

**Town of Clarence  
Planning and Zoning**

# Memo

**To:** Town Board Members

**From:** James Callahan, Director of Community Development

**cc:** Town Attorney, Town Clerk, Town Engineer, Senior Code Enforcement Officer, Planning Board Members, Chamber of Commerce

**Date:** October 20, 2016

**Re:** October 26, 2016 Town Board Agenda

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**Following is a review/analysis of the items listed on the October 26, 2016 Ton Board Agenda:**

**PUBLIC HEARINGS:**

1. Annual Public Hearing to Consider Funding Opportunities to benefit Low and Moderate Income Individuals under the Community Development Block Grant (CDBG) Program.

**FORMAL AGENDA ITEMS:**

**1. STEPHEN DEVELOPMENT/FOUNTAIN COURT MIXED USE PROEJCT, 9560 MAIN STREET.**

**Location:** North side of Main Street, north and east of Gunnville Road.

**Description/History:** Existing vacant motel and property located in the Commercial and Residential Zones.

**Proposal:** Applicant is proposing to demolish the motel and construct a new mixed use development including 24 total apartment units and commercial space along the Main street frontage. The project also includes a 2-lot Open Development Area to the north that will provide a buffer to adjoining large lot residential uses.

**Master Plan:** Area identified in a commercial classification.

**Reason for Town Board Action:** Per the Zoning Law the Town Board has final approval authority to allow for multiple family residential uses via a Special Exception Use Permit.

**Issues:** A public hearing is required to consider the Special Exception Use Permit. The ZBA has granted an area variance to allow for the 24 total residential units and the Planning Board has forwarded a recommendation on the project.

## **2. BJ'S WHOLESALE CLUB, 5183 TRANSIT ROAD.**

**Location:** East side of Transit Road south of Greiner Road.

**Description/History:** Existing Wholesale Club located in the Major Arterial Zone.

**Proposal:** Applicant is seeking a permit to place a propane filling station on their property.

**Master Plan:** Area identified in a commercial classification

**Reason for Town Board Action:** Per the Zoning Law, the Town Board may consider a Special Exception Use Permit for a propane filling station.

**Issues:** Referral to Planning Board will initiate formal review of the request. A public hearing will be required to consider the SEUP.

## **3. ANNUAL RENEWAL OF EXCAVATION PERMITS.**

Per the Town of Clarence Excavation Law, the Town Board annually approves excavation permits. This year there are 4 requests, all of which were approved last year. Each applicant must submit their respective NYSDEC mining permits, bonds and corresponding fees before being placed on the formal Town Board agenda. Renewal requests are from: 1. Buffalo Crushed Stone 2. Emeritus Holdings 3. Lakeside Sod 4. Michael Development (formerly 10001 Grand Corporation)

## **WORK SESSION ITEMS:**

### **1. DOMENIC PIESTRAK/SPAULDING GREEN OPEN SPACE DESIGN DEVELOPMENT, PHASES 3A AND 4A FINAL PLAT APPROVALS**

**Location:** East side of Goodrich Road north of Greiner Road.

**Description/History:** Existing previously approved Open Space Design Subdivision. Development Plan approval was granted in 2015 for Phases 3A and 4A.

**Proposal:** Applicant is seeking Final Plat Approval on these phases. Phase 3A includes approximately 300 linear feet of Firefly Court and approximately 500 linear of Waterlefe Court and including 22 patio home lots. Phase 4A includes approximately 1300 linear feet of Spaulding Green Parkway and approximately 900 linear feet of Herons Glen and including 14 sublots

**Master Plan:** Area identified in a residential classification.

**Reason for Town Board Action:** Per the Zoning Law, the Town Board has final approval authority to accept roads for public dedication and approving Final Plats.

**Issues:** A condition of Development Plan approval identified that Final Plat approval is conditioned on completion of the recreation trail to the gas line and installation of a traffic signal at the Thompson Road/Greiner Road intersection.