





(FOR OFFICIAL USE ONLY)

Planning Board Hearing Date _____	File No. <u>Z-B-07</u>	Acreage <u>33.32</u>
Final Planning Board Action _____	Materials checked by Building Department	Fee <u>\$ 5015.00</u>
Date _____	Materials accepted by Town Clerk and Filing Fee paid	<u>FRA</u> received by <u>2/2/07</u> date
Town Board Hearing Date _____	Materials received by Planning Department	<u>W. Acar</u> reviewed by <u>2/2/07</u> date
Final Town Board Action _____		received by _____ date _____
Date _____		

(A)

TOWN OF AMHERST PETITION FOR REZONING

I (1-2.1.1) Petitioner: Name Benderson Development Company LLC  
 Address 570 Delaware Avenue  
Buffalo, New York 14202  
 Telephone (716) 878-9459

TO THE HONORABLE TOWN BOARD:

II (1-2.1.5) Gentlemen: The undersigned do hereby petition Your Honorable Body to rezone the following described property  
 FROM R3 & CF District #1, CF+R3 to MFR 6  
 TO MFR-6 District #2, CF to GB

III (1-2.1.3) Street address of land to be rezoned:  
 A. 330 Maple Road  
 B. 218 Maple Road

IV Area of land to be rezoned (in acres): 33.326

V (1-2.1.2) Owner of Land: Name A. Buffalo-Maple Road LLC  
 Address B. Buffalo-Anderson Associates, LLC  
 Telephone 878-9459

Petitioner represented by:

Name Renaldo & Palumbo  
 Address 9276 Main Street, Clarence, NY 14031  
 Telephone 759-9759

VI (1-2.1.1) Petitioners interest in property:  
 \_\_\_\_\_ option to purchase  
 \_\_\_\_\_ owner  
 other (explain) Agent for Owners

VII The following are all others having an interest in this application and join herein with the petitioner named above: (describe extent of interest)

N/A

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



XII (1-2.1.8) Development Schedule:

Start May 2008

Finish May 2009

Stages (No. of) N/A

XIII (1-2.1.9) Statement on future selling or leasing of all or portions of the proposed development:

A. For sale of residential townhouse/condominium Units

B. For lease of retail, office commercial areas

XIV (1-2.1.7) Open Space ownership and maintenance provisions (if applicable):

Homeowners Association will own residential common areas. Applicant to maintain commercial areas

XV Basis for Findings:

A. Availability of Services and Utilities

1. Sanitary Sewer Available on Maple Road

2. Storm Sewer/Drainage Available on Maple Road

3. Water Available on Maple Road

4. In Flood Plain In X Zone

B. How does this project meet the objectives of the Comprehensive Plan?

The proposed mixed use development is in accord with the Town's recently adopted Comprehensive Plan. This property is part of one of the six "focal planning areas" defined in the Plan. Section 10.3.1 of the Plan refers to the University Focal Planning Area as an area in need of inter-relationship between the University and the surrounding area. Given the immediate proximity of the proposed site to the University of Buffalo, the proposed mixed-use development including commercial, retail and residential uses, fills the void as described by the Plan. In addition, the proposed strategies to link the surrounding neighborhoods to the campus complete the integration of the development with the University.

REQUIRED ATTACHMENTS (CHECK LIST)


- (1-2.1.4) Survey - prepared by an appropriately licensed person
- (1-2.2) Development Plan (Minimum information required)
  - (1-2.2.1) - property lines
  - contours, existing and proposed
  - water courses
  - flood plains
  - unique natural features and tree cover
- (1-2.2.2) - proposed land use arrangement
- (1-2.2.3) - location of all existing and proposed structures and other improvements
  - maximum structure heights
  - types of dwelling units
  - location of all non-residential floor area
- (1-2.2.4) - location and size of all areas to be dedicated or reserved as common open spaces, public parks, recreation areas, school sites
- (1-2.2.5) - the existing and proposed circulation system showing local arterial and collector streets, points of ingress and egress and notation of ownership
- (1-2.2.6) - existing and proposed Pedestrian Circulation System
- (1-2.2.7) - existing utilities systems (sanitary storm sewers, water lines and storm water retention areas)
- (1-2.2.8) - information on lands owned by the applicant within 500' of the perimeter of the area
- (1-2.2.9) - Architectural sketches
- (1-2.2.10) - any additional data

- XVI That your petitioner enclose herewith the sum of \$ 5,015.00 to pay the fee, and consent to the placement of a sign(s) at the described location identifying this request for a period of time to be determined by the Town Clerk.
- XVII The undersigned certifies that all information required to be disclosed pursuant to Section 809 of the General Municipal Law (see below) is as follows:

The undersigned swears or affirms that all statements made herein are true that all drawings submitted correctly show the situation involved in this petition.

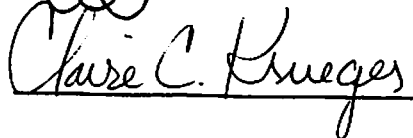
RENALDO & PALUMBO, As Agent/Attorney

Subscribed and sworn to before me this

  
 \_\_\_\_\_  
 Signature of petitioner

1 day of February, 18 2007

Notary Public, Erie County, New York

  
 \_\_\_\_\_  
 Claire C. Krueger

**CLAIRE C. KRUEGER**  
 Notary Public, State of New York  
 Qualified in Niagara County  
 My Commission Expires 2/28/2010

Section 809. Disclosure in certain application

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provision of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.
2. For the purpose of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them
  - (a) is the applicant, or
  - (b) is an officer, director, partner or employee of the applicant, or
  - (c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
  - (d) is a party to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.
3. In the county of Nassau the provisions of subdivisions one and two of this section shall also apply to a party officer. "Party Officer" shall mean any person holding any position or office, whether by election, appointment or otherwise, in any party as defined by subdivision four of section two of the election law.
4. Ownership of less than five per cent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.
5. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.