



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: October 9, 2026

Re: October 14, 2026 Town Board Meeting – Land Use Items

Public Hearings: Two

1. **AJ's Tree Service**

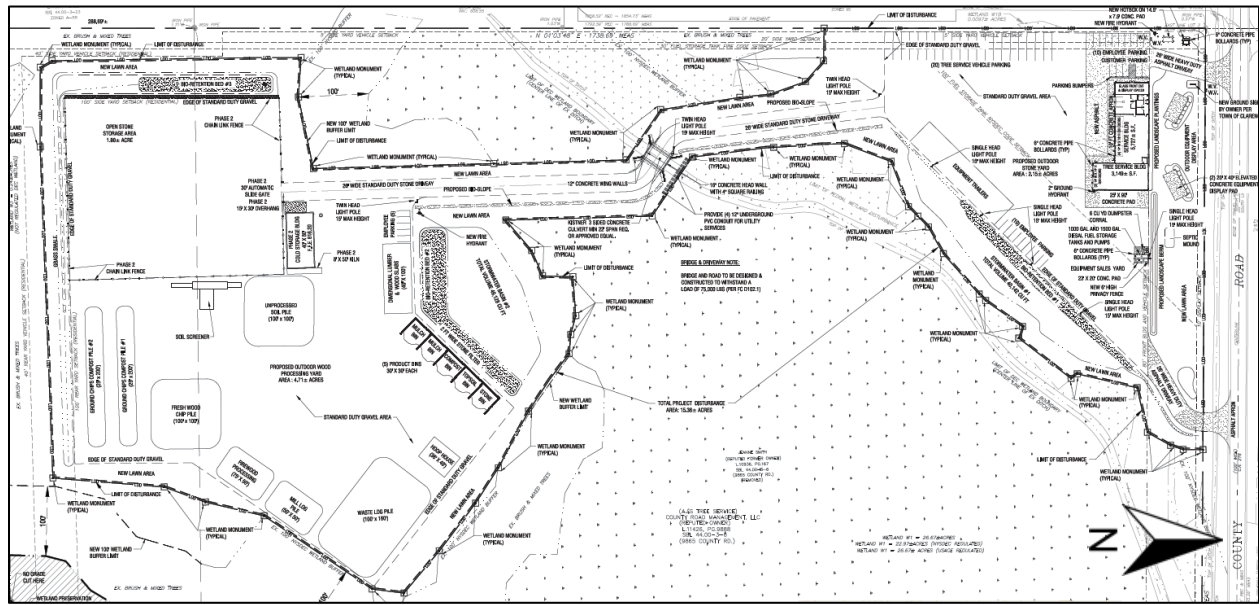
Location: 9865 County Road. South side of County Road, west of Strickler Road.

Description: Existing 47-acre vacant parcel located in the Industrial and Agricultural-Rural Residential zones.

Proposal: The applicant is requesting 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.

History: 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.

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



AJ's Tree Service – Site Plan

2. 7 Brew

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

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

Proposal: The applicant is requesting a Special Exception Use Permit for a drive-through facility associated with a Conceptually approved coffee stand.

The project consists of an approximately 510 sqft building with a dual-lane drive-through, adjacent 281 sqft cooler, and associated facilities.

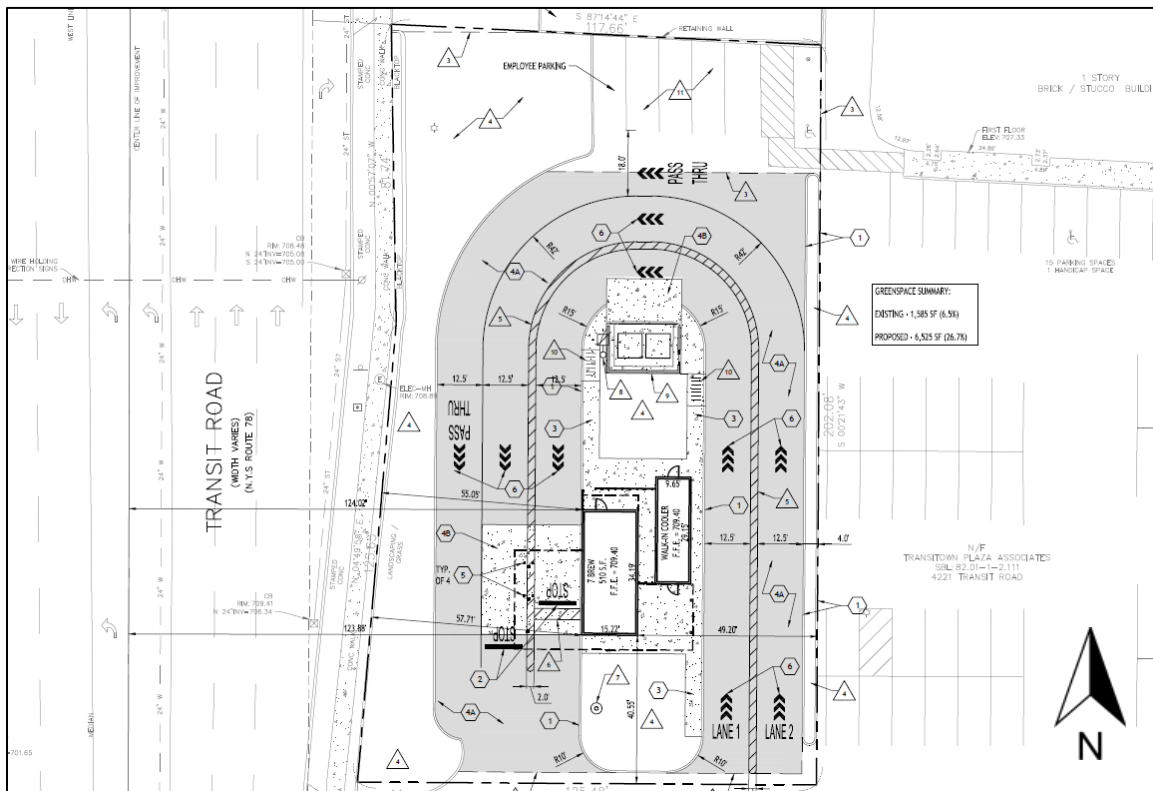
History: This item was first on the Town Board agenda in May of this year, and was tabled to allow the applicant time to consider and respond to comments heard. With new information provided, the Town Board referred the proposal to the Planning Board in June. In July, the Planning Board denied the Concept 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 holding a Public Hearing.



7 Brew – Transit Road Updated Elevation



7 Brew – Updated Concept Plan

Formal Agenda Items: None

Work Session Items: Three

1. 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

2. Delgato's Dozens

Location: 5615 Salt Road. East side of Salt Road, south of Howe Road.

Description: Existing 0.7-acre parcel in the Agricultural Rural Residential zone, containing an existing single-family residence.

Proposal: The applicant is requesting consideration of a Temporary Conditional Permit to operate a bakery sales stand. The sales area would be adjacent to the front door, and the business would operate approximately two days a week, on Friday's and Saturday's. Bake goods are prepared off-site at a commercial kitchen.

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



5615 Salt Road – Sales Stand

3. Hayter Construction, Inc.

Location: 7767 Transit Road. East side of Transit Road, north of Wolcott Road.

Description: Existing 1.4-acre parcel in the Restricted Business zone, containing a commercially converted residence to the front of the site and a showroom/garage to the rear.

Proposal: The applicant is requesting consideration of a Temporary Conditional Permit to operate a construction company. The front building will be used for office space, and the rear building will be used for meeting and storage space. Employee vehicles will be parked within existing striped spaces, and trailers will be stored behind the rear building.

Note: The applicant met with the Planning Board Executive Committee in September of this year, and has since addressed comments received.

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



7767 Transit Road – Street View