



Mixed-Use Project - 6810 Main Street

[Instructions and Insurance Requirements Document](#)

Section I: Applicant Background Information

Please answer all questions. Use “None” or “Not Applicable” where necessary. Information in this application may be subject to public review under New York State Law.

Applicant Information- Company Receiving Benefit

Project Name	Mixed-Use Project- 6810 Main Street
Project Summary	Mixed-Use Project consisting of a five-story mixed-use building, with detached garages and all related site improvements. The proposed project also includes a workforce housing component that will consist of 20% of the residential units for lease at 80% AMI. The workforce housing component will consist of 7 units.
Applicant Name	6812 Main Street, LLC
Applicant Address	6790 Main St
Applicant Address 2	Suite 100
Applicant City	Williamsville
Applicant State	New York
Applicant Zip	14221
Phone	(716) 204-2921
Fax	(716) 204-2911
E-mail	rcavallari@blissco.net
Website	www.blissco.net
NAICS Code	531110

Business Organization

Type of Business

Limited Liability Company

Year Established

2023

State

New York

Indicate if your business is 51% or more (Check all boxes that apply)

[No] Minority Owned

[No] Woman Owned

Indicate Minority and/or Woman Owned Business Certification if applicable (Check all boxes that apply)

[No] NYS Certified

[No] Erie Country Certified

Individual Completing Application

Name Rob Cavallari
Title CFO
Address 6790 Main St
Address 2 Suite 100
City Williamsville
State New York
Zip 14221
Phone (716) 204-2921
Fax (716) 204-2911
E-Mail rcavallari@blissco.net

Company Contact- Authorized Signer for Applicant

Contact is same as individual completing application Yes
Name Sean Hopkins, Esq.
Title Attorney
Address 5500 Main St
Address 2 Suite 343
City Williamsville
State New York
Zip 14221
Phone (716) 510-4338
Fax
E-Mail shopkins@hsmlegal.com

Company Counsel

Name of Attorney Sean Hopkins, Esq.
Firm Name Hopkins Sorgi & McCarthy PLLC
Address 5500 Main St
Address 2 Suite 343
City Williamsville
State New York
Zip 14221
Phone (716) 510-4338
Fax
E-Mail shopkins@hsmlegal.com

Benefits Requested (select all that apply)

Exemption from Sales Tax Yes
Exemption from Mortgage Tax Yes

Exemption from Real Property Tax Yes

Tax Exempt Financing* No

* (typically for not-for-profits & small qualified manufacturers)

Applicant Business Description

Describe in detail company background, history, products and customers. Description is critical in determining eligibility. Also list all stockholders, members, or partners with % ownership greater than 20%.

The project consists of 34 market rate apartments and 14,000 square feet of first commercial/office space to be located in a five-story mixed-use building to be constructed on the project site along with all related site improvements.

Estimated % of sales within Erie County 100 %

Estimated % of sales outside Erie County but within New York State 0 %

Estimated % of sales outside New York State but within the U.S. 0 %

Estimated % of sales outside the U.S. 0 %

(*Percentage to equal 100%)

For your operations, company and proposed project what percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Erie County?

80

Describe vendors within Erie County for major purchases

Concrete, stone, steel, asphalt, landscaping, plants, metal panels, siding, brick, roofing, electrical supplies, plumbing supplies, heating & air conditioning supplies, elevator, metal studs, insulation, drywall, paint, wood, aluminum railings, wood fence, windows, doors, frames, kitchen cabinets, countertops, appliances, blinds, tile, and signage.

Section II: Eligibility Questionnaire - Project Description & Details

Project Location

Address of Proposed Project Facility

6810 Main Street

Town/City/Village of Project Site

Town of Amherst

School District of Project Site

Clarence Central Schools

Current Address (if different)

6812, 6814 & 6832 Main Street & 29 and 37 Tennyson Terrace

Current Town/City/Village of Project Site (if different)

SBL Number(s) for proposed Project

70.17-3-11, 70.17-3-12, 70.17-3-13, 70.17-3-14, & 70.17-3-15

What are the current real estate taxes on the proposed Project Site

\$37,713

If amount of current taxes is not available, provide assessed value for each.

Land

\$ 0

Building(s)

\$ 0

If available include a copy of current tax receipt.

Are Real Property Taxes current at project location?

Yes

If no please explain

Does the Applicant or any related entity currently hold fee title or have an option/contract to purchase the Project site?

Yes

If No, indicate name of present owner of the Project Site

Does Applicant or related entity have an option/contract to purchase the Project site?

No

Describe the present use of the proposed Project site (vacant land, existing building, etc.)

Outdated one-story retail plaza building and two single-family homes.

Provide narrative and purpose of the proposed project (new build, renovations) square footage of existing and new construction contemplated and/or equipment purchases. Identify specific uses occurring within the project. Describe any and all tenants and any/all end users: (This information is critical in determining project eligibility)

Demolition of existing building and single-family home and ground up construction of a five-story mixed-use building, with detached garages and all related site improvements. The proposed mixed-use project also includes a workforce housing component that will consist of 20% of the residential units for lease at 80% AMI.

Municipality or Municipalities of current operations

Town of Amherst

Will the Proposed Project be located within a Municipality identified above?

Yes

Will the completion of the Project result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state OR in the abandonment of one or more plants or facilities of the project occupant located within the state?

No

If the Proposed Project is located in a different Municipality within New York State than that Municipality in which current operations are being undertaken, is it expected that any of the facilities in any other Municipality will be closed or be subject to reduced activity?

No

(If yes, you will need to complete the Intermunicipal Move Determination section of this application)

Is the project reasonably necessary to prevent the project occupant from moving out of New York State?

No

If yes, please explain and identify out-of-state locations investigated, type of assistance offered and provide supporting documentation available

Have you contacted or been contacted by other Local, State and/or Federal Economic Development Agencies?

No

If yes, please indicate the Agency and nature of inquiry below

If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken by the Agency:

Describe the reasons why the Agency's financial assistance is necessary, and the effect the Project will have on the Applicant's business or operations. Focus on competitiveness issues, project shortfalls, etc... Your eligibility determination will be based in part on your answer (attach additional pages if necessary)

See Narrative provided at Exhibit "1". The Agency's financial assistance is necessary for the project to be economically feasible based on a wide range of factors including increased construction costs for both labor and materials and more stringent lending requirements including increased interest rates and equity contribution requirements. The Agency's financial assistance is also necessary in order for the project to include the proposed workforce housing component which will consist of 20% of the residential units for lease at 80% of the AMI [to be adjusted annually].

Please confirm by checking the box, below, if there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency

Yes

If the Applicant is unable to obtain Financial Assistance for the Project, what will be the impact on the Applicant and Erie County?

There will be a negative impact to the Applicant and Erie County since the approved mixed-use redevelopment project will not move forward without the requested PILOT and related incentives. Erie County along with the Town of Amherst and the school district will not receive the increased annual property taxes that would result from the mixed-use project.

Will project include leasing any equipment?

Yes

If yes, please describe equipment and lease terms.

Lifts, generators, and other construction equipment.

Site Characteristics

Is your project located near public transportation?

Yes

If yes describe if site is accessible by either metro or bus line (provide route number for bus lines)

NFTA Bus Route

Has your local municipality and/or its planning board made a determination regarding the State Environmental Quality Review (SEQR) for your project?

Yes

Will the Project meet zoning/land use requirements at the proposed location?

Yes

Describe the present zoning/land use

General Business District ("GB")

Describe required zoning/land use, if different

Not Applicable

If a change in zoning/land use is required, please provide details/status of any request for change of zoning/land use requirements

Not Applicable. The Town of Amherst Planning Board granted Site Plan Approval for the mixed-use redevelopment project on May 16, 2024.

Is the proposed Project located on a site where the known or potential presence of contaminants is complicating the development/use of the property?

No

If yes, please explain

Has a Phase I Environmental Assessment been prepared, or will one be prepared with respect to the proposed Project Site?

No

If yes, please provide a copy.

Have any other studies, or assessments been undertaken with respect to the proposed Project Site that indicate the known or suspected presence of contamination that would complicate the site's development?

No

If yes, please provide copies of the study.

If you are purchasing new machinery and equipment, does it provide demonstrable energy efficiency benefits?

Yes

If yes, describe the efficiencies achieved

All improvements will comply with the requirements of the NYS Energy Code and this will be confirmed during the building permit application review process to be completed by the Town of Amherst Building Department.

You may also attach additional information about the machinery and equipment at the end of the application.

Does or will the company or project occupant perform research and development activities on new products/services at the project location?

No

If yes, include percentage of operating expenses attributed to R&D activities and provide details.

Select Project Type for all end users at project site (you may check more than one).

For purposes of the following, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

Will customers personally visit the Project site for either of the following economic activities? If yes with respect to either economic activity indicated below, you will need to complete the Retail section of this application.

Retail Sales Yes

Services Yes

Please check any and all end uses as identified below.

- | | | |
|--|---------------------------|-------------------------------------|
| No Acquisition of Existing Facility | No Assisted Living | No Back Office |
| No Civic Facility (not for profit) | Yes Commercial | No Equipment Purchase |
| No Facility for the Aging | No Industrial | No Life Care Facility (CCRC) |
| Yes Market Rate Housing | Yes Mixed Use | Yes Multi-Tenant |
| No Retail | No Senior Housing | No Manufacturing |

No Renewable Energy

Yes Other

Worforce Housing

For proposed facility please include the square footage for each of the uses outlined below

If applicant is paying for FFE for tenants, include in cost breakdown.

			Cost	% of Total Cost
Manufacturing/Processing	square feet	\$	0	0%
Warehouse	square feet	\$	0	0%
Research & Development	square feet	\$	0	0%
Commercial	square feet	\$	0	0%
Retail	square feet	\$	0	0%
Office	14,000 square feet	\$	2,625,000	23%
Specify Other	47,600 square feet	\$	7,875,000	73%

If you are undertaking new construction or renovations, are you seeking LEED certification from the US Green Building Council?

No

If you answered yes to question above, what level of LEED certification do you anticipate receiving? (Check applicable box)

<BLANK>

Provide estimate of additional construction cost as a result of LEED certification you are seeking < BLANK >

Will project result in significant utility infrastructure cost or uses Yes

What is the estimated project timetable (provide dates).

Start date : acquisition of equipment or construction of facilities

5/1/2025

End date : Estimated completion date of project

3/31/2027

Project occupancy : estimated starting date of occupancy

4/1/2027

Capital Project Plan / Budget

Estimated costs in connection with Project

1.) Land and/or Building Acquisition

\$ 1,670,000 square feet 2 acres

2.) New Building Construction

\$ 10,500,000 61,600 square feet

3.) New Building addition(s)

\$ 0 square feet

4.) Reconstruction/Renovation

\$ 0 square feet

5.) Manufacturing Equipment

\$ 0

6.) Infrastructure Work

\$ 0

7.) Non-Manufacturing Equipment: (furniture, fixtures, etc.)

\$ 0

8.) Soft Costs: (Legal, architect, engineering, etc.)

\$ 2,200,000

9.) Other Cost

\$ 0

**Explain Other
Costs**

Total Cost \$ 14,370,000

Construction Cost Breakdown:

Total Cost of Construction	\$ 10,500,000 (sum of 2, 3, 4 and 6 in Project Information, above)
Cost of materials	\$ 5,250,000
% sourced in Erie County	95%

Sales and Use Tax:

Gross amount of costs for goods and services that are subject to State and local sales and use tax- said amount to benefit from the Agency's sales and use tax exemption benefit \$ 4,987,500

Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above): \$ 436,406

** Note that the estimate provided above will be provided to the New York State Department of Taxation and Finance. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to undertake the total amount of investment as proposed within this Application, and that the estimate, above, represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to this Application. The Agency may utilize the estimate, above, as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistance that will be offered.

Project refinancing estimated amount, if applicable (for refinancing of existing debt only) \$ 0

Have any of the above costs been paid or incurred as of the date of this Application? Yes

If Yes, describe particulars:

Sources of Funds for Project Costs:

Equity (excluding equity that is attributed to grants/tax credits):	\$ 3,600,000
Bank Financing:	\$ 10,770,000
Tax Exempt Bond Issuance (if applicable):	\$ 0
Taxable Bond Issuance (if applicable):	\$ 0
Public Sources (Include sum total of all state and federal grants and tax credits):	\$ 0

Identify each state and federal grant/credit: (ie Historic Tax Credit, New Market Tax Credit, Brownfield, Cleanup Program, ESD, other public sources)

Total Sources of Funds for Project Costs: \$14,370,000

Have you secured financing for the project? No

Mortgage Recording Tax Exemption Benefit:

Amount of mortgage, if any that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/bridge financing). 10,770,000

Lender Name, if Known

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%): \$80,775

Real Property Tax Benefit:

Identify and describe if the Project will utilize a real property tax exemption benefit other than the Agency's PILOT benefit (485-a, 485-b, other):

IDA PILOT Benefit: Agency staff will indicate the estimated amount of PILOT Benefit based on estimated Project Costs as contained herein and anticipated tax rates and assessed valuation, including the annual PILOT Benefit abatement amount for each year of the PILOT benefit and the sum total of PILOT Benefit abatement amount for the term of the PILOT as depicted in the PILOT worksheet in the additional document section.

Percentage of Project Costs financed from Public Sector sources: Agency staff will calculate the percentage of Project Costs financed from Public Sector sources based upon the Sources of Funds for Project Costs as depicted above. The percentage of Project Costs financed from public sector sources will be depicted in the PILOT worksheet in the additional document section.

Is project necessary to expand project employment?

No

Is project necessary to retain existing employment?

No

Will project include leasing any equipment?

Yes

If yes, please describe equipment and lease terms.

Lifts, generators, and other construction equipment.

Employment Plan (Specific to the proposed project location)

The Labor Market Area consists of the following six counties: Erie, Niagara, Chautauqua, Cattaraugus, Wyoming and Genessee.

By statute, Agency staff must project the number of FTE jobs that would be retained and created if the request for Financial Assistance is granted. Agency staff will project such jobs over the TWO Year time period following Project completion. Agency staff converts PT jobs into FTE jobs by dividing the number of PT jobs by two (2).

	Current # of jobs at proposed project location or to be relocated at project location	If financial assistance is granted – project the number of FT and PT jobs to be retained	If financial assistance is granted – project the number of FT and PT jobs to be created upon 24 months (2 years) after Project completion	Estimate number of residents of the Labor Market Area in which the project is located that will fill the FT and PT jobs to be created upon 24 months (2 years) after project completion **
Full time	0	0	0	0
Part time	0	0	2	2
Total	0	0	2	

If you estimated new job growth over the next 2 years, please provide a short description of how those estimates were calculated (i.e. jobs per square foot, new contracts/increased revenues, etc.)

Based on projected needs for scope of the mixed-use project.

Salary and Fringe Benefits for Jobs to be Retained and Created

Job Categories	# of Full Time Employees retained and created	Average Salary for Full Time	Average Fringe Benefits for Full Time	# of Part Time Employees retained and created	Average Salary for Part Time	Average Fringe Benefits for Part Time
Management	0	\$ 0	\$ 0	1	\$ 35,000	\$ 0
Professional	0	\$ 0	\$ 0	0	\$ 0	\$ 0
Administrative	0	\$ 0	\$ 0	0	\$ 0	\$ 0
Production	0	\$ 0	\$ 0	0	\$ 0	\$ 0
Independent Contractor	0	\$ 0	\$ 0	0	\$ 0	\$ 0
Other	0	\$ 0	\$ 0	1	\$ 25,000	\$ 0
Total	0			2		

** Note that the Agency may utilize the foregoing employment projections, among other items, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to retain the number of jobs and create the number of jobs with respect to the Project as set forth in this Application.

No **By checking this box, I certify that the above information concerning the current number of jobs at the proposed project location or to be relocated to the proposed project location is true and correct.**

Employment at other locations in Erie County: (provide address and number of employees at each location):

Address	Full time	Part time	Total
	0	0	0
	0	0	0
	0	0	0

Payroll Information

Annual Payroll at Proposed Project Site upon completion

60,000

Estimated average annual salary of jobs to be retained (Full Time)

0

Estimated average annual salary of jobs to be retained (Part Time)

0

Estimated average annual salary of jobs to be created (Full Time)

0

Estimated average annual salary of jobs to be created (Part Time)

60,000

Estimated salary range of jobs to be created

From (Full Time) 0 **To (Full Time)** 0
From (Part Time) 25,000 **To (Part Time)** 35,000

Section III: Facility Type - Single or Multi Tenant

Is this a Single Use Facility or a Multi-Tenant Facility?

Multi-Tenant Facility

Multi-Tenant Facility (to be filled out by developer).

Please explain what market conditions support the construction of this multi-tenant facility

The Project Site is located close to the intersection of Main Street and Transit Road and is properly zoned General Business District ("GB") pursuant to Town of Amherst Zoning Map. The Project Site is located in a designated Enhancement Area. The Project Site is easily walkable to many amenities, including restaurants, places of employment, retail, etc. There is a trend towards office/retail and residential tenants being interested in being located in a mixed-use building that is walkable and close to amenities that are offered in the immediate vicinity of the Project Site. The proposed mixed-use project will replace an outdated retail plaza that exists on the Project Site that has existed for decades.

Have any tenant leases been entered into for this project?

No

If yes, please list below and provide square footage (and percent of total square footage) to be leased to tenant and NAICS Code for tenant and nature of business

Tenant Name	Current Address (city, state, # of sq ft and % of total to be occupied at new project site)	SIC or NAICS-also briefly describe type of business, products services, % of sales in Erie Co.
--------------------	--	---

*fill out table for each tenant and known future tenants

Section V: Retail Determination

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or to purchase services.

Please answer the following:

Will any portion of the project (including that portion of the costs to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?

No

If yes, complete the Retail Questionnaire Supplement below. **If no, proceed to the next section.**

Section VI: Adaptive Reuse Projects

Adaptive Reuse is the process of adapting old structures or sites for new purposes.

Are you applying for tax incentives under the Adaptive Reuse Program?

No

Section VII: Inter-Municipal Move Determination

The Agency is required by state law to make a determination that, if completion of a Project benefiting from Agency Financial Assistance results in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, Agency financial Assistance is required to prevent the project occupant from relocating out of the state, or is reasonably necessary to preserve the project occupant's competitive position in its respective industry.

Current Address

City/Town

State

Zip Code

Will the project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state?

No

Will the project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?

No

If Yes to either question, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:

Does this project involve relocation or consolidation of a project occupant from another municipality?

Within New York State

<BLANK>

Within Erie County

<BLANK>

If Yes to either question, please, explain

Will the project result in a relocation of an existing business operation from the City of Buffalo?

<BLANK>

If yes, please explain the factors which require the project occupant to relocate out of the City of Buffalo (For example, present site is not large enough, or owner will not renew leases etc.)

What are some of the key requirements the project occupant is looking for in a new site? (For example, minimum sq. ft., 12 foot ceilings, truck loading docs etc.)

If the project occupant is currently located in Erie County and will be moving to a different municipality within Erie County, has the project occupant attempted to find a suitable location within the municipality in which it is currently located?

<BLANK>

What factors have lead the project occupant to consider remaining or locating in Erie County?

If the current facility is to be abandoned, what is going to happen to the current facility that project occupant is located in?

Please provide a list of properties considered, and the reason they were not adequate. (Some examples include: site not large enough, layout was not appropriate, did not have adequate utility service, etc.) Please include full address for locations.

Section VIII: Senior Housing

IDA tax incentives may be granted to projects under the Agency's Senior Citizen Rental Housing policy when the project consists of a multi-family housing structure where at least 90% of the units are (or are intended to be) rented to and occupied by a person who is 60 years of age or older.

Are you applying for tax incentives under the Senior Rental Housing policy?

No

Section IX: Tax Exempt Bonds

In order to receive the benefits of a tax-exempt interest rate bond, private borrowers and their projects must be eligible under one of the federally recognized private active bond categories (Fed Internal Rev Code IRC sections 142-144, and 1394).

Are you applying for tax exempt bonds / refinancing of bonds related to a residential rental facility project?

No

Exhibit 1

EXHIBIT 1

NARRATIVE PROVIDING ADDITIONAL JUSTIFICATION FOR REQUESTED AMHERST IDA ASSISTANCE PROPOSED MIXED-USE REDEVELOPMENT PROJECT

I. Description of the Proposed Mixed Use Project:

The proposed mixed-use project ("action") is to be located on the approximately 2.2 acres consisting of the parcels 6812, 6814 & 6832 Main Street are zoned General Business District ("GB") and consists of an outdated one-story retail plaza building and the parcels at 29 and 37 Tennyson Terrace that are zoned Multifamily Residential District 5 ("MFR-5") [collectively the "Project Site"].

The proposed mixed-use project includes a proposed 5-story mixed-use building to be located along the Main Street frontage of the Project Site with 6,872 sq. ft. of 1st floor commercial space and 34 apartments (6 one-bedroom units and 28 two-bedroom units), including seven workforce housing units to be leased based on 80% of the annual AMI. The project includes all other site improvements including detached garage buildings, access aisles and parking spaces, landscaping, lighting, storm water management improvements and all required improvements.

The mixed-use redevelopment project also includes an off-site sanitary improvement as requested by the Town's Engineering Department consisting of a 35 linear foot sanitary connection of 8" PVC between an existing public sanitary manhole on the west side of Northhill Drive to an existing public sanitary manhole on the southern side of Sheridan Drive. This proposed sanitary sewer connection will alleviate capacity of the downstream Maple Road sewer allowing for adequate capacity in the sanitary sewer system for the proposed mixed-use redevelopment project.

The proposed mixed-use redevelopment project will not result in any potentially significant adverse environmental impacts. A completed Short Environmental Assessment Form prepared

pursuant to SEQRA is attached as **Exhibit “2”**. The Planning Board previously completed an environmental review of the mixed-use project, and a copy of the Negative Declaration issued by the Planning Board on May 16, 2024 is attached as **Exhibit “3”**.¹

A copy of the Site Plan [Drawing C-100] for the mixed-use project as approved by the Planning Board during its meeting on May 16, 2024 is attached as **Exhibit “5”**. A color building rendering prepared by Sutton Architecture PLLC provided at **Exhibit “6”**. A color copy of the PowerPoint presentation given during the public hearing held by the Planning Board on May 16, 2024 is attached as **Exhibit “7”**. All of the required project approvals from the Town municipal boards have been obtained.

II. The Mixed-Use Redevelopment Project is Eligible Pursuant to Countywide Industrial Development Agency Uniform Tax Exemption Policy:

The project is eligible for IDA incentives pursuant to the Countywide Industrial Development Agency Uniform Tax Exemption Policy (“UTEP”). The southern portion of the first floor of the mixed-use building consists of commercial space but the maximum amount of retail space will not exceed 13,500 sq. ft., thereby ensuring that the retail component of the mixed-use redevelopment project shall not exceed one-third of the project cost. The Project Site is also located in a designated 485-B Enhancement Area per the Map attached as **Exhibit “8”**.

III. The Project is Consistent with the Adopted Bicentennial Comprehensive Plan:

In connection with its decision granting Site Plan Approval for the mixed-use project on May 16, 2024, the Planning Board issued a finding that the mixed-use project is generally consistent with the policies of the Comprehensive Plan.

¹ The Town of Amherst Zoning Board of Appeals also issued Negative Declarations pursuant to SEQRA on December 19, 2023 and February 13, 2024. Copies of the Negative Declarations issued by the Zoning Board of Appeals are attached as **Exhibit “4”**.

Chapter 2 of the Comprehensive Plan is titled “Plan Concept” and includes the Vision Statement and Key Initiatives to achieve the Vision Statement. One of the four Key Initiatives is “Revitalization” of older neighborhoods and commercial areas through creative use of investment incentives. The text provides on Page 2-6 of the Comprehensive Plan specifically states that providing tax incentives for reinvestment, revitalization and redevelopment of commercial properties and housing in older areas of the Town is appropriate.

Chapter 3 of the Comprehensive Plan is titled “Land Use and Development” and the Goal for Land Use and Development as set forth on Page 3-4 is “An interconnected mix of land that includes revitalized older neighborhoods and commercial centers and corridors, quality new developments, vibrant activity centers, agriculture, and green spaces throughout the community.” One of the policies for implementing the above goal consists of “Expand provisions and incentives for mixed-use development of commercial centers.” On Page 3-4 of the Plan, there is specific mention of the mixed-use development consisting of ground level commercial space and residential units on the upper stories. It is also important to mention that within Chapter 3 of the Comprehensive Plan, there are numerous references to mixed-use being a preferred form of development and the resulting benefits of infill mixed-use development including active street frontage, compactness, parking being located behind buildings, creation of a pedestrian friendly environment, etc. The proposed mixed-use project encompasses all of the benefits of mixed-use development as described in Chapter 3 of the Comprehensive Plan.

Chapter 5 of the Comprehensive Plan is titled “Economic Development” and provides support for the IDA granting incentives for the proposed mixed-use project. Section 5.2 of the Comprehensive Plan sets forth the economic goal of the Town as including creation of a strong tax base and providing development in convenient and accessible locations. One of policies as set

forth on Page 5-3 of the Comprehensive Plan in implementing the Town’s economic goal and policies is as follows: “Target economic development policies, programs, capital expenditures, and incentives to attract and retain higher paying employment and promote desired forms and locations of development and redevelopment.”²

Mixed-use infill redevelopment projects are encouraged at suitable locations by the Comprehensive Plan as such the proposed mixed-use project at a location that has been designated as appropriate for mixed-use represents is a desired form of redevelopment. Policy 5-6 of the Comprehensive Plan consists of “[A]dopt commercial development standards for neighborhood compatibility with context sensitive design guidelines.”

The mixed-use project has deliberately designed based on consideration of neighborhood compatibility and this is reflected by the five-story mixed-use building being located along the Main Street frontage and the northernmost parcels consisting of Permanent Open Space to remain undeveloped.

IV. Conclusion:

The Applicant respectfully requests that the Board of Directors approve the requested incentives for the eligible mixed-use redevelopment project for the reasons described within the Application including this supporting narrative.

² See Policy 5-1 for Economic Development.

Exhibit 2

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

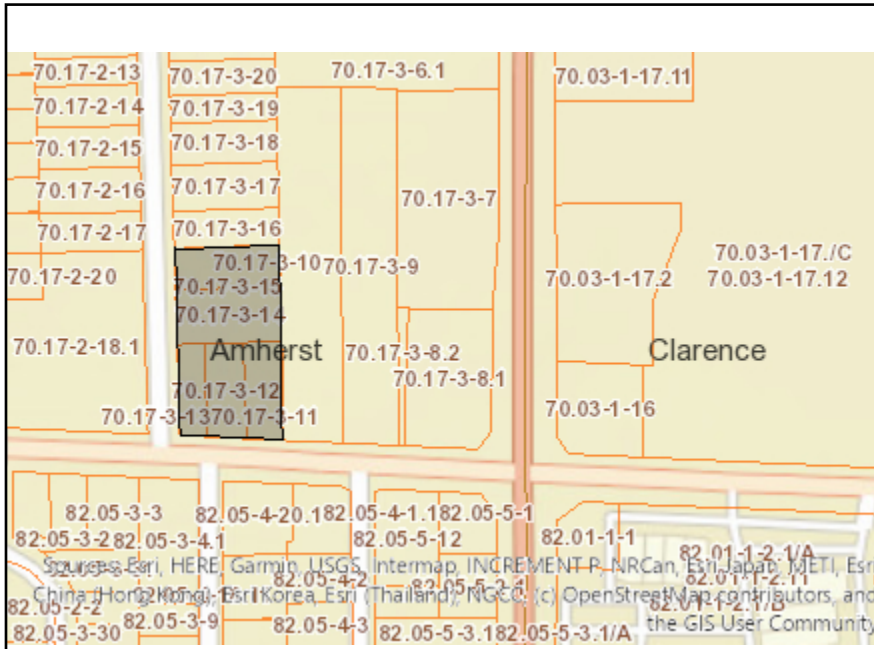
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
Check all land uses that occur on, adjoining near the proposed actio				
<input type="checkbox"/> Forest Rural (non-agriculture) Industrial Commercial Residential (suburban)				
<input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
a. Will the proposed action result in a substantial increase in traffic above present levels? Are public transportation services available at or near the site of the proposed action? Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable : _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
A copy of the No Impact Determination Letter issued by SHPO is provided at Attachment "A"	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest Agricultural/grasslands Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>
_____ _____		
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size	NO	YES
_____ _____	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
_____ _____	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been subject of remediation (ongoing completed) for hazardous waste? If Yes, describe:	NO	YES
_____ _____	<input type="checkbox"/>	<input type="checkbox"/>
<p>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: _____ Date: _____</p> <p>Signature: <u>Sean Hopkins</u> _____</p>		

EAF Mapper Summary Report



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

**Attachment A of Short Environmental
Assessment Form – SHPO No Impact
Determination Letter dated March 11, 2024**



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

KATHY HOCHUL
Governor

RANDY SIMONS
Commissioner Pro Tempore

March 11, 2024

Scott Marshall
Principal Planner
Town of Amherst
5583 Main Street
Williamsville, NY 14221

Re: DEC
Proposed Mixed Use "The Chuck"
6812 Main St, Town of Amherst, Erie County, NY
24PR02011

Dear Scott Marshall:

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,

A handwritten signature in black ink that reads "R. Daniel Mackay".

R. Daniel Mackay

Deputy Commissioner for Historic Preservation
Division for Historic Preservation

Exhibit 3



**SEQR
Negative Declaration**

MAY 23 2024 AM 9:37

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

Lead Agency:	Town of Amherst Planning Board	Project:	SP-2024-03
Address:	5583 Main Street Williamsville, NY 14221 (716) 631-7051	Date:	May 16, 2024

This notice is issued pursuant to Part 617 and Local Law #3-82, as amended, of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

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

SEQR Status: Unlisted Action

Description of Action: Demolition of an existing single-family home and an existing commercial building and construction of commercial/ apartment building consisting of 13,500 sf of commercial space and 34 residential apartments for lease. Work will include the site improvements not specifically stated above, including, stormwater, utilities, grading, lighting, paving, and landscaping.

Location: 6812, 6814 & 6832 Main Street and 29 & 37 Tennyson Terrace, Amherst, Erie County

Petitioner: 6812 Main Street, LLC

MAY 23 2024 AM 9:37

REASONS SUPPORTING THIS DETERMINATION

Based on information submitted by the applicant including a Full Environmental Assessment Form (EAF) - Part I, (as amended) and a complete site plan application, a preliminary staff analysis was undertaken. Compared to the criteria listed in Section 617.7, all indications are that this action will not have a significant impact on the environment, as follows:

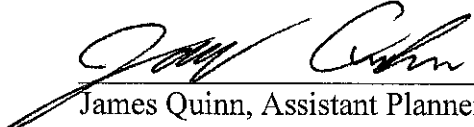
1. The project is not expected to cause a substantial adverse change in existing air quality, ground or surface water quality or quantity, or noise levels; a substantial increase in solid waste production; or a substantial increase in the potential for erosion, flooding, leaching or drainage problems. The Engineering Service Division on May 2, 2024 reviewed the Engineer's Report submitted on March 25, 2024 prepared by Carmina Woods Design. The Stormwater Pollution Prevention Plan (SWPPP) submitted on March 25, 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 and has no objection to its approval.
2. The project will not result in 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. The Planning Department reviewed a Landscape Plan submitted on April 26, 2024 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 is consistent with the objectives and goals of the Town Comprehensive Plan.
4. The project is within an area identified by the State as having potential archaeological or historical significance. The NYS Office of Parks, Recreation and Historic Preservation has reviewed the project and, as stated in their letter of March 11, 2024, determined that there will be no impact on these resources.
5. The project will not impair the character or quality of important aesthetic resources or of existing community or neighborhood character. The project is located in the General Business District (GB) and Multifamily Residential District 5 (MFR-5) zoning districts; neighboring uses are mix of commercial, business and residential uses and zoned GB, Deep Corridor 5 District, and MFR-5; therefore, the project is consistent with surrounding land use.
6. The proposed subject development will include demolition of an existing single-family home and an existing commercial building and the construction of commercial/apartment building consisting of 13,500 sq. ft. of commercial space and 34 residential apartments the development will not cause a major change in the use of either the quantity or type of energy.

MAY 23 2024 AM 9:37

7. The project will not create any hazard to human health.
8. The project 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 34 residences and 13,500 sq. ft. of commercial space will be consistent with the scale and use of surrounding land.
9. The function of the proposed commercial apartment building will increase the number of people using the site over its previous level of use, but is not anticipated to result in a significant adverse impact.
10. Review by the Town Traffic/Safety Board dated April 4, 2024, and NYSDOT dated April 26, 2024 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, Highway on May 6, 2024, Assessor on April 3, 2024, Plumbing Division on April 2, 2024, and Right-of-Way Agent on April 10, 2024 along with outside agencies including the New York State Department of Transportation on April 26, 2024, and the New York State Office of Parks, Recreation and Historic Preservation on March 11, 2024. 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: Raffaele; Seconded by: Kahn; Ayes 5; Noes 0; Absent 2 (Davis, Giuliani)



James Quinn, Assistant Planner

5-21-2024
Date



Michael J. Chmiel, Planning Board Chair

5/23/24
Date

Negative Declaration SP-2024-03

May 16, 2024

Page 4

MAY 23 2024 AM 9:37

JQ/ac

X:\Current_Planning\Files\Site Plans\2024\SP-2024-03_(6812_6814_&_6832_Main St)_2024\SP-2024-03_Blurb_051624.doc

cc: Commissioner of Building

Town Engineer

Fire Chiefs'

Highway

Traffic/Safety

ECDEP

NYSDOT

6812 Main Street, LLC, c/o Sean Hopkins, Esq., 5500 Main St., Suite 343, Williamsville, NY 14221

Patrick Sheedy, Carmina Wood Design, 487 Main Street #500, Buffalo, NY 14203

Exhibit 4



Brian J. Kulpa
Supervisor

Daniel C. Howard, AICP
Planning Director

Daniel J. Ulatowski, AICP
Assistant Planning Director

SEQR

NEGATIVE DECLARATION

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

Lead Agency: Town of Amherst
Zoning Board of Appeals

Action: Area Variance

Address: 5583 Main Street
Williamsville, NY 14221
(716) 631-7051

Date: December 19, 2023

This notice is issued pursuant to Part 617 and Local Law #3-82, as amended, of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

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

Title of Action: Area Variance

SEQR Status: Unlisted action

Description of Action: Granting area variances parking percentage and access drive limits.

Location: 6812, 6814 & 6832 Main Street, Town of Amherst, Erie County, New York

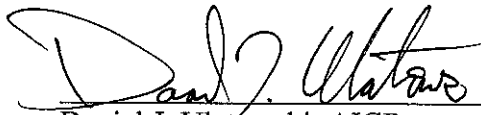
Petitioner: 6812 Main Street, LLC

Reasons Supporting This Determination

Based on information submitted by the applicant, including a complete ZBA application, Short Environmental Assessment Form and supporting documentation, a preliminary staff analysis was undertaken. Compared to the criteria listed in Section 617.7, all indications are that the proposed request will not have a significant impact on the environment, as follows:

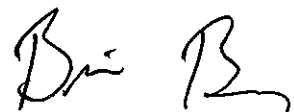
1. The action is not expected to cause a substantial adverse change in existing air quality, ground or surface water quality or quantity; a substantial increase in solid waste production; or a substantial increase in the potential for erosion, flooding, leaching or drainage problems. The NYS storm water drainage requirements for both quality and quantity, will be met at time of site plan approval, thus minimizing any impacts associated with flooding, erosion, leaching and drainage. Significant changes in existing air quality are not anticipated.
2. The action will not result in 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. The site is currently improved with a commercial retail building and a single-family dwelling. The site is not known to contain protected wildlife species or habitat.
3. The proposed mixed-use building is consistent with the community's current comprehensive plan. The premises is currently zoned GB- General Business and MFR-5, which permits mixed-use buildings and multifamily residences.
4. The site 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 will be solicited for its comments pursuant to a pending site plan application. No site disturbances will occur until such time that such state agency provides the Town of Amherst with a letter of no impact/concern.
5. The action will not impair the character or quality of important aesthetic resources, or existing community or neighborhood character. The site is adjacent to an existing retail plaza and mixed-use building similar to what is being proposed.
6. The action will not cause a significant change in the use or the quantity of energy.
7. Potential hazards to human health are not anticipated.

8. The action is will change the intensity of the land use on this site from its current use as a retail plaza and single-family dwelling building.
9. The action is not anticipated to significantly increase the number of people using the site over its current level of use.
10. Significant negative traffic impacts are not expected to result from the proposed action. During site plan review traffic impacts will be evaluated and the project will be coordinated with the NYSDOT. Any required mitigation will be required as part of a future site plan approval application.
11. 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 be causing significant negative environmental impacts.



Daniel J. Ulatowski, AICP
Principal Planner/ZEO

12/19/2023
date



Zoning Board, Chairperson

2/27/24
date

DU/du
X:\ZBA\ZBA REVIEWS\SEQR NEG Dec attachments\5226_5228 Main Street_area variance_12_19_2023.docx
cc: Amherst Town Clerk
Amherst Building Department
Erie County DEP
Sean Hopkins, Esq.



SEQR

NEGATIVE DECLARATION

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

Lead Agency: Town of Amherst
Zoning Board of Appeals

Action: Special Use Permit

Address: 5583 Main Street
Williamsville, NY 14221
(716) 631-7051

Date: February 13, 2024

This notice is issued pursuant to Part 617 and Local Law #3-82, as amended, of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

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

Title of Action: Special Use Permit

SEQR Status: Unlisted action

Description of Action: Granting a Special Use Permit for an accessory parking lot within a multifamily residential zoning district.

Location: 29 Tennyson Terrace, Town of Amherst, Erie County, New York

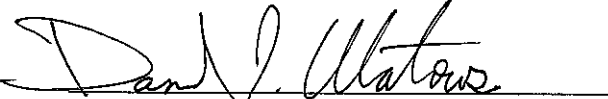
Petitioner: 6812 Main Street, LLC

Reasons Supporting This Determination

Based on information submitted by the applicant, including a complete ZBA application, Short Environmental Assessment Form and supporting documentation, a preliminary staff analysis was undertaken. Compared to the criteria listed in Section 617.7, all indications are that the proposed request will not have a significant impact on the environment, as follows:

1. The action is not expected to cause a substantial adverse change in existing air quality, ground or surface water quality or quantity; a substantial increase in solid waste production; or a substantial increase in the potential for erosion, flooding, leaching or drainage problems. The NYS storm water drainage requirements for both quality and quantity, will be met at time of site plan approval, thus minimizing any impacts associated with flooding, erosion, leaching and drainage. Significant changes in existing air quality are not anticipated.
2. The action will not result in 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. The site is currently unimproved residential vacant land. The site is not known to contain protected wildlife species or habitat.
3. The proposed accessory parking lot, accessory to a proposed mixed-use building is consistent with the community's current comprehensive plan. The premises is currently zoned MFR-5, which permits multifamily residences. The proposed mixed-use building on the southerly adjacent lands, zoned GB- General Business will be for multifamily apartments with ground floor commercial uses.
4. The site 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 will be solicited for its comments pursuant to a pending site plan application. No site disturbances will occur until such time that such state agency provides the Town of Amherst with a letter of no impact/concern.
5. The action will not impair the character or quality of important aesthetic resources, or existing community or neighborhood character. The site is adjacent to an existing retail plaza and mixed-use building similar to what is being proposed. The developer has committed to a protective covenant, restricting the northerly adjacent 90 feet of lands to open/green space with no buildings.
6. The action will not cause a significant change in the use or the quantity of energy.
7. Potential hazards to human health are not anticipated.

8. The action is will change the intensity of the land use on this site from its current use as a undeveloped residential parcel.
9. The action will increase the number of people using the site over its current level of use.
10. Significant negative traffic impacts are not expected to result from the proposed action. During site plan review traffic impacts will be evaluated and the project will be coordinated with the NYSDOT. Any required mitigation will be required as part of a future site plan approval application.
11. 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 be causing significant negative environmental impacts.


Daniel J. Ulatowski, AICP
Principal Planner/ZEO

2/13/2024
date


Brian Bray, ZBA Chairperson

2/27/24
date

DU/du

X:\ZBA\ZBA REVIEWS\SEQR NEG Dec attachments\29 Tennyson Terrace_SUP restricted parking lot_02_13_2024.docx

cc: Amherst Town Clerk
Amherst Building Department
Erie County DEP
Sean Hopkins, Esq.

Exhibit 5

Site Data	
SITE AREA = 2.2 AC (TOTAL)	
ZONED: G1 (GENERAL BUSINESS) & MFR-5	
USE: PROPOSED 4-5 STORY MIXED USE BUILDING	
SETBACKS - BUILDING	PROVIDED
FRONT	30 FT.
FRONT (FROM L. OF MAIN STREET)	5 FT. MIN. * 69.4 FT. **
SIDE	25 FT.
REAR	25 FT.
ACCESSORY STRUCT.	N/A
	25.0 FT.
SETBACKS - PARKING	REQUIRED
FRONT	10 FT.
SIDE	5 FT.
REAR	5 FT.
TOTAL VEHICLE SPACES	117
GREENSPACE	108 (0.10 AC)
INTERIOR PARKING GREENSPACE	N/A
OVERALL:	38.66 (0.35 AC)
MAX. BUILDING HEIGHT	65

* VARIANCE REQUIRED
** GRANTED 12/19/23

PARKING CALCULATION (per Section 203-71-6A)

APARTMENTS
2 spaces per dwelling = 2 x 34 units = 68 spaces

COMMERCIAL
OFFICE: 1 space per 200 SF = 4,000 SF / 200 = 20 spaces
RETAIL: 1 space per 1,000 SF = 5,000 SF / 1,000 = 5 spaces
RESTAURANT: 1 space per 3 seats = 72 seats / 3 = 24 spaces

TOTAL REQD = 68 + 20 + 5 + 24 = 117 SPACES REQD

Mixed Use Project
6812-6832 Main Street & 29, 37 Tennyson Terrace
Amherst, NY

No.	Description	Date
1	Rev. per Town comments	4/12/24
2	Rev. per Town comments	4/26/24
3	Building shifted 5' west	6/3/24
4	Ground sign & transformer added	8/7/24

REVISIONS:

SITE NOTES:

- ALL RAUO SHALL BE 3'-0" UNLESS OTHERWISE NOTED.
- ALL DISTURBED AREAS SHALL HAVE 4" MIN. OF TOPSOIL AND SEED.
- ALL DIMENSIONS FROM PROPERTY LINES SHALL BE MEASURED PERPENDICULAR TO THE PROPERTY LINE.
- CENTER ENTRANCE SIDEWALKS ON DOOR OPENINGS.
- BUILDING DIMENSIONS ARE APPROXIMATE. REFER TO ARCHITECTURAL DRAWINGS FOR LAYOUT DIMENSIONS.
- ALL HANDICAP RAMPS (NOT WITHIN THE VISUOT R.O.W.) AND CURB SIDEWALKS FLUSH TO PAVEMENT SHALL HAVE ADA COMPLIANT TACTILE WARNING STRIPS WHERE ENTERING PARKING AREAS/DREPPWAYS. SIDEWALKS FLUSH TO PAVEMENT WITHIN THE VISUOT R.O.W. SHALL ADHERE TO THE ADA AND DESIGN REGULATIONS AS STATED ON VISUOT STANDARD SHEET 100941.

GENERAL NOTES:

- INSTALL ALL MATERIALS TO MANUFACTURER'S RECOMMENDATIONS AND BEST STANDARDS OF TRADE INVOLVED.
- SUBSTITUTIONS SHALL BE MADE ONLY WITH OWNER'S APPROVAL AND BE OF EQUIVALENT QUALITY TO WHAT IS SPECIFIED.
- WORK SHALL BE COMPLETED IN STRICT ACCORDANCE WITH ALL LOCAL CODES AND OSHA SAFETY RULES AND REGULATIONS.
- VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS AT THE SITE. NOTIFY OWNER & ENGINEER OF DISCREPANCIES IN CONDITIONS SHOWN ON DRAWINGS PRIOR TO PROCEEDING WITH THE WORK.
- CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTION OF ANY EXISTING STRUCTURES TO REMAIN AND ANY FINISH MATERIAL INSTALLED WHILE WORKING ON OTHER COMPONENTS.
- SATISFACTION OF OWNER.
- CONTRACTOR SHALL ASCERTAIN THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION SO THAT THE WORK WILL NOT DISTURB EXISTING LINES AND/OR INSTALLATIONS. COORDINATE ALL WORK WITH THE APPLICABLE UTILITY COMPANIES.
- ALL OTHER PERMITS REQUIRED BY STATE OF NEW YORK, COUNTY OF EBE, AND TOWN OF AMHERST ARE THE RESPONSIBILITY OF THE CONTRACTOR/DEVELOPER/OWNER.
- EXISTING CURB AND REMOVAL OF EXISTING ENTRANCE SHALL BE SAW CUT FULL DEPTH AND REPLET WITH FRESH ASPHALT. ALL EXISTING PAVEMENT SHALL NOT BE DISTURBED AND THE EXISTING EDGE SHALL BE USED AS FORM FOR PLACING NEW CURB.
- SANITARY SEWER EASMENTS SHOWN ARE APPROXIMATE BASED ON RECORD PLANS PROVIDED BY TOWN OF AMHERST ENGINEERING DEPARTMENT. SUPERVISOR TO VERIFY LOCATION PRIOR TO CONSTRUCTION.

DRAWING NAME:
Site Plan

Date: 3/25/24
Drawn By: P. Sheehy
Scale: As Noted

DRAWING NO.:

C-100

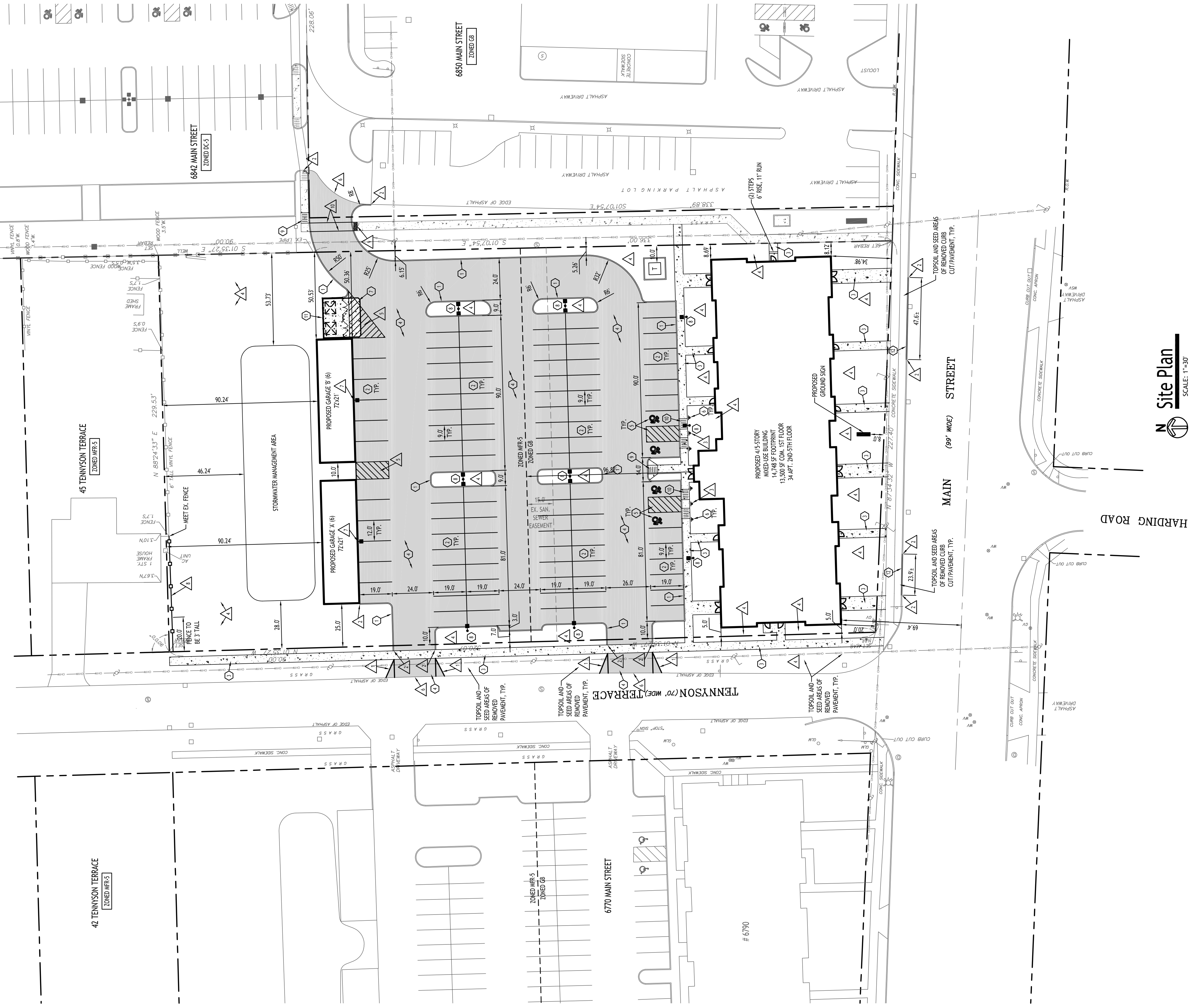
Project No: 24-406

NOTE LEGEND

- ▲ EDGE OF PAVEMENT
- ▲ BUILTUP CURB 6" OR MATCH EXISTING CURB
- ▲ CONCRETE SIDEWALK 6" W/ T.C.D. SPACING @ 1'-0"
- ▲ STANDARD UTILITY ASPHALT
- ▲ LANDSCAPED AREA - SEE LANDSCAPE PLAN. IF NO PLANTING, INSTALL TOPSOIL & SEED
- ▲ UNPAVED PARKING SLO
- ▲ EXTERIOR CONCRETE CURB ON GRADE
- ▲ EXTERIOR CONCRETE CURB RAMP
- ▲ 4" W/ WHITE PAINT STRIP @ 6" R.T.C. INTEL AREAS SHOWN
- ▲ WALL FACILITY. REFER TO LIGHTING PLAN P-100
- ▲ 4" W/ WHITE PAINT STRIP
- ▲ DETECTABLE WARNING STRIP
- ▲ 4" W/ WHITE PAINT STRIP FOR CROSSWALK

DETAIL LEGEND

- TYPE 'X' CONCRETE CURB
- W/ PARKING STALL
- CONCRETE SIDEWALK 6" W/ T.C.D. SPACING @ 1'-0"
- STANDARD UTILITY ASPHALT
- UNPAVED PARKING SLO
- EXTERIOR CONCRETE CURB ON GRADE
- EXTERIOR CONCRETE CURB RAMP
- 4" W/ WHITE PAINT STRIP @ 6" R.T.C. INTEL AREAS SHOWN
- WALL FACILITY. REFER TO LIGHTING PLAN P-100
- 4" W/ WHITE PAINT STRIP
- DETECTABLE WARNING STRIP
- 4" W/ WHITE PAINT STRIP FOR CROSSWALK



N Site Plan
SCALE: 1" = 30'

All rights reserved. Reuse of these documents without the expressed written permission of CARMINWOOD DESIGN is prohibited. WARNING: This is a violation of article 15 of the State of New York Education Law for any person, unless acting under the direction of a licensed architect, licensed engineer or land surveyor to alter this drawing. If altered such R.A., P.E. or L.S. shall affix their or her seal, signature, the date, the location altered by, and a specific description of the alteration.

Exhibit 6

AGENDA ITEM #3– Site Plan

Proposed Commercial / Apartment Building

Address: 6812, 6814, & 6832 Main Street and 29 & 37
Tennyson Terrace

Petitioner: 6812 Main Street LLC
(SP-2024-03)

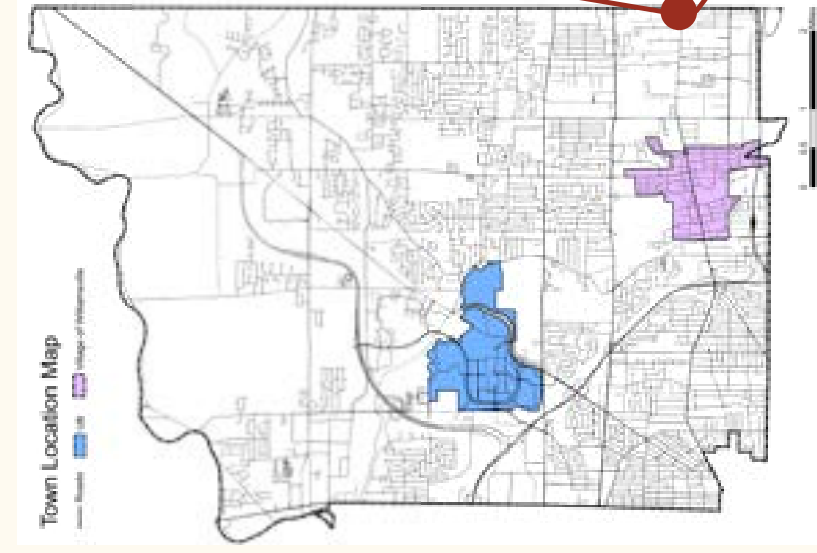


Location:

- Northeast corner of the intersection of Main Street and Tennyson Terrace, approximately 506 feet west of Transit Road.

Current Zoning:

- General Business District (GB)
- Multifamily Residential District Five (MFR-5)



Existing Development:

- The subject parcels along Main Street are currently occupied by a 18,500 sq ft commercial building. The subject parcels along Tennyson Terrace are a vacant lot and a single-family home.

Development Size:

- 2.2 ± acres
- 227.4 ± feet of frontage on Main Street
- 410.07 ± feet of frontage on Tennyson Terrace

Neighboring Uses:

- North: Single Family Residential
- South: Office/Retail and Motor Service
- East: Shopping Center
- West: Mixed Use

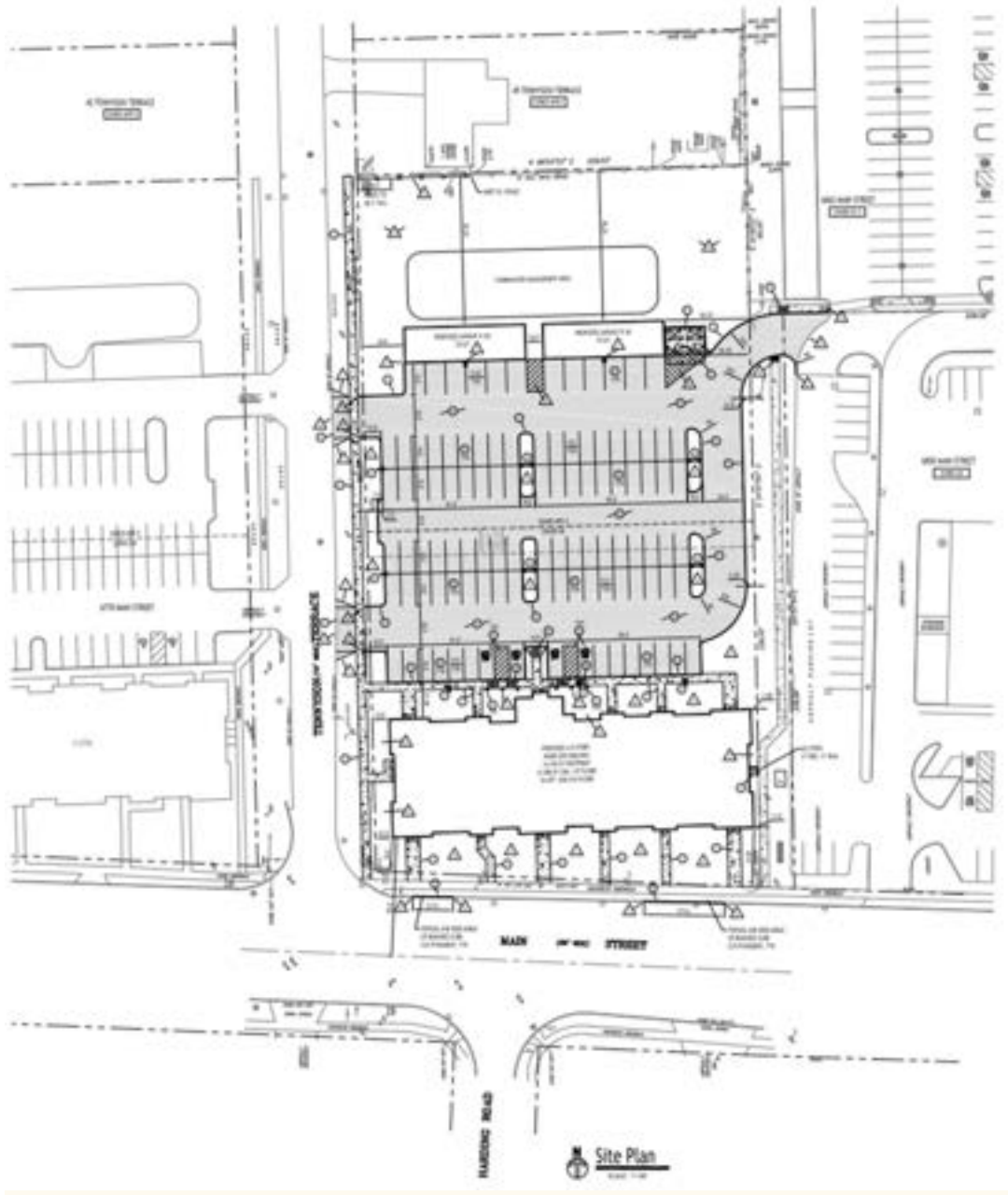


Project Description

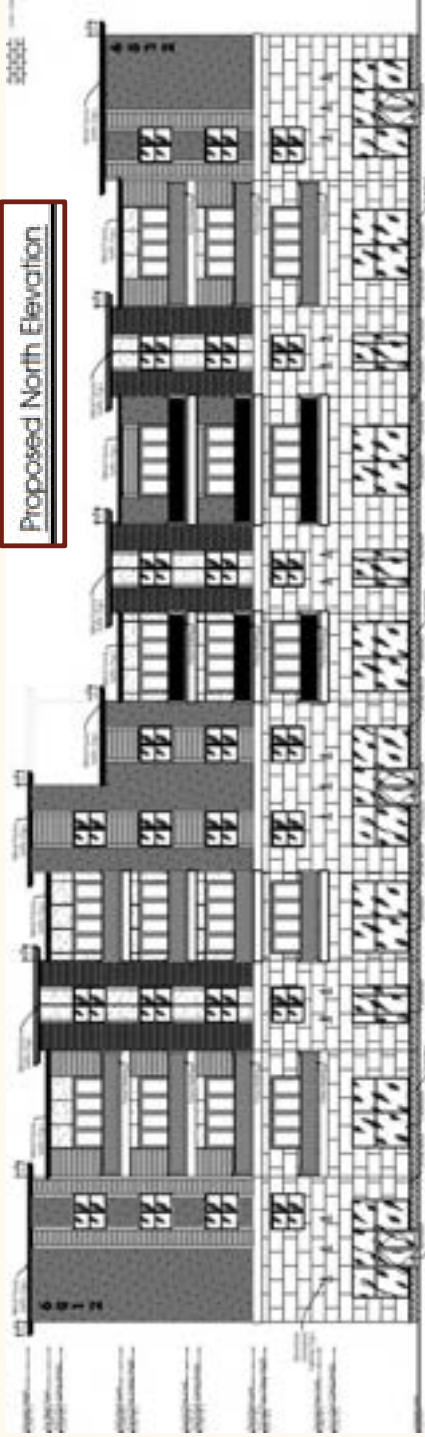
- Demolition of an existing single-family home and an existing commercial building and construction of a commercial/ apartment building consisting of 13,500 sf of commercial space and 34 residential apartments for lease.



Site Plan



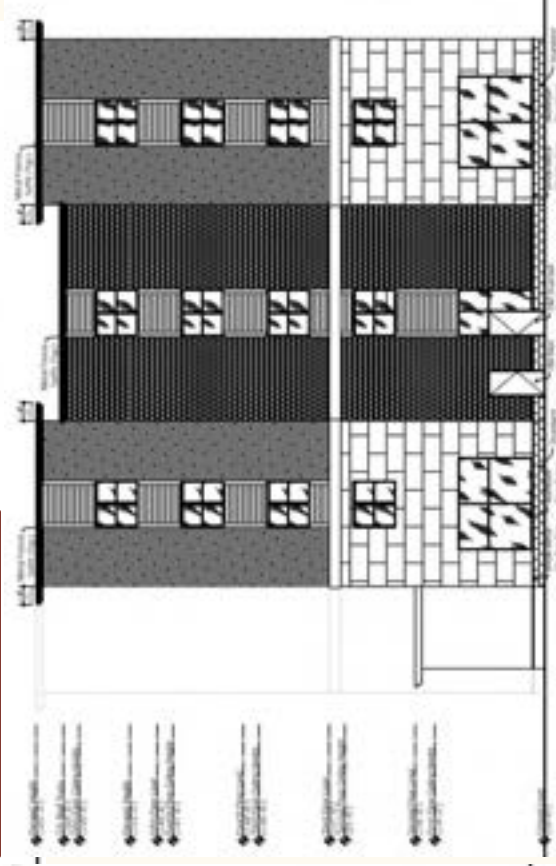
Elevations



Proposed East Elevation



Proposed West Elevation



PROJECT SITE AND SURROUNDING VICINITY:

Zoning Classifications of Project Site:

- Parcels at 6812, 6814 & 6832 Main Street are zoned General Business District and consist of an outdated strip plaza building.
- Parcels at 29 and 37 Tennyson Terrace consist of single-family homes zoned Multifamily Residential District 5 (“MFR-5”)

Size of Project Site: 2.2 acres

Neighboring Uses:

- Properties to east and south are office and commercial buildings on property zoned General Business District (“GB”)
- Properties to the north are single family homes on properties zoned Multi-Family Residential District Five (“MFR-5”) located on Tennyson Terrace
- Close proximity to the Applicant’s recent mixed-use projects to the west at 6770 & 6790 Main Street and mixed-use project under construction at 6842 Main Street.

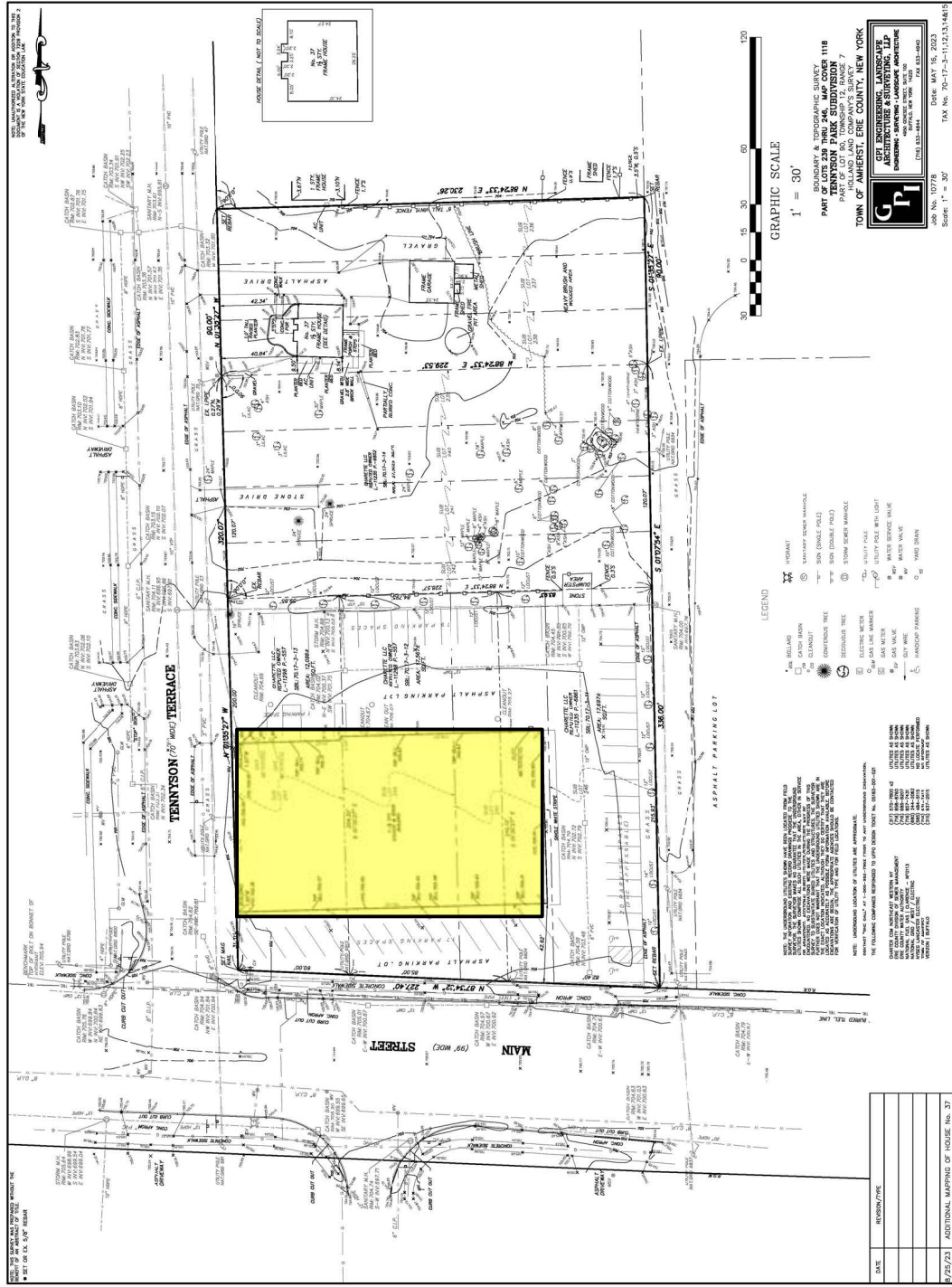


PROJECT SITE AND SURROUNDING VICINITY:





Survey of Project Site:

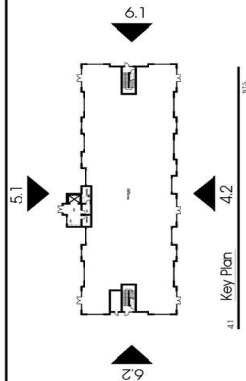


37 Tennyson Terrace – Permanent Open Space:

- The Zoning Board of Appeals previously granted area variances for the mixed-use project on December 19, 2023 and on February 13, 2024 and issued a Special Use Permit for parking on the MFR-5 zoned portion of the Project Site.
- Condition imposed by the Zoning Board of Appeals stated as follows: “That the northern 90 feet of the development site be subject to a declaration of restrictions limiting any construction of buildings as presented in the developer’s conceptual plan, and that a draft declaration of restrictions be provided to the Town Attorney and the Zoning Enforcement Officer for review and approval before filing in the Erie County Clerk’s Office.
- Declaration of Restrictions recorded at the Erie County Clerk’s Office on March 28, 2024

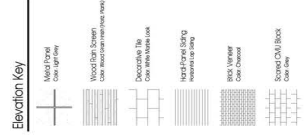


ELEVATION PLAN – NORTH SIDE:



Transparency Chart
 All windows shall be clear glass. The transparency of the facade shall be determined by the percentage of glass area on the facade. The transparency of the facade shall be determined by the percentage of glass area on the facade. The transparency of the facade shall be determined by the percentage of glass area on the facade.

Tennison Terrace Facade (First Floor)
 Transparency % = 41.8%



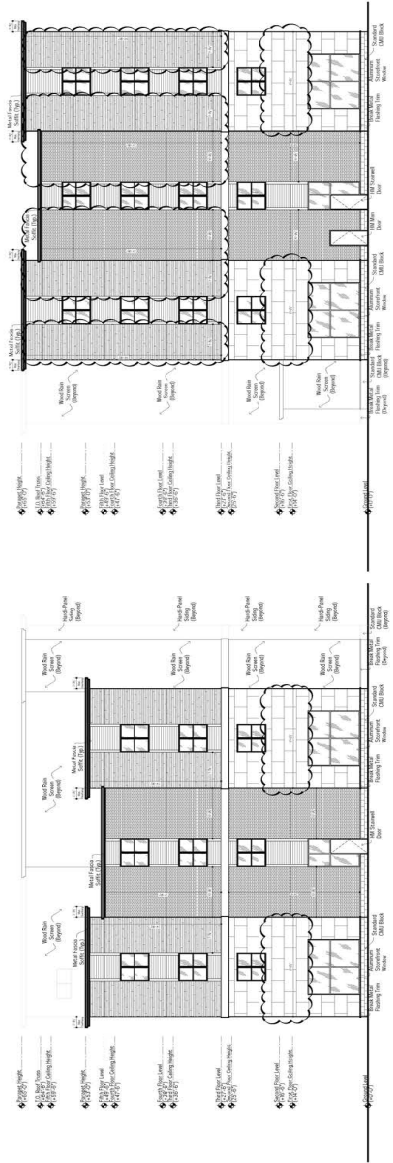
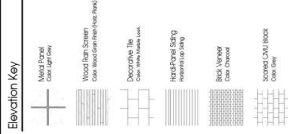
4.2 Proposed North Elevation

"The Chuck"
 Proposed New Build For:
 Bliss Construction
 6812-6832 Main St. at Tennyson
 Williamsville NY, 14221



ELEVATION PLAN – EAST AND WEST SIDES:

Transparency Chart
 As Per Chapter 205.4-2.10, "Structural Display Windows" Of Town of Arden, Zoning Code:
 The maximum percentage of facade area of any portion of facade facing a public right-of-way. This requirement shall not apply to more than three stories above the ground level.
Main St. Facade (First Floor)
 Total s.f. = 2,675 s.f.
 Transparent s.f. = 1,120 s.f.
 Transparency % = 41.8%
Tennyson Terrace Facade (First Floor)
 Total s.f. = 238 s.f.
 Transparent s.f. = 27 s.f.
 Transparency % = 11.3%



6.1 Proposed East Elevation

6.2 Proposed West Elevation

**"The Chuck"
 Proposed New Build For:
 Bliss Construction
 6812-6832 Main St. at Tennyson
 Williamsville NY, 14221**



**Color Rendering for
Proposed Mixed-Use
Building:**



**Color Rendering for
Proposed Mixed-Use
Building:**



Reviews by Town Departments and Committees:

- May 15, 2024 - Fire Chiefs Association
- May 10, 2024 - Engineering Department (SWPPP)
- May 7, 2024 - Planning, Zoning, and Landscape Architect
- May 7, 2024 - Engineering Department (SWPPP)
- May 2, 2024 - Engineering Department (Sanitary)
- April 4, 2024 - Traffic Safety Board
- April 2, 2024 - Building Department (Plumbing)
- April 1, 2024 - Building Department

State Environmental Quality Review Act (“SEORA”):

- Unlisted Action – Part 1 of Full Environmental Assessment Form included with the Site Plan Application
- Coordinated environmental review – Lead Agency Solicitation Letter issued on March 27, 2024
- No Impact Determination Letter issued by SHPO on March 11, 2024
- Project designed to comply with technical standards for stormwater management
- The project will not result in any potentially significant adverse environmental impacts



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

KATHY HOCHUL
Governor

RANDY SIMONS
Commissioner Pro Tempore

March 11, 2024

Scott Marshall
Principal Planner
Town of Amherst
5583 Main Street
Williamsville, NY 14221

Re: DEC
Proposed Mixed Use "The Chuck"
6812 Main St, Town of Amherst, Erie County, NY
24PR02011

Dear Scott Marshall:

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,

A handwritten signature in black ink that reads "R. Daniel Mackay". The signature is written in a cursive style.

R. Daniel Mackay
Deputy Commissioner for Historic Preservation
Division for Historic Preservation

New York State Office of Parks, Recreation and Historic Preservation
Division for Historic Preservation, 600 Albany Plaza, PO Box 188, Valhalla, New York 12585-0188
(914) 237-8643 • <https://parks.ny.gov/shpo>

CONCLUSION:

- Requesting the issuance of a Negative Declaration and approval of the Site Plan subject to conditions.
- Questions.

Exhibit 7



Exhibit 8

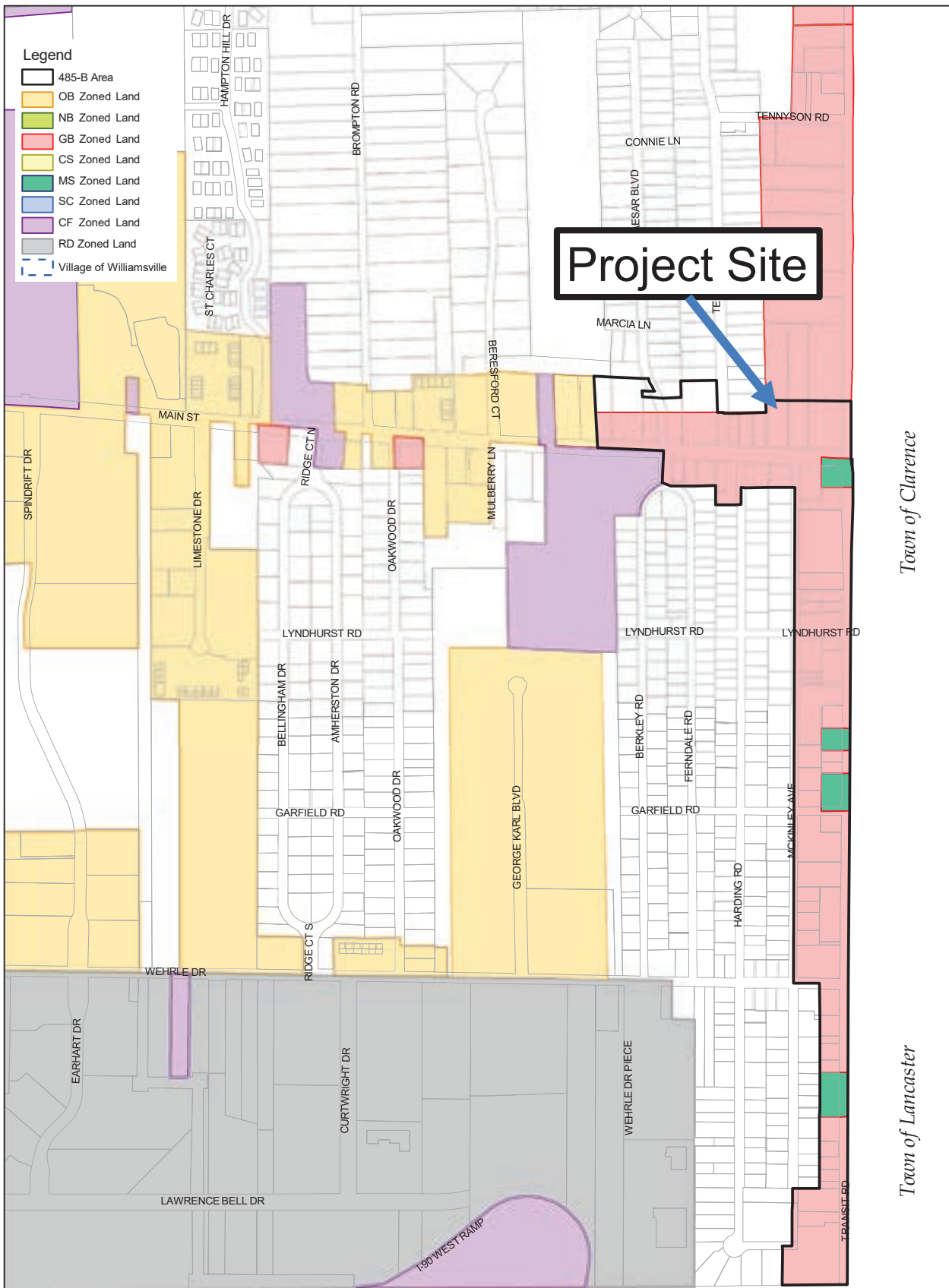


Figure 11

**485-B Enhancement Area
Transit Road**

Prepared by the Town of Amherst Planning Department

Adopted
October 17, 2011

