

LOCAL LAW NO. 9-2023

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 TO REZONE 5226 & 5228 MAIN STREET FROM GB TO TI-4 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, to Rezone 5226 & 5228 Main Street from GB to TI-4 and to Amend The Zoning Map Accordingly".

Section 2. Legislative Findings and Intent.

The Town Board of the Town of Amherst finds that an application to Rezone 5226 & 5228 Main Street from GB to TI-4 and to Amend The Zoning Map Accordingly 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.

The Town Board hereby amends its zoning map which is incorporated by reference in the Town zoning code by amending from GB to TI-4 the zoning classification of 5226 & 5228 Main Street, **subject to any conditions imposed by the authorizing resolution**; legally described as follows:

PARCEL A - 5226 Main Street (S/B/L No. 80.08-7-9):

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 No. 8, Township 12, Range 7 of the Holland Land Company's Survey and bounded and described as follows:

BEGINNING at a point in the northerly line of Main Street, 270.78 feet easterly from its intersection with the west line of Lot No. 8 before mentioned;

THENCE northerly, at right angles to said Main Street, 453.42 feet;

THENCE easterly, at right angles, 40.95 feet to lands owned by the Lehigh Valley Railroad Company;

THENCE southeasterly, along said lands 24.8 feet;

THENCE southerly, on a line at right angles to Main Street, 434.00 feet to the northerly line of Main Street;

THENCE westerly, along said last mentioned line, 56.50 feet to the place of beginning.

PARCEL B - 5228 Main Street (S/B/L No. 80.08-7-10):

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 No. 8, Township 12, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the northerly line of Main Street distant 330.98 feet easterly from the southwest corner of said Lot No. 8, as measured along said northerly line of Main Street; running

THENCE northerly, at right angles to the said northerly line of Main Street, 434.00 feet to lands owned by the Lehigh Valley Railroad Company;

THENCE southeasterly, along the southwest line of said lands of the Lehigh Valley Railroad Company, about 87.55 feet to its intersection with a line drawn at right angles to the northerly line of Main Street from a point therein which is distant 53.80 feet easterly from the place of beginning;

THENCE southerly, on said line drawn at right angles to the northerly line of Main Street, about 360.00 feet to the northerly line of Main Street;

THENCE westerly, along the northerly line of Main Street 53.80 feet to the place of beginning.

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**

Adopted: September 5, 2023