

Clarence Town Environmental Quality Review  
(TEQR)  
Meeting Minutes  
Monday August 16, 2010

Chairman Robert Sackett called the meeting to order at 7:00 p.m. and led the pledge to the flag.

TEQR Members Present:

Robert Sackett	John Moulin
Paul Shear	Richard McNamara
Lisa Bertino-Beaser	Jonathan Hickey

Other Town Officials Present:

Director of Community Development James Callahan  
Town Attorney Steven Bengart  
Councilman Peter DiCostanzo  
Planning Board Liaison Gregory Todaro

Other Interested Parties Present:

Carol Conwall	Jim Mahoney
Bob Reggentine	Tim Thiel

**Item 1-**Approval of minutes from the previous meeting.

Motion by John Moulin, seconded by Jonathan Hickey, to **approve** the minutes for the meeting held on July 19, 2010.

Jonathan Hickey	Aye	Lisa Bertino-Beaser	Aye
Richard McNamara	Aye	Paul Shear	Aye
John Moulin	Aye	Robert Sackett	Aye

MOTION CARRIED.

Chairman Sackett explained that the TEQR Committee is a recommending body, making recommendations to the Planning Board and the Town Board. Jim Callahan will introduce each agenda item; the applicant will then have the opportunity add information about the project. The TEQR Committee members may ask the applicant questions at this time. The public will be offered the opportunity to speak on the subject, addressing the TEQR Committee only. The applicant will then be allowed to address any public comment. The TEQR Committee will debate on the issue and take appropriate action.

**Item 2-**Communications.

There are no communications.

**Item 3a-Woodmeadows Estates, Tonawanda Creek Road west of Northfield Road.**

(coordinated review commenced on 6/25/08, tabled at 7/19/10 meeting).

**DISCUSSION:**

Jim Callahan provides the history on the project. It is located on the south side of Tonawanda Creek Road, west of Northfield Road. It is existing vacant land in the Agricultural Floodzone. The applicant is proposing a four (4)-lot development area. Coordinated review was commenced in June 2008; the application has been tabled pending receipt of additional information. The application was tabled at the last meeting pending receipt of additional information regarding the site plan. The applicant has forwarded an updated site map in response to the Committee's questions and it is up for consideration at this time.

Bob Reggentine, of Landesign Surveyors and Engineers, is representing the developer Jim Mahoney. Within the re-submittal for the project, Mr. Reggentine said they indicated where the Town ditch is on the map. There has been confirmation from the Highway department that it is a Town ditch. Mr. Reggentine has a copy of the EAF Part II & III as prepared by the Planning and Zoning Office. Chairman Sackett pointed out that the EAF Part III noted the easement on the land-locked piece of land; Mr. Reggentine said it was never land-locked, there is access through the private road. Chairman Sackett said a Town easement has been added for the drainage ditch to include the retention pond as approved by the Highway and Engineering Department. Mr. Reggentine is aware of this.

Mr. Shear asked for confirmation that the drainage ditches which meet under the cul-de-sac will either remain opened or will be tiled per Town specifications. Mr. Reggentine said that is correct.

**ACTION:**

Motion by John Moulin, seconded by Richard McNamara, to **accept** the EAF Part II and III as prepared by the Planning Office.

Jonathan Hickey	Aye	Lisa Bertino-Beaser	Aye
Richard McNamara	Aye	Paul Shear	Aye
John Moulin	Aye	Robert Sackett	Aye

MOTION CARRIED.

Motion by Robert Sackett, seconded by Paul Shear, to **recommend** the Town Board issue a Negative Declaration on this agenda item based on the consideration of the Planning Board minutes presented to the TEQR Committee, the deliberation of the Town Board, the coordinated review correspondence and this evening's proceedings

**ON THE QUESTION:**

Mr. Shear suggested adding a contingency to the recommendation. The contingency is that the Town has the necessary easement in place for the north/south ditch that goes through the cul-de-sac and that ditch either remains opened or be tiled to meet Town specifications.

Chairman Sackett and Paul Shear both agree to add the suggested contingency to the motion.

Jonathan Hickey	Aye	Lisa Bertino-Beaser	Aye
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Richard McNamara	Aye	Paul Shear	Aye
John Moulin	Aye	Robert Sackett	Aye

MOTION CARRIED.

**Item 3b-Brookfield Flying Club, 8600 Roll Road, Requests Approval to Operate a Model Plane Flying Club** (coordinated review commenced on 3/25/09).

**DISCUSSION:**

Jim Callahan explained this item has been tabled since March 2009. Correspondence has been received from the NYS DEC identifying they would accept a mitigation but not defining a time table for when that mitigation should take place other than the summer months. Chairman Sackett voiced the Committee's concern that the summer months was a "should" and not a "shall". The Committee will withhold any recommendation until correspondence is received from the NYS DEC that the remediation has occurred to their satisfaction.

**Item 3c-Newhouse Acres, west side of Newhouse Road between Roll Road and Clarence Center Road, proposed incentive lot design subdivision.**  
(coordinated review commenced on 10/22/08).

**DISCUSSION:**

Jim Callahan explained there was a discussion with the design engineer for the project who indicated they are not working on the project at this point until they receive orders from the ownership to proceed with more detailed information. This item will remain tabled.

The next meeting date is September 20, 2010.

Meeting adjourned at 7:12 p.m.

Carolyn Delgato  
Senior Clerk Typist