



**AGENDA
TOWN OF AMHERST
AMHERST PLANNING BOARD MEETING
November 20, 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

October 16, 2025

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 PLACE OF WORSHIP - (GURDWARA REDEVELOPMENT), SP-2025-08
Property located at 2345 North French Road
Nanaksar Thath Isher Dabar, Petitioner

2. THE FOLLOWING ITEM HAS BEEN POSTPONED AT THE PETITIONER'S REQUEST: PROPOSED MEDICAL OFFICE - PARKING EXPANSION, SP-2017-16 B
Property located at 190 Maple Road
Youngs Road Property Development, Petitioner
3. PROPOSED PARK COUNTRY CLUB - OPEN AIR COVERED TERRACE, SP-1991-09 F
Property located at 4949 Sheridan Drive
Park Country Club, Petitioner
4. PROPOSED AMHERST DEVELOPMENT PARK - BUILDING MEZZANINE ADDITIONS AND REVISIONS TO PARKING AND STORMWATER FACILITIES, SP-1988-11 Q
Property located at 6000-6020 North Bailey Avenue
Benderson Development Company LLC, Petitioner
5. THE FOLLOWING ITEM HAS BEEN POSTPONED AT THE PETITIONER'S REQUEST: PROPOSED MULTI-FAMILY DEVELOPMENT, SP-2025-10
Property located at 46, 54, 60, 68, 74 & 84 S. Linden Street and the former South Linden Street Right-of-Way
South Linden LLC, Petitioner
6. PROPOSED 716 SPORTS COMPLEX, SP-2025-11
Property located at 330 Maple Road (portion)
716 Sports Complex LLC, Petitioner

SUBDIVISIONS & RELIEF FROM CONDITIONS OF SUBDIVISIONS

None

REZONING & RELIEF FROM CONDITIONS OF REZONINGS

7. REQUEST TO REZONE 1.0± ACRES OF LAND FROM SUBURBAN AGRICULTURE DISTRICT (SA) TO RESIDENTIAL DISTRICT THREE (R3), Z-2025-03
Property located at 95 Snowberry Lane
Eric Bennett, Petitioner

MISCELLANEOUS

8. PROPOSED ZONING TEXT AMENDMENT, CREATION OF AN URBAN RENEWAL OVERLAY DISTRICT 1, ZTA-2023-05

Town of Amherst, Petitioner

In December 2020, the Amherst Town Board adopted the Boulevard Central District (BCD) Focal Planning Area as part of the Bicentennial Comprehensive Plan. The BCD Plan envisions incorporating walkable, mixed-use, transit oriented developments into aging and underutilized commercial areas, including the Boulevard Mall site. The BCD Plan is proposed to be implemented through application of mixed-use zoning districts (Chp. 203 §5A) adopted in 2019 that encourage retrofits of the town's commercial areas.

In 2022, as the Mall continued to decline, the Town Board established an Urban Renewal Area and the Amherst Urban Renewal Agency (AURA), and adopted the Boulevard Mall Urban Renewal Plan. The Urban Renewal Plan outlines methods to proactively address blighted conditions and further implement the BCD vision, including through the acquisition and disposition of land to qualified developers; as well as the introduction of new ordinances, provisions, or amendments to existing codes, amongst other actions.

The Urban Renewal Plan specifically calls for the "Town Board to consider adopting specialized provisions for the Urban Renewal Area that will allow for flexibility in the review and approval of specific development projects". Accordingly the Town Board proposes to create an Urban Renewal Area Overlay District (URAOD) in order to promote flexibility in the review and approval processes for the redevelopment of certain parcels within the Urban Renewal Area, by using its authority granted by New York Town Law §261-c and the Municipal Home Rule Law.

A URAOD is an overlay zoning district layered on top of another existing zoning district that implements additional regulations and does not disturb the substantive provisions of the underlying base zoning districts. This URAOD establishes additional standards and criteria to promote specific development projects, and constitutes the exclusive procedural requirements and authorizations for development within the URAOD. As proposed, this URAOD will apply to the Boulevard Mall area and parcels as described in the Local Law.

The proposed URAOD project review process as described in the Local Law is similar to the current Site Plan Review Process carried out by the Town except for the deviations described below:

1. A Pre-submittal Meeting with the Planning Department is required;
2. Information from the Urban Renewal Plan, may be considered, in addition to the Comprehensive Plan, in the Planning Board's ability to render decisions;
3. The AURA may limit Planning Board authority to adjust the number of proposed buildings and "other elements deemed essential" on certified projects;
4. The Planning Board cannot request further re-referral of projects to outside agencies or boards.
5. The Planning Board is granted authority to consider waivers as part of project review in place of the Zoning Board of Appeals;
6. Public hearings by the Planning Board shall not be held; and all notice, publication, and other requirements set forth by other laws, ordinances, or regulations of the Town for land use approvals are inapplicable to applications within the URAOD;

2/15/2024

Following discussion, Mr. Davis moved to approve the request based on the resolution. The motion was seconded by Ms. Kahn and carried. Ayes 4, Noes 2 (Penberthy, Raffaele), Absent 1 (Gill).

1/18/2024

Martin Polowy, Town of Amherst, Town Attorney, represented the petitioner, explained the proposal and was available to answer questions from the Board.

In response to the Board's questions, Mr. Polowy stated that NYS law allows for an overlay district, this proposed process is streamlined and more efficient for redevelopment. The process enables the Town Board/AURA to consider individual projects before transferring property ownership, and relies on the Planning Board to review and approve projects.

Geri DiCosmo, 378 Meyer Rd., and Joe Voytovich, 35 Bucyrus Dr., spoke in opposition of the project.

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

Following discussion, Ms. Penberthy moved to deny the request. The motion was seconded by Mr. Raffaele and failed. Ayes 2, Noes 3 (Chmiel, Davis, Gill), Absent 2 (Giuliani, Kahn).

Following discussion, Ms. Penberthy moved to adjourn the request. The motion was seconded by Mr. Chmiel and passed. Ayes 5, Noes 0, Absent 2 (Giuliani, Kahn).

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

9. PROPOSED FINAL PLAT FOR A 91-LOT SUBDIVISION FOR "SAWYERS LANDING" SUBDIVISION, SP-2021-05 B
Property located 42-50 Dodge Road (NCD)
Sawyers Landing LLC, Petitioner

SUBDIVISIONS & RELIEF FROM CONDITIONS OF SUBDIVISIONS

10. FINAL PLAT REVIEW FOR A 23-LOT SUBDIVISION "PARK GARDENS", SUB-2025--01 FP (AKA SP-2024-05 A)
Property located at 4774-4780 Sheridan Drive
4780 Sheridan Drive, Petitioner

Proposed subdivision of 5.03 acres into 23 parcels comprised of eleven (11) 2-unit townhome buildings with attached garages (22 units) and a common area lot along with the site, utility & lighting improvements. Number of units, and layout/location of buildings, drive and stormwater management practice remain the same as the previously-approved Site Plan (SP-2024-05.)

As part of the Preliminary Plat Approval, the Planning Board granted waivers to certain subdivision standards prior to taking action on the Preliminary Plat. The requested waivers to §204 of Town Code relate to design standards for the private street include:

- §204-3-2-4(1) – not providing required sidewalks on both sides of the private street,
- §204-3-2-4(1) – not providing required planting strips on both sides of the private street,
- §204-3-2-4 G – not providing required upright curbs on the private street, and
- §204-3-2-4A(7)(e) – not continuing the property lines to the centerline of the private roadway

On April 15, 2025 the Zoning Board of Appeals granted the following area variances:

- SECTION: 3-9-2B(2) (lot area)
- SECTION: 3-9-2B(2) (lot width)
- SECTION: 3-9-2B(2)(front setback)
- SECTION: 3-9-2B(2) (rear setback)
- SECTION: 3-9-2B(2) (side yard)
- SECTION: 3-9-2B(2)(building coverage)

September 25, 2025

Following discussion, Ms. Penberthy to adjourn the proposal to the October Planning Board meeting. The motion was seconded by Mr. Gill and carried. Ayes 5, Noes 0, Absent 2 (Penberthy, Raffaele).

October 16, 2025

Following discussion, Mr. O'Rourke moved to adjourn the proposal until the required documents are received by the Planning Department. The motion was seconded by Ms. Kahn and carried. Ayes 5, Noes 0, Absent 2 (Penberthy, Raffaele).

REZONING & RELIEF FROM CONDITIONS OF REZONINGS

None

MISCELLANEOUS

None

OTHER COMMUNICATIONS

None

DIRECTOR'S REPORT

ADJOURNMENT

The next Regular meeting is scheduled for January 15, 2026.