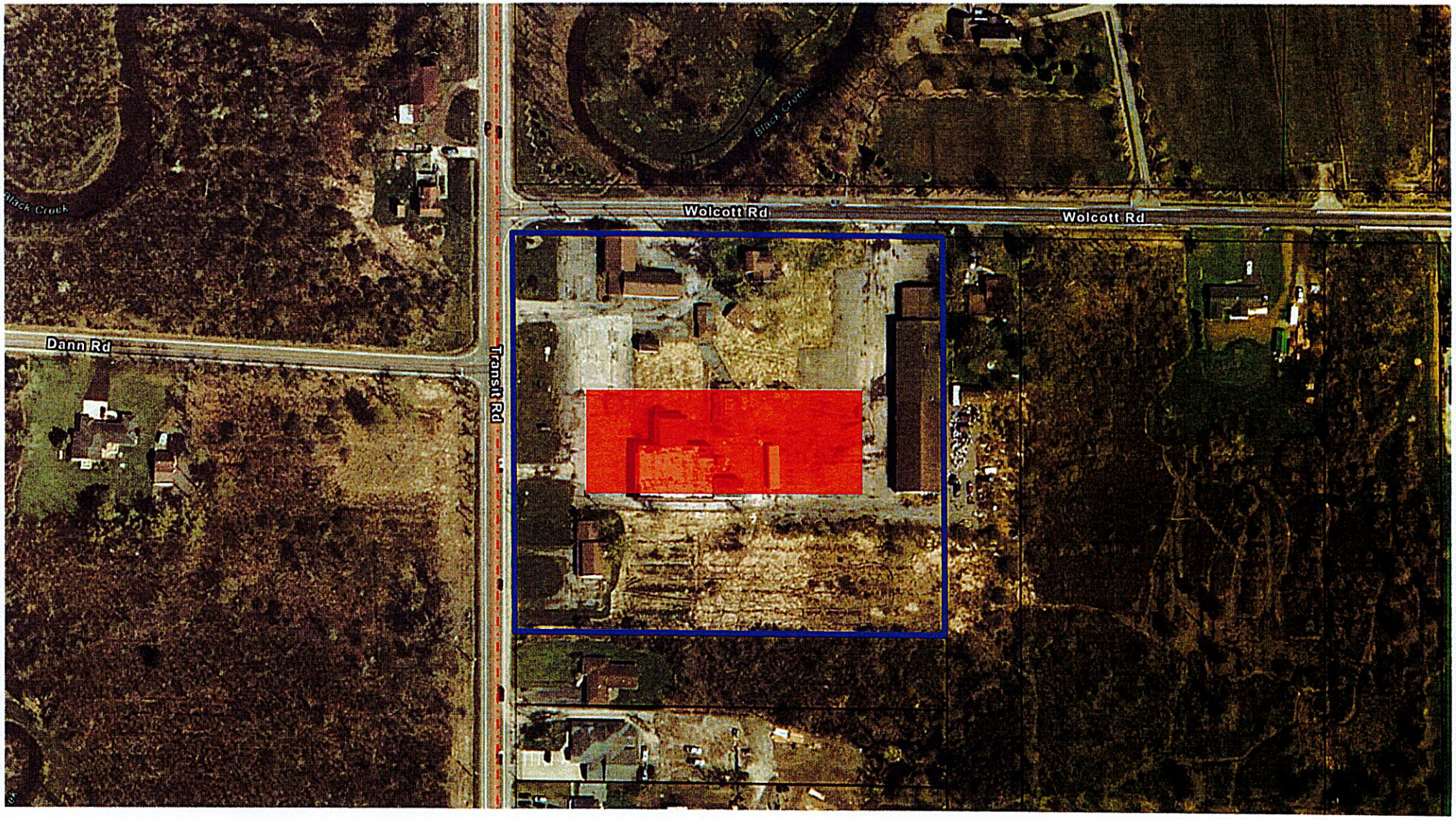
SIGNATURE

Request for Action shall be filled out completely in the spaces provided. The complete Request for Action shall be submitted to the Office of Planning and Zoning along with all necessary plans, maps, and supporting documentation. By signing below I certify that I have the authority to submit this Request for Action, and further certify its contents to be true and correct.

Signed: Signature On File

Town Use Only:

Action:	By:	On:	Fee:	Paid:



note the parcel lines displayed are approximate

7631 Transit Road

N

Proposed commercial retail building for LENCO Supplies.

Retail operations are not an enumerated allowable use in the Restricted Business zone.

Request for Action

Town of Clarence | Office of Planning & Zoning
(716)741-8933 | 1 Town Place, Clarence, NY 14031

Town Use Only

Date: 5/22/2026

Received By: P+Z

APPLICANT REQUEST:

Project Address: 7631 Transit Road

SBL #: 17.03-1-2

Action Desired:

The Applicant is seeking a use variance from the Zoning Board of Appeals pursuant to Section 229-76 of the Zoning Code to allow the property to be developed as retail use which is not permitted in the RB Restricted Business zoning district.

Reason:

See Exhibit "1" for justification for the requested use variance.

CONTACT INFO:

APPLICANT INFO

Name / Business: 7631 Transit LLC

E-Mail:

Phone #:

Address:

Town:

PROJECT SPONSOR INFO (If Different Than Applicant)

Name / Business: Sean Hopkins, Esq., Hopkins Sorgi & McCarthy PLLC

E-Mail:

Phone #:

Address:

Town:

CORRESPONDENCE

Please indicate the preferred entity that shall receive the appropriate correspondence and billing associated with this Request for Action. Please select only one.

X	Applicant
X	Project Sponsor

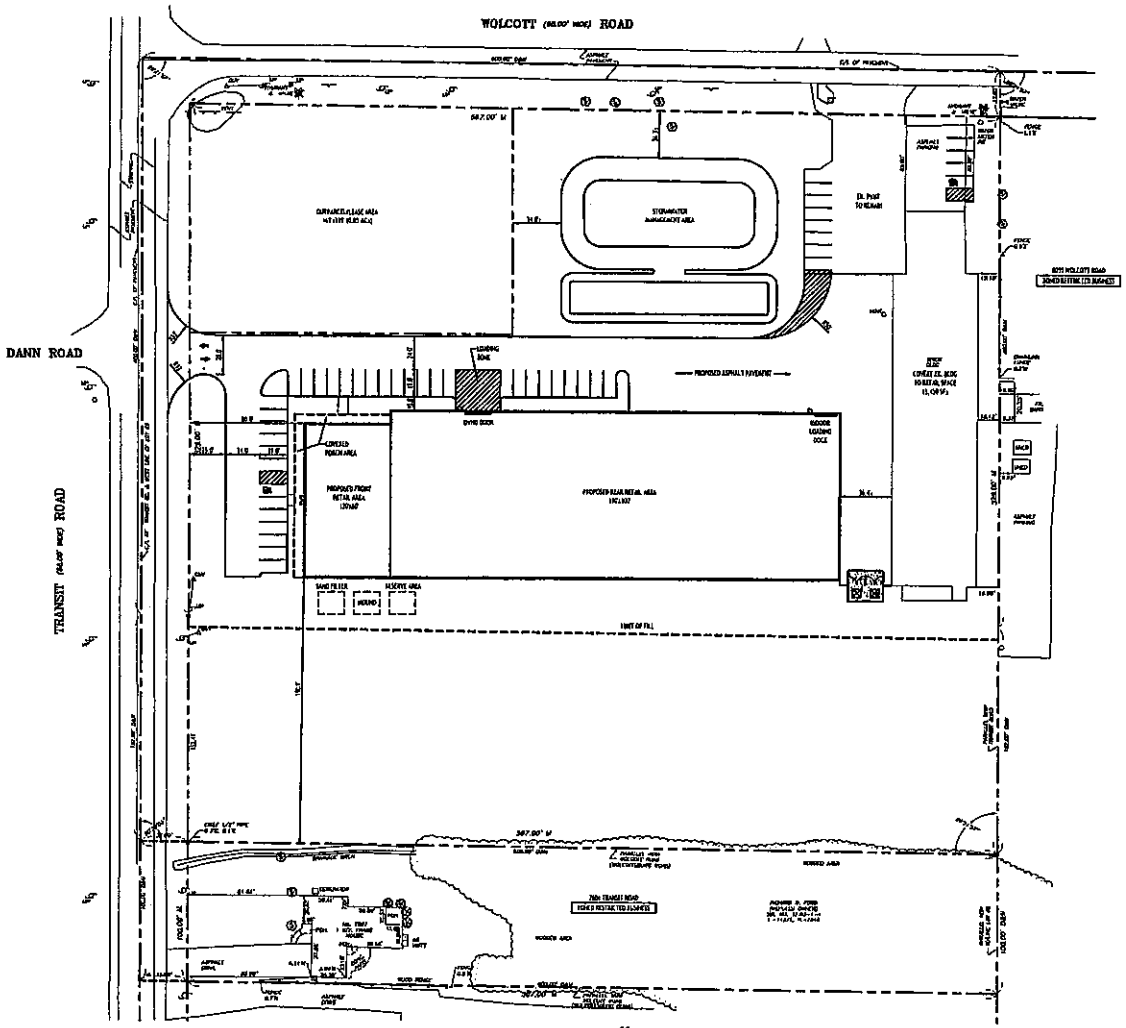
SIGNATURE

Request for Action shall be filled out completely in the spaces provided. The complete Request for Action shall be submitted to the Office of Planning and Zoning along with all necessary plans, maps, and supporting documentation. By signing below I certify that I have the authority to submit this Request for Action, and further certify its contents to be true and correct.

Signed:

Town Use Only:

Action:	By:	On:	Fee:	Paid:



Site Plan
SCALE: 1"=40'

Site Data

SITE AREA = 3.00 AC
TOTAL RESTRICTED BUSINESS
USE: RETAIL, BOX BRNC, COMM. OUTSANCE

	REQUIRED	PROVIDED
SETBACKS - BUILDING		
FRONT	40 FT	60.0 FT MIN.
SIDE (ADJOINING COMM. / RES.)	25 FT / 45 FT	43.0 FT MIN.
REAR (ADJOINING COMM. / RES.)	25 FT / 45 FT	N/A
SETBACKS - PARKING		
FRONT	N/A	10.0 FT MIN.
SIDE	N/A	N/A
REAR	N/A	N/A
PARKING STALLS		
STALL SIZE	9'x19'	9'x19'
ACCESSIBLE SPACES	48	48
GREENSPACE		
OVERALL LOT GREENSPACE	30% (0.90 AC)	> 30%
INTERIOR GREENSPACE	5% (0.12 AC)	> 5%
MAX. BUILDING HEIGHT	35 FT	< 35 FT
MAX. LOT COVERAGE (BLDG. & PVMT.)	80% MAX.	75.4%
DISTURBED AREA (.5% OF LOT AREA)	1.00 AC	3.30 AC (110%)

PARKING CALCULATION:

"RETAIL"
1 SPACE PER 250 GSF
12,000 SF / 250 = 48 SPACES
TOTAL SPACES REQUIRED = 48 SPACES

FLOODPLAIN/FLOODWAY INFORMATION:

- THE SITE IS LOCATED IN FLOOD ZONE AE WITH A BASE FLOOD ELEVATION OF 561.30
- THE SITE IS LOCATED IN AN AREA DESIGNATED BY TOWN OF CLARENCE DENSITY FLOODWAY DEVELOPMENT STANDARDS. ALLOWABLE FILL AREA FOR THE FRONTAGE ON TRANSIT ROAD IS 75% OF THE LOT FRONTAGE.
ALLOWABLE FILL AREA = 315 x 75% = 175.50'
- LIMIT OF FILL SHALL BE THE BASE OF THE SLOPE.

SITE NOTES:

1. ALL BASE SHALL BE 3'-0" UNLESS OTHERWISE NOTED.
2. ALL DISTURBED AREAS SHALL HAVE 4" MIN. OF TOPSOIL AND SEED. FOR DISTURBED AREAS WITHIN WOLCOTT R.O.W. DISTURBED AREAS SHALL BE RESTORED USING SPEC 616.1402 - TOPSOIL, SEEDING AND ENGLISH RYE - TURF ESTABLISHMENT.
3. ALL DIMENSIONS FROM PROPERTY LINES SHALL BE MEASURED PERPENDICULAR TO THE PROPERTY LINE.
4. CENTER ENTRANCE SIDEWALKS ON DOOR OPENINGS.
5. BUILDING DIMENSIONS ARE APPROXIMATE, REFER TO ARCHITECTURAL DRAWINGS FOR LAYOUT DIMENSIONS.
6. ALL HANDICAP RAMPS AND/OR SIDEWALKS PLANE TO PAVEMENT SHALL HAVE ADA COMPLIANT DETECTABLE WARNING STRIPS WHERE ENTERING PARKING AREAS/DRIVEWAYS.
7. SPOT, REF. SOLA TO BE INSTALLED TO ALLOW FIRE DEPARTMENT ACCESS TO BUILDING RAYS, LOCATION TO BE COORDINATED WITH OWNER AND TOWN.
8. ALL CODES OF PARAGRAPH SHALL BE CONTOUR.
9. ALL SIDEWALKS ARE 5' WIDE UNLESS OTHERWISE NOTED.

GENERAL NOTES:

1. INSTALL ALL MATERIALS TO MANUFACTURER'S RECOMMENDATIONS AND BEST STANDARDS OF TRADE INVOLVED.
2. MATERIAL SUBSTITUTIONS SHALL BE MADE ONLY WITH OWNER'S APPROVAL AND BE OF EQUIVALENT QUALITY TO WHAT IS SPECIFIED.
3. WORK SHALL BE COMPLETED IN STRICT ACCORDANCE WITH ALL LOCAL CODES AND OSHA SAFETY RULES AND REGULATIONS.
4. 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.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTION OF ANY EXISTING STRUCTURES TO REMAIN AND ANY FINISH MATERIAL INSTALLED WHICH REMAINS ON OTHER COMPONENTS.
6. CONTRACTOR SHALL KEEP JOB FREE OF DEBRIS AND MAKE FINAL CLEANUP TO SATISFACTION OF OWNER.
7. CONTRACTOR SHALL ASCERTAIN THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION SO THAT THEY WILL NOT BE DISTURBED. EXISTING LINES AND/OR INSTALLATIONS DISCONNECT ALL WORK WITH THE APPROPRIATE UTILITY COMPANIES.
8. ALL OTHER PERMITS REQUIRED BY STATE OF NEW YORK, COUNTY OF ERIE, AND TOWN OF CLARENCE ARE THE RESPONSIBILITY OF THE CONTRACTOR/DEVELOPER/OWNER.
9. REFER TO WOLCOTT STANDARD SHEET 606-03 FOR DRIVEWAY ENTRANCE AND LAYOUT INFORMATION ALONG TRANSIT ROAD.

SITE LEGEND

PROPOSED SIGN
PROPOSED LIGHTS
PROPOSED SIDEWALK
PROPOSED ASPHALT PAVEMENT

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

CARMINAWOOD DESIGN
Buffalo | Utica | Greensboro

Commercial Development
7631 Transit Road
Clarence, NY

REVISIONS:
No. Description Date

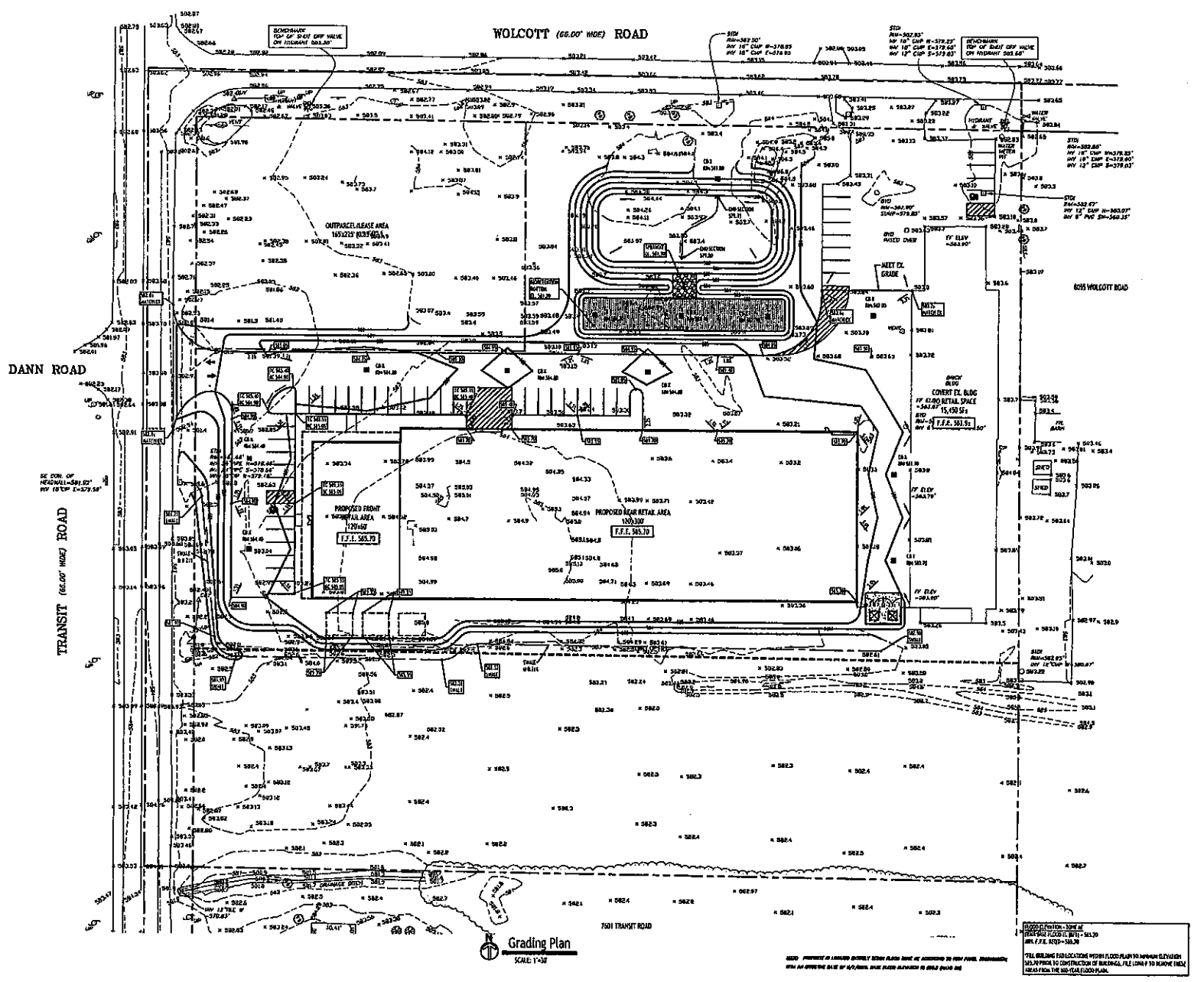
PRELIMINARY
NOT FOR CONSTRUCTION

DRAWING NAME:
Site Plan Concept

Date: 05.01.24
Drawn By: C. Wood
Scale: As Noted

DRAWING NO.
C-100

Project No: 25-4172



Grading Plan
SCALE: 1"=30'

© CARMINA WOOD DESIGN

CARMINAWOOD DESIGN
Buffalo | Utica | Greenzboro

Commercial Development
7631 Transit Road
Clarence, NY

REVISIONS: No.	Description	Date

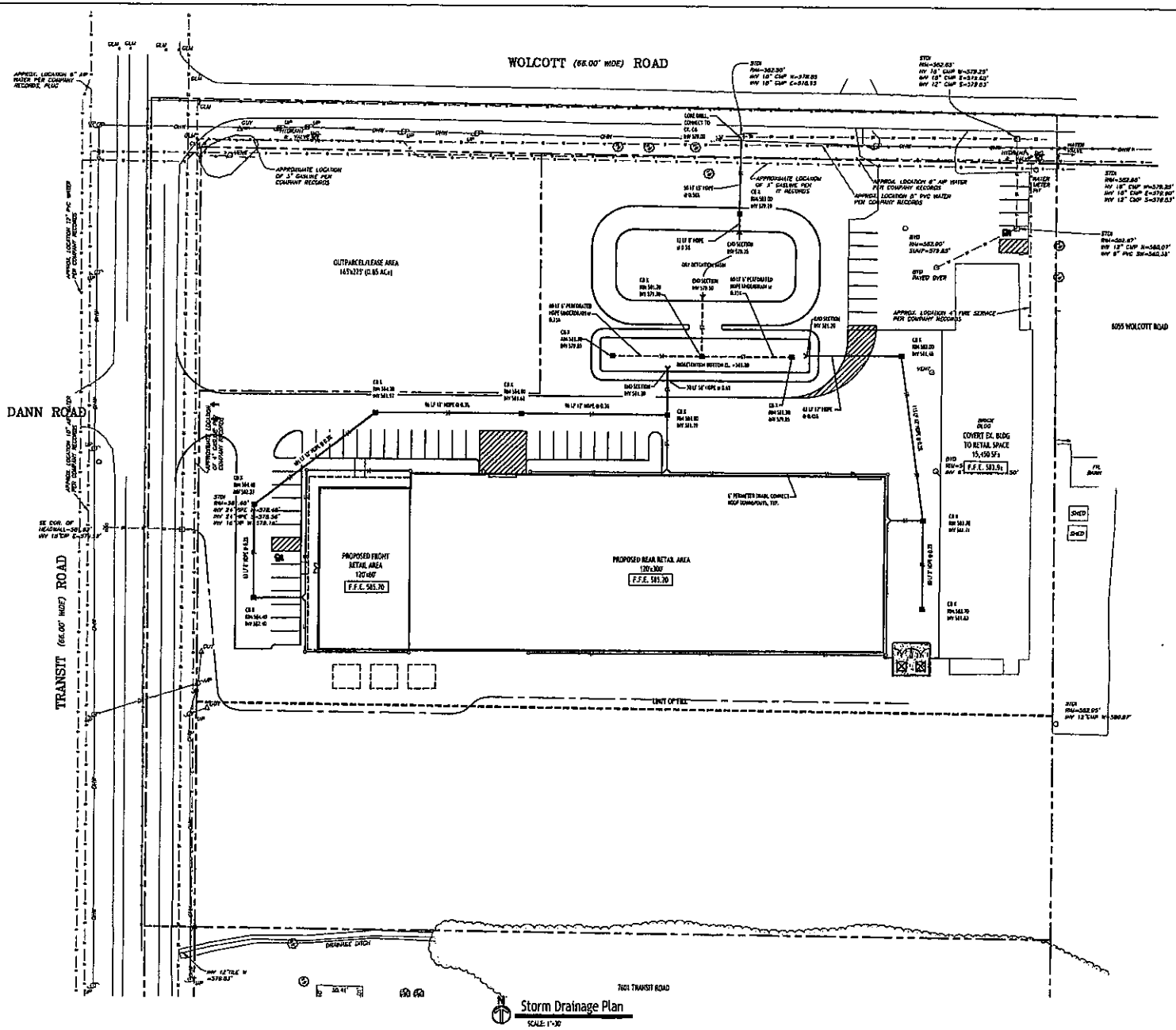
PRELIMINARY
NOT FOR CONSTRUCTION

DRAWING NAME:
Grading Plan

Date: 03.01.24
Drawn By: C. Wood
Scale: As Noted

DRAWING NO.
C-200

Project No: 25-4172



Storm Drainage Plan

SCALE: 1"=30'

PROPOSED STORM DRAINAGE LEGEND

PROPOSED STORM PIPE

PROPOSED PERFORATED STORM PIPE

PROPOSED CATCH BASIN

PROPOSED MANHOLE

PROPOSED CLEANOUT

CB: CATCH BASIN
MH: MANHOLE

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

CARMINAWOOD DESIGN
Buffalo | Utica | Greensboro

Commercial Development
7631 Transit Road
Clarence, NY

REVISIONS:

No.	Description	Date

PRELIMINARY
NOT FOR CONSTRUCTION

DRAWING NAME:
Storm Drainage Plan

Date: 05.01.25
Drawn By: C. Wood
Scale: As Noted

DRAWING NO.
C-300

Project No: 25-4172

Request for Action

Town of Clarence | Office of Planning & Zoning
(716)741-8933 | 1 Town Place, Clarence, NY 14031

Town Use Only

Date: May 22, 2026

Received By: Planning & Zoning Office

APPLICANT REQUEST:

Project Address: 5735 Newhouse Road

SBL #: 57.07-1-13

Action Desired:

Applicant requests a variance of 4' to allow an 8' fence to be within the front yard setback located at 5735 Newhouse Road in the Residential Single-Family zone.

Reason:

Town Code Reference: §101-3(C)(2)

CONTACT INFO:

APPLICANT INFO

Name / Business: Chris & Denise Santora

E-Mail:

Phone #:

Address:

Town: State: Zip:

ON FILE

PROJECT SPONSOR INFO (If Different Than Applicant)

Name / Business:

E-Mail:

Phone #:

Address:

Town: State: Zip:

ON FILE

CORRESPONDENCE

Please indicate the preferred entity that shall receive the appropriate correspondence and billing associated with this Request for Action. Please select only one.

✓	Applicant
	Project Sponsor

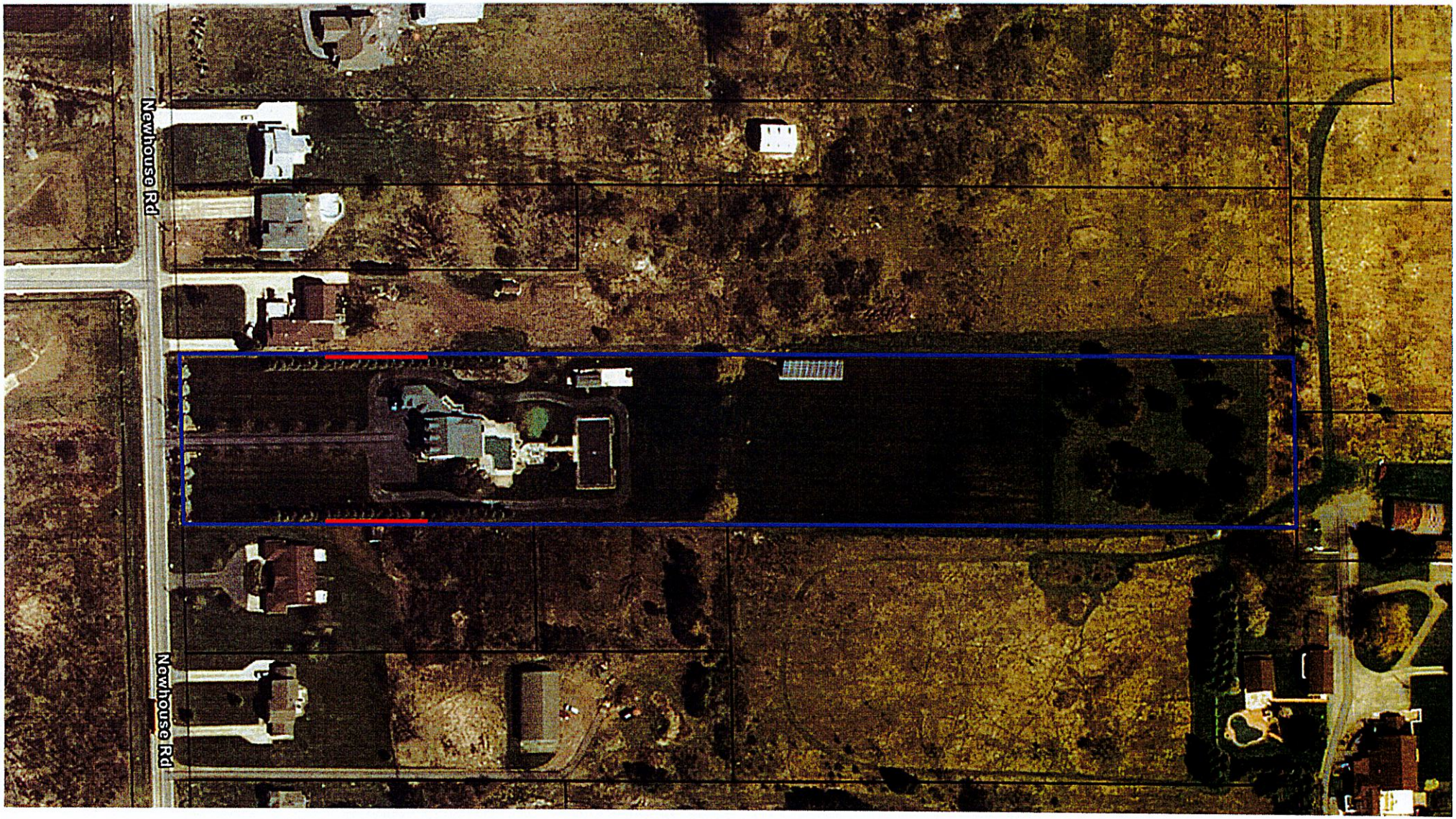
SIGNATURE

Request for Action shall be filled out completely in the spaces provided. The complete Request for Action shall be submitted to the Office of Planning and Zoning along with all necessary plans, maps, and supporting documentation. By signing below I certify that I have the authority to submit this Request for Action, and further certify its contents to be true and correct.

Signed: Signature On File

Town Use Only:

Action:	By:	On:	Fee:	Paid:



note the parcel lines displayed are approximate

5735 Newhouse Road

N

Proposed 8' fence located within front yard. The maximum allowable height for a fence extending into the front yard is 4'.

A 4' variance is requested.

Request for Action

Town of Clarence | Office of Planning & Zoning
(716)741-8933 | 1 Town Place, Clarence, NY 14031

Town Use Only

Date: 5/22/2026

Received By: A. Schaefer

APPLICANT REQUEST:

Project Address: 5735 Newhouse Road

SBL #:

Action Desired: 8ft privacy fence

Reason: privacy for backyards of neighbors

CONTACT INFO:

APPLICANT INFO

Name / Business: Chrisa Denise Santora

E-Mail:

Phone #:

Address:

Town:

PROJECT SPONSOR INFO (If Different Than Applicant)

Name / Business:

E-Mail:

Phone #:

Address:

Town: State: Zip:

SIGNATURE

Request for Action shall be filled out completely in the spaces provided. The complete Request for Action shall be submitted to the Office of Planning and Zoning along with all necessary plans, maps, and supporting documentation. By signing below I certify that I have the authority to submit this Request for Action, and further certify its contents to be true and correct.

Signed:

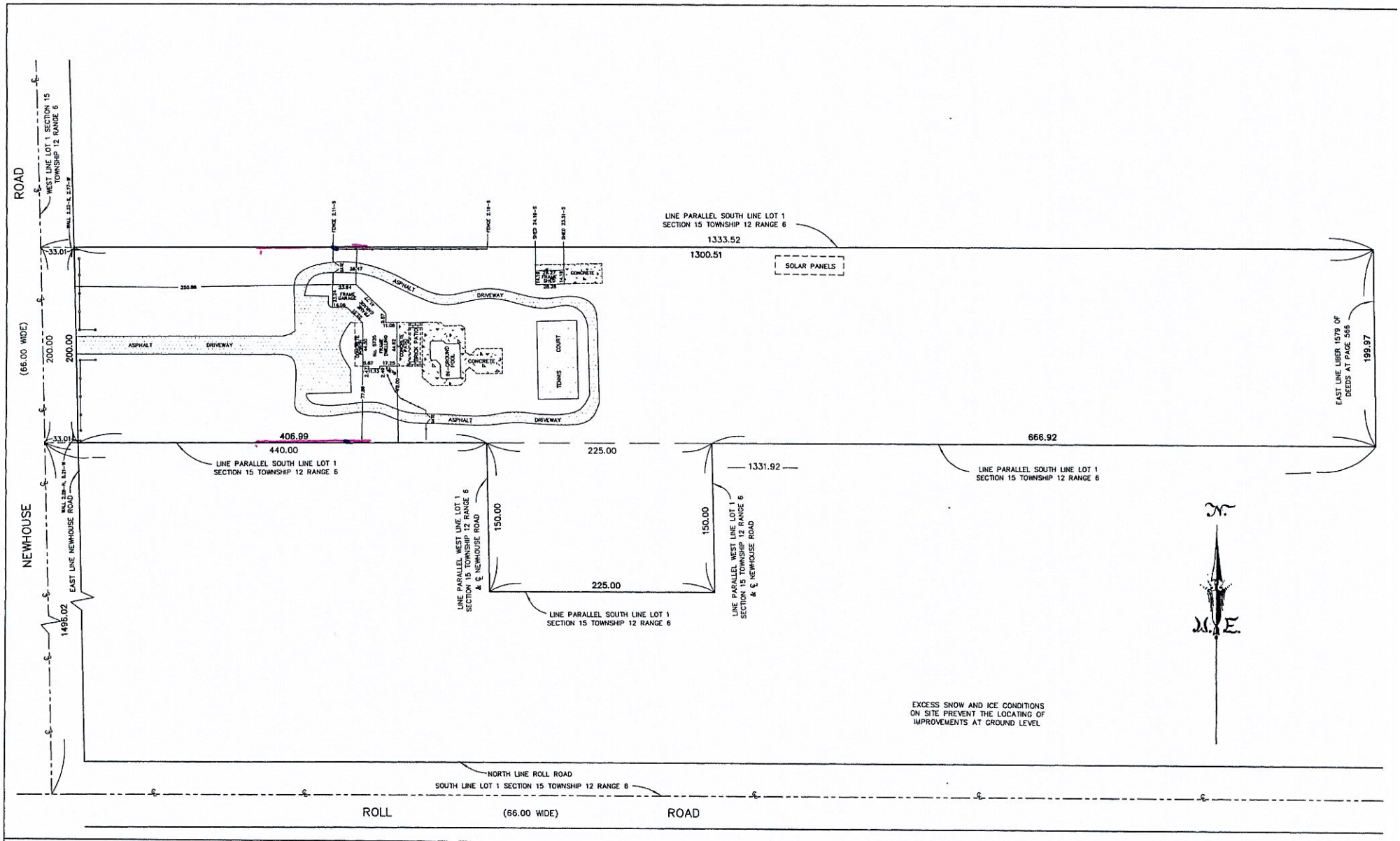
CORRESPONDENCE

Please indicate the preferred entity that shall receive the appropriate correspondence and billing associated with this Request for Action. Please select only one.

✓	Applicant
	Project Sponsor

Town Use Only:

Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:
Action:	By:	On:	Fee:	Paid:



Part of Lot (Lots) 1, Section 15, Township 12, Range 8 Of The HOLLAND LAND COMPANY'S SURVEY

City (or) Village of _____, Town of CLARENCE, County of ERIE, State of New York

Notes:
1) This Survey is VOID unless embossed with New York State Licensed Land Surveyors Seal #050192. Drawing Scale 1" = 40'
2) Altering any item on this Survey is in violation of law, excepting as provided in Section 7209 Part 2 of the New York State Education Law.
3) This Survey VOID if used with an Affidavit Of No Change
4) This Survey was prepared without the benefit of an Abstract of Title and is subject to any state of facts that may be revealed by an examination of the same.

Date of Survey JANUARY 13, 2026
Signature _____

Marshall L. Mill PLS
Krause & Gantzer
Land Surveyors
13 Olean Street
East Aurora, New York 14052

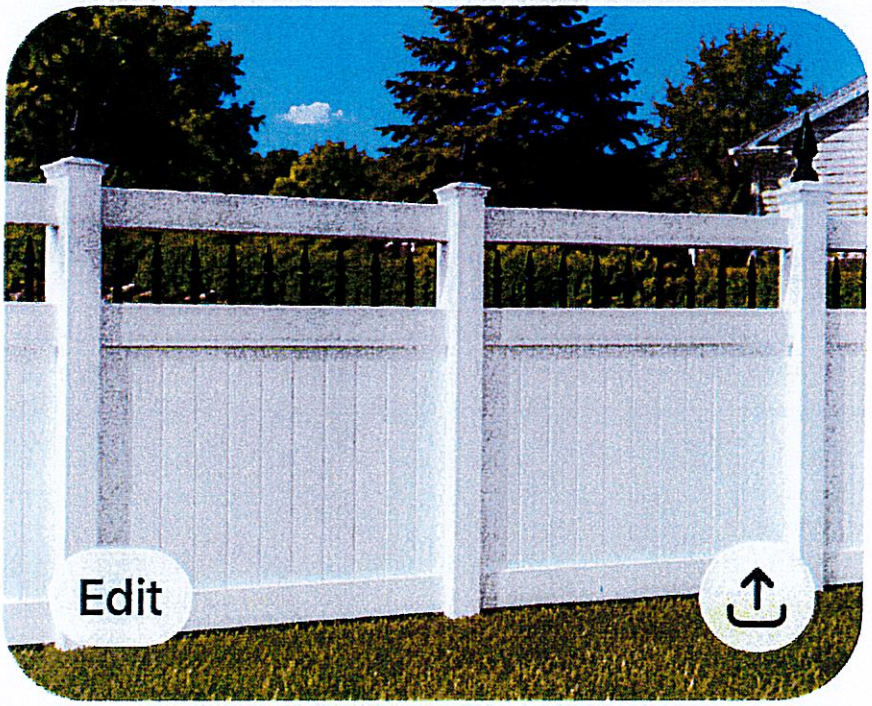
ESTABLISHED 1870

Feet	Inches	Feet	Inches
0.08	1 inch	0.58	7 inches
0.17	2 inches	0.67	8 inches
0.25	3 inches	0.75	9 inches
0.33	4 inches	0.83	10 inches
0.42	5 inches	0.92	11 inches
0.50	6 inches	1.00	12 inches

Job No. 174,296

LL 7445

Fence Example



APPEAL NO V Upstate Cellular Agricultural / Major Arterial	Requests the Board of Appeals approve and grant two set back variances: 1. A forty five foot (45') variance creating a fifty five foot (55') setback on the south property line. 2. A fifty foot (50') variance creating a fifty foot (50') setback on the east property line at 8005 Sheridan Drive for the installation of a one hundred foot (100') high communications tower. (Sheridan Motel)
APPEAL NO VI Christopher Chrzanowski Residential A	Requests the Board of Appeals approve and grant a ten foot (10') variance creating a thirty five foot (35') front yard set back for construction of a new home at 6310 Emily Court.
APPEAL NO VII Patrick Stefanik Agricultural	Requests the Board of Appeals approve and grant a six hundred foot (600') variance creating a seven hundred foot (700') front lot line setback for construction of a new single family home at 10605 Keller Road.
APPEAL NO VIII Gary Augustine Residential A	Requests the Board of Appeals approve and grant a thirty two feet (32') creating an eleven foot (11') front yard setback for swimming pool at 10060 Pine Ledge Drive East.
APPEAL NO IX Steve & Michelle Evanoff Agricultural	Requests the Board of Appeals approve and grant two variances: 1. A two foot (2') variance creating a ninety eight foot (98') front lot line for the construction of a single family home at 8849 Goodrich Road. 2. A nine hundred foot (900') variance creating a one thousand foot (1000') front yard setback for the constuction of a single family home at 8849 Goodrich Road.
8/10/1999 APPEAL NO X Christopher Santora Agricultural	Requests the Board of Appeals approve and grant a two hundred twenty five foot (225') variance creating a three hundred twenty five foot (325') front lot line setback for construction of a new home at 5745 & 5735 Newhouse Rd.
APPEAL NO XI James Felber Residential B & Agricultural	Requests the Board of Appeals approve and grant a fifty eight foot (58') variance creating a one hundred foot (100') front lot line setback for a new home at 8187 Stahley Road.
APPEAL NO XII Gary Pools Commercial	Requests the Board of Appeals approve and grant a second building sign on canopy facing west at 9325 Main Street.

APPEAL NO X
Christopher Santora
Agricultural

Requests the Board of Appeals approve and grant a two hundred twenty five foot (225') variance creating a three hundred twenty five foot (325') front lot line setback for construction of a new home at 5745 & 5735 Newhouse Road.

DISCUSSION:

Mr. Santora said the property goes back over 1300 feet, and they would like to have a larger front yard, and not a 1200 foot back yard. The house is a southern colonial style with a large front porch, and they don't want it on top of Newhouse Road. The neighbors do not have a problem with the proposed setback. Mr. Santora is going to put berms on both sides of his property, and place the house in the middle of the two lots. The Board of Appeals agreed that they would prefer to have the house setback at a maximum of 300 feet rather than 325 feet.

ACTION:

Motion by Ron Newton, seconded by Ray Skaine to approve Appeal NO X with the stipulation that the maximum setback would be at 300 feet rather than 325 feet.

ALL VOTING AYE. MOTION CARRIED.

APPEAL NO XI
James Felber
Residential B & Agricultural

Requests the Board of Appeals approve and grant a fifty eight foot (58') variance creating a one hundred foot (100') front lot line setback for a new home at 8187 Stahley Road.

DISCUSSION:

Mr. Felber said that Stahley Road has become quite a busy street, and has a lot of traffic. He has two small children and would like to be farther away from the street. Mr. Felber owned the house next door to the south, and just sold it. He informed the people next door that he wanted to set his new house back at 100 feet. The Board expressed their displeasure that the property was not staked. Ray Skaine said he would like to table this item until the applicant stakes the property, and the Board has a chance to revisit the site.

ACTION:

Motion by Raymond Skaine, seconded by Arthur Henning to table this item until the Board meets again in September or possibly a site meeting.
ALL VOTING AYE. MOTION CARRIED.

Request for Action

Town of Clarence | Office of Planning & Zoning
(716)741-8933 | 1 Town Place, Clarence, NY 14031

Town Use Only

Date: May 22, 2026

Received By: Planning & Zoning Office

APPLICANT REQUEST:

Project Address: 8080 & 8112 Wehrle Drive

SBL #: 82.01-1-23 & 82.01-1-20

Action Desired:

Applicant requests a variance to allow a third story on six (6) multiple family housing buildings located at 8080 & 8112 Wehrle Drive in the Commercial zone.

Reason:

Town Code Reference: §229-126(D)(1)(f)

CONTACT INFO:

APPLICANT INFO

Name / Business: Natale Builders, Inc.

E-Mail:

Phone #:

Address:

Town: State: Zip:

ON FILE

PROJECT SPONSOR INFO (If Different Than Applicant)

Name / Business: Kenneth C. Zollitsch - GPI

E-Mail:

Phone #:

Address:

Town: State: Zip:

ON FILE

CORRESPONDENCE

Please indicate the preferred entity that shall receive the appropriate correspondence and billing associated with this Request for Action. Please select only one.

✓	Applicant
	Project Sponsor

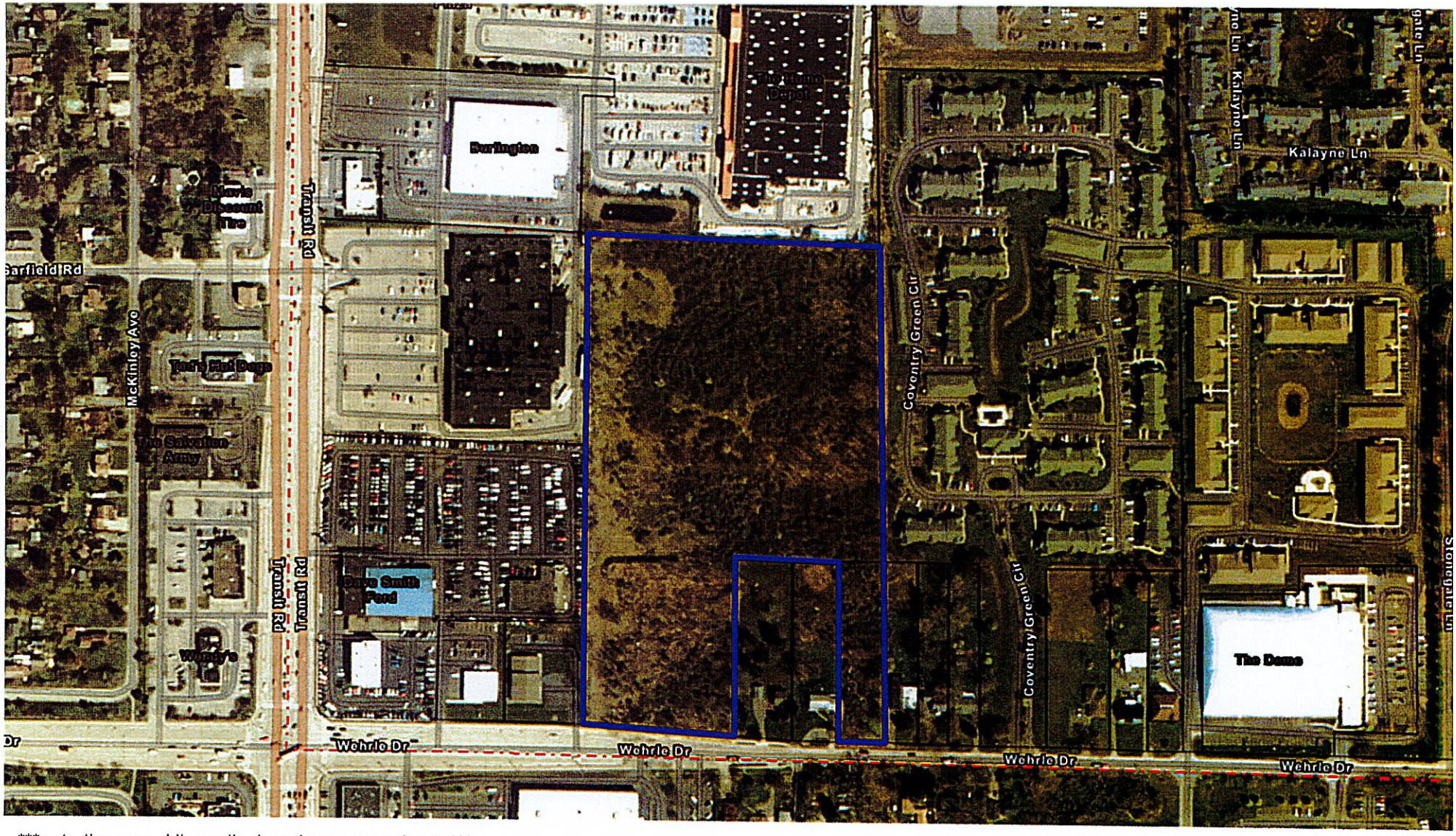
SIGNATURE

Request for Action shall be filled out completely in the spaces provided. The complete Request for Action shall be submitted to the Office of Planning and Zoning along with all necessary plans, maps, and supporting documentation. By signing below I certify that I have the authority to submit this Request for Action, and further certify its contents to be true and correct.

Signed: Signature On File

Town Use Only:

Action:	By:	On:	Fee:	Paid:



note the parcel lines displayed are approximate

8080 & 8112 Wehrle Drive

N

Applicant requests a variance to allow a third story on six (6) multiple family housing buildings.

May 22, 2026

Jonathan Bleuer
Office of Planning and Zoning
Town of Clarence
1 Town Place
Clarence, NY 14031

RE: ZONING BOARD OF APPEALS - VARIANCE REQUEST
8080 WEHRLE DR MIXED USE SITE

Dear Mr. Bleuer:

Enclosed are ten (10) copies of the completed Request for Action Form and supporting documentation being submitted on behalf of the Applicant for the purpose of seeking an area variance from the Zoning Board of Appeals for six (6) proposed mixed-use buildings to be located on the 8080 Wehrle Drive Project Site. The documentation attached to the Request for Action Form consists of Exhibits 1 to 4 as follows:

- Exhibit 1: Justification for Requested Area Variance
- Exhibit 2: Reduced Copy of the Concept Plan revised May 8, 2026
- Exhibit 3: Reduced Copy of Colored Elevation Plan for Mixed-Use Building
- Exhibit 4: Negative Declaration issued by the Planning Board on May 6, 2026

Four (4) full size copies of the Concept Plan and Elevation Plan are also enclosed. During its meeting on May 6th, the Planning Board adopted a resolution for the purpose of issuing a Negative Declaration pursuant to the State Environmental Quality Review Act (SEQRA) and denied the request for Concept Plan Approval due to the need for an area variance to allow the proposed mixed-use buildings to consist of three stories.

The Applicant is requesting that the Zoning Board of Appeals hold a public hearing on the requested area variance during its meeting to be held on Tuesday, June 9th.

Please feel free to contact me at 989-3342 if you have any questions. Thank you for your consideration in this matter.

Sincerely,
GREENMAN-PEDERSEN, INC.

Kenneth C. Zollitsch
Director of Land Planning

cc: Natale Building Corp.
File No. 2300020

EXHIBIT 1 OF VARIANCE APPLICATION

I. DESCRIPTION OF REQUESTED AREA VARIANCE:

The Project requires a variance from the Zoning Board of Appeals as described below.

- **Three-Story Building Construction [Section 229-126 D. (1) (f) of the Zoning Code]:** Buildings within a multiple-family development shall be limited to a maximum of two stories.

The Applicant is proposing to construct six (6) three-story mixed-use buildings to be located in the proposed Project Site as depicted on the Concept Plan prepared by GPI revised May 8, 2026. A full-size copy of the Proposed Layout is attached and a reduced size copy is attached as **Exhibit "2"**. A full-size copy of the Elevation Plan prepared by Silvestri Architects for the mixed-use buildings is attached and a reduced-size copy of the Elevation Plan is provided at **Exhibit "3"**. It is important to note that the building height will not exceed the 45 ft. maximum building height allowed for commercial buildings in the Commercial zoning district. For example, a three-story commercial use only building with the same height would be considered an "As-of-Right" use on the Project Site.

II. NARRATIVE PROVIDING JUSTIFICATION FOR THE REQUESTED AREA VARIANCE FOR THE MIXED-USE PROJECT:

A. Introduction:

NYS Town Law §267-b(3)(b) sets forth a statutorily mandated balancing test to be considered by a zoning board of appeals in connection with its review of a request for area variances. The statutorily mandated balancing test requires a zoning board of appeals to balance the benefits that will be realized against the resulting detriments to the health, safety and welfare of the community.

The granting of the requested area variance will result in substantial benefits to the Applicant including the ability of the Applicant to proceed with the proposed mixed-use project pursuant to the current project layout depicted on the Concept Plan that has been previously presented to both the Planning Board and the Town Board.

The granting of the requested area variance will not result in any detriment to the health, safety and welfare of the community. In applying the statutorily mandated balancing test set forth above, NYS Town Law §267-b(3)(b) requires a ZBA to consider five (5) criteria as described below:

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of area variances:

The granting of the requested area variance will not produce any undesirable changes to the character of the neighborhood or detriments to nearby properties. The proposed Project Site is located on Wehrle Drive near the intersection of Transit Road. This area is considered part of the commercial corridor of Transit Road consisting of commercial and retail uses, automotive sales and maintenance, multi-family housing and residential homes along and off of Wehrle Drive.

The Project will result in a desirable change to the character of the neighborhood and is consistent with the planning goals and objectives that have been established by the Town per the Comprehensive Plan. The Project was designed with consideration of the goals of the Comprehensive Plan and the "Business Center Design Criteria". The Project incorporates the goals of pedestrian connectivity as well as building and site design requirements that will achieve a high standard of development. The Project features a central park area to promote visitation and special events, creating not just a business center but a destination for the area. The creative architectural design for the mixed-use buildings with a unique overall site layout satisfies the directives identified in the Comprehensive Plan. Additionally, a forty-five foot landscaping buffer around the southern property line will provide adequate screening between the proposed development and the existing residential properties.

The granting of the requested area variance for the proposed three-story mixed-use buildings within the Project Site will not result in any detriments to nearby properties given the proposed buffer strip along the properties and distance to each of the proposed buildings from the property line. The project layout reflects input that has been received during the project review process with the Town of Clarence Planning Board.

2. Whether the benefits sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance:

The Applicant has spent significant time revising and adjusting the proposed plan in conjunction with the Town of Clarence Planning Department and Planning Board. In order to achieve the proposed mixed-use nature of the Project Site and generate the necessary foot traffic for the commercial spaces proposed within the Site increased residential units are necessary for the success of the project. Alternatives reducing the number of floors on each building would result in a decrease in the number of residential units that are essential for the project success. The granting of the requested area variance to allow three-story mixed-use buildings is essential for the Project to be feasible.

3. Whether the requested area variance is substantial:

The requested area variance to allow three-story mixed-use buildings within the Project Site is not substantial. The reason the magnitude of the variance is relevant is that, generally, the larger the difference the more likely it is that a negative effect would be generated. See Matter of Human Development Services of Port Chester v. Zoning Board of Appeals of the Village of Port Chester, 110 A.D.2d 135, aff'd, 67 N.Y.2d 702. However, in any particular case, the facts may demonstrate that while a variance may seem noteworthy on paper, no negative effect would be produced and, accordingly, the sought-after variance should be granted.

For example, in Matter of Frank v. Scheyer, 227 A.D.2d 558, 642 N.Y.S.2d 956 (2d Dept. 1996), the parcel was 19,983 square feet. However, the zoning code required a minimum lot size of one acre or 43,560 square feet. The variance at issue was more than 54%. Nevertheless, based on the facts presented, no harm would befall the community and the Court directed the zoning board of appeals to grant the application. The Court took similar action in Matter of Shaughessy v. Roth, 204 A.D.2d 333, 611 N.Y.S.2d 281 (2d Dept. 1994), in which the premises contained 50 feet of frontage and 5,000 square feet of area. The zoning code required 80 feet of frontage and a minimum lot size of 10,000 square feet. Accordingly, the application concerned a 50% reduction in lot area coupled with a second area variance seeking a 62.5% reduction from the required frontage. Nevertheless, based on the facts in the record, the Court directed the respondents to issue the variances. Additionally, in Matter of Sasso v. Osgood, 86 N.Y.2d 374 (1995), the applicant sought area variances for a 60% reduction in lot area and a 50% reduction in lot width. Based on all of the facts presented, the Court of Appeals, the State's highest court, overturned the holding of the appellate court and directed that the requested area variances be granted.

Merely because a requested area variance may seem noteworthy on paper does not mean that any "harm" would be generated on the surrounding community, and it is "harm" that is balanced against the interest of the applicant according to the Town Law §267-b(3) test. The granting of the requested area variance in furtherance of the proposed mixed-use project will not result in any "harm" on the surrounding community.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district:

The granting of the requested area variance will not have adverse effects or impacts on the physical or environmental conditions in the neighborhood or district. The Project has undergone and an extensive review by the Planning Board. The Planning Board conducted a coordinated environmental review of the Project pursuant to the State Environmental Quality Review Act ("SEQRA"). The Planning Board issued Negative Declaration pursuant to SEQRA on May 6, 2026. A copy of the Negative Declaration issued by the Planning Board by a unanimous vote during its meeting on May 6, 2026 is provided at **Exhibit "4"**. It is also important to mention that the Project will comply with the numerous technical standards that apply in order to receive Development Plan Approval from the Planning Board as well as the required approvals and permits from involved agencies.

5. **Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variances:**

Town Law Section 267-b(3)(b) expressly states that the issue of whether an alleged difficulty is self-created cannot be utilized as the sole criteria in determining whether to grant a requested area variance. Since the Applicant has knowledge of the zoning classifications of the Project Site and the applicable sections of the Zoning Code, the alleged difficulty can be viewed as being self-created.

The economic challenges that have resulted in the need for the Applicant to seek the requested area variance include increased construction costs, increased interest rates and additional capital contribution requirements. While the Applicant is not taking the position that it is the responsibility of the Zoning Board of Appeals to solve the financial challenges that would result from the development of the Project Site without the requested area variance, the Applicant believes this is a relevant fact that should be considered by the Zoning Board of Appeals.

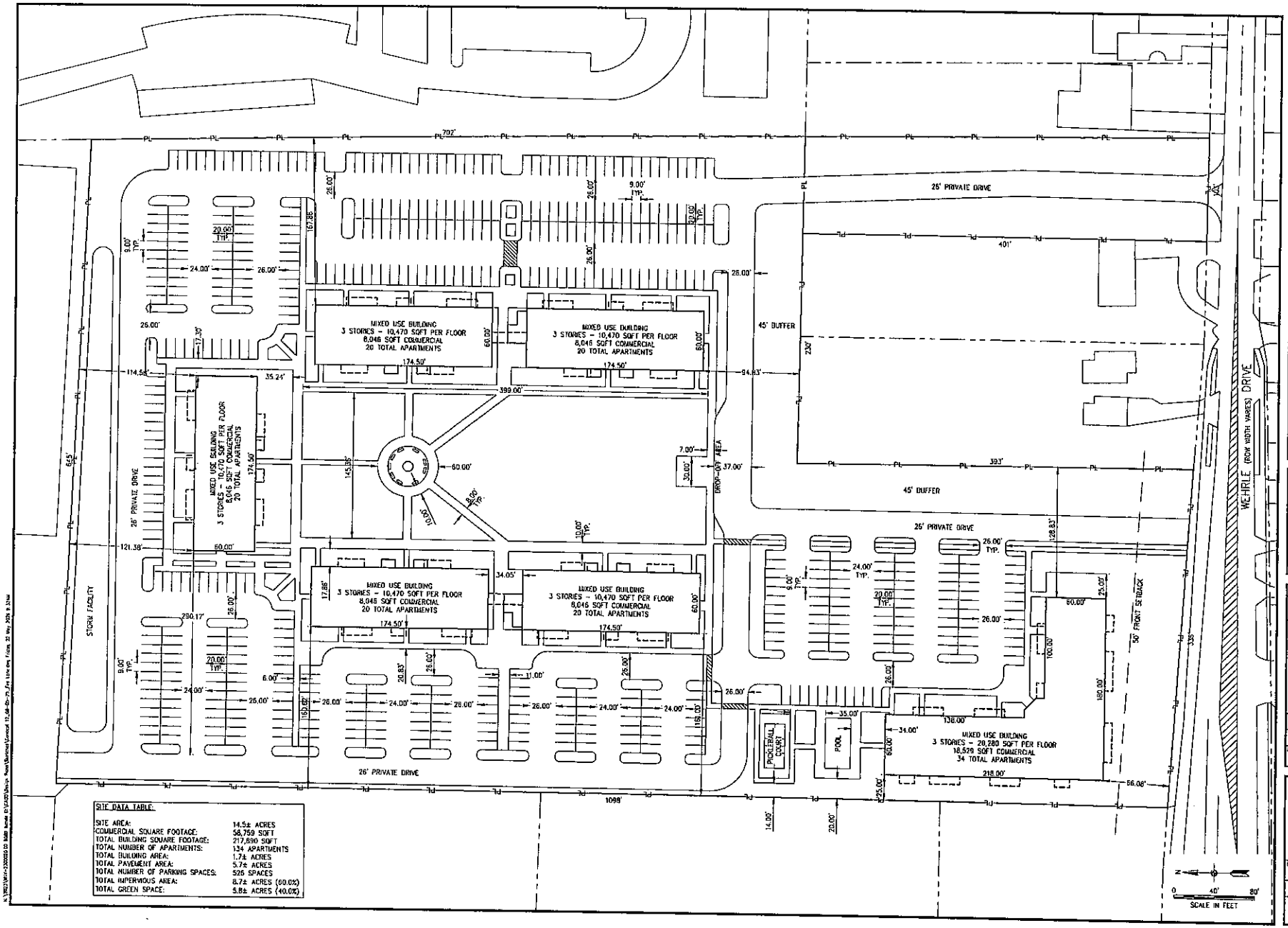
III. Conclusion:

The Applicant requests that the Zoning Board of Appeals grant the requested area variance being sought in connection with the proposed mixed-use project. The granting of the requested area variances is justified since the benefits that will be received by Applicant if the requested area variances are granted clearly outweighs any resulting detriments per the statutorily mandated balancing test and the five criteria.

8080 Wehrle Drive

NATALE DEVELOPMENT CO.

SILVESTRI
ARCHITECTS·PC



SITE DATA TABLE:	
SITE AREA:	14.5± ACRES
COMMERCIAL SQUARE FOOTAGE:	58,759 SQFT
TOTAL BUILDING SQUARE FOOTAGE:	217,690 SQFT
TOTAL NUMBER OF APARTMENTS:	134 APARTMENTS
TOTAL BUILDING AREA:	1.7± ACRES
TOTAL PAVEMENT AREA:	5.7± ACRES
TOTAL NUMBER OF PARKING SPACES:	526 SPACES
TOTAL IMPERVIOUS AREA:	8.7± ACRES (60.0%)
TOTAL GREEN SPACE:	5.8± ACRES (40.0%)

GPI
Greenman - Pedersen, Inc.
4950 Genesee Street, Suite 100
Buffalo, NY, 14225

PREPARED FOR
NATALE BUILDERS, LLC
9159 MAIN STREET SUITE 3
CLARENCE, NY 14031

PROPOSED MIXED-USE DEVELOPMENT

8080 WEHRLE DRIVE
CLARENCE, NEW YORK

REVISIONS

NO.	REVISION	DATE	SADR
01	ADDED WEHRLE DR LAYOUT	03/25/24	
00		03/18/24	
00		03/11/24	
00		02/26/24	

MARCH 2024

DRAWN/DESIGN BY: KZ
CHECKED BY: KZ

CONCEPT SITE PLAN

SCALE: 1" = 40'

WNY-2300020

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

Date: May 6, 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: Natale Development Mixed-Use

Project Number: TOC08012024

Location of Project: 8080 & 8112 Wehrle Drive | SBL: 82.01-1-23 & SBL: 82.01-1-20
North Side of Wehrle Drive | East of Transit 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: The applicant is proposing a mixed-use project containing multiple-family housing and commercial space. 134 residential units and 58,759 sq.ft. of commercial space are proposed, throughout six 3-story buildings. The proposed third-story of each building will require variance consideration from the Zoning Board of Appeals.

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 at 8080 and 8112 Wehrle Drive - SBL: 82.01-1-23 & SBL:

82.01-1-20. The Project Site consists of +/- 14.5 acres of vacant land and is zoned as Commercial ("C") pursuant to the Town of Clarence Zoning Map. The "Project" involves the development of a mixed-use project containing multiple-family housing and commercial space. A total of 134 residential units and 58,759 sq.ft. of commercial space are proposed throughout six (6) 3-story buildings.

After a thorough coordinated environmental review, it has been determined that the Project will not result in any potentially significant adverse impacts 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 the development of complementary commercial and residential uses in the Town of Clarence.

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 the Negative Declaration is provided below.

1. Impact on Land:

The Project involves ground disturbance to vacant land on the Project Site. The Project Sponsor identified that a majority of the Project Site has a depth to water table greater than three (3) feet. The Project is designed to limit construction activities in areas where the depth to water table may be less than 3 feet. The Project does not involve construction on slopes of 15% or greater. Bedrock is not within 5 feet of the existing ground surface of the Project Site. While blasting is not expected due to the depth of bedrock on the property, 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. Finally, and prior to any blasting, a Blast Plan shall be formulated by the blasting company on behalf of the Project Sponsor, in compliance with all Federal, State, and Local laws and regulations. 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 September 24, 2025 from Joseph Lancellotti of the Town of Clarence Engineering Department, and per the letter dated August 19, 2024 from Lisa M. Czechowicz of the New York State Department of Environmental Conservation ("NYSDEC").

The Project will result in physical land disturbance and vegetation removal; however, this impact represents a small impact 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 proposed erosion control measures will be reviewed by the Town Engineering Department during the Development Plan review process. The Project Site is not located within a designated Coastal Erosion hazard area.

Construction of the Project is anticipated to occur in 2 to 3 phases and is anticipated to

occur for a period of more than 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 the construction phases, 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 review process.

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 vacant land containing vegetation and no surface water bodies. In a letter dated August 19, 2024 from Lisa M. Czechowicz of the NYSDEC, it was stated that the Project Site may include federally regulated wetlands based on a review of the National Wetlands Inventory wetland mapping. Additionally, the aforementioned letter also highlighted the regulatory changes to the New York Freshwater Wetlands Act (Environmental Conservation Law Article 24). The letter stated that these regulatory changes may have an impact upon this Project.

A wetland delineation report was prepared by Earth Dimensions, Inc. in September of 2000 and a subsequent investigation occurred by Erik Krull of Wetlands Investigations Co. in April of 2026. Both the 2000 report and the subsequent investigation found one wetland area located on the southern portion of 8080 Wehrle Drive. Per the assurance letter from Erik Krull of Wetlands Investigations Co., an updated delineation of the wetland area will be prepared and submitted to the United States Army Corp. of Engineers ("USACE") and the NYSDEC for the purposes of requesting Jurisdictional Determinations from both regulatory agencies.

The Project Sponsor shall obtain all appropriate and necessary permits from the regulatory agencies prior to site disturbance. Any proposed impacts to wetlands shall be subject to review and approval by the appropriate regulatory agency. Such impacts, if approved, will not represent a potentially significant adverse environmental impact due to any required mitigation or other conditions of approval. Should approvals not be granted, the applicant will be required to propose a modification of the Project.

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.

The Project Site is located within Erie County Sewer District No. 5. In a letter dated August 19, 2024 from Lisa M. Czechowicz of the NYSDEC it was stated that the Project is defined as a Sanitary Sewer Extension and will require approval from the Erie County Department of Environment and Planning ("ECDEP"), Division of Sewerage Management ("ECDSM"), as well as approval from the Erie County Department of Health ("ECDH"). The

aforementioned letter also required a detailed Downstream Sewer Capacity Analysis for the Project as part of the Project's Engineering Report.

In a letter dated September 10, 2024 from Michael Larson of the ECDSM, the following comments were provided:

1. The proposed project is located inside of Erie County Sewer District No. 5. The sanitary sewers near the proposed project are owned by the ECSD #5. The sanitary flows are tributary to Erie County and Amherst trunk and interceptor lines and ultimately travel to the Amherst Wastewater Treatment Facility.
2. Review and approval of any proposed sanitary sewers is required by Erie County DSM.
3. Sanitary sewer system design shall be in accordance with Ten States Standards and Erie County Sewer District Rules and Regulations and Design Requirements.
4. A Downstream Sewer Capacity Analysis ("DSCA") may be required for this project.
5. Sanitary sewer Inflow and Infiltration ("I/I") removal work in ECSD No. 5 may be required for this project.

The comments provided by the NYSDEC and the ECDSM shall be addressed during the Development Plan review process. The Project Sponsor shall obtain all appropriate and necessary permits from the regulatory agencies prior to site disturbance. Any proposed impacts from the sewer system improvements, if approved, will not represent a potentially significant adverse environmental impact.

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 59,100 gallons. In a letter dated August 13, 2024 from Mark S. Carney of ECWA, it was stated that the Project will require ECWA review for any new water service or services as well as modifications to the existing service. Additionally, the aforementioned letter stated that due to the size of the Project and potential demand, the impact on the system must be evaluated and approved in conformance with the ECWA design manual for water mains. The comments from the ECWA will be addressed during the Development Plan review process.

5. Impact on Flooding:

The Project Site is not located in either the regulated 100-year Floodplain nor a designated floodway. The Project will require modification of existing drainage patterns. Any future Development Plan submittal shall be prepared by a licensed engineering firm and shall include an Engineer's Report and full grading and drainage plans with details. The aforementioned Development Plan submittal will be subject to review by the Town prior to Development Plan Approval. In addition, the Proposed Project will include the implementation of the 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 the lead agency concurrence letter issued by the NYSDEC dated August 19, 2024. 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 currently contain agricultural resources and is currently not used for agricultural purposes. The Project Site is not located in, or adjacent to a County Agricultural District. The Project does not sever, cross or otherwise limit access to agricultural land. A majority of the undeveloped portions of the Project Site are naturally occurring vegetation. As such, the Project will not result in any adverse impacts to agricultural resources.

9. Impact on Aesthetic Resources:

The Project Site is accessed off of Wehrle Drive, which is an Erie County roadway. The Project contains commercial facilities and multiple-family dwellings, which are not in sharp contrast to the nearby land use patterns. Surrounding land use patterns include residential and commercial uses along Wehrle Drive, and commercial uses along Transit Road. Furthermore, the mixed-use project is consistent with the 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, and 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. In a letter dated August 30, 2024 from Sydney Snyder of the SHPO, it was stated that SHPO reviewed the Project in accordance with the New York State Historic Preservation Act of 1980. Based on this review, Sydney Snyder stated that the Curtwright Prehistoric Site (USN 02907.000256, UB 3711) is located within the boundaries of the Project. The Curtwright Prehistoric Site was identified in 2004 as a part of a proposed subdivision at 8080 Wehrle Drive (04PR03425). A Phase I Archaeological Survey was completed for this project in March of 2004 (04SR54472). The Phase I Survey identified the site, and a subsequent Phase II Archaeological Survey (August 2004; 04SR54627) further examined it. The Phase II Report recommended that the site be determined as Eligible for listing in the State/National Register of Historic Places ("S/NRHP") and recommended that a Phase III Data Recovery Survey be completed in order to mitigate any adverse impacts the project would have on the site. The SHPO concurred with these recommendations in an August 2004 letter that determined that the project would have No Adverse Impact on the Curtwright Prehistoric Site with the condition that the Phase III archaeological mechanical soil stripping plan outlined in the Phase II report was fully implemented. In December of 2004 the SHPO reviewed the Phase III End of Field Letter and

was satisfied that the conditions of the impact statement were met. The SHPO also requested that the final Phase III Data Recovery Report be submitted to the SHPO by June 15, 2005. There is no record that the final Phase III Data Recovery Report was ever submitted to the SHPO and the SHPO never provided a final project sign off.

In a letter dated March 4, 2026 from Sydney Snyder of SHPO, it was stated that the SHPO reviewed the subsequent submitted materials from the Project Sponsor in accordance with the New York State Historic Preservation Act of 1980. The aforementioned letter also stated that the SHPO reviewed the Phase 3 Archaeological Data Recovery Report of the Curtwright Indigenous Site (UB 3711; 02907.000256) (November 2025; 25SR00532) and has no concerns regarding this document, and that no comments were received from the Indigenous Nations. Therefore, it is the opinion of the SHPO that all conditions of the SHPO No Adverse Impact determination have been met. The SHPO stated that the review of this Project has concluded, and advised the Project Sponsor that in the unlikely event that human remains are discovered during construction to follow the SHPO Human Remains Discovery Protocol.

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 designated in any adopted municipal open space plan.

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:

In a letter dated September 4, 2024 from Casey Gordon of the NYSDOT it was stated that the NYSDOT concurs with the Town of Clarence for it to act as the Lead Agency, and provided the following comments:

- Based upon the information provided, the proposed project does not appear to have a significant impact to traffic on the State Highway System.
- Based upon the information provided, a NYSDOT highway work permit is not needed at this time. If any changes are made to the site plan and work would be needed in the State right of way, a highway work permit would be required.
- NYSDOT recommends the western driveway (closest to the Transit/Wehrle intersection) be aligned with the plaza entrance/exit on the opposite side of Wehrle Dr (behind the Hobby Lobby building).

In a letter dated August 29, 2024 from Timothy P. German of the Erie County Department of Environment and Planning ("ECDEP") it was stated that a Traffic Impact Study ("TIS") must be submitted to the ECDPW prior to issuance of a Highway Work Permit for the Wehrle Drive right-of-way. Based on comments received, the Project Sponsor prepared a TIS dated November 2024 and submitted it to the ECDPW for review.

In a letter dated May 7, 2025 from Gina Wilkolaski of the ECDPW it was stated that the ECDPW offers the following comments on the TIS:

- The TIS determined that the left turn lane warrants are met for each driveway. The developer will be required to widen Wehrle Drive to provide the left turn lane, including any modifications to the closed drainage system and sidewalks.

- The sidewalks must be provided on the north side of Wehrle Drive if required by Town Code.

Based on comments received from ECDPW, the Project Sponsor prepared supplemental traffic analyses dated January 20, 2026 and January 26, 2026 respectively, and submitted said reports to the ECDPW for review. In a letter dated January 27, 2026 from Gina Wilkolaski of the ECDPW it was stated that the ECDPW offers the following comments on the TIS and the supplemental reports:

- The TIS Supplemental Traffic Analysis #2 recommended that full access be provided at the eastern driveway. If the developer prefers a full access eastern driveway, they will be required to widen Wehrle Drive to provide the left turn lane, including any modifications to the closed drainage system and sidewalks. If they prefer not to extend the left turn lane to the eastern driveway, only right-in/right-out access will be permitted. Either option is acceptable to Erie County.
- The TIS Supplemental Traffic Analysis #2 determined that a western full access driveway and eastern right-in/right-out only driveway would perform at an acceptable Level of Service.

The final comments from the NYSDOT and the ECDPW shall be addressed during the Town's Development Plan review process. In an effort to ease vehicular and foot traffic to Wehrle Drive, the Project Sponsor shall coordinate with adjacent property owners to consider the feasibility of vehicular and pedestrian cross-access between properties. Transportation impacts will continue to be evaluated for any future tenants of the proposed commercial spaces. The Project Sponsor will be required to obtain all appropriate permits from the ECDPW for any proposed curb cut modifications to Wehrle Drive. The Project Sponsor shall coordinate, if necessary, with the Federal Aviation Administration to address any potential impacts to air navigation.

After a thorough review by involved and interested agencies, including but not limited to the Erie County Department of Public Works ("ECDPW"), 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.

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. In a letter dated August 29, 2024 from Timothy P. German of the ECDEP it was stated that the Project Sponsor should explore the feasibility of including electric vehicle charging stations in the proposed parking areas. The feasibility of including the electric vehicle charging stations shall be explored during the development plan review process.

15. Impact on Noise, Odor, and Light:

The potential impacts from noise, odor, 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. Any potential future noise, odor, and light impacts associated with the future tenants of the commercial spaces and the use of the outside recreational area shall be mitigated and reviewed by the Town prior to the tenants occupying the buildings and event permits being issued. 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 of Clarence 2030 ("Future Land Use Map") designates the Project Site as appropriate for Business Center. The Business Center use is described on Pages 51-52 of Clarence 2030. Business Center areas are generally characterized by a wider range of commercial activity within the community, and large-scale buildings and parking areas. These areas are located along travel routes with high daily traffic volume. Within the Business Center areas, Clarence 2030 places an increased emphasis on creating architectural styling for buildings, limiting parking lots along roadways, and providing continuous pedestrian circulation for project sites. The Project is consistent with the recommended land use, site layout, and architectural standards for the Business Center areas and the Commercial zoning classification.

In a letter dated August 29, 2024 from Timothy P. German of the ECDEP it was stated that Clarence 2030 recommends to, "...investigate and support the provisions of quality, affordable, renter and owner-occupied housing options within the Town..." (Page 42) and the Project Sponsor should designate a portion of the proposed housing units as affordable units. The mixed-use design of the Project provides a range of residential unit layouts and price points.

The Project will require one (1) variance from the Zoning Board of Appeals. The variance would be for a third story associated with the mixed-use buildings. Should the area variance for the number of stories for the mixed-use buildings 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. Two-story mixed-use buildings are permitted pursuant to the Town's Multiple-Family Law, and the Commercial zoning classification also allows a building height of up to forty-five feet. The Project Sponsor has indicated that the proposed three-story buildings would be under forty-five feet. If the Zoning Board of Appeals does not grant the area variance for the number of stories, the Project Sponsor will be required to adjust the design of the proposed mixed-use buildings to comply with the relevant two-story height 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 multiple-family units to be provided was prepared pursuant to Section 299-126(D) of the Zoning Code, and is as follows:

- Per Section 229-126(D)(1)(c) of the Zoning Code:
  - 50% of the property shall be committed to a commercial use.
  - Commercial (C) land area = 14.5 acres
  - 14.5 acres / 2 = 7.25 acres of required commercial use area
- Per section 229-126(D)(1)(a) of the Zoning Code:
  - Maximum density for multi-family developments with sanitary sewer shall be 8 units per acre.
  - 7.25 acres x 8 units per acre = 58 allowed units in residential component
- Per Section 229-126(D)(5)(a) of the Zoning Code:
  - Within the minimum 50% of the development committed to commercial uses, mixed-use designs may be allowed with a density of 4 units per acre.
  - 7.25 acres x 4 units per acre = 29 allowed units in commercial component
- Per Section 229-126(D)(6) of the Zoning Code:
  - A transfer incentive of 2 additional residential units may be place within the commercial component in a mixed-use design for every one unit removed from the residential component.
  - Removed residential units from residential area is 58 units. 58 units x 2 = 116 units
- A total of 145 units are permitted. The Project Sponsor is proposing a total of 134 units within the Project.

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.

18. Consistency with Community Character:

Wehrle Drive is a County Roadway made up of a mixture of land uses, including commercial, residential, and mixed-use. The Project will not be in sharp contrast to existing community character, and the Project will result in a more compliant community character per the Town's allowable uses in the zone and vision per Clarence 2030. The Project is consistent with the stringent standards for the Commercial zoning classification, which includes minimum setbacks from property lines, lot coverage, and site and architectural design standards. 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 communities design guidelines.

As part of the Coordinated Review for this Project, the 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 issues a Negative Declaration on the proposed action as of May 6, 2026.

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