



Town of Amherst

REZONING

Application & Review Procedure

This application package includes the following:

- Application Procedures
 - Application Form & Checklist
 - Appendix A Criteria for Required 8½" x 11" Sketches
 - Appendix B Erie Sewer District No. 5 – Commercial / Industrial
New & Existing Buildings Requirements
 - Appendix C Draft Local Law Form
 - Appendix D Submittal of Revised Survey & Legal Description Form
-

Application materials must be submitted electronically and include PDF copies of the Application, EAF, Conceptual Development Plan, Survey, and any other supporting documentation, as well as a Word version of the Local Law. These requirements also apply to any revised submissions. Applications **will not** be processed until all required electronic materials have been received.

1. Applicant obtains application from the Planning Department, 5583 Main Street, Williamsville, NY 14221, by phoning (716) 631-7051 or on-line at www.amherst.ny.us (keyword: Planning).

The application shall be executed or consented to in writing by persons having legal standing as defined in Section 8-2-2 of the Zoning Ordinance.

2. A pre-submittal consultation with Planning Department staff is ***strongly recommended*** prior to submitting an application. The pre-submittal meeting gives the applicant an opportunity to discuss with staff such items as:
 - consistency of the proposed rezoning with the adopted Bicentennial Comprehensive Plan
 - determining what specific information will be required to be submitted with the application
 - identifying and discussing issues that must be addressed as part of the SEQR review.

An appointment is required for all meetings with Planning Department staff.

3. The rezoning petition is subject to the requirements of 6 NYCRR Part 617, State Environmental Quality Review Act (SEQR) and must include an Environmental Assessment form. The Environmental Assessment Form (EAF) must assess the cumulative impacts associated with the rezoning (and the Comprehensive Plan amendment, if applicable). The Town Board cannot make a SEQR determination unless a complete EAF is submitted along with any required supplementary information, such as traffic impact studies, archaeological reports, wetland delineations etc. SEQR issues may be discussed with Planning Department staff at a recommended pre-submittal meeting. Type I Actions require a Full EAF. The following is a link to the NYSDEC website for the required Environmental Assessment forms <https://gisservices.dec.ny.gov/eafmapper/>.

4. Submittal of an application grants permission to Town staff and Board members to access the parcel(s) under consideration.
5. The rezoning request must be put in the form of a Local Law **and submitted both as a paper copy and in electronic form as a Microsoft Word document.** See Appendix C, attached.

Application Procedures

1. Applicant prepares and submits one complete application with attachments to the Planning Department for review prior to filing.
2. After approval for filing by the Planning Department, the applicant files **eleven (11)** copies of the completed application and attachments with the Planning Department along with the required fee. (See Schedule of Fees on first page of application and make checks payable to: Town of Amherst.) Each package must be collated, with larger sheets folded into no larger than 9" x 12" size. The following information must be included in each application package:
 - A completed, signed and notarized application form with all required attachments
 - A conceptual development plan, drawn to scale (no larger than 24" X 36" in size)
 - An 8 ½" X 11" reduction of the conceptual development plan
 - Boundary survey prepared by a NYS licensed land surveyor that shows the acreage of the parcel, acreage of the area to be rezoned, zoning of adjacent properties and all other typical survey data
 - A legal description of the area proposed to be rezoned
 - The legal description in the form of a draft local law (see Appendix C) and provided **as a Word document**
 - A completed and signed Environmental Assessment Form (EAF), including any required supplementary reports such as traffic studies, archaeological surveys, wetland delineation reports, etc.
3. The Planning Department transmits copies of the application and materials for a review by:
 - Town Clerk with required fee
 - Commissioner of Building
 - Town Engineer
 - Superintendent of Highways
 - Traffic / Safety Board
 - Fire Chiefs' Association
 - Town Attorney
 - Zoning Enforcement Officer
 - Other Town and outside Agencies, as applicable
4. Each agency completes its review and notifies the Planning Department in writing of its comments or recommendations as required by the Zoning Ordinance.
5. The Town makes an environmental assessment of the project to determine whether a draft Environmental Impact Statement (EIS) is required. The applicant will be advised in the event that a draft EIS is required and afforded the opportunity to prepare it. If he/she declines, the Planning Board will prepare the draft EIS at the applicant's expense. A public hearing will be held concurrently with all public hearings on the application itself.
6. The following procedures are established for submittal of revised documents: **All such documents must be provided in electronic format in addition to hard copies.**

- A. Revised Survey / Legal Description. **Eleven (11)** copies of any proposed revisions to the Survey or Legal Description must be approved and submitted to the Planning Department. The Planning Department will transmit one copy of the revised Survey/Legal Description to the Town Clerk and to review agencies as required. The corresponding local law must also be updated and provided. *APPENDIX "D"*, "Revised Survey / Legal Description submittal form" must accompany the revised documents.
- B. Other Revised Materials. The applicant must provide **eleven (11)** complete sets of revised plans, reports, or materials as required to address review agency comments (it is recommended the applicant contact Planning staff to determine if fewer sets are needed). The revised submission should include, but is not limited to, the following:
- A cover letter addressing all comments received to date.
 - Revised conceptual development plan drawings with the area of change "highlighted", along with a notation describing the change.
7. Planning Board Meeting Procedures. The applicant or representative must present the project at the public hearing before the Planning Board and be available to answer any questions at the meeting. The Planning Board may take any of the following actions:
- Adjourn the hearing to a future Planning Board meeting (hearing remains open).
 - Close the public hearing and adjourn action on the rezoning petition to the next Planning Board meeting.
 - Close the public hearing and make a recommendation on the rezoning.

All determinations on matters before the Planning Board are made after all public hearings on that meeting's agenda are completed.

The Planning Board will hold a hearing on the proposed action. Upon receipt of all required SEQR materials, the Planning Board will make a recommendation on the proposed rezoning to the Town Board per the requirements of Sections 8-1, 8-2, and 8-3 of the Zoning Ordinance.

8. After the Planning Board issues its recommendation, it is the applicant's responsibility to submit a written request to the Town Clerk that a public hearing be scheduled before the Town Board. A copy of the request should also be submitted to the Planning Department.
9. A final determination on SEQR and the rezoning request will be made by the Town Board per the requirements of the Zoning Ordinance.

NOTE: Please check with the Planning Department to determine the deadline dates for filing applications. Because of the public hearing notice and departmental reviews, no zoning change application will be placed on the Planning Board agenda after the deadline for filing has closed.



Town Of Amherst Planning Department
Application for Rezoning

For Official Use

File #: _____ Acreage _____ Fee \$ _____

Address Verified by
Assessor's Office _____
VERIFIED BY DATE

Application Received
by Planning Department _____
ACCEPTED BY DATE

Materials Checked by
Zoning Enforcement
Officer _____
CHECKED BY DATE

Materials & Fee Paid
to Town Clerk _____
ACCEPTED BY DATE

Fill In
Applicable Fees

2 ACRES OR LESS \$1,250. _____

2 – 20 ACRES
\$1,250 + \$250/acre or fraction
thereof over 2 acres (fractions of an acre
to be counted as 1 acre) _____

21 – 30 ACRES
\$5,700 + \$150/acre or fraction
thereof over 21 acres (fractions of an acre
to be counted as 1 acre) _____

OVER 30 ACRES
\$6,900 + \$75/acre or fraction
thereof over 30 acres (fractions of an acre
to be counted as 1 acre) _____

Request for Relief of / Change to Conditions
of Zoning Approval \$1,200. _____

AFFIDAVIT FEE FOR PUBLIC HEARING \$15. _____

TOTAL FEE: \$ _____

TO BE COMPLETED BY APPLICANT

1. Petitioner:

Name: _____

Address: _____

_____ City State Zip Code

Phone: _____ Fax _____

E Mail: _____

2. The undersigned hereby petitions the Honorable Town Board to rezone the following described property:

From: _____ District

To: _____ District

3. Street address of land to be rezoned: (must be verified by Town Assessor's Office)

SBL #: _____

4. Area of land to be rezoned (in acres): _____

5. Owner of Land:

Name: _____

Address: _____

_____ City State Zip Code

Phone: _____

6. Representative (Architect, Engineer, Landscape Architect, Surveyor or Attorney):

Name: _____

Address: _____

_____ City State Zip Code

Phone: _____ Fax _____

E Mail: _____

7. Petitioner's interest in property

_____ Option to purchase
_____ Owner
_____ Other (explain) _____

8. The following are all others having an interest in this application and join herein with the petitioner named above: (describe extent of interest; attach sheets as needed)

9. Attach Survey and Legal description of land to be rezoned. The Survey must be prepared by a New York State Licensed Land Surveyor.

10. Said property has the following deed restrictions or covenants: (attach copy)

Liber _____ Page _____

11. Information on proposed project:

A. Description of the character of the proposed development: _____

B. Rationale for rezoning request:

1. Why was this site chosen? _____

2. Why cannot land be used with the existing zoning? _____

3. How will this rezoning impact surrounding properties? _____

4. How will this rezoning impact the school system? _____

12. Quantitative Data:

- A. Total # of dwelling units _____
- B. Distribution of dwelling units by type _____
- C. Gross Residential Density per acre _____
- D. Total amount of Open Space _____
- E. Proposed Non-Residential Floor Area _____

13. Development Schedule:

- Start _____
- Finish _____
- Stages (# of) _____

14. If any portion of the proposed development is planned to be sold or leased, please describe:

15. Open Space ownership and maintenance provisions (if applicable):

16. Basis for Findings (Sec. 8-3-5 of the Town Zoning Code) (Attach sheets and supplemental materials as necessary.)

A. The proposed zoning and development plan must be generally consistent with the policies of the Comprehensive Plan and the Town Zoning Ordinance.

- 1. State in detail why the proposed zoning is consistent with the adopted Town of Amherst Bicentennial Comprehensive Plan. Cite specific sections, maps, and/or figures in the Plan that support the proposed zoning at this location (The Comprehensive Plan document is available at the Planning Department, Town Clerk's Office, Amherst libraries, or at www.amherst.ny.us). Add sheets as needed.

2. Pursuant to NYS Town Law Section 272a(11), "All Town land use regulations must be in accordance with a comprehensive plan adopted pursuant to this Section." The Amherst Town Board adopted the Bicentennial Comprehensive Plan pursuant to NYS Town Law 272 on January 2, 2007. If the rezoning is approved, the Town Board may require the Plan to be amended, as applicable.

Cite all text, maps, or figures that must be amended to support the proposed zoning at this location (attach pages as necessary) and provide detailed suggested amendments.

3. State why the proposed zoning is consistent with intent and objectives (Sec. 1-2-2) of the Zoning Ordinance:

B. Adequate Services and Utilities are available or are proposed to be made available with the construction of the development:

1. Sanitary Sewer _____
2. Storm Sewer/Drainage _____
3. Water _____
4. Other _____

C. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:

D. Suitability of the subject property for uses permitted by the current versus the proposed district: _____

E. Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the Town:

- 17. The petitioner encloses herewith the sum of \$ _____ to pay the fee, and consents 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.
- 18. 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.

Signature of Petitioner

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public, Erie County, New York _____

N.Y.S. General Municipal Law - Section 809 Disclosure in certain applications:

- 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 applicant, 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 or 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.

<https://amherstnyusgcc.sharepoint.com/sites/plndept/Shared Documents/Common/Administrative/Forms & Template/Current Planning Forms & Templates/Applications/Rezoning Application Form 2026.docx>

REVISED February 2021

Rezoning Application Requirements and Checklist

The following checklist outlines the information required by the Town of Amherst to accept a Rezoning application. ***It is strongly recommended that you make an appointment with Planning Staff to discuss what information will be needed to address the items shown on the checklist.***

Item No.	Item	Submitted	Official use
I Application Information			
1.0	Town of Amherst Rezoning / Comprehensive Plan Amendment Application Form (available from Planning Department)		
1.1	Name, address, and contact information of the petitioner		
1.2	Name and address of property owners(s) – if different than petitioner		
1.3	If petitioner is different than property owner, provide statement describing interest in property and a letter from the property owner authorizing the application		
1.4	Identify existing and proposed zoning and acreage of area proposed to be rezoned		
1.5	Parcel addresses and Section, Block, and Lot (SBL) numbers of all properties proposed to be rezoned. Indicate if a portion of any parcel is involved, if applicable		
1.6	Statement of planning objectives to be achieved by the proposed rezoning, including the following: <ul style="list-style-type: none"> • How the proposed zoning and development plan meets the objectives of the Comprehensive Plan • A description of the character of the proposed development • The rationale behind the assumptions that are presented 		
1.7	Cite specific maps and / or figures in the Comprehensive Plan that must be amended to support the proposed zoning and provide suggested amendments.		
1.8	A general statement about how any proposed open space will be maintained (if applicable)		
1.9	A development schedule indicating the approximate date when construction is expected to begin and be completed. Identify schedule of any proposed phasing of the development (attach pages as necessary)		
1.10	A statement of the petitioner’s intentions regarding future sale or leasing of all or portions of the proposed development		
II Survey and Legal Description			
1.0	Complete boundary survey that includes all existing structures, acreage, legal description, and easements plotted to scale by a NYS licensed land surveyor		
1.1	Raised/wet seal and signature of licensed surveyor		
1.2	Clear delineation and acreage of area to be rezoned if different than property boundary		
2.0	Legal Description of the total area proposed to be rezoned. (must be consistent with area shown to be rezoned on boundary survey)		

Item No.	Item	Submitted	Official use
III Concept Plan (if required by the Planning Board)			
1.0	Conceptual development plan drawn to scale (no larger than 24" x36" format and folded into 8 1/2" x 11" size)		
1.1	North arrow		
1.2	Scale of drawing		
1.3	Property lines (existing and proposed)		
1.4	Unique natural features and tree cover		
1.5	Information on land controlled by the applicant located within 500 feet of the perimeter of the area proposed to be rezoned		
1.6	Location of all proposed structures and other improvements		
1.7	Number and type of dwelling units (if applicable)		
1.8	Gross square feet of commercial space (if applicable)		
1.9	Maximum structure heights		
1.10	Architectural sketches		
1.11	Existing and proposed contours		
1.12	Existing utility systems (sanitary sewers, water, storm drainage)		
1.13	Location of proposed storm water detention or retention facilities		
1.14	Proposed land use arrangement		
1.15	Location of all parking, loading, stacking and interior circulation drives		
1.16	Location of proposed curb cuts		
1.17	Location of cross access drives to adjacent parcels		
1.18	Pedestrian circulation system		
1.19	Location of NYSDEC wetlands (including buffer area) and/or federal wetlands; indicate jurisdictional status		
1.20	Location of floodway and 100-year floodplain (if applicable)		
1.21	Location and purpose of any proposed easements		
1.22	Location and proposed development of all open spaces, including parks, playgrounds, conservation areas, and dedicated open space; indicate intended ownership of such areas		
1.23	Additional data as required by the Planning Board		
V Other Required Information			
1.0	Completed and signed Environmental Assessment Form		
1.1	Soil boring report and geotechnical report prepared by a qualified Professional Engineer (if applicable)		
1.2	Traffic impact study (if applicable)		
1.3	Archaeological assessment (if applicable)		
1.4	Wetland Delineation report (if applicable)		
2.0	8 1/2" X 11" reduction of concept plan drawing (see appendix B)		
3.0	A CD containing a PDF of the complete submittal package, including all drawings.		

For official use only:

Approved/Date

Appendix A

Requirements for 8½" × 11" Plan Reductions

Graphic Standards

- The 8½" × 11" black-and-white drawing will be used for Planning Board presentations, distributed to Board members, and filed for public review. Therefore, clarity and legibility are essential.
- Two (2) copies of an 8½" × 11" Concept Plan or Site Plan are required for all Site Plan, Subdivision, and Open Development Area applications, in addition to the full-size plans required by the application.
- Site Plan applications must also include 8½" × 11" reductions of the Landscape Plan and building elevations.
- Whenever revisions are made to previously submitted Concept Plan or Site Plan drawings, two (2) updated 8½" × 11" reductions must also be submitted.
- Rezoning applications that include a Concept Plan must provide two (2) copies of an 8½" × 11" Concept Plan reduction.
- The Planning Department reserves the right to request additional information or require modifications to submitted drawings for presentation purposes.
- All submitted drawings become the property of the Town.
- Illegible 8½" × 11" graphics may result in rejection of the application or removal from the Planning Board agenda.

Information Required and Clearly Labeled

The following information must be included and clearly identified:

- All labels, dimensions, and annotations must remain clear and legible when reduced to 8½" × 11".
- Existing and proposed building footprints.
- Significant natural and man-made site features.
- Existing and proposed street names.
- Property lines.
- North arrow, preparation date, and latest revision date on each sheet.
- Retention and detention ponds.
- State and federal wetlands.
- Berms.

Information Required but Not Labeled

The following information should be shown but does not require labeling:

- Parking, loading, and vehicle stacking layouts (directional arrows are optional).
- Curb cuts for developed properties located across adjacent streets.
- Landscaping, provided it does not interfere with drawing clarity.
- Existing and proposed sidewalks, paths, and bikeways.

Information Not to Be Included Unless Specifically Requested

The following information should not appear on the 8½" × 11" graphic unless requested by the Planning Department:

- Utility information or data.
- Contour lines or elevation data.
- Dimension lines.
- Shading of site features.
- Site data or calculations.
- Plant schedules or plant lists.
- Building elevations, drainage profiles, sign graphics, and similar supplemental information.

Appendix B

TOWN OF AMHERST
ENGINEERING DEPARTMENT



ERIE COUNTY NEW YORK

PAUL M. BOWERS, P.E., TOWN ENGINEER

September 24, 1999

TO: TECHNICAL STAFF
FROM: Paul M. Bowers, P.E. *Paul M. Bowers*
RE: ERIE SEWER DISTRICT NO. 5 - COMMERCIAL/INDUSTRIAL
NEW AND EXISTING BUILDINGS

Attached is a copy of the letter from ECSD #5 regarding the above subject. This would apply to all site plan reviews and construction which might occur on the Amherst side of ECSD #5.

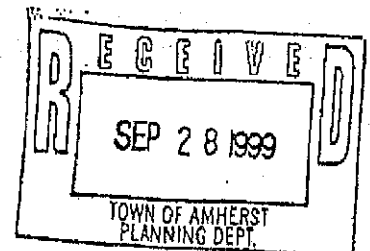
The essence of their request is to make sure that petitioners apply as early as possible (earliest rezoning stage), but certainly as early as the site plan review stage, to the Erie County's Division of Sewerage Management (DSM). By submitting building and plumbing plans early in the review process to the County (DSM), petitioners will not be denied nor delayed in seeking access while current reviews are being held.

If you review any rezonings and site plans for those areas along Transit Road within ECSD #5, petitioners should be advised that early submittal (of building and plumbing plans) to the DSM is necessary.

PMB:rb

Att.

Cc & Att: Thomas C. Ketchum, P.E., Building Commissioner
Richard Gillert, Planning Director





TOWN OF AMHERST
ENGINEERING
DEPARTMENT

JUL 12 2 04 PM '99

County of Erie

DENNIS T. GORSKI
COUNTY EXECUTIVE

DEPARTMENT OF ENVIRONMENT AND PLANNING

RICHARD M. TOBE
COMMISSIONER

CHARLES J. ALESSI, P.E.
DEPUTY COMMISSIONER
Sewerage Management

July 9, 1999

Amherst Town Board
5583 Main Street
Williamsville, New York 14221

RE: Erie County Sewer District No. 5
Commercial/Industrial New and Existing Building
Construction and Change in Existing Establishments

Honorable Town Board:

This letter is written to remind you that any new commercial and/or industrial buildings or a change in use of an existing building within your service area requires the submittal of an Industrial Waste Survey (IWS), complete with detailed plans, to Erie County's Division of Sewerage Management (DSM) for review and approval.

Your community, as a member of the Erie County Sewer District No. 5 (ECSD #5), is required to participate in the District's EPA Approved Pretreatment Program. This program, mandated under federal law, requires review and inventory of all new non-residential facilities in the service area to determine if they fall under the pretreatment program. This review will also determine if the new facilities require an Industrial Wastewater Discharge Permit. Furthermore, as part of ECSD #5, your community must comply with The Rules and Regulations for Erie County Sewer Districts. These Rules and Regulations include additional requirements for non-residential facilities connecting to the sanitary sewer within the service area. The review of the plans for new facilities will insure compliance.

While there has not been a problem with new buildings incorporating new sewer connections, it is becoming more of a problem with existing commercial establishments that have changed ownership, expanded, and/or been renovated for a different use, without any review by the DSM. This includes such projects as:
(a) where a building is demolished and a new facility is built at

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the same location; and (b) establishments that change their use such as a store turned into a bakery or a gas station turned into a restaurant.

A specific problem that tends to reoccur is the question of grease traps. The District requires all food serving establishments to have exterior grease traps installed. Some Towns only require the under the sink traps. However, the District has found them to be generally inadequate in most situations.

The District suggests that in the future, completion of the Industrial Waste Survey and review of plans be done by the DSM prior to approval and issuance of building permits for non-residential buildings. Currently, there is no fee required by the DSM for this review. The review is vital for the District's Industrial Waste section to maintain the proper inventory of non-residential facilities in the service area pursuant to federal regulations. Failure to do so could result in substantial costs to property owners to bring their facilities into compliance if construction occurs prior to plan approval.

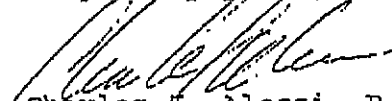
In a related matter, it is extremely important that where existing sewer laterals are not being reused, they are properly capped and sealed. It has been our experience that if the old sewers are not properly capped, it allows excessive inflow and infiltration into the sewers and unwanted debris. This can cause problems such as unnecessary surcharging and/or plugging of sewers and flooded basements or the undermining of paved areas such as sidewalks, roads and parking areas. Proper capping of sanitary sewer laterals is also required under the District's Rules and Regulations. If the existing sewer laterals are to be reused by a new building, they need to be inspected and tested to see that they are still structurally sound.

It is the District's hope that by working in a cooperative manner, the integrity of the entire sewerage system will ultimately improve, thereby reducing inflow and infiltration, and thus saving money for both your community and the District.

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If you have any questions, please feel free to contact
me at 858-7537.

Very truly yours,



Charles J. Alessi, P.E.
Deputy Commissioner

CJA/ss

cc: ECSD #5 Board of Managers
Susan Grelick, Supervisor, Amherst
✓ Paul Bower, Tn. Engineer, Amherst
Town of Amherst Building Inspector
L. Pohl
G. Absolom
G. Devlin/L. Sedita/File

SS006

APPENDIX “C” (LOCAL LAW) INSTRUCTIONS

The proposed zoning map amendment must be submitted in the form of a local law and must be provided both as a paper copy and in electronic form as a Microsoft **Word** document. The electronic copy may be submitted with the application or e-mailed to the Planning Department.

LOCAL LAW NO. _____-202____

TOWN OF AMHERST
COUNTY OF ERIE, STATE OF NEW YORK

A LOCAL LAW AMENDING CHAPTER 203 OF THE TOWN OF AMHERST
CODE, KNOWN AS THE ZONING ORDINANCE, TO REZONE

_____ FROM
_____ TO
_____ AND TO

AMEND THE ZONING MAP ACCORDINGLY.

Be it enacted by the Town Board of the Town of Amherst as follows:

Section 1. Title.

This Local Law shall be referred to as, "A Local Law Amending Chapter 203 of Town of Amherst Code, Known As The Zoning Ordinance, to Rezone _____ from _____ to _____ and to Amend The Zoning Map Accordingly."

Section 2. Legislative Findings and Intent.

The Town Board of the Town of Amherst finds that an application to rezone _____ from _____ to _____ zoning has been filed and is in proper order. The Town Board further finds that the rezoning is consistent with the Comprehensive Plan.

Section 3. Amherst Zoning Map.

The Town Board hereby amends its zoning map which is incorporated by reference in the Town zoning code by amending from _____ to _____ the zoning of _____, **subject to any conditions imposed by the authorizing resolution;** legally described as follows:

Insert legal description of property/properties here

Appendix D



**TOWN OF AMHERST PLANNING DEPARTMENT
SUBMITTAL OF REVISED SURVEY & LEGAL DESCRIPTION**

For Official Use

File # (SAME Z# AS ORIGINAL FILE)	Materials Checked by Building Dept. RECEIVED BY: _____ DATE: _____
Materials Received by Planning Dept. RECEIVED BY: _____ DATE: _____	Materials Accepted by Town Clerk RECEIVED BY: _____ DATE: _____

TO BE COMPLETED BY APPLICANT

1. **Petitioner:** **ONLY IF LEGAL DESCRIPTION HAS BEEN REVISED**

Name: _____

Address: _____

City State Zip Code

Phone: _____ Fax: _____

E Mail _____

2. **Street address of land to be rezoned:**

3. **Submitted by:**

Name: _____

Address: _____

Required Materials:

- Revised Survey and Legal Description
- Legal Description in the form of a Local Law
- Legal Description in a Microsoft Word Document