



Zoning Board of Appeals

Regular Meeting

Agenda

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

Francina J. Spoth
Town Clerk

In the event of a fire or other emergency, please follow the exit signs that are provided in this room and throughout Town Hall. Upon exiting this room, the main exits are located to the front and the rear of this building. **Do not use the elevator during an emergency event.**

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

Tuesday, November 18, 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. Wednesday, October 15, 2025

III. ZBA Items

HEARINGS ON APPEALS

1. 0,46,54,60,68,74 & 84 South Linden St. - Area Variance

The petitioner's proposed apartment buildings will be separated from each other by 21.85 feet whereas, the zoning ordinance requires 41.1 feet minimum and his/her fence will be 6 feet in height along the westerly property line for the first 30 feet south of the NW property corner, whereas, the zoning ordinance limits the fence to 3 feet maximum.

2. 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.

10/15/2025

Attorney Sean Hopkins, spoke and answered questions from the Board.

Rosie & Frank Spagnuolo of 101 Twilight Ln, spoke in opposition.

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

HISTORY:**10/15/25****Zoning Board of Appeals****ADJOURNED****Next: 11/18/25****3. 32 Glen Meadow Drive - Area Variance**

The petitioner desires to construct a dwelling which will create a building lot coverage of 42%, whereas, the zoning ordinance permits a maximum lot coverage of 40%.

ATTACHMENTS:

- TB Resolution of April 29, 2024(PDF)

4. 450 N. Ivyhurst Road - Area Variance

The petitioner's 4 unit town home building provides a lot area of 9,240 s.f, whereas the zoning ordinance requires 23,400 s.f. of lot area, and whereas, the building will be a minimum of setback of 6 feet along the east property line, whereas, 30 feet is required, will be a minimum of 5 feet along the west property line, whereas 30 feet is required and will be a minimum of 11-3" from the northerly line, whereas, 30 feet is required, and whereas the parking area will be a minimum of 5-9" from the road right of way, whereas, 20 feet is required and the parking areas will be 2 feet from the south property line whereas, a minimum of 5 feet is required.

5. 4080-4110 Maple Road - Area Variance

The petitioner desires to maintain off premise tenant signage, whereas, such signage is prohibited, and whereas a proposed "gateway" ground sign will be on the same road frontage as a pole sign which is not permitted and whereas, the proposed pole sign will have a sign area of 478.67 s.f., whereas the zoning ordinance limits the sign area to 192 s.f.

6. 4224-4256 Ridge Lea Road - Area Variance

The petitioner desires to place off premises tenant signage on their pole sign which is not permitted, and whereas, the pole signage face area will be 2,956.8 s.f. in area whereas, the zoning ordinance limits the sign area to 192 s.f., and whereas, the pole sign will be 65 feet in height, whereas, the zoning ordinance limits such signage to 25 feet in height, and whereas, the total sign area for the premises will be 6,493.24 s.f., whereas 4,883.44 s.f. is permitted.

7. 1565-1703 Niagara Falls Boulevard - Area Variance

The petitioner desires to maintain off premise tenant signage on his/her directional signs and pole signs which is prohibited, and whereas, a "gateway" ground sign will be 7 feet from the north property line whereas, a minimum of 15 feet is required, and a second "gateway" ground sign is 0.5 feet from an interior property line, whereas, 25 feet minimum is required and whereas, a pole sign will be within the clear vision triangle which is prohibited, and whereas the pole sign will have a sign area of 1,968.18 s.f., whereas, 994.68 s.f. is permitted, and whereas the total sign area for the site will be 11,774.21 s.f. whereas, 10,976.76 s.f. is permitted.

8. 1501-1551 Niagara Falls Boulevard - Area Variance

The petitioner desires to maintain tenant off premise signage on his/her pole sign whereas such signage is not permitted, and whereas, a proposed "gateway" ground sign will be within the clear vision triangle which is prohibited, and whereas, such ground sign will be a minimum of 2 feet from the north property line, whereas, 15 feet is required and whereas, the "gateway" ground sign will be on the same street frontage as the pole signs, which is not permitted, and whereas the total sign area for the site will be 4,089.72 s.f., whereas a maximum of 3,467.54 s.f. is permitted.

9. 6000-6040 North Bailey Road - Area Variance

The petitioner's two ground signs will be within the clear vision triangle at the signalized intersection of Romney Road and North Bailey Road, whereas, such obstructions are prohibited, and whereas, the "gateway" ground sign will be a minimum of 5.0 feet from the east property line and 6.4 feet from the north property line, and whereas, the "shared tenant" ground sign will be 10.5 feet from the north property line, whereas, a minimum of 15 feet is required.

10. 1355 Niagara Falls Boulevard - Area Variance

The petitioner's proposed sign improvements will create a new pole sign that is 186.56 s.f. in sign area, whereas a maximum of 128 s.f. is permitted and whereas, the total signage for the site will be 1,357.11 s.f. in area, whereas, 848.41 s.f. of sign area is permitted.

11. 5139 Sheridan Drive - Area Variance

The petitioner's constructed storage shed is 6.3 feet from the principal building, whereas, the zoning ordinance requires a minimum of 30 feet, and whereas, the interior landscaping for the site is 3% of the parking area, whereas, a minimum of 10% is required.

12. 8840 Transit Road - Area Variance

The petitioner's total sign area is 123.09 s.f. whereas, the zoning ordinance limits the total sign area to 37.5 s.f.

13. 20 Berryman Drive - Special Use Permit

The petitioner desires to establish an 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 to establish such permitted accessory use.

14. 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.

08/19/2025

Architect Steve Sutton spoke and answered questions from the Board.

Kim Downing and Joe Schretzman, 272 Getzville Rd, and John Gulick, 288 Getzville Rd, spoke in opposition.

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

meeting.

HISTORY:

08/19/25

Zoning Board of Appeals

ADJOURNED

Next: 09/16/25

09/16/25

Zoning Board of Appeals

DENIED

15. 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.

10/15/2025

Petitioner, Sean Hopkins, Esq., and architect David Sutton, spoke and answered questions from the Board.

Ashley Moreira of 346 Reist St, and Eric Spriegel of 27 Forest Stream Dr, spoke in favor.

Heidi Zierner of 352 Reist St, spoke in opposition.

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

HISTORY:

10/15/25

Zoning Board of Appeals

ADJOURNED

Next: 11/18/25

16. 330 Maple Road (Portion) - Area Variance

The petitioner's proposed athletic facility buildings will be 85 feet tall, whereas, the zoning ordinance limits building heights to 65 feet, and whereas, the proposed buildings will be inflatable fabric buildings, whereas, the zoning ordinance does not permit such exterior wall material, and whereas, the inflatable buildings will exceed the maximum allowable blank wall lengths permitted by the Zoning Ordinance, since such building types do not provide opportunities for windows.

IV. ADJOURN TO THE NEXT ZONING BOARD APPEALS MEETING