

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: August 8, 2022

Re: August 10, 2022 Town Board Meeting – Land Use Items

The following is a review of the Land Use items on the August 10, 2022 Town Board Agenda:

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Public Hearings: None

Formal Agenda Items: Two

1. Dominic Piestrak – Clarence Center Open Space Design Subdivision

Location: South side of Clarence Center Road, east of Herr Road.

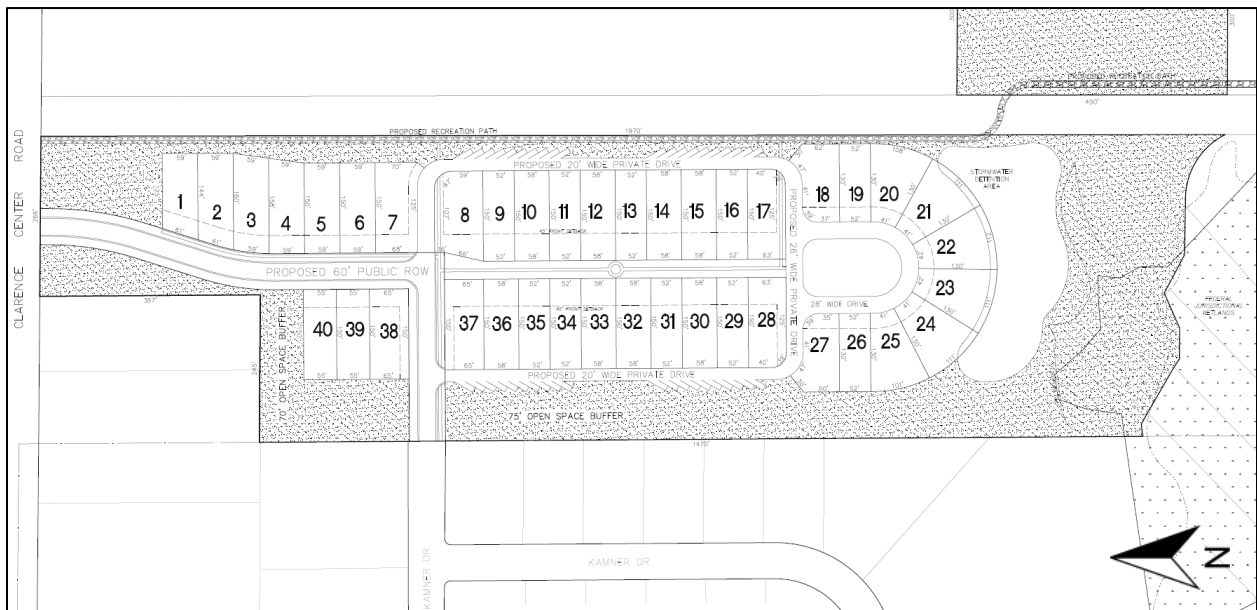
Description: Existing vacant parcel containing approximately 21 associated acres in the Residential Single-Family zone and Clarence Sewer District # 2.

Proposal: The applicant is requesting an Open Space Overlay for a conceptually approved 40 lot Open Space Design subdivision, with access to Clarence Center Road and Kamner Drive. Of the approximately 21 acres associated with this proposal, approximately 11.5 acres are proposed to be preserved as permanent open space, and protected by a conservation easement.

The access from Clarence Center Road and Kamner Drive are proposed to be public, while the remainder of the subdivision rights-of-way are proposed to be private. The applicant has proposed a publicly accessible recreational trail on the east side of the subdivision, linking Clarence Center Road to the existing recreational trail in the Spaulding Green subdivision to the south.

The Planning Board has recommended the creation of this Open Space Overlay, which will require the applicant to preserve a minimum of 50% of the project site as permanent open space.

Reason for Board Action: The Town Board has the authority set a public hearing to consider this request.



Clarence Center Open Space Design Subdivision Approved Concept Plan

2. Brookfield Country Club

Location: 5120 Shimerville Road.

Description: Existing 177-acre country club facility in the Community Facility zone.

Proposal: The applicant is requesting approval of a Fireworks Display Permit for Saturday August 20th, 2022.

Skylighters of New York is the licensed operator for this event. Necessary insurance, licensing, bonding and Fire Chief Approval paperwork is on file in the Planning Office.

Reason for Town Board Action: The Town Board has authority to approve this request.

Work Session Items: Two

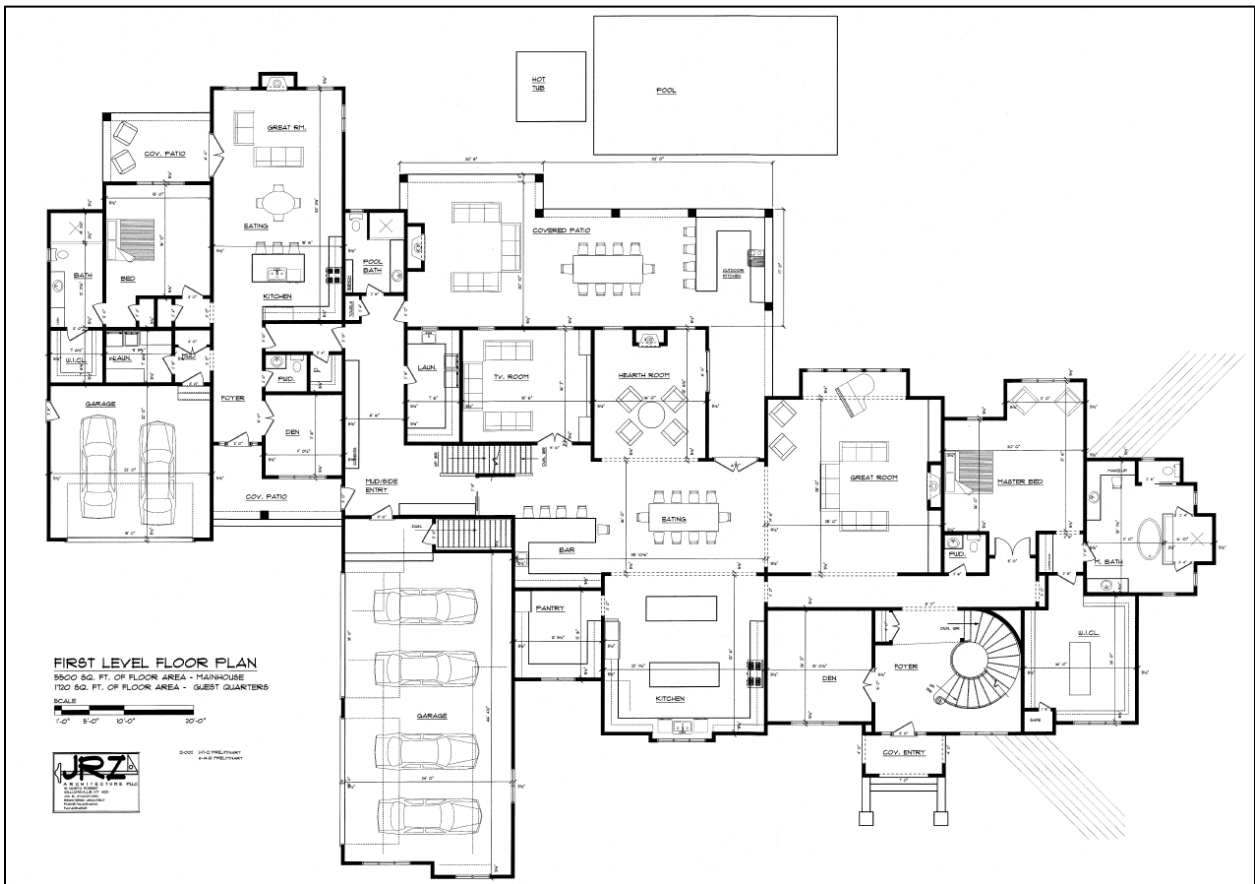
1. Zubin Homes

Location: 5475 Rolling Creek Drive. South side of Roll Road, east of Shimerville Road.

Description: Existing 8.7-acre vacant parcel located in the Residential Single Family zone, within a previously approved Open Development Area.

Proposal The applicant is requesting consideration of a public hearing to allow a Special Exception Use Permit for the construction of a secondary living unit as part of a new construction home.

Reason for Board Action: A Public Hearing would be required by the Town Board, to consider a final action.



5475 Rolling Creek Drive Elevation and 1st floor Floorplan

2. Fenton Mobility

Location: 5375 Transit Road. East side of Transit Road, north of Greiner Road.

Description: Existing .9-acre commercial parcel located in the Major Arterial zone, containing an existing automotive sales and service business.

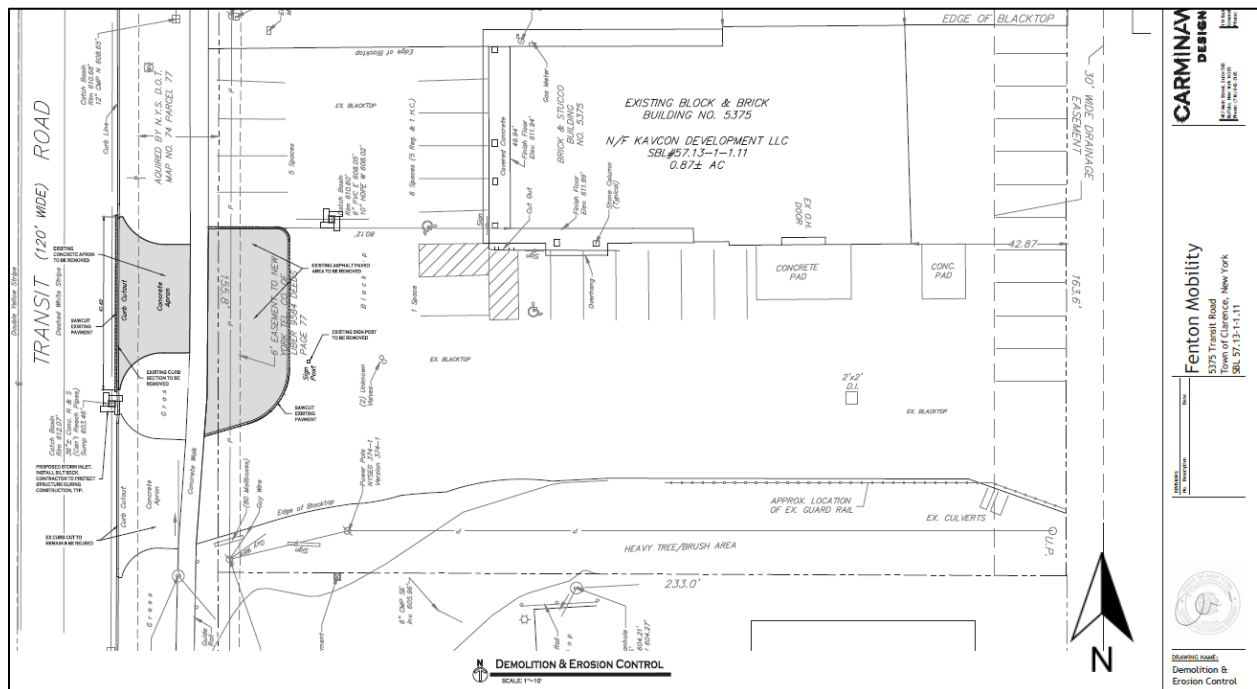
Proposal: The applicant is requesting a Special Exception Use Permit for an existing automotive sales and service business.

History: In September of 2020, the applicant made application to the Town for a relocation of an existing business (formerly Main Mobility) at 9580 Main Street, to be located at 5375 Transit Road, which was formerly home to Benson Surgical.

As this was during the State of Emergency, and upon consultation with the Town Supervisor and the Planning Board Chair, the Planning Office issued an Administrative Conditional Permit for Fenton Mobility until such time as the item could be placed on a Town Board agenda.

Since that time, the applicant has complied with the six conditions of the conditional permit, and the Planning Office has collaborated with the applicant in their development of an improved access plan proposal involving the removal of the northern access point and addition of greenspace along Transit Road (shaded in grey on plan).

Reason for Board Action: The Town Board has the authority set a public hearing to consider this request.



Fenton Mobility, 5375 Transit Road Site Plan