



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>

Wednesday, October 15, 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, September 16, 2025

III. HEARINGS ON APPEALS

1. 4845 Millersport Highway - Special Use Permit Wireless Cellular Communications Facility

The petitioner desires to establish an 180 foot tall wireless telecommunications facility on Town owned land and obtain waivers for its construction, whereas, a special use permit is required to establish such facility from the Zoning Board of Appeals and to obtain any necessary relief for its location and/or construction.

09/16/2025

Attorney Dan Krzykowski of Barclay Damon spoke and answered questions from the Board.

There were no speakers from the public. The petition was adjourned the next hearing.

HISTORY:

09/16/25 Zoning Board of Appeals
Next: 10/15/25

ADJOURNED

2. 1042 North Forest Road - Special Use Permit Wireless Cellular Communications Facility

The petitioner desires to establish an 180 foot tall wireless telecommunications facility on Town owned land and obtain waivers for its construction, whereas, a special use permit is required to establish such facility from the Zoning Board of Appeals and to obtain any

necessary relief for its location and/or construction.

09/16/2025

Attorney Dan Krzykowski of Barclay Damon spoke and answered questions from the Board.

There were no speakers from the public. The petition was adjourned the next hearing.

HISTORY:

09/16/25

Zoning Board of Appeals

ADJOURNED

Next: 10/15/25

3. 1001 N French Rd - Special Use Permit (ADU)

The petitioner desires to establish an attached accessory dwelling unit as a participant in the Town's Pilot ADU program, whereas, the Zoning Board of Appeals must issue a special use permit for such uses.

4. 6 Telfair Dr - Area Variance

The petitioner's shed/playhouse will be 17 feet from the north property line, whereas, the zoning ordinance requires 30 feet minimum.

5. 6653 Main St - Area Variance

The petitioner's proposed **EV chargers** will be a minimum of **22.67 feet** from the north property line, whereas, the zoning ordinance requires a minimum **66 feet (115' from centerline)**.

6. 3416 Deer Lakes Dr - Area Variance

The petitioner's subdivision identification sign will be 40 s.f. in area each (double sided) whereas, the zoning ordinance limits such signage to 20 s.f. maximum.

7. 124 Garden Parkway - Area Variance

The petitioner's addition will be 3.25 feet from the west property line, whereas, the zoning ordinance requires 5 feet minimum.

8. 32,38 & 44 Glen Meadow Drive- Area Variance

The petitioner's proposed building lot coverage will be 48% whereas, the zoning ordinance permits 40% maximum and the proposed rear yard setback will be 9 feet, whereas, the zoning ordinance requires 20 feet minimum.

9. 3001 Hopkins Rd - Area Variance

The petitioner's parcel split will cause the original lot with dwelling to be less than one acre in area, whereas, the zoning law does not permit lots to be reduced in dimension unless such lots meet the minimum required dimensional standards.

10. 21 Forest Stream Dr. - Area Variance

The petitioner constructed his detached garage to a height of 24'-4", whereas, on October 19, 2021 the Zoning Board of Appeals permitted the garage to be a maximum height of 22'-0", whereas, the zoning ordinance permits a maximum height of 20 feet.

11. 105 Twilight Lane - Area Variance

The petitioner's parcel has a lot frontage width of 50 feet, whereas, the zoning ordinance requires 65 feet minimum.

12. 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.

09/16/2025

Attorney Sean Hopkins spoke and answered questions from the Board.

David Hall, 47 Linwood, Annette Schnapp, 31 Linwood, Derek Pruitt, 59 Linwood, spoke in opposition.

There were no further speakers from the public, therefore the hearing was adjourned until the next meeting.

HISTORY:

08/19/25	Zoning Board of Appeals	ADJOURNED
Next: 09/16/25		
09/16/25	Zoning Board of Appeals	ADJOURNED
Next: 10/15/25		

13. 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.

Attorney Sean Hopkins spoke and answered questions from the Board.

09/16/2025

Attorney Sean Hopkins spoke and answered questions from the Board.

David Hall, 47 Linwood, Annette Schnapp, 31 Linwood, Derek Pruitt, 59 Linwood, spoke in opposition.

There were no further speakers from the public, therefore the hearing was adjourned until the next meeting.

08/19/2025

Attorney Sean Hopkins spoke and answered questions from the Board.

David Hall, 47 Linwood, Annette Schnapp, 31 Linwood, Mary Ruggiero, 65 Linwood, spoke in opposition.

There were no further speakers from the public, therefore Chairman Bray adjourned the

hearing.

HISTORY:

08/19/25	Zoning Board of Appeals	ADJOURNED
Next: 09/16/25		

09/16/25	Zoning Board of Appeals	ADJOURNED
Next: 10/15/25		

14. 1040 Campbell Boulevard - Area Variance

The petitioner's proposed 30x40 foot accessory garage is 564 s.f. in excess of the maximum allowed building area for all accessory structures, including the area of the existing attached garage.

15. 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.

09/16/2025

The petitioner was not present to answer questions from the Board.

There were no speakers from the public. Therefore, the hearing was adjourned until the October meeting.

HISTORY:

08/19/25	Zoning Board of Appeals	ADJOURNED
Next: 09/16/25		

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IV. Request for SEQR Lead Agency - 330 Maple Road

V. ADJOURN TO THE NEXT ZONING BOARD APPEALS MEETING