

TBAR

Town Board Agenda Review

Town of Clarence Planning and Zoning

To: Town Board Members

From: Jonathan Bleuer – Director of Community Development
Andrew Schaefer – Senior Planner

cc: Town Attorney / Clerk / Engineering / Building / Highway Departments
Planning Board

Date: September 18, 2026

Re: September 23, 2026 Town Board Meeting – Land Use Items

Public Hearings: Two

1. Zoé Restaurant

Location: 5701 Transit Road. East side of Transit Road, south of Highland Farms Drive.

Description: Existing 1-acre property located in the Major Arterial zone, containing an existing restaurant.

Proposal: The applicant is requesting a Temporary Conditional Permit for outside dining. The outside dining area is proposed to be in front of the existing building, within a fenced area featuring planter boxes and awning.

History: The property/business has a history of additions and modifications.

Reason for Board Action: Town Board has the authority to consider this request after holding a Public Hearing.



Zoe Restaurant – Outside Dining Patio Render

2. Woodview Construction & Homeview Properties

Location: 8955 Sheridan Drive. South side of Sheridan Drive, east of Shimerville Road.

Description: Existing 0.6-acre parcel in the Commercial zone, containing an existing principal structure used as professional office space.

Proposal: The applicant is requesting a Temporary Conditional Permit (TCP) for outside storage of fleet vehicles and trailers within a screened and gated stone parking lot proposed to the rear of a recently approved and yet-to-be constructed 960 sqft detached accessory structure.

History: This applicant was first on the Town Board work session agenda in June of 2025. At that time, the request was not advanced to a formal agenda due to concerns regarding the size, architecture, and use of the detached accessory structure. The applicant then reduced the size of the structure from 6,120 sqft to 2,520 sqft and committed to not renting the space out, resulting in a referral from the Town Board to the Planning Board in February of this year. Since that time, the applicant has addressed further comments received, and reduced the size of the structure to 960 sqft. In August, the Landscape Review Committee approved a final landscape plan, and the Planning Board issued Site Plan and Architectural approvals, subject to twelve conditions, and the recommendation of this TCP, subject to four conditions.

Reason for Board Action: Town Board has the authority to consider this request after holding a Public Hearing.



Woodview Construction & Homeview Properties – Site Render

Formal Agenda Items: Six

1. Annual Excavation Permit Renewals

Proposal: Consider the annual renewal of the following excavation permits:

- A. New Enterprise/Buffalo Crushed Stone, 8615 Wehrle Drive
- B. Lakeside Sod Supply Co., 6660 Goodrich Road
- C. Michael Development, 10001 Wehrle Drive
- D. Michael Development, 10051 Wehrle Drive

Reason for Board Action: The Town Board has the authority to consider these requests after setting and holding a Public Hearing.

Note: All required paperwork, including up-to-date tax bills, NYS DEC mining permits, bonding, and necessary fees are being collected by the Planning Office, and will be on file prior to the Public Hearing.

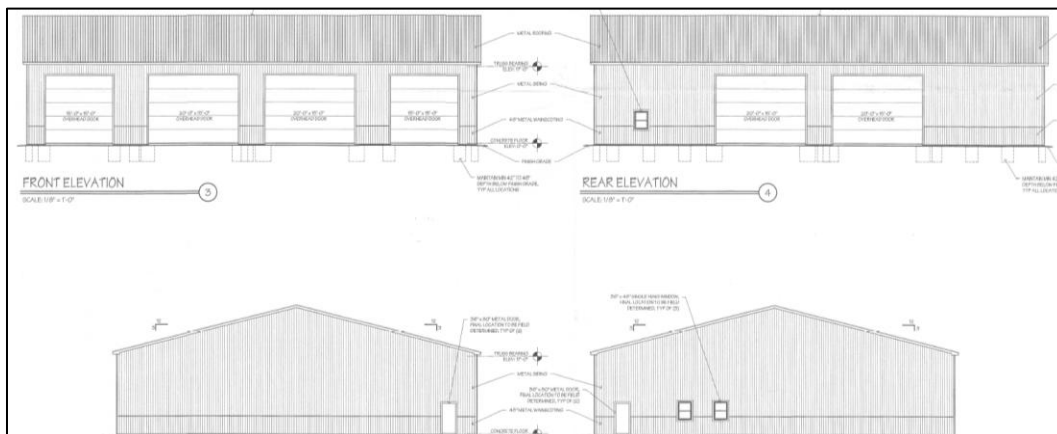
2. Lakeside Sod Supply Co., Inc.

Location: 6660 Goodrich Road. West side of Goodrich Road, south of County Road.

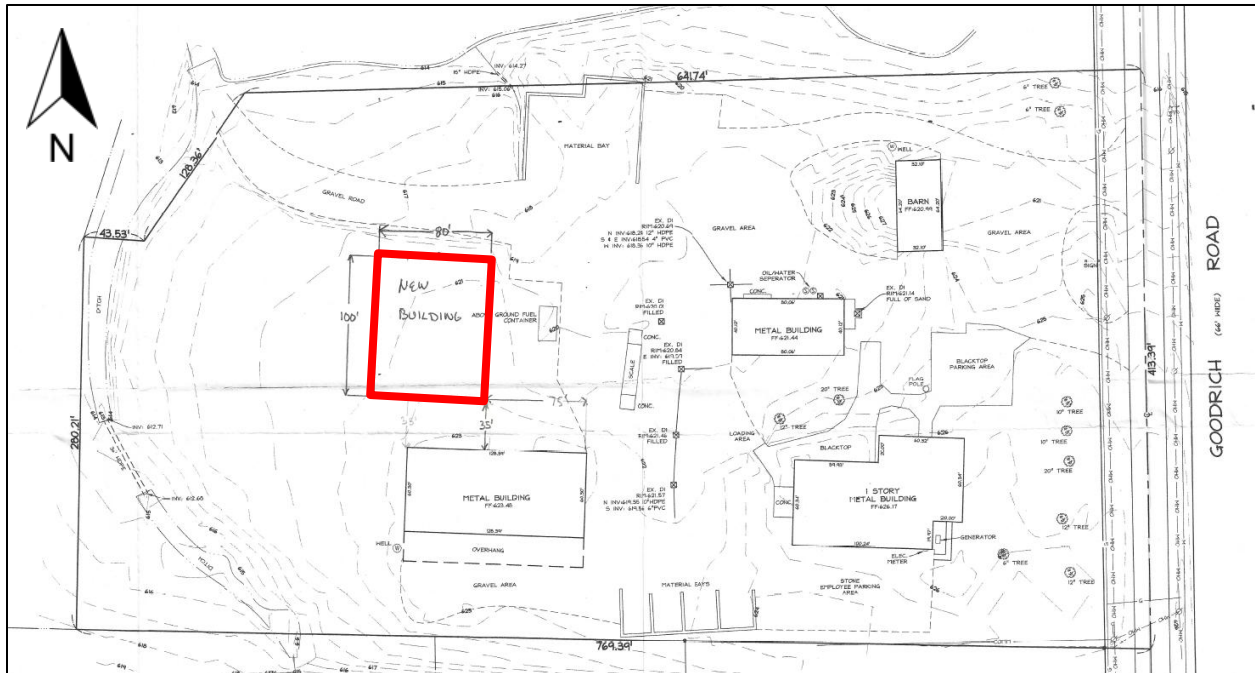
Description: Existing 23.3-acre property in the Industrial Business Park zone, containing a sod, seed, fertilizer, & soil company.

Proposal: The applicant is requesting preliminary review of a proposed detached accessory structure. The metal structure is approximately 8,000 sqft, and proposed to be used for machinery storage and maintenance.

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



Lakeside Sod Supply Co. – Structure Elevations



Lakeside Sod Supply Co. – Site Plan

3. Canine Kennels of Clarence

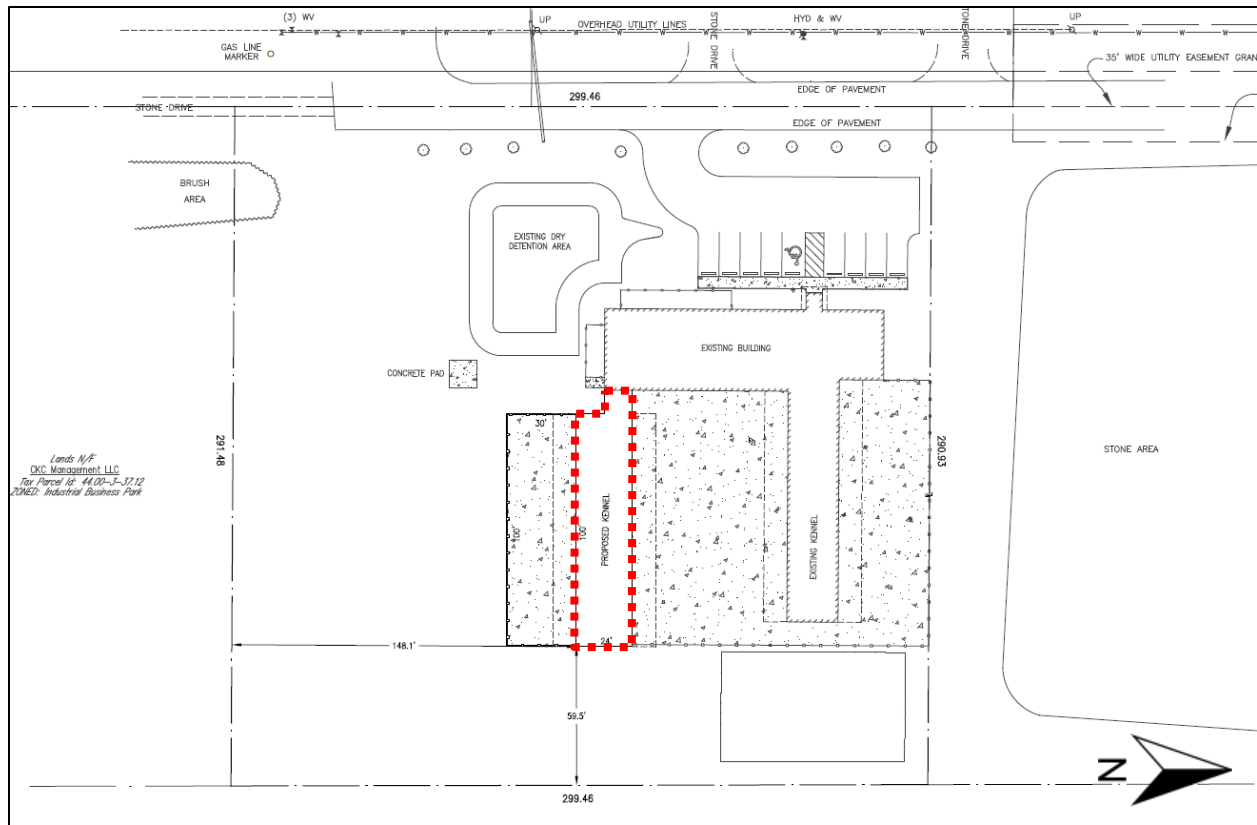
Location: 9785 County Road. East side of Killdeer Lane, south of County Road.

Description: Existing 2-acre parcel located in the Industrial Business Park zone, containing an existing dog kennel facility.

Proposal: The applicant is requesting preliminary review of a proposed expansion to the facility. The metal building expansion is approximately 2,400 sqft, and proposed to house additional dog boarding kennels.

History: The original facility was approved by the Planning Board in 2013, and constructed shortly thereafter. In 2018, the Planning Office authorized an approximately 2,000 sqft non-kennel addition, which was constructed shortly thereafter.

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



Canine Kennels of Clarence – Site Plan

4. Benderson Development Co.

Location: 5183 Transit Road. East side of Transit Road, south side of Greiner Road.

Description: Existing property containing the Eastgate Plaza in the Major Arterial zone.

Proposal: The applicant is requesting preliminary review of the conversion of the existing Greiner Road access, to include signalization and full access. The existing vehicular driveway is full access in, right-out-only; to be converted to full access in and out, controlled by a new traffic signal.

History: The Erie County Department of Public Works has reviewed the applicant's traffic signal warrant analysis and recommends that a traffic signal be installed at this location. The New York State Department of Transportation (NYSDOT) recommends that this new traffic signal be constructed to NYSDOT standards to ensure that it can be interconnected to the existing traffic signal at Transit Road and Greiner/Maple Road.

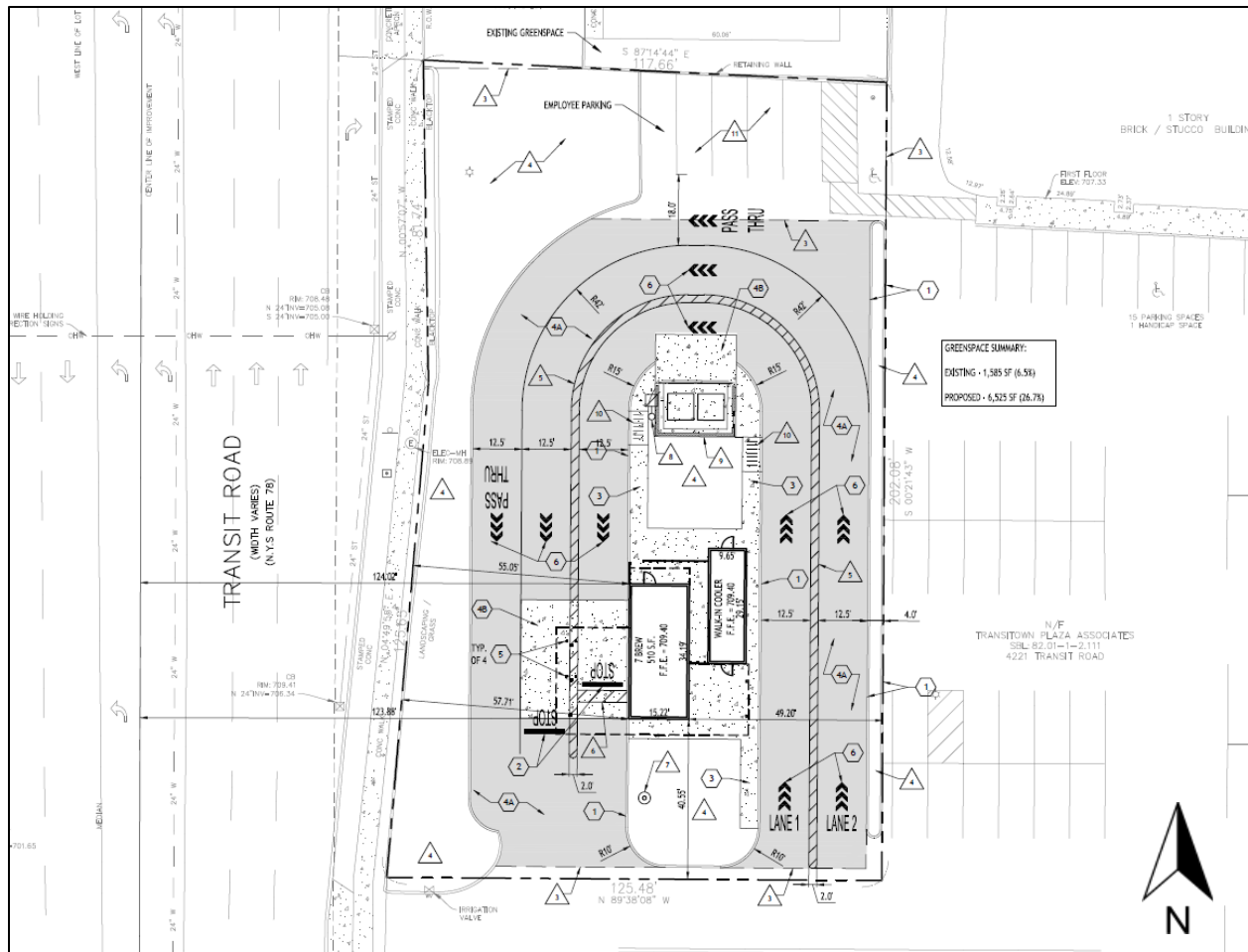
Reason for Board Action: A referral to the Planning Board would allow for a thorough review of this proposal.

History: 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. The applicant then 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. In September, the Planning Board issued Concept Plan approval, subject to nineteen conditions, and the recommendation of a Special Exception Use Permit for the drive-through facility.

Reason for Board Action: Town Board has the authority to consider this request after setting and holding a Public Hearing.



7 Brew – Transit Road Updated Elevation



7 Brew – Updated Concept Plan

6. Annual Community Development Block Grant Program

Proposal: Consider potential funding needs for the Federal Community Development Block Grant (CDBG) request. Based on comments received, the Town has currently identified the following project for consideration:

- a. Rural Transit Services, Inc.
- b. _
- c. _

Reason for Town Board Action: The Town Board has authority to act after setting and holding a public hearing.

Work Session Items: Two

1. Lemon Auto Detailing

Location: 8145 Sheridan Drive. South side of Sheridan Drive, west of Helenwood Drive.

Description: Existing properties in the Restricted Business and Commercial zones, containing several principal and accessory structures, together with the primary businesses, Buck & Doe and Lemon Auto Detailing.

Proposal: The applicant requests renewal of an existing Temporary Conditional Permit (TCP) for automotive detailing in the Restricted Business zone.

History: In May of this year, the Town Board issued a 3-month renewal of the existing TCP with the condition that a privacy fence be installed on the eastern property line. Upon a site inspection by the Zoning Inspector, the applicant has installed the fence as required, and is currently operating the business in conformance with all conditions of approval.

Reason for Board Action: Town Board has the authority to consider this request.



Lemon Auto Detailing – Inspection Image

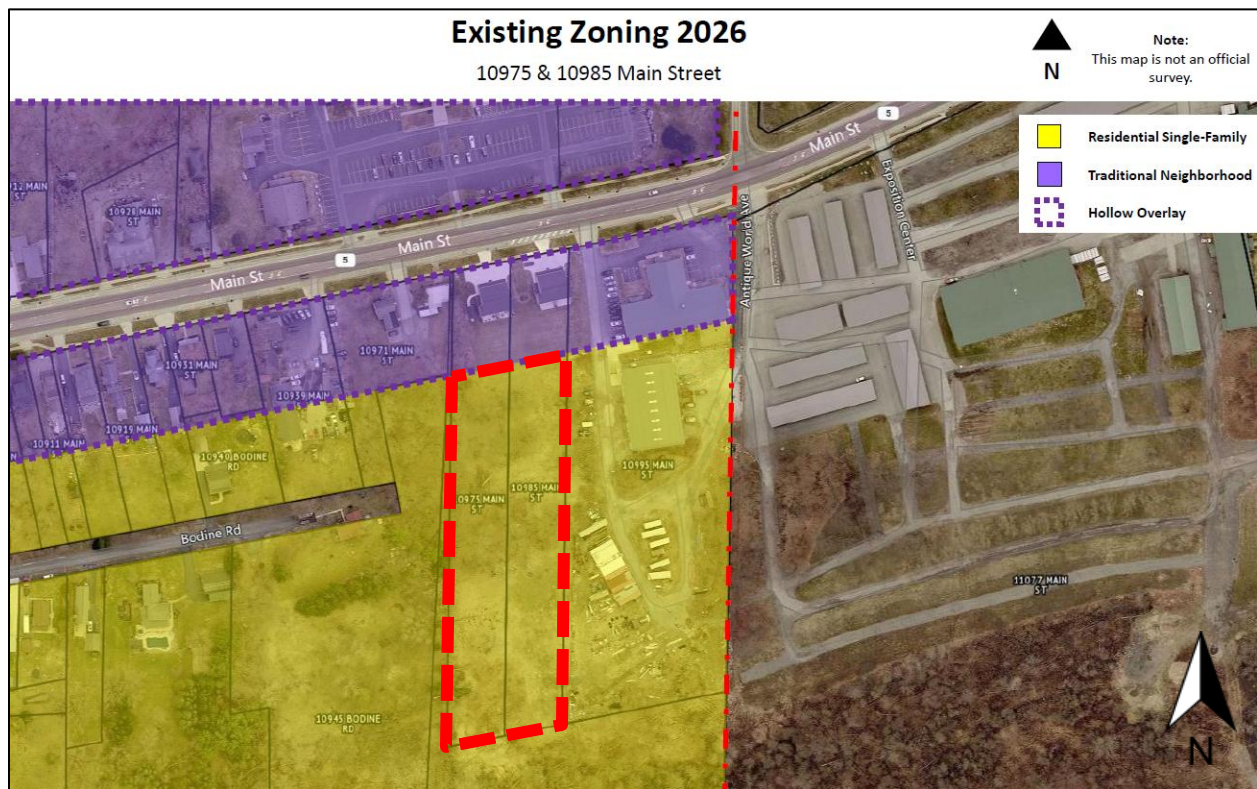
2. Picone Construction, Corp.

Location: 10975 & 10985 Main Street. South side of Main Street, east of Schurr Road.

Description: Two existing 1.5-acre parcels, each containing a residential duplex within the Hollow Traditional Neighborhood District. The remainder of the properties encompass vacant land zoned Residential Single-Family.

Proposal: The applicant is requesting preliminary review of rezoning consideration from Residential Single-Family to allow future commercial use to the rear of the existing duplexes.

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



Picone Construction, Corp. – Zoning Map