

The Work Session meeting of the Town Board of the Town of Clarence was held on Wednesday September 9, 2026 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 8:31 a.m.

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

Director of Community Development - Jonathan Bleuer

PUBLIC HEARINGS:

7631 Transit Road, LLC.

This property is located at 7631 Transit Road. It is on the corner of Transit Road and Wolcott Road. It is an existing 6.88-acre property in the Restricted Business zone.

The applicant is requesting a Special Use Permit for a Conceptually approved commercial retail building. This would be for LENCO Supplies.

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

Flavors of India

This is located at 4401 Transit Road. It is on the east side of Transit Road and the north side of Main Street. It's an existing 20-acre parcel in the Major Arterial zone.

The applicant is requesting a Temporary Conditional Permit for outside dining. A group of tables would be placed in front of the businesses, behind existing bollards.

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

FORMAL AGENDA ITEMS:

Donna Truman

This property is located at 6065 Goodrich Road. It is on the east side of Goodrich Road and north of Maple Street. It is an existing 0.27-acre parcel in the Clarence traditional Neighborhood District.

The applicant is requesting a Public Hearing to consider Local Historic Landmark designation of this property.

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

Paul Shear said he is not in favor of this due to the additions added to the home.

AJ's Tree Service

This is located at 9865 County Road. It's on the south side of County Road and west of Strickler Road. It is an existing 47-acre vacant parcel located in the Industrial and Agricultural-Rural Residential zones.

The applicant is requesting a Public Hearing to consider a Temporary Conditional Permit for outside operations associated with an industrial tree service operation.

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

Jonathan Bleuer states that he has heard of some concerns of dust and sound from residents.

Cimato Enterprises, Inc./Woodland Hills

This SBL 70.07-6-11 is located on the south side of Greiner Road and the east side of Harris Hill Road. It's a previously approved 77-lot Major Subdivision in the Residential Single-Family zone.

The applicant is requesting Final Plat approval of phase 3. This would consist of 20 residential sublots and road dedication.

As per the Zoning Law, the Town Board has the final approval authority to approve a Final Plat.

WORK SESSION ITEMS:

Annual Excavation Permit Renewals

- A. New Enterprise/Buffalo Crushed Stone, 8615 Wehrle Drive
- B. Lakeside Sod Supply Co., 6660 Goodrich Road
- C. Michael Development, 1001 Wehrle Drive
- D. Michael Development, 10051 Wehrle Drive

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

Lakeside Sod Supply Co., Inc.

This property is located at 6660 Goodrich Road. It's on the west side of Goodrich Road and south of County Road. It's an existing 23.3-acre property in the Industrial Business Park zone. It contains a sod and seed fertilizer and sod company.

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

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

5445 Transit Road, LLC.

This is located at 5445 Transit Road. It's on the east side of Transit Road and south of Roll Road. It's an existing 13.7-acre property located in the Major Arterial and Residential Single-Family zones.

The applicant is requesting preliminary review of a Clearing, Filling & Grading permit. It is intended to clear and clean 4.8-acres.

The Town Board has the authority to consider this request.

Canine Kennels of Clarence

This is located at 9785 County Road. It is on the east side of Killdeer Lane and south of County Road. It is an existing 2-acre parcel located in the Industrial Business Park zone. It contains an existing dog kennel facility.

The applicant is requesting preliminary review of a proposed expansion to the facility. The expansion would be about 2,400sqft, and would house additional dog kennels.

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

Benderson Development Co.

This property is located at 5183 Transit Road. It is on the east side of Transit Road and south of Greiner Road. It's an existing property containing the Eastgate Plaza in the Major Arterial zone.

The applicant is requesting preliminary review of the conversion of the existing Greiner Road access, controlled by a new traffic signal. The light would be turned over to the Town to be maintained.

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

Annual Community Development Block Grant Program

This proposal would consider funding needs for the Federal Community Development Block Grant (CDGB) request. The Town has currently identified the following project for consideration:

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

The Town Board has the authority to act after setting and holding a public hearing.

Jonathan Bleuer is looking for more ideas on this year's grant application.

TOWN BOARD REPORTS:

Supervisor Patrick Casilio

- There is a 25-year remembrance event this Friday. The Town Board is invited to the Eastern Hills Wesleyan Church at 7pm.
- Budget almost done under tax cap.
- Met with fire companies and have a Public Meeting at the next meeting with them. We have met their requests.

Councilman Peter DiCostanzo

- Mandatory town employee training this Friday. There will be 2 sessions. One at 8:00am and the other at 11:00am.
- Motion to add a person to the Ethics Board.
- Bothers of Mercy Octoberfest and 5K also on Friday night.

Councilman J. Paul Shear – Nothing to report.

Councilman Daniel Michnik

- Historical Society would like to take the sign off the Gerber Library and put it in the museum if possible.
- Historical Society would like to move Joe McGreevy out of the Clubhouse and into the museum where people can go see him.
- If there is any money leftover in any budget the Museum front porch needs work as well as the driveway.

Councilman Robert Altieri – Nothing to report.

Motion by Supervisor Casilio, seconded by Councilman Altieri, to adjourn the work session at 9:28 a.m. and enter into Executive Session pursuant to §105 (1) h of the Open Meetings Law to discuss 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 9:58 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, September 9, 2026 at the Clarence Town Hall, One Town Place, Clarence, New York.

Supervisor Patrick Casilio called the meeting to order at 10:08 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 August 26, 2026.

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

Supervisor Casilio stated that due to time schedules, I would like to move the agenda items around and start with item number thirteen first.

Donna Truman at 6065 Goodrich Road. East side of Goodrich Road, north of Maple Street. An existing 0.27-acre parcel in the Clarence Center Traditional Neighborhood District containing a single-family residence and accessory structure. The applicant is requesting a Public Hearing to consider Local Historic Landmark designation of the property. After a thorough review by the Clarence Historic Preservation Commission, they have recommended designation. The property features an early twentieth vernacular Greek revival home. Town Board has the authority to consider this request after setting and holding a Public Hearing.

Tom Steffan and Carol Conwall of the Clarence Historic Preservation Commission were present as well as the owner of the property Donna Truman were present to discuss the property.

The commission is here to address concerns conveyed by Mr. Schaefer to Mrs. Conwall on the present-day architectural structural appearance of 6065 Goodrich Road. We'd like to start off that Clarence Center was settled in the 19th century by Germans as a rural/agricultural hamlet. We'd now would like to review Clinton Brown's 2009 survey with you.

A: Clinton Brown's narrative description of property and significance. 6065 Goodrich Road building is set on a standard lot, located on the east side of the street between Maple Street and High Street. Goodrich Road is a north-south residential corridor that runs from the north section of Clarence south through Clarence Center and in to Clarence Hollow. This building resides in the Clarence Center section of the Town of Clarence. This simple clapboard sided vernacular Victorian building has a 2-story, front gabled, main block two bays wide and four bays deep to the north with a 1-story, side gabled side block two bays wide by two bays deep to the south. The building rests on a cut stone foundation. A large, gambrel-roofed barn to the rear (northeast) serves as a two-car garage. The primary entrance is located in the north bay of the south block. In the south bay is a shuttered double-hung window. Both are protected by the extended gabled roof creating a single-story two bay porch. On the first floor of the gable end of the north block there are two shuttered double-hung windows. The shuttered two double-hung windows on the second floor are slightly shorter. Clinton Brown concluding remarks: the building at 6065 Goodrich Road is significant as an early twentieth century vernacular Victorian with contributing barn.

B: Photos taken from the Clinton Brown Survey and the Town of Clarence Assessors' PROS Program

C. Clinton brown report, first page identified as "historic resource inventory form" states: Exterior walls: wood clapboard. Now comparing Clinton Brown's 2009 photo to town's pros photo – they both appear to look the same except for color, even if present day siding is not wood clapboard the resembles is there. *

Roof: asphalt, shingles

Foundation: stone which is still evident.

Other materials and their locations: large front gambrel converted barn garage

Alteration: new replacement windows*

The commission finds no reference in Clinton Brown's survey that refers to additions to the house structure on the property. *point of notation:

Maintenance and upkeep appear to have been accomplished over the years to keep with the character of the structure and that to the Clarence Center Hamlet.

Keeping in mind, home improvements when made, were most likely conservation energy efficient at time of installation. If further proof is needed, Tom Steffan would like to point out

In 2023, the NPS (National Parks Service) standards for rehabilitation were modified to remove the prohibition on vinyl siding. Tom's reading of that 2023 document is that it is more important to keep the overall look of the property, the historic property, rather than have like kind materials that are very expensive to replace. So here we have some past rehabilitation, keeping the look, rather than restoration, which would involve the same materials as had been used in the past. Point to be made: materials should not matter. Here is the link. Preservation briefs 16: the use of substitute materials on historic building exteriors Pages 6-14 have a good discussion about replacement materials, including siding.

Style in question/verified: Commission research contacted Laurie Hauer-Laduca on the architectural style that commission members questioned. Laurie Hauer-Laduca was questioned on whether 6065 Goodrich could be a Greek revival, which she did not feel was the case as explained below. Ms. Hauer-Laduca's reply: I studied the attached information for 6065 Goodrich and feel that Clinton Brown's description is the most accurate for this circa 1900 home. There are two details that are Greek revival queues that started to be seen after 1900 that being the lower pitch main gable and simple frieze board. However, the style is more in keeping with the Victorian folk or sometimes referenced as American farmhouse. The house is asymmetrical with a l shaped plan composed of a main forward facing gabled two-story mass with adjacent side extension with side gable. This style and form is referenced as "upright and wing" or "gable and wing". A Greek revival home is typically symmetrical with low pitched roof, large columned porches, heavy and wide frieze board and other large trim details. Style conclusion: the designation will reflect architectural character "more in keeping with the Victorian folk aka American farmhouse.

Personage connection information further researched. 6065 Goodrich Road's relationship to the Zion Lutheran church, Clarence Center Road, Clarence Center, NY 1866: 6065 Goodrich was purchased from Peter Vogt for \$400 for the Zion Lutheran church parsonage, as referenced in the "history of Zion". In those 36 years that Zion Lutheran church owned 6065 Goodrich there were (9) pastors: Valentine Mueller (1863-1867), G. Manz (1867-1870), Ernst Heydler (1870-1873), Daniel Stahlschmidt (1873-1885), E Reissig (1885-1889), I. Breu (1889-1892), Theodore Bauck (1892-1894), Paul P. Becker (1895-1899), Otto Posselt (1899-1904). 1902: Daniel Nickert (Tailor) purchased the parsonage 1983: hobby shop, located in the barn.

Conclusion: Respectfully referring to our earlier statement that Clarence Center was settled back in the 19th century by Germans, as a rural/agricultural hamlet, Mr. Peter Vogt may very well had been a farmer, who sold 6065 Goodrich to the Zion Lutheran church as the original parsonage for the church. That the town recognizes the religious impact of the Zion Lutheran church as a contributing component to the growth and history of the Clarence Center Hamlet. It is the commission's hope that the commission has answered and put to rest the concerns of the town board on its architectural features and know that 6065 Goodrich still holds visual character of a Victorian folk aka American farmhouse. A basic/simplistic structural appearance contributing to Clarence Center's eclectic architectural history that very well represented 19th century settlers and affluent to our community/country. The Town recognizes the value/ beauty; the essence of a time gone by and that the part this structure played, back when Clarence Center was being settled. Should the town board feel the need to make notation in the landmark designation decree that any future exterior renovations/rehabilitations made to this structure must hold true to its designated c. 1860 Victorian folk aka American farmhouse appearance. Certificate appropriateness is required for any/all exterior alterations. It is the commission's hope that the Town Board will grant landmark designation to 6065 Goodrich Road, Clarence Center Hamlet, Clarence New York. A treasure to be recognized and cherished.

The commission would like to acknowledge input from Jeff Alan, Linda Mosher, Laurie Hauer-Laduca, Tom Steffan for their assistance in our presentation to you today. Thank you ~ The Clarence Historic Preservation Commission

Supervisor Casilio thanked the Historical Preservation Commission for all of their work on this. He stated that the windows and the siding on this property does not look original. I thought it went for originality not history as that is certainly there. There is also an addition on the back of the property that looks 50 – 60 years old instead of 100 years old, you're saying that this is now acceptable.

Tom Steffan stated that there is a certain non-conforming aspect with the addition and we think that it maintains its historic integrity as a Victorian American Folk house. It has the front and side gabbling and added to the history of the Zion Lutheran Church is very important meeting the criteria to be designated a landmark home.

Councilman Shear asked about the garage barn, that is a later addition correct.

Donna Truman replied yes.

Councilman Shear stated that is not associated with the property. The back section of the property with the higher roof lining, I am assuming that is also an addition.

Donna Truman replied yes.

Councilman Shear questioned the piece on south side lean to type piece is also an addition.

Donna Truman replied yes.

Councilman Shear stated he would like more information about the history connected somehow, somewhere that would allow us to look at this as a historic piece. It has significantly changed over the years. The additions represent areas that are larger than the house and the garage has been replaced, I personally don't see it.

Carol Conwall stated that the barn was updated to the deeds. You can identify this house as maybe its not an original house but years ago you built the structures to fill the needs of the family and as the family grew, they added on. Nowadays families just up and buy a new home, this house represents history even though items have been added on.

Councilman Shear stated that you haven't identified that it represents history other than the fact that it may or may no have been a parsonage and used as such. Are there historical residents that have lived there.

Tom Steffan stated yes, the first parsonage of the Zion Lutheran Church lived there.

Councilman Shear reiterated that in his opinion that does not qualify it to be a historically significant property.

Carol Conwall stated I understand that, this contributes to how not everyone was wealthy, to me this is a basic structure updated not by the original owner who we were not able to find through a title search. We did the best we could from the information from the church and what people could give us from an architectural stand point.

Councilman Shear stated that this all may be true but over half of what we see in not original.

Tom Steffan stated it is a difficult case.

Councilman Shear stated he would like to see you go back and see something more otherwise I am not inclined, personally, to support this.

Tom Steffan stated they have been researching this property and not sure they will find anything more. I will reiterate that the stone foundation, the gabbling, the age of the structure and the association with the church is enough in my opinion. We call it rehabilitation rather than restoration; we would have liked them to use the same materials over the years but that didn't happen. Under the standards of the historic preservation, in 2023 they basically softened their stance are siding and replacing materials, as long as it sustains in historical integrity. We feel as well as the owner of the home feel it does meet the standards.

Donna Truman stated that you can see the original part of the house that has the stone foundation. Houses were not big then, just two rooms probably, that is not how people live now.

Councilman Shear reiterated he understand all of that, his concern was the additions were greater than the original property, to me that is significant change.

Councilman DiCostanzo stated this is a forever tax exemption for maybe what is 50% of the property is historic.

Councilman Altieri asked when was the additions added on, if that would help.

Donna Truman stated in the 1970's.

Supervisor Casilio stated that the good part about the additions is they are at the back of the building. Back then you weren't using a restroom inside you had to go outside.

Donna Truman stated that the outhouse was still there in 1970, and Mr. Post passed away on the way to the outhouse according to the story.

Motion by Councilman Shear, seconded by Councilman DiCostanzo to table the request of the applicant, Donna Truman, to consider Local Landmark status of the property at 6065 Goodrich Road, featuring an early twentieth century vernacular Greek Revival home, in the Clarence Center Traditional Neighborhood District.

On the question Supervisor Casilio asked if we table it and review it then move forward, is the owner being present enough or does the commission need to come back.

Jonathan Bleuer stated that since the setting of a public hearing is ministerial, that applicant would not be required to come back just to set the public hearing. The applicant would be required to be at the public hearing if and when you set it.

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

Motion by Supervisor Casilio, seconded by Councilman Altieri upon the request of the Superintendent of Highways, James Dussing, the Town Board hereby requests permission from the Erie County Department of Public Works to approve installation of dedicated turning lanes at the intersection of Greiner and Goodrich Roads.

On the Question, the roads are owned and maintained by Erie County but the signals belong to the Town of Clarence. Any modifications to existing striping would have to be approved by the Erie County Department of Public Works (ECDPW). A third-party traffic study is required by ECDPW to determine if the signal meets the warrant for turning lanes. The traffic study would have to take place on a weekday, while Clarence schools are in session. It would include both peak and off-peak travel times. Any subsequential striping work would also have to be paid for by the Town of Clarence.

Supervisor Casilio stated that with his back and forth with them, that is the second busiest intersection, second to Harris Hill and Greiner at 8:30/9:00 a.m. with school and why I think the changes are certainly warranted. About three weeks ago there was a roll over at that intersection.

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

Motion by Supervisor Casilio, seconded by Councilman Michnik to set a bid date of Thursday October 1, 2026 at 10:00 a.m. for the Town Place Park Sports Court Rehabilitation Project.

On the question, bid documents will be available starting September 10, 2026, per the published Notice to Bidders.

Supervisor Casilio asked if we were starting this in the spring.

Tim Lavocat stated no, our plan is to do the lower courts this fall and then the upper courts first thing this spring weather dependent.

Supervisor Casilio asked about lights at this location.

Tim Lavocat stated no, we are doing bid alternates for the fencing and the painting of the courts.

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

Motion by Supervisor Casilio, seconded by Councilman Shear to approve the following transfer of funds in the 2026 General Fund Budget:

\$7,000.00 from account #001.1990.4023- Contingent to account #001.1320.4440– Consulting Services.

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

Motion by Supervisor Casilio, seconded by Councilman DiCostanzo approve the following transfer of funds in the 2026 General Fund Budget:

\$18,000.00 from account #001.1110.102 - Personal Services- Part Time to account #001.1110.4540 - Stationary Plant & Equipment Maintenance.

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

Motion by Supervisor Casilio, seconded by Councilman Altieri for the Town Board authorizes the Town Engineer to approve individual Change Orders to the Recreation Facility Project Construction Contracts for amounts not to exceed \$50,000.

Supervisor Casilio asked if the Town Engineer could explain why we do this.

Tim Lavocat stated we do it this way so we can approve changes on the spot rather than to have to wait two weeks to come back to the Town Board. I will be providing updates along the way but this will keep the project moving as we have a tight time line on this one.

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

Councilman DiCostanzo stated that Friday September 11, 2026 there is a 5-K race with an Octoberfest at the end of the race at Brother's of Mercy Campus which is a fun event. Additionally, on the same night is the Clarence Newstead President's Association is putting on a

9-11 Memorial Service at the 7:00 p.m. at the Eastern Hills Wesleyan Church to honor the 25 years anniversary of 9-11.

Motion by Councilman DiCostanzo, seconded by Councilman Shear to appoint Elizabeth Hyer to the Ethics Board, effective immediately, with a term to expire on December 31, 2029.

On the question, this appointment is being made to fill the vacancy created by the resignation of Lisa Casey.

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

Councilman DiCostanzo thanked the whole Clarence Center Volunteer Fire Company and their volunteers for a great weekend with great weather for the Labor Day event they host.

Councilman Shear mentioned that there is an opening for the Planning Board for a member, we are accepting applications and interviews will follow. The Town Board and the Planning Board will be having a joint meeting on Wednesday, September 30, 2026 at 7:00 p.m. to review new codes.

Councilman Michnik stated that last evening at the Clubhouse there was a well-attended presentation Honoring Our Veterans presented by Greg Kinal. We look forward to seeing everyone at the next event that I will keep you informed about as they come up.

Supervisor Casilio stated that the Historical Society along with Joe McGreevy do a wonderful job for the Town.

Councilman Altieri mentioned that he was asked to sell pizza at the Clarence Center Labor Day event last weekend on behalf of the Veterans. This is an outstanding event with hundreds of people being very well attended.

Supervisor Casilio stated that the Clarence Center Volunteer Fire Company has been doing that for a very long time, 75 years, and half of them are my age doing a lot of the work which will get harder each year for them to continue to do.

Motion by Councilman DiCostanzo, seconded by Councilman Michnik to approve the request of the applicant, Run Through the Hollow, LLC/Thomas Heins, for a Special Event Permit for the “Run Through the Hollow” 5-K Run, to be held at and starting from the Farmers Market lot at 10717 Main Street on Saturday, October 10, 2026 from 10:00 a.m. until noon, subject to meeting all conditions of the Special Event Permit, Memorandum of Agreement and the receipt of the required Certificate of Insurance naming the Town of Clarence as an additional insured from the applicant.

On the question, the route for the event is as per the submitted map. All the appropriate agencies will be notified including the Clarence Highway Department. The applicant will obtain any permits they may need from Erie County and New York State for use of their highways, if applicable. Street closures are not required and traffic control will be provided by Clarence Fire District #1 and Fire Police Event Staff shall be at all crossings to safely direct traffic.

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

Karen Lang, Town Clerk, stated that 2026-27 School tax bills will be out next week and are due October 15, 2026. Fees apply October 16th starting at 7.5%. The USPS changed their policy on mail placed in postal boxes, they are not stamped on that day’s business, they are marked one or even two days later which would reflect in a late payment that can not be waived. Appropriate post marks are accepted by law, to obtain this you must walk the envelope into the USPS and watch them stamp the envelope with that day’s date. Additionally, the US mint has stopped producing pennies which means you must have exact change to make a cash payment. We will make change as we can but will not be able to round up or down on bills. You can contact the Town Clerk’s office with any questions at 716-741-8938.

7631 Transit Road, LLC. at 7631 Transit Road. Southeast corner of Transit Road and Wolcott Road. An existing 6.88-acre property in the Restricted Business zone. Formerly home to Bitterman’s Automotive complex of buildings and two residential structures, all of which have since been demolished, apart from one warehouse building on the east side of the property.

The applicant is requesting a Special Exception Use Permit for a Conceptually approved commercial retail building in excess of 10,000 sqft for LENCO Supplies. The building is proposed to contain 43,800 sqft and be centered on the property, fronting Transit Road. The northwest corner of the property is reserved for an outparcel/lease area. The southern portion of the property is proposed to be a natural open space area. Finally, the existing warehouse building on the east side of the property is proposed to be preserved, rehabilitated, and used as part of the business operation. In 2023, Rane Property Management received Town approval to construct a mixed-use project containing commercial space, multiple-family housing, and accessory structures on the property. This construction never occurred and the property has since been sold. The Town Board referred this new proposal to the Planning Board in January of this year. In February, the Planning Board initiated a coordinated review under the State Environmental Quality Review Act (SEQRA). In May, the Planning Board issued a Negative Declaration under SEQRA. In June, the Zoning Board of Appeals issued a Use Variance for this retail operation. In July, the Planning Board issued Concept Plan approval, subject to nineteen conditions, and the recommendation of a Special Exception Use Permit. Town Board has the authority to consider this request after holding this Public Hearing.

Sean Hopkins on behalf of the applicant as well as Kevin Coppola, owner, were present to answer any questions. This project has a very length history going back to the mixed-use project that redates COVID. That project was not economically feasible and never went forward. Mr. Coppola needs a new location and wants to stay in the Town of Clarence where he has been successful providing his customers with his services. This is fairly straight forward, we need a Special Use Permit because our project is greater than 10,000 sqft, approximately ~~43,200~~ 43,800 sqft. that is based on the restricted zoning classification. The site is 6.88 acres in size so it can easily accommodate this project. The Planning Board did previously issue a Negative Declaration pursuant to State Quality Environmental Review Act on May 20, 2026. Subsequently the Zoning Board of Appeals created a use variance to allow retail use and did approve Concept Plan during it's meeting on July 1, 2026. The Planning Board also importantly recommended approval of the request of the Special Use Permit. We have submitted a detailed application addressing each of the criteria set forth by the zoning code, number of parking space and location of loading areas. Respectfully with all of that said we would ask that you grant the request for a Special Use Permit. The final step in the review process would be the Development Plan Approval from the Planning Board. Our project lead has been working with the Engineering Department and we are still hopeful that there is still a possibility that we can commence construction this year. If you have any questions that either Kevin or myself can answer, we would welcome the opportunity to address them. I do want to note that based on impute received from both the Planning Board and the Planning Board Executive Committee you can see on the elevation plans how we did enhance the architecture and appearance of the building. Thank you.

Councilman Shear stated that he was involved with the Planning Board and you were very accommodating with the requirements and requests, it is an excellent building.

Councilman DiCostanzo stated that the board did receive one comment from a neighbor in favor of the project.

Robert Linde was present stating he is just south of site they are building on. I am here to talk in favor of this project. I use LENCO on Sheridan Drive currently personally and in my capacity when I was at the Town. Additionally, I have used the Delaware store and they are all very clean businesses. Down the road from this proposed lot is a lumber company who doesn't sell lumber anymore which I presume will eventually close. If you aren't familiar with LENCO, when you walk in the door to help you, a person to help you shop and a person to help you load your vehicle. It's not like a Home Depot or a Lowe's, its completely different from that. I am completely in favor for that, it will be great for the Town of Clarence and in that location.

June, a resident of Clarence Center, stated that LENCO has been in the area for many years and the business for almost 70 years, I am in favor of this project.

Mark Bogner was present who runs deliveries for LENCO Lumber at all three locations. Not only is this a good-looking building but I think it will enhance that area. Like previously mentioned, this is not like Home Depot or Lowe's, there are sales associates to help you, workers to help load your car and is a really professionally run operation and people shop there would say the same thing. I am in favor of this project.

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

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

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

RESOLVED, that after a public hearing duly held on Wednesday, September 9, 2026, and after all interested parties having been heard, the Clarence Town Board hereby approves the request of the applicant, 7631 Transit Road, LLC, for a Special Exception Use Permit for a Conceptually approved commercial retail building in excess of 10,000 square feet for LENCO Supplies, in the Restricted Business zone, subject to all nineteen (19) conditions of the Planning Board Concept Plan approval on July 1, 2026.

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

Flavors of India at 4401 Transit Road. East side of Transit Road, north side of Main Street. An existing 20-acre parcel in the Major Arterial zone, containing the existing Shops at Main/Transit plaza. The applicant is requesting a Temporary Conditional Permit for outside dining to the front of the existing business. A grouping of tables would be placed in front of the business, behind the existing protective bollards. The Town Board has the authority to consider this request after holding this Public Hearing.

Kala Chima was present to answer any questions.

Supervisor Casilio stated that we have addressed this a little bit before, the former establishment had outside dining and the barricades to stop cars. We are not trying to rush this, it is preexisting so no need to beat it up.

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, second by Councilman Altieri for the following:

RESOLVED, that after a Public Hearing held at the duly convened Town Board Meeting on Wednesday, September 9, 2026, to consider the request of the applicant, Flavors of India, for a Temporary Conditional Permit to allow for outside dining at 4401 Transit Road in front of the existing business at the Shops at Main/Transit in the Major Arterial Zone, the Town Board hereby approves the request of the applicant subject to the following conditions:

1. Initial permit shall be for a term no greater than one year.
2. Operation shall be in conformance with the submitted application, business plan, and testimony of the applicant.
3. Applicant meeting any additional requirements of the Town of Clarence Engineering, Building and Planning Departments.
4. Subject to any applicable fees as required by Town Code.

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

Supervisor Casilio excused himself from the meeting to join a teams call and is recusing himself from agenda item number fourteen.

AJ's Tree Service at 9865 County Road. South side of County Road, west of Strickler Road. An existing 47-acre vacant parcel located in the Industrial and Agricultural-Rural Residential zones. The applicant is requesting a Public Hearing to consider a Temporary Conditional Permit (TCP) for outside operations associated with an industrial tree service operation, including equipment sales/service/display/storage, and material storage/processing/production. These outside operations are included within the overall project scope featuring an 8,876 sqft sales, service, and office building along County Road, accompanied by two vehicular access points, customer parking, and an equipment sales lot. A business inventory storage lot is proposed to the rear of the building, with an access drive to the rear of the site. The rear of the site is proposed to contain an outdoor wood processing yard, storage and service buildings, and wood production facility. The Town Board referred this proposal to the Planning Board in May of 2025. In June of 2025, the Planning Board initiated a

coordinated review under the State Environmental Quality Review Act (SEQRA). In October of 2025, the Planning Board issued a Negative Declaration under SEQRA, Concept Plan approval subject to 19 conditions, and a recommendation of this TCP after a technical review of applicant supplied outdoor operation detail during the Development Plan review phase. Finally in January of this year, the Landscape Review Committee approved a final landscape plan. Town Board has the authority to consider this request after setting and holding a Public Hearing.

Carolyn Vinci was present on behalf of that applicant as the Construction Manager and to answer any questions.

Councilman Shear stated this is an ambitious project and is concerned with what is going to happen in the rear, this will be discussed with the Planning Board.

Motion by Councilman Altieri, Seconded by Councilman Shear to set a public hearing for Wednesday, October 14, 2026 at 10:40 a.m. to consider the request of the applicant, AJ's Tree Service, for a Temporary Conditional Permit for outside operations associated with an industrial tree service operation; including equipment sales/service/display/storage, and material storage/processing/production, all in the Industrial Business Park and Agricultural-Rural Residential zones.

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

No representative was present for this agenda item.

Larry Meckler stated that the applicant is not required to be present, the item can be presented and a public hearing set if the Town Board chooses to.

Cimato Enterprises, Inc./Woodland Hills at SBL 70.07-6-11. South side of Greiner Road, east side of Harris Hill Road. Previously approved 77-lot Major Subdivision in the Residential Single-Family zone on approximately 58-acres. The applicant is requesting Final Plat approval of phase 3, consisting of 20 residential sublots and the road dedication of approximately 1,360 linear feet of Kandefer's Trail. As per the Zoning Law, the Town Board has final approval authority to approve a Final Plat. The Engineering Department is in the process of ensuring that the applicant has met the technical and Town requirements necessary to consider this action.

Deputy Supervisor DiCostanzo asked if the applicant knows about all of the conditions for the project.

Jonathan Bleuer stated they are standard conditions based on all prior phases which they have accepted and agreed to.

Deputy Supervisor DiCostanzo asked if we know who the attorney is for the project.

Jonathan Bleuer stated Ken Zollitsch – GPI, Jeff Palumbo – Council.

Motion by Councilman Shear, seconded by Councilman Michnik to approve the request of the applicant, Cimato Enterprises, Inc. for final plat approval for Phase 3 of Woodland Hills, SBL 70.07-6-11, consisting of 20 sublots and the road dedication of approximately 1,360 linear feet of Kandefer's Trail, in the Residential Single-Family zone, subject to the following conditions:

1. All conditions and approvals by the Town Engineer;
2. All conditions and approvals by the Highway Superintendent;
3. All conditions of past approvals and Boards associated with Phase 3 of Woodland Hills Subdivision;
4. Installation of required landscaping;
5. All documentation for the road dedications and easements shall be submitted to the Town Attorney's Office for review and approval prior to filing with the Erie County Clerk's Office;

6. No building permits shall be issued until the road deeds and easements, as required, are filed in the Erie County Clerk's Office and proof of same is submitted to the Town Attorney's Office; and
7. Subject to Open Space, Recreation, and any other applicable fees, as required.

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

Motion by Councilman DiCostanzo, seconded by Councilman Shear to approve the applications as follows: Legion Hall: Jasmine Kaur September 26, 2026; Valerie DiRienzo November 28, 2026 and Clarence Log Cabin Quilters December 12, 2026. Clubhouse: Clarence Republican Committee September 24, 2026. Pavilion: Boy Scout Troop 93 October 10 & 11, 2026.

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

Motion by Councilman DiCostanzo, seconded by Councilman Shear to approve the Bill Pay of August 27, 2026 as follows: General Funds \$234,242.30; Highway Funds: \$564,174.89; Sewer Funds \$445.69 and Capital Funds: \$95,7419.16 for a total bill pay of \$894,282.04.

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

With no further business, Deputy Supervisor DiCostanzo reminded everyone to “Never Forget” it has been 25 years since 9-11 and I can't believe how some people don't think it ever even happened, meeting adjourned at 11:02 a.m.

Karen Lang
Town Clerk