



**AGENDA  
TOWN OF AMHERST  
AMHERST PLANNING BOARD MEETING  
March 18, 2021  
6:30 PM**

In accordance with the Governor's Executive Order 202.1 and for public health and safety concerns related to COVID-19, the Planning Board meeting on March 18, 2021 will be held via Zoom. **The public will have an opportunity to view and participate in the meeting live.** The Public may view and participate via video or audio call in - Join the Zoom Meeting at 6:30 pm:

|                                                                                                                                                                     |                |                         |              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------------------|--------------|
| <b>Zoom</b>                                                                                                                                                         | <b>Meeting</b> | <b>Computer/Visuals</b> | <b>Link:</b> |
| <a href="https://us02web.zoom.us/j/87179339400?pwd=YnFackFzQms1NTlXUno2TW1ubFNyZz09">https://us02web.zoom.us/j/87179339400?pwd=YnFackFzQms1NTlXUno2TW1ubFNyZz09</a> |                |                         |              |

|                                                                                          |                      |
|------------------------------------------------------------------------------------------|----------------------|
| <b>Call-In</b><br><b>1-646-558-8656</b><br>Meeting ID: 871 7933 9400<br>Passcode: 369436 | <b>Instructions:</b> |
|------------------------------------------------------------------------------------------|----------------------|

**Residents and other members of the public are encouraged to provide comments or questions in writing, by email, or by telephone to the Planning Department prior to the meeting. Questions and comments must be received by March 17 to be forwarded to Planning Board members in time for the meeting. Comments and questions may be sent to:**

|                                                                                            |           |                                                                                                                                         |                 |
|--------------------------------------------------------------------------------------------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| <b>Amherst Planning Board</b><br><b>5583 Main Street</b><br><b>Williamsville, NY 14221</b> | <b>OR</b> | <b>Email:</b><br><a href="mailto:acarrato@amherst.ny.us">acarrato@amherst.ny.us</a><br><b>Phone:(716)</b><br><b>Fax: (716) 631-7153</b> | <b>631-7051</b> |
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The Planning Board will hold a public work session at 6:00 PM via Zoom.

This meeting is being video recorded.

The plans and documents that are available below for each Planning Board hearing item were submitted by the project applicant and are intended to provide general information about the proposal.

The official, complete sets of submittal documents and materials that provide more detailed information about the projects are available in the Planning Department, which is located in Amherst Town Hall, 5583 Main Street, Williamsville, NY 14221. Hours are 9 am to 5 pm, Monday through Friday. If you have any questions, please contact the Planning Department at (716) 631-7051.

Revised plans are submitted on an ongoing basis throughout the review process to address comments on the project. Every effort will be made to post the most recent version of the plans and application materials in a timely manner.

### **ROLL CALL**

|                | Chmiel | Gelber | Gill | Gilmour | Giuliani | Penberthy | Raffaele |
|----------------|--------|--------|------|---------|----------|-----------|----------|
| <b>Present</b> |        |        |      |         |          |           |          |
| <b>Absent</b>  |        |        |      |         |          |           |          |

Note: There will be no public hearing or opportunity to speak for the projects listed under the Unfinished Business section of this agenda.

### **Please note the following time limits for speakers at Planning Board hearings:**

- **Presentation by Petitioner:** 15 minutes
- **Rebuttal by neighborhood/resident spokesperson:** 15 minutes
- **Individual speakers:** 3 minutes

### **PUBLIC HEARINGS**

#### **SITE PLANS & RELIEF FROM CONDITIONS OF SITE PLANS**

1. PROPOSED AUTOMOTIVE DEALERSHIP BUILDING AND VEHICLE STORAGE EXPANSION, SP-2013-08B AND UNIFIED DEVELOPMENT WITH SP-1988-57C  
Property located at 2601 Millersport Highway  
West Herr Automotive, Petitioner
2. PROPOSED COMMERCIAL AND 9 UNIT APARTMENT BUILDING, SP-2021-01  
Property located at 2021 Sweet Home Road (NCD)  
Kevin Wyse, Petitioner
3. PROPOSED COMMERCIAL AND 4 UNIT APARTMENT BUILDING, SP-2021-02  
Property located at 2071 Sweet Home Road (NCD)  
Kevin Wyse, Petitioner
4. PROPOSED COMMERCIAL AND 3 UNIT APARTMENT BUILDING, SP-2021-03  
Property located at 661 Skinnersville Road (NCD)  
Kevin Wyse, Petitioner
5. PROPOSED AMHERST MUNICIPAL COMPLEX - LIBRARY EXPANSION, SP-1986-30\_C  
Property located at 350-500 John James Audubon Parkway (NCD)  
Town of Amherst, Petitioner

#### **SUBDIVISIONS & RELIEF FROM CONDITIONS OF SUBDIVISIONS**

6. PRELIMINARY PLAT FOR 26-LOT HEIM ROAD SUBDIVISION, SUB-2020-03PP  
Property located at 775 Heim Road  
Essex Homes, Petitioner

#### **REZONING & RELIEF FROM CONDITIONS OF REZONINGS**

7. REQUEST TO REZONE 1.44± ACRES OF LAND FROM R-3 TO CR-3A, Z-2020-13

Property located at 468 Harding Road  
Forbes Capretto Homes, Petitioner

**February 18, 2021**

No comments were heard on this proposal.

8. REQUEST TO REZONE 6.7± ACRES OF LAND FROM SA TO R-3, Z-2020-15  
Property located at 1789 Dodge Road  
Joe Rubino, Petitioner

**February 18, 2021**

The Petitioner requested this proposal be adjourned. No comments were heard on this proposal.

Mr. Giuliani moved to adjourn/table the proposal. The motion was seconded by Mr. Chmiel and carried. Ayes 4, Noes 0, Absent 3 (Gelber, Gill, Raffaele).

9. REQUEST TO REZONE 18.88± ACRES OF LAND – MIXED-USE ZONING SNYDER – HARLEM ROAD/MAIN STREET AREA, Z-2020-11  
Properties listed on attachment "A"  
Town of Amherst, Petitioner

**MISCELLANEOUS**

None

**OTHER COMMUNICATIONS**

None

**All public hearings are completed and closed at the termination of public discussion for each agenda item unless otherwise specified by the Chair.**

**UNFINISHED BUSINESS**

**Note: All public hearings have been completed. There will be no public hearings for items listed under this section.**

**SITE PLANS & RELIEF FROM CONDITIONS OF SITE PLANS**

10. PROPOSED STONHAM PLACE TOWNHOMES, SP-2020-18  
Property located at 6286-6300 Main Street  
Marrano/Marc-Equity Corporation, Petitioner

Proposed condominium development on a 4.0 ± acre parcel. The project will consist of 8 proposed buildings, housing 38 condominium units. The project will be accessed via the existing Stonham Way, a private drive serving the Greythorne Subdivision. The site will feature sidewalk access from the private drive to a sidewalk connection on Main Street, along Stonham Way. All proposed lots are located along Stonham Place and Stonham Place North, no lots front on Stonham Way. No curb cuts are proposed onto Main Street.

Jeff Palumbo, Esq., Barclay Damon, represented the petitioner, explained the proposal and was available to answer questions from the Board. David DePaolo, Marrano/Marc-Equity Corporation and Robyn Cierniak, Greenman Pedersen, Inc. were also present.

In response to the Board's questions, Ms. Cierniak stated they are trying to preserve as many mature trees as possible, are adding significant landscaping, and utilities may be a problem to reconfigure lots 9 and 10. Mr. Palumbo stated all the resident concerns were met except for the land not being developed and they will contact EduKids about a parking agreement. Mr. DePaolo stated the time frame for construction is one to one and a half years, heavy equipment will be used for a couple of months, visitor parking isn't something that is typically done, cars can park along the curb, in the driveway and garage, parking is anticipated to be adequate, it is difficult to eliminate units for parking and there is no specific policy that needs to be met.

Stuart Angert, 94 Harbridge Manor; Bonnie Clement, 90 Beckford Ct.; and Susan Grelick, 76 Harbridge Manor questioned landscaping, staging construction on Stonham Way, no parking signs on Stonham Way, and installation of a traffic signal at Main Street.

No further comments were heard on this proposal. The hearing was closed.

Following discussion, Mr. Chmiel moved to approve the Negative Declaration. The motion was seconded by Mr. Giuliani and carried. Ayes 4, Noes 0, Absent 3 (Gelber, Gill, Raffaele).

Following the approval of the Negative Declaration, Mr. Chmiel moved to approve the request based on the resolution. The motion was seconded by Mr. Giuliani and failed. Ayes 3, Noes 1 (Penberthy), Absent 3 (Gelber, Gill, Raffaele).

Ms. Penberthy moved to adjourn the request. The motion was seconded by Mr. Chmiel and carried. Ayes 4, Noes 0, Absent 3 (Gelber, Gill, Raffaele).

### **SUBDIVISIONS & RELIEF FROM CONDITIONS OF SUBDIVISIONS**

11. FINAL PLAT FOR 32-LOT DODGE ROAD SUBDIVISION, SUB-2020-02FP  
Property located at 1695, 1701 & 1721 Dodge Road  
Essex Homes of WNY, Inc, Petitioner

### **REZONING & RELIEF FROM CONDITIONS OF REZONINGS**

12. REQUEST TO REZONE 3.88± ACRES OF LAND FROM RD TO MS, Z-2020-12  
Property located at 2251 Wehrle Drive and portion of 385 Lawrence Bell Drive  
Joanne Schwartz, Petitioner

The proposed rezoning of 2251 Wehrle Drive and a portion of 385 Lawrence Bell to the Motor Service (MS) zoning designation would allow the petitioner to finance the purchase of the property as a conforming use. The existing use of the property as a truck servicing facility is not permitted in the current Research Development (RD) zoning district.

Jeff Palumbo, Esq., Barclay Damon, represented the petitioner, explained the proposal and was available to answer questions from the Board.

In response to the Board's questions, Mr. Palumbo stated the petitioner is currently a tenant at this site, the site would be updated with a paved driveway, landscaping and updating the signage, they will obtain easements and intend to be compliant with Town Code, and the neighboring parcels have no objections regarding truck parking.

No further comments were heard on this proposal. The hearing was closed.

Following discussion, Ms. Penberthy moved to adjourn the request. The motion failed due to lack of a second.

Mr. Giuliani moved to approve the request based on the resolution. The motion was seconded by Mr. Chmiel and failed. Ayes 3, Noes 1 (Penberthy), Absent 3 (Gelber, Gill, Raffaele).

Mr. Giuliani moved to adjourn the request. The motion was seconded by Mr. Chmiel and carried.  
Ayes 4, Noes 0, Absent 3 (Gelber, Gill, Raffaele).

**MISCELLANEOUS**

None

**OTHER COMMUNICATIONS**

None

**DIRECTOR'S REPORT****MINUTES APPROVAL****ADJOURNMENT**

The next Regular meeting is scheduled for April 15, 2021.