



TOWN OF AMHERST
APPLICATION & REVIEW
PROCEDURE
SUBDIVISIONS

MATERIALS MUST BE PROVIDED IN AN ELECTRONIC FORMAT THAT CONTAINS PDF FILES OF THE APPLICATION, EAF, PLAN DRAWING SET, SURVEY, & ANY OTHER SUPPORTING INFORMATION. THIS MUST BE SUBMITTED WITH YOUR APPLICATION. APPLICATIONS WILL NOT BE TRANSMITTED WITHOUT THIS ELECTRONIC INFORMATION.

THIS ALSO APPLIES TO REVISED MATERIALS THAT ARE SUBMITTED.

This application package includes the following:

- Application Procedures
- Application Form
- Appendix A Town of Amherst EAF Addendum
- Appendix B Criteria for Required 8½" x 11" plan/plat
- Appendix C Stormwater Pollution Prevention Plan Checklist
- Appendix D Declaration of Private Drainage Conditions (Preliminary Plat Only)

Subdivision approval involves several steps. The steps and procedures are summarized below.

- **SKETCH PLANS** are not subject to SEQR and do not require Environmental Assessment Forms (EAFs). Sketch plans are not required for Minor Subdivisions (4 lots or less). The Planning Board will hold a public hearing on Sketch Plans.
- **PRELIMINARY PLATS** – This review involves 2 steps:
 - **State Environmental Quality Review Act (SEQR)** (6 NYCRR Part 617). The Planning Board will hold a public hearing on the SEQR review of the proposed subdivision. It is *strongly recommended* that applicants request a pre-submittal conference with Planning Department staff to review both the application requirements and the requirements to complete the SEQR review. Unlisted Actions require a Short EAF; Type I Actions require a Full EAF. The applicant must also submit a Town of Amherst EAF Addendum and any required supplementary information such as traffic studies, archaeological reports, or wetland delineations. The following is a link to the NYSDEC website and fillable forms with instructions: <http://www.dec.ny.gov/permits/6191.html>.
 - **Preliminary Plat** – The Preliminary Plat hearing cannot be opened until the Planning Board holds a separate hearing on SEQR and makes a SEQR determination. The Planning Board will then hold a public hearing and take action on the Preliminary Plat.
- **FINAL PLATS** must be submitted within six (6) months of approval of a Preliminary Plat. The Final Plat shall conform to the layout of the Preliminary Plat and incorporate any conditions imposed by the Planning Board during Preliminary Plat approval. There are no hearings on Final Plats.

APPLICATION PROCEDURES

NOTE: *It is advisable to discuss proposals with the Planning Staff prior to the preparation of any Sketch Plan or Preliminary Plat.*

1. Applicant secures an 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 the owner of the property.

2. Applicant prepares information as required in Chapter 204 of Town Code, Subdivision of Land. An environmental assessment under SEQR and Town regulations must be included if required.

3. All drawings should be no larger than 24 in. x 36 in. in size. If site characteristics warrant larger plan sheets, they may be accepted subject to Planning Department concurrence. All drawings must also reserve a 4 in. x 6 in. area in the lower right hand corner for official Town use.
4. Applicant schedules an appointment with the Planning Department to review the following:
 - a complete set of Sketch Plan or Preliminary Plat drawings (no larger than 24" x 36" in size)
 - for Preliminary Plat, the Environmental Assessment Form (EAF) & Town EAF Addendum
 - any supporting reports and materials
 - verification from the Town Assessor that the address in the application is correct
5. Applicant schedules an application submittal appointment with the Planning Department. **NO SUBDIVISION APPLICATION WILL BE ACCEPTED FOR REVIEW WITHOUT A PRE-SET SUBMITTAL APPOINTMENT.**
6. At the submittal appointment, applicant submits the following to the Planning Department:
 - thirteen (13) complete and collated sets of drawings. All materials submitted for Sketch Plan and Preliminary Plat review must be folded no larger than 9" x 12" in size (**at least one (1) set of drawings must bear a raised or wet seal and signature of the design professional who prepared the plans**; the remaining copies may be submitted with a facsimile of the seal and signature)
 - application form
 - Environmental Assessment Form (EAF) (for Preliminary Plat only)
 - supporting reports / materials
 - a list of proposed street names (with the Preliminary Plat)
 - digital files of all materials in pdf format
 - an 8½" x 11" reduction of the Sketch Plan or Preliminary Plat drawing (see Appendix B)
7. After approval for filing by the Planning Department, applicant submits all necessary fees to the Town Clerk. (**See Schedule of Fees on first page of application and make checks payable to: Town of Amherst.**)
8. The applicant returns a copy of the filing receipt to the Planning Department.
9. Planning Department transmits the remaining twelve (12) copies of the application and supporting material to:
 - Assessor
 - Commissioner of Building
 - Town Engineer
 - Superintendent of Highways
 - Traffic/Safety Board
 - Fire Chiefs' Association
 - Plumbing Division
 - Right-of Way-Agent
 - Zoning Enforcement Officer
 - Other Town and outside agencies, as applicable

10. Within 30 days of its receipt of the complete application for Sketch Plan, Preliminary Plat and Final Plat approval, each department completes its review of the application and notifies the Planning Department in writing of its comments or recommendations as required by § 204 of Town Code.
11. The Planning Department reviews the Environmental Assessment Form to determine whether a Draft Environmental Impact Statement (DEIS) is required. The petitioner will be advised in the event that a DEIS is required and afforded the opportunity to prepare it. If the petitioner declines, the Planning Board will prepare the DEIS at petitioner's expense.
12. The applicant may be required to submit revised plans, reports, or materials to address review comments. The procedures for submittal of revised information are as follows:
 - A cover letter addressing all comments received to date is required.
 - "Highlight" the area of change on the drawings and provide a notation describing the change.
 - Revised plans/materials are required. Planning staff should be contacted to determine the number of sets needed.
 - All revised plans and materials must also be provided in an electronic format that contains pdf files of the revised information.

PLANNING BOARD MEETING PROCEDURES:

13. The applicant or representative presents the project at the public hearing before the Planning Board and is available to answer any questions. The Planning Board may take any of the following actions:
 - Adjourn the hearing on the Sketch Plan, SEQR determination or Preliminary Plat to a future Planning Board meeting (hearing remains open).
 - Close the hearing and table action on the Sketch Plan, SEQR determination or Preliminary Plat to a future Planning Board meeting. (The Planning Board may remove the item from the agenda until such time as all required information is provided.)
 - Close the hearing and make a decision on the application.

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

14. A copy of the Planning Board's determination will be provided to the applicant, his / her representative, the Building Commissioner and the Town Clerk approximately 1 week following the Planning Board meeting at which it was heard.
15. If the Planning Board approves a Sketch Plan or Preliminary Plat with conditions, the Planning Department will work with the applicant to ensure that all conditions of the approval have been satisfactorily addressed. When all conditions are satisfied, the applicant submits **(4) final copies** of the complete set of all drawings, folded into 9" x 12". **All 4 sets must have original wet seals and include the required 4 in. x 6 in area in the lower right hand corner for official Town use.** These drawings will be stamped and signed "Approved" by the Planning Director and transmitted to Town Departments for their files and use.

16. FINAL PLAT REVIEW & APPROVAL:

The procedure for obtaining Final Plat approval is as follows:

- Applicant prepares 21 subdivision final plats (11 paper and 10 mylar copies) that are signed by the applicant. **The plats shall be consistent with the approved Preliminary Plat and incorporate any conditions imposed by the Planning Board**; all changes must be clearly identified on the Plat. Final Plats do not require the 4 in. x 6 in area in the lower right hand corner for official Town use.
- Applicant obtains Erie County Health Department stamp on four (4) of the mylar plat copies.
- Applicant obtains a Subdivision Checklist from the Planning Department and obtains the signatures of the Town Highway Superintendent, Town Engineer and Town Assessor. The checklist is also signed by the applicant. The following materials are submitted to the Planning Department:
 - All 21 subdivision plats with applicant's signature; four (4) mylars must bear the stamp of the Erie County Health Department.
 - **Certification from the applicant that the Final Plat is consistent with the Preliminary Plat (or any changes clearly identified in writing)**
 - Subdivision Checklist signed by the Town Highway Superintendent, Town Engineer, Town Assessor and applicant.
- The Final Plat and associated materials must be filed with the Planning Department **within six (6) months** of approval of the Preliminary Plat by the Planning Board.
- The Planning Department schedules the Final Plat approval for a Planning Board meeting (no public hearing is required for a Final Plat which conforms to an approved Preliminary Plat or phase thereof). Applicants should check with the Planning Department for submittal deadlines.
- The Planning Board considers and takes action on the Final Plat at a scheduled meeting.
- Subsequent to an affirmative action by the Planning Board, the Chairman of the Planning Board will sign the Final Plats and Checklist and transmit these materials to the Town Clerk, who will notify the applicant of fees (lighting, recreation, etc.) that are to be paid.
- Upon payment of the required fees, the Town Clerk will release the approved plats to the applicant.
- The applicant must then file the approved Final Plats with the Erie County Clerk, who assigns a Map Cover number.
- The filed map cover and remaining approved Final Plat drawings and checklist are returned to the Town for filing.

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 subdivision application will be placed on the Planning Board agenda after the deadline for filing has closed.



TOWN OF AMHERST PLANNING DEPARTMENT
Subdivision Application

For Official Use

File # _____ Acreage _____ Fee \$ _____

Type of Subdivision Application (check one):
 Sketch Plan _____
 Preliminary Plat _____
 Final Plat _____

Address Verified by Assessor's Office

 VERIFIED BY _____ DATE _____

Materials Received by Planning Department

 RECEIVED BY _____ DATE _____

Fee Paid to Town Clerk

 RECEIVED BY _____ DATE _____

Fill In
Applicable Fees

Sketch Plan \$1,150.00 _____

Preliminary Plat \$1,250.00 _____

* 1 acre or less \$ 650.00/acre _____

* Each additional acre or fraction thereof
 (fraction to be counted as 1 acre) \$ 650.00/acre _____

Amendments to Subdivisions \$1,150.00 _____

Request for Relief of / or Change to
 Conditions of Subdivision Approval \$1,150.00 _____

Request for Extension of Subdivision Approval \$ 450.00 _____

Minor Modification to a Subdivision Plat \$ 325.00 _____

Stormwater Pollution Prevention Plan

1 - 4.99 Acres \$ 500.00 _____

5 - 10 Acres \$ 750.00 _____

>10 Acres \$1,000.00 _____

Affidavit Fee for Public Hearing \$ 15.00 _____

Final Plat \$ 450.00 \$ 450.00

TOTAL FEE: \$ 450.00

To Be Completed By Applicant

Petitioner: Name: Regency Builders, LLC

Address: 4899 Meyer Road

Pendleton NY 14120
city state zip code

Phone: (716) 867-0900 Fax: _____

E Mail: elasky@forbesdevcorp.com

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

Name: Greenman-Pedersen, Inc. (Attn: Ken Zollitsch)

Address: 4950 Genesee Street, Suite 100

Buffalo NY 14225
city state zip code

Phone: 633-4844 Fax: 633-4940

E Mail: kzollitsch@gpinet.com

Subdivision Location & Address: 166 Klein Road (SBL 56.10-13-1)

Town of Amherst, Erie County, New York

Zoning District(s): Residential District Three (R-3)

Number of Proposed Sublots: 18

Proposed Subdivision Name: Regency Commons

Proposed Street Names: Birch Lane Public Private

_____ Public Private

_____ Public Private

_____ Public Private

Current Planning/Application Forms 2019/Subdivision Application Form 2019
REVISED February 2021

TOWN OF AMHERST
 State Environmental Quality Review
ENVIRONMENTAL ASSESSMENT FORM
-- ADDENDUM --

1. For each applicable category of proposed new structures, including additions to existing structures, provide the following information for all soil types on the project site (*according to Soil Survey of Erie County, NY; Table 11, Building Site Development, pp 294-305*):

Soil Name	Shallow excavations	Dwellings without basements	Dwellings with basements	Small commercial buildings	Local roads and streets
Lakemont	Very limited	Very limited	Very limited	Very limited	Very limited
Urban land - Odessa	Not Rated	Not Rated	Not Rated	Not Rated	Not Rated

2. If the Soil survey indicates either “severe” or “moderate” suitability for the proposed types of construction, a geotechnical and hydrological analysis based on one test per 3.5 acres of project area must be provided (per Town Board resolution, 3/17/03, amended 6/16/03).

_____ Geotechnical report attached _____ Not applicable

3. Is your property located: On Youngs Road between Dodge and Klein Roads? Yes No
 On Wehrle Dr. between Spindrift Dr. and Oakwood Rd? Yes No

If so, the property may be within an area of the Town that is affected by a moratorium on connections to the sanitary sewer system.

4. Are there alternative locations on the site for this project? Yes No

5. Location and size of real property owned by petitioner within one (1) mile of subject proposal:

None

6. Are you aware of current or future plans or intentions by others in the Town of Amherst to develop property within 1000± ft. of the present project request: Yes No

Describe _____

(Potential environmental impacts from adjacent or nearby projects undergoing the approval process will receive a coordinated environmental review to determine cumulative effects on common receivers (e.g. traffic and drainage corridors) and other relevant environmental concerns.)

7. Maximum number of vehicular trips to be generated per peak hour upon completion of project 18+/-

Source: ITE Trip Generation Manual

8. Will blasting occur during construction? Yes No

9. Does the project propose to connect and be tributary to the public sanitary sewer system? Yes No

10. Proposed net additional gallons per day (gpd) of sanitary sewer discharge upon completion of project:

5,400 average flow 23,262 peak flow.

(Average flows of 2,500 gpd or greater will require an Engineer's Report that includes a detailed downstream sewer capacity analysis and the identification of and commitment to required I/I offset work during peak wastewater flow conditions.)

11. Based on the Town's 2011 Reconnaissance Level Survey of Historic Resources, is your property 'blue-rated' for historic significance? Yes No