

Town of Clarence
One Town Place, Clarence, NY 14031
Planning Board Minutes
Wednesday, June 3, 2026

Work Session 6:30 pm

Status of SEQR Coordinated Reviews
Review of Agenda Items
Miscellaneous

Agenda Items 7:00 pm

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

Councilman Shear led the Pledge of Allegiance.

Planning Board Members present:

Chairman Robert Sackett
2nd Vice-Chair Wendy Salvati
Daniel Tytko

Vice-Chair Richard Bigler
Gregory Todaro
Keith Lukowski

Planning Board Members absent:

Jason Geasling

Jason Lahti

Town Officials Present

Director of Community Development Jonathan Bleuer
Senior Planner Andrew Schaefer
Councilman Paul Shear
Councilman Bob Altieri

Other Interested Parties Present:

Kris Beyer Jones Justin Lattierre Sarah North James Boglioli
David Augustin Matt Vranjes Brent Fosdick Diane

Item 1

Peter Jackson Trust
Agricultural Rural Residential

Requests a Minor Subdivision of land to create one (1)
new lot at 7039 Salt Road.

DISCUSSION:

Mr. Bleuer introduced this project at 7039 Salt Road, located at the northeast corner of Salt Road and Miland Road.

An existing 192-acre parcel containing an existing residence and multiple agricultural support structures, all located in the Agricultural Rural Residential zone. The trust also holds the adjacent 87-acre parcel as well.

The applicant is requesting a Minor Subdivision of land to create one (1) new lot of record. The newly created vacant lot would contain approximately 157.9-acres, will remain vacant with no improvements or structures on it. With 378' of road frontage along the north side of Salt Road and 1,352' of road frontage along the south side of Salt Road. The remaining parent parcel would retain the residence and the agricultural support structures on approximately 19.8-acres,

Finally, a Lot Line Adjustment is being proposed to convey approximately 150' of the northern portion of 7039 Salt Road, into the adjacent parcel known as 10575 Miland Road.

The Planning Board has the authority to act on this request, after an action through the State Environmental Quality Review Act (SEQRA). The Lot Line Adjustment portion is subject to administrative review by the Planning Office.

Note: Should the Planning Board act on this request, the applicant will require a variance from the Zoning Board of Appeals due to the location of the existing pond setbacks to the newly created lines. The pond would be required to have 100' setbacks on all property lines, the proposed split would bring the pond within the 100' requirement.

Present to represent the project is Kris Beyer Jones.

Mr. Bleuer asked Ms. Beyer Jones if she would like to explain the wishes of the trust in terms of ownership.

Mr. Beyer Jones explained that she is the Trustee of the trust, and that two portions of the land are being donated to Ducks Unlimited. The agreement that Mr. Jackson has with them is that it is to remain preservation, and never be developed. The extended lot line is for his rear neighbors, as a gift in his passing, with the remaining portion being gifted to his niece.

Ducks Unlimited has already been to the multiple ponds on the property to help to improve them, and enrich those areas for water fowl and preservation.

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

ACTION:

Motion by Keith Lukowski, seconded by Richard Bigler, that pursuant to Article 8 of the Environmental Conservation Law, to **accept** the Part 1 Environmental Assessment Form as submitted and **approve** the Part 2 & 3 Environmental Assessment Form as prepared and to **issue a Negative Declaration** on the proposed Peter Jackson Trust Minor Subdivision at 7039 Salt Road. This Unlisted Action involves a lot split to create one (1) lot in the Agricultural-Rural Residential zone. After thorough review of the submitted documents and Environmental Assessment Forms, it is determined that the proposed action will not have a significant negative impact on the environment.

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

MOTION CARRIED

Motion by Keith Lukowski, seconded by Richard Bigler, to **approve** the Peter Jackson Trust **Minor Subdivision** at 7039 Salt Road, per the submitted application received in the Planning Office on May 20th, 2026, subject to the following conditions:

1. Subject to the issuance of a Variance by the Zoning Board of Appeals for the existing pond setbacks to the newly created lot lines.
2. Subject to Erie County Department of Public Works approval for access to the newly created lot.
3. Review and approval by the Town for any proposed construction or regulated activity on the property.
4. Should any drainage easements be required by the Town to address on-site drainage issues on the property, appropriate easements shall be submitted by the applicant and reviewed and approved by the Town Engineering, Highway and Legal Departments. If required, applicant shall file same in the Erie County Clerk’s office and provide a stamped “FILED” copy to the Town Attorney’s Office after recording and prior to any Building permit(s) being issued by the Clarence Building Department.
5. Subject to Open Space, Recreation, and any other applicable fees as required by Town Code.

Ms. Beyer Jones asked to confirm that if any work is going to be done at 7039 Salt Road that requires further construction, they must return to the Planning Board to make sure that they meet the requirements for drainage, irrigation, and any other restrictions there may be.

Chairman Sackett noted that there is also a condition by the Town that requires the applicant to provide a drainage easement on the property due to draining storm water, should the Town need it.

Ms. Beyer Jones stated that they do not plan to make any changes to the existing property

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

Mr. Bleuer added that the Town of Clarence began a Greenprint program in 2002 with over 12.5 million dollars being spent since that time, protected and preserved over 1,800 acres of land. Peter Jackson never came to the Town requesting financial gain or involvement, but took it upon himself to do the exact thing that the Town had been working on for the last 20+ years.

Mr. Bleuer noted that this is a special act for the family, the legacy of the family, and certainly the Town of Clarence, and for that we are grateful.

Chairman Sackett noted that it is too bad the Clarence Bee is not in attendance at tonight’s meeting for this story.

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

MOTION CARRIED

Ms. Beyer Jones added that Mr. Jackson's wife was part of the original group in Clarence that started working on preservation of land, and helped to draw up the Greenprint program.

Mr. Bigler added how great of an act this is, and that he hopes the Clarence Bee writes an article about it, expressing what a wonderful thing this is for the community.

Item 2

Walmart

Major Arterial

Requests Site Plan and Architectural approvals for a building addition and site modification at 5033 Transit Road, in the Eastgate Plaza.

DISCUSSION:

Mr. Bleuer introduced this project at 5033 Transit Road, located on the east side of Transit Road, south of Greiner Road.

An existing 26.5-acre property containing a Walmart store and associated facilities, located within the Eastgate plaza.

The applicant is requesting Site Plan and Architectural approvals for a building addition and site modifications to the existing Walmart. An approximately 5,818 sqft addition is proposed to the south of the existing building, and would be constructed of materials consistent with the existing building. Finally, the entire building is proposed to be repainted.

The Planning Board has the authority to act on this request. An approval would constitute the final Board action prior to permitting.

Matt Vranjes with Colliers Engineering, and Brant Fosdick, store manager for Walmart in the Eastgate Plaza were present to represent the project.

Noting that the applicant has worked closely with the Planning Board Executive Committee, Mr. Todaro asked Mr. Vranjes to describe what this expansion is, how it will work, and why it is necessary.

Mr. Vranjes explained that it is to centralize on-line pickup, pushing all of the online pickup delivery spaces to the side of the building. This is an ideal location from a safety perspective, preventing employees from entering in to and crossing the major driveway in front of the building. This will optimize the pick-up and delivery system to one location.

Mr. Todaro asked if this will be a staging area for the inventory for pick-ups.

Mr. Vranjes responded yes.

Mr. Todaro noted that the merchandise stored in this area will be moving through constantly, not static in the same spot.

Mr. Vranjes stated that is correct. This will be a staging place where when you place your order, this is where it sits until you come to the store to retrieve it.

Mr. Todaro noted that based on that, it would mean that there are employees working in that part of the building.

Mr. Vranjes responded yes.

Mr. Todaro asked Mr. Vranjes to explain the look, feel, and materials of the expansion to the current store, and how it will match.

Mr. Vranjes stated that he believes they plan to match to the best of their ability in similar color, style, and material.

Regarding the expansion, Mr. Todaro asked if there is any need to connect to the sanitary sewer; will there be lavatories in the addition.

Mr. Vranjes responded no.

Mr. Todaro asked Mr. Vranjes to explain both the site landscaping, as well as how parking will work in the new area.

The drive aisles are being maintained, although Mr. Vranjes explained that the expansion will take up one of the drive-aisles in the proposed area, the dedicated online drive-up spaces are as close to the delivery door as they can get. They have attempted to minimize the distance that the employees need to go to make the deliveries.

Mr. Vranjes noted that to the north of the site, there were two existing paved, striped islands that are proposed to be the current landscaped islands.

Mr. Todaro asked about the flow of traffic for pick-up.

Mr. Vranjes noted that there will be signage directing the flow of traffic to the right-side driveway, then once the vehicles enter the drive aisles, there will be additional signage leading you in to the on-line pick-up.

Mr. Todaro clarified that when Mr. Vranjes refers to the right-side driveway, he is referring to the driveway located all the way to the south on the site.

Mr. Vranjes responded yes; they are trying to keep people from coming to the on-line pickup area away from the building frontage itself, so down to the south they are trying to direct traffic along the outer ring road, as opposed to the building itself.

Mr. Todaro asked if there is a queue that is striped, or is it evident where people need to pull up.

Mr. Vranjes explained that each online pick-up space has a number associated with it. The customer will pull-up, and park in one of the 39 spaces on the site. On one of the light poles there will be a larger sign directing toward pick-up, to assist with getting customers to the proper location.

Referring to the south road entrance as described by Mr. Vranjes, Mr. Todaro noted that the materials that are stored outside will be relocated to the last parking lane from the middle lane where they are

currently located. Mr. Todaro asked if there is a delineation between the product and the road, like some kind of barrier.

Mr. Vranjes stated that he does not think there are any jersey barriers or cones to separate the merchandise from the road.

Mr. Todaro explained that his concern is what is to stop the store from moving merchandise in to the road.

Mr. Fosdick, store manager for Walmart, added that along where the seasonal goods are proposed to be moved to, there is a curb that separates the area of merchandise from the road.

Regarding lighting, Mr. Todaro noted that the Town of Clarence has adopted shielded lighting, and while it may not be fully plausible in this instance, Mr. Todaro understands that there is a dimming process that can be utilized.

Mr. Vranjes stated that he believes this is currently in discussion with the property landlord, and what a dimming schedule would look like. The lights that are currently on site and those that are proposed are dimmable, and that is the option that they would work with.

Mr. Vranjes noted that unless the Planning Board or Planning Office has heard definitively, he believes the discussions are still in process, and a final update will be provided.

Mr. Todaro asked if there will be any new mechanicals for the proposed addition.

Mr. Vranjes responded, stating that he believes that there are new rooftop mechanicals, but cannot say for certain. He added that he knows any new mechanicals on the rooftop will be covered and screened with the parapet wall.

In regard to garbage, Mr. Todaro asked if there will be any new garbage or dumpsters needed for the proposed addition.

Mr. Vranjes stated no; same operations as existing.

Mr. Lukowski noted that typically during the holiday season, the middle aisle is typically filled with Conex boxes, which are large storage units. Will the parking areas be able to accommodate all of the Conex boxes.

Mr. Vranjes explained that it is his understanding that will be a different item with the Town for outside storage.

Mr. Bleuer stated that we were unable to locate any prior approvals for outside storage so the Planning Board has no authority to approve outside storage in the action tonight. It would require a Town Board approval through a Temporary Conditional Permit, if the applicant were to seek that.

In regard to Public Participation, the following residents spoke:

1. Diane of Eastbrooke Place:
 - this is the first they are hearing of this
 - the board was very thoughtful previously with regard to the easement that affected their street and all of the modifications based on their input
 - asked how many spots will be in the new pick-up area, there is nothing separating it from their houses other than grass
 - wants to know hours of operation
 - appears there will be a substantial increase in traffic, it is very concerning
 - asked if there will be subsequent meetings
 - confirmed that the online service currently at the front of the building is being relocated to the south side of the building
 - will pick-up customers be leaving via the access road behind the store at the rear of the property
 - there has been increased criminal activity in that area

2. Dave Augustine of 5023 Eastbrooke Place
 - if the applicant plans to direct traffic flow behind the building out on to Greiner Rd., he is concerned because there is already a lot of people turning left on to Greiner Road

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

Mr. Vranjes returned to address the questions and concerns, stating that they do not anticipate an immediate increase in traffic. Just because the spots are provided, they do not anticipate an immediate increase in on-line pick-up services.

As far as traffic pattern, when customers are leaving, they are not encouraged to go behind the building currently, and they do not anticipate any additional or new trips exiting to the rear of the building.

Chairman Sackett asked if there will be any directional signage indicating to exit the area other than around the back.

Mr. Vranjes responded no; they do have directional signage in, and then on the way out. Typically, it is presumed the same route is used to exit, so they do not provide that signage.

Chairman Sackett asked if they would consider installing directional signage for exiting.

Mr. Vranjes stated that he could consult with Walmart to get their approval.

In regard to hours of operation, Mr. Fosdick stated that the hours are 6:00 a.m. to 11:00 p.m., but they are usually done by 9:00 p.m., and nothing after 11:00 p.m.

Chairman Sackett asked Mr. Fosdick how he would feel with signage directing traffic in and out of an area.

Mr. Fosdick responded that it would be a great thing.

In regard to parking spaces, Mr. Vranjes stated that on the entire site, they have decreased the parking, but for the on-line pick-up, the number of dedicated spaces has increased to 39 from 12. The main goal for Walmart is to not have their associates crossing in to traffic on the route to and from the pick-up areas.

Mr. Todaro asked if there is a count of the current customer volume that comes through the on-line pick-up area.

Mr. Vranjes does not have that information right now.

Mr. Bleuer stated that if approved this evening, this proposed project would not come back to another board, but would move forward to the Building Department for their review and permitting process.

ACTION:

Motion by Gregory Todaro, seconded by Wendy Salvati, that pursuant to Article 8 of the Environmental Conservation Law, to **accept** the Part 1 Environmental Assessment Form as submitted and **approve** the Part 2 & 3 Environmental Assessment Forms as prepared and to **issue a Negative Declaration** on the proposed Walmart building addition and site modification located 5033 Transit Road. This Unlisted Action involves a building addition of approximately 5,818 sq. ft. After thorough review of the submitted plans, documents, meeting minutes, and Environmental Assessment Forms, it is determined that the proposed action will not have a significant negative impact on the environment.

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

MOTION CARRIED

Motion by Gregory Todaro, seconded by Wendy Salvati, to issue **Site Plan** and **Architectural Approvals** for the Walmart building addition and site modifications located at 5033 Transit Road per the submitted plan set by Colliers, dated May 12th, 2026, with a final revision date of May 13th, 2026, all subject to the following conditions being met:

1. Applicant meeting the requirements of the Town Building Department fire code compliance, and associated conditions.
2. Applicant meeting the requirements of the Town Engineering and Building Departments, and any associated conditions, prior to any permits being obtained for construction on the property.
3. Subject to Erie County Division of Sewerage Management review and approval and additional regulatory agencies, as required, for any proposed modifications to the sanitary sewer system within Erie County Sewer District #5.
4. Per the response letter of the applicant, dated May 13th, 2026, site landscaping to be installed per the approved Landscape Plan. Landscaping shall be installed prior to the issuance of a Certificate of Occupancy for the building addition. All site landscaping shall remain in perpetuity and shall be maintained or replaced in kind should there be any deterioration, or death and disease to plantings.
5. Per the response letter of the applicant, dated May 13th, 2026, the applicant shall provide a site lighting dimming schedule to the Town Planning Office for review and approval prior to the issuance of a Certificate of Occupancy for the building addition. All lighting shall be dark sky compliant, and designed to prevent spillage onto adjoining properties.

6. Addition to be constructed per the labeled materials, and such materials to be used shall be of industry standard high quality for durability and appearance. Both the addition and existing building shall be painted per the labeled colors.
7. All new mechanicals shall be shielded from view by approved parapet walls.
8. All dumpsters shall be shielded from public view to Town standard. Garbage service shall occur in conformance with Town Code. No garbage or debris shall accumulate outside of the dumpsters.
9. Building and site shall be maintained as approved, in perpetuity, and any building and site deficiencies shall be repaired or replaced as approved.
10. Paved areas to be striped and maintained in perpetuity. No parking of vehicles outside the designated parking areas.
11. Seasonal outdoor sales shall only occur within the depicted area on the approved site plan. Beyond that of seasonal outdoor sales in this depicted area, no outdoor display or storage of any kind shall occur on the property unless same shall have been approved by the Town.
12. Any permanent signage subject to review and approval by the Sign Review Committee, and any temporary signage subject to review and approval by the Town Planning Office.
13. Subject to Open Space, and any other applicable fees as required by Town Code.
14. Installation of directional signage discouraging public traffic flow from traveling behind Walmart. Subject to Town review and approval prior to installation.

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

ON THE QUESTION:

Mr. Bigler stated that when he visited the site, he noticed that there is an absence of trees on the berm. If they could add some pine trees or other trees to that area to shield the parking lot as they did the building, that may potentially stop some potential noise transfer.

Mr. Todaro added that mitigating lighting from headlights from traveling up the berm would be appreciated.

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

MOTION CARRIED

Item 3

Benderson Development Co., LLC.
Major Arterial

Requests Architectural approval of a façade rehabilitation for the existing commercial outparcel building at 5105 Transit Road, in the Eastgate Plaza.

DISCUSSION:

Mr. Bleuer introduced this project at 5105 Transit Road, located on the east side of Transit Road, south of Greiner Road.

It is an existing 21.1-acre property containing a portion of the Eastgate plaza, associated facilities, and a commercial outparcel building.

The applicant is requesting Architectural approval for a façade rehabilitation to the existing commercial outparcel building. The façade rehabilitation would involve the installation of E.I.F.S. (exterior insulation and finish system) on the tower element of the building, as well as the addition of new split-face block accents on the building columns.

The Planning Board has the authority to act on this request. An approval would constitute the final Board action prior to construction.

Attorney James Boglioli with Benderson Development was present to represent this project, and further explained that they are not changing anything with the site, no access points, or any of the tenants at this point. They are trying to make the building more attractive and consistent with some of the other tenants along Transit Road.

Mr. Boglioli added that it was brought to his attention that Leslie Pools has had some outside storage, the property manager for Benderson Development has already spoken with the store manager, and they are in the process of cleaning that up. They have requested 3 months to get it cleaned up, but it will be done sooner.

Mr. Tytka asked if there is a reason that they are not upgrading both corners of the building on the north side.

Mr. Boglioli stated that the building is very dated, they are starting here with this tenant first.

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

ACTION:

Motion by Daniel Tytka, seconded by Gregory Todaro, to issue **Architectural Approval** for the Benderson Development façade rehabilitation of the existing commercial outparcel building at 5105 Transit Road, per the submitted plan by James Rumsey Architect, dated May 15th, 2026, with the following conditions being met:

1. Building façade to be constructed per the labelled and approved materials and colors. All building materials to be used shall be of industry standard high quality for durability and appearance.
2. Subject to Town Building Department review and approval prior to any construction.
3. No outside storage, display, or sales of any kind on the property unless same shall have been approved by the Town. All un-approved outside storage must be removed from the site within three (3) months of this approval, or a Notice of Violation will be issued by the Town Planning Office.
4. Any dumpsters shall be enclosed to Town standard, and enclosure shall remain closed at all times when not in use. Garbage service shall occur in conformance with Town Code. No garbage or debris shall accumulate outside of the dumpsters.
5. Building and site shall be maintained as approved, in perpetuity, and any building and site deficiencies shall be repaired or replaced as approved.

6. Any permanent signage subject to review and approval by the Sign Review Committee, and any temporary signage subject to review and approval by the Office of Planning and Zoning.
7. Subject to Open Space, and any other applicable fees as required by Town Code.

ON THE QUESTION:

This proposal has been deemed a Type 2 action by the Town of Clarence, and therefore requires no further environmental review nor action under the State Environmental Quality Review Act.

Keith Lukowski	Aye	Daniel Tytko	Aye	Gregory Todaro	Aye
Wendy Salvati	Aye	Richard Bigler	Aye	Robert Sackett	Aye

MOTION CARRIED

Meeting **adjourned** at 7:45 p.m. with a motion by Wendy Salvati.

MOTION CARRIED

Amy Major
Senior Clerk Typist