



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, January 16, 2024

6:30 PM

Amherst Municipal Building

I. CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrived
Member Brian Bray	☐	☐	☐	
Member Ronald Shubert	☐	☐	☐	
Member Kelly J. Philips	☐	☐	☐	
Member Ellen Parker	☐	☐	☐	
Member Erik A. Goergen	☐	☐	☐	

II. APPROVAL OF MINUTES

1. Tuesday, December 19, 2023

III. HEARINGS ON APPEALS

1. 4174 Bailey Avenue - Area Variance

The petitioner's proposed LED message center sign will be on a parcel which is zero feet from a residential zoning district, whereas, the zoning ordinance requires a minimum setback of 500 feet for message center signs.

2. 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 Next: 10/17/23	Zoning Board of Appeals	ADJOURNED
10/17/23 Next: 11/14/23	Zoning Board of Appeals	ADJOURNED
11/14/23 Next: 12/19/23	Zoning Board of Appeals	ADJOURNED
12/19/23 Next: 01/16/24	Zoning Board of Appeals	ADJOURNED

3. 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 Next: 10/17/23	Zoning Board of Appeals	ADJOURNED
10/17/23 Next: 11/14/23	Zoning Board of Appeals	ADJOURNED
11/14/23 Next: 12/19/23	Zoning Board of Appeals	ADJOURNED
12/19/23 Next: 01/16/24	Zoning Board of Appeals	ADJOURNED

4. 3030 Niagara Falls Boulevard - Area Variance

The petitioner's total signage is 389.9 s.f. in area whereas, the zoning ordinance permits a maximum of 247.4 s.f.

HISTORY:

12/19/23 Next: 01/16/24	Zoning Board of Appeals	ADJOURNED
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5. 3100 Niagara Falls Boulevard - Area Variance

The petitioner's total signage is 1351.77 s.f. in area whereas, the decision of the Zoning Board of Appeals on December 21, 2021 limited total signage for the subject site to 1342.77 s.f.

HISTORY:

12/19/23 Next: 01/16/24	Zoning Board of Appeals	ADJOURNED
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6. 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.

HISTORY:**11/14/23****Next: 12/19/23****Zoning Board of Appeals****ADJOURNED****12/19/23****Next: 01/16/24****Zoning Board of Appeals****ADJOURNED****IV. ADJOURN TO THE NEXT ZONING BOARD APPEALS MEETING**