



# Special Use / Temporary Use /Administrative Appeal

## Town of Amherst – Planning Department

### Type of Request

- Special Use Permit (SUP )
- Temporary Use Permit
- Appeal under Section 280-a(3) of NYS Town Law
- Telecommunications Facility (SUP)
- Type 2 Home Occupation (SUP)
- Dormitory, fraternity or sorority house (SUP)
- Auxiliary Housing Unit (SUP)
- Raising Chickens (SUP) Section 6-8-9
- Restricted Parking Lots (SUP) Section 7-1-9B(2)(b)
- Bed & Breakfast (SUP)
- Public Utility Service Structure or Facility (SUP)
- Administrative Appeal

### Applicant Information

Anthony Cimato (16.00-2-14.1)

**Property Owner Name(s):** Cimato Enterprises, Inc. (16.00-2-14.2) [contact for both properties - Ferdinando Cimato, President]

Phone Number: (716) 861-3529 Email: cimatoenterprises5647@gmail.com

Address: 9220 Transit Rd. City: East Amherst State: NY Zip: 14051

**Applicant Name(s):** New Road Solar 1, LLC; c/o Sol Source Power [contact - Steve Long]

Phone Number: (603) 455-9483 Email: Steve@solsourcepower.com

Address: 1 Washington Place City: Troy State: NY Zip: 12180

### Property Information

850 New Road, Amherst, NY 14228

Assessed Address: 800 New Road, Amherst, NY 14228

SBL No.: 16.00-2-14.1 & 16.00-2-14.2 Zoning District: Suburban Agricultural & General Business

I have the following conflicts pursuant to section 809 of the General Municipal Law as follows (see conflict disclosure on back of instruction page)

### Office Use Only

The applicant is appealing the decision of the Zoning Enforcement Officer to not approve a

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

Appl. No. \_\_\_\_\_

TOWN CLERK USE
DATE: _____
TIME: _____
REC'D BY: _____

Date Filed: \_\_\_\_\_

Mtg. Date \_\_\_\_\_

Accepted By: \_\_\_\_\_



# Special Use / Temporary Use / Administrative Appeal

## Town of Amherst – Planning Department

### Special Use / Appeal Request

**A. Justification for Special Use/Temporary Use.** Provide justification for why the special or temporary use is appropriate at the subject property (will be compatible with the existing uses adjacent and near the property; will not tend to depreciate the value of adjacent property; will not create a hazard to health, safety or the general welfare and why the use will not alter the essential character of the neighborhood) (attach additional sheets as necessary):

Tier III solar energy systems are allowed in Suburban Agriculture districts with the issuance of a special use permit. The small portion of the site that is zoned General Business will be rezoned to Suburban Agriculture and the two parcels will be merged. Hours during construction are Monday through Friday from 7am to 6pm. After construction, operation will be during daylight hours. Operation generates no traffic, no noise, and no nighttime lighting. The solar array will be screened by vegetation and will cause no harm to the health, safety and/or the general welfare to the surrounding neighborhood. Nor will it alter the essential character of the neighborhood.

**B. Justification for Appeal.** Describe in detail why you believe that any order, requirement, decision, interpretation or determination made by the Town's administrative official should be overturned (attach additional sheets is necessary):

N/A ?

### Disclosure Affidavit

I maintain that the information provided in this application is true and accurate to the best of my knowledge:

Property owner or applicant name (print): STEVE LONG

Property owner or applicants signature: [Handwritten Signature]

Date: 1-19-23

If the applicant is not the property owner, has a letter of permission allowing the applicant to file this application been provided.

On the 19<sup>th</sup> day of JANUARY in the year 2023 before me, The above individual personally appeared, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

WITNESS my hand and official seal Michael E Gallant  
Notary Public, State of New Hampshire  
My Commission Expires Aug. 14, 2024  
Signature of Notary Public: [Handwritten Signature]  
Print Name Michael Gallant

### Office Use Only

SEQR is not required.  239M is applicable \_\_\_\_\_

The applicant is also seeking a \_\_\_\_\_ which is attached.