

The Work Session meeting of the Town Board of the Town of Clarence was held on Wednesday June 24, 2026 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 8:32 a.m.

Members of the Town Board present were Councilmembers Robert Altieri, Daniel Michnik, J. Paul Shear, Peter DiCostanzo, and Supervisor Patrick Casilio. Other Town officials present were Director of Community Development Jonathan Bleuer, Town Engineer Timothy Lavocat, Highway Superintendent James Dussing and Town Attorney Lawrence Meckler.

Director of Community Development - Jonathan Bleuer

PUBLIC HEARINGS:

Karthigan Thavansen

This property is located at 6571 Conner Road. It is on the east side of Conner Road and north of Stahley Road.

The applicant is requesting a Special Exception Use Permit for an attached secondary living unit as part of a new structure. The in-law suite would be occupied by an elderly mother and father.

The Town Board has the authority to consider this request after holding a Public Hearing.

John & Frances Melinda Nowak

This property is located at 4995 Bank Street. It's on the east side of Bank Street and north of Main Street.

This is an existing 0.8-acre parcel containing an existing fire-damaged single-family residence and existing attached secondary living unit, located in the Residential Single-Family zone.

The applicant is requesting a Special Exception Use Permit for the allowance of the existing attached secondary living unit within the existing residence.

The Town Board has the authority to consider this request after holding a Public Hearing.

Stephen Development

Location/Description

- a. 8825 Main Street – Traditional Neighborhood District – Car Wash
- b. 9500 Main Street – Commercial – Willow Square
- c. 9735 Main Street – Commercial – Mixed Use
- d. 10440 Main Street – Hollow Traditional Neighborhood District – Park Slope

The applicant is requesting Temporary Conditional Permits for food truck parking and operation. There was concern if there were more than one food truck at a one location at the same time. Per the application that will not happen. The hours of operation would be noon and 9:30pm.

The Town Board has the authority to consider these requests after holding a Public Hearing.

FORMAL AGENDA ITEMS:

Goodrich Thompson, LLC.

This SBL 71.14-1-26 is located on the east side of Thompson Road and west side of Goodrich Road. It's an existing 34.7-acre vacant property containing an unpermitted topsoil operation in the Commercial and Residential Single-Family zones.

The applicant is requesting consideration of a Temporary Conditional permit for a topsoil operation.

A referral to the Planning board would allow for a thorough review and recommendation of this proposal.

Lou Visone is present and was asked when he thought the piles of rock would be taken care of. He replied that he is hopeful this year by the end of October or November. He agrees it doesn't look good and wants to be on good terms with the neighbors.

Jonathan Bleuer states that we should get the Sunset Plan in place. This would set limits on when he can conduct work on the property. The Planning Board can look into this further.

Paul Shear asked if maybe barricades would help contain the piles. Lou answered no the pile is 150ft long and 125ft wide so about a half an acre. It's about 10-12 ft high.

PB Investors, LLC.

Locations are 5695 & 5731 Transit Road. East side of Transit Road, south of Highland Farms drive.

This is an existing 10-acre vacant property located in the Commercial and Restricted Business zones and Erie County Sewer District #5, previously approved for a mixed -use project containing 22,810sqft of commercial space and 84 Multiple-family housing units.

The applicant is requesting consideration of a proposed residential density increase within the previously approved mixed-use project. 10 additional multiple-family housing units are proposed to be added totaling 94 units, while commercial space remains unchanged.

A referral to the Planning Board would allow for a thorough review of this proposal.

WORK SESSION ITEMS:**Epic Bounce, Inc.**

This property is located at 4431 Bryant & Stratton Way. It's on the east side of Bryant & Stratton way and north of Main Street.

This is an existing 7-acre property containing a parking lot within the Commercial zone.

The applicant is requesting a Special Event Permit for an inflatable theme park. This operation would run from the date of approval through October 2026, 11:00am to 7:00pm. Operation days would be Wednesdays through Sundays. Mondays and Tuesdays they would be closed for cleaning and maintenance, apart from any special events etc.

The Town Board has the authority to consider this request.

Jonathan suggests if you are putting this on the formal agenda to send out neighborhood notifications to make the residents are aware of it. They should be sent out a week prior to the meeting. He is expecting to receive complaints as it is right in resident's backyards. He is recommending sending the standard Planning Board notification to who are within 500ft.

Peter DiCostanzo says he is concerned about the noise from not only the generators, but all the visitors as it is right in people's backyards.

Paul Shear thinks we should get some dimensions and ask if they could consider switching the layout to parking to the back. He thinks we just entertain it and add it to the agenda.

Jonathan will direct them with the layout and get some picture of inflatables, dimensions and details. No guarantees that you won't get a full house of complaints.

TOWN BOARD REPORTS:**Supervisor Patrick Casilio**

- Awarding the sidewalk project on Sheridan Drive today. We will continue working on the Clarence Center sidewalks. We did get relief for a section of it from the State.
- Getting letters on the pickleball courts conditions. We have been doing some repairs and resurfacing. Some residents cannot even get on the courts they are so busy and believe the players are not even residents of Clarence. Not sure what we can do about that, but we are aware of it.
- There have been some complaints as to why the fireworks are on a weekday. We have had great turnouts every year. It is a free event and run by volunteers.

Councilman Peter DiCostanzo

- One motion to add a Rec attendant.
- Tonight, is the first night of Music in the Center. It will be busy, so get there early for a parking spot.

Councilman J. Paul Shear

- One added motion to authorize Supervisor Casilio to sign a memorandum regarding the garden. They started on Saturday and he will keep an eye on them.

Councilman Daniel Michnik

- No Motions.
- The Youth Bureau would like to request to add a rocket launch to one of their events.

Councilman Robert Altieri

- The firework event is next Monday. The weather still looks great for it. The event will be from 4:00pm until dusk. All the groups involved have been very actively communicating. The Parks Department has the park all ready for the event.

- Monica from the Library has notified us that there will be a blood draw there on July 21, 2026.

Tim Lavocat said at the next Board meeting on July 8, 2026 we will set a bid date for the recreation building. The bid date will be July 30, 2026.

Jonathan Bleuer says he is meeting with Kevin from I.T. and a few others after the Board meeting today. We will discuss saving the YouTube recordings and making them publicly assessable. We will look into that feasibility as long as it does not affect our meeting minutes. The meeting minutes will remain our official records. We'll do our best to save those videos on YouTube and make them assessable, but we won't be bound to keep them up forever.

Motion by Supervisor Casilio, seconded by Councilman Altieri, to adjourn the work session at 9:32 a.m. and enter into Executive Session pursuant to §105 (1) f/h of the Open Meetings Law to discuss employee history and the acquisition of real property.

Upon roll call – Ayes: All; Noes: None. Absent: None. Motion carried.

Janel A. Farolino
Deputy Town Clerk

Motion by Supervisor Casilio, seconded by Councilman Altieri, to adjourn the Executive Session at 10:15 a.m.

Upon roll call – Ayes: All; Noes: None. Absent: None. Motion carried. No action taken.

Regular meeting of the Town Board of the Town of Clarence was held on Wednesday, June 24, 2026 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 10:20 a.m.

Members of the Town Board present were Councilmembers Robert Altieri, Daniel Michnik, Paul Shear, Peter DiCostanzo and Supervisor Patrick Casilio. Other Town officials present were Director of Community Development Jonathan Bleuer, Town Engineer, Timothy Lavocat and Town Attorney Lawrence Meckler.

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to approve the Work Session and Town Board minutes of June 10, 2026.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Altieri to authorize New York State Electric and Gas to activate six (6) LED streetlights within Woodland Hills Subdivision, Phase 3 on Kandefer's Trail, per the layout dated June 1, 2026, and upon the complete installation in accordance with all current New York State Electric and Gas and Town of Clarence details and specifications. Streetlights and associated infrastructure are to be owned and maintained by the Town of Clarence, and power is to be supplied by NYSEG under the terms and conditions of NYSEG Service Class 4 Agreement with the Town of Clarence.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Michnik upon the recommendation of Highway Superintendent, James Dussing, to accept the bid from Attica Packaging Company, Inc. for the purchase of 3072 cubic yards of leaf compost, from the Town Recycling Area on Sheridan Drive, at the cost of \$1.62 per cubic yard for a total amount of \$4,976.64.

On the Question, Supervisor Casilio asked the Superintendent of Highways, James Dussing, we didn't grind this up so we saved a ton on diesel fuel.

James, Dussing stated that we use to flip it and let it rock down, we don't do that anymore, now it is just raw which is cheaper for us.

Supervisor Casilio stated this is a strong number to get for it as well.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Altieri to set a bid date of Tuesday, July 21, 2026 at 10:00 a.m., local time, at which time bids will be opened at the Clarence Town Hall, One Town Place, Clarence, NY 14031. The purpose of accepting bids is for the purchase of one 132" long steel utility crane and crane body.

On the question, bid documents will be available starting June 25, 2026, in the Office of the Town Clerk, and per the published Notice to Bidders.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Shear to set a bid date of Tuesday, July 28, 2026, at 10:00 a.m. for the Clarence Hollow Decorative Post Top Street Lighting Purchase.

On the question, bid documents will be available starting July 02, 2026, and per the published Notice to Bidders.

Timothy Lavocat stated that this is part of the Clarence Hollow Decorative Custom lights that they have along Main Street. The Parks Department has been having significant issues with them so we are going to do a purchase for maintenance of that whole system.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Supervisor Casilio, seconded by Councilman Michnik to declare the following list of computer equipment as surplus, no longer needed for Town purposes, that will be disposed of accordingly as set forth by any state or local laws and/or rules and regulations:

992 - Dell 24" Monitor - CN-0524N3-74261-3CG-OE6L

993 - Dell 24" Monitor - CN-0524N3-74261-3CH-OAWL

950 - Dell 24" Monitor - CN-0524N3-74261-37Q-13AL

987 – Dell 24" Monitor - CN-0524N3-74261-3CH-OAKL

On the question, this equipment is no longer working, cannot be repaired and the system has been replaced.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Altieri upon the recommendation of Recreation Director, Clifford Trapper, to appoint Grace Kinnan as a Recreation Attendant PT Seasonal, for the 2026 Summer Recreation Season, at the budgeted rate of pay of \$17.7862 per hour, effective June 24, 2026, subject to all pre-employment paperwork and requirements being met.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Councilman DiCostanzo mentioned Music in the Center's first episode is tonight at the pavilion by the bike path peanut line on Goodrich Road next to the Highway Department. Music, food and drinks will be available. With the good weather if you are close to the venue walk or ride your bike and I hope they have a good turnout. Lastly there were ten single family permits for the month of May with an average price of \$1.2 million which I can't believe. Additionally, the Clarence Rotary club is holding a Pickleball tournament Friday, June 26th through Sunday June 28, 2026 at Townview Park at 5400 Goodrich Road. Everyone who joins get a \$25 gift card to Russel's and open to people with all skill levels.

Motion by Councilman Shear, seconded by Councilman Altieri for the following:

This MEMORANDUM OF UNDERSTANDING ("MOU") is entered into this 24th day of June, 2026, by and between the TOWN OF CLARENCE ("Town") and HARVEST BRIGADE ("Licensee"). The Town grants a non-exclusive, revocable license for public-purpose community gardening activities subject to the terms and conditions herein.

1. License Grant. The Town grants a non-exclusive, revocable license only. No leasehold, tenancy, easement, or property interest is conveyed.
2. Purpose. Use shall be limited to community gardening, agriculture, environmental stewardship, beautification, education, and community welfare consistent with the Green Ribbon Neighborhood Initiative.
3. No Exclusive Possession. The Town retains full possession, control, and access at all times.
4. No Landlord-Tenant Relationship. This MOU creates a license only and not a landlord-tenant relationship.
- 4A. No Property Interest Created. Licensee waives claims of adverse possession, easement, vested rights, or other property interests.
5. Term. Twelve-month pilot term unless sooner terminated.
6. Community Development Committee Report. Written report due at least sixty (60) days before expiration.
7. Termination. Town may terminate at will, with or without cause.
8. Insurance. \$1,000,000 CGL insurance naming Town as Additional Insured.
9. Indemnification. Licensee shall defend and indemnify the Town.
10. Maintenance and Compliance. Property shall be maintained in a safe and lawful manner.
11. Restoration. Property shall be restored to substantially original condition upon vacating.
12. No Assignment. No transfer without Town consent.
13. Excess Product. Product from the garden is to be consumed by gardeners. The excess produce cannot be offered for sale, but may be donated to nonprofit organizations.

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding and Community Gardening License Agreement to be executed by their duly authorized representatives as of the date first above written.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Councilman Shear stated that a group of residents in Clarence Center came to the Town Board with a request to use a small portion of the property north of the Highway Department. They want to build a 200 by 400-foot garden amongst the 12 of them for personal consumption.

Conservation Department will aide them with any questions that they have with there master gardening expertise. The food will again be for personal consumption only and any access of food donated to local food pantries or individuals who cannot get out of their houses.

Councilman Altieri mentioned the Fireworks in the Park event taking place Monday June 29, 2026 from 4:00 p.m. until dusk at the Main Street Clarence Town Park 10405 Main Street. The last two years we had to use the rain date which is the day after but this year looks like we are going to have a nice day, I look forward to seeing everyone there.

Motion by Councilman Michnik, seconded by Councilman Shear to approve the request of the applicant, St. Mary's RC Church/Joanne Brown, for a Special Event Permit for "St. Mary's Annual Parish Picnic Weekend and Cruise Night" to be held on Friday, July 17, 2026 through Sunday, July 19, 2026, subject to meeting all conditions of the Special Event Permit, Memorandum of Agreement, and the Town of Clarence Operating Permit requirements.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Shear that resolved, the Clarence Town Board herby approves the purchase by the Town of Clarence of a portion of real property located at 9815 Clarence Center Road, consisting of approximately +/- 1.07 acres for an amount not to exceed \$20,000.00 plus any closing costs and disbursements subject to the terms and conditions of the conditional contract and to the Town's receipt of an acceptable environmental site assessment, if required by the Town.

On the question, Councilman DiCostanzo stated this is to help us continue with our bike path.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Karthigan Thavanesan at 6571 Conner Road. East side of Conner Road, north of Stahley Road. Recently approved 4.61-acre vacant parcel split from 6591 Conner Road, in the Agricultural Rural Residential zone. The applicant requests a Special Exception Use Permit for an attached secondary living unit as part of new home construction. The secondary living unit is approximately 691 sqft and proposed to be connected to the primary residence via a port cochere. The application states that the in-law suite will be utilized by an elderly mother and father. Town Board has the authority to consider this request after holding a Public Hearing. The main residence is proposed to have a roof ridgeline height of 39', which will require a 4' variance from the Zoning Board of Appeals.

Karthigan Thavanesan, the applicant, was present to answer any questions from the Town Board.

Supervisor Casilio stated we have spent a lot of time looking at this project making sure they don't look like nor become duplexes.

Lou Visone was present and stated this project was worthy and proud to hear this applicant wants to take care of his elderly parents.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to close the public hearing.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Councilman Altieri, seconded by Councilman Shear resolved, that after a public hearing duly held on Wednesday, June 24, 2026, and after all interested parties having been heard, the Clarence Town Board approves the request of the applicant, Karthigan Thavanesan, for a Special Exception Use Permit to allow for the construction of an attached secondary living unit as part of new home construction at 6571 Conner Road, located in the Agricultural Rural Residential zone and subject to the following conditions:

1. All conditions as required in the Zoning Law must be met.
2. Unit must be secondary to the principal dwelling and not converted to a rental unit.
3. Occupancy shall be limited to family members, paid employees or temporary guest(s).

4. Occupancy shall be restricted to 2 persons to occupy the unit.
5. A Deed restriction shall be placed into the Deed for the property restricting its use so as not to allow for the dwelling to be utilized or converted into a rental unit and such Deed restriction language is to be submitted and approved by the Town Attorney prior to the filing of the Deed.
6. An Agreement shall be entered into between applicants (and others if applicable) and the Town of Clarence, which agreement shall require that the applicant (and others if applicable) to prepare and record a Deed Restriction incorporating the conditions as spelled out in this resolution which shall be placed into their Deed. The Agreement and Deed restrictions shall continue in perpetuity. A copy of the Agreement is required to be filed as an attachment to the Deed. A copy of the Agreement is to be submitted to the Town Attorney prior to the filing of the Deed for approval.
7. Proof of filing of the approved Deed and attachment is required and must be submitted to the Town Attorney's office before a Certificate of Occupancy can be issued to the applicant.
8. The property owners, or any future property owners, shall provide certification to the Town Planning & Zoning office on an annual basis that the unit is being used in conformance with the conditions of approval. Failure to submit the annual certification may result in the termination of the Special Exception Use Permit, resulting in a Zoning Violation subject to enforcement and penalties as outlined within Town Code Zoning Law Chapter 229-160 and 161 or any changes made to the Code of the Town of Clarence in the future.

Councilman Shear asked the applicant if he has heard, understands and accepts the conditions.

Karthigan Thavanesan replied, yes.

On the question, the specific language for the Deed restrictions and the Agreement may be obtained from the Town Attorney's office.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

John & Frances Melinda Nowak of 4995 Bank Street. East side of Bank Street, north of Main Street. An existing 0.8-acre parcel containing an existing fire-damaged single-family residence and existing attached secondary living unit, located in the Residential Single-Family zone. The applicant requests a Special Exception Use Permit for the allowance of an existing attached secondary living unit within the existing residence. The single-family home was originally constructed in 1976. The attached secondary living unit was constructed in 1994. Due to a house fire suffered in 2025, the applicants are working with the Building Department to gain permits for the reconstruction and rehabilitation, as required. Upon review, it has been determined that the original 1994 addition floorplans and building permit description gave no mention to a secondary living unit kitchen, which currently exists. With this information now known, the applicant is required to request and receive this approval prior to a Certificate of Occupancy being issued. In an effort to allow the necessary reconstruction and rehabilitation work to occur without delay, these actions are being worked on concurrently. Town Board has the authority to consider this request after holding a Public Hearing.

Frances Melinda and John Nowak were present to answer any questions.

Susan Damin was present stating she lives across the street from the Nowak's for 38 years. I hope they get their approval for the living space they are looking for. They are wonderful neighbors who have suffered a huge loss who just want to come home and their neighbors want them home as well.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to close the public hearing.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Altieri for the following:

RESOLVED, that after a public hearing duly held on Wednesday, June 24, 2026, and after all interested parties having been heard, the Clarence Town Board approves the request of the applicants, John & Frances Melinda Nowak, for a Special Exception Use Permit for the allowance of an existing attached secondary living unit within an existing residence at 4995 Bank Street, located in the Residential Single-Family zone and subject to the following conditions:

1. All conditions as required in the Zoning Law must be met.
2. Unit must be secondary to the principal dwelling and not converted to a rental unit.
3. Occupancy shall be limited to family members, paid employees or temporary guest(s).
4. Occupancy shall be restricted to two (2) persons to occupy the unit.
5. A Deed restriction shall be placed into the Deed for the property restricting its use so as not to allow for the dwelling to be utilized or converted into a rental unit and such Deed restriction language is to be submitted and approved by the Town Attorney prior to the filing of the Deed.
6. An Agreement shall be entered into between applicants (and others if applicable) and the Town of Clarence, which agreement shall require that the applicant (and others if applicable) to prepare and record a Deed Restriction incorporating the conditions as spelled out in this resolution which shall be placed into their Deed. The Agreement and Deed restrictions shall continue in perpetuity. A copy of the Agreement is required to be filed as an attachment to the Deed. A copy of the Agreement is to be submitted to the Town Attorney prior to the filing of the Deed for approval.
7. Proof of filing of the approved Deed and attachment is required and must be submitted to the Town Attorney's office before a Certificate of Occupancy can be issued to the applicant.
8. The property owners, or any future property owners, shall provide certification to the Town Planning & Zoning office on an annual basis that the unit is being used in conformance with the conditions of approval. Failure to submit the annual certification may result in the termination of the Special Exception Use Permit, resulting in a Zoning Violation subject to enforcement and penalties as outlined within Town Code Zoning Law Chapter 229-160 and 161 or any changes made to the Code of the Town of Clarence in the future.

On the question, the specific language for the Deed restrictions and the Agreement may be obtained from the Town Attorney's office.

Councilman Shear asked the applicant if they have heard, understands and accepts the conditions.

Frances Melinda Nowak stated yes.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Stephen Development

- a. 8825 Main Street – Traditional Neighborhood District – Car Wash
- b. 9500 Main Street – Commercial – Willow Square
- c. 9735 Main Street – Commercial – Mixed-Use
- d. 10440 Main Street – Hollow Traditional Neighborhood District – Park Slope

The applicant requests Temporary Conditional Permits for food truck parking and operation. As per the application, only one food truck will be permitted at a time per property, and operating hours will be between noon and 9:30pm. The Town Board has the authority to consider these requests after holding a Public Hearing.

Tyler Pittruzella of Stephen Development, was present requesting Temporary Conditional Permits for food truck vendors at specific properties. Last year we had a trial run at the Clarence Driving Range on Main Street and we want to be able to offer more cuisine options in the Clarence area on Main Street. All vendors will follow all requirements and operate and serving preexisting traffic. Earlier there was a concern for the Roxbury traffic for the car wash, I wanted to state at this location it will be more focused on the west side along Main Street so it shouldn't disrupt or cause issues on Roxbury.

Supervisor Casilio asked if this could be once vendor roaming around or multiple vendors at the locations.

Tyler Pittruzella stated that there are about eight food trucks that work out of the shared kitchen space right now. There is an online scheduling system that each vendor will select times that are available at any location. So far what has happened is, like the driving range, vendors like to book one spot and stay at that spot continuously.

Supervisor Casilio stated, he is not a marketing expert, however it seems that if you have one location that you are at constantly, people will then go there.

Councilman Shear stated that he is assuming that it is one food truck per area per day, not multiples.

Tyler Pittruzella stated correct.

Councilman Altieri asked so if there are four locations, each location will have one truck.

Tyler Pittruzella replied, correct.

Councilman DiCostanzo wished all the businesses the best of luck, I don't think there will be much hardship here. I don't see ten or twelve cars backed up at these locations they will just come get food and go.

Brian Eckert was present stating that he is on Roxbury Drive and will see and hear the traffic the most. My concern is noise, volume of traffic, smells as well as the question the Planning and Zoning Department couldn't answer, if this would be five days a week 365 days a year. My understanding is that at this specific site there were two locations on the site for the trucks. If granted, I would request that one of the locations would be removed, the one closer to Roxbury and Main Street. If this is a Temporary Conditional Permit does this mean it is automatically renewed every year or will there be a hearing in the future.

Supervisor Casilio stated all the locations are for a one-year Temporary Conditional Permit.

Councilman Shear stated that, as the resident has suggested the food truck at the car wash location will be along Main Street and on the west side. History has told us that it is not going to be a dozen cars going in for lunch, it will be as one comes, one will go.

Brian Eckert stated that you can't guarantee that and I don't want to wake up one day with a dozen cars there. It is nice to say but that's different in real life.

Councilman Shear stated that is not the purpose, nor is it a reason for use not to give the permit when it becomes a nuisance.

Brian Eckert stated so then the neighbors and I can petition the approval.

Councilman Shear stated yes, if it is appropriate and meaningful. Assuming we permit it, just because you don't want it, if it's not a problem we would not stop it.

Brian Eckert stated that as long as there is recourse available if there are problem.

Councilman Shear reiterated yes, you have recourse.

Jeff and Cindy Schneider were present and concerned about the Main and Hillcrest location. We are not against the food truck idea we just a couple of concerns, first being, our property is about 400 feet down Hillcrest Drive. There is a no parking sign but with past history and the previous owner of the building, we have had a lot of people park along our property line and they aren't supposed to. They have blocked me in where I then have to locate the owner to be able to move my vehicle or trailer. We are concerned with the parking along Hillcrest and want to make sure there are provisions for no parking there. Secondly, garbage, believe it or not people still throw garbage out the window, which is hard to believe with today's day and age but they do. It's all along Main Street, in our hedge row and yard. With a food truck there will be garbage, these are the two things my wife and I are worried about. The third thing is, I don't see our neighbors, but behind us, three or four houses all have small children. People come flying up the road and around the corner at 40 mph and kids are out riding bikes, skate boards or doing whatever. One truck may not increase a lot of traffic but it is our main concerns. Cindy stated that they turn off from Main on to Hillcrest, gets dangerous. Nobody looks, with a truck there and all these kids running around, it is a huge safety issue. We thought other neighbors would be here at address the concern but we are here. These cars gun it and the houses right behind us all have kids. There is no light so traffic backs up and is a big concern. People don't look coming up the hill or stop, they just go.

Councilman DiCostanzo stated he understands the concern but it is Main Street and it is traffic. I live at the other end near Bar Bill, I am appalled at some of the driving along Main Street. This is about a food truck, and I don't think a food truck will make that big of a deal of traffic. We have traffic issues, I am not denying that, we have a coffee shop opening on the other corner, we can't deny them opening because there is going to be more cars.

Cindy Schneider stated that when it was an ice cream shop it wasn't a concern, but a food truck will bring in people from all over, that's what they go for.

Councilman DiCostanzo stated they don't bring in traffic from all over, it's the people that are already driving past there to stop and get something to eat.

Councilman Shear reiterated this is not a group of food trucks, it's one on any given day or one once a week with whatever their arrangements are. If it's hot dogs, how many people stop for a hot dog, three or five, but not in a cluster, they stop get what they want and leave. This is not like Labor Day where you have five trucks and 2,000 people.

Brian Eckert stated if that's the logic then why have the food trucks in the first place if no one is going to come.

Jeff Schneider stated that I still have concern about the parking, we have one no parking sign that the Town put up about half way down my Hillcrest property line. If we could add an additional no parking sign at the end of my property so people see it and pay attention to it because they are blocking me in.

Supervisor Casilio stated that the Superintendent of Highways, was present at the meeting texting me stating that he will get you another sign.

Councilman Altieri stated that as for the garbage, you can't fix stupid, I can't stand it when people throw it around and I always pick up anything when I see it.

Supervisor Casilio stated that I understand your concerns, the building is kind of dead right now so you don't have all the cars. If you go back years ago to when that building was busy with the doughnut shop and additional businesses.

Jeff Schneider stated that before coming today we thought it would be four or five trucks which it isn't.

Councilman Shear stated one truck and not necessarily every day.

Councilman Altieri stated we will be monitoring the locations as well.

Supervisor Casilio thanked the couple for their comments.

Lou Visone was present and stated that he thinks this is a great location, both locations, and Paul Stephens runs such a great clean operation, don't be afraid of garbage. I am envious of his properties, he has the best grass, cleanest properties and 1,000 times cleaner than Main and Sheridan coffee shop. Kudos to Paul for a great operation.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to close the public hearing.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Councilman DiCostanzo asked about the garbage, I am assuming that the food trucks have garbage cans or take the trash.

Tyler Pittruzella stated that each truck has garbage cans in whatever capacity they have. We have not had any issues at all yet at the Clarence Driving Range. If anyone has any concerns or issues do arise, please reach out to at Stephen Development, we are here not to make anything worse. With the kids being nearby, we have ice cream trucks too so that could be an exciting and a big bonus being within walking distance.

Councilman DiCostanzo added that they own this property as well now with the coffee shop coming and if a business office opens there you wouldn't keep the food truck there would you, as you would need parking for the tenants.

Tyler Pittruzella stated correct.

Supervisor Casilio stated that if the locations get out of sorts, we can question Paul Stephens and change the location if needed and it's not working well.

Jonathan Bleuer commented that he would encourage the Town Board to consider an annual permit. If you do a shorter term like three months, we will not be able to get a good sense of the operation in such a short period. This is an irregular operation that could happen any given day or week. Renewals occur every spring in this forum and do come back to you yearly to address any problems.

Councilman DiCostanzo said recourse was mentioned, this is it, you screw up and come back in a year we will not renew the permit.

Motion by Councilman DiCostanzo, seconded by Councilman Shear for the following:

RESOLVED, that after a public hearing held at the duly convened Town Board meeting on Wednesday June 24, 2026, and after all interested parties having been heard, the Clarence Town Board, hereby, approved the request of the applicant Stephen Development, for Temporary Conditional Permits for food truck parking and operation on the following properties:

- a. 8825 Main Street – Traditional Neighborhood District
- b. 9500 Main Street – Commercial
- c. 9735 Main Street – Commercial
- d. 10440 Main Street – Hollow Traditional Neighborhood District.

1. Initial permits shall be for a term no greater than one year.
2. Operation shall occur in compliance with site and business plans submitted by the applicant to the Planning Office on March 10th, 2026.
3. All food trucks shall be licensed in accordance with Town of Clarence Local Law Chapter 147, and be properly insured and inspected per requirements of the Clarence Building Department.
4. Applicant meeting any requirements of the Town of Clarence Planning, Engineering, and Building Departments and any associated conditions.

On the question, Councilman Shear asked the applicant if they have heard, understand and accept the conditions.

Tyler Pittruzella replied, yes.

Upon roll call – Ayes: Councilman Altieri, Councilman Shear, Councilman DiCostanzo, Supervisor Casilio; Noes: None; Absent: None; Recuse: Councilman Michnik Motion carried.

Goodrich Thompson, LLC. at SBL 71.14-1-26. East side of Thompson Road, west side of Goodrich Road, north of Main Street. An existing 34.7-acre vacant property containing an unpermitted topsoil operation in the Commercial and Residential Single-Family zones. The applicant is requesting consideration of a Temporary Conditional Permit for a topsoil operation. In October of 2025, the Planning Office received a complaint regarding machinery activity, noise, and vibration in the area. Upon investigation, the Planning Office determined that the applicant, Lou Visone, was responsible for the unpermitted activity. In November of 2025, the Planning Office received a joint letter of complaint by area residents. In April of this year, the Planning Office gave notice to the applicant to cease unpermitted activity within 30 days. In May, the Planning Office met with the applicant and his representatives, and the applicant submitted this request shortly thereafter. A referral to the Planning Board would allow for a thorough review and recommendation of this proposal.

Mike Metzger, on behalf of the applicant as well as Lou Visone, the applicant, were present to answer any questions. We are looking for a Temporary Conditional Permit for the activities that have been happening there for some time by an existing established Clarence business owner. From time to time we bring topsoil to the site to hold it. Some of it is used onsite because it is quite a large piece of property, on top of the escarpment, where the bedrock is close to the surface. The applicant maintains his property mowing it on a regular basis. The bedrock that finds its way to the surface causes damage so he tries to place the top soil where it is thin. The top soil is also part of his ongoing, existing business and from time to time he will pick the topsoil up and take it to a project site. The applicant is willing to agree to a time frame of 8:00 a.m. to 5:00 p.m. during the day Monday through Friday. In all reality, they are there maybe once or twice a week and typically during the summer months. Access would continue to be off of the existing Main Street entrance which has been there for quite some time. With that, we are happy to answer any questions you should have.

Supervisor Casilio stated that during the work session the applicant was in on some conditions already that you should be aware of. I think the feeling is to send this on to the Planning Board to iron out some details, removal of stone, site lines that are or might not be protected. There was an open discussion about a top soil business also that is not on the table but could be on the table. I think three months is awfully aggressive and appreciate it but it should be

something more realistic, like eight months to a year with a recommendation from the Town Board to be figured out.

Motion by Councilman Shear, seconded by Councilman Altieri to refer the request of the applicant, Goodrich Thompson, LLC, to the Planning Board for consideration and recommendation of a Temporary Conditional Permit for a topsoil operation at SBL 71.14-1-26, in the Commercial and Residential Single-Family zones.

On the question, Supervisor Casilio asked what the property was zoned as.

Jonathan Bleuer stated it is split zoned, commercial on a small portion but the majority is a residential single-family zone. The business operation is not allowed in either zone.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

PB Investors, LLC, at 5695 & 5731 Transit Road. East side of Transit Road, south of Highland Farms Drive. An existing 10-acre vacant property located in the Commercial and Restricted Business zones and Erie County Sewer District #5, previously approved for a mixed-use project containing 22,810 sqft of commercial space and 84 multiple-family housing units. The applicant is requesting consideration of a proposed residential density increase within the previously approved mixed-use project. 10 additional multiple-family housing units are proposed to be added totaling 94 units, while the commercial space remains unchanged. Three new 4-unit townhome buildings are proposed, in place of previously approved detached garage buildings, and 2 residential units removed from the mixed-use building. A referral to the Planning Board would allow for a thorough review of this proposal. This residential density increase would be subject to a variance by the Zoning Board of Appeals as the approved project has no additional residential density allowance.

Sean Hopkins, and Paul Bliss were present on behalf of the applicant.

Sean Hopkins gave a brief overview of where we were and where we are now as to why we are proposing what we are proposing. On the northern portion of the sit there were garages directly behind the homes on Highland Drive with 58 spaces, with a set back of 45 feet. As you know also from the extensive review process that started back in 2021. We did incorporate impute from a wide variety of stake holders including property owners on site. In addition, two things happened that we didn't expect, first thing, while we were always showing a drive way out to Highland Drive, ultimately, we had to buy a portion of that parcel. Secondly, everyone including the Town thought there was an easement in place across to Roll Road and turned out that easement wasn't in place, after an 18-month review process which cost time and money with reasonable changes. The mixed-use building had only the reduction of two units adding three, two story four-unit town houses that basically replaced those garages. We still have 261 parking spaces with an updated parking analysis completed which exceeds the parking demand. We would need to go back to the zoning board of appeals for density. They have already been issues a negative declaration pursuant to SEQRA in 2023. Then the following plan for phase one was approved on June 5, 2024. Keep in mind that the success of this project depends on the parallel sanitary sewer line with progress has been advanced. That is the reason we haven't started the project, it doesn't make sense to develop this project in two phases. Ultimately, we are hopeful that will move along, in the meantime get approval for what we are modifying to proceed with construction. We are still very interested in this project being successful especially seeing all the time and effort that has been being made. Finally, I wanted to highlight buffers, what is required is 45 feet and we still comply with what we agreed to originally, voluntarily. The townhomes to the north remain at 239 feet, with the southernmost remain at nearly 180 feet. The benefit of these changes is for the homeowners on Highland Farms Drive. The only neighbor who wasn't in favor of the garage placement, now to move those garages and replace them with townhome buildings. The good thing is we doubled the set back. We did relocate the dog park based on comments received and think the changes are very minor and think the layout is better than what was originally approved. With that we hope this project is approved and we are here if you have any additional questions we can answer.

Councilman DiCostanzo asked about saving some of the vegetation on the parcel.

Sean Hopkins stated we are not changing what we were saving in terms of vegetation we are keeping approximately two acres. We also did work out unrelated issues with the parking and access, spending time with three of the adjoining property owners.

Supervisor Casilio stated, it's great that you are tying in Clover, it's better for everyone, it's an accident waiting to happen. Hyland Farm, I think this is a better project and is great with 84 feet away from the other homes.

Motion by Councilman Altieri, seconded by Councilman Shear to refer the request of the applicant, PB Investors, LLC, to the Planning Board for consideration of a proposed residential density increase within a previously approved mixed-use project at 5695 & 5731 Transit Road, in the Commercial and Restricted Business zone.

Upon roll call – Ayes: Councilman Altieri, Councilman Shear, Councilman DiCostanzo, Supervisor Casilio; Noes: None; Absent: None; Recuse: Councilman Michnik Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to approve the applications as follows: Legion Hall: Richard Slisz August 8, 2026 and Aaron Aisen December 4, 2026. Clubhouse: Clarence Senior Center October 22, 2026, Clarence Concert Association November 6, 2026 and Clarence Historical Society December 13, 2026.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Motion by Councilman DiCostanzo, seconded by Councilman Altieri to approve the bill pay of June 18, 2026 as follows: General Funds \$348,023.78; Highway Funds \$184,951.58; Fire Protection Districts \$2,436.66; Drainage Funds \$2,116.96; Lighting Funds \$744.10; Sewer Funds \$210,380.79 and Capital Funds \$208,656.00 for a total bill pay of \$957,309.87.

Upon roll call – Ayes: All; Noes: None; Absent: None; Motion carried.

Councilman DiCostanzo said Happy Birthday to America.

Councilman Altieri again explained that they moved the fireworks four years ago to the Monday prior to the 4th of July and it has worked out great being able to get volunteers to help as everyone is busy on the weekends.

With no further business, Supervisor Casilio adjourned the meeting in honor of Robert Farolino, Deputy Town Clerk Janel Farolino's father-in-law as well as Kevin Rosel, son of retired Paralegal Cindi Rosel, both have recently passed away.

Karen Lang
Town Clerk