

Town of Clarence
One Town Place, Clarence, NY 14031
Planning Board Minutes
Wednesday, September 16, 2026

Work Session 6:30 pm

Status of SEQR Coordinated Reviews
Review of Agenda Items
Miscellaneous

Agenda Items 7:00 pm

Approval of Minutes

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

Councilman Shear 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

Town Officials Present

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

Other Interested Parties Present: *(transcription in progress)*

Motion by Wendy Salvati, seconded by Gregory Todaro, to **approve** the minutes of meeting held on July 1, 2026, as written.

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

MOTION CARRIED

Motion by Wendy Salvati, seconded by Gregory Todaro, to **approve** the minutes of meeting held on July 15, 2026, as written.

Actions

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

MOTION CARRIED

Item 1

9740 Lapp Road, LLC.

Agricultural Rural Residential

Requests Conceptual review of a proposed 4-lot single-family residential Open Development Area subdivision at 9740 Lapp Road.

DISCUSSION: (*transcription in progress*)

9740 Lapp Road. North side of Lapp Road, east of Goodrich Road.

Existing 57-acre vacant parcel within the Agricultural Rural Residential zone, previously approved to allow the creation of three frontage lots, with the remaining parent parcel being one good lot of record.

The applicant is requesting preliminary Conceptual review of a 4-lot Open Development Area, and a Lot Line Adjustment associated with 9780 Lapp Road. In total, this would result in 4 sub-five-acre frontage lots on Lapp Road, 4 five-plus-acre Open Development Area lots on a single private drive accessing Lapp Road, and the transfer of backland from 9740 Lapp Road to 9780 Lapp Road. There was a minor subdivision approved by the Planning Board in 2022 associated with the existing frontage lots.

The Town Board referred this proposal to the Planning Board in August 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.

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 to seek Lead Agency status and **commence a coordinated review** among involved and interested agencies on the proposed 9740 Lapp Road, LLC. project at 9740 Lapp Road, in the Agricultural Rural Residential zone. This Unlisted Action involves construction of a 4-lot single-family Open Development Area residential subdivision.

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

MOTION CARRIED

Actions

Item 2

7 Brew

Major Arterial

Requests Concept Plan approval of a proposed drive-thru coffee stand at 4301 Transit Road, Transitown Plaza.

DISCUSSION: (*transcription in progress*)

4301 Transit Road. East side of Transit Road, south of Main Street.

Existing 23.5-acre parcel in the Major Arterial zone, containing the existing Transitown commercial plaza.

The applicant is requesting Concept Plan approval of a proposed drive-through coffee stand. The project consists of an approximately 510 sqft building with a dual-lane drive-through, adjacent 281 sq. ft. cooler, and associated facilities.

This item was first on the Town Board agenda in May of this year, and was tabled to allow the applicant time to consider and respond to comments heard. With new information provided, the Town Board referred the proposal to the Planning Board in June. In July, the Planning Board denied the Concept Plan to allow the applicant the ability to petition the Zoning Board of Appeals (ZBA). In January of this year, the ZBA issued variances for the reduced size and front yard setback of the principal structure, and reduced drive-through window distance to the right-of-way. Most recently the applicant has addressed additional comments received, including the commitment of additional greenspace along Transit Road, the change from blue to white building lighting, and the addition of an architectural wall in place of the structure's upper railing system.

The Planning Board has the authority to act on this request, and is the recommending body to the Town Board of a Special Exception Use Permit for the proposed drive-through facility.

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.

ACTION:

Motion by Gregory Todaro, seconded by Daniel Tytko, to **approve** the 7 Brew **Concept Plan**, located at 4301 Transit Road, per the submitted plan by Carmina Wood Design, dated June 23rd, 2026, with a final revision date of September 2nd, 2026, and to **approve** the **Conceptual Architectural** drawings by Adam Kreher, dated July 7th, 2026, and received in the Planning Office on August 25th, 2026, all subject to the following conditions being met:

1. Applicant meeting the grading and drainage standards and requirements of the Town of Clarence Engineer.
2. Applicant meeting the fire code standards and requirements of the Town of Clarence Fire Inspector.
3. Subject to Development Plan review by the Town, including a technical review of the final Development Plan by the Town Engineering Department.
4. Subject to Town Building and Engineering Departments approval prior to any permits being obtained for site work activity.

Actions

5. Subject to Erie County Division of Sewerage Management review and approval and additional regulatory agencies, as required, for connection to the sanitary sewer system within Erie County Sewer District #5.
6. Site curbing plan shall be submitted as part of Landscape and Development Plan review.
7. Landscape Committee approval of a final landscape plan, prior to Development Plan approval, including any plantings, street trees, fencing, and dumpster enclosure where applicable. In addition, a maintenance plan shall be submitted as part of the landscape plan to ensure landscaping and fencing remain in perpetuity, and are maintained or replaced in kind should there be any deterioration, or death and disease to plantings.
8. Any exterior building mechanicals shall be identified, detailed, and shielded from view by approved screening and/or landscaping, shown on any future Development Plan submittals for review by the Landscape Review Committee.
9. Dumpster 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.
10. Review of a photometric lighting plan prior to Development Plan approval. All site lighting shall comply with the Town Code, be dark sky compliant and shielded to prevent spillage onto adjoining properties. No building lighting shall be unshielded, extend above the rooflines, and emit non-white colors. All lighting shall be turned off no later than one hour after business hours except for any necessary security lighting. Any and all security lighting shall be depicted on the lighting plan.
11. Review of an exterior sound plan prior to Development Plan approval. No exterior speakers shall emit sound in excess of the ambient sound level off the property.
12. Review of a traffic management plan prior to Development Plan approval. No vehicles shall be allowed to queue onto Transit Road.
13. Final building elevations to be submitted as part of the Development Plan review, including the labelling of material types and colors. Building materials to be used shall be of industry standard high quality for durability and appearance.
14. Buildings and site shall be maintained as approved, in perpetuity, and any building and site deficiencies shall be repaired or replaced as approved.
15. Paved areas to be striped and maintained in perpetuity. No parking of vehicles outside the designated parking areas.
16. Other than licensed vehicles, no outside storage or display of any kind on the property unless same shall have been pre-approved by the Town, including, but not limited to equipment, goods, materials, and debris.
17. Beyond that of 7 Brew, any additional proposed business operation or operators shall be subject to review and approval by the Town.
18. 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.
19. Subject to Open Space, and any other applicable fees as required by Town Code.

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

Actions

ON THE QUESTION:

This proposal has previously been deemed a Type 2 action by the Town, and therefore requires no further environmental review nor action under the State Environmental Quality Review Act. Additionally, this proposal has received Area Variances from the Zoning Board of Appeals for dimensional standards relief.

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

MOTION CARRIED

Motion by Gregory Todaro, seconded by Daniel Tytka, to **recommend** to the Town Board approval of **Special Exception Use Permit** for the 7 Brew project at 4301 Transit Road, containing a drive-through facility.

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

MOTION CARRIED

Meeting **adjourned** at 8:05 p.m. with a motion by Wendy Salvati.

MOTION CARRIED

Amy Major
Senior Clerk Typist