



**AGENDA
TOWN OF AMHERST
AMHERST PLANNING BOARD MEETING
May 18, 2023
6:30 PM**

The Planning Board will hold a public work session at 6:00 pm in the Amherst Municipal Building, 5583 Main Street, Williamsville, NY 14221 on the same date.

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	Gill	Gilmour	Giuliani	Kahn	Penberthy	Raffaele
Present							
Absent							

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 public 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 OFFICE DEVELOPMENT - OFFICE BUILDING ADDITION, SP-1992-44J
Property located at 2420-2430 North Forest Road (NCD)
Benderson Development Co. LLC, Petitioner

SUBDIVISIONS & RELIEF FROM CONDITIONS OF SUBDIVISIONS

None

REZONING & RELIEF FROM CONDITIONS OF REZONINGS

2. REQUEST TO REZONE 3.61± ACRES OF LAND FROM GB-TNB-1 TO TI-2.5, Z-2023-03
Property located at 1350 Eggert Road
1097 Group LLC, 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

3. PROPOSED SNYDER MIXED-USE BUILDING, SP-2022-11
Property located at 4548 & 4564 Main Street, 17 Fruehauf Avenue and 22 Chateau Terrace
Benderson Development, Petitioner

February 16, 2023

Proposal's to:

1. Request for design exception in accordance with §203-5A-7-19 of Town Code for the length of the building abutting Chateau Terrace and Fruehauf Avenue and for the requirement of tree grates along the frontage of Chateau Terrace and Fruehauf Avenue of the development to satisfy particular design standards in the Mixed Use Districts.

2. Demolish all existing structures located on the subject parcels and construct a proposed 2½ story mixed use building containing 48 apartment units (22 one bedroom, 24 two bedroom & 2 three bedroom) with 2 commercial (restaurant) tenant spaces totaling 6,624 sq. ft. Parking is provided for 76 vehicles and is internal to the building. 54 parking spaces are located in the basement level which will be controlled via gate arm and accessed via Chateau Terrace with 22 parking spaces being located on the 1st floor level and accessed via Fruehauf Avenue. Refuse will be contained within a trash storage room in the basement level and bike racks are provided on the basement and first floor levels.

James Boglioli, Esq., Benderson Development Co., represented the petitioner, explained the proposal and was available to answer questions from the Board.

In response to the Board's questions, Mr. Boglioli stated there will be designated parking spaces on Main Street for loading and unloading of trucks, one current parking space on Main Street will be eliminated, the proposed building size is less than Town Code requires, electronic bicycles could be required to be stored outdoors, the building will be fully sprinklered, the power lines on Main Street cannot be moved, the proposed building is not much higher than the existing building, the parking meets the Town's requirement, tenants will not use the space if the parking is inadequate, Samantha Smith, 60 Fruehauf Ave.; Joy Testa-Cinquino, 74 Fruehauf Ave.; Jerry O'Conner, 27 Chateau Ter.; Cheri Cejka, 30 Chateau Ter.; Jim Kalinowski, 46 Chateau Ter.; Chris Drongosky, 1250 Youngs Rd; Robbie Illos-Gerth, 11 Chateau S.; Cathy Skora, 90 Fruehauf Ave.; Amanda Casali, 23 Fruehauf Ave.; John Casali, 23 Fruehauf Ave.; Mike Kozelsky, 60 Fruehauf Ave.; Katie Buonanno, 63 Fruehauf Ave.; Mark Buonanno, 63 Fruehauf Ave.; Christina Coyle-Lenz, 64 Chateau Ter. E.; Jessica Black, 79 Fruehauf Ave.; Eric Anson, 57 Fruehauf Ave.; Bob Drdul, 92 Chateau Ter.; Lisa Drdul, 92 Chateau Ter.; Jane Cox, 4584 Harlem Rd.; Kalinowski, 46 Chateau Ter. E.; Blake Kalinowski, 46 Chateau Ter. E.; Jeff Druzvik, 70 Fruehauf Ave.; Jacob Edelman, 4885 Main St., Matt Lingle, 47 Fruehauf Ave.; Claudia Drdul, 4885 Main St.; Paul Zarcone, Hamilton and Chateau Ter.; Fred Lenz, 64 Chateau Ter.; Dave 101 Fruehauf Ave. and Dave Kimball, 104 Fruehauf Ave. spoke in opposition of the proposal.

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

Following discussion, Mr. Giuliani moved to adjourn the proposal. The motion was seconded by Ms. Penberthy and carried. Ayes 7, Noes 0.

April 20, 2023

After Roll Call the Chairman asked for a motion to move unfinished item (No.7) Snyder Mixed-Use Building to item number 1 on the agenda for consideration. Mr. Giuliani motioned to move item number 7. The motion was seconded by Ms. Kahn and carried. Ayes 6, Noes 0, Abstain 1 (Chmiel).

Mr. Gilmour asked for a motion to adjourn the request because a (SEQR) State Environmental Quality Review Act determination cannot be made by the Planning Board at this time for the following reasons:

1. The Planning Department must coordinate with the NYS Office of Parks Recreation & Historic Preservation (SHPO) pursuant to section 617.6(b)(4)(ii) of the SEQR regulations. Based on the resource evaluation report created March 23, 2023, SHPO has now determined that the building at 4548 Main Street is eligible for inclusion on the State and National Register as an Historic Place.
2. The Town of Amherst Historic Preservation Committee (HPC) has received a local landmark designation application for 4548 Main Street. Accordingly, the Planning Board requests a determination from the HPC requiring the designation of 4548 Main Street.
3. The property at 22 Chateau Terrace is identified in the 2011 Reconnaissance Level Survey of Historic Resources for the Town of Amherst as part of a potential local historic district. The HPC has received a landmark designation application for 22 Chateau Terrace. Accordingly, the Planning Board requests a determination from the HPC regarding the designation at 22 Chateau Terrace.

Mr. Giuliani motioned to adjourn the request. The motion was seconded by Mr. Gill and carried. Ayes 6, Noes 0, Abstain 1 (Chmiel).

SUBDIVISIONS & RELIEF FROM CONDITIONS OF SUBDIVISIONS

4. FINAL PLAT FOR PROPOSED 8-SUBLOT HARDING ROAD SUBDIVISION, SUB-2022-01FP
Property located at 468 Harding Road
Forbes Capretto, Petitioner

REZONING & RELIEF FROM CONDITIONS OF REZONINGS

None

MISCELLANEOUS

None

OTHER COMMUNICATIONS

None

DIRECTOR'S REPORT

MINUTES APPROVAL

ADJOURNMENT

The next Regular meeting is scheduled for June 15, 2023.