

# memo

## Town of Clarence Planning and Zoning Office

To: Town Board Members  
From: James Callahan  
CC: Town Attorney, Town Clerk, Town Engineer, Senior Code Enforcement Officer, Planning Board Members, Chamber of Commerce  
Date: 9/18/2013  
Re: September 25, 2013 Town Board Meeting Agenda

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Comments: Following is a review/analysis of the items listed on the September 11, 2013 Town Board Meeting:

**PUBLIC HEARING:**

**1. RICK DIVITA, 10550 KELLER ROAD.**

**Location:** North side of Keller Road west of Salt Road.

**Description/History:** Existing residential property located on 4.9 +/- acres in the Agriculture Rural Residential Zone.

**Proposal:** Applicant is seeking approval to construct a separate in-law apartment on the property.

**Master Plan:** Area located in an agricultural zone.

**Reason for Town Board Action:** Per the Zoning Law, the Town Board may consider a secondary living unit with a Special Exception Use Permit.

**Issues:** The applicant is aware of the conditions associated with the issuance of a Special Exception Use Permit, including the inclusion of a deed restriction to ensure the property can never be sold as a two family use.

**2. JOHN AND FLORA LEAMER, 6150 GOODRICH ROAD.**

**Location:** West side of Goodrich Road, south of the Peanut Line Recreational Trail.

**Description/History:** Existing residential and vacant property, consisting of 4.5 +/- acres and located within the Clarence Center Traditional Neighborhood District and Overlay Zone.

**Master Plan:** Property located within the TND and Clarence Center Overlay.

**Proposal:** Applicant is proposing to split the existing single family residential home and develop a 16 unit multiple family residential project on the vacant parcel.

**Reason for Town Board Action:** Per the Zoning Law, the Town Board may approve Multiple Family Residential projects in the TND with a Special Exception Use Permit.

**Issues:** The Planning Board has forwarded a recommendation to approve the project with conditions.

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## FORMAL AGENDA ITEMS:

### 1. S&S AUTOBODY, 9727 COUNTY ROAD.

**Location:** South side of County Road, east of Goodrich Road.

**Description/History:** Existing commercial building located on 1.2 +/- acres and in the Industrial Business Park Zone.

**Master Plan:** Area identified in an industrial zone.

**Proposal:** Applicant is proposing to relocate an existing collision shop on County Road to the new location.

**Reason for Town Board Action:** Per the zoning Law, the Town Board has approval authority for collision shops in the Industrial Business Park Zone with a Special Exception Use Permit.

**Issues:** A public hearing will be required to consider the use.

### 2. DOMENIC PIESTRAK/SPAULDING GREENS OPEN SPACE DESIGN SUBDIVISION.

**Location:** East side of Goodrich Road as an extension south and west of the existing Ferncrest Drive within the Villas section of Spaulding Greens.

**Description/History:** Extension of a public road within the approved subdivision to accommodate 12 new structures and 48 new residential units.

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

**Proposal:** Applicant has completed construction on approximately 600 linear feet of Ferncrest Court and is seeking public road dedication.

**Reason for town Board Action:** Per the Subdivision Law, the Town Board has final authority to accept roads for public dedication.

**Issues:** Town Engineer and Highway Superintendent approval of the construction.

### 3. BROOKFIELD COUNTRY CLUB, 5120 SHIMERVILLE ROAD.

**Required permit application, fees, insurance and fire chief approvals are in the file to allow for a display on September 28, 2013.**

## WORK SESSION ITEMS:

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**1. DOUGLAS KLOTZBACH, 8185-8195 SHERIDAN DRIVE.**

**Location:** South side of Sheridan Drive, east of entrance to Eastern Hills Mall

**Description/History:** Existing residential and commercial property containing 6.2 +/- acres and located in the Restricted Business Zone.

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

**Proposal:** Applicant is proposing to develop a 90,000 +/- square foot professional office building with associated parking and landscaping.

**Reason for Town Board Action:** per the Zoning Law, the Town Board will have final review and approval authority via a Special exception Use Permit, based upon the size of the proposed building.

**Issues:** Size and scale of the proposed development, public sewer access, traffic and connectivity between projects in the vicinity.

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