



**MINUTES
TOWN OF AMHERST
AMHERST PLANNING BOARD MEETING
July 23, 2024
6:30 PM**

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

This meeting is being video recorded.

ROLL CALL

Attendee Name	Organization	Title	Status	Arrived
Michael Chmiel	Town of Amherst	Chair	Present	
John B. Davis	Town of Amherst	Board Member	Present	
Harbinder Gill	Town of Amherst	Board Member	Present	
Dal Giuliani	Town of Amherst	Board Member	Present	
Carrie H. Kahn	Town of Amherst	Board Member	Present	
Brittany Lee Penberthy	Town of Amherst	Board Member	Absent	
Joseph P. Raffaele Jr.	Town of Amherst	Board Member	Absent	
Dan Howard	Town of Amherst	Planning Director	Present	
Gary Palumbo	Town of Amherst	Associate Planner	Present	
Amy Carrato	Town of Amherst	Community Development Assistant	Present	
Nora B. Robshaw	Town of Amherst	Deputy Town Attorney	Present	

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

None

SUBDIVISIONS & RELIEF FROM CONDITIONS OF SUBDIVISIONS

None

REZONING & RELIEF FROM CONDITIONS OF REZONINGS

None

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

None

SUBDIVISIONS & RELIEF FROM CONDITIONS OF SUBDIVISIONS

1. FINAL PLAT FOR A PROPOSED 19-LOT SUBDIVISION "REGENCY COMMONS", SUB-2021-01FP
Property located at 166 Klein Road
Regency Builders LLC, Petitioner

The proposed subdivision includes 19 lots for 18 single-family homes and one for the private roadway in the R-3 zoning district. The proposal shows a 28-foot-wide private drive that terminates in a cul-de-sac. The stormwater and bio-retention areas are located at the northern end of the parcel, at the terminus of the private drive.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Carrie H. Kahn, Board Member
SECONDER:	Dal Giuliani, Board Member
AYES:	Chmiel, Davis, Gill, Giuliani, Kahn
ABSENT:	Penberthy, Raffaele Jr.

REZONING & RELIEF FROM CONDITIONS OF REZONINGS

None

MISCELLANEOUS

None

OTHER COMMUNICATIONS

None

DIRECTOR'S REPORT**MINUTES APPROVAL****June 25, 2024**

Mr. Giuliani moved to approve the minutes. The motion was seconded by Mr. Gill and carried. Ayes 5, Noes 0, Absent 2 (Penberthy, Raffaele).

May 16, 2024

Mr. Gill moved to approve the minutes. The motion was seconded by Mr. Giuliani and carried. Ayes 5, Noes 0, Absent 2 (Penberthy, Raffaele).

ADJOURNMENT

The Planning Board meeting of July 23, 2024 was adjourned at 6:43 pm.



Amherst Planning Board

5583 Main Street
Williamsville, NY 14221

ADOPTED

PLANNING BOARD ITEM (ID # 27695)

Meeting: 07/23/24 06:30 PM

Department: Planning

Category: Subdivisions & Relief from Conditions

Prepared By: Amy Carrato

Initiator: Dan Howard

Sponsors:

DOC ID: 27695

Final Plat for a Proposed 19-Lot Subdivision "Regency Commons", SUB-2021-01FP

Property located at 166 Klein Road
Regency Builders LLC, Petitioner

The proposed subdivision includes 19 lots for 18 single-family homes and one for the private roadway in the R-3 zoning district. The proposal shows a 28-foot-wide private drive that terminates in a cul-de-sac. The stormwater and bio-retention areas are located at the northern end of the parcel, at the terminus of the private drive.

ATTACHMENTS:

- SUB-2021-01FP signed resolution 072324 (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Carrie H. Kahn, Board Member
SECONDER:	Dal Giuliani, Board Member
AYES:	Chmiel, Davis, Gill, Giuliani, Kahn
ABSENT:	Brittany Lee Penberthy, Joseph P. Raffaele Jr.

TOWN OF AMHERST
PLANNING BOARD
FINAL PLAT RESOLUTION
SUB-2021-01_FP

PETITIONER

Regency Builders LLC
c/o Sean Hopkins Esq.
Hopkins Sorgi & McCarthy
5500 Main Street Suite 343
Williamsville, New York 14221

PROPERTY LOCATION

166 Klein Road

JUL 26 2024 AM 0

WHEREAS the Town of Amherst Planning Board on Tuesday July 23, 2024 reviewed plans and specifications for the proposed 19-lot subdivision, "Regency Commons", located at 166 Klein Road, and

WHEREAS the subdivision has been referred to the Town's various review agencies, and

WHEREAS the Planning Board finds that:

1. The proposed subdivision is consistent with the intent, objectives and specific requirements of the Zoning Ordinance.
2. This final plat is in substantial compliance with the previously approved Preliminary Plat as required and in accordance with Town Law Section 276, Paragraph 6(b).
3. Adequate services and utilities are or will be available prior to occupancy.
4. Pursuant to Local Law #3-82, as amended, the Planning Board has determined that the requirements of SEQR are complete, a Negative Declaration has been issued, and that the subject proposal is not expected to have a significant adverse effect on the environment.
5. Under Section 404 of the Clean Water Act, the US Army Corps of Engineers has determined that it has no jurisdiction.
6. The subdivision is consistent with all other applicable laws.

NOW THEREFORE BE IT RESOLVED that the Planning Board, in accordance with Part III of the Subdivision Regulations approves said Subdivision with the following conditions:

1. That the Preliminary Plans be issued by the Planning Department prior to Planning Board Chairman's signature on Final Plat.
2. That the Public Utility Easement, Public Drainage Easement, Public Access Easement and Declaration of Restrictions for Private Easements be filed in conjunction with the Final Plat with the County and copies of the aforementioned documents be provided to the Town Planning Department.

Attachment: SUB-2021-01FP signed resolution 072324 (27695 : Sub-2021-01FP, 166 Klein Rd.)

TOWN OF AMHERST
PLANNING BOARD
FINAL PLAT RESOLUTION
SUB-2021-01_FP

PETITIONER

Regency Builders LLC

PROPERTY LOCATION

166 Klein Road

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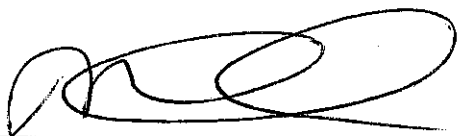
3. That Pursuant to Chapter 160 of the Town Code, this developer has committed to a payment of \$16,318.30 to the sewer remediation trust fund prior to the issuance of any plumbing or PIP permits.

NOW THEREFORE BE IT FURTHER RESOLVED that the proposed private road be classified as a local street and that sidewalks are required on the private road and on Klein Road, and that the required ramps and/or curb cuts to meet ADA compliance be included and constructed with the P.I.P.'s for the proposed subdivision and work in the Klein Road right-of-way.

NOW THEREFORE BE IT FURTHER RESOLVED in reviewing the proposed subdivision and §204-3-2 O of Town Code that street lighting is required and that the required street lighting be constructed under a P.I.P.

NOW THEREFORE BE IT FURTHER RESOLVED that recreation fees are required for the proposed subdivision lots in accordance with the adopted fee schedule.

The foregoing resolution was adopted by the Town of Amherst Planning Board, July 23, 2024; moved by Kahn; seconded by Giuliani; ayes 5; noes 0; absent 2 (Penberthy, Raffaele).



Michael J. Chmiel, Planning Board Chair

7/25/24
Date

GP/ac

X:\Current_Planning\Files\Subdivisions\SUB-2021\SUB-2021-01_(166_Klein_Rd)_2021\SUB-2021-01_FP_(166_Klein_Rd)_2023\SUB-2021-01_resolution_FP_072324.doc

cc: Commissioner of Building
Town Engineer
Highway Superintendent
Fire Chiefs Council

Sean Hopkins, Hopkins Sorgi & McCarthy, 5500 Main St., Suite 343, Williamsville, NY 14221
Ken Zollitsch, Greenman-Pedersen Inc., 4950 Genesee Street, Suite 100, Buffalo, NY 14225
Elliot Lasky, Regency Homes, PO Box 1454, Williamsville, NY 14221

Attachment: SUB-2021-01FP signed resolution 072324 (27695 : Sub-2021-01FP, 166 Klein Rd.)