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: October 23, 2026

Re: October 28, 2026 Town Board Meeting – Land Use Items

Public Hearings: Two

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 holding a Public Hearing.

Note: All required paperwork, including up-to-date tax bills, NYS DEC mining permits, bonding, and necessary fees have been collected by the Planning Office.

2. 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 projects for consideration:

A. Senior Center Furniture Update
B. Rural Transit Services, Inc.

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

Formal Agenda Items: Three

1. 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 a Public Hearing to consider 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

2. 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 a Public Hearing to consider 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

3. 5445 Transit Road, LLC.

Location: 5445 Transit Road. East side of Transit Road, south of Roll Road.

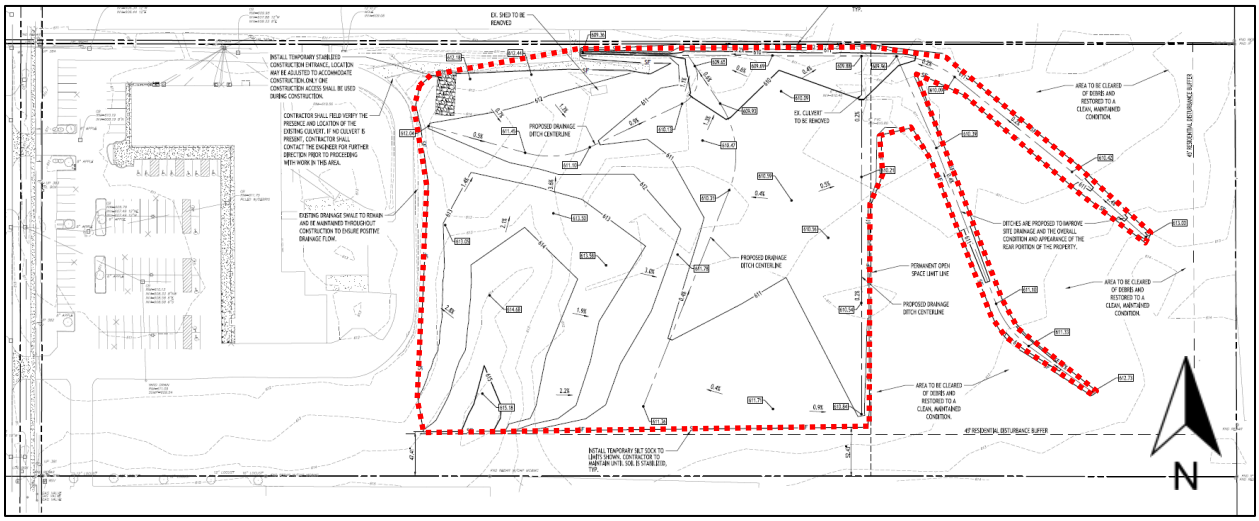
Description: Existing 13.7-acre property located in the Major Arterial and Residential Single-Family zones, containing an existing commercial plaza and associated facilities.

Proposal: The applicant is requesting approval of a Clearing, Filling, & Grading permit. The area of disturbance is approximately 4.8-acres. Per the proposal, the project is intended to clear, clean, and beautify the property, which has not been historically maintained. Drainage improvements are also proposed.

Reason for Board Action: The Town Board has the authority to consider this request, after an action through the State Environmental Quality Review Act (SEQRA).

History: Since this request was last on the Town Board Work Session in September of this year, the applicant has submitted for and received Engineering signoff, subject to ten (10) conditions.

Note: The applicant has an active proposal for a mixed-use project consisting of the expansion and redevelopment of the existing commercial plaza; which is currently in the coordinated review phase under SEQRA.



5445 Transit Road – Clearing, Grading, & Drainage Plan

Work Session Items: One

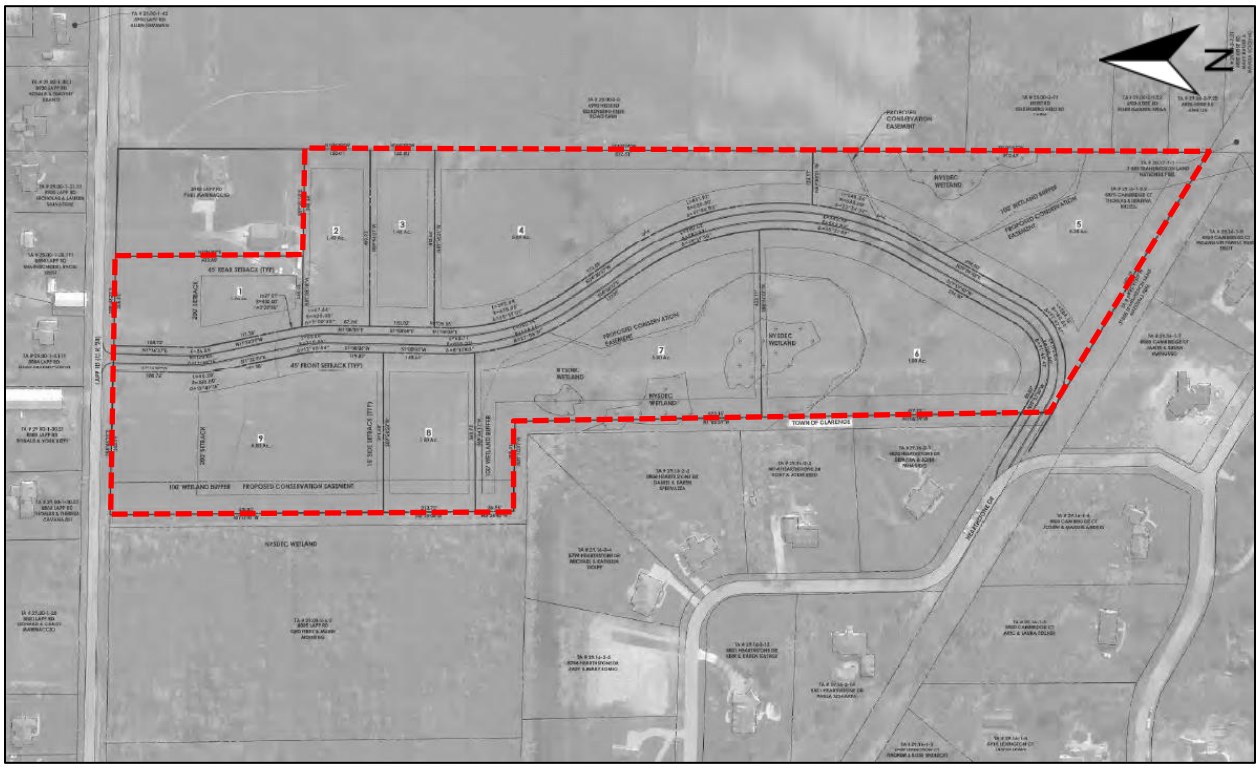
1. Paul Marinaccio

Location: 0 Lapp Road, SBL 29.00-3-34. South side of Lapp Road, west of Heise Road.

Description: Existing 36-acre vacant property located in the Agricultural Rural Residential zone.

Proposal: The applicant is requesting preliminary conceptual review of a proposed 9-lot major subdivision. Vehicular access is proposed to Lapp Road and Hearthstone Drive. Four of the lots are sub-5 acres each, while the remaining five lots are 5-acres or greater.

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



Lapp Road - Concept Plan