



Amherst Town Board

Work Session

Minutes

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

Francina J. Spoth
Town Clerk

Monday, June 10, 2024

4:00 PM

Amherst Municipal Building

I. PLEDGE OF ALLEGIANCE

II. WORK SESSION MEETING

- Presentation - "Suburban Agriculture (SA) District Alternatives Report" - 15 mins.
(Colliers Engineering and Design)
- Town Board Meeting Agenda Items
- Executive Session:
 - Litigation Updates

Meeting Began: 4:00 PM

Executive Session (Kulpa, Lavin): 4:43 PM

Executive Session Ended (Kulpa, Lavin): 5:09 PM

Meeting Ended (Kulpa, Lavin): 5:09 PM

III. PRESENTATION

Communication (ID # 29124)

Suburban Agriculture (SA) District Alternatives Report

.



Amherst Town Board

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

Francina J. Spoth
Town Clerk

Meeting: 06/10/24 04:00 PM
Department: Town Clerk
DOC ID: 29124

COMMUNICATION (ID # 29124)

Suburban Agriculture (SA) District Alternatives Report

TOWN OF AMHERST SA DISTRICT ALTERNATIVES

Town Board Meeting | June 10, 2024



Engineering
& Design

PROJECT CONTEXT

- SA District has historically been considered a “holding zone;” temporary designation that would change as growth occurred
- Where Comprehensive Plan proposes suburban, rural and agricultural land uses, the SA District is ineffective.
- Where SA parcels are adjacent to residential developments, the SA designation causes uncertainty among residents and neighbors
- Where rural and suburban areas converge, the viability of farming and right-to-farm necessary to protect those interests are often challenged

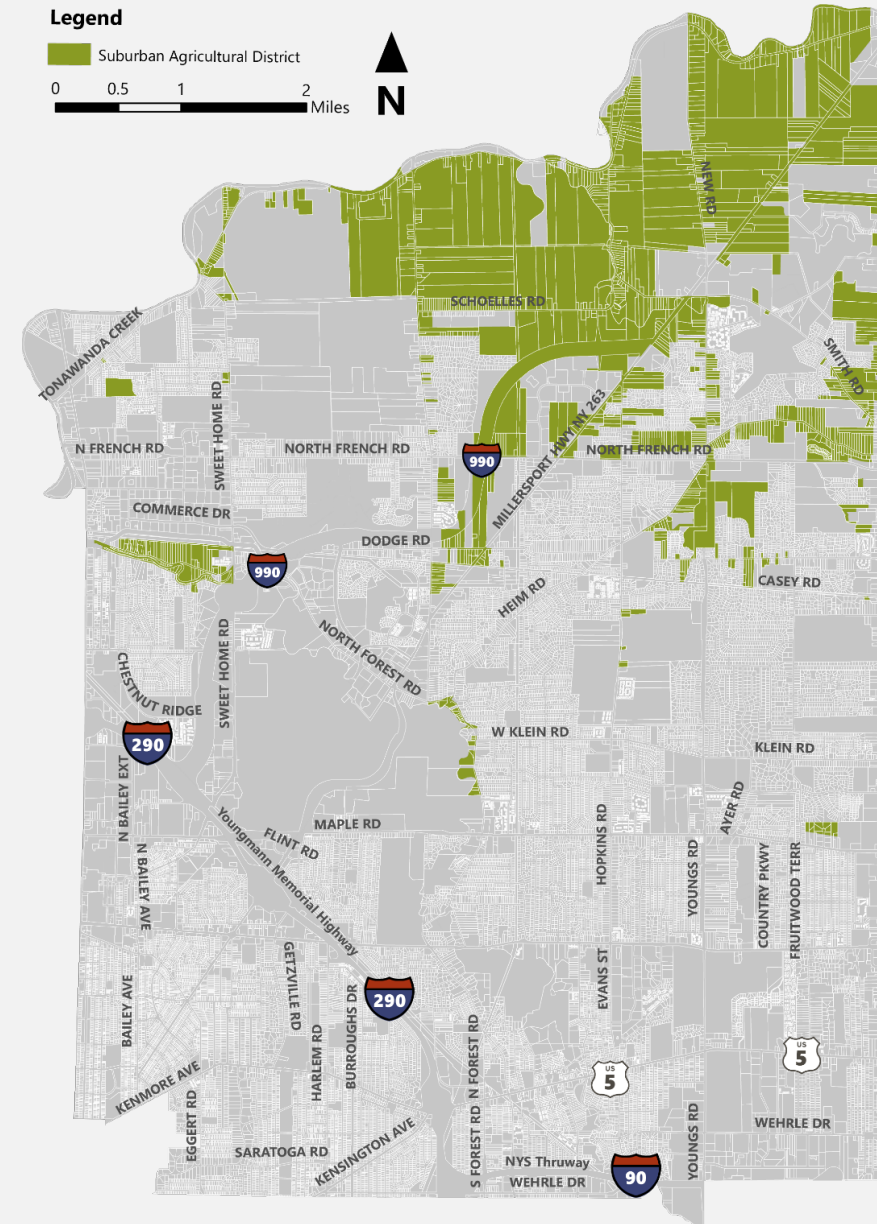
PRIMARY POLICY & ZONING GUIDANCE

- Bicentennial Comprehensive Plan
- Farmland Protection Plan

~ Alignment of the Town's Comp Plan and local land use regulations is paramount ~

PROJECT GOALS

- Summarize the vision and relevant recommendations of the Town's existing plans and studies
- Facilitate a common understanding of existing land use conditions and development constraints
- Identify key land use issues and opportunities to inform the development of planning and zoning alternatives
- Recommend zoning map amendments to improve certainty and predictability of land use in transitioning areas

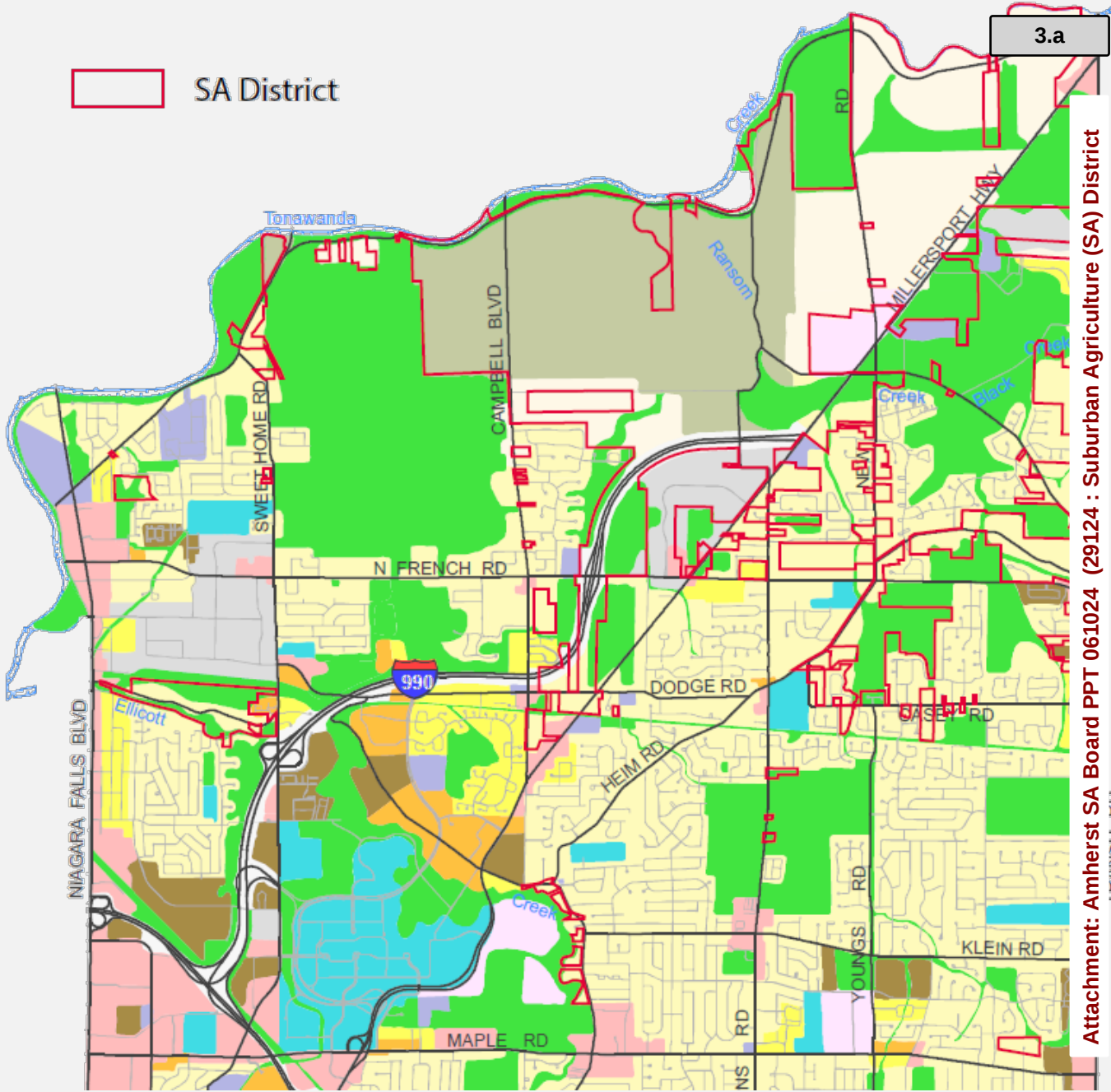


COMPREHENSIVE PLAN RECOMMENDATIONS

Predominant land use categories envisioned for SA properties:

- Rural Residential
- Single-Family Residential
- Recreation, Open Space, and Greenways
- Agriculture

- | | | |
|--|---|---|
| Rural Residential | Special Use Center | Recreation, Open Space & Greenways |
| Single Family Residential | Commercial - Office | Agriculture |
| Mixed Residential | Industrial - Office | Transportation |
| Medium Residential | Community Facilities | Surface Water |
| Commercial / Mixed Use* | Educational Campus | Village of Williamsville Boundary |

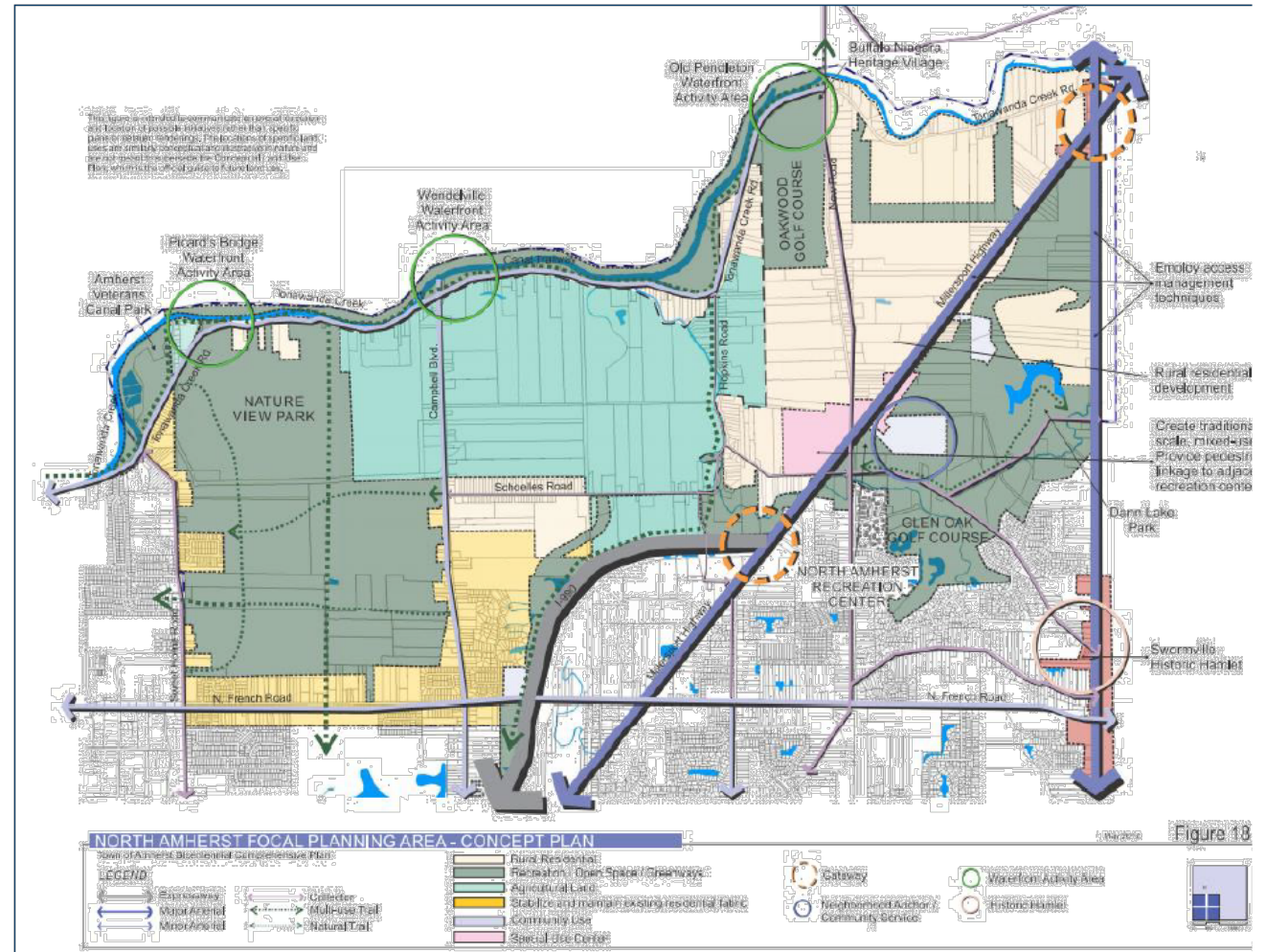


COMP PLAN GUIDANCE

POLICY 3-3

- Areas identified as open space, agricultural and rural residential should not be designated in "holding zones" for rezoning to suburban residential or commercial uses
- Lands in transitional areas should be purposefully zoned for suburban uses, larger lot rural uses, agriculture or open space
- Preservation of agricultural areas and open space is essential to maintain diversity of character
- **North Amherst Focal Planning Area**

FIGURE 4-4: NORTH AMHERST FOCAL PLANNING AREA



FARMLAND PROTECTION & AG DEVELOPMENT PLAN RECOMMENDATIONS

- Identifies three zoning districts that currently support agricultural activities:
 - Suburban Agriculture (SA) District
 - Rural Residential (RR) District
 - Agriculture (AG) District
- Rezone land within the Erie County Ag District #17 to the Town's AG zoning district
- RR should serve as a buffer between agricultural areas and more dense residential development

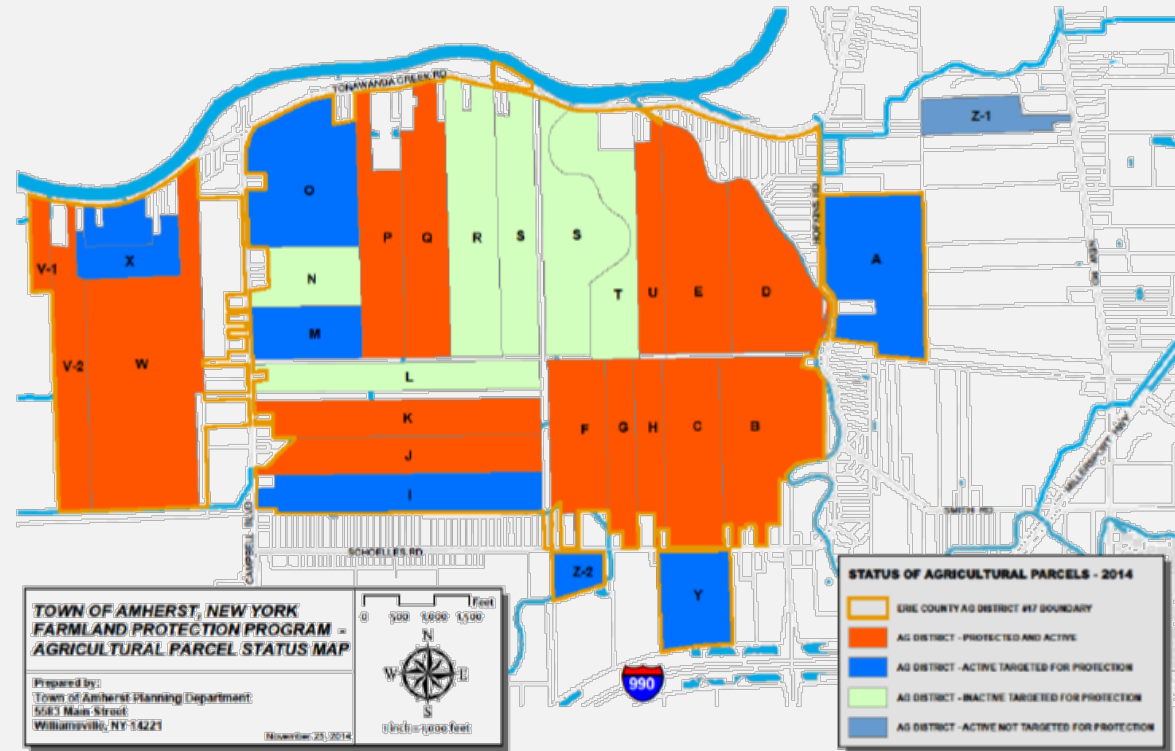


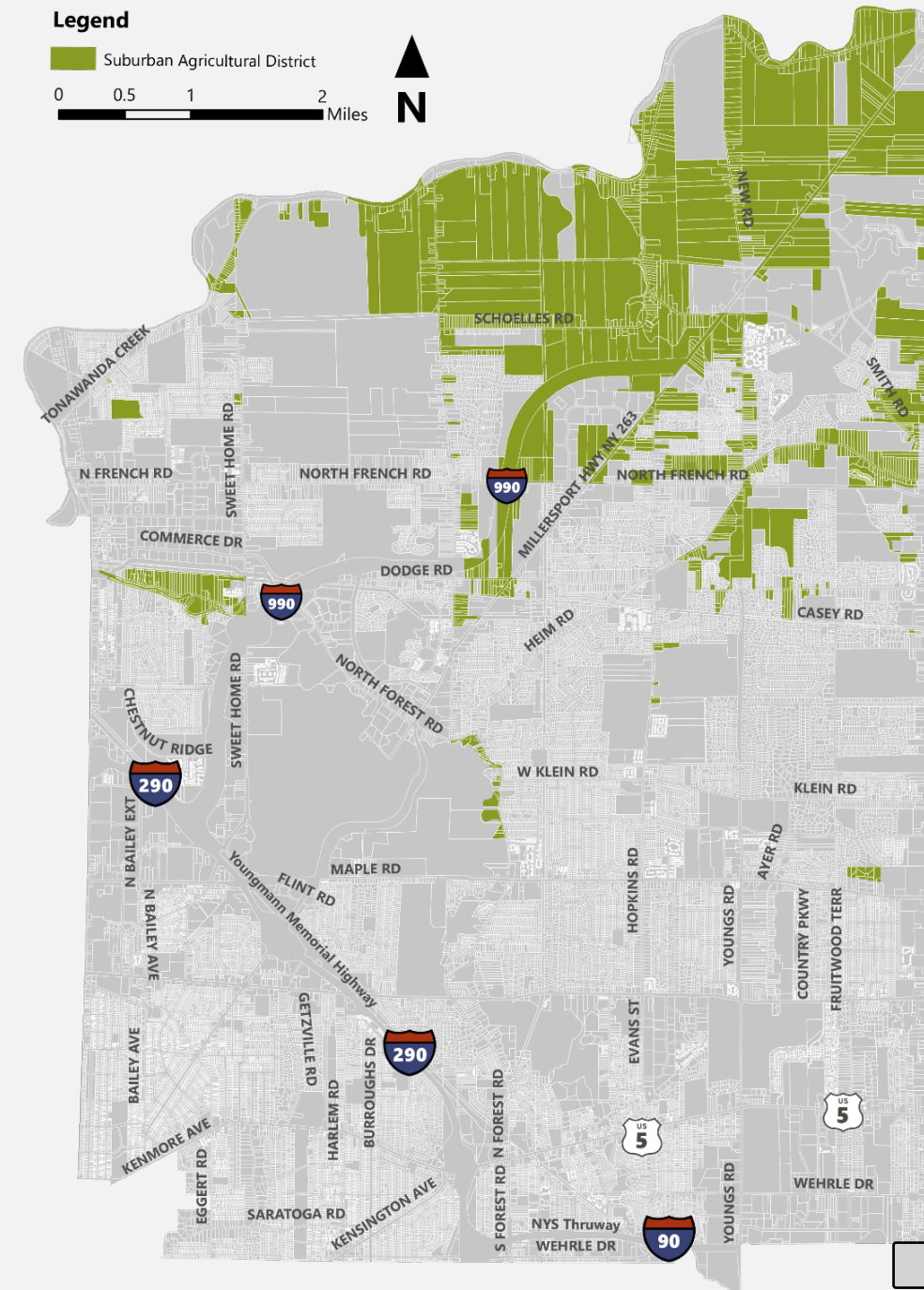
FIGURE 5-4 WESTERN NEW YORK LAND CONSERVANCY EASEMENT

Targeted for protection
***All but Z-1 (top right)**

ISSUES & APPROACH

REZONING ISSUES

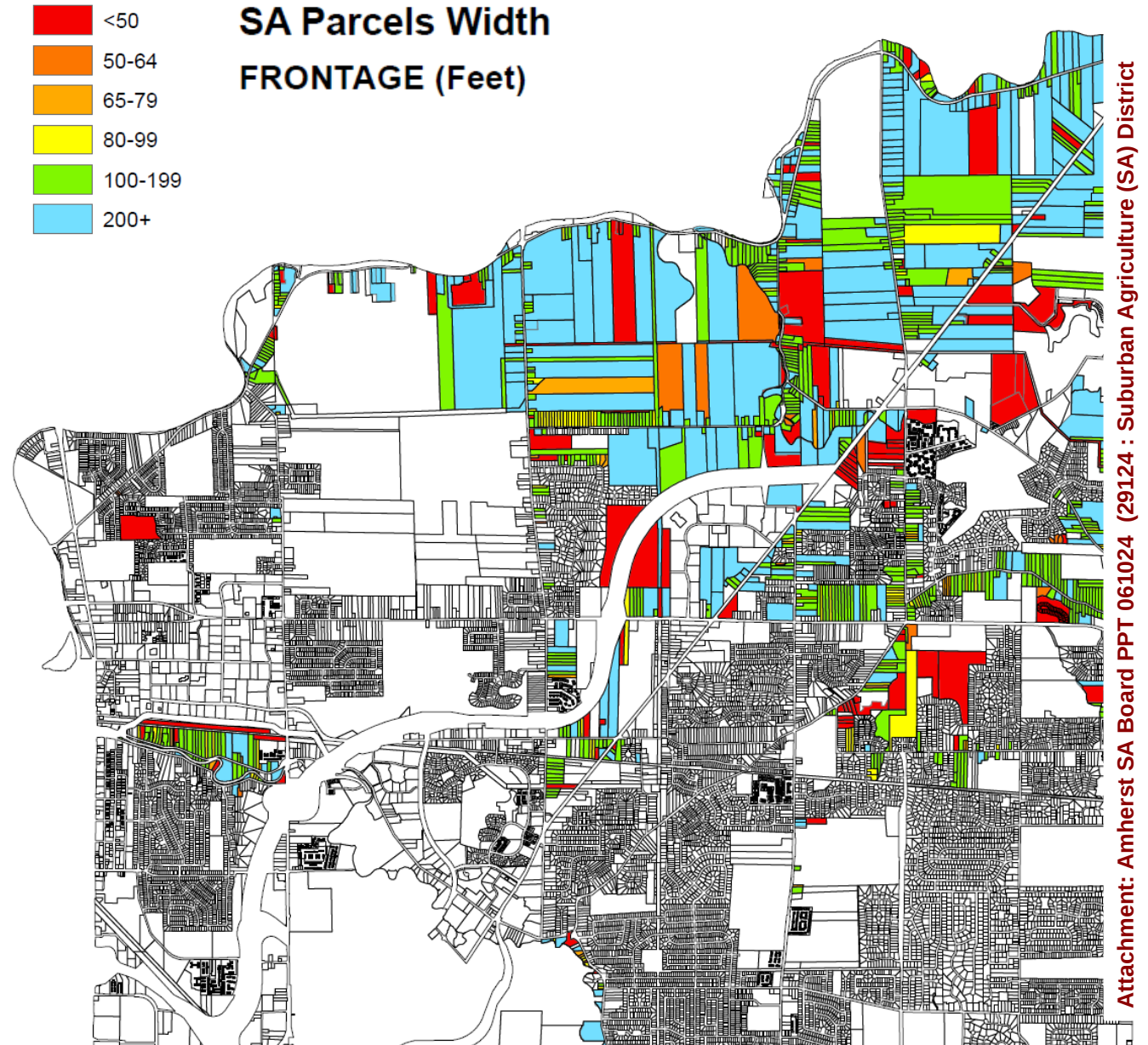
- Mis-classified parcels (whether in SA District or not)
- Inconsistent land use character / development pattern
- Need for recognition of transition areas
- **Several down-the-line implications**
- **No “clean” answer**



SA PARCEL ANALYSIS

KEY ISSUES & OPPORTUNITIES

- **Lot Size:** 38% of SA parcels are nonconforming (under min lot size requirement of 1 acre)
- **Lot Width:** 57% of SA parcels are nonconforming (under min lot width requirement of 200 feet)
- **Sanitary Sewer District:** Most of northern portion of the SA District is not within the sanitary sewer district and thus less likely to be able to accommodate high density residential development



APPROACH TO IDENTIFYING ALTERNATIVES

REZONING FACTORS

- Existing lot size
- Existing land use & development character of the surrounding area
- Adjacent zoning designations
- Consolidated Sanitary Sewer District boundaries
- Future land use guidance from the Comprehensive Plan
- Future land use and zoning recommendations from the Farmland Protection & Ag Development Plan

CONSIDERATION OF FACTORS

- Context of existing development
- Concentration of land uses
- Potential for future development with proximity to existing infrastructure
- Level of environmental constraints

RECOMMENDATIONS

Recommendations include:

- Potential Parcel-by-parcel rezoning
- Minor zoning district requirement revisions
- Potential open space conservation strategies

Geographic Areas:

Map 3. South Amherst

South of North French Road

Map 4. North Amherst

South of Schoelles & Smith Roads

Map 5. North Amherst

North of Schoelles & Smith Roads

Map 6. Northwest Amherst

North of North French Road

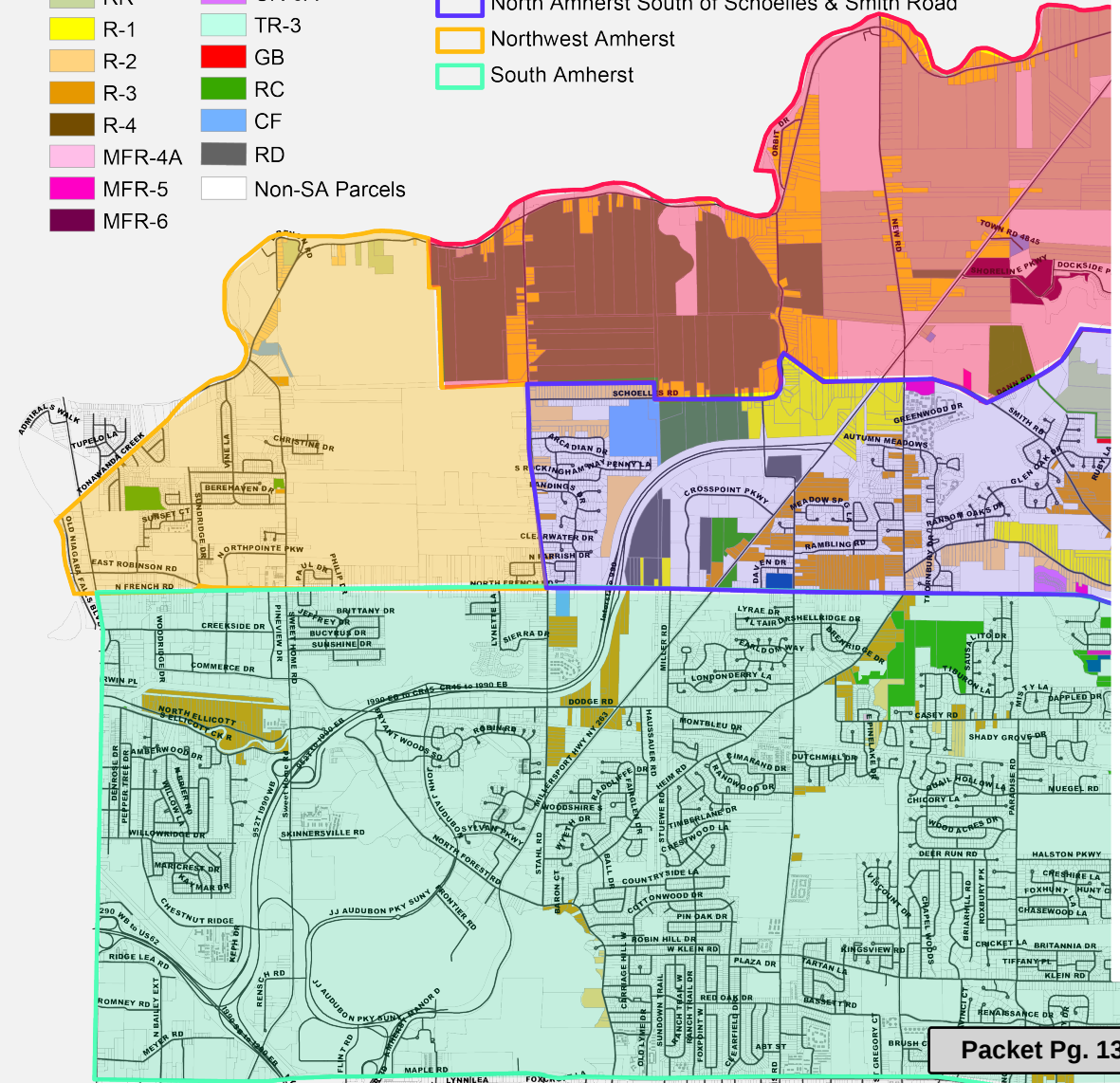
MAP 1: Proposed Alternative Zoning: Suburban Agriculture (SA) District Parcels Only

Zoning Districts

AG	MFR-7
RR	CR-3A
R-1	TR-3
R-2	GB
R-3	RC
R-4	CF
MFR-4A	RD
MFR-5	Non-SA Parcels
MFR-6	

Geographic Areas

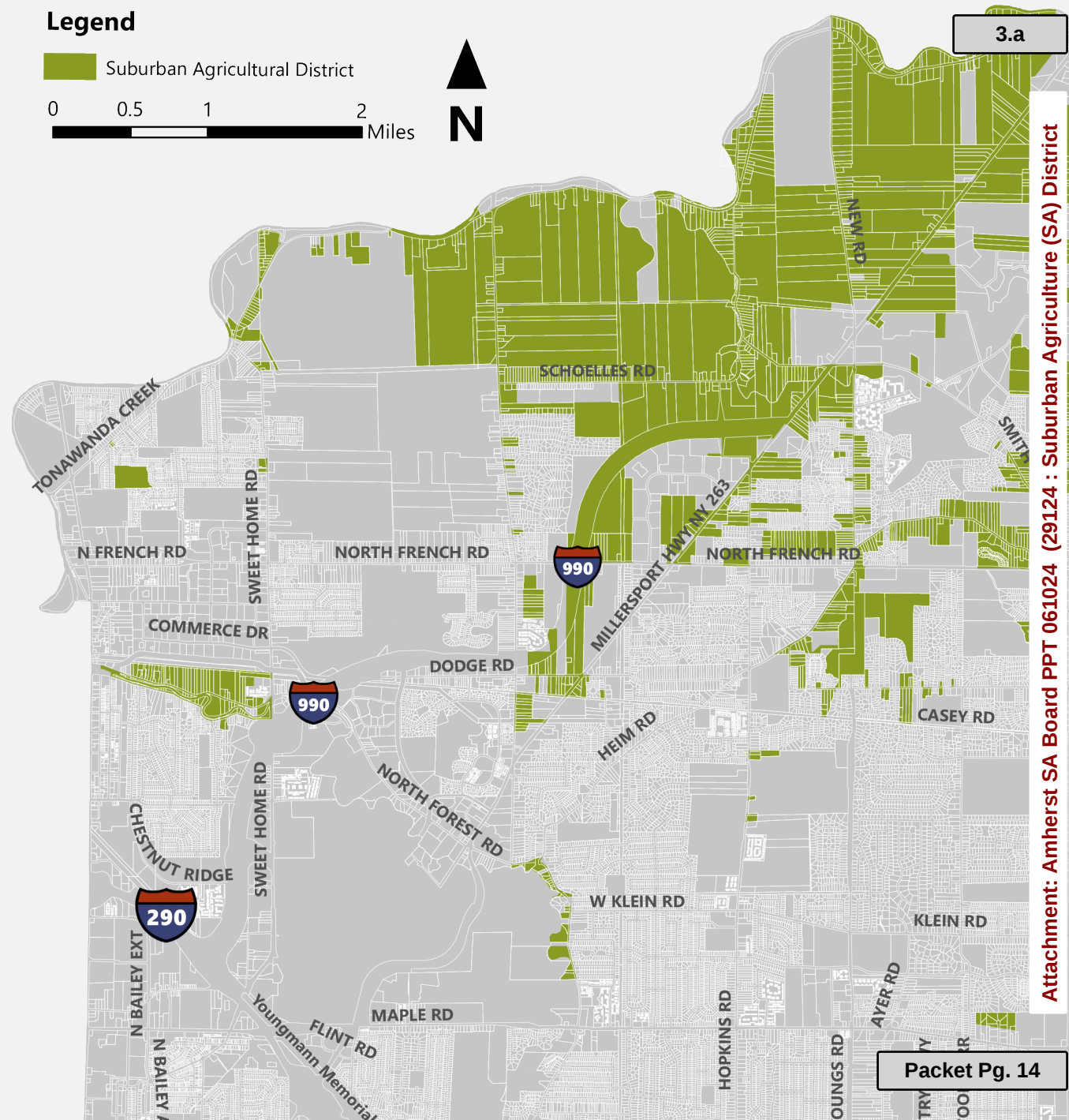
North Amherst North of Schoelles & Smith Road
North Amherst South of Schoelles & Smith Road
Northwest Amherst
South Amherst



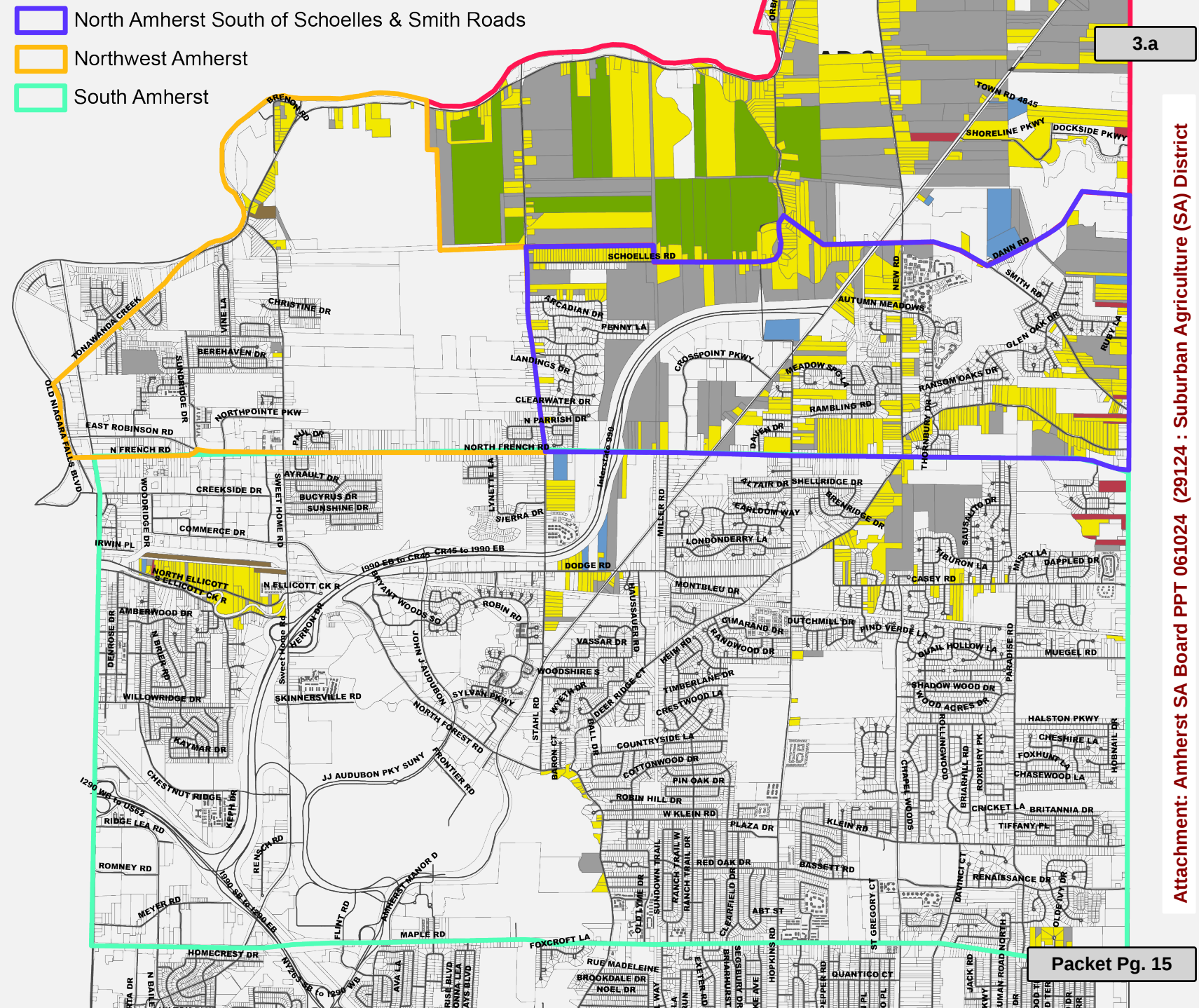
SA DISTRICT REZONING ALTERNATIVES

- **AG District** - Existing
- **RR District** - Modified
- **R-1 District** - Modified
- **RC District**
 - Existing (still allows development)
- **Open Space Preservation**
 - Modified conservation dev regulations
 - Optional Open Space (OS) District

Overall removing SA District entirely



Mostly residential parcels



RESIDENTIAL DISTRICT ALTERNATIVES

Idea is to remove and replace the SA District

Table 4: Proposed District Amendments

<i>District</i>	<i>Uses¹</i>	MIN Area	MIN Width	MIN Front	MIN Rear	MIN Side	MAX Height	MAX Cover
SA	Farms/Stables SF (detached) B&B	1 acre	200 ft	50 ft	30 ft	30 ft	35 ft (res) 65 ft (nonres)	25%
RR	Farms/Stables SF (detached) B&B	3 acres	200 ft 100 ft	50 ft	30 ft	30 ft	35 ft (res) 65 ft (nonres)	25%
R-1	SF (detached) Recreation structure/use B&B	21,780 sf 1 acre	100 ft	30 ft	35 ft	8 ft (20 ft combined)	35 ft	35%

NOTE: (1) All districts also permit public and civic uses.

Note: These adjustments would be text amendments

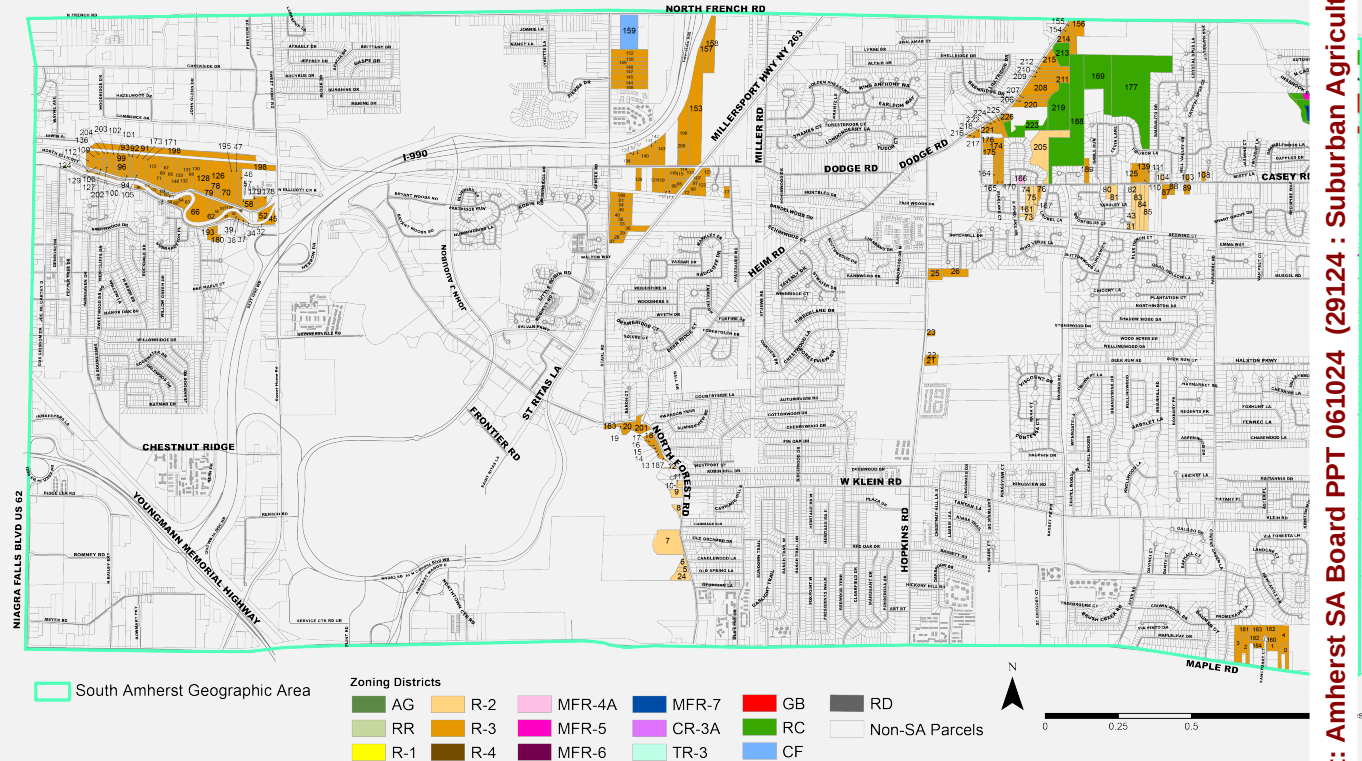
REZONING RECOMMENDATIONS BY SUBAREA

SOUTH AMHERST

SOUTH OF NORTH FRENCH RD

- “Right-size” residential parcels by rezoning to a district that more accurately reflects existing use and lot size
- Rezone existing commercial on Transit Rd
- Rezone back of commercial properties to RC for buffering between commercial uses and residential uses
- Rezone vacant lots to RC due to the presence of state-regulated wetlands
- Rezone reserved open space in previous subdivisions to RC District

MAP 3: Recommended Suburban Agriculture (SA) District Parcels Rezoning
South Amherst Geographic Area

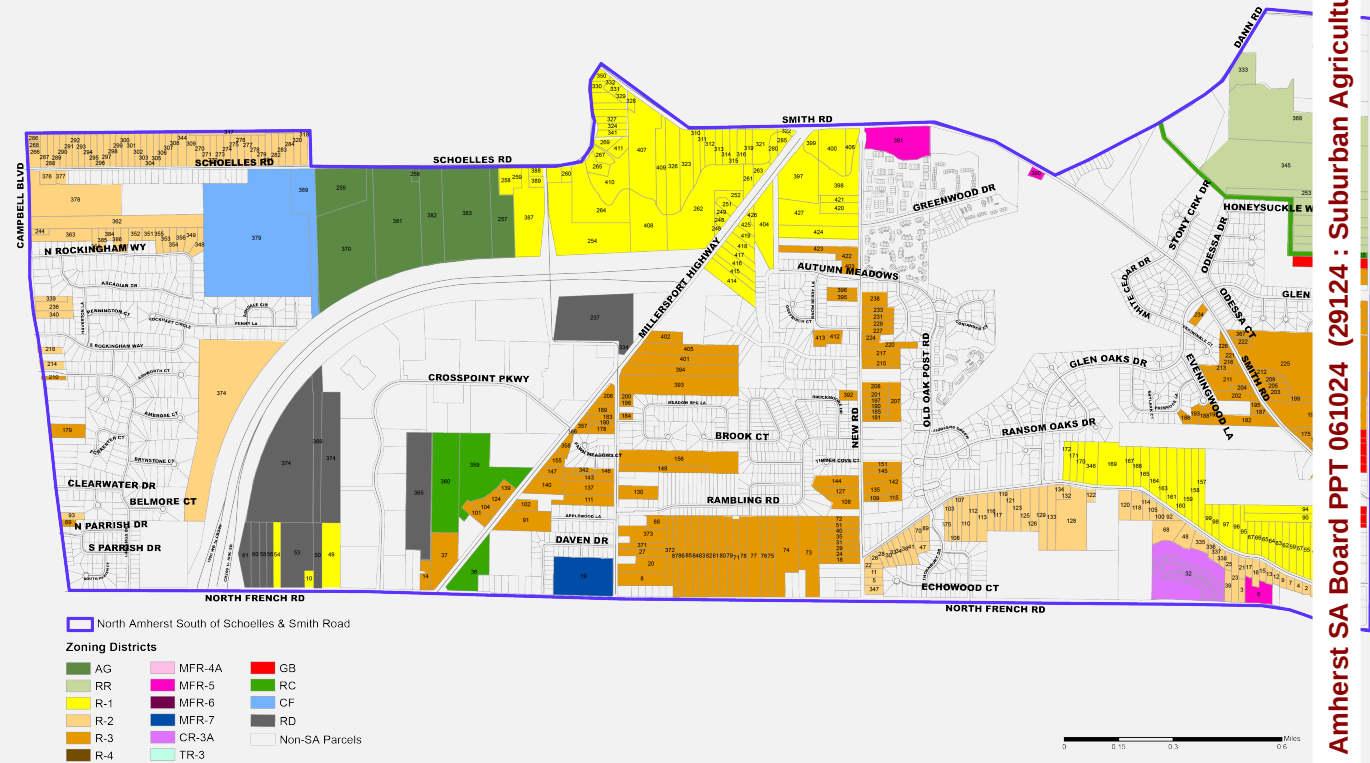


NORTH AMHERST

SOUTH OF SCHOELLES & SMITH RDS

- “Right-size” established single-family neighborhoods to R-1, R-2, or R-3 to conform with lot size and adjacent zoning
- “Right-size” multi-family developments to appropriate MFR or CR District
- Rezone existing commercial properties fronting Transit Road to GB
- Rezone vacant residential land to conform with surrounding zoning designations, or RC where environmentally constrained
- Rezone all parcels under conservation easements specifically and all Erie County Ag District #17 parcels, including some adjacent to AG District
- Northeast vacant and large lot residential properties to RR District

MAP 4: Recommended Suburban Agriculture (SA) District Parcels Rezoning
North Amherst (South of Schoelles Road & Smith Road) Geographic Area

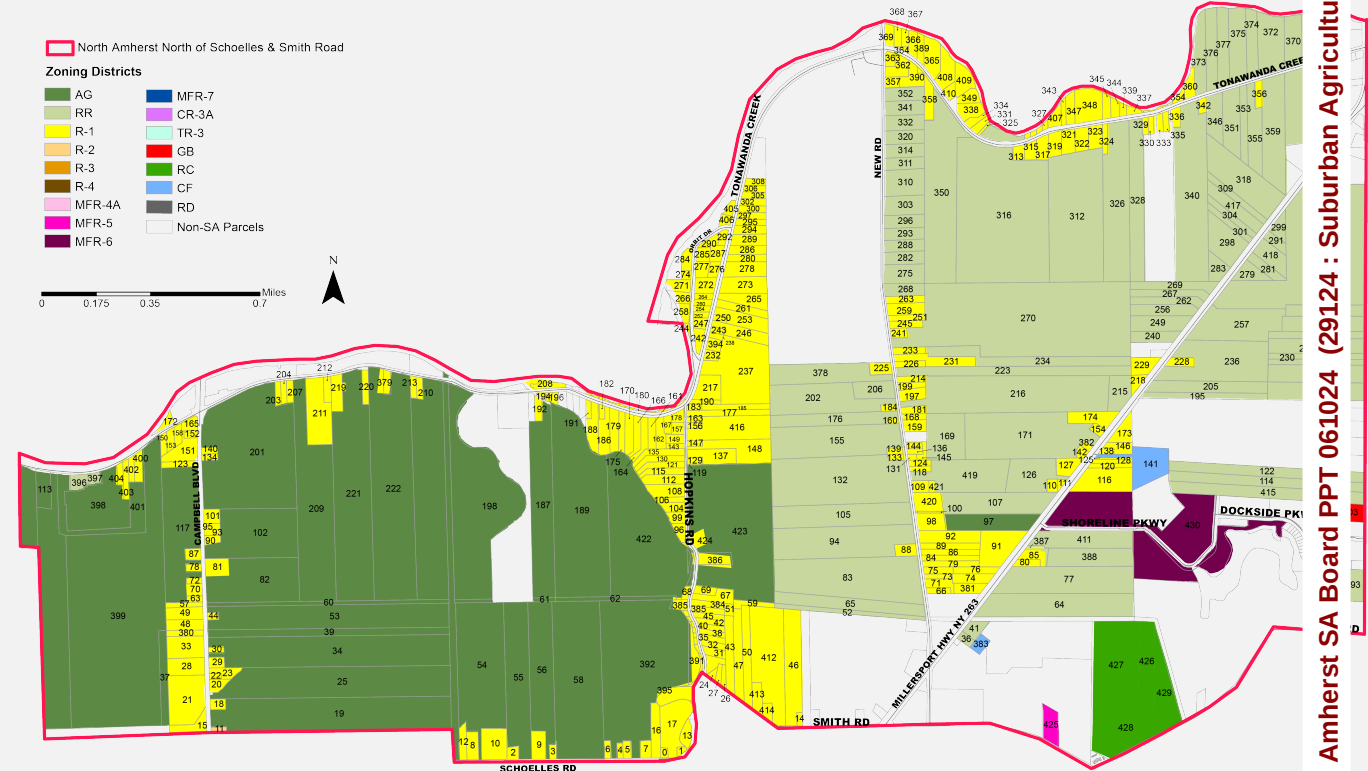


NORTH AMHERST

NORTH OF SCHOELLES & SMITH RDS

- Rezone all parcels under conservation easements specifically and all Erie County Ag District #17 parcels to AG District
- “Right-size” existing 1 to 3 acre residential parcels by rezoning to R-1
- Rezone vacant and large residential lots to RR
- Nonresidential and non-agricultural uses to be right-sized:
 - 540 Smith Road – rezone to CF
 - 4475 & 4485 Millersport Highway – rezone to GB
 - Vacant lands with wetlands – rezone to RC
- Requires text amendments to RR & R-1
- Rezone existing multi-family, commercial, and institutional properties to reflect use

MAP 5: Recommended Suburban Agriculture (SA) District Parcels Rezoning
North Amherst (North of Schoelles Road & Smith Road) Geographic Area



Attachment: Amherst SA Board PPT 061024 (29124 : Suburban Agriculture (SA) District

AG DISTRICT

Map Change

Rezone parcels, follow up with amendments to District text per Ag Plan.

(all but Z-1 is targeted for protection)

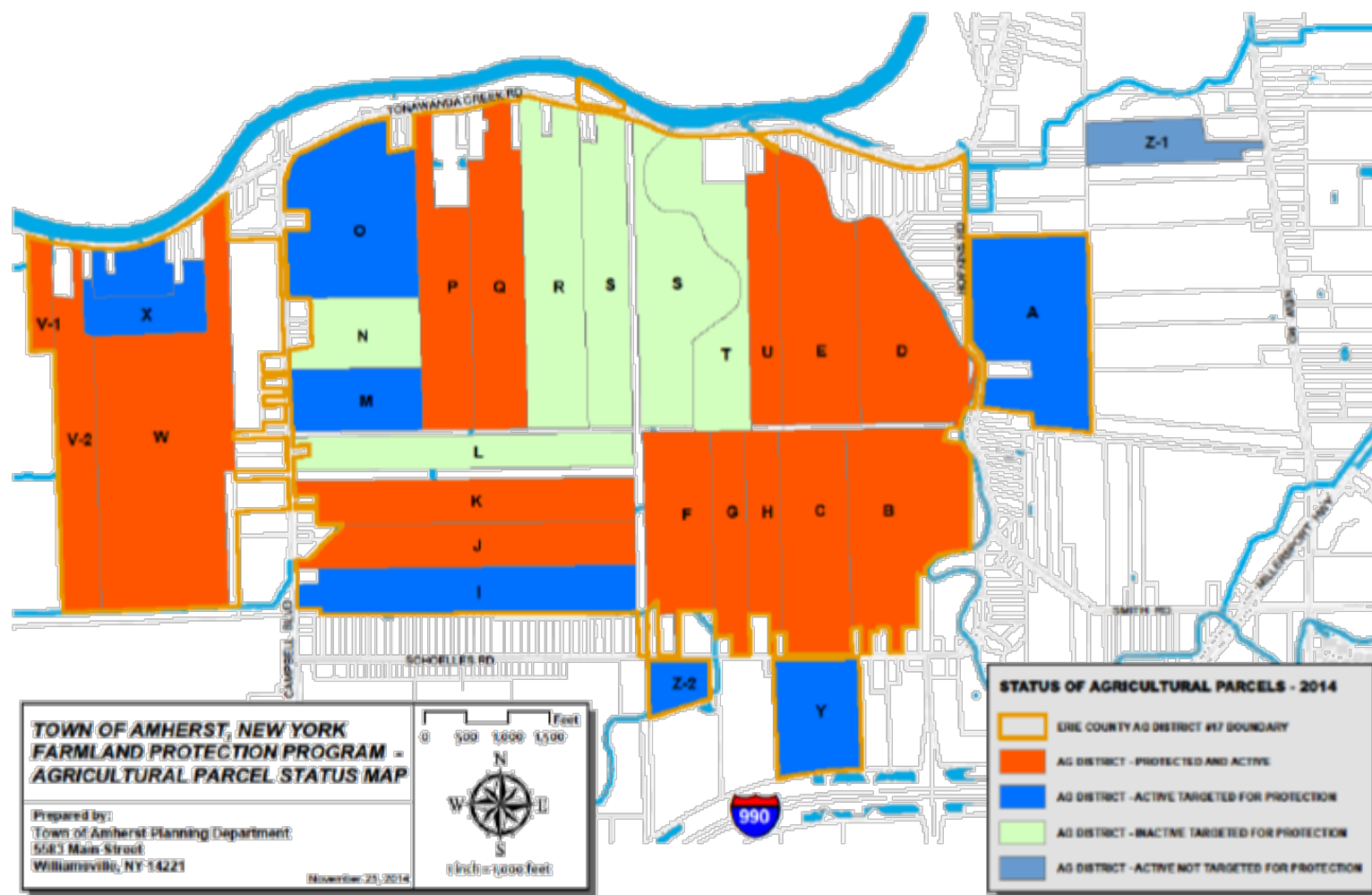
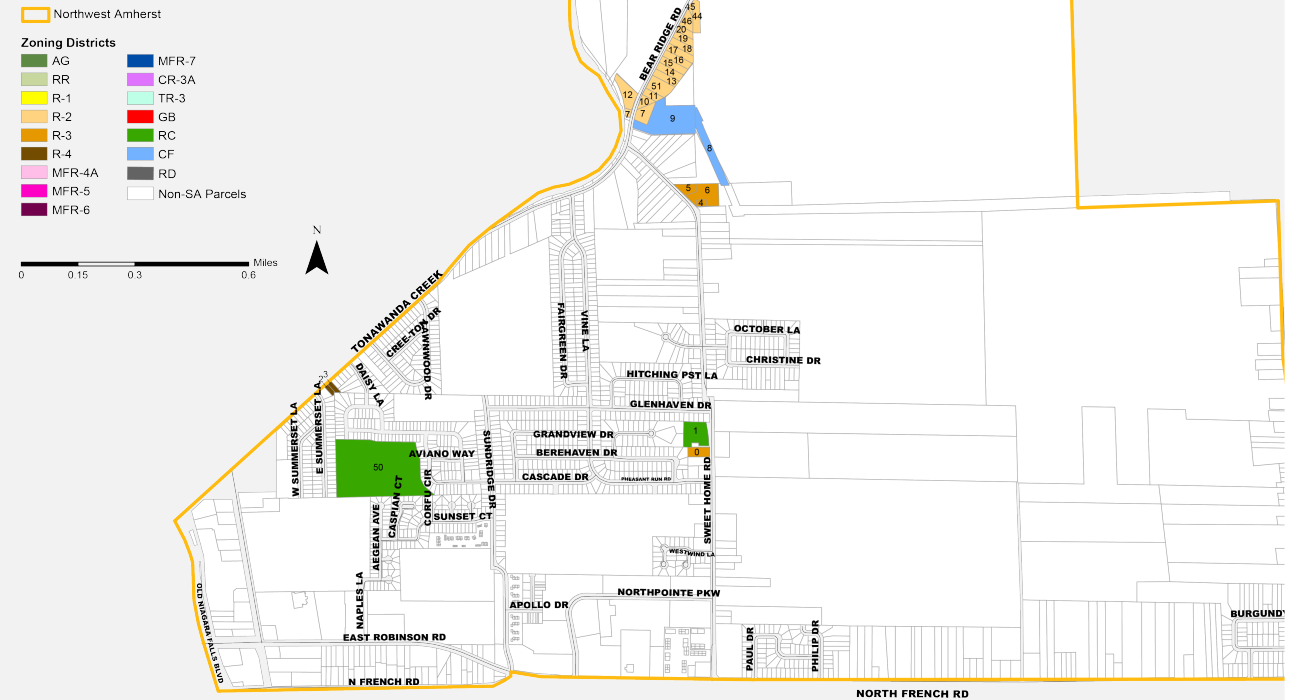


FIGURE 5-4 WESTERN NEW YORK LAND CONSERVANCY EASEMENT

NORTHWEST AMHERST

- “Right-size” smaller residential properties to R-2, R-3, or R-4 District based on existing lot dimensions
- Rezone larger residential properties to RR
- Rezone reserved open space in previous subdivisions to RC District
- Nonresidential property:
 - National Grid Substation & utility lines – rezone to Community Facilities (CF)
- Requires text amendments to RR

MAP 6: Recommended Suburban Agriculture (SA) District Parcels Rezoning
Northwest Amherst Geographic Area



MAY 21

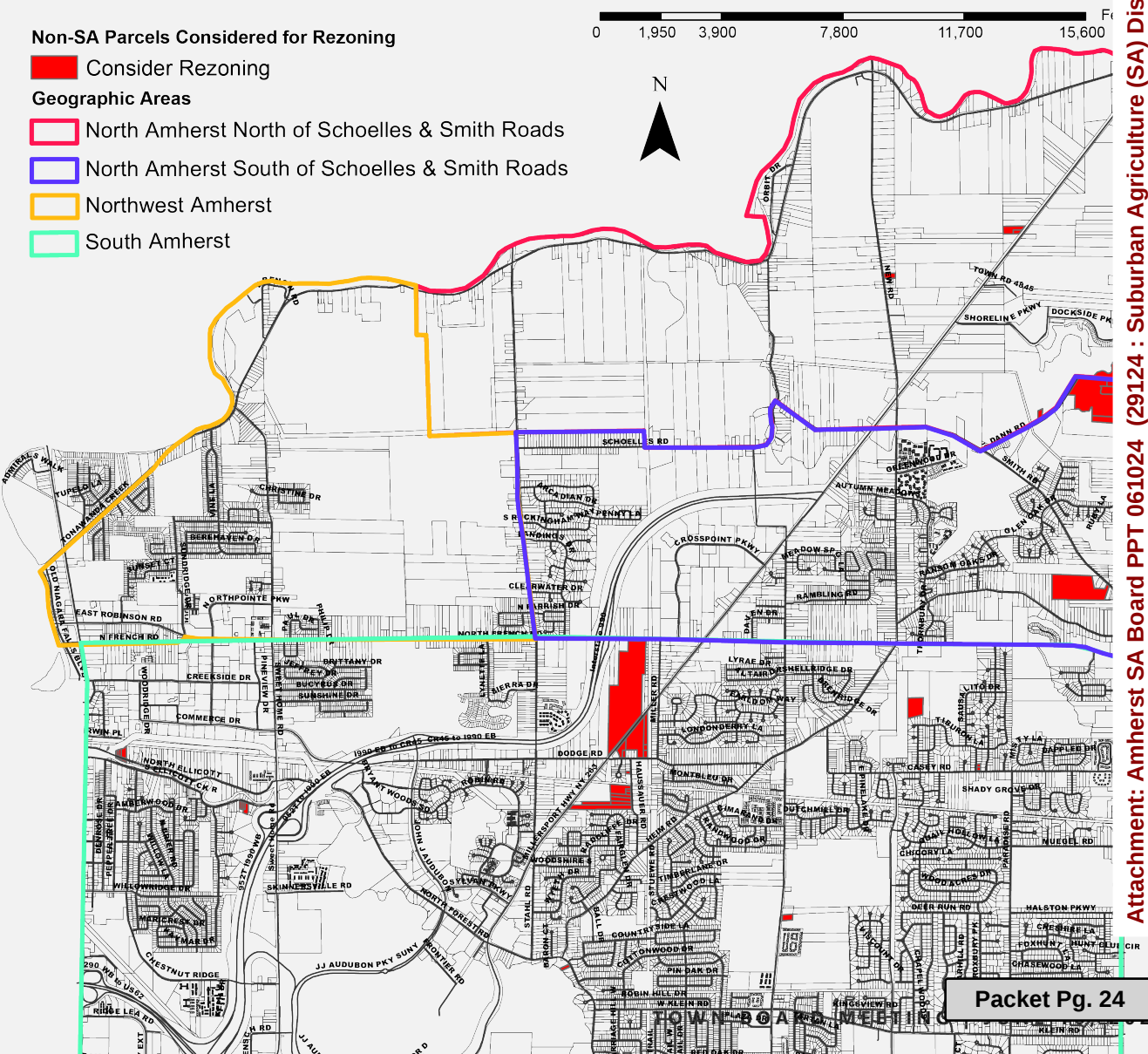
Attachment: Amherst SA Board PPT 061024 (29124 : Suburban Agriculture (SA) District

NON-SA DISTRICT PARCELS FOR CONSIDERATION

NON-SA DISTRICT PARCELS

- Parcels generally adjacent to SA District properties
- Were identified as “mis-zoned” during review
- Proposed rezoning is to reflect and support existing land use

MAP 7: Non-Suburban Agriculture District Parcels to be Considered for Rezoning Amherst Town-wide Geographic Area



OPEN SPACE

Additional Considerations

TWO PART APPROACH

RC DISTRICT (MAPPED)

- Designate recreation and open space parcels where development is not desirable
- **Potential Conflict**
 - Character of parks/rec vs open space uses
 - RC permits day-cares and indoor recreation
- **Potential Solutions**
 - Amend RC to remove more intensive uses, while rezoning existing to Community Facilities (CF) District
 - Consider **new Open Space (OS) District** for parcels where no development is to occur

CONSERVATION PROVISIONS

- Remove “clustering” as a use
- Reduce threshold from 15 to ~10 acres
- Redefine what counts as open space
 - Include wetlands, floodplains, etc.
 - Subtract natural resources from developable land calculations
- Add Flood/Stormwater Provisions
- Connect to Subdivision & Planned Development Option

NEXT STEPS

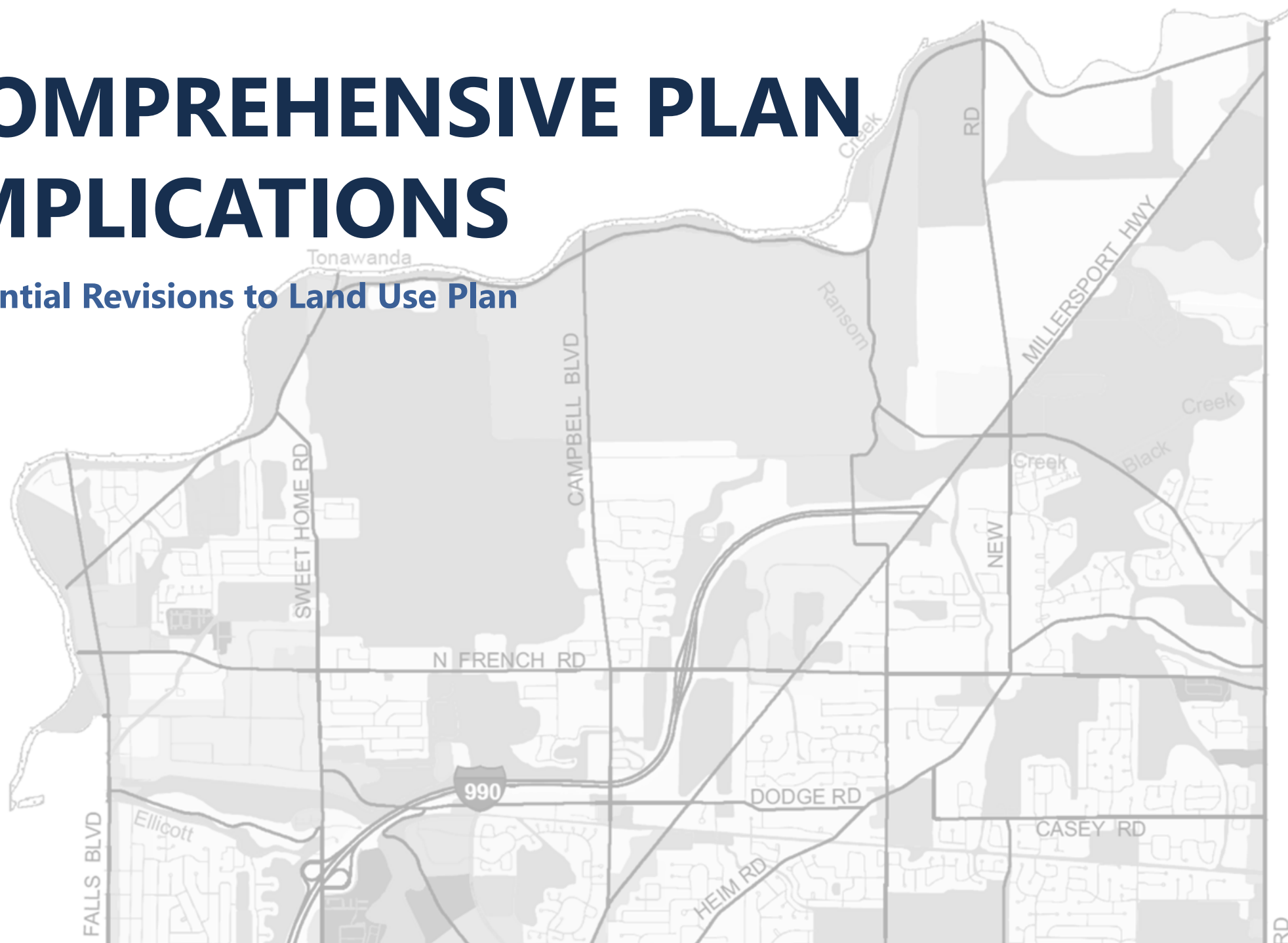
IMPLEMENTATION ACTIONS

Town Board to Consider SA Report and Suggested Implementation Strategies

1. Use SA District Report to support Open Space Study
2. Develop Strategy for Priority/Sensitive Rezone Areas
 - a. SA parcels in South Amherst (Map 3)
 - b. Agricultural district parcels (Maps 4 & 5) to AG; Identify and rezone adjacent/nearby parcels at risk to AG, R-1, R-2, RC to protect from conversion
 - c. SA parcels in North Amherst (Map 5)
 - d. SA parcels north of North French Road (Map 4)
 - e. SA parcels in Northwest Amherst (Map 6)
 - f. Non-SA Parcels identified in the Study Report (Map 7)
3. Use SA District Report to Prepare Comp Plan Amendments for Town Board Consideration

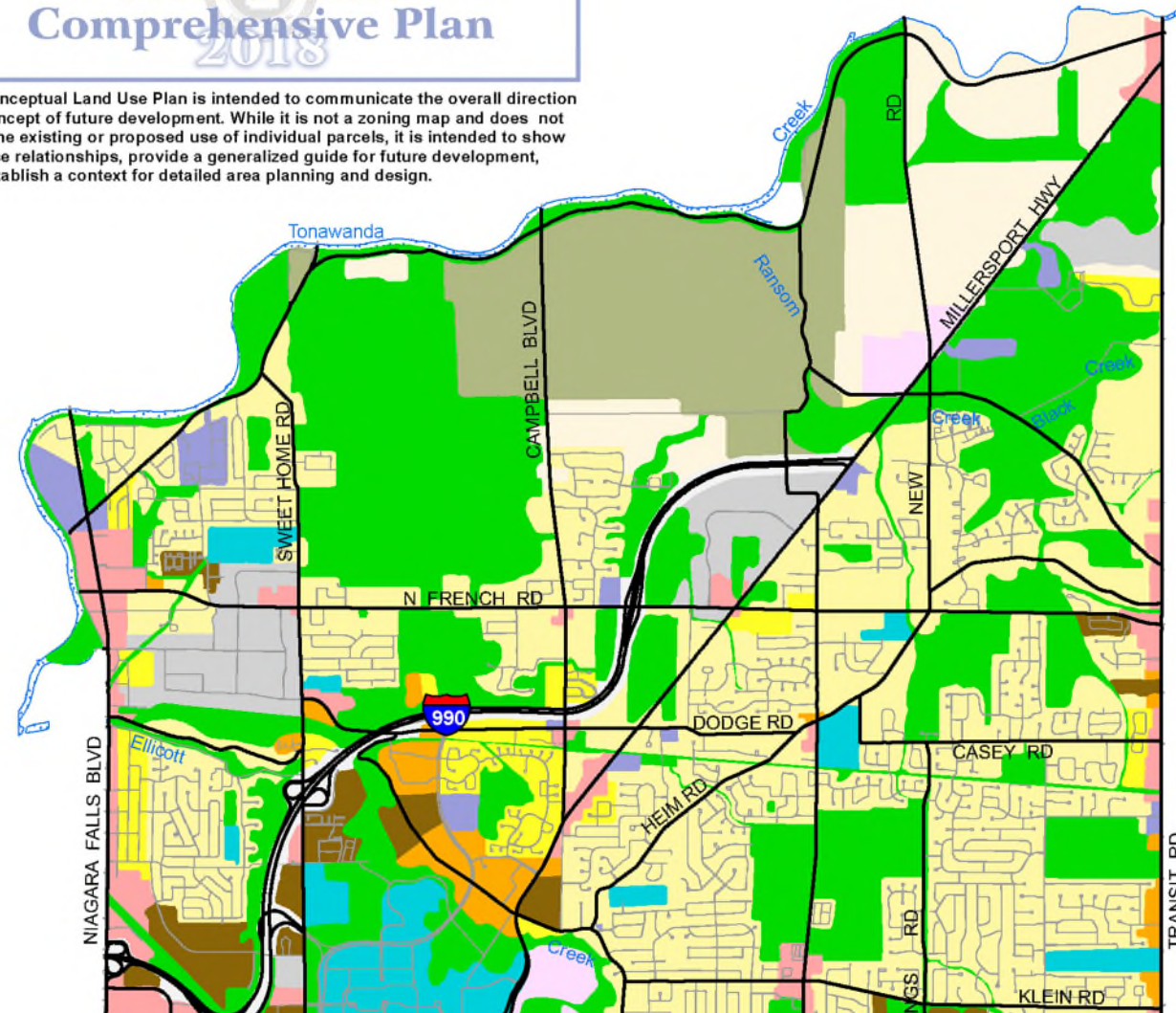
COMPREHENSIVE PLAN IMPLICATIONS

Potential Revisions to Land Use Plan



1818 Town of Amherst Bicentennial Comprehensive Plan 2018

The Conceptual Land Use Plan is intended to communicate the overall direction and concept of future development. While it is not a zoning map and does not show the existing or proposed use of individual parcels, it is intended to show land use relationships, provide a generalized guide for future development, and establish a context for detailed area planning and design.



Conceptual Land Use Plan

Rural Residential	Special Use Center	Recreation, Open Space & Greenways
Single Family Residential	Commercial - Office	Agriculture
Mixed Residential	Industrial - Office	Transportation
Medium Residential	Community Facilities	Surface Water
Commercial / Mixed Use*	Educational Campus	Village of Williamsville Boundary

* See Map Figure 6-A for Additional Designations

SOURCE NOTES:

Original Source Data Provided by the Town of Amherst Information Technology Department, URS Corporation and Wallace Roberts & Todd, LLC

Map Compiled by the Town of Amherst Planning Department

Date: December 2020

FIGURE 6



FUTURE LAND USE

Implications

- Follow Sewer District Limitations
- Designate Open Space Areas
- Redefine Residential Density Guidance