



# COUNTY OF ERIE

CHRIS COLLINS

COUNTY EXECUTIVE

May 2, 2008

Ellen M. Kost, AICP  
Town of Amherst Planning Department  
5583 Main Street  
Williamsville, New York 14221

Rc: General Municipal Law Section 239-m Referral  
Project: Rezoning (Local Law No. \_\_\_-2008)  
Location: Portions of 218 & 330 Maple Road, Amherst, NY  
County Review Number: ZR-08-172

Dear Ms. Kost:

Pursuant to New York General Municipal Law Section 239-m, the County of Erie Department of Environment and Planning (the "County") has reviewed the above referenced proposed rezoning (the "Project") referred to us by the Town of Amherst (the "Town") on April 25, 2008. The Project was the subject of an earlier referral to this department (ZR-08-143). This letter replaces and supersedes any earlier communications from this department to the Town of Amherst concerning the Project.

The County offers the following comments based upon its review of the Project:

The County strongly urges the Town to support and comply with The Town of Amherst Bicentennial Comprehensive Plan ("Comprehensive Plan") adopted by the Amherst Town Board in January 2007. In our view, the Project does not comply with the intent and objectives of the Comprehensive Plan for the following reasons:

We note that specific references to the intended use of subject parcel in Comprehensive Plan Figures 4, 6, and 21 refer to the Project area as a "Private Recreation Area (Figure 4), "Recreation, Open Space and Greenways" (Figure 6), and "Park/Green Space" (Figure 21). The proposed mixed-use development is not consistent with any of those descriptions

Moreover, a review of Section 3.3.2 (Page 41) of the Comprehensive Plan suggests that residential areas on Maple Road should "be protected from further encroachments by new commercial development or redevelopment." We note the existence of residential uses on the

south side of Maple Road across from the Project. The proposed mixed-use development would constitute encroachment of commercial development into the area.

Finally, Section 3.3.3 (Page 45) of the Comprehensive Plan suggests that mixed-use activity related to the UB North Campus be directed to a "university village" area to be located directly east of the UB North Campus along Millersport Highway. The proposed development conflicts with the Comprehensive Plan's intent for development on the periphery of the UB North Campus.

Other than the foregoing comments, the County has no recommendation concerning the Project.

Very truly yours,

HOLLY A. SINNOTT, AICP  
Commissioner

C: Supervisor Satish Mohan