



AGENDA
TOWN OF AMHERST
AMHERST PLANNING BOARD MEETING
August 21, 2025
6:30 PM

The Planning Board will hold 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

	Chmiel	Davis	Gill	Kahn	O'Rourke	Penberthy	Raffaele
Present							
Absent							

MINUTES APPROVAL

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 WAREHOUSE OFFICE BUILDING, SP-2024-10
Property located at 5500 Millersport Highway
Stephens Property Holdings LLC, Petitioner

January 16, 2025

No comments were heard on this proposal.

Following discussion, Mr. Raffaele moved to adjourn the request. The motion was seconded by Mr. Gill and carried. Ayes 5, Noes 0, Absent 2 (Kahn, Penberthy).

2. PROPOSED OFFICE BUILDING (SURGERY CENTER), SP-2025-05
Property located at 1692 Maple Road
1692 Maple Road LLC, Petitioner
3. PROPOSED YOUTH CENTER BUILDING ADDITION, SP-2014-10 C
Property located at 1350 Eggert Road
1097 Group LLC, Petitioner

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

4. REQUEST FOR EXTENSION OF SITE PLAN APPROVAL FOR A PROPOSED WAREHOUSE ADDITION, SP-1987-64 B
Property located at 80 Creekside Drive
80 Creekside Drive LLC, Petitioner

SUBDIVISIONS & RELIEF FROM CONDITIONS OF SUBDIVISIONS

5. PRELIMINARY PLAT REVIEW FOR A PROPOSED 14 BUILDING LOT SUBDIVISION, SUB-2024-02 PP
Property located at 1789 Dodge Road
Joseph Rubino, Petitioner

Preliminary Plat application for proposal to subdivide 6.7 acres on the south side of Dodge Road into 17 parcels for 14 single family building lots, 2 lots for open space and 1 lot for stormwater retention.

June 26, 2025

Sean Hopkins, Esq., Hopkins Sorgi & McCarthy, represented the petitioner, explained the proposal and was available to answer questions from the Board. Joseph Rubino, Petitioner, and Dan LaPierla, Carmina Wood Design, were also present.

In response to the Board's questions, Mr. Hopkins stated the proposed subdivision is higher density than the adjoining property but not the nearby subdivisions and discussed the potential headlight impact at 1780 and 1790 Dodge Road and their willingness to plant evergreen trees on both properties.

William Pitz, 1815 Dodge Road; Sandy Mack, 1790 Dodge Road; and Nancy Fender, 101 Main Street; spoke in opposition to the proposal.

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

Following discussion, Ms. Penberthy moved to deny the waiver to §204 of Town Code for the paved stub road and approve the waiver for sidewalks on the southerly property line. The motion was seconded by Mr. O'Rourke and carried. Ayes 5, Noes 0, Absent 2 (Kahn, Raffaele).

A motion to approve the Preliminary Plat was made by O'Rourke; seconded by Davis; ayes 3; noes 2 (Gill, Penberthy); absent 2 (Kahn, Raffaele). The result is uncertain and the motion did not carry.

The Motions and subsequent votes created great confusion as to their outcome and effect. Both the Applicant, through their attorney and members of the Public objected to the Motions and their potential results.

July 24, 2025

Ms. Penberthy moved to rescind the vote of June 26, 2025 on the waiver to §204 of Town Code. The motion was seconded by Mr. O'Rourke and carried. Ayes 6, Noes 0, Absent 1 (Gill).

Ms. Penberthy moved to rescind the vote of June 26, 2025 on the Preliminary Plat determination. The motion was seconded by Mr. O'Rourke and carried. Ayes 6, Noes 0, Absent 1 (Gill).

Ms. Penberthy moved to adjourn the waiver to §204 of Town Code to the August 21, 2025 Planning Board meeting. The motion was seconded by Ms. Kahn and carried. Ayes 6, Noes 0, Absent 1 (Gill).

Ms. Penberthy moved to adjourn the Preliminary Plat determination to the August 21, 2025 Planning Board meeting. The motion was seconded by Ms. Kahn and carried. Ayes 6, Noes 0, Absent 1 (Gill).

REZONING & RELIEF FROM CONDITIONS OF REZONINGS

None

MISCELLANEOUS

None

OTHER COMMUNICATIONS

None

DIRECTOR'S REPORT

ADJOURNMENT

The next Regular meeting is scheduled for September 18, 2025.