



AGENDA
TOWN OF AMHERST
AMHERST PLANNING BOARD MEETING
August 17, 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 TIER III SOLAR ENERGY SYSTEM, SP-2023-01
Property located at 800 & 850 New Road
Sol Source Power LLC, Petitioner
2. PROPOSED AMHERST COMMERCE CENTER - COSTCO WITH FUELING STATION, SP-2023-03 AND UNIFIED DEVELOPMENT WITH SP-1983-42J, SP-1996-14D AND SP-2023-07
Property located at 4200, 4224, 4228-4230 & 4252-4258 Ridge Lea Road (portions)
Benderson Development Co. LLC, Petitioner

All sites within the Amherst Commerce Center are requested to be approved as Unified Developments which establishes the Agreements/ Easements for the shared use of common facilities (e.g. parking, site lighting) and ingress and egress over the sites for vehicles and pedestrians.

SP-2023-07 (*Parcel #1 Dick's House of Sport*):

Properties located at portions of 4200, 4224 & 4228-4230 Ridge Lea Rd.

A proposed 120,000 sq. ft. Dick's House of Sport retail building and its associated 18,513 sq. ft. Field Area along with parking for 349 vehicles is located on an 8.20± acre parcel in the northwest portion of the overall project site. Three (3) vehicular access drives to the site from Bailey Avenue are shown to this parcel, one to the north of the proposed building which is intended primarily for deliveries to Dick's and Costco, one right-in-right-out driveway that aligns with the drive aisle in front of the store and a signalized common vehicular entry along the south side of the parcel south of the Dick's parking field.

SP-2023-03 (*Parcel #2 Costco*):

Properties located at portions of 4224 & 4252-4258 and no address on Ridge Lea Rd.

A 167,720 sq. ft. Costco retail building and its associated vehicle fueling facility and 774 parking spaces are located on a 17.16± acre parcel that extends north from Bailey Avenue to the Youngmann Expressway in the central portion of the development. The member warehouse is located on the eastern portion of the site with the fueling facility in the northwest corner of the site south of the shared vehicular access to Bailey Avenue with that of the proposed Dick's store. The parcel is bisected in a north south direction by an internal vehicular access drive.

SP-1983-42_J (*Parcel #3 Key Bank*):

Properties located at 4224 (portion) Ridge Lea Rd., 256, 270, 280 & 306 Meyer Rd.

The proposed 16.63± acre parcel encompasses the existing 92,150 sq. ft. Key Bank building and 534 parking spaces and will include a new storm water management facility, a new through road that connects North Bailey Avenue to Meyer Road and 83 new parking spaces connected to the proposed through road with the reservation for an additional parking area in the future. Further, there is a vacant grass area east of the existing building that will stay undeveloped with the potential to be built upon at some time in the future.

SP-1996-14_D (*Parcel #4 Delta Sonic*):

Properties located at 4252-4258 (portion) Ridge Lea Rd.

A proposed warehouse facility for Delta Sonic consisting of two existing 21,600 sq. ft. buildings and a new 108,000 sq. ft. warehouse building (151,200 s.f. total) on a 13.75± acre parcel located in the south east portion of the overall project site. Surface parking is provided for 162 spaces to be constructed and an additional 136 spaces land banked for future construction. The site will not have direct access to any public street. Internal circulation take access to North Bailey Avenue and Meyer Road through parcel #3 (Key Bank) and to North Bailey Avenue through Parcel #2 (Costco) and Parcel #1 (Dicks). The site contains two stormwater management areas along the boundary of the Youngmann Expressway I-290. Also located on Parcel #4 is an existing 7,700± sq. ft. cell tower site located in the southeast corner of the site.

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

In response to the Board's questions, Mr. Boglioli stated there will be complete pedestrian connectivity between this site and Consumer's Square, they are working with the NFTA to increase bus routes through all sites, and the Dick's Sporting Goods Field House area is an outdoor area to try sporting equipment before purchasing it.

Geri DiCosmo, 378 Meyer Road, and Todd Helming, 246 Meyer Road, spoke in opposition to the proposals.

No further comments were heard on this proposal.

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

3. PROPOSED AMHERST COMMERCE CENTER - DICKS STORE, SP-2023-07 AND UNIFIED DEVELOPMENT WITH SP-2023-03, SP-1983-42J AND SP-1996-14D
Property located at 4200, 4224 & 4228-4230 Ridge Lea Road (portions)
Benderson Development Co. LLC, Petitioner
4. PROPOSED AMHERST COMMERCE CENTER - WAREHOUSING FACILITY, SP-1996-14D AND UNIFIED DEVELOPMENT WITH SP-2023-03, SP-1983-42J AND SP-2023-07
Property located at 4252-4258 Ridge Lea Road (portion)
Benderson Development Co. LLC, Petitioner

All sites within the Amherst Commerce Center are requested to be approved as Unified Developments which establishes the Agreements/ Easements for the shared use of common facilities (e.g. parking, site lighting) and ingress and egress over the sites for vehicles and pedestrians.

SP-2023-07 (Parcel #1 Dick's House of Sport):

Properties located at portions of 4200, 4224 & 4228-4230 Ridge Lea Rd.

A proposed 120,000 sq. ft. Dick's House of Sport retail building and its associated 18,513 sq. ft. Field Area along with parking for 349 vehicles is located on an 8.20± acre parcel in the northwest portion of the overall project site. Three (3) vehicular access drives to the site from Bailey Avenue are shown to this parcel, one to the north of the proposed building which is intended primarily for deliveries to Dick's and Costco, one right-in-right-out driveway that aligns with the drive aisle in front of the store and a signalized common vehicular entry along the south side of the parcel south of the Dick's parking field.

SP-2023-03 (Parcel #2 Costco):

Properties located at portions of 4224 & 4252-4258 and no address on Ridge Lea Rd.

A 167,720 sq. ft. Costco retail building and its associated vehicle fueling facility and 774 parking spaces are located on a 17.16± acre parcel that extends north from Bailey Avenue to the Youngmann Expressway in the central portion of the development. The member warehouse is located on the eastern portion of the site with the fueling facility in the northwest corner of the site south of the shared vehicular access to Bailey Avenue with that of the proposed Dick's store. The parcel is bisected in a north south direction by an internal vehicular access drive.

SP-1983-42_J (Parcel #3 Key Bank):

Properties located at 4224 (portion) Ridge Lea Rd., 256, 270, 280 & 306 Meyer Rd.

The proposed 16.63± acre parcel encompasses the existing 92,150 sq. ft. Key Bank building and 534 parking spaces and will include a new storm water management facility, a new through road that connects North Bailey Avenue to Meyer Road and 83 new parking spaces connected to the proposed through road with the reservation for an additional parking area in the future. Further, there is a vacant grass area east of the existing building that will stay undeveloped with the potential to be built upon at some time in the future.

SP-1996-14_D (Parcel #4 Delta Sonic):

Properties located at 4252-4258 (portion) Ridge Lea Rd.

A proposed warehouse facility for Delta Sonic consisting of two existing 21,600 sq. ft. buildings and a new 108,000 sq. ft. warehouse building (151,200 s.f. total) on a 13.75± acre parcel located in the south east portion of the overall project site. Surface parking is provided for 162 spaces to be constructed and an additional 136 spaces land banked for future construction. The site will not have direct access to any public street. Internal circulation take access to North Bailey Avenue and Meyer Road through parcel #3 (Key Bank) and to North Bailey Avenue through Parcel #2 (Costco) and Parcel #1 (Dicks). The site contains two stormwater management areas along the boundary of the Youngmann Expressway I-290. Also located on Parcel #4 is an existing 7,700± sq. ft. cell tower site located in the southeast corner of the site.

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

In response to the Board's questions, Mr. Boglioli stated there will be complete pedestrian connectivity between this site and Consumer's Square, they are working with the NFTA to increase bus routes through all sites, and the Dick's Sporting Goods Field House area is an outdoor area to try sporting equipment before purchasing it.

Geri DiCosmo, 378 Meyer Road, and Todd Helming, 246 Meyer Road, spoke in opposition to the proposals.

No further comments were heard on this proposal.

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

5. PROPOSED AMHERST COMMERCE CENTER - OFFICE BUILDING, SP-1983-42J AND UNIFIED DEVELOPMENT WITH SP-2023-03, SP-1996-14D AND SP-2023-07

Property located at portion of 4224 Ridge Lea Road (portion) and 256, 270, 280 & 306 Meyer Road
Benderson Development Co. LLC, Petitioner

All sites within the Amherst Commerce Center are requested to be approved as Unified Developments which establishes the Agreements/ Easements for the shared use of common facilities (e.g. parking, site lighting) and ingress and egress over the sites for vehicles and pedestrians.

SP-2023-07 (Parcel #1 Dick's House of Sport):

Properties located at portions of 4200, 4224 & 4228-4230 Ridge Lea Rd.

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SP-2023-03 (Parcel #2 Costco):

Properties located at portions of 4224 & 4252-4258 and no address on Ridge Lea Rd.

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SP-1983-42_J (Parcel #3 Key Bank):**Properties located at 4224 (portion) Ridge Lea Rd., 256, 270, 280 & 306 Meyer Rd.**

The proposed 16.63± acre parcel encompasses the existing 92,150 sq. ft. Key Bank building and 534 parking spaces and will include a new storm water management facility, a new through road that connects North Bailey Avenue to Meyer Road and 83 new parking spaces connected to the proposed through road with the reservation for an additional parking area in the future. Further, there is a vacant grass area east of the existing building that will stay undeveloped with the potential to be built upon at some time in the future.

SP-1996-14_D (Parcel #4 Delta Sonic):**Properties located at 4252-4258 (portion) Ridge Lea Rd.**

A proposed warehouse facility for Delta Sonic consisting of two existing 21,600 sq. ft. buildings and a new 108,000 sq. ft. warehouse building (151,200 s.f. total) on a 13.75± acre parcel located in the south east portion of the overall project site. Surface parking is provided for 162 spaces to be constructed and an additional 136 spaces land banked for future construction. The site will not have direct access to any public street. Internal circulation take access to North Bailey Avenue and Meyer Road through parcel #3 (Key Bank) and to North Bailey Avenue through Parcel #2 (Costco) and Parcel #1 (Dicks). The site contains two stormwater management areas along the boundary of the Youngmann Expressway I-290. Also located on Parcel #4 is an existing 7,700± sq. ft. cell tower site located in the southeast corner of the site.

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

In response to the Board's questions, Mr. Boglioli stated there will be complete pedestrian connectivity between this site and Consumer's Square, they are working with the NFTA to increase bus routes through all sites, and the Dick's Sporting Goods Field House area is an outdoor area to try sporting equipment before purchasing it.

Geri DiCosmo, 378 Meyer Road, and Todd Helming, 246 Meyer Road, spoke in opposition to the proposals.

No further comments were heard on this proposal.

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

6. PROPOSED APARTMENT/TOWNHOUSE DEVELOPMENT, SP-2023-05

Property located at 480 Dodge Road (NCD)

The Green Organization, Petitioner

June 15, 2023

No comments were heard on this proposal.

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

7. PROPOSED DANA HEIGHTS PLAYGROUND, SP-1998-27A

Property located at 79 Shetland Drive

Town of Amherst, Petitioner

SUBDIVISIONS & RELIEF FROM CONDITIONS OF SUBDIVISIONS

8. SEQR HEARING FOR A PROPOSED 26-LOT SUBDIVISION "ASHLEY GREEN", SUB-2022-02PP

Property located at 10060 Transit Road (portion)

DJC Land Inc., Petitioner

REZONING & RELIEF FROM CONDITIONS OF REZONINGS

None

MISCELLANEOUS

9. REQUEST TO AMEND THE BICENTENNIAL COMPREHENSIVE PLAN FOR 5.09± ACRES OF LAND FROM SINGLE FAMILY RESIDENTIAL TO COMMERCIAL/MIXED USE, BCPA-2023-01
Property located at 1635 & 1639-1641 North French Road
TLH Property Management Inc., Petitioner

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. REQUEST FOR EXTENSION OF SITE PLAN APPROVAL, SP-2016-04B
Property located at 6569 Main Street
Gurdwara Cultural Center, Petitioner

Proposal to expand the existing Gurdwara Cultural Center to include demolition of an office building and construction of a 2-story free-standing building with an 8,475± sq. ft. footprint in its place, redesign of the parking lot to create 52 parking spaces, and closure of the Main Street driveway. This development site includes the existing Gurdwara Cultural Center building and a single-family residence to the south of the main building that is associated with the cultural center. Parking spaces will be added behind the proposed new building. The site will continue utilizing two of the three existing curb cuts - one to Ridge Court North and one to Amherston Drive for the residence. The existing Main Street driveway will be closed; this development will be able to exit only at a shared driveway with the property to the east (6589 Main Street).

No comments were heard on this proposal.

Following discussion, Mr. Chmiel moved to adjourn the proposal until the variances needed to implement the site plan are obtained. The motion was seconded by Ms. Penberthy and carried. Ayes 7, Noes 0.

11. REQUEST FOR EXTENSION OF SITE PLAN APPROVAL, SP-2016-04C
Property located at 6569 Main Street
Gurdwara Cultural Center, Petitioner

SUBDIVISIONS & RELIEF FROM CONDITIONS OF SUBDIVISIONS

12. EXTENSION OF PRELIMINARY PLAT APPROVAL FOR A PROPOSED 19-LOT SUBDIVISION "REGENCY COMMONS", SUB-2021-01PP1
Property located at 166 Klein Road
Regency Builders LLC, 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 September 21, 2023.