



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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Live streaming and recorded meeting service is provided through the Town of Amherst's YouTube Channel
<https://www.youtube.com/@townofamherstnewyork>

Tuesday, September 17, 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, August 13, 2024

III. HEARINGS ON APPEALS

1. 438 Callodine Avenue- Area Variance

The petitioner's recently constructed fence is 4 feet in height within the required front yard, whereas, the zoning ordinance, does not permit fencing to exceed 3 feet in height within the required front yard.

2. 4023 Millersport Highway - Area Variance

The petitioner's dwelling will be 10.0 feet from the northerly property line, whereas, the zoning ordinance requires 30 feet minimum, and whereas, the proposed dwelling will be 768 s.f in area, whereas, 1,000 s.f of building area is required for a single story dwelling and 1,200 s.f. of area for a two story dwelling.

3. 205 Longmeadow Road - Area Variance

The petitioner's proposed electronic message center sign will be 35 feet from an residential zoning district, whereas, the zoning ordinance requires a minimum distance of 500 feet, and whereas, the proposed sign will be 8 feet from the north property line, whereas, a minimum of 15 feet is required.

4. 2499 Wehrle Drive - Area Variance

The petitioner's proposed development site is 0.37 acres in area, whereas, the zoning ordinance requires a 1 acre minimum lot area, and whereas, the proposed building will be 8 feet from the west property line, whereas, the zoning ordinance requires 15 feet minimum, and whereas, the vehicle use area will be 10 feet from the east property line and 8 feet from the west property line, whereas the zoning ordinance requires 25 feet and 10 feet respectively.

5. 50 Dann Road & 550 Smith Road - Area Variance

The petitioner's parking area will be a minimum of 22.0 feet from the east property line, whereas, the zoning ordinance requires 25 feet, and whereas, the parking area along the Dann Road, will be (0) zero feet from the road right of way, whereas, the zoning ordinance requires 15 feet, and whereas, the detention basin will be a minimum of 5.5 feet from the road right of way whereas, a minimum of 10 feet is required, and whereas, some interior landscaping islands are not being provided as required.

6. 4795 Sheridan Drive- Area Variance

The petitioner's proposed building number 2 is 26.02 feet from the front property line, whereas, the zoning ordinance requires 55.16 feet minimum, and whereas, proposed building number 2 will be 35 feet from the east property line, whereas, the zoning ordinance requires 55.16 feet, and whereas, the proposed number of dwelling units will be (14) 2 bedroom units and (10) 1 bedroom units, which requires a minimum of 2.23 +/- acres whereas, the petitioner's parcel is 2.06 +/- acres, and whereas, the proposed vehicle use areas adjacent to both buildings will be a minimum of 9 feet from the main building wall, whereas, the zoning ordinance requires 15 feet minimum.

08/13/2024

Attny Sean Hopkins, on behalf of Petitioner Robert Savarino of RAS Development, spoke and answered questions from the Board.

Attorney Cole M. Knoer, spoke on behalf of behalf of the neighbors in opposition.

Marc DiGiore - 4785 Sheridan, Edward Marecki - 4765 Sheridan, Kathy Hudson, 212 Castlebrooke Ln, spoke in opposition

There were no further speakers from the public, therefore Acting Chairman Shubert closed the public hearing and allowed an additional 10 days for written testimony to be provided to the Town Clerk's Office.

06/18/2024

Attny Sean Hopkins and Petitioner Robert Savarino of RAS Development spoke and answered questions from the Board.

Attorney Cole M. Knoer, spoke on behalf of behalf of the neighbors in opposition.

Marc DiGiore - 4785 Sheridan, Edward Marecki - 4765 Sheridan, Carrie Wanamaker - 4775 Sheridan, spoke in opposition.

There were no further speakers from the public, therefore Chairman Bray closed the public hearing.

HISTORY:

05/14/24 **Zoning Board of Appeals** **ADJOURNED**
 Next: 06/18/24

06/18/24 **Zoning Board of Appeals** **ADJOURNED**
 Next: 08/13/24

08/13/24 **Zoning Board of Appeals** **ADJOURNED**
 Next: 09/17/24

ATTACHMENTS:

- Amended Variance Application 07/30/2024 (PDF)
- Phase 1A&B Cultural Resource Report-Date-08-08-24 (1) (PDF)
- Traffic Assessment-08-08-24 (PDF)
- Letter of No Impact NYSHPO (PDF)

IV. ADJOURN TO THE NEXT ZONING BOARD APPEALS MEETING