

Town of Clarence
One Town Place, Clarence, NY 14031
Planning Board Minutes
Wednesday, July 15, 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 Altieri led the Pledge of Allegiance.

Planning Board Members present:

Chairman Robert Sackett
2nd Vice-Chair Wendy Salvati
Jason Geasling
Keith Lukowski

Vice-Chair Richard Bigler
Gregory Todaro
Daniel Tytko

Planning Board Members absent: Jason Lahti

Town Officials Present

Director of Community Development Jonathan Bleuer
Councilman Paul Shear
Councilman Bob Altieri
Deputy Town Attorney David Donohue

Other Interested Parties Present:

Pat Wheeler	James Lewandowski	Alan K. Scheff	Carrie Classer
Paul Bliss	Chris Wood	Ryan Sandner	Lucas James
Paula Maxwell	Lori White	Leonard Higgins	Julie Higgins
Mike Metzger	Albert Nemmer		

Item 1

Lucas James
Commercial

Requests Development Plan approval of a Conceptually approved 27-room Skyline Hotel and Restaurant, at 9485 Main Street, SBL 71.15-2-2.1.

DISCUSSION:

Mr. Bleuer introduced this project at 9485 Main Street, SBL 71.15-2-2.1. Located on the south side of Main Street, west side of Gunnville Road, north side of North Melinda Drive, it is an existing 9.5-acre vacant parcel in the Commercial and Residential Single-Family zones.

The applicant is requesting Development Plan approval of a Conceptually approved 27-room boutique hotel and restaurant, called the Skyline Hotel & Restaurant. The structure will be 3-stories, approximately 45' tall at the highest point of the roof ridgeline, and wholly located in the Commercial zone.

The Town Board referred this proposal to the Planning Board in September of 2024. In November of 2024, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). In January of this year, the Planning Board issued a Negative Declaration under SEQRA, and Concept Plan approval subject to 20 conditions. In March, the Landscape Review Committee approved a final landscape plan. Most recently in June, the Engineering Department determined that the Development Plan meets all technical requirements.

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

Lucas James was present to represent his request.

Mr. Todaro noted that Mr. Lucas has met the changing conditions and items that were set forth by the Landscape Review Committee, Town of Clarence Engineering Department, and the New York State Department of Transportation (DOT). Any remaining technical comments have been resolved.

Mr. Todaro asked if there have been any major changes since the Concept Plan was approved that have been incorporated.

Mr. James stated no; it has been pretty consistent.

Mr. Todaro asked how the neighbors that live to the back of the proposed development will be shielded from the viewshed and noise.

Mr. James noted that as seen as on the site plan, there is quite a bit of trees, foliage, and distance, and they have shifted the site closer to Main Street since the initial conceptual review. They are doing everything possible to make this is a very private, and noise resistant.

Mr. Todaro asked about the use of the third floor.

Mr. James stated that both the third floor and first floor patios are flex spaces for private parties, weddings, corporate events.

Mr. Todaro confirmed with Mr. James that he understands any proposed commercial use outside of those areas approved tonight will be subject to a temporary use permit.

Mr. James responded that it was explained to him, and that is not a problem with him; they will apply for that as soon as it is appropriate.

Mr. Todaro explained that one of the biggest concerns of the neighbors is noise. If music was pumped out of those areas, they would have to abide by town code, and what the permit allows.

Mr. James agreed.

Mr. Todaro asked Mr. James to explain construction plans, and how that will work with start and end times, how ingressing and egressing will work, and how long construction will last.

Mr. James stated that construction will probably take about a year and a half. Due to a lot of unforeseen delays, he is not sure they will be able to start this summer or not.

Mr. Todaro asked if there are any plans to work through the winter.

Mr. James responded that if the building is up, then they can work inside, but there is very little site work that can be done in the winter.

Regarding protection of the neighbors in the back, Mr. Todaro asked if the greenbelt that is there will be sufficient in the winter to mitigate views to the neighbors. Is there enough vegetation to block lighting and noise when there are no leaves on the trees.

Mr. James stated that there will not be any lights that will be pointing backwards to the back of the property, towards the neighborhood. A photometric plan was done as well. From certain angles in the winter, he does not doubt that you will still be able to see the building. They will still be far off; it is not close by. Even in the winter they still have to comply with any noise regulations.

In regard to being dark-sky compliant, Mr. Todaro noted that there is a 15' maximum on light poles, and asked Mr. James to explain where the light poles are planned for on this site.

Mr. James noted that the lights are dark-sky compliant, primarily located in the islands in the parking lot area. While they need to light all areas of the parking lot, they are more heavily located towards the street.

Mr. Todaro confirmed that the lights go off an hour after the close of business.

Mr. James stated that they can be set for that, it would be his preference as well.

Mr. Todaro asked Mr. James to explain the stone wall that will be constructed in the front of the site, and how it will look.

Mr. James responded that it runs the entire length of Main Street, it is not optional, he has to build it. It has to be built a certain way, and it has to be included in his plans. It will look very similar to the other stone walls that are on Main Street.

In regard to garbage and the location of the dumpsters, Mr. Todaro asked Mr. James to explain the location of that on the property, and how it will be secured.

Mr. James stated that it will be located in the back corner, it will be secured, and it has a privacy fence around it to buffer the view. There is also some shrubbery on the side to provide an extra layer of privacy.

Mr. Todaro asked Mr. James if he anticipates the dumpster being accessed every day.

Mr. James stated that it will most likely be accessed twice a week.

Mr. Todaro asked where snow will be stored in the winter time.

Mr. James explained that there is ample area to store the snow; largely in the rear and along the side, in the parking area at the back of the site. That way it will not hinder any of the retention areas.

Mr. Todaro asked if it would eliminate any parking spaces in the winter time.

Mr. James responded that he does not think it will, because they have ample area to store the snow.

Mr. Todaro noted that they would not want to harm any trees that are at the back of the site.

Mr. James stated that none of the trees or foliage in that area are on the landscape plan, and he does not see any trees being harmed. They may need to re-fertilize some grass, but that is all.

Mr. Todaro asked where the mechanicals will be placed, and how will they be shielded.

Mr. James explained that there are two small flat roofs located on the east side and the west side of the building. There will be parapet walls which should shield the majority of the equipment on the rooftop.

Mr. Todaro asked if it is hidden from both sides of the longer parts of the edifice on both the Main Street side, and the back side.

Mr. James responded yes.

Mr. Todaro asked if there has been any change in materials to the building that were not first proposed.

Mr. James stated that the color changed a little bit; he is leaning towards the color Bamboo aluminum wood-look product on the front, in coordination with stucco and stacked stone.

Mrs. Salvati asked about the lighting on the third-floor patio.

Mr. James stated that there will likely be several lanterns lighting the patio space, similar to a wall sconce. There will also be down lighting from the soffits.

Mrs. Salvati explained the lighting and why the Board wants lights shielded and downward facing.

Discussion continued regarding shielded lighting.

Mrs. Salvati confirmed that the lighting down to the patio and fish pond will be bollard lighting.

Mr. James responded yes; any lights that go out to the back will be low-powered, residential caliber, and dark sky compliant.

Mrs. Salvati asked what the hours of business will be, when will they close in the evenings.

Mr. James stated that typical restaurant hours is what he assumes, and asked Mr. Bleuer what the permitted hours will be.

Mr. Bleuer explained that any outside noise would be controlled through a Temporary Conditional Permit. Typically, they would never approve anything beyond 11:00 p.m.

In regard to Public Participation, the following residents spoke:

1. Alan Scheff owns 9504 Main Street:

- what kind of hotel is this, what does a boutique hotel mean, and what kind of restaurant.
- what is the target clientele
- concerned with the number of car accidents that occur between Gunnville Road and Goodrich Road
- will there be permanent tenants allowed in this hotel – Chairman Sackett responded no
- are the line of trees between his property and the hotel property going to stay
- does the applicant know that there is significant rock that needs to be chipped in order to build
- referring to the garbage being located in the back corner of the proposed site; will it be in the back corner right by Mr. Scheff's building

2. Albert Nemmer of 9393 Main Street:

- in favor of this proposed project, feels that the Town of Clarence needs this type of facility, as long as it is run properly, he is all for it
- something needs to happen in that area, it is currently dead space

3. Paula Maxwell of 4490 Patricia Drive:

- Concern for disruption of quiet area – wondering about noise limits
- Traffic impact study should be done, there is already heavy traffic in the area
- Location near the high school, concerned for student safety, feels there should be a buffer zone relative to the school

Chairman Sackett asked Mr. James to address the questions and concerns from the residents. He asked if he has formulated a target audience for the hotel and restaurant.

Mr. James stated they are trying to steer this project in a different direction from other hotels on Main Street. He is aiming to serve a higher-end clientele and it is classified as a boutique hotel. It is private labeled. A boutique references the number of rooms. A typical hotel has 110-140 rooms. This hotel has a limited number of rooms at 27. It has a much lower impact and geared toward high-end clients in the restaurant, banquet and hotel rooms, all uses.

Chairman Sackett said traffic seems to have a high level of concern. He asked what hours of highest volume of activity would occur at this site.

Mr. James said the threshold the DOT has for requiring a TIS (Traffic Impact Study) is an expected increase of 100 vehicles or more. Research was done and a report submitted from an official company that provides traffic study research. They concluded the impact showed 40-55 vehicles. He agrees it is

congested in that area. Whoever develops this empty commercial lot will have to deal with the traffic. He believes mid-morning and mid-afternoon would be the times for increased traffic activity.

Chairman Sackett asked if the restaurant will be open for breakfast, lunch and dinner.

Mr. James said he does not think they will be open for breakfast, other than a continental breakfast for guests, as Goodrich Coffee is nearby. He does not want to compete with them.

Chairman Sackett asked if he was familiar with the line of trees that was referenced by his neighbor.

Mr. James said he is very familiar with the line of trees and that is one of the factors causing delays with the engineering department. They want a swale going along the line and he wants to keep as many trees as possible. He agrees a few trees will have to be removed to meet the requirements of the engineering plan and wants as much greenspace as possible. The majority of trees are staying.

Chairman Sackett said there was a question on garbage location.

Mr. James states he does not think the other commercial site will be able to see the garbage due to the heavy line of trees and grass retention swale in that area.

Chairman Sackett asked about the concern for alcohol use and students. He asked if there were plans for alcohol use outside the building.

Mr. James said the only alcohol use would be on the third-floor balcony, but that is in the building. There should be no alcohol leaving the building for consumption at all.

Regarding a question about rock chipping, Mr. James explained that part of the reason it has taken this site so long to sell, is because any developer knows what they are going to encounter beneath the surface of the ground, which is a lot of bedrock. They have gone through significant lengths to reduce the amount of chipping to be done, and there will be no blasting at all. The chipping that will be done will be done during business hours, certainly not after hours.

ACTION:

Motion by Gregory Todaro, seconded by Richard Bigler, to **approve** the Lucas James Skyline Hotel and Restaurant **Development Plan**, located at 9485 Main Street, per the submitted plan by DEL Resource, dated May 14th, 2026, and to **approve** the **Final Architectural** drawings by Dean Architects, dated May 8th, 2026, all subject to the following conditions being met:

1. Applicant meeting the requirements of the Engineering and Building Departments, including Fire Inspector, and all associated conditions, prior to any permits being obtained for site work activity or construction on the property.
2. Subject to the issuance of permits from outside agencies, as required, and any associated conditions.
3. Applicant meeting the requirements of the Landscape Committee Approval on March 10th, 2026, and associated conditions, including but not limited to, the management of all landscaping in perpetuity and replacement, in-kind, should there be any deterioration, or death, or disease to plantings; and the maintenance of all walls and fencing, and replacement in kind, should there be any deterioration or damage.

4. Dumpster enclosures shall remain closed at all times when not in use. Garbage service shall occur in conformance with Town Code. No garbage or debris shall accumulate outside of the dumpsters.
5. All site lighting shall comply with the Town Code, be dark sky compliant, and shielded to prevent spillage onto adjoining properties. No building lighting shall extend above the roofline and no freestanding lighting shall be elevated above 15'. Any overnight lighting shall be dimmed to the greatest extent feasible, with full cut off shields to prevent view of the light source from area residences.
6. Buildings to be constructed per the labeled materials and rendered colors, and building materials to be used shall be of industry standard high quality for durability and appearance.
7. Any exposed mechanicals shall be shielded from view by approved screening and/or landscaping, and any roof vents shall match the roof color.
8. Building and site shall be maintained as approved, in perpetuity, and any building and site deficiencies shall be repaired or replaced as approved.
9. Paved areas to be striped and maintained in perpetuity. No parking of vehicles outside the designated parking areas.
10. No outside display or storage of any kind on the property unless same shall have been pre-approved by the Town, including but not limited to goods, materials, debris, or other items.
11. No additional business operations or operators without proper application made by the applicant and with review and approval by the Town.
12. Hotel rooms shall not be converted to multiple-family housing units.
13. Any future proposed commercial outside operations shall be subject to a Temporary Conditional Permit as reviewed and approved by the Town of Clarence.
14. 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.
15. Subject to Open Space, and any other applicable fees as required by Town Code.

Mr. James has heard, understands, and agrees to the conditions.

ON THE QUESTION:

Mr. Todaro stated that this is a prominent location on Main Street. The success or failure of this project will depend on the upkeep of this facility, as well as the success of working with the neighbors behind the facility in regard to maintaining low noise, and low light within the area.

Discussion regarding after-hour lighting for hotels that technically do not close.

Mrs. Salvati asked if parking lot lighting is expected to stay on all night.

Mr. Bleuer stated that he expects that the applicant will cut-off all unnecessary lighting, but the Town of Clarence does not have the ability to enforce when this business closes.

Chairman Sackett asked Mr. James if his intent is to dim the lighting in the parking lot at the appropriate hour.

Mr. James responded yes; but with a basic understanding of electric, he is unsure if a timer can adjust the dimness.

Chairman Sackett asked Mr. James if he will make every effort possible to dim the lights in the parking lot.

Mr. James responded yes. He feels that leaving the lights on that are closer to the building to provide safety 24-hours, while keeping the ones in the back that are closer to the residents turn off on a timer is what he intends to do. If there is a more favorable dimming option, he is open to that as well.

Chairman Sackett stated to Mr. James that he understands his intent.

Mr. Bigler stated that for safety purposes, all of the lights may need to be left on. We are not stopping that, safety is important.

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

MOTION CARRIED

Item 2

PB Investors, LLC.
Commercial & Restricted Business

Requests Conceptual review of a proposed residential density increase within a previously approved mixed-use project, containing commercial space and multiple-family housing at 5695 & 5731 Transit Road.

DISCUSSION:

Mr. Bleuer introduced this project at 5695 & 5731 Transit Road, located on the 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 sq. ft. of commercial space and 84 multiple-family housing units.

The applicant is requesting Conceptual review 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.

The Town Board referred the proposal to the Planning Board in June of this year.

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

This residential density increase would be subject to a variance consideration by the Zoning Board of Appeals.

Chris Wood with Carmina Wood Design was present to represent this request, adding that 2 townhomes on the north side that are replacing the detached garages, the detached garages were 45' from the property line, while the proposed townhomes are approximately 84' from the property line. They moved them back for the residents.

Mr. Geasling asked why are they making these changes to the proposal, why was this not the original plan.

Project Developer Paul Bliss addressed Mr. Geasling's question, explaining that economics played a large role in these changes. They are waiting for the balance of the sewers to do Phase 2 of the project, which is the townhomes. It has been approximately 2 years since the received approvals for the site that is currently approved. With building costs rising, it is becoming increasingly difficult to build, and with this short delay, they will add some units for economic reasons.

Mr. Geasling asked if this project will be phased.

Mr. Bliss responded no; it will not.

Mr. Geasling noted that this is a relatively minor change as far as the additional residences, was there a traffic analysis previously done.

Mr. Bliss responded yes; there was a traffic analysis done based on the approved plan, and they have updated that traffic analysis based on this updated plan with the added 10 units.

Mr. Wood noted that the 10 units is a minor increase, and does not warrant a traffic study. They do need to get their Department of Transportation work permit, at which time they will determine if the increase warrants a traffic study.

In regard to Public Participation, the following residents spoke:

1. Carrie Classer of 5728 Field Brook Drive:

- house backs up to development
- wants to confirm tree line at back property line stays as it is, and that the berm will still be built
- would like to see the proposed site lighting, concerned with winter time and the ability to see the proposed development when there is limited foliage
- concerned with proposed access road with the 10 additional units
- timing and length of time this proposed project will take in regard to noise, as well as the proposed hours of construction

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

Mr. Wood returned to address the questions and concerns, stating that the lighting plan that was previously submitted with the original proposal has not changed.

Chairman Sackett confirmed that they do not expect any spillage in to the Highland Farms neighborhood because of these added units.

Mr. Wood responded no. Anything that required shields at that time, will still require shields.

Regarding the landscaping and the tree line, they will have deed restricted open space, and the open space between the townhome units will increase in green space as opposed to decrease.

Chairman Sackett confirmed that nothing has been decreased; space has been increased.

Mr. Wood responded yes; and any landscaping that has been proposed will stay.

Chairman Sackett asked Mr. Wood if he has any idea on the number for the minor traffic increase.

Mr. Bliss explained that a report was filed with the Planning Office so they can reference that, but he would add that since they were last in front of the Planning Board, they have gained access to Highland Farms and Roll Road. They have two lanes exiting on to Transit Road via Highland Farms, and the access to Roll Road is by way of Transit Pointe. They now have 3 access points, whereas when they were here in front of the board last, they only had 1 point. They understand the traffic at Highland Farms during school hours, and are doing their best to offer alternative ways of exiting and egress from the site.

Chairman Sackett asked if once sewers have been approved, does Mr. Wood have any idea how long this proposed project will take to develop.

Mr. Bliss stated right around 15 months and their working hours are the standard 7:00a.m. to 5:00 p.m. 5.5 days a week. The existing tree line is the limit of disturbance.

Regarding the access agreement for Roll Road, Mr. Bigler asked Mr. Bleuer if the Planning Office has a copy of that.

Mr. Bleuer responded yes.

ACTION

Motion by Jason Geasling, seconded by Gregory Todaro, that pursuant to Article 8 of the Environmental Conservation Law, to **accept** the Part 1 Environmental Assessment Form as submitted and to seek Lead Agency status and **commence a coordinated review** among involved and interested agencies on the proposed PB Investors, LLC. mixed use project at 5695 & 5731 Transit Road, in the Commercial and Restricted Business zones. This Unlisted Action involves the proposed residential density increase within a previously approved mixed-use project, containing commercial space and multiple family housing.

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

MOTION CARRIED

Item 3

Clarence Motor and Sport Estates
Industrial Business Park

Requests Development Plan approval of a Conceptually approved automotive self-storage facility at the Southwest corner of Goodrich Road and County Road, SBL 44.00-1-51.2.

DISCUSSION:

Mr. Bleuer introduced this project at 9397 County Road, SBL 44.00-1-51.2, located at the southwest corner of Goodrich Road and County Road.

This is a previously approved and split vacant parcel containing 10.6-acres located in the Industrial Business Park zone.

The applicant, Leonard and Julie Higgins, are requesting Development Plan approval of a Conceptually approved automotive self-storage facility. The project includes single-story buildings, comprising of individual units, to be utilized for storage of vehicles, recreation and leisure. Two access points are proposed; one to Goodrich Road and one to County Road. The buildings are proposed to be constructed with a mixture of wood, brick, metal, and Hardie board siding.

The Town Board referred this proposal to the Planning Board in January of 2023. The Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA) in August of 2023. In December of 2024, the Planning Board issued a Negative Declaration under SEQRA, and Concept Plan approval subject to 17 conditions. In June of this year, the Landscape Review Committee approved a landscape plan for this project. Most recently in July, the Engineering Department determined that the Development Plan meets all technical requirements.

The Planning Board has the authority to consider this Development Plan. An approval would constitute the final Board action prior to construction.

Present to represent this project are Project Engineer Michael Metzger, and the applicants, Leonard and Julie Higgins.

Mr. Metzger added that the originally approved Concept Plan showed 56 units, but after removing one of the units, there are now 55 units from the plan.

Mr. Tytko asked what the plan is for renting monthly or year-long.

Mr. Higgins stated that they are currently looking at long-term leases, most likely 99-years.

Mr. Tytko asked who will be the property management handling the leases and any issues or repairs.

Mr. Higgins stated that they are still the owners of the property, so they will be managing all of that.

Mr. Tytko explained to Mr. Higgins that the Planning Board wants to be sure that the property owners are monitoring the leases, making sure no businesses are being run from the units, and following the conditions.

Mr. Higgins stated that at the point of selling the leases, or however they proceed, there will be a deed restriction that the lawyers will look at to be sure everyone is following the same rules.

Referring to the drainage in the bays, Mr. Tytko asked how they will monitor that nobody is changing their oil in their bay, is there a filtration system or is there a plan in place.

Mr. Metzger stated that as far as someone putting oil down the drain, they can be sure that it is part of the lease agreement that it would be a violation of environmental laws. The drainage system on this site has been designed and developed in full conformance with the New York State stormwater regulations. The catch basins have sump pumps, there are bio retentions for treatment of water before it is discharged, and it will be detained as well.

Mr. Tytko asked about the interiors, noting that everything is a blank canvas.

Mr. Higgins stated that everything can be built by the owner, they can start from scratch and choose their options.

Chairman Sackett asked what the major restrictions are that will be imposed in the lease.

Mr. Higgins does not want people parking outside of their storage unit if they are not there. He does not want people storing the cars outside and covering them with blue tarps. This is a pristine, clean area.

Mr. Metzger added that there will be provisions regarding trash.

Chairman Sackett asked about people potentially living on-site.

Mr. Higgins stated that there is no living there.

Chairman Sackett stated that they will restrict setting up living quarters.

Mr. Metzger added that it will be within the lease.

Mr. Donohue advised that the Town of Clarence would like to review the leases, as part of a condition of approval. They would also like the leases to state that there will not be any businesses operated from the property.

Mr. Todaro asked if knowing that it is now going to be leasing of units rather than selling the units, how does the insurance work.

Mr. Higgins stated that they are working all of that stuff out right now. Once they have the approval, they will work with the attorneys.

Mr. Todaro asked if this building has fire barrier between units.

Mr. Higgins stated that the units are all sprinklered, then there are firewalls on each unit.

Mrs. Salvati asked if all 55 units will be constructed at once, or phased.

Mr. Higgins stated that it all depends on marketing, but he would like to do it all at once.

Mrs. Salvati asked how trash will be handled.

Mr. Higgins said that what each unit brings in, they take out with them. There will not be any dumpsters.

Mrs. Salvati asked if each unit will be provided utility services; electric, gas, water.

Mr. Higgins stated that every unit will be electric and sprinkled. In terms of water, it will all be available, if the tenant chooses to include it within their unit.

Mr. Donohue asked if any unit that wants water to have their own meter.

Mr. Higgins responded yes; people will pay for their own water if they choose water.

Mr. Donohue asked if that will work the same with all utilities.

Mr. Higgins stated that each tenant will pay their own bills.

Mr. Geasling asked if they are required to use an oil-water separator.

Mr. Metzger responded that only if they have floor drains, which they will not have.

Mr. Geasling asked how they will wash their cars.

Mr. Metzger responded outside, in front of their unit.

In regard to Public Participation, the following resident spoke:

1. Ryan Sandner of 9420 Pine Meadow Court:
 - huge concern with noise – will any maintenance of vehicles be permitted
 - the corner of Goodrich Road and County Road is already a raceway, more cars will mean more speeding
 - lighting is also a huge concern, spillage on to his property

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

Mr. Metzger and Mr. Higgins returned to address the concerns, stating that a photometric plan was submitted, showing that the lighting will be in compliance with the Town's code.

Regarding the use of air tools in their unit, Mr. Higgins stated that if someone wants to do something in their unit, it is an industrial property. It must be done in their unit, not outside.

Chairman Sackett stated that they will pay attention to that in the lease.

Mr. Higgins does not anticipate anything like that.

Mr. Bleuer asked the applicant to speak on the design, a lot of thought was put in to that.

Mr. Metzger stated that all of the garage doors are facing inward, towards each other. None extend outwards towards any properties. There is a 6' tall solid fence around the perimeter of the site, as well as heavy planting of evergreen trees around the perimeter.

In terms of speeding, Chairman Sackett stated that we cannot expect the applicant to control that.

Mr. Metzger added that they will be at or below the maximum amount of lighting at all of the property lines. There is also a zero amount of spillage. The only upward light will be on top of the flagpole, out by the entrance driveway in the future.

Mrs. Salvati asked if there will be lighting standards at each of the entrance driveways.

Mr. Metzger responded that there will be light poles at each of the four parking areas.

Mrs. Salvati asked how high they are.

Mr. Metzger stated that they are less than the town allows.

Mrs. Salvati stated that 15' is the maximum.

Mr. Metzger stated that the lighting supplier was instructed to comply within the code, they will follow up with that to verify.

Mr. Tytka asked what the hours are for the lights.

Mr. Higgins stated that he believes all of the LED lighting inside will be on continuously, they are security lighting. They are part of the ambiance of the entire project.

Mrs. Salvati asked what lights stay on all night long.

Mr. Higgins stated all of the ones along the driveway will, he was made to put them in.

Discussion continued regarding the lighting along the driveway.

Mr. Metzger stated that they are there to illuminate the driveway, per town code.

ACTION:

Motion by Daniel Tytka, seconded by Gregory Todaro, to **approve** the Clarence Motor and Sport **Development Plan**, located at the southwest corner of Goodrich Road and County Road, SBL 44.00-1-51.2, per the submitted plan by Metzger Civil Engineering, dated February 14th, 2025, with a final revision date of June 12th, 2026, and to **approve** the **Final Architectural** drawings by Sutton Architecture, dated June 18th, 2026, all subject to the following conditions being met:

1. Applicant meeting the requirements of the Engineering and Building Departments, including Fire Inspector, and all associated conditions, prior to any permits being obtained for site work activity or construction on the property.
2. Subject to the issuance of permits from outside agencies, as required, and any associated conditions.
3. Applicant meeting the requirements of the Landscape Committee Approval on June 9th, 2026, and associated conditions, including but not limited to, the management of all landscaping in perpetuity and replacement, in-kind, should there be any deterioration, or death, or disease to plantings; and the maintenance of all walls and fencing, and replacement in kind, should there be any deterioration or damage.
4. Any dumpsters or totes shall be fully enclosed by Town approved screening, and 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 dumpsters or totes.
5. All site lighting shall comply with the Town Code, be dark sky compliant, and shielded to prevent spillage onto adjoining properties. No building lighting shall extend above the roofline and no freestanding lighting shall be elevated above 15'. Any overnight lighting shall be dimmed to the greatest extent feasible, with full cut off shields to prevent view of the light source from area residences.
6. Buildings to be constructed per the labeled materials and rendered colors, and building materials to be used shall be of industry standard high quality for durability and appearance.
7. Any exposed mechanicals shall be shielded from view by approved screening and/or landscaping, and any roof vents to match the roof color.
8. Buildings and site shall be maintained as approved, in perpetuity, and any building and site deficiencies shall be repaired or replaced as approved.
9. Paved areas to be striped and maintained in perpetuity. No parking of vehicles outside the designated parking areas.
10. No outside display or storage of any kind on the property unless same shall have been pre-approved by the Town, including but not limited to unlicensed vehicles, parts, goods, materials, debris, or other items.
11. Applicant shall submit property restrictions, bylaws, and/or proposed lease agreements for Town Attorney review and approval, and other departments as required, prior to the issuance of a Certificate of Occupancy by the Building Department. Restrictions shall prohibit residential living and commercial operations within the units. Bylaws and/or proposed lease agreements shall control use of the units to the applicant's stated business plan; known as customizable storage units for personal storage, leisure, and recreation.
12. Beyond that of the applicant's stated business plan, no additional uses, operations, or operators shall occur without proper application made by the applicant and with review and approval by the Town.
13. Any future development proposals within the "exception area" as depicted on the approved plan shall be subject to a thorough review under the State Environmental Quality Review Act.
14. 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.
15. Subject to Open Space, and any other applicable fees as required by Town Code.

Mr. Donohue stated to Mr. Higgins that even though they are proposed to be 99-year leases, any code violation in these units is not just on the tenant, but also the owner.

Mr. Higgins noted he believes the lawyer will include all that when he develops the leases.

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

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

MOTION CARRIED

Meeting **adjourned** at 8:24 p.m. with a motion by Gregory Todaro.

MOTION CARRIED

Amy Major
Senior Clerk Typist