Final Plat Application with Exhibits "1" to "4" [SUB 2025-01_FP]
Location: 4780 Sheridan Drive Applicant: 4780 Sheridan Drive LLC

c/o Sean Hopkins, Esq. Date: June 23, 2025



TOWN OF AMHERST PLANNING DEPARTMENT

Subdivision Application							
For Official Use							
Fee \$	<u></u>						
Sketch Plan Preliminary Plat Final Plat	- - -						
Materials Received by Planning DepartmentREC	EIVED BY DATE						
<u>Fill In</u> Applicable							
\$1,150.00							
\$1,250.00 \$ 650.00/acre							
\$1,150.00							
\$1,150.00							
\$ 450.00							
\$ 325.00							
\$ 500.00 \$ 750.00 \$1,000.00							
\$ 15.00							
\$ 450.00	<u> </u>						
TOTAL FEE : \$\frac{450}{.}\$	00						
	Fee \$ Sketch Plan Preliminary Plat Final Plat Materials Received by Planning Department REC \$1,150.00 \$1,250.00 \$1,150.00 \$1,150.00 \$1,150.00 \$1,150.00 \$1,150.00 \$1,150.00 \$1,150.00 \$1,150.00 \$1,150.00 \$1,150.00 \$1,150.00 \$1,150.00 \$1,150.00 \$1,150.00 \$1,150.00 \$1,150.00 \$1,150.00 \$1,000.00						

			To Be Complete	ed By Applicant		
Petitioner:	Name:	4780	Sheridan Drive	LLC c/o Sean Hop	kins, Esq.	
	Address:	35 C	alifornia Road, S	uite 100		
		Willia	msville	NY		14221
		city		state		zip code
	Phone: 716	-510-43	38	Fax:		
	E Mail:sho	pkins@	hsmlegal.com			
Representat	tive (Architect, E	ingineer,	Landscape Archit	ect, Surveyor, or Atto	rney):	
	Name:	Carm	ina Wood Desigr	n [Patrick Sheedy c	Ir, PE]	
	Address:	80 Sil	o City Row, Suite	e 100		
		Buffal	0	NY		14203
		city		state		zip code
	Phone: 716-	842-316	65	Fax:		
	E Mail: psh	eedy@c	carminawooddesi	ign.com		
Subdivision	Location & Ad	dress:	4780 Sherida	n Drive		
Guburvision	Location & Au	ui 033.				
			Town of Amhers	t, Erie County, New Y	ork	
Zonina Disti	rict(s):	R-4		, <u></u>		
Zoning District(s): Number of Proposed Sublots: Proposed Subdivision Name:		nte:	23	[22 lots for residential units and 1 lot co		consisting
		Park Gardens	of Common Area]			
Proposed S	ubulvisioii ivali	ie.				
Proposed S	treet Names:	Junip	per Court		☐ Public	✓ Private
					☐ Public	☐ Private
					☐ Public	☐ Private
					☐ Public	☐ Private
Current Planning/Applic	eation Forms 2019/Subdivision	n Application Fo	orm 2019			

	EXHI	BIT 1	

EXHIBIT 1

DESCRIPTION OF PROPOSED MULTIFAMILY PROJECT AT 4780 SHERIDAN DRIVE

I. <u>Introduction and Description of the Proposed Multifamily Project Consisting of Townhome Units for Sale:</u>

4780 Sheridan Drive LLC (the "Project Sponsor") is seeking Final Plat Approval from the Planning Board in connection with its pending request to subdivide the parcel at 4780 Sheridan Drive (the "Project Site") into twenty-three (23) lots that will consist of twenty-two (22) lots for the residential units for sale utilizing the condominium form of ownership and one (1) lot that will consist of the Common Area. A reduced size copy of the Final Plat Plan [Drawing P-100 – Date: 06/22/25] prepared by Carmina Wood Design depicting the layout of the residential project with the proposed parcels is provided at **Exhibit "2**". The condominium form of ownership is being utilized in connection with the project based on the requirements of the NYSDEC Brownfield Clean Up Program ("BCP"). The Project Site was accepted into the BCP on October 15, 2024.

During its meeting on April 15, 2025, the Zoning Board of Appeals granted the requested area variances needed in connection with the subdivision of the Project Site. A copy of the resolution adopted by the Zoning Board of Appeals on April 15, 2025 is attached as **Exhibit "3"**. The Planning Board held a public hearing in connection with its environmental review of the proposed subdivision during its meeting on May 15, 2025 and issued a Negative Declaration pursuant to the State Environmental Quality Review Act ("SEQRA"). A copy of the Negative Declaration issued by the Planning Board is attached as **Exhibit "4"**.

Exhibit 1 of Final Plat Application 4780 Sheridan Drive – Planning Board Page 1 of 1

¹ The Town Board also issued a Negative Declaration pursuant to SEQRA on December 18, 2023.

EXHIBIT 2	

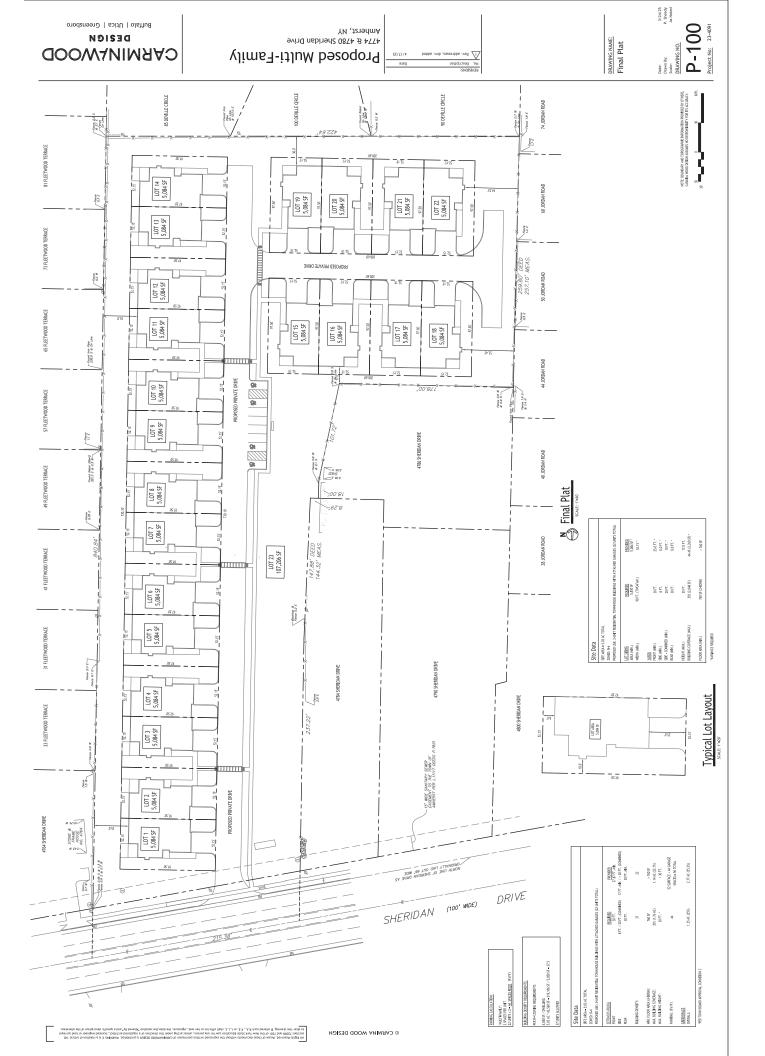


EXHIBIT 3	



DOC ID: 30322

Zoning Board of Appeals

5583 Main Street Amherst, NY 14221 www.amherst.ny.us Francina J. Spoth Town Clerk

Meeting: 04/15/25 06:30 PM Department: Zoning Board of Appeals Initiated by: **Daniel J. Ulatowski** Co-Sponsored by:

ZBA ITEM (ID # 30322)

APPROVED

4780 Sheridan Drive - Area Variance

WHEREAS, **4780 Sheridan Drive**, **LLC** has made application for an Area Variance(s), under

1. SECTION: 3-9-2B(2) (lot area)

2. SECTION: 3-9-2B(2) (lot width)

3. SECTION: 3-9-2B(2)(front setback)

4. SECTION: 3-9-2B(2) (rear setback)

5. SECTION: 3-9-2B(2) (side yard)

6. SECTION: 3-9-2B(2)(building coverage)

of the Zoning Ordinance of the Town Amherst for the property owned by him/her at:

4780 Sheridan Drive within a R-4 Zoning District

The petitioner's proposed townhomes will be on lots outside of a HOA common area which will be 5,058 s.f. in lot area, whereas, the zoning ordinance requires a minimum area of 5,850 s.f. and, whereas, the lots will be 52.15 wide, whereas, the zoning ordinance requires 90 feet, and whereas, the townhomes will provide a 25 foot setback to the front parcel line, whereas, the zoning ordinance requires 30 feet, and whereas, the townhomes will provide an 8 foot setback to the rear parcel line, whereas, the zoning ordinance requires 30 feet, and whereas the townhomes will provide a minimum side setback of 0 feet, whereas, the zoning ordinance requires 8 feet, and whereas, the combined side yards for each lot will be 10 feet whereas, the zoning ordinance requires 20 feet, and whereas the maximum building coverage on each lot will be 44.5 percent , whereas, the zoning ordinance permits a maximum of 35 percent, AND

WHEREAS, a public hearing was held **April 15, 2025** after proper notice, AND

WHEREAS, this Board must consider the testimony and evidence submitted by the applicant and the following factors detailed in §267-b(3)(b) of the NY Town Law:

) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance,

-) whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance
-) whether the requested area variance is substantial,
-) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district
-) whether the alleged difficulty was self-created; AND

WHEREAS, this Board after reviewing the application and supporting materials, conducting a public hearing and after due deliberation and vote of the Board finds that the variance(s) is not substantial, that it will not have an adverse impact on the physical or environmental conditions of the neighborhood and that it will not create any undesirable change in the character of the neighborhood; AND

WHEREAS, this Board finds that the benefit to the applicant if the variance is granted outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant based upon a balancing of the factors contained in §267-b(3)(b) of the Town Law; and

WHEREAS, this Board believes that the variance requested is the minimum variance that this Board deems necessary and adequate and at the same time preserves and protects the character of the neighborhood and the health, safety and welfare of the community; and

WHEREAS, a record having been made by electronic means and preserved in digital format is available in the Town Clerk's Office;

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby GRANT the area variances from the above-mentioned sections of the Zoning Ordinance of the Town of Amherst.

RESULT: APPROVED [UNANIMOUS]

MOVER: Erik A. Goergen, Member

SECONDER: Ronald Shubert, Member

AYES: Bray, Shubert, Goergen

ABSENT: Philips, Parker

	EXHIB	BIT 4	



Town of Amherst Planning Department

Erie County, New York



Brian J. Kulpa Supervisor

Daniel C. Howard, AICP Planning Director

Daniel J. Ulatowski, AICP Assistant Planning Director

SEQR Negative Declaration

MAY 23 2025 PH1:53

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

Lead Agency:

Town of Amherst

Planning Board

Project:

SP-2024-05 A

(aka SUB-2025-01 PP)

Address:

5583 Main Street

Date:

May 15, 2025

Williamsville, NY 14221

(716) 631-7051

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law and Chapter 104 of the Amherst Town Code, as amended.

The Lead Agency has determined that the proposed action described below will not have a significant adverse effect on the environment.

Title of Action:

Site Plan Review and Preliminary Plat Approval

SEQR Status:

Unlisted Action

Description of Action:

Proposed Site Plan Review and Preliminary Plat Approval (including waiver to design standards for private street) for residential townhome development consisting of eleven (11) 2-unit residential buildings with attached garages. Work will include the site improvements including, stormwater, utilities, grading, lighting, paving, and landscaping.

Location:

4780 Sheridan Drive, Amherst, Erie County

Petitioner:

4780 Sheridan Drive LLC

MAY 23 2025 FH1:53

REASONS SUPPORTING THIS DETERMINATION

Based on information submitted by the applicant including a Full Environmental Assessment Form (EAF) - Part I (as amended), a complete Site Plan and Preliminary Plat applications, a preliminary staff analysis was undertaken. Based on the results of the EAF Part 2 and compared to the criteria listed in Section 617.7, all indications are that the proposed Site Plan and Preliminary Plat for the proposed development of the subject site for eleven 2-unit residential structures on 23 individual parcels will not have a significant impact on the environment, as follows:

- 1. The project is not expected to cause a substantial adverse change in existing air quality, ground or surface water quality or quantity, or noise levels; a substantial increase in solid waste production; or a substantial increase in the potential for erosion, flooding, leaching or drainage problems. The Engineering Department on May 6, 2025 (Sanitary), and May 6, 2025 (Engineering Services) reviewed the Preliminary Plat, Site Plan, Grading, Drainage, Erosion Control Plan and Utility Plans, and Engineer's Report submitted on March 25, 2025 and April 25, 2025.
 - The Stormwater Pollution Prevention Plan (SWPPP) submitted on December 9, 2024 was also reviewed. Based on its review of these documents, the Department has determined that the project has or will have met all applicable requirements.
- 2. The project will not result in significant adverse impact due to the removal or destruction of large quantities of vegetation or fauna; or in significant adverse impacts to fish or wildlife species, habitats or other natural resources as the project site will be cleared in order to facilitate brownfield clean-up of the former nursery site. The Planning Department reviewed a Landscape Plan submitted on April 25, 2025 and determined that it meets or exceeds Zoning Ordinance requirements for greenspace. The Landscape Plan has or will have met all Zoning Ordinance and Town requirements for landscaping.
- 3. The project will not create any substantive conflict with the Town Comprehensive Plan. The Planning Department and the Zoning Enforcement Officer in their reviews of April 23, 2025 and the Building Department in their review of April 2, 2024 have reviewed the application documents and determined that the subject project has or will have met all International Building Code 2018, Zoning Ordinance regulations and Subdivision Regulations (including waivers).
- 4. The project is within an area identified by the State as potentially containing significant cultural or archeological resources. The NYS Office of Parks, Recreation and Historic Preservation has reviewed the project and, as stated in their letter of December 14, 2018 the NYS Office of Parks, Recreation, Historic Preservation stated it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

- 5. The project is will not result in a significant adverse impact on character or quality of important aesthetic resources, or of existing community or neighborhood character. Neighboring uses are detached single-family residential to the north, south, east and west, zoned R-3. The change in land use from nursery to residential and the difference in form (2-unit town homes for sale) although different from the surrounding single-family residential use will generally be consistent with surrounding residential land use.
- 6. The proposed subject development will include 22 residences consisting of 11 two-unit residential structures on individual parcels, which will not cause a major increase in the use of either the quantity or type of energy that cannot be accommodated by existing utilities.
- 7. The project will not create any hazard to human health. The Fire Chief's Association on May 5, 2025 reviewed the project and had no objection to the approval of the site plan, as all requirements of that agency have or will have been met.
 - A Focused Environmental Site Assessment, was prepared by Environmental Advantage Inc. on August 17, 2021. The results of the report describe that there is evidence of historical metal-based pesticides. The project is currently being remediated under the NYSDEC Brownfield Cleanup Program to the Unrestricted Standards. Once remediated it is not anticipated that the project will create a hazard to human health. Further reporting to the NYSDEC will be required based on future potential field work at the subject site.
- 8. The subject site plan will not cause a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses. The proposed development of attached (two-unit) residences on individual parcels will be generally consistent with the scale of surrounding land uses.
- 9. The subject site plan for the proposed development of the subject site as attached (two-unit) residences will not significantly increase the number of people using the site over its previous level of use, or what is experienced in the surrounding residential community.
- 10. Reviews by the Town Traffic/Safety Board dated March 6, 2025, and NYSDOT dated April 7, 2025 indicate that significant negative traffic impacts are not expected to result from the proposed project.
- 11. A coordinated review of the project has been undertaken by Town Departments, in addition to those mentioned above, Assessor on April 9, 2025, Plumbing Division on April 8, 2025, 2025, and Right-of-Way Agent April 7, 2025 along with outside agencies including the New York State Department of Transportation on May 23, 2024, New York State Department of Environmental Conservation on April 7, 2025, and the New York State Office of Parks, Recreation and Historic Preservation on December 14, 2018. These reviews have not identified any significant environmental issues and indicate that the proposal will not have a significant damaging impact on the environment.

12. Issues not specifically mentioned above and/or those not specifically reviewed were not raised by Town departments, outside agencies or the public and are not determined to cause significant negative environmental impacts.

Planning Board Approval

Moved by: O'Rourke; Seconded by: Kahn; Ayes 6; Noes 0; Absent 1 (Gill)

Michael J. Chmiel, Planning Board Chair

GP/ac

X:\Current_Planning\Files\Site Plans\2024\SP-2024-05_A_(4780_Sheridan_Dr)_2025\SP-2024-05_A_neg dec_051525.docx

Commissioner of Building

Town Engineer

Fire Chiefs'

Highway

Traffic/Safety

ECDEP

NYSDEC (type 1's)

NYSDOT (if on state hwy.)

Sean Hopkins, 35 California Drive, Suite 100, Williamsville, NY 14221 Patrick Sheedy, Jr., Carmina Wood Design, 80 Silo City Row, Buffalo, NY 14203