

# LOCAL LAW NO. 10-2023

## 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 1501-1551 NIAGARA FALLS BOULEVARD FROM DC-3 to SC 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 the Town of Amherst Code, Known As The Zoning Ordinance, to Rezone 1501-1551 Niagara Falls Blvd. from DC-3 to SC 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 1501-1551 Niagara Falls Blvd. from DC-3 to SC zoning has been filed and is in proper order. The Town Board further finds that 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 DC-3 to SC the zoning of 1501-1551 Niagara Falls Blvd., subject to any conditions imposed by the authorizing resolution; legally described as follows:

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. 85, Township 12, Range 7 of the Holland Land Company's Survey, and being more particularly bounded and described as follows:

Beginning at the intersection of the easterly right-of-way line of Niagara Falls Boulevard (100' R.O.W.) and the southerly right-of-way line of Romney Road (66' R.O.W.); thence

1. Easterly, and along said southerly right-of-way line of Romney Road, a distance of 837.30 feet to a point; thence

2. Southerly, forming an interior angle of  $90^{\circ}00'00''$ , a distance of 78.01 feet to a point; thence
3. Easterly, forming an exterior angle of  $89^{\circ}42'52''$ , a distance of 40.00 feet to a point; thence
4. Southerly, forming an interior angle of  $89^{\circ}42'52''$ , a distance of 306.00 feet to a point; thence
5. Westerly, forming an interior angle of  $90^{\circ}17'08''$ , a distance of 40.00 feet to a point; thence
6. Southerly, forming an exterior angle of  $90^{\circ}17'08''$ , a distance of 276.23 feet to a point; thence
7. Easterly, forming an exterior angle of  $89^{\circ}42'52''$ , a distance of 13.75 feet to a point; thence
8. Southerly, forming an interior angle of  $89^{\circ}42'52''$ , a distance of 28.00 feet to a point; thence
9. Westerly, forming an interior angle of  $90^{\circ}17'08''$ , a distance of 13.75 feet to a point; thence
10. Southerly, forming an exterior angle of  $90^{\circ}17'08''$ , a distance of 28.76 feet to a point; thence
11. Westerly, forming an interior angle of  $90^{\circ}00'00''$ , a distance of 849.30 feet to a point along the easterly right-of-way line of Niagara Falls Boulevard; thence
12. Northerly, and along the easterly right-of-way line of Niagara Falls Boulevard, forming an interior angle of  $90^{\circ}00'00''$ , a distance of 469.86 feet to an angle point; thence
13. Northerly, and continuing along the easterly right-of-way line of Niagara Falls Boulevard, forming an interior angle of  $173^{\circ}10'00''$ , a distance of 100.86 feet to an angle point; thence
14. Northerly, and continuing along the easterly right-of-way line of Niagara Falls Boulevard, forming an exterior angle of  $173^{\circ}10'00''$ , a distance of 147.00 feet to the point of beginning. Containing 14.215 acres of land.

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 the 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 immediate 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