



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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<https://www.youtube.com/@townofamherstnewyork>

Tuesday, August 19, 2025

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, June 17, 2025

III. HEARINGS ON APPEALS

1. 54 Bennington Road - Area Variance

The petitioner's egress window wells will be 2.19 feet from the south property line, whereas, the zoning ordinance requires 2.50 feet minimum.

2. 141 Hamilton Drive - Area Variance

The petitioners' proposed fence will be 3 feet 6 inches in height within the required front yard of 30 feet, whereas the zoning ordinance limits fences to 3 feet maximum in height within the required the front yard.

3. 2280 Wehrle Drive - Area Variance

The petitioner's town home building will be 22.6 feet from the east property line, whereas, the zoning ordinance requires 40 feet minimum.

4. 280 Getzville Road - Area Variance

The petitioner's two story addition will be 3 feet from the south property line, whereas, the zoning ordinance requires 5 feet minimum.

5. 1725 Campbell Boulevard - Area Variance

The petitioner's proposed shed will create an additional 480 s.f. of building area, whereas, the zoning ordinance limits any additional accessory buildings to 90 s.f.

6. National Grid Pole No. 503 (515 Park Club Lane) - Special Use Permit - Small Cell Antenna

The petitioner is seeking to co-locate a small cell antenna on a replacement utility pole within the Park Club Lane right of way which is within a residential zoning district, whereas the zoning ordinance requires the issuance of a special use permit by the Zoning Board of Appeals, for such installations.

7. National Grid Pole No. 459 (85 Woodlee Road) - Special Use Permit - Small Cell Antenna

The petitioner is seeking to co-locate a small cell antenna on a replacement utility pole within the Park Club Lane right of way which is within a residential zoning district, whereas the zoning ordinance requires the issuance of a special use permit by the Zoning Board of Appeals, for such installations.

8. National Grid Pole No. 375 (353 Park Club Lane) - Special Use Permit - Small Cell Antenna

The petitioner is seeking to co-locate a small cell antenna on a replacement utility pole within the Park Club Lane right of way which is within a residential zoning district, whereas the zoning ordinance requires the issuance of a special use permit by the Zoning Board of Appeals, for such installations.

9. National Grid Pole No. 203 (203 N. Linden Street) - Special Use Permit - Small Cell Antenna

The petitioner is seeking to co-locate a small cell antenna on a replacement utility pole within the N. Linden Street right of way which is within a residential zoning district, whereas the zoning ordinance requires the issuance of a special use permit by the Zoning Board of Appeals, for such installations.

10. National Grid Pole No. 223 (225 S. Union Road) - Special Use Permit - Small Cell Antenna

The petitioner is seeking to co-locate a small cell antenna on a replacement utility pole within the S. Union Road right of way which is within a residential zoning district, whereas the zoning ordinance requires the issuance of a special use permit by the Zoning Board of Appeals, for such installations.

11. National Grid Pole No. 277 (277 Kings Highway) - Special Use Permit - Small Cell Antenna

The petitioner is seeking to co-locate a small cell antenna on a replacement utility pole within the Kings Highway right of way which is within a residential zoning district, whereas the zoning ordinance requires the issuance of a special use permit by the Zoning Board of Appeals, for such installations.

12. National Grid Pole No. 4665 (4625 Harlem Road) - Special Use Permit - Small Cell Antenna

The petitioner is seeking to co-locate a small cell antenna on a replacement utility pole within the Harlem Road right of way which is within a residential zoning district, whereas the zoning ordinance requires the issuance of a special use permit by the Zoning Board of Appeals, for such installations.

13. 32, 44, 52, 68, 76, 84, 92 & 102 River Oak Lane - Area Variance

The petitioner's proposed single family homes for the properties at 32, 44, 52, 68, 76, 84, 92 & 102 River Oak Lane will have rear yard setbacks of 20 feet, whereas the zoning ordinance requires a minimum of 30 feet.

14. 1260 Smith Road - Area Variance

The petitioner's attached garage will be 20 feet from the rear property line whereas, the zoning ordinance requires 30 feet minimum.

15. 1692 Maple Rd - Area Variance

The petitioner's proposed medical building will have a building setback along Youngs Road of 5 feet whereas the zoning ordinance requires 35 feet, and whereas the side yard building setback along the east property line will be 15 feet whereas the zoning ordinance requires 30 feet, and whereas the exterior mechanical equipment will be 18 feet from the east property line whereas the zoning ordinance requires 30 feet.

16. 1760 Maple Rd - Area Variance

The petitioner's proposed mixed use building will have a transparency of 19.71% for the ground floor commercial, whereas the zoning ordinance requires 60% transparency, and whereas the upper floor residential will have a transparency of 14.10% whereas the zoning ordinance requires 20% transparency.

17. 2016 Dodge Rd - Area Variance

The petitioner's proposed accessory garage will create a total building area of 1,536 square feet for all accessory buildings including the attached garage, whereas the zoning ordinance limits accessory buildings to a maximum of 1,119 square feet.

18. 28 Pierpont Avenue - Special Use Permit

The petitioner desires to establish an attached accessory dwelling unit as a participant in the Town's "Accessory Dwelling Unit Pilot Program, whereas, the zoning ordinance requires the Zoning Board of Appeals to grant a special use permit for such use.

19. 60 Smith Road - Area Variance

The petitioner desires to create a second building lot which will have a lot width of 138 feet and without frontage on a public street, whereas, the zoning ordinance requires a minimum lot width of 200 feet and frontage on public street.

20. 60 Smith Road - Open Development Area

The petitioner is seeking open development area approval to create a building lot for a single family dwelling without frontage on a public roadway.

21. 37 Linwood Ave - Area Variance

The petitioner is proposing a parcel split which would reduce the lot area to 6,665 square feet, whereas the zoning ordinance requires a minimum lot area of 8,450 square feet.

22. 43 Linwood Ave - Area Variance

The petitioner is proposing a parcel split which would reduce the lot area of the existing 10,060 square foot lot to 6,667 square feet, whereas the zoning ordinance requires a minimum lot area of 11,700 square feet.

IV. ADJOURN TO THE NEXT ZONING BOARD APPEALS MEETING