

Memo

To: Town Board Members

From: Jonathan Bleuer, Director of Community Development

cc: Town Attorney, Town Clerk, Town Engineer, Code Enforcement Officers, Planning Board Members

Date: December 3, 2021

Re: December 8, 2021 Town Board Meeting - Planning Items

The following is a review of the Planning items on the December 8, 2021 Town Board Agenda:

Public Hearings: Three

1. Annual Review of Clarence 2030, the Town's Comprehensive Plan

With the adoption of Clarence 2030 on December 14, 2016, an annual review process is required to ensure that the plan remains current. Per the Plan, the annual review process may generate four types of actions:

- > Relevancy Update – Minor text, image, map or figure changes.
- > Shifting Focus – Alterations to strategies.
- > Changing Course – Alterations to goals.
- > Varying Function – Alterations to Future Land Use Map and re-zoning proposals.

Under Varying Function, the Town has received four requests to consider re-zoning in transition areas on the Future Land Use Map that may require further analysis.

- a) 4880 Ransom Road, from Residential Single Family to Traditional Neighborhood District
- b) 8560 – 8574 Main Street, from Residential Single Family to Traditional Neighborhood District
- c) Northeast corner of County and Heise Roads, from Agricultural Rural Residential to Industrial Business Park
- d) 5205 Harris Hill Road, from Residential Single Family to Commercial

A referral to the Planning Board (PB) would allow for a thorough review of these proposals.

3. DMK Development – Clarence LLC. Tractor Supply Company

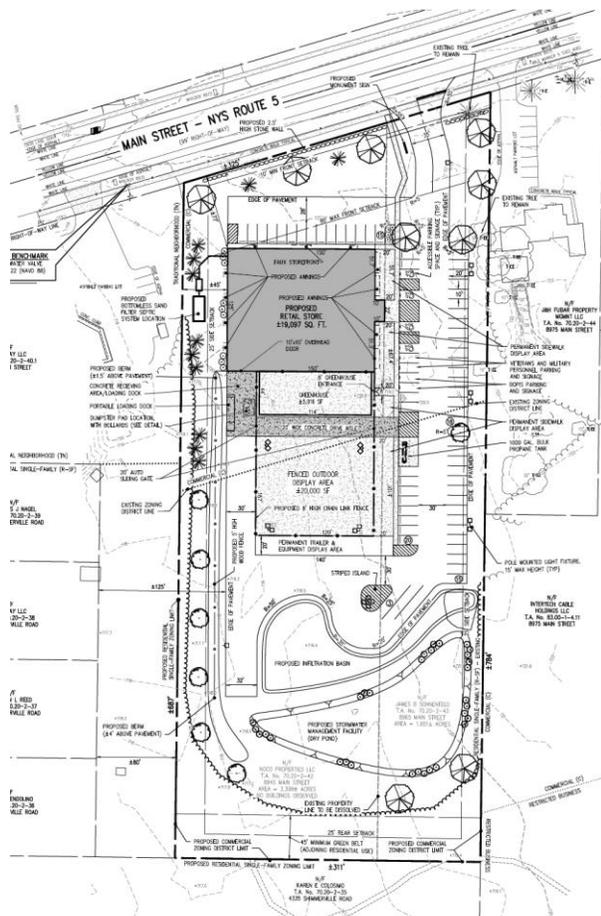
Location: 8945 & 8965 Main Street.

Description: Existing parcels containing approximately 5.25 acres in the Commercial and Residential Single Family zones. 8945 Main Street is vacant and 8965 Main Street contains an existing home and associated outbuildings proposed for demolition as part of this proposal.

Proposal/History: The applicant is requesting consideration of a Special Exception Use Permit for outside storage and display of merchandise and a Rezoning of the rear of the parcels from Residential Single Family to Commercial for a conceptually approved Tractor Supply Company retail store.

This proposal has previously received a Negative Declaration under the State Environmental Quality Review Act, Concept Plan Approval and Conceptual Architectural Approval by the Planning Board in August of this year. The Landscape Committee has approved the final landscape plan. Finally, the Planning Board also recommended issuance of a Special Exception Use Permit for outside storage/display and Rezoning of the rear of the parcels from Residential to Commercial.

Reason for Town Board Action: The Town Board has the authority to hold Public Hearings for this proposal.



Tractor Supply Company, Approved Concept Plan and Concept Render

Formal Agenda Items: None

Work Session Items: Five

1. AJ's Restaurant

Location: 10250 Main Street.

Description: Existing 1-acre parcel in the Clarence Hollow Traditional Neighborhood District containing an existing restaurant.

Proposal: The applicant is requesting consideration of a Temporary Conditional Permit for outside dining. The outdoor dining area is proposed for the rear of the building, containing 4-5 tables and a bar area with 6 seats. Hours of operation are estimated to be Tuesday-Saturday, 3pm-11pm.

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

2. Michael Stapleton

Location: 5035 Salt Road.

Description: Existing 1.3 acre parcel located in the Residential Single Family zone, containing a residence with accessory structures. A wood working shop currently exists on the property, and is considered pre-existing, non-conforming. As such, the wood working shop may continue in perpetuity until such time as the use ceases for a period of 12 consecutive months.

Proposal: The applicant is requesting consideration of a Temporary Conditional Permit for a ceramics/pottery business. The applicant will also be continuing the pre-existing non-conforming wood working business.

The applicant currently has three employees, and no retail operations would occur on site. The products are sold online, and taken to the post office for delivery.

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

3. Snappy Cleaners

Location: 4301-4331 Transit Road.

Description: Existing commercial shopping plaza known as Transitown Plaza.

Proposal: The applicant is requesting consideration of a Special Exception Use Permit for a drive-through facility, to operate a dry cleaners business. The business is proposed to be located in the Transitown outparcel building, closest to Main Street, in the former Goodwill space. The drive-through lane is proposed to be located on the west side of the building, adjacent to Pearle Vision.

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

4. Charles Pezzino, Samuel's Grande Manor

Location: 8750 Main Street

Description: Existing banquet facility in the Traditional Neighborhood District.

Proposal/History: The applicant is requesting consideration of a Temporary Conditional permit for an outside wedding venue in front of Samuel's Grande Manor.

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

5. George Smilanich

Location: 8575 Roll Road.

Description: Existing 4.5 acre parcel containing a warehouse, associated parking, greenspace, and cell tower, all located in the Industrial Business Park zone.

Proposal: The applicant is requesting consideration of a Temporary Conditional Permit for an automotive sales operation, to include allowance of up to ten (10) vehicles displayed for sale at a given time, within the parking area in front of the existing warehouse building.

History: The applicant was previously issued a Temporary Conditional Permit for an automotive sales operation in May of 2015, for one year with conditions. In August of 2016, the Temporary Conditional Permit was renewed for one additional year, with discussion of past violations. In June of 2017, the Temporary Conditional Permit was not renewed due to continuous documented violations.

Since that time, the Town has brought forward alleged violations on the property against the applicant. These alleged violations have led to a dismissal with conditions, prior to a past adjournment in contemplation of dismissal, and a guilty plea by the applicant.

This item was tabled by the Town Board on October 27th to allow for a site inspection of the property by the Planning Office, upon the agreement of the applicant.

The site inspection was conducted by the Planning Office on October 27th, and images have been taken, documenting the presence of openly stored unlicensed vehicles.

No action was taken by the Town Board on November 2nd, and the item will be placed on future Work Session agendas until the applicant brings the site into conformance with Town Code.

The applicant will provide progress reports to the Planning Office, and the Planning Office will relay that information to the Town Board at each Work Session.

Reason for Town Board Action: Once the site is brought into conformance, a referral to the PB would allow for a thorough review of this proposal.