



AGENDA
TOWN OF AMHERST
AMHERST PLANNING BOARD MEETING
November 16, 2023
5:30 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 PLANNED UNIT DEVELOPMENT - AMHERST CENTRAL PARK, SP-2023-11
Property located at 772 N. Forest Road and 385 & 391 Maple Road
Town of Amherst, Petitioner

The application under consideration by the Planning Board is a Planned Unit Development (PUD) conceptual development plan for the Amherst Central Park ("PUD Application"). The PUD development plan would enable development of a town owned community park on 170.55 acres of land formerly known as the Westwood County Club. As set forth in the PUD Application, a planned unit development (PUD) is afforded by the Town's Zoning Ordinance pursuant to section 6-9 which gives the Town Board the authority to review any development on a parcel that is 30 acres or more in size. A planned unit development plan is afforded flexibility in design, through broader development standards that are performance based rather than prescriptive. Flexible design standards regulate off-street parking, landscaping, buffering, screening, building arrangements, aesthetics, vehicular circulation and pedestrian circulation. The Town Board is the approval authority for a planned unit development, while the Planning Board provides an advisory recommendation on an application. Under the provisions of the PUD the Town Board may adjust requirements of the Zoning Ordinance, including uses, signage requirements and procedures for review. All of these are being considered as part of the subject PUD plan.

Daniel Howard, Planning Director, Anne Dafchik, Architect, and Jeffrey Szatkowski, Landscape Architect, represented the petitioner, explained the proposal and were available to answer questions from the Board.

In response to the Board's questions, Mr. Howard stated he thinks there will be additional opportunities for input, change and local residents concerns to be heard, each component of the plan will go through the Facility Improvement Plan review process, there is not a timeline or sequence right now, and development will likely to start on the southeastern portion of the site.

Mary Shapiro, 16 Royalwoods Ct., spoke in opposition of the proposal; Bill Vaughan, 11 Fairways Blvd., spoke in opposition of the location of the proposed bike/pedestrian location at the Fairway Blvd. and Frankhauser Rd. intersection; Maureen Schmitt, 866, 860 & 850 N. Forest Rd., thanked the Town of Amherst for proposing a park on this property and requested the following - 1. an 8-foot high maintenance free fence running the entire property line between 850 N. Forest Rd. and the park property, 2. all parking lot and area lighting be positioned facing away from her properties, 3. that the maintenance garage have service hours between 7 am and 6 pm, and 4. an entrance and parking lot off Maple Road for public using the northern portion of the site; Maryann Hochberg, 1075 N. Forest Rd., spoke about the traffic impact for the area, needing a second entrance at the start of construction for construction access, a Maple Road entrance, and 829 N. Forest Rd. is identified on the National Historic register, and Tom Frank, 5403 Main St., spoke regarding the LWRP and stated there should be a trailway connection from the Project site to the Ellicott Creek bicycle path and UB.

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

Following discussion, Mr. Giuliani moved to approve the request based on the resolution. The motion was seconded by Mr. Chmiel and carried. Ayes 7, Noes 0.

SUBDIVISIONS & RELIEF FROM CONDITIONS OF SUBDIVISIONS

None

REZONING & RELIEF FROM CONDITIONS OF REZONINGS

2. REQUEST TO AMEND THE SEQRA FINDING FOR SIGNAGE, Z-1996-02B
Property located at 1565, 1575-1659 & 1641-1703 Niagara Falls Boulevard (BCD)
Benderson Development, Petitioner

The purpose of this request is to remove signage restrictions in the Findings Statement for Boulevard Consumer Square. The petitioner is seeking the removal of SEQR findings that limit the placement of signage on the rear facades of buildings that face Romney Road, Ridge Lea Road, and North Bailey Avenue. Additionally, the request includes the removal of a SEQR finding that limits the number of pole, pylon, or ground signs along Romney Road, Ridge Lea Road, and North Bailey Avenue.

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 no signage will face the residential properties to the north of the site.

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

Following discussion, Mr. Giuliani moved to approve the request based on the resolution. The motion was seconded by Mr. Raffaele and carried. Ayes 6, Noes 0, Abstain 1 (Chmiel).

MISCELLANEOUS

3. REQUEST TO AMEND THE BICENTENNIAL COMPREHENSIVE PLAN FROM COMMERCIAL OFFICE TO MIXED RESIDENTIAL, BCPA-2023-03
Property located at 2280 Wehrle Drive
Michael Keller, Petitioner

To amend the Bicentennial Comprehensive Plan to change the land use designation on Figure 6 from "Commercial-Office" to "Mixed Residential" to allow for the potential rezoning and construction of a four (4) unit, two (2) story apartment building.

Jeffrey D. Palumbo, Esq., Block, Longo, LaMarca & Brzezinski, represented the petitioner, explained the proposal and was available to answer questions from the Board.

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

Following discussion, Ms. Penberthy moved to approve the request based on the resolution. The motion was seconded by Mr. Gill and carried. Ayes 7, Noes 0.

4. REQUEST TO AMEND THE BICENTENNIAL COMPREHENSIVE PLAN FROM COMMERCIAL OFFICE TO INDUSTRIAL OFFICE, BCPA-2023-04
Property located at 2360-2370 Wehrle Drive
Arista 1 LLC, Petitioner

To amend the Bicentennial Comprehensive Plan to change the land use designation on Figure 6 from "Commercial-Office" to "Industrial-Office" to allow for the potential rezoning and construction on the parcel of 310,000 square feet of industrial/warehousing.

Jeffrey D. Palumbo, Esq., Block, Longo, LaMarca & Brzezinski, represented the petitioner, explained the proposal and was available to answer questions from the Board.

Giselle Gewandowski, 125 Oakwood Dr.; Gregg Bennett, 6675 Main St.; Phillip Lewandowski, 125 Oakwood Dr.; Tim Berry, 200 Berkley Rd.; John Krempa, 110 Oakwood Dr.; Clarice Stetter, 134 Oakwood Dr.; Kim Seibold, 111 Oakwood Dr.; Leanne Ruisi, 142 Oakwood Dr.; Douglas Ruisi, 142 Oakwood Dr.; Jim O'Donnell, 80 Oakwood Dr.; and Connor Doyle, 4009 Clinton St. 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 request. The motion was seconded by Ms. Penberthy and carried. Ayes 7, Noes 0.

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

None

SUBDIVISIONS & RELIEF FROM CONDITIONS OF SUBDIVISIONS

None

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 January 18, 2024.