



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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Amherstny.igmp2.com

Tuesday, December 20, 2022

6:30 PM

Amherst Municipal Building

I. CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrived
Member Ann M. Nichols	☐	☐	☐	
Member Ronald Shubert	☐	☐	☐	
Member Kelly J. Philips	☐	☐	☐	
Member Brian Bray	☐	☐	☐	
Member Ellen Parker	☐	☐	☐	

II. APPROVAL OF MINUTES

III. HEARINGS ON APPEALS

1. 150 Northledge Drive - Area Variance

The petitioner's fence is 0 feet from the south property line, whereas, the zoning ordinance requires 10 feet minimum.

11/15/2022

Russ Burton spoke and answered questions from the Board.

Mary Beimler, 170 Northledge, had concerns.

There were no further speakers from the public, therefore Chairwoman Nichols moved to close the hearing.

HISTORY:

11/15/22

Zoning Board of Appeals

ADJOURNED

Next: 12/20/22

2. 1155 Smith Road - Area Variance

The petitioner's proposed pole barn will create an additional ~~1,088~~ 2,228 s.f. of building area for a total of ~~2,272~~ 3,472 s.f. for all accessory buildings whereas, the zoning ordinance permits a maximum of 75% of the principal dwelling or in this case a total of 1,184 s.f

11/15/2022

Petitioner was not present.

There were no speakers from the public, therefore Chairwoman Nichols moved to close the hearing.

HISTORY:**11/15/22****Zoning Board of Appeals****ADJOURNED****Next: 12/20/22****3. 166 Klein Road - ODA**

The petitioner is seeking the approval of an open development area to allow for the construction of single family homes without frontage on a public roadway pursuant to the provisions of NYS Town Law 280-a(3)

11/15/2022

Attorney Sean Hopkins spoke and answered questions from the Board.

Christine Kozial and Jack Kozial, 59 Kingswaye, Adam Nethero, 29 Kingswaye, Paul Pasco, 6 Kingsway, Stephen Jacobson, 47 Kingswaye, Regina Derrico, 78 Chestnut Hill, spoke in opposition.

There were no further speakers from the public, therefore Chairwoman Nichols moved to close the hearing.

HISTORY:**11/15/22****Zoning Board of Appeals****ADJOURNED****Next: 12/20/22****ATTACHMENTS:**

- SUB-2021-01PP signed neg dec 102022 (PDF)

4. National Grid Utility Pole 17-1 - North of 475 Carmen Rd. Special Use Permit - Small Cell

The petitioner desires to place a small cell antenna on a replacement utility pole, whereas, the zoning ordinance requires the issuance of a special use permit when such installations are less than 100 feet from the property line of a residential use.

5. National Grid Utility Pole 3981 - South of 4030 Ridge Lea Rd. Special Use Permit - Small Cell

The petitioner desires to place a small cell antenna on a replacement utility pole, whereas, the zoning ordinance requires the issuance of a special use permit when such installations are less than 100 feet from the property line of a residential use.

6. National Grid Utility Pole 125 - West of 135 Meyer Rd. Special Use Permit - Small Cell

The petitioner desires to place a small cell antenna on a replacement utility pole, whereas, the zoning ordinance requires the issuance of a special use permit when such installations are less than 100 feet from the property line of a residential use.

7. 6600 Main Street- Area Variance

The petitioner's air conditioning condensers are 27 +/- feet from the north property line, whereas, the zoning ordinance requires 30 feet minimum.

8. 50 Crosspoint Parkway- Area Variance

The petitioner's proposed core street will be 339.87 feet from the North French Road right of way, whereas, the zoning ordinance permits a maximum distance of 200 feet, and whereas, the petitioners' required core street will terminate 80 feet from the west property line, whereas, the zoning law requires it to be constructed to the property line, and whereas, the required core street will have travel lanes that are 13 feet in width, whereas, the zoning ordinance limits the width to 10 feet, and whereas, the petitioner's ground floor elevation will be zero feet from grade, whereas, the zoning ordinance requires the ground floor to be a minimum of 2 feet above grade, and whereas, the petitioner's pedestrian access entrances will exceed a spacing of 75 feet whereas, the zoning ordinance limits the spacing to 75 feet maximum.

9. 18 Richfield Road - Area Variance

The petitioner desires to divide an existing 100 foot wide developed single family dwelling lot into two 50 foot wide lots, whereas, the zoning ordinance requires a minimum lot width of 65 feet for each lot.

IV. ADJOURN TO THE NEXT ZONING BOARD APPEALS MEETING