



**TOWN OF AURORA  
OPEN DEVELOPMENT AREA APPLICATION**

To Be Completed By Applicant

**PETITIONER:** Name: WILLIAM A. HEIDT  
Address: 316 BEHM ROAD  
WEST FALLS NY 14170  
City State Zip  
Phone: 716 861 1485 Fax: \_\_\_\_\_  
E-Mail: WHEIDT23@GMAIL.COM

**PROPERTY OWNER** (if different from petitioner):

Name: MICHAEL D. FARRELL JR. & REGINA A. FARRELL  
Address: 1034 SWEET ROAD Ph. No. 716 553-5000  
EAST AURORA, NY 14052

**PROJECT ADDRESS:** \_\_\_\_\_ ELLS DRIVE \_\_\_\_\_ 186.00-5-28.121 &  
No. Street SBL No.  
199.01-1-49.1

**PROJECT DESCRIPTION:** SINGLE LOT OPEN DEVELOPMENT AREA  
TO BUILD A PRIVATE RESIDENCE.

Signature of Applicant: William Heidt

State of New York) :SS:  
County of Erie )

On the 27<sup>th</sup> day of May, in the year 2014, before me, the undersigned, a notary public in and for said state, personally appeared William Heidt, personally known 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 they 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.

Sandra J Mattson  
Notary Public

SANDRA J MATTSON  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01MA6066138  
Qualified in Erie County  
My Commission Expires November 05, 2017

I Michael Farrell, owner of +/-16 acre parcel of land on Ellis Rd, Town of Aurora have agreed to sell this parcel to William Heidt. I hereby give him permission to act as an agent on my behalf to file paperwork with the Town of Aurora regarding an open development area application for his proposed development of this parcel.

Michael Farrell

A handwritten signature in cursive script that reads "Michael Farrell". The signature is written in black ink and is positioned below the printed name.

1032 Sweet Rd.  
Aurora NY

ph# 553-5000

**WARRANTY DEED****THIS INDENTURE**

Made the 5<sup>th</sup> day of March, 2014.

**BETWEEN**

**David Fatta** residing at **P.O. Box 437, West Falls, New York 14170,**  
and

**Sharon J. Fatta** residing at **1104 Michael Drive, Angola, New York 14006,**  
parties of the first part,

**AND**

**Michael D. Farrell, Jr. and Regina A. Farrell, husband and wife**  
residing at **1034 Sweet Road, East Aurora, New York 14052,**  
parties of the second part.

**WITNESSETH**, that the parties of the first part, in consideration of **One and More Dollar (\$1.00 and more)** lawful money of the United States, paid by the parties of the second part, does hereby grant and release unto the parties of the second part, their survivors, their beneficiaries and assigns forever,

**See attached Schedule "A".**

**Said premises being known as V/L Old Glenwood Road and Ellis Drive, Aurora, New York**  
**SUBJECT to covenants, easements, restrictions, declarations and agreements of record.**

**TOGETHER with the appurtenances and all the estate and rights of the parties of the first part in and to said premises;**

**TO HAVE AND TO HOLD the premises herein granted unto the parties of the second part, their survivors, their beneficiaries and assigns forever.**

**AND said parties of the first part covenants as follows:**

**FIRST, That the parties of the second part shall quietly enjoy the said premises;**

**SECOND, That said parties of the first part will forever WARRANT the title to said premises.**

## SCHEDULE A

## PARCEL 1:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Aurora, County of Erie and State of New York, being part of Lot No. 59, Township 9, Range 6 of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the center line of Old Glenwood Road; said center line also being the east line of Lot No. 59, distant 1851 feet south of the northeast corner of Lot No. 59; said point also being the southeast corner of lands conveyed to Hans J. Wilkens, Klaus E. Wilkens and Penny L. Wilkens, his wife by deed recorded in Erie County Clerk's Office in Liber 8834 of Deeds at page 632 on September 26, 1979; thence westerly along Wilkens south line, 33.01 feet to the west line of Old Glenwood Road, being the true point or place of beginning; thence continuing westerly along the south line of lands of said Wilkens, 330 feet to a point; thence northerly and parallel with the center line of Old Glenwood Road, 60 feet to a point in the south line of lands conveyed to Warren M. Haynes by deed recorded in Erie County Clerk's Office in Liber 580 of Deeds at page 284 on April 3, 1890; thence westerly along the south line of lands of said Haynes, 828.64 feet to a point; thence southwesterly at an interior angle of  $146^{\circ} 28' 33''$ , 1095.04 feet to a point; thence easterly at an interior angle of  $33^{\circ} 31' 35''$ , 1668.73 feet to a point; thence southerly parallel with the center line of Old Glenwood Road, 9.02 feet to a point; thence easterly, 156.98 feet to a point in the north line of Ellis Drive; thence northerly parallel with the center line of Old Glenwood Road, 60 feet to a point; thence westerly at an interior angle of  $91^{\circ} 21'$ , 156.98 feet to a point; thence northerly parallel with the center line of Old Glenwood Road, 350.34 feet to a point; thence northeasterly at an exterior angle of  $133^{\circ} 37' 29''$ , 141.38 feet to a point; thence easterly parallel with the north line of Lot No. 59, 314.74 feet to a point in the west line of Old Glenwood Road; thence northerly along the west line of Old Glenwood Road, 43.91 feet to the true point or place of beginning.

## PARCEL 2:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Aurora, County of Erie and State of New York, being part of Lot No. 59, Township 9, Range 6 of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the north line of Ellis Drive, distant 273 feet west of the intersection of the north line of Ellis Drive with the center line of Old Glenwood Road; said center line of Old Glenwood Road also being the east line of Lot No. 59; said point of beginning also being the southwest corner of lands conveyed to Frank T. Patti and Suzanne M., his wife by deed recorded in Erie County Clerk's Office in Liber 8096 of Deeds at page 315;

## SCHEDULE A (Parcel 2 continued)

running thence westerly along the north line of Ellis Drive, 20 feet to a point; thence northerly parallel with the center line of Old Glenwood Road, 60 feet to a point; thence westerly parallel with the north line of Map filed in Erie County Clerk's Office under Cover No. 2006, 156.98 feet to a point; thence northerly parallel with the center line of Old Glenwood Road, 208.84 feet to the northwest corner of lands conveyed to Frank M. Nigro and Shirley G., his wife by deed recorded in Erie County Clerk's Office in Liber 6807 of Deeds at page 648; thence easterly and along the north line of said Nigros' lands, 177.13 feet to the northwest corner of lands conveyed to Kenneth C. Caccamise and Donna M., his wife by deed recorded in Erie County Clerk's Office in Liber 9127 of Deeds at page 429; thence southerly parallel with the center line of Old Glenwood Road and along the west lines of said Caccamise and Patti, 266.24 feet to the point or place of beginning.

Heidt Residence - Open Development Area

**a. Current Owner of Properties: (SBL #'s: 186.00-5-28.121 & 199.01-1-49.1)**

Michael D. Farrell Jr.  
 1034 Sweet Road  
 East Aurora, NY 14052

**b. New Owner of Properties: (SBL #'s: 186.00-5-28.121 & 199.01-1-49.1) (minus the 1.07 acre parcel that Michael D. Farrell Jr. will retain ownership of)**

William A. Heidt  
 316 Behm Road  
 West Falls, NY 14170

**c. Names of all property owners of record within a 500'-0" radius of all property lines: Refer to attached Parcel Map for additional information**

<ul style="list-style-type: none"> <li>▪ Robert Dombrowski</li> <li>▪ BUFFALO &amp; PITTSBURGH</li> <li>▪ Carl N Peters</li> <li>▪ 3500 GENESEE ASSOCIATES</li> <li>▪ David Fatta</li> <li>▪ Joseph Ball Jr.</li> <li>▪ Bonnie L Klocke</li> <li>▪ Donald E Klocke</li> <li>▪ Robert C Hanlon</li> <li>▪ Delores M Lewandowski</li> <li>▪ Daisy M Krolczyk</li> <li>▪ Robert J. Ellis</li> <li>▪ Judith Sauer</li> <li>▪ Aaron M Barnett</li> <li>▪ Thomas P. Fitzpatrick</li> </ul>	<ul style="list-style-type: none"> <li>▪ William E. Brown</li> <li>▪ David Janish</li> <li>▪ Joseph E. Hanrahan</li> <li>▪ Michael J. Potla</li> <li>▪ Edward W. Spiesz</li> <li>▪ Margaret M. Passucci</li> <li>▪ Cheryl Tubinis</li> <li>▪ Loretta V. Ellis</li> <li>▪ St. George R. C. Church</li> <li>▪ Rosemarie A. Wagner</li> <li>▪ Kevin M. Kelly</li> <li>▪ Russell A. Schroeder</li> <li>▪ Michael A. Campanella</li> <li>▪ John R. Stublely</li> <li>▪ Arlene M. Koch</li> <li>▪ Lawrence J. Nagel Sr.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Shawn M. Ronan</li> <li>▪ Michael D. Farrell Jr.</li> <li>▪ Jason T. Zagst</li> <li>▪ Dorothy Schweikart</li> <li>▪ Patricia A. Farrell</li> <li>▪ Richard E. Swartzmeyer</li> <li>▪ James B. Thomson</li> <li>▪ Sean B. Peck</li> <li>▪ Gerard E. Nowak</li> <li>▪ Jeffrey J. Dominiak</li> <li>▪ Francis J. Scarcello</li> <li>▪ Vernon A. Sharp</li> <li>▪ Mary C. Ptak</li> <li>▪ Eileen Braniecki</li> </ul>
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**d. The acreage of the tract to be developed to the nearest 1/10 of an acre.**

- 0.75 acres

**e. The 500 year and 100 year floodplains, as appropriate**

- Not even remotely close – See attached FloodPlain Map

**f. National wetland Inventory and New York State Department of Environmental Conservation mapped wetlands.**

- Property to the North at the West End is a PEM1E; doesn't touch the property under review. - See attached Wetlands Map

**g. Narrative description of the planned private right-of-way including:**

- Specification for the private right-of-way

1. There will be a 50'-0" wide Right-Of-Way provided at Ellis Drive through the properties 75' frontage. The Right-Of-Way will consist of a 20'-0" wide gravel driveway compliant with the requirements of New York State Fire Code 2010 Appendix D Fire Apparatus Access Roads; including the acceptable alternative to 120' hammerhead to meet the dead end requirements. The remaining 30'-0" of the Right-Of-Way will be to run underground utilities (Gas, Electric, Water and Phone/Data/Cable).
  - Ownership of the right-of-way
    1. The Right-Of-Way will be Owned by the owner of the property that it is providing access to:

Current Owner: Michael D. Farrell Jr.  
New Owner: William A. Heidt
  - A maintenance plan for the right-of-way
    1. The right-of-way will be maintained by the Owner of the Property that it is providing access to:

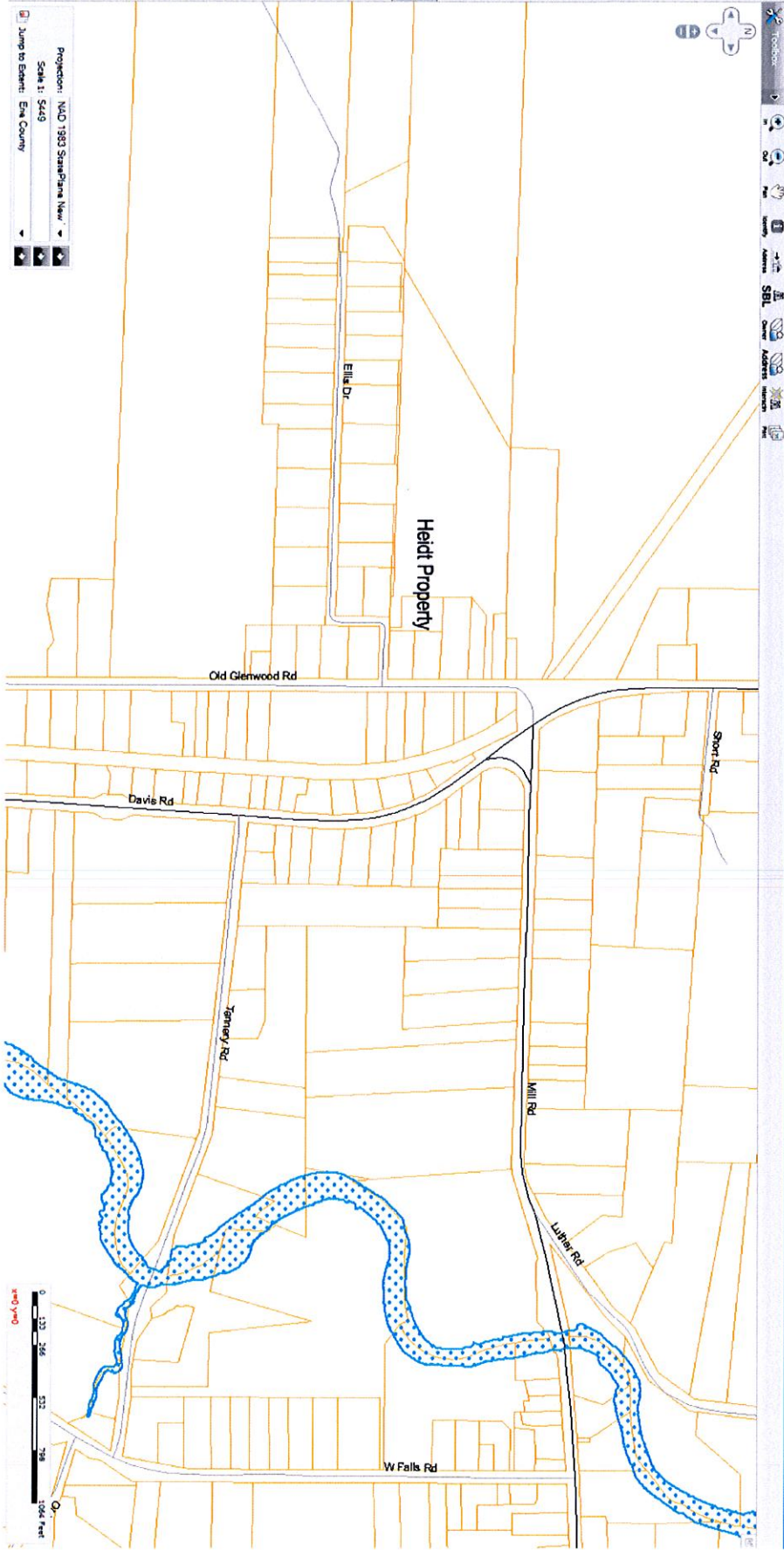
Current: Michael D. Farrell Jr.  
New Owner: William A. Heidt
- h. A statement as to the proposed water supply and similar utilities service capabilities.**
- The property has access to Public Water, Gas and Electric at Ellis Drive and each will be run along the right-of-way to the future residence. There is no public sewer, so a county approved septic system will be installed.

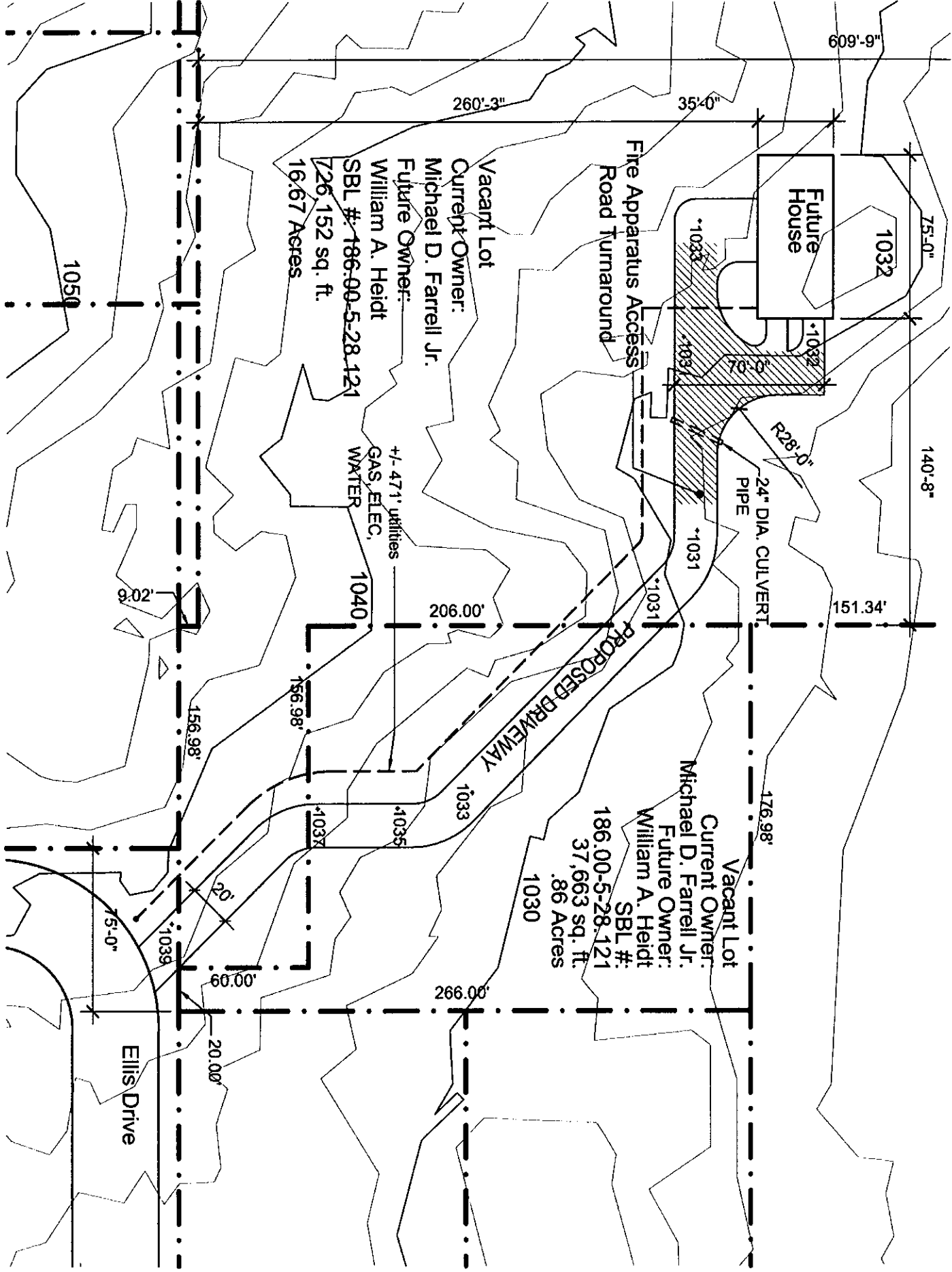


**Layer List**

- Region Flood Layers
- Base Flood Elevation
- Flood Hazard Area
- Coastal Storm Surge
- ERMA Zones
- Flood Hazard Areas
- Shoreline and Wetlands
- Beaches
- Dunes
- Schools
- Water Lines
- DEG Wetlands
- Nat'l Wetlands
- State Slopes
- Agricultural Districts
- Outrock Sites

© 2008 Aerial Photography





**Heidt Residence**  
**Open Development Area**  
 Ellis Drive West Falls, NY 14170

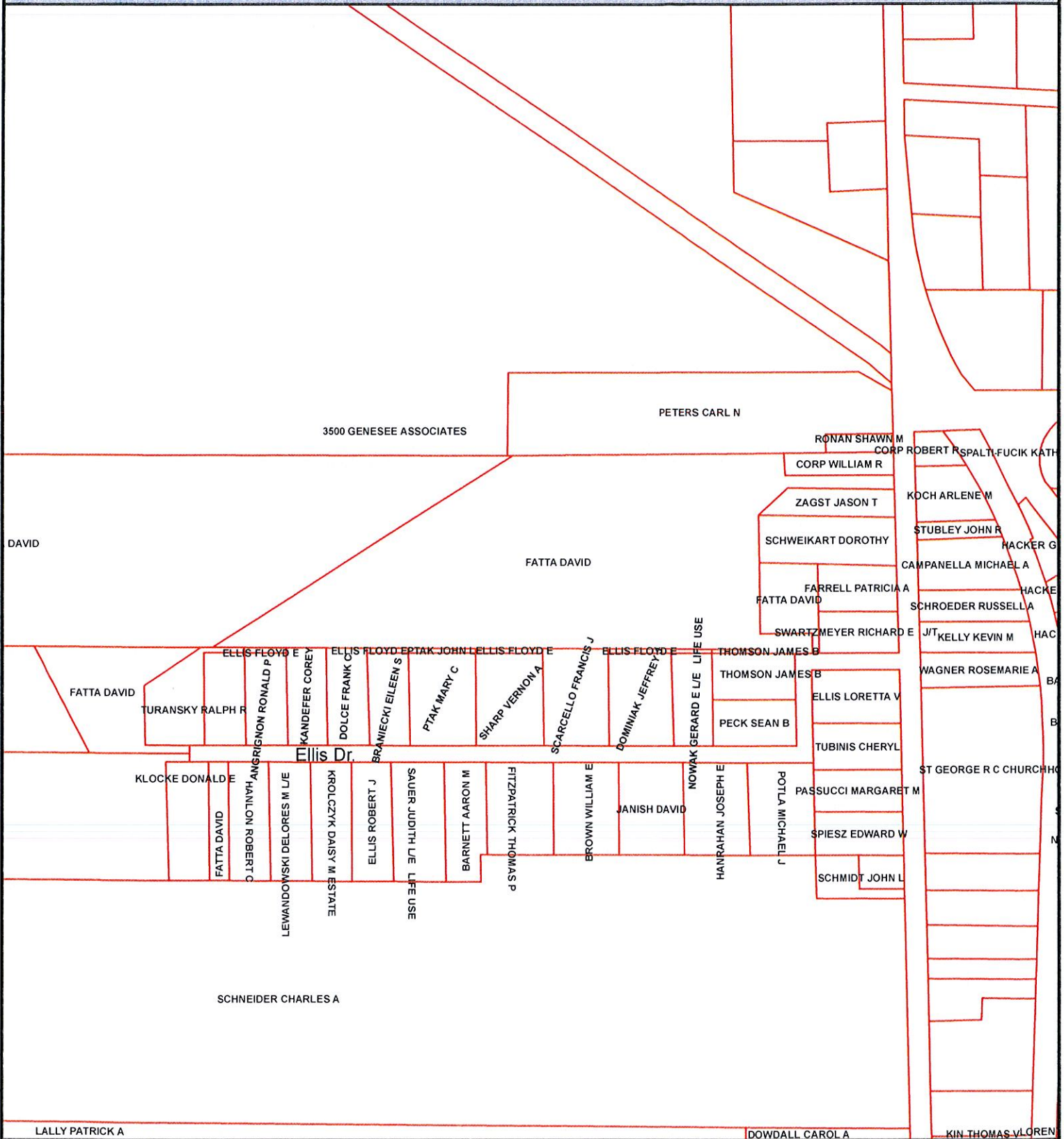
**1. ENLARGED SITE PLAN - PROPOSED RIGHT-OF-WAY**

SCALE: 1" = 60'-0"





# Technical Assistance Map




**Caption: Parcel Map**

**Landowner: Bill Heidt**

**SBL: 186.00-5-28.121**

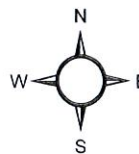
**Date: 5/16/2014**

**Legend**

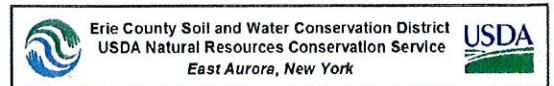
 eriecounty\_parcels\_032013

Ortho photo: 2011

1:4,800  
Absolute Scale



0 190 380 570 760  
Feet



## Brief Soil Descriptions

For further information refer to the *Soil Survey of Erie County, New York*.

Symbol

Name / Description

***DdB*** ***Derb Silt Loam, 3 to 8 Percent Slopes***

Deep, sloping, somewhat poorly drained, low lime; silt loam soil formed in loamy glacial till. The available water capacity is moderate. Permeability is moderate or moderately slow in the subsoil and slow beneath. HIGHLY ERODIBLE LAND, CAPABILITY CLASS-IIIw, NYS SOIL GROUP-5b, K=.43, T=3

***ErB*** ***Erie Channery Silt Loam, 3 to 8 Percent Slopes***

Deep, gently sloping, somewhat poorly drained, medium lime, channery silt loam formed in coarse loamy glacial till. It has a very firm fragipan at depth of 14 to 40 inches. The available water capacity is moderate. Permeability is moderate above the fragipan and very slow in the fragipan. POTENTIALLY HIGHLY ERODIBLE LAND, CAPABILITY CLASS-IIIw, NYS SOIL GROUP-6b, K=.24, T=3

***MaC*** ***Manlius Channery Silt Loam, 8 to 15 Percent Slopes***

Moderately deep, sloping, excessively well drained to moderately well drained, low lime, shaley silt loam soil formed in very shaly glacial till 20 to 40 inches thick over shale bedrock. The available water capacity is low to moderate. Permeability is generally moderately rapid above the bedrock. HIGHLY ERODIBLE LAND, CAPABILITY CLASS-IIIE, NYS SOIL GROUP-6b, K=.28, T=2

**617.20**  
**Appendix B**  
**Short Environmental Assessment Form**

**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.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: Heidt Residence			
Project Location (describe, and attach a location map): Ellis Drive, SBL: 186.00-5-28.121 and 199.01-1-49.1			
Brief Description of Proposed Action: The proposed action seeks approval for an Open Development Area plan.			
Name of Applicant or Sponsor: William A. Heidt		Telephone: (716) 861-1485 E-Mail: wheidt23@gmail.com	
Address: 316 Behm Road			
City/PO: West Falls		State: New York	Zip Code: 14170
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 checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ 17.5 acres			
b. Total acreage to be physically disturbed? _____ .75 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 17.5 acres			
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			



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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>William A. Heidt</u>		Date: <u>05/28/2014</u>
Signature: <u><i>William A. Heidt</i></u>		

**Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2.** Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

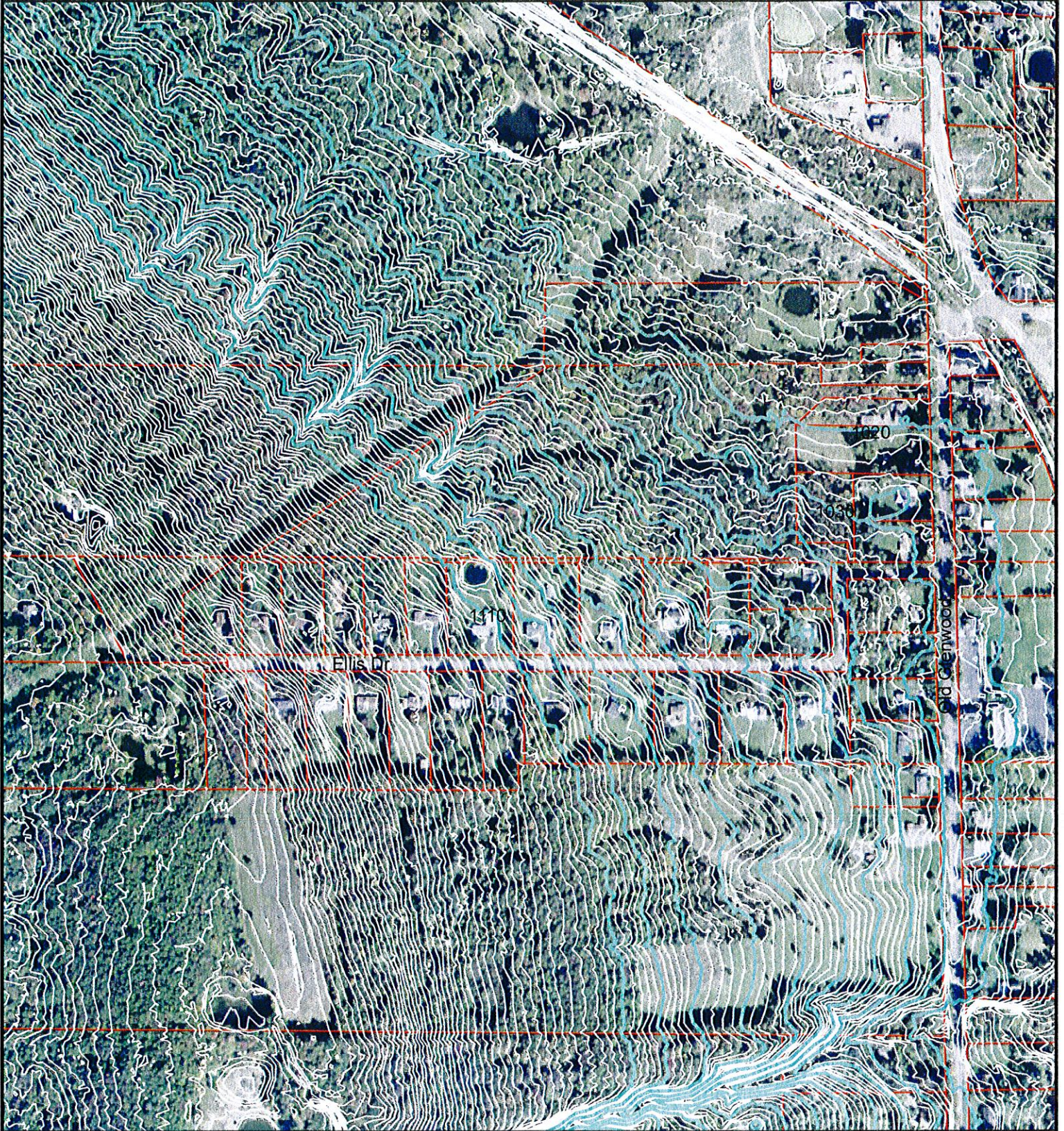
	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3.** For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**

# Technical Assistance Map



Caption: TOPO Map 2ft Contour

Landowner: Bill Heidt

SBL: 186.00-5-28.121

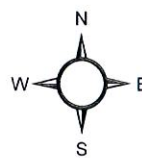
Date: 5/16/2014

## Legend

- Aurora\_2ft\_contour
- eriecounty\_parcels\_032013

Ortho photo: 2011

1:4,800  
Absolute Scale



0 190 380 570 760 Feet



Erie County Soil and Water Conservation District  
USDA Natural Resources Conservation Service  
East Aurora, New York





# U.S. Fish and Wildlife Service National Wetlands Inventory

Description for code PEM1E:

**P** System **PALLUSTRINE**: The Palustrine System includes all nontidal wetlands dominated by trees, shrubs, emergents, mosses or lichens, and all such wetlands that occur in tidal areas where salinity due to ocean derived salts is below 0.5 ppt. Wetlands lacking such vegetation are also included if they exhibit all of the following characteristics: 1. are less than 8 hectares (20 acres); 2. do not have an active wave-formed or bedrock shoreline feature; 3. have at low water a depth less than 2 meters (6.6 feet) in the deepest part of the basin; 4. have a salinity due to ocean-derived salts of less than 0.5 ppt.

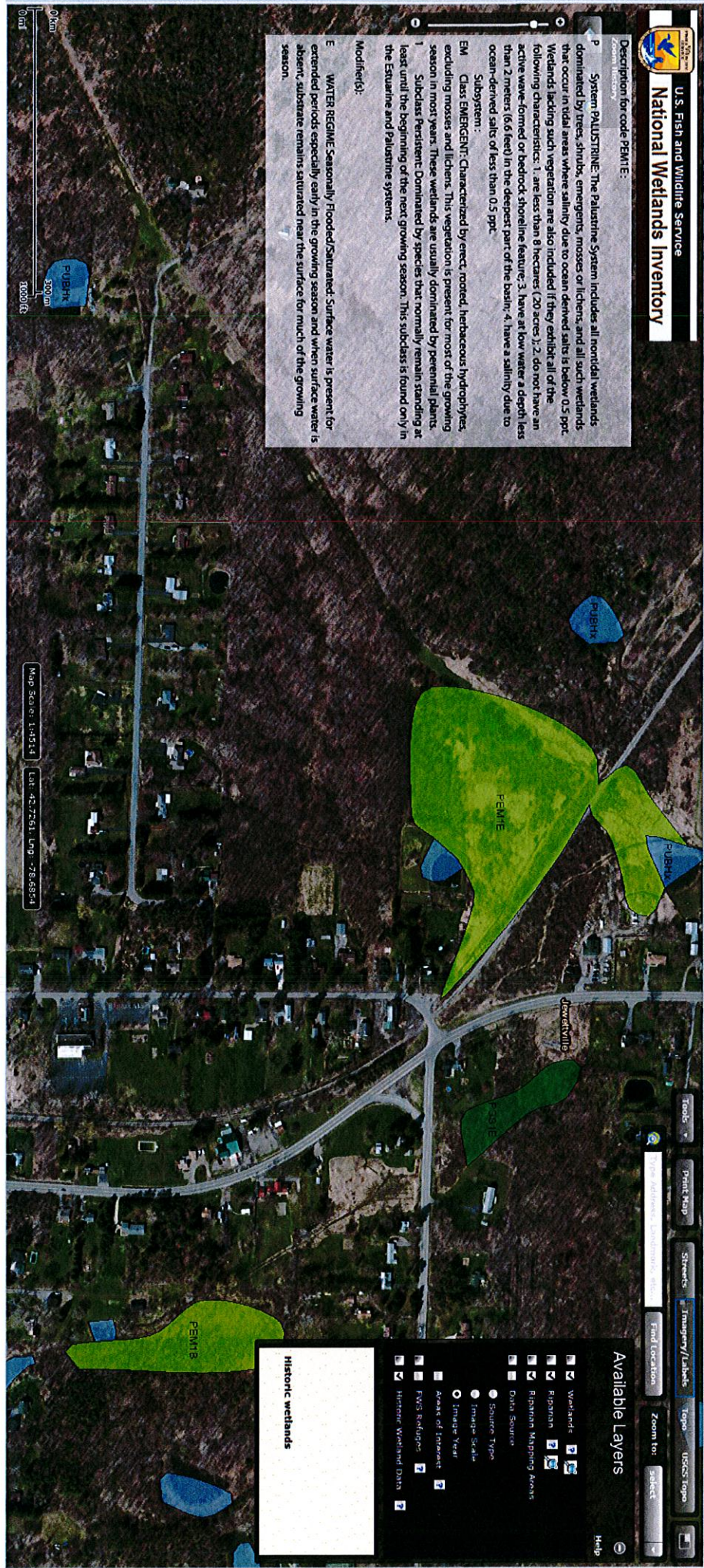
Subsystem:

**EM** Class **EMERGENT**: Characterized by erect, rooted, herbaceous hydrophytes, excluding mosses and lichens. This vegetation is present for most of the growing season in most years. These wetlands are usually dominated by perennial plants.

**1** Subclass **Persistent**: Dominated by species that normally remain standing at least until the beginning of the next growing season. This subclass is found only in the Estuarine and Palustrine systems.

Modifier(s):

**E** **WATER REGIME**: Seasonally Flooded/Saturated: Surface water is present for extended periods especially early in the growing season and when surface water is absent, substrate remains saturated near the surface for much of the growing season.



Tools

Print Map

Streets

Imagery/Labels

Topo

USGS Topo

Show Address, Coordinates, etc.

Find Location

Zoom to: select

### Available Layers

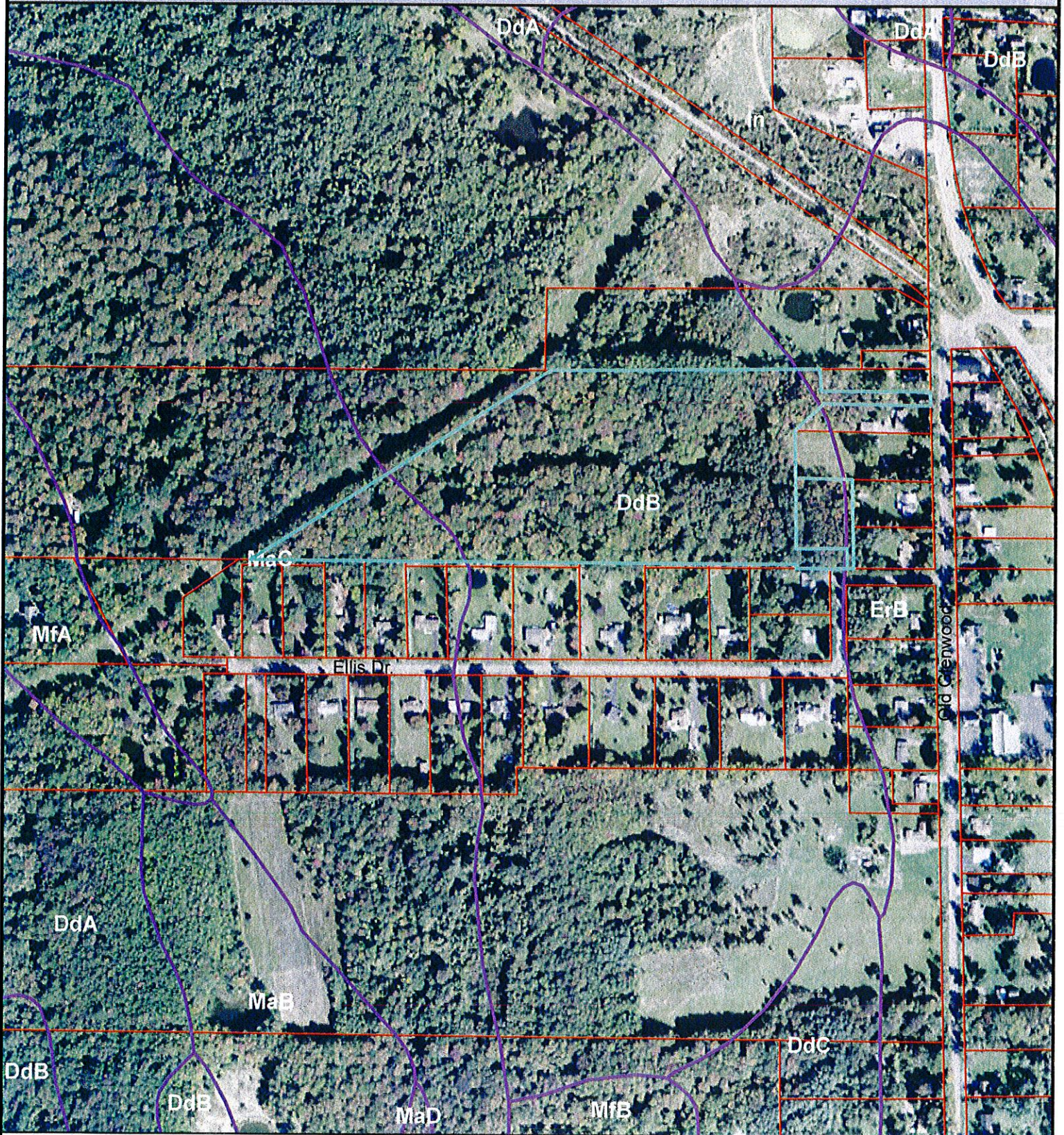
- Wetlands
- Riparian
- Riparian Mapping Areas
- Data Source
- Source Type
- Image Scale
- Zone of Interest
- Image Year
- FWS Redesign
- Historic Wetland Data

Historic wetlands

Map Scale: 1:4514    Lat: 42.7541 Long: -78.6874



# Technical Assistance Map



**Caption: Soils Map**

**Landowner: Bill Heidt**

**SBL: 186.00-5-28.121**

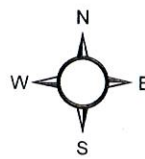
**Date: 5/16/2014**

### Legend

-  Soils
-  eriecounty\_parcels\_032013

Ortho photo: 2011

1:4,800  
Absolute Scale



0 190 380 570 760 Feet

