

Application for Relief of Restrictions
Portion of 330 Maple Road
Applicant: 716 Sports Complex, LLC
October 3, 2025



Hopkins Sorgi & McCarthy PLLC
c/o Sean Hopkins, Esq.
Williamsville, NY 14221
Tel: 510-4338
E-mail: shopkins@hsmlegal.com

TOWN OF AMHERST PLANNING DEPARTMENT

Application for Rezoning

For Official Use

File #: _____ **Acreage** _____ **Fee \$** \$1,215.00

**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

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.

\$1,200.00

AFFIDAVIT FEE FOR PUBLIC HEARING

\$15.

\$15.00

TOTAL FEE: **\$** 1,215.00

TO BE COMPLETED BY APPLICANT

1. **Petitioner:** Name: 716 Sports Complex, LLC
Address: c/o Sean Hopkins, Esq., Hopkins Sorgi & McCarthy PLLC
35 California Drive, Suite 100
Williamsville, New York 14221
City State Zip Code
Phone: 716.510-4338 Fax: _____
E Mail shopkins@hsmlegal.com

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

From: _____ District Not Applicable.

To: _____ District

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

Portion of 330 Maple Road

SBL #: SBL No. 55.03-1-10

4. **Area of land to be rezoned (in acres):** Not Applicable

5. **Owner of Land:**

Name: Town of Amherst

Address: 5583 Main Street, Williamsville, NY 14221

Telephone: 716.510-4338

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

Name: Sean W. Hopkins, Esq.

Address: 5500 Main Street, Suite 343

Williamsville, New York 14221

Tel: 716.510-4338 - E-mail: shopkins@hsmlegal.com

City State Zip Code

7. **Petitioner's interest in property** [Note: Authorization Resolution adopted by the Town Board on September 30, 2025. A copy of the resolution adopted by the Town Board is provided at Exhibit "14".]
- _____ Option to purchase
- X 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)

Not Applicable.

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

See attached Exhibits "2" and "3".

10. **Said property has the following deed restrictions or Covenants:** (attach copy) -

Liber 11467

Page 0967

A copy of the recorded Declaration of Restrictions is attached as Exhibit "4".

- 11.

Information on proposed project:

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

See Exhibit 5

- B. Rationale for rezoning request:

1. Why was this site chosen? _____

See Exhibit 5.

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

Not Applicable

3. How will this rezoning impact surrounding properties?

Not Applicable

4. How will this rezoning impact the school system?

Not Applicable..

12.

Quantitative Data:

A. Total # of dwelling units

Not Applicable

B. Distribution of dwelling units by type

C. Gross Residential Density per acre

D. Total amount of Open Space

Approximately 6 acres

E. Proposed Non-Residential Floor Area 675,000 SF

[Note: A copy of the Concept Plan for the proposed project is provided at Exhibit "7".]

13.

Development Schedule:

Start Spring 2026

Finish Spring 2028

Stages (# of) 2

14.

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

Portions of space will be leased to third parties.

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

Greenspace and landscaping will be privately owned and maintained.

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.

See Exhibit 6.

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 Town Board adopted the 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, map, and / or figures that must be amended to support the proposed zoning at this location (attach pages as necessary) and provide detailed suggested amendments.

See Exhibit 6.

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

See Exhibit 6.

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

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

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

See Exhibit 6.

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

See Exhibit 6.

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

See Exhibit 6.

17. The petitioner encloses herewith the sum of \$ 1,215.00 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:

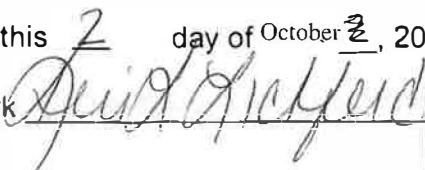
The undersigned swears or affirms that all statements made herein are true, that all drawings submitted correctly show the situation involved in this petition.

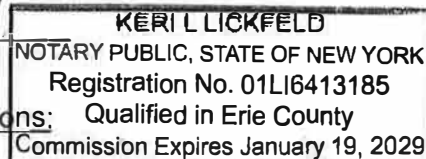
[Note: Authorization Letter of Property Owner signed attached as Exhibit "1".]


Signature of Petitioner

Subscribed and sworn to before me this 2 day of October 2, 20 25

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 office or any office 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.

EXHIBIT 1

**ATTACHMENT 1 OF PART 1 OF
FULL EAF**

NYSDEC BROWNFIELD CLEANUP PROGRAM (BCP)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name
BUFFALO-MAPLE ROAD, LLC AND MAPLE
ROAD LODGING, LLC

Address
570 Delaware Avenue, Buffalo, NY 14202

BROWNFIELD CLEANUP AGREEMENT:

Application Approval: 8/26/12 Agreement Execution: 9/22/06 Agreement Index No.: B9-0724-06-07

Application Approval Amendment: 5/9/07

Agreement Execution Amendment: 6/18/07

SITE INFORMATION

Site No.: C915207 Site Name: 330 Maple Road Site

Site Owner: Buffalo-Maple Road, LLC

Street Address: 330 Maple Road

Municipality: Williamsville County: Erie DEC Region: 9

Site Size: 26.000 Acres

Tax Map Identification Number(s): Portion of 55-03-1-10

Percentage of site located in an EnZone: 0 - 49%

A description of the property subject to this Certificate is attached as Exhibit A and a site survey is attached as Exhibit B.

CERTIFICATE ISSUANCE

This Certificate of Completion, hereinafter referred to as the "Certificate," is issued pursuant to Article 27, Title 14 of the New York State Environmental Conservation Law ("ECL").

This Certificate has been issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Brownfield Site Cleanup Agreement, as well as any other relevant information regarding the Site, that the applicable remediation requirements set forth in the ECL have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

The remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

Allowable Uses under the BCP: Residential, Restricted Residential, Commercial, and Industrial
Cleanup Track: Track 2: Restricted use with generic soil cleanup objectives

Tax Credit Provisions for Entities Taxable Under Article 9, 9-A, 32, and 33:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 12 %.
Tangible Property Credit Component Rate is 12 %.

Tax Credit Provisions for Entities Taxable Under Article 22 & S Corporations:

Site Preparation and On-Site Groundwater Remediation Credit Component Rate is 10 %.
Tangible Property Credit Component Rate is 10 %.

LIABILITY LIMITATION

Upon issuance of this Certificate of Completion, and subject to the terms and conditions set forth herein, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 27-1421. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in ECL Section 27-1421. The liability limitation shall be subject to all rights reserved to the State by ECL Section 27-1421.2 and any other applicable provision of law.

CERTIFICATE TRANSFERABILITY

This Certificate may be transferred to the Certificate holder's successors or assigns upon transfer or sale of the Site as provided by ECL Section 27-1419.5 and 6NYCRR Part 375.1.9.

CERTIFICATE MODIFICATION/REVOCATION

This Certificate of Completion may be modified or revoked by the Commissioner following notice and an opportunity for a hearing in accordance with ECL Section 27-1419 and 6NYCRR Part 375.1.9(e) upon a finding that:

(1) either the Applicant or the Applicant's successors or assigns have failed to comply with the terms and conditions of the Brownfield Site Cleanup Agreement;

(2) the Applicant made a misrepresentation of a material fact tending to demonstrate that it was qualified as a Volunteer;

(3) either the Applicant or the Applicant's successors or assigns made a misrepresentation of a material fact tending to demonstrate that the cleanup levels identified in the Brownfield Site Cleanup Agreement were reached;

(4) there is good cause for such modification or revocation;

(5) either the Applicant or the Applicant's successors or assigns failed to manage the controls or monitoring in full compliance with the terms of the remedial program;

(6) the terms and conditions of the environmental easement have been intentionally violated or found to be not protective or enforceable.

The Certificate holder(s) (including its successors or assigns) shall have thirty (30) days within which to cure any deficiency or to seek a hearing. If the deficiency is not cured or a request for a hearing received within such 30-day period, the Certificate shall be deemed modified or vacated on the 31st day after the Department's notice.

Joseph J. Martens
Commissioner
New York State Department of Environmental Conservation

By:


Robert W. Schick, P.E., Acting Director
Division of Environmental Remediation

Date: MAY 7, 2012

**ATTACHMENT 2 OF PART 1 OF
FULL EAF**



**New York State
Parks, Recreation and
Historic Preservation**

KATHY HOCHUL
Governor

RANDY SIMONS
Commissioner Pro Tempore

September 24, 2025

Joseph Bognanno
300 State Street
Rochester, NY 14614

Re: DEC
716 Sports
Town of Amherst, Erie County, NY
25PR08945

Dear Joseph Bognanno:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project.

Based upon this review, 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.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above. If you have any questions, please contact Sydney Snyder at the following email address:

Sydney.Snyder@parks.ny.gov

Sincerely,

R. Daniel Mackay

Deputy Commissioner for Historic Preservation
Division for Historic Preservation

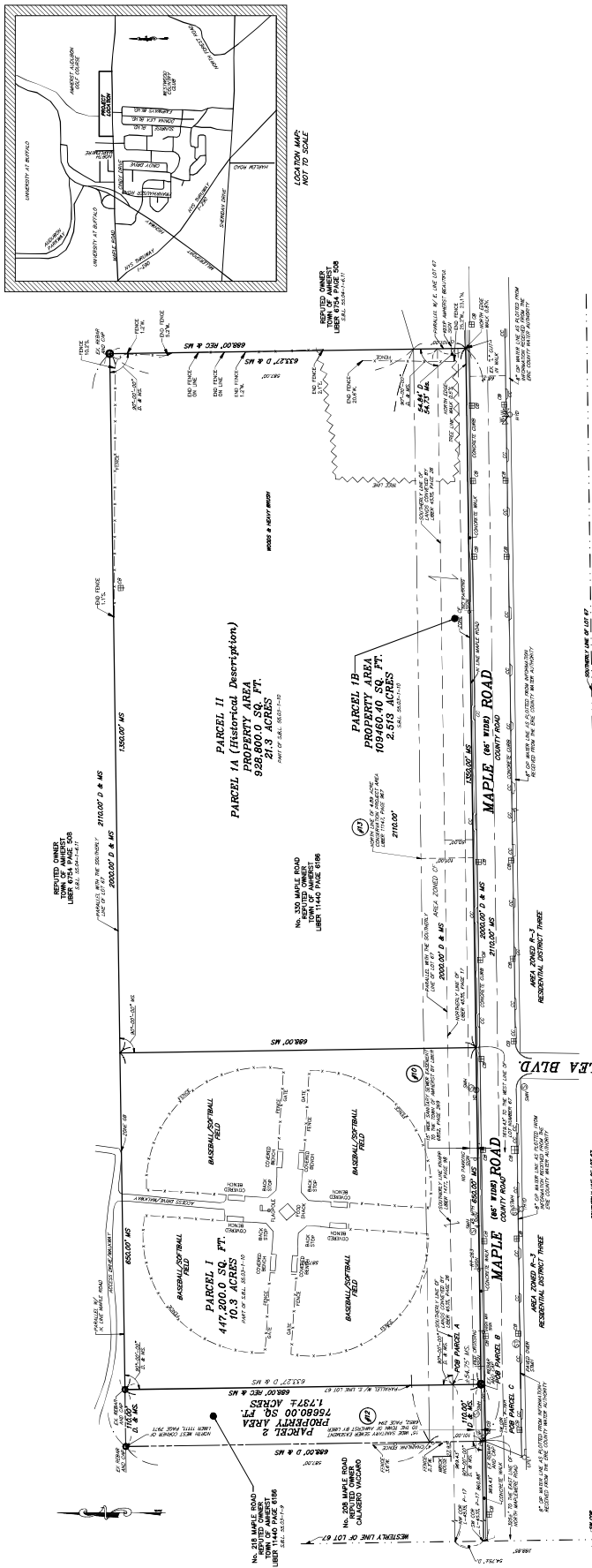
EXHIBIT 2

TOWN OF AMHERST
COUNTY OF ERIE
STATE OF NEW YORK

KEOPS
Architecture, Engineering
& Survey, P.C.
392 PEARL STREET, SUITE 401
BUFFALO, NEW YORK 14202
P. 716.856.0881
WWW.KEOPS.COM

Field Office	12-15-2024	Job No.	240705.01	Book:	390	Pages:	58503	File Name:	218 MAYLE-58503
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ALL RIGHTS RESERVED
UNAUTHORIZED DUPLICATION IS A
VIOLATION OF APPLICABLE LAWS
NOTES:
UNAUTHORIZED ALTERATION OR
REPRODUCTION TO ANY STUDENT,
ORGANIZATION, OR INDIVIDUAL
WITHOUT THE WRITTEN PERMISSION
OF THE STATE EDUCATION LAW,
THESE PAGES ARE NOT SUITABLE FOR
REPRODUCTION

[illegible]

Proposed Subdivision Descriptions

[illegible]

SECTION 10." The property is bounded on the north by the Town of Adelbert, County of York, and on the east by the Town of Adelbert, County of York, and on the south by the Town of Adelbert, County of York, and on the west by the Town of Adelbert, County of York.

[illegible][illegible]

Historical Description

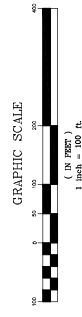
[illegible][illegible]

EXHIBIT 3

EXHIBIT 3

LEGAL DESCRIPTION OF PORTION OF 330 MAPLE ROAD

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Amherst, County of Erie and State of New York, being part of Lot Number 67, Township 12, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

Beginning at a point in the north line of Maple Road, 1619.43 feet distant easterly from the westerly line of said Lot Number 67; thence northerly at right angles and parallel with the east line of Said Lot Number 67, a distance of 688.00 feet; thence easterly at right angles and parallel with the southerly line of said Lot Number 67 also being parallel with the north line of Maple Road, a distance of 1350.00 feet; thence southerly at right angles and parallel with the east line of said Lot Number 67, a distance of 688.00 feet to the said north line of Maple Road; thence westerly along the northerly line of Maple Road, a distance of 1350.00 feet to the place of beginning, containing 21.3 acres of land, more or less.

EXHIBIT 4

FILED

Box 104 JP

JUL 02 2008

- FAK -

**ERIE COUNTY
CLERK'S OFFICE**

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Buffalo-Maple Road LLC and Buffalo-Anderson Associates, LLC (hereinafter referred to as "Petitioners") are the owners of two parcels of land commonly known as 218 Maple Road and 330 Maple Road, respectively, located in the Town of Amherst, County of Erie and State of New York and more particularly described in Schedule "A" attached hereto (the "Property"); and

WHEREAS, Petitioners by their agent Benderson Development Company, LLC, applied to the Town of Amherst, New York Town Board for rezoning of the Property; and

WHEREAS, on the 2nd day of June, 2008, the said Amherst Town Board approved the requested rezonings from CF to GB, and R-3 to MFR-6 on the condition Petitioners, their successors and assigns, agree to restrict the Property as follows:

1. The creation of a 4.5 acre conservation project area, 101 feet in depth, fronting Maple Road on property described in Schedule "B"
2. The Brownfield Cleanup Program will be instituted in a manner that results in the project site being cleaned to New York State Department of Environmental Conservation residential standards
3. No single retail user shall be greater than 50,000 square feet in size.
4. A maximum building height limitation of 50 feet for any structure.
5. No freestanding drive-thru fast food restaurants.
6. No freestanding drive-thru pharmacies.
7. Petitioners, their successors and assigns agreed to be bound by all provisions of the Adult Use Code of the Town of Amherst as currently adopted or as amended or modified in the future. However, this provision shall not prohibit the operation of a bookstore or video store, which carries a broad inventory of books or videos or other materials directed toward the interest of the general public.

NOW THEREFORE, Petitioners agree to abide by the above enumerated restrictions. The above restrictions shall be binding on the Petitioners, their successors and assigns and all parties claiming thereunder and shall run with the land and the above described restrictions can only be changed, modified or eliminated by a vote of the Town of Amherst Town Board. In the event, however, the Town of Amherst Town Board has subsequently passed the appropriate legislation requiring a vote of greater than a majority vote to change zoning restrictions, Petitioners, their successors and assigns and all parties claiming thereunder shall be bound by said greater than majority vote requirement.

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed
on the 1st day of July, 2008.

BUFFALO-MAPLE ROAD, LLC

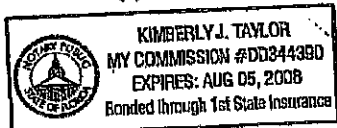
By: [Signature]
David H. Baldauf, Manager

BUFFALO-ANDERSON ASSOCIATES, LLC

By: [Signature]
David H. Baldauf, Manager

STATE OF FLORIDA }
 }ss.:
COUNTY OF MANATEE }

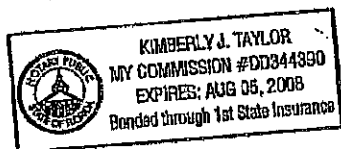
On this 1st day of July, in the year 2008, before me, the undersigned, a
Notary Public in and for said State, personally appeared DAVID H. BALDAUF,
personally known to me or proved to me on the basis of satisfactory evidence to be the
individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to
me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their
signature(s) on the instrument, the individual(s) or the person upon behalf of which the
individual(s) acted, executed the instrument.



[Signature]
Notary Public

STATE OF FLORIDA }
 }ss.:
COUNTY OF MANATEE }

On this 1st day of July, in the year 2008, before me, the undersigned, a
Notary Public in and for said State, personally appeared DAVID H. BALDAUF,
personally known to me or proved to me on the basis of satisfactory evidence to be the
individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to
me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their
signature(s) on the instrument, the individual(s) or the person upon behalf of which the
individual(s) acted, executed the instrument.



[Signature]
Notary Public

SCHEDULE A

The Town Board hereby amends its zoning map which is incorporated by reference in the town zoning code by amending from CF to GB the zoning of a portion of 330 Maple Road; legally described as follows:

All that tract or parcel of land situate in the Town of Amherst, County of Erie, State of New York, being part of Lot 67, Township 12, Range 7 of the Holland Land Company's Survey further described as follows:

Commencing at the southwest corner of lands conveyed by deed recorded in the Erie County Clerk's office in Liber 11111 of deeds at page 7971, said point being in the northerly line of Maple Road, distant 325 +/- east of the easterly line of North Maplemere Road;

Thence easterly along the northerly line of Maple Road a distance of 330.00 feet, said point being 220.0 feet east of the southwest corner of lands now or formerly conveyed to Buffalo Maple Road, LLC;

Thence northerly through lands now or formerly of said Buffalo Maple Road, LLC, at right angles a distance of 101.00 feet to the point or place of beginning;

Thence continuing northerly through lands now or formerly of said Buffalo Maple Road, LLC. A distance of 587.00 feet to a point in the northerly line of said Buffalo Maple Road, LLC;

Thence easterly along the northerly line of said Buffalo Maple Road, LLC, at right angles parallel to the northerly line of Maple Road a distance of 1780.00 feet to the northeast corner of said Buffalo Maple Road, LLC;

Thence southerly along the easterly line of said Buffalo Maple Road, LLC, at right angles at distance of 587.00 feet to a point;

Thence westerly through lands now or formerly of said Buffalo Maple Road, LLC, at right angles a distance of 1780.00 feet to the point or place of beginning containing 23.99 acres of land, more or less.

The Town Board further amends its Zoning Map, which is incorporated by reference in the Town of Amherst Zoning Code by amending from CF and R-3 to MFR-6 the zoning of a portion of 218 Maple Road and a portion of 330 Maple Road; legally described as follows:

All that tract or parcel of land situate in the Town of Amherst, County of Erie, State of New York, being part of Lot 67, Township 12, Range 7 of the Holland Land Company's Survey further described as follows:

Commencing at the southwest corner of lands conveyed by deed recorded in the Erie County Clerk's office in Liber 11111 of deeds at page 7971, said point being in the northerly line of Maple Road, distant 325 +/- east of the easterly line of North Maplemere Road;

Thence easterly along the northerly line of Maple Road a distance of 330.00 feet, said point being 220.0 feet east of the southwest corner of lands now or formerly conveyed to Buffalo Maple Road, LLC.;

Thence northerly through lands now or formerly of said Buffalo Maple Road, LLC. at right angles a distance of 101.00 feet to the point or place of beginning;

Thence continuing northerly through lands now or formerly of said Buffalo Maple Road, LLC. a distance of 587.00 feet to a point in the northerly line of said Buffalo Maple Road, LLC.;

Thence westerly along the northerly line of Maple Road of said Liber 11111 of deeds at page 7971 and a portion of the northerly line of lands now or formally conveyed to Buffalo Maple Road, LLC. at right angles and parallel to Maple Road a distance of 330.00 Feet to a point;

Thence southerly through the said lands of Buffalo Maple Road, LLC. at right angles a distance of 587.00 feet to a point;

Thence easterly through lands now or formerly of said Buffalo Maple Road, LLC. at right angles a distance of 330.00 feet to the point or place of beginning containing 4.45 acres of land, more or less.

SCHEDULE B

Notwithstanding the foregoing rezoning, there shall be created on the site a conservation project area described as follows:

All That Tract or Parcel of Land situate in the Town of Amherst, County of Erie, State of New York, being part of Lot 67, Township 12, Range 7 of the Holland Land Company's Survey further described as follows:

Beginning at the Southwest corner of lands conveyed by deed recorded in the Erie County Clerk's Office in Liber 11111 of Deeds at page 7971, said point being in the northerly line of Maple Road, distant 325 feet more or less east of the easterly line of North Maplemere Road;

Thence easterly along the northerly line of Maple Road a distance of 2,110 feet to the easterly line of lands now or formerly owned by Buffalo Shooting Club, Inc.;

Thence northerly at right angles and along the easterly line of said Buffalo Shooting Club, Inc. a distance of 101 feet to a point;

Thence westerly parallel with the northerly line of Maple Road a distance of 2,110 feet to the west line of said lands conveyed by deed recorded in the Erie County Clerk's Office in Liber 11111 of Deeds at page 7971;

Thence southerly along the westerly line of said lands conveyed by deed recorded in the Erie County Clerk's Office in Liber 11111 of Deeds at page 7971 a distance of 101 feet to the Point or Place of Beginning containing 4.89 acres of land, more or less.

Honorable Kathleen C. Hochul
County Clerk
Erie County
92 Franklin Street
Buffalo, NY 14202
(716) 858-8865

DATE:07/02/2008
TIME:04:07:25 PM
RECEIPT:556521

DAMON & MOREY

ITEM -01 781 04:07:25 PM
CTRL #:2008137304 BK/PG:D11147/0967
BUFFALO-MAPLE ROAD LLC
TOWN OF AMHERST
RECORDING FEE 55.00
MARKOFF FEE 0.00
Sub. Total) 55.00

AMOUNT DUE: \$55.00
PAID CHECK: \$55.00
Check #:0400 \$55.00
TOTAL PAID: \$55.00

REC BY:JOANNE
County Clerk
Have a nice day!

Honorable Kathleen C. Hochul
County Clerk
Erie County
92 Franklin Street
Buffalo, NY 14202
(716) 858-8865

DATE:07/02/2008
TIME:04:07:25 PM
RECEIPT:556521

DAMON & MOREY

ITEM -01 781 04:07:25 PM
CTRL #:2008137304 BK/PG:D11147/0967
BUFFALO-MAPLE ROAD LLC
TOWN OF AMHERST
RECORDING FEE 55.00
MARKOFF FEE 0.00
Sub. Total) 55.00

AMOUNT DUE: \$55.00
PAID CHECK: \$55.00
Check #:0400 \$55.00
TOTAL PAID: \$55.00

REC BY:JOANNE
County Clerk
Have a nice day!

EXHIBIT 5

EXHIBIT 5

APPLICATION FOR RELIEF OF ZONING CONDITIONS AND TO AMEND DECLARATION OF RESTRICTIONS – PORTION OF 330 MAPLE ROAD

Question 11(A): **Description of the character of the proposed development:**

Response to

Question 11(A): The proposed project consists of the development of a portion of 330 Maple Road consisting of 21.3 acres of vacant land (the “Project Site”) currently owned by the Town of Amherst as a state-of-the art sports complex that will include approximately 50,000 sq. ft. of retail space along with a five-story hotel and all related site improvements. A color copy of the Concept Plan depicting the conceptual layout of the proposed project is provided at Exhibit “7”. An aerial photograph of the Project Site and the surrounding vicinity is provided at Exhibit “11” and a color excerpt of the Zoning Map is provided at Exhibit “12”.

The Project Site is zoned General Business District (“GB”) and Recreation Conservation District (“RC”) pursuant to the Town’s Zoning Map. The RC zoning only applies to the front portion of the Project Site along Maple Road that will consist of a conservation area consisting of greenspace and landscaping as depicted on the Concept Plan attached as Exhibit “7”.

Question 11(B)(1): **Rationale for rezoning request: 1. What was this site chosen?**

Response to

Question 11(B)(1): The Project Site is properly zoned for the proposed project and the proposed use is consistent with Figure 6 of the adopted Comprehensive Plan, which designates the portion of the Project Site to be developed as appropriate for “Commercial-Mixed-Use”.

The Project Sponsor is requesting that the Town Board grant relief of zoning conditions imposed in connection with the previous rezoning of the Project Site for the previously approved but never constructed Gun Club Project. A copy of the Declaration of Restrictions recorded at the

Erie County Clerk's Office on July 2, 2008 is provided at Exhibit "4" and a draft of the Amended Declaration of Restrictions is provided at Exhibit "8". The Project Sponsor is requesting that the previously imposed zoning conditions be rescinded and replaced with the following zoning conditions as set forth in the draft of the Amended Declaration of Restrictions:

1. There shall be a 101 ft. wide conservation area located along the Maple Road frontage of the Project Site ("Conservation Area"). There shall not be any buildings or parking spaces located in the Conservation Area. The only development permitted in the Conservation Area shall consist of driveway connections to Maple Road and utility improvements necessary to provide required utility services for the development of the Project Site.
2. The Declarant shall comply with the requirements imposed by the NYS Department of Environmental Conservation relative to the Brownfield Clean Up Program in connection with the development of the Project Site.
3. No freestanding drive-thru fast food restaurants shall be permitted on the Project Site.
4. No freestanding drive-thru pharmacies shall be permitted on the Project Site.
5. The Declarant agrees to be bound by all provisions of the Adult Use Code of the Town of Amherst as currently adopted or as amended or modified in the future. However, this provision shall not prohibit the operation of a bookstore or video store, which carries a broad inventory of books or videos or other materials directed toward the interest of the general public.

Question 11(B)(2): Why cannot land be used with the existing zoning?

Response to

Question 11(B)(2): The Project Site cannot be developed as proposed in manner that would comply with the zoning conditions previously imposed by the Town Board since Condition No. 3 restricted any single retail user to a maximum of 50,000 square feet in size and Condition No. 4 limited the maximum building height to 50 feet for any structure.

Question 11(B)(3): How will this rezoning impact surrounding properties?

Response to

Question 11(B)(3): The requested relief of the zoning conditions previously imposed by the Town Board will not result in any potentially significant adverse impacts on surrounding

properties. A completed Part 1 of the Full Environmental Assessment Form as prepared pursuant to the State Environmental Quality Review Act (“SEQRA”) is provided at Exhibit “1” of this Application. It is important to mention that the project will allow the Project Sponsor to receive the benefits associated with the previous environmental cleanup of contamination at the Project Site. A copy of the Certificate of Completion issued by the NYS Department of Environmental Conservation (“NYSDEC”) dated May 7, 2012 is provided at Attachment “A” of the Part 1 of the Full EAF provided at Exhibit “1” of this Application. A copy of the No Impact Determination Letter issued by SHPO dated September 24, 2025 is provided at Attachment “B” of the Part 1 of the Full EAF provided at Exhibit “1” of this Application. Additionally, a copy of the Wetland Investigation Letter prepared by Scott Livingstone of Earth Dimensions, Inc. is provided at Exhibit “10” of the Application.

The proposed project will also require Site Plan Approval from the Planning Board which will ensure compliance with the applicable standards for landscaping, lighting, stormwater management, etc.

Question 11(B)(4): How will this rezoning impact the school system?

Response to

Question 11(B)(4): The proposed project will have very substantial positive impacts on the school district since it will generate substantial annual property taxes without creating any demand for educational services.

EXHIBIT 6

EXHIBIT 6

APPLICATION FOR RELIEF OF ZONING CONDITIONS AND TO AMEND DECLARATION OF RESTRICTIONS – PORTION OF 330 MAPLE ROAD

Question 16(A)(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.**

Response to

Question 16(A)(1): The proposed project is consistent with the Town’s planning goals and objectives as set forth in the adopted the Bicentennial Comprehensive Plan and other relevant planning documents which repeatedly encourage athletic facilities that will assist in promoting the health of the Town’s residents. The Project Site is properly zoned for the proposed project and the proposed use is consistent with Figure 6 of the adopted Comprehensive Plan, which designates the portion of the Project Site to be developed as appropriate for “Commercial-Mixed-Use”. A copy of Figure 6 of the Comprehensive Plan is provided at Exhibit “13”.

Question 16(A)(2): **Cite all text, map, and/or figures that must be amended to support the proposed zoning at this location and provide detailed suggested amendments.**

Response to

Question 16(A)(2): The proposed project is consistent with the planning goals and objectives contained in the Comprehensive Plan and as such there is not a need to amend the Comprehensive Plan to accommodate the proposed project.

Question 16(A)(3): **State why the proposed zoning is consistent with intent and objectives (Sec. 1-2-2) of the Zoning Ordinance:**

Response to

Question 16(A)(3): Section 1-2-1 of the Zoning Code is titled “Purpose” and it states as follows:

“The purpose of this Zoning Ordinance and the intent of the legislative authority in its adoption is to promote the environment of the town and its public health, safety, convenience, comfort, prosperity and the general welfare by regulating the use of

buildings, other structures and land for residences, open space, public facilities, business, services, industry or other purposes; by regulating and restricting the bulk, height, design, building coverage and location of structures; by regulating and limiting population density; and for the aforesaid purposes, to divide the land within the limits of the town into districts of such number and dimensions generally consistent with the policies of the Comprehensive Plan and to provide procedures for the administration and amendment of said Zoning Ordinance.”

The requested for relief of zoning conditions previously imposed by the Town Board to accommodate the proposed project on the Project Site is consistent with the “Purpose” of the Zoning Code. Section 1-2-2 of the Zoning Code sets forth the objectives of the Zoning Code. This section of the Zoning Code lists thirteen objectives that are discussed below as follows:

- A. To protect the character and values of residential, institutional and public uses, business, commercial and manufacturing uses and to insure their orderly and beneficial development;**

Response: The project represents orderly and beneficial development that will provide very substantial benefits to the Town and its residents.

- B. To provide adequate open spaces for light, air and outdoor uses to include public, common and private open space areas;**

Response: The proposed project will not be inconsistent with this objective.

- C. To prevent overcrowding of land;**

Response: The proposed project will not result in the overcrowding of land.

- D. To prevent excessive concentration of population and to prevent spare and uncoordinated development;**

Response: The project will not result in excessive concentration of population and the project represents an example of coordinated development.

E. To regulate and control the location and spacing of buildings on the lot and in relation to the surrounding property generally consistent with the policies of the Comprehensive Plan.

Response: The responses to the Questions in Section 16 provided above sets forth the reasons the proposed rezoning is consistent with the recommended land use and the policies contained in the adopted Comprehensive Plan.

F. To protect persons and property from damage and injury due to fire or flood;

Response: The Project Site is not located in a regulated floodway or 100 yr. floodplain. The Site Plan Application review process will trigger the need for an Engineer's Report to be prepared by a licensed engineer to be prepared for review and approval by the Town's Engineering Department. The project will not increase the likelihood of damage and injury due to fire and flood. The proposed buildings will be constructed per the stringent requirements of the NYS Building Code including the fire safety standards contained therein.

G. To preserve and protect significant natural features and vegetation, thereby preventing ecological damage and visual blight which occur when those features or vegetation are eliminated or substantially altered to serve development purposes only.

Response: The project will not be inconsistent with this objective. There are not significant natural features located on the Project Site. The Project Site has been designated for commercial development for 18 years.

H. To assure that structure and land use arrangements are aesthetically harmonious with nearby areas and structures.

Response: The development of the Project Site in a manner consistent with the Concept Plan submitted with this Application will be aesthetically harmonious with nearby areas and structures.¹ The layout reflects a deliberate effort locate the athletic facility as far away as practicable from the Maple Road Right-of-Way, since there are existing single-family homes on the south side of Maple Road.

¹ A reduced-size copy of the Concept Plan is attached as Exhibit "7".

- I. To regulate the location of buildings and intensity of uses in relation to streets according to plans so as to cause the least interference with and be damaged least by traffic movements and hence result in lessened street congestion and improved public safety.**

Response: The proposed project will have a driveway connection to Maple Road, which is an Erie County Highway, and a secondary gated emergency access driveway for emergency access per the requirements of Appendix D of the NYS Fire Code.

- J. To establish zoning patterns that insure economical extensions for sewers, water supply waste disposal and other public utilities, as well as development of recreation, schools and other public facilities;**

Response: The Project Site has access to sanitary sewer and water lines as well as necessary public utilities to service the proposed project.

- K. To guide the future development of the town so as to being the gradual conformity of land, structures and uses generally consistent with the policies of the Comprehensive Plan.**

Response: The project is consistent with this objective since the proposed use is consistent with the policies contained in the Comprehensive Plan.

- L. To accomplish the specific intents and goals set forth in the introduction to the respective sections.**

Response: The proposed project is consistent with this objective.

- M. To protect the community from visual pollution resulting from the unregulated use of signs and other advertising devices.**

Response: The proposed project will not be inconsistent with this objective.

Question 16(C): Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:

Response to

Question 16(C): The Project Sponsor is not seeking to amend the existing zoning classifications of the Project Site.

Question 16(D): **Suitability of the subject property for uses permitted by the current versus the proposed district:**

Response to

Question 16(D): The Project Site is properly zoned so this this question does not apply.

Question 16(E): **Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the Town:**

Response to

Question 16(D): The proposed project will have positive impacts on the balance of uses in the Town by providing a state-of-the-art athletic facility that will offer a broad range of services that are not currently available in the Town of Amherst or any other community in Western New York.

EXHIBIT 7

EXHIBIT 8

LOCAL LAW NO. _____-2025

**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 FOR RELIEF OF REZONING CONDITIONS
IMPOSED IN CONNECTION WITH A REZONING DECISION FOR 330 MAPLE ROAD
AND TO AMEND DECLARATION OF RESTRICTIONS 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 for Relief of Rezoning Conditions Imposed in connection with a Rezoning Decision for 330 Maple Road and to Amend Declaration of Restrictions.”

Section 2. Legislative Findings and Intent.

The Town Board of the Town of Amherst finds that an application for relief of rezoning conditions imposed in connection with a rezoning decision and to amend declaration of restrictions has been filed and is in proper order. The Town Board further finds that the request including the rezoning is consistent with the Comprehensive Plan.

Section 3. Amherst Zoning Map/Relief of Rezoning Conditions.

The Town Board hereby approves application for relief of rezoning conditions imposed in connection with a rezoning decision and to amend declaration of restrictions, subject to any conditions imposed by the authorizing resolution. The adoption of this Local Law eliminates the zoning conditions imposed by the Town Board in connection with the rezoning of the Project Site and imposes the following conditions which shall be subject to an Amended Declaration of Restrictions to be recorded at the Erie County Clerk's Office:

1. There shall be a 101 ft. wide conservation area located along the Maple Road frontage of the Project Site (“Conservation Area”). There shall not be any buildings or parking spaces located in the Conservation Area. The only development permitted in the Conservation Area shall consist of driveway connections to Maple Road and utility improvements necessary to provide required utility services for the development of the Project Site.

2. The Declarant shall comply with the requirements imposed by the NYS Department of Environmental Conservation relative to the Brownfield Clean Up Program in connection with the development of the Project Site.
3. No freestanding drive-thru fast food restaurants shall be permitted on the Project Site.
4. No freestanding drive-thru pharmacies shall be permitted on the Project Site.
5. The Declarant agrees to be bound by all provisions of the Adult Use Code of the Town of Amherst as currently adopted or as amended or modified in the future. However, this provision shall not prohibit the operation of a bookstore or video store, which carries a broad inventory of books or videos or other materials directed toward the interest of the general public.

The property for which this local law applies to consists of a portion of 330 Maple Road, legally described as follows:

PORTION OF 330 MAPLE ROAD:

All that tract or parcel of land, situate in the Town of Amherst, County of Erie and State of New York, being part of Lot Number 67, Township 12, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

Beginning at a point in the north line of Maple Road, 1619.43 feet distant easterly from the westerly line of said Lot Number 67; thence northerly at right angles and parallel with the east line of Said Lot Number 67, a distance of 688.00 feet; thence easterly at right angles and parallel with the southerly line of said Lot Number 67 also being parallel with the north line of Maple Road, a distance of 1350.00 feet; thence southerly at right angles and parallel with the east line of said Lot Number 67, a distance of 688.00 feet to the said north line of Maple Road; thence westerly along the northerly line of Maple Road, a distance of 1350.00 feet to the place of beginning, containing 21.3 acres of land, more or less.

Section 4. Validity.

This Local Law is adopted under the authority granted to the Town Board of the Town of Amherst pursuant to §§10(1)(ii)(a)(12), 20 and 27 of the Municipal Home Rule Law and §265 of the Town Law of the State of New York.

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

Section 5. Effective Date.

This Local Law shall take effect immediately when it is filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law and published pursuant to Sections 130 & 133 of the Town Law and Chapter 28 of the Code of the Town of Amherst.

**Francina J. Spoth
Town Clerk
Town of Amherst
County of Erie, State of New York**

EXHIBIT 9

AMENDED DECLARATION OF RESTRICTIONS

THIS AMENDED DECLARATION OF RESTRICTIONS (“*Amended Declaration*”) is made as of the ____ day of _____, 2025 by **716 SPORTS COMPLEX, LLC**, a limited liability company formed pursuant to the laws of the State of New York, with an address of _____ under facts and circumstances summarized by the following recitals:

WHEREAS, Declarant is the owner of real property consisting of a portion of 330 Maple Road in the Town of Amherst as described in the attached Scheule “1” (the “***Project Site***”);

WHEREAS, during its meeting held on _____, 2025, the Town of Amherst Town Board (“***Town Board***”) adopted Resolution Number 2025-____ (“***Resolution***”) for the purpose of granting relief for zoning conditions imposed by the Town Board on June 2, 2008 in connection with the rezoning of 218 and 330 Maple Road from CF to GB and R--3 to MFR-6, subject to conditions as set forth in the Resolution;

WHEREAS, this Amended Declaration has been executed by Declarant for the purpose of modifying and amending the Declaration of Restrictions as it pertain to the Project Site that was recorded at the Erie County Clerk’s Office on June 2, 2008 at Liber 11147 of Deeds at Page 0967.

WHEREAS, the content of this Amended Declaration has been reviewed and approved by the Amherst Town Attorney’s Office and the Town’s Zoning Enforcement Officer.

NOW, THEREFORE, in exchange for good and valuable consideration the sufficiency of which is acknowledged, the Declarant, its successors and assigns, agrees to restrict the future use of the real property described in the attached Schedule “1” as follows:

1. There shall be a 101 ft. wide conservation area located along the Maple Road frontage of the Project Site (“***Conservation Area***”). There shall not be any buildings or parking spaces located in the Conservation Area. The only development permitted in the Conservation Area shall consist of driveway connections to Maple Road and utility improvements necessary to provide required utility services for the development of the Project Site.
2. The Declarant shall comply with the requirements imposed by the NYS Department of Environmental Conservation relative to the Brownfield Clean Up Program in connection with the development of the Project Site.
3. No freestanding drive-thru fast food restaurants shall be permitted on the Project Site.
4. No freestanding drive-thru pharmacies shall be permitted on the Project Site.
5. The Declarant agrees to be bound by all provisions of the Adult Use Code of the Town of Amherst as currently adopted or as amended or modified in the future. However, this provision shall not prohibit the operation of a bookstore or video store, which carries a broad inventory of books or videos or other materials directed toward the interest of the general public.

IN WITNESS WHEREOF, the parties hereto have the full legal authority to execute this Amended Declaration of Restrictions.

Print Name: _____

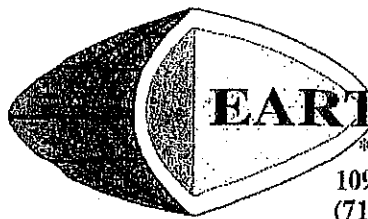
Notary Public

SCHEDULE 1

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Amherst, County of Erie and State of New York, being part of Lot Number 67, Township 12, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

Beginning at a point in the north line of Maple Road, 1619.43 feet distant easterly from the westerly line of said Lot Number 67; thence northerly at right angles and parallel with the east line of Said Lot Number 67, a distance of 688.00 feet; thence easterly at right angles and parallel with the southerly line of said Lot Number 67 also being parallel with the north line of Maple Road, a distance of 1350.00 feet; thence southerly at right angles and parallel with the east line of said Lot Number 67, a distance of 688.00 feet to the said north line of Maple Road; thence westerly along the northerly line of Maple Road, a distance of 1350.00 feet to the place of beginning, containing 21.3 acres of land, more or less.

EXHIBIT 10



EARTH DIMENSIONS, INC.

* Soil & Hydrogeologic Investigations * Wetland Delineations
1091 Jamison Road, Elma NY 14059
(716) 655-1717 * Fax (716) 655-2915 www.earthdimensions.com

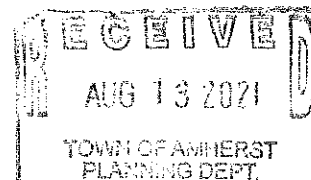
SP-2021-18
330 Maple Rd.

August 12, 2021

W13J06d

Jeffrey Burroughs, PE
Town of Amherst Engineering Department
1100 North Forest Road
Williamsville, New York 14221

Re: Preliminary Wetland Investigation – 31.5± acres
330 Maple Road (SBL# 55.03-1-10)
Town of Amherst, Erie County, New York



Dear Mr. Burroughs:

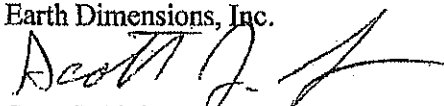
Earth Dimensions, Inc. (EDI) has completed a preliminary wetland investigation at the above referenced site for the purpose of identifying potential regulated wetlands and waterways. The site investigation was conducted on August 11, 2021. As depicted on the attached Preliminary Wetlands Map, EDI identified approximately 0.81± acre of wetland as defined by the U.S. Army Corps of Engineers (USACE) wetland delineation manuals. We believe the depicted wetlands are not regulated under the currently applicable Navigable Waters Protection Rule although a detailed wetland delineation would need to be completed and submitted to USACE with a request for a Jurisdictional Determination in order to confirm the non-jurisdictional status, should impacts be proposed to these features.

The New York State Department of Environmental Conservation (NYSDEC) On-line Resource Mapper (attached) does not depict any state regulated wetlands within or adjacent to the subject property. NYSDEC, thus, has no jurisdiction over any wetland within the project site.

Based on this site investigation, it is our professional opinion that as long as any proposed development avoids impacts to the depicted wetland, no further action is required in order to move forward with development. If impacts to the depicted wetland are proposed, a detailed wetland delineation is required to be completed and submitted to USACE along with a request for an Approved Jurisdictional Determination.

If you have any questions, please contact our office at (716) 655-1717 or email slivingstone@earthdimensions.com.

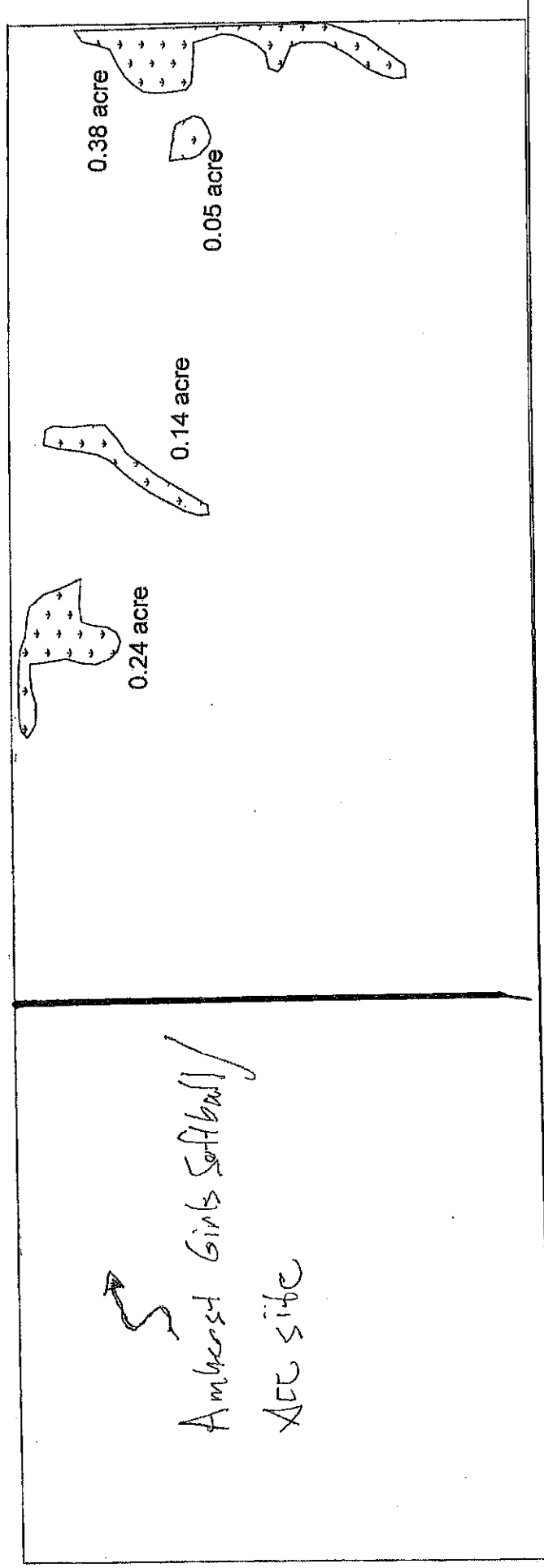
Very truly yours,
Earth Dimensions, Inc.


Scott J. Livingstone
Wetlands Operations Manager

Encl.

W13J06d

300 Maple Road - Amherst, NY



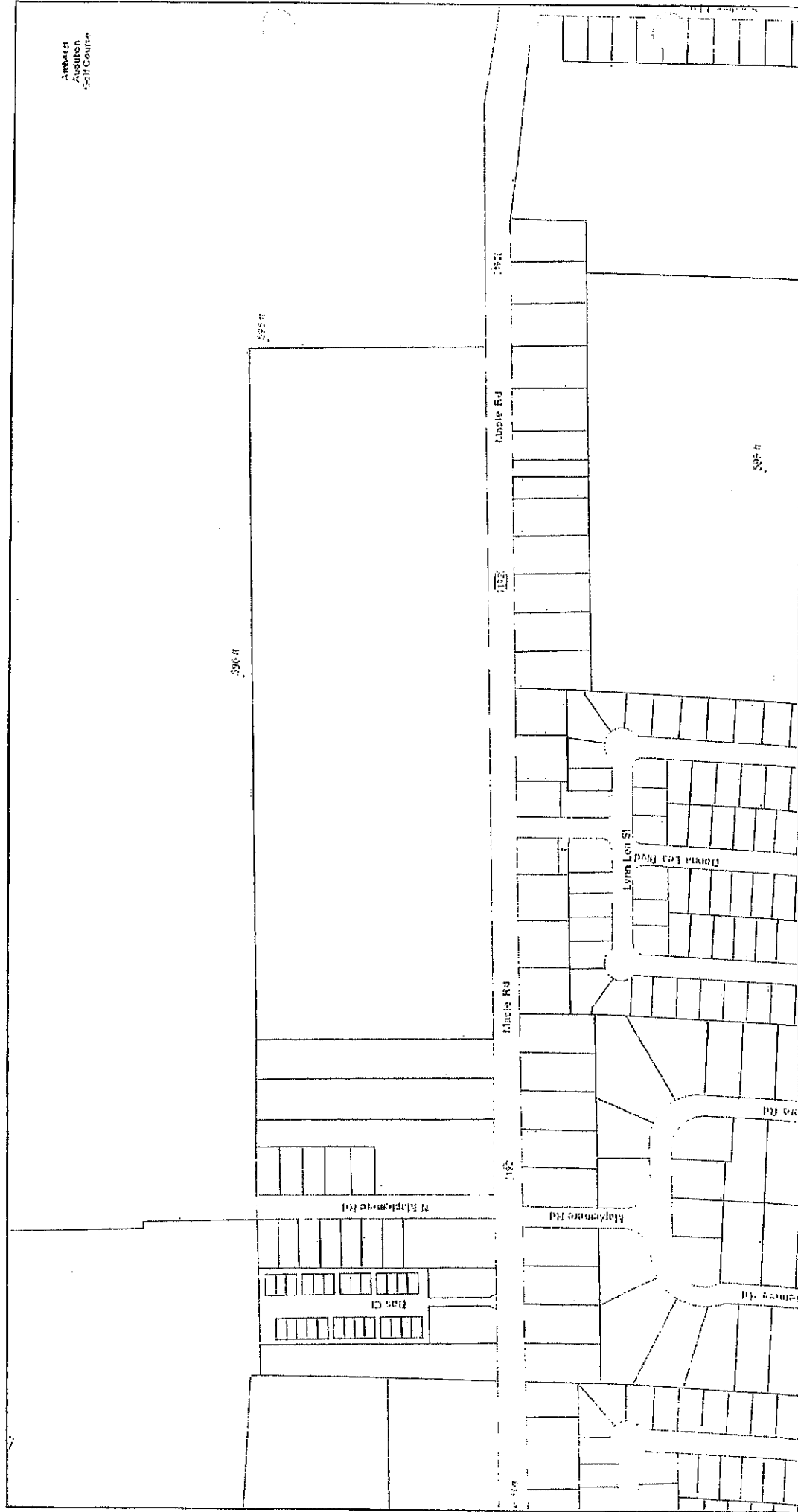
Maple Road

Scale: 0 100' 200'

Total Wetland: 0.81 acre

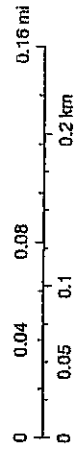
8/12/2021

Environmental Resource Mapper



August 11, 2021

1:4,514



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

NYS Department of Environmental Conservation
Not a legal document

EXHIBIT 11

ArcGIS Web Map



10/2/2025, 8:54:29 AM

Town Boundary

Parcels

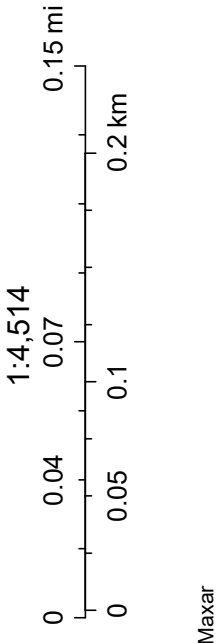


EXHIBIT 12

ArcGIS Web Map

10/2/2025, 8:57:46 AM

Zoning

35

Barcelo



10

SI INVI B

GB

B-4

1ER-6

Town Boi

Town Boundary

Maxar

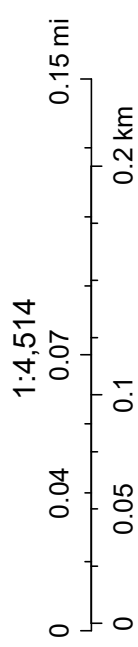
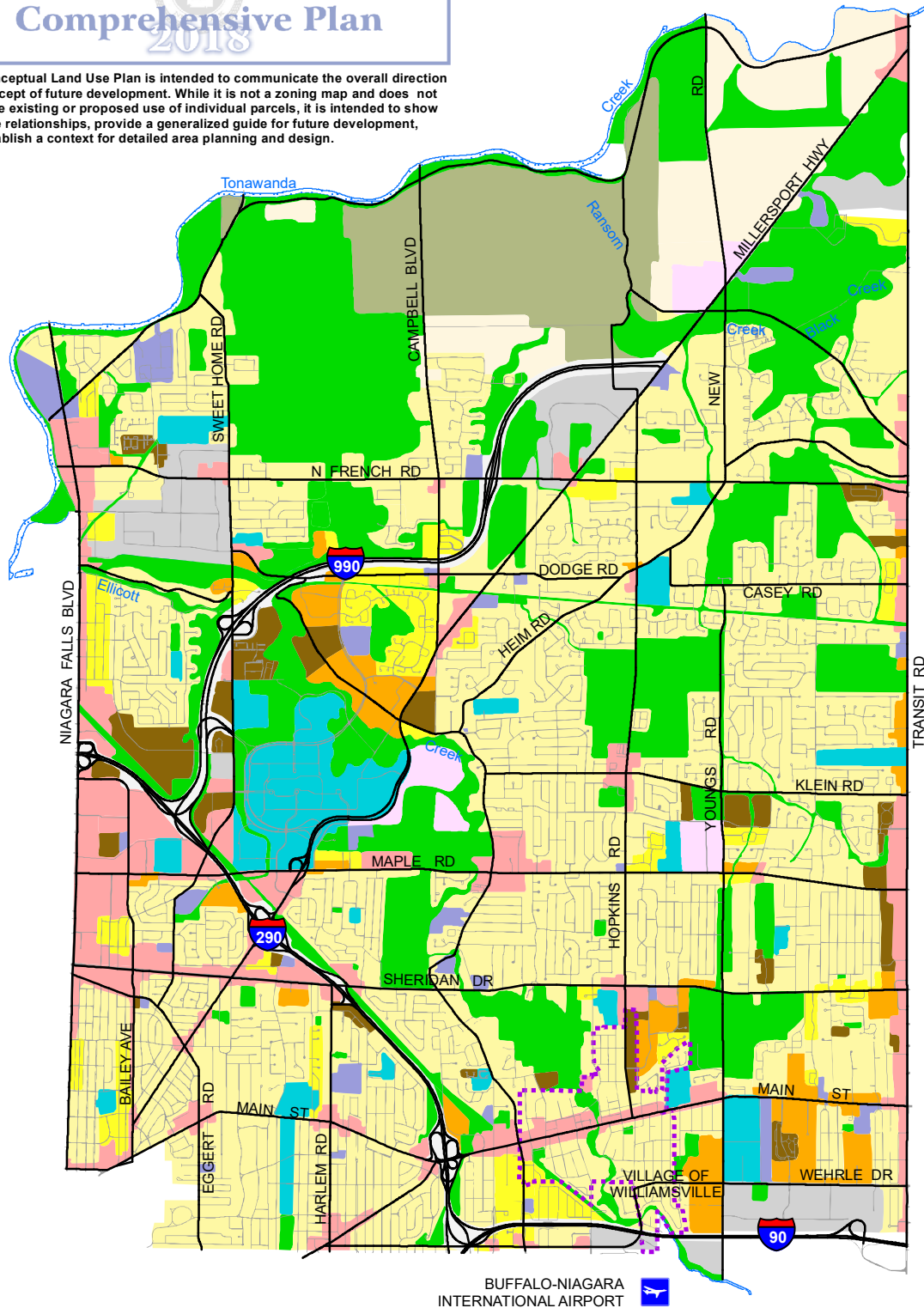


EXHIBIT 13

Town of Amherst Bicentennial Comprehensive Plan

The Conceptual Land Use Plan is intended to communicate the overall direction and concept of future development. While it is not a zoning map and does not show the existing or proposed use of individual parcels, it is intended to show land use relationships, provide a generalized guide for future development, and establish a context for detailed area planning and design.



Conceptual Land Use Plan

Rural Residential	Special Use Center	Recreation, Open Space & Greenways
Single Family Residential	Commercial - Office	Agriculture
Mixed Residential	Industrial - Office	Transportation
Medium Residential	Community Facilities	Surface Water
Commercial / Mixed Use*	Educational Campus	Village of Williamsville Boundary

* See Map Figure 6-A for Additional Designations

SOURCE NOTES:

Original Source Data Provided by the Town of Amherst Information Technology Department, URS Corporation and Wallace Roberts & Todd, LLC

Map Compiled by the Town of Amherst Planning Department

Date: December 2020

FIGURE 6

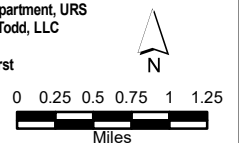


EXHIBIT 14



TOWN OF AMHERST

TOWN CLERK'S OFFICE

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221
(716) 631-7021
FAX (716) 631-7152
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Timothy Koller
Deputy Town Clerk

Ashley Brownson
Deputy Town Clerk

CERTIFICATE OF TOWN CLERK

I, Francina J. Spoth, Town Clerk of the Town of Amherst, in the County of Erie, State of New York, HEREBY CERTIFY, as follows:

That the attached Resolution 2025-849 "716 Sports Complex, LLC" is a true and exact copy of the Resolution enacted by the Town Board at its meeting on September 30, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Amherst this 2nd day of October, 2025.

Francina J. Spoth
Town Clerk
Town of Amherst, Erie County, NY

Sworn to before me
This 2nd day of October, 2025

Notary Public

TIMOTHY J. KOLLER
No. 01KO6263885
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 06/11/2028



Amherst Town Board

5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 09/30/25 07:00 PM
Department: Town Clerk
Initiated by: **Timothy Koller**
Co-Sponsored by:

DOC ID: 30969

RESOLUTION 2025-849

ADOPTED

716 Sports Complex, LLC

Suspension to Town Board Agenda of September 30, 2025

TO: The Honorable Town Board
FROM: Brian J. Kulpa, Town Supervisor
DATE: September 30, 2025
RE: 716 Sports Complex, LLC

Please authorize the Supervisor to sign an authorization letter for the purpose of allowing 716 Sports Complex, LLC and/or its consultants to file land use applications for the purpose of a proposed project to be developed on land owned by the Town of Amherst consisting of a portion of 330 Maple Road (SBL 55.03-1-10).

9/30/2025

A motion to approve was made by Supervisor Kulpa, seconded by Councilmember Berger and unanimously approved 4-0.

FINANCIAL IMPACT:

n/a

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqueline Berger, Councilmember
AYES:	Kulpa, Lavin, Berger, Szukala
ABSENT:	Marinucci