



Zoning Board of Appeals

Regular Meeting

Agenda

5583 Main Street
Amherst, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

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This meeting is being recorded and will stream live online
Amherstny.igm2.com

Tuesday, November 14, 2023

6:30 PM

Amherst Municipal Building

I. CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrived
Member Ann M. Nichols	☐	☐	☐	
Member Ronald Shubert	☐	☐	☐	
Member Kelly J. Philips	☐	☐	☐	
Member Brian Bray	☐	☐	☐	
Member Ellen Parker	☐	☐	☐	

II. APPROVAL OF MINUTES

1. Tuesday, October 17, 2023

III. HEARINGS ON APPEALS

1. 966 Sweet Home Road - Area Variance

The petitioner's proposed generator will be 25.1 feet from the west property line, and a proposed shed will be 13.9 feet from the west property line and 10 feet from the north property line, whereas, the zoning ordinance requires all structures to maintain a minimum 30 foot setback from such property lines, and whereas, a landscape screen will not be provided along the north and west yards.

2. 283 Rosedale Blvd. - Area Variance

The petitioner's driveway will be 510 s.f. in area, whereas the zoning ordinance permits a maximum of 451.5 s.f.

3. 46 Hallmark Court - Area Variance

The petitioner's single story addition will be 15'-11" from the north property line, whereas, the Zoning Ordinance requires a minimum setback of 30 feet.

4. 131 Nicole Court - Area Variance

The petitioner's standby generator will be 1.87 feet from the south property line, whereas, the Zoning Ordinance requires a minimum setback of 5 feet.

5. 39 Costin Road - Area Variance

The petitioner's proposed accessory garage will create a total of 984 s.f of building area for accessory structures, whereas, the Zoning Ordinance permits a maximum of 748.5 s.f.

6. 106 Lebrun Circle - Area Variance

The petitioner's proposed accessory garage will be 30 feet tall, whereas, the zoning ordinance limits the height to 20 feet maximum.

HISTORY:

10/17/23

Zoning Board of Appeals

ADJOURNED

Next: 11/14/23

7. 5195 Main Street - Area Variance

The petitioner's proposed building addition will be within the clear vision triangle located within the northwest corner of the parcel, whereas, the zoning ordinance does not permit walls higher than 2 feet within such clear vision triangle.

8. 4831 Harlem Road - ODA

The petitioner desires to create two single family home parcels having frontage along a private road, and whereas, an approval of an open area development is required for proposed lot number 2, which will not have frontage on a public road.

10/17/2023

Atty Jeffrey Palumbo and Petitioner Peter Demakos spoke and answered questions from the board.

Mary Jo Dudek, 4835 Harlem, spoke in opposition.

Jane Cox, 4585 Harlem, also spoke in opposition.

There were no further speakers from the public, therefore Chairwoman Nichols closed the public hearing.

HISTORY:

09/19/23

Zoning Board of Appeals

ADJOURNED

Next: 10/17/23

10/17/23

Zoning Board of Appeals

ADJOURNED

Next: 11/14/23

9. 1720,1740 &1760 Maple Road - Area Variance

The petitioner's proposed core street will be 214 feet from the south property line, whereas, the zoning ordinance requires 200 feet maximum.

10. 1138 Millersport Highway - Area Variance

The petitioner's proposed sign is attached to an accessory structure, whereas, the Zoning Ordinance prohibits the placement of signs on accessory structures.

11. 6000-6040 North Bailey Ave. - Area Variance

The petitioners' vehicle use area (VUA) expansions will be 0 feet from the north property line and 0 feet from the east property line, whereas, the zoning ordinance requires 25 feet along road right of ways, and whereas, the VUA expansion will be a minimum of 5.5 feet along the south property line, whereas, a minimum setback of 10 feet is required, and whereas, the proposed parking area expansions will not provide vegetative screening along the property lines, and whereas, the exterior lighting of the VUA's at the property lines will be 2.9 foot candles, whereas, the zoning ordinance permits a maximum of 0.5 foot candles.

HISTORY:

09/19/23	Zoning Board of Appeals	ADJOURNED
Next: 10/17/23		
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IV. ADJOURN TO THE NEXT ZONING BOARD APPEALS MEETING