

original



CASE NO. 1432

DATE OF HEARING 4/26/2023

Town of Aurora Zoning Board of Appeals
300 Gleed Avenue, East Aurora, New York 14052

Zoning Board of Appeals Application Form

I. TYPE OF REQUEST

AREA VARIANCE SPECIAL USE PERMIT USE VARIANCE INTERPRETATION

II. APPLICANT/PETITIONER

Applicant's Name Michael Anderson - Abstract Architecure PC
Address 313 Broadway
City Buffalo State NY ZIP 14204
Phone (716) 812-2596 Fax _____ Email MikeA@AbstractArch.com
Interest in the property (ex: owner/purchaser/developer) Architect

III. PROPERTY OWNER INFORMATION (If different from applicant information.)

Property Owner(s) Name(s) Dan & Joanna Morrison
Address POBox 1293 6850 Springs Road
City Ellicottville State NY ZIP 14371
Phone 1 Fax _____ Email 1 im _____


III. PROPERTY INFORMATION

Property Address 1047 Willardshire Road, East Aurora NY 14127
SBL# 163.00-1-2.3
Property size in acres 2.37 Property Frontage in feet 236.7'
Zoning District RR Surrounding Zoning RR
Current Use of Property Vacant Residential Lot

IV. REQUEST DETAIL

(check all that apply)
 Variance from Ordinance Section(s) # 116-8.4 E. (1) (Front Yard Setback) & Deed Restriction (160')
 Special Use Permit for: _____
 Use Variance for: _____
 Interpretation of _____

V. SIGNATURES (This application must be signed by the applicant/petitioner. If the applicant is not the owner of the property, a separate owner authorization form must be submitted – see pg. 5)



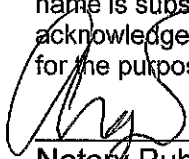
Signature of Applicant/Petitioner

Michael Anderson

Print name of Applicant/Petitioner

State of New York; County of Erie

On the 11 day of March in the year 2023 before me, the above individual appeared, personally known to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.



Notary Public

(Notary stamp)

ANGELA C TERRANOVA
NOTARY PUBLIC STATE OF NEW YORK
ERIE COUNTY
LIC. #01TE6304266
COMM. EXP. AUGUST 2, 2026

Office Use Only: Date received: 3/14/23 Receipt #: 568190 cka 1699
J Miller JTC

Application reviewed by: _____

ECDP ZR-1 form sent to EC: _____ Hearing publication date: _____

PREVIOUS APPEAL(S):

A previous appeal to the Zoning Board of Appeals () has () has not been made with respect to this property.

Previous appeals:

Date: _____ Type of Appeal: _____ Granted _____ Denied _____

Date: _____ Type of Appeal: _____ Granted _____ Denied _____

PETITIONER'S LETTER OF INTENT

Please describe in detail the proposed project, reason the variance and/or special use permit is being requested and any additional information that may be helpful to the Zoning Board of Appeals in deciding this appeal: (attach additional pages if needed)

Refer to attached letter

TO BE COMPLETED ONLY WHEN A USE VARIANCE IS BEING REQUESTED:

A Use Variance is requested because the applicable regulations and restrictions in the Zoning Code of the Town of Aurora have caused unnecessary hardship as demonstrated by the following:

1) I cannot realize a reasonable return on my property for each and every permitted use allowed in the current zoning classification as demonstrated by the accompanying financial evidence (provide financial evidence to support your argument).

Financial Evidence Provided Yes ____ No ____ (financial evidence is required per NYS Town Law)

2) Describe why your alleged hardship relating to the subject property is unique and does not apply to other properties in the zoning district or neighborhood: _____

3) Describe why you believe that the essential character of the neighborhood/community will not change if the Zoning Board of Appeals grants you a use variance: _____

4) Is your need for a use variance a result of you own actions (is your difficulty self-created)? Please explain: _____

(Attach additional pages if needed)



Letter: Petitioner's Letter of Intent

Tuesday, March 07, 2023

Paul Ernst (Chairman)
Town of Aurora Zoning Board of Appeals
575 Oakwood Ave
East Aurora, NY 14052

Re: P22014 1047 Willardshire Road – New Morrison Residence

Paul,

The property owner wishes to build a single-family dwelling in compliance with the desired use of the Rural Residential zoned existing vacant property located at 1047 Willardshire Road. Per Town of Aurora zoning the front setback (Section 116-8.4 E.(1)) is required to be no less than 75'. The original Open Development Area (ODA) application revised this minimum to be no less than 160'. The ODA also modified the rear yard setback to be no less than 150'. This results in a very small developable area on the lot within which the proposed residence could potentially be constructed. We are requesting relief from the front setback for a total of 10'-0", reducing the front yard setback to 150'.

I look forward to discussing our project in front of the Zoning Board to make you all aware of the various additional measures that the homeowner is taking to minimize the impact of the requested variance and to answer any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael C. Anderson", is written over a horizontal dashed line that extends across the page.

Michael C. Anderson, AIA LEED AP+

Abstract Architecture PC
313 Broadway
Buffalo NY 14204

(716) 812-2596

Town of Aurora
300 Glead Avenue
East Aurora, NY 14052
www.townofaurora.com

**Zoning Board of Appeals
Application
Owner Authorization**


The undersigned, who is the owner of the premises know as:

1047 Willardshire Road, East Aurora NY 14127, identified as Tax Map (SBL)# 163.00-1-2.3
(address)

hereby authorizes Michael Anderson - Abstract Architecture PC to bring an application for area variance
 special use permit use variance interpretation before the Town of Aurora Zoning Board of
Appeals for review and potential approval. The undersigned further permits the Town or its authorized
representative(s) access to the property to review existing site conditions during the review process.

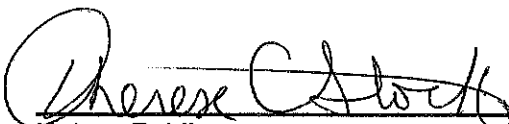
DANIEL MORRISON
Owner (print)

3/10/23
Date


Owner (signature)

STATE OF NEW YORK)
 Cattaraugus) SS
COUNTY OF ~~ERIE~~)

On this 10th day of March, 2023, before me, the undersigned, a notary public in and for said state,
personally appeared Daniel Morrison, 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 that 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.


Notary Public

THERESE C STOCK
Notary Public, State of New York
Reg. No. 01ST6013618
Qualified in Cattaraugus County
My Commission Expires September 21, 2026

**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, N.Y.
AND REPLY TO MUNICIPALITY**

Submit this form with full statement of proposed action (as described in GML 239-m(c)) at www.Erie.gov/IRonline, OR mail a hard copy (retain a copy for your files) to: Erie County Division of Planning, 95 Franklin Street, Room 1053, Buffalo, N.Y., 14202

DO NOT WRITE IN THIS SPACE

Case No.: _____

Postmark/Delivery Date: _____

The proposed action described herein is referred in accordance with the provisions of NYS General Municipal Law §239 1 - m. A Municipal Referral Map is available to help determine whether an applicable action is subject to referral.

Description of Proposed Action

1. Name of Municipality: Town of Aurora

§239-m(4)(b) provides that the county shall have 30 days after receipt of a full statement of the proposed action to reply.

If the county fails to reply within such period, the referring body may take final action.

However, any county reply received after 30 days but 2 or more days prior to final action by the referring body shall be subject to §239-m(5)

The referring body shall file a report of its final action with the county within 30 days per §239-m(6).

2. Hearing Schedule: **Date** 4/20/2023 **Time** 7:00pm **Location** 575 Oakwood Ave., E.Aurora

3. Action is before: Legislative Body Board of Appeals Planning Board

4. Action consists of: New Ordinance Rezone/Map Change Ordinance Amendment

Site Plan Variance Special Use Permit Other: _____

5. Location of Property: Entire Municipality Address: 1047 Willardshire Rd

5a. S.B.L. of Property: 163.00-1-2.3

6. Referral required as site is within 500' of: State or County Property/Institution Municipal Boundary Farm Operation located in an Agricultural District

Expressway County Road State Highway Proposed State or County Road, Property, Building/Institution, Drainageway

7. Proposed change or use: Front yard setback for proposed home less than required by Town Code
(specify the action, such as the scope of variances or site plans)

8. Other remarks: THIS IS AN OPEN DEVELOPMENT AREA LOT

9. Submitted by: Martha Libroek, Town Clerk Email: townclerk@townofaurora.com

10. Return Address: 575 Oakwood Ave., E. Aurora, NY 14052

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on _____. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

1. The proposed action is not subject to review under the law.
2. Comment on proposed action is attached hereto.
3. The proposed action is subject to review; Recommendation on Proposed Action is attached hereto.
4. No Recommendation; proposed action has been reviewed and determined to be of local concern.

By the Division of Planning: _____ Date: _____

SUPERVISOR
James J. Bach
(716) 652-7590
jbach@townofaurora.com



TOWN CLERK
Martha L. Librock
(716) 652-3280
townclerk@townofaurora.com

TOWN OF AURORA

Aurora Municipal Center
575 Oakwood Avenue, East Aurora, NY 14052
www.townofaurora.com

TOWN COUNCIL MEMBERS

March 13, 2023

Charles D. Snyder
csnyder@townofaurora.com

Luke Wochensky
lwochensky@townofaurora.com

James F. Granville
jgranville@townofaurora.com

Joseph M. McCann
jmccann@townofaurora.com

SUPT. OF HIGHWAYS
David M. Gunner
(716) 652-4050
highway@townofaurora.com

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Elizabeth Cassidy
(716) 652-7591
building@townofaurora.com

ASSESSOR
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assessor@townofaurora.com
(716) 652-0011

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Christopher Musshafen
(716) 652-8866
chris@townofaurora.com

TOWN ATTORNEY
Brigid M. Maloney

TOWN JUSTICE
Jeffrey P. Markello
Anthony DiFilippo IV

HISTORIAN
Robert L. Goller
(716) 652-7944
historian@townofaurora.com

FAX: (716) 652-3507

Abstract Architecture PC
Michael Anderson
313 Broadway
Buffalo, NY 14204

Michael:

The Building Department has reviewed your request to shift the location of the proposed residence at 1047 Willardshire Rd. The request has been denied because it fails to meet the requirements for the front yard setback on an Open Development Area (ODA) lot in the Town. This property is an approved ODA lot on which the Town Board approved a front yard setback variance of 40' to allow a residence to be constructed at 160'. Additionally, the Town Board set a condition of a rear yard setback of 150' which is met in this application.

Section 99-31A(5)
Required: Front yard setback is 200' from the boundary line parallel to the street ROW
Requested: Front yard setback of 150'
Variance: 50'

This letter serves as notice that we have received the application and fee for the Zoning Board of Appeals. You will receive notification from the Town Clerk with the date and time of the next available hearing. If you have any questions, please contact our office at 652-7591.

Sincerely,


Elizabeth Cassidy
Code Enforcement Officer



COPY

1047 Willardshu

TOWN OF AURORA
575 Oakwood Avenue, East Aurora, NY 14052
www.townofaurora.com

STATE OF NEW YORK)
COUNTY OF ERIE)
TOWN OF AURORA)

I, Martha L. Librock, Town Clerk of the Town of Aurora, Erie County, New York, do hereby certify that at a regular meeting of the Town Board of aforesaid town, on the 23rd day of August, 2021, at Aurora Municipal Center, 575 Oakwood Avenue, East Aurora, New York, the following resolution was adopted, every member present voting therefore, to wit:

RESOLUTION TO APPROVE AN OPEN DEVELOPMENT AREA

WHEREAS, on July 26, 2021, Eric Morrow as agent for Morrow 2019 Family Trust (the Applicant), applied for an Open Development Area for property located at SBL#163.00-1-2.2 Willardshire Road in the Town of Aurora, and

WHEREAS, a Survey prepared by David S. Freeman in 2000, last revised in 2004, with mark-ups added by the applicant on July 22, 2021, attached as Attachment A, describes a proposed development which would combine a lot identified as lot number 1 (SBL#163.00-1-2.4) having 125 feet of frontage on Willardshire Road with lot number 2 known as 1045 Willardshire Road (SBL#163.00-1-2.3) into one lot to be known as lot 2, both of said original lots being shown for historical reference on the Survey attached as Attachment B, and

WHEREAS, the acreage of the flag portion of lot number 3 (SBL#163.00-1-2.2) will be increased from 1.8 acres to 2.3 acres (measuring the flag portion only) by appropriating land from lot 2 by moving the rear lot line of lot 2 approximately 85 feet to the east toward Willardshire Road, and

WHEREAS, the size of the flag portion of lot 3 will require an area variance to allow it to be a buildable lot; and

WHEREAS, the Applicant is requesting a front yard setback variance of 40 feet to allow a residence to be built 160 feet from the front lot line of lot 3; and

WHEREAS, the Applicant is seeking a rear yard setback restriction requiring a proposed residence to be built no closer than 150 feet from the rear lot line of lot 3; and

RESOLVED, the applicant for the Open Development Area Permit will acknowledge receipt of a copy of this Permit and agrees and accepts the provisions therein, and be it further

RESOLVED, that a Certified Copy of this Resolution shall be submitted to the applicant.

Duly adopted this 23rd day of August, 2021.

* * * * *

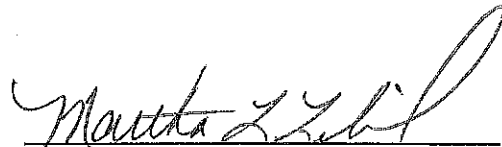
I do further certify that I have compared the foregoing with the original minutes of the regular meeting of the Town Board of said Town held on the 23rd day of August, 2021, and the foregoing is a true and correct transcript of said original minutes and the whole thereof, and that the resolutions duly adopted by the said Town Board are on file in my office.

I do further certify that the following members of the Town Board were present at such meeting, namely:

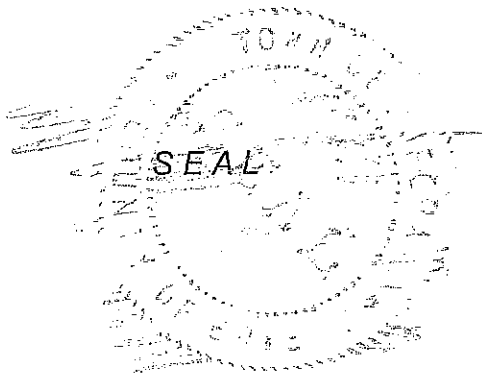
Susan A. Friess, Councilwoman
Jolene M. Jeffe, Councilwoman
Charles D. Snyder, Councilman
Luke Wochensky, Councilman
James J. Bach, Supervisor

Being the persons constituting said Town Board of the Town of Aurora, Erie County, New York.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Town of Aurora, Erie County, New York, this 28th day of August, 2021.



Martha L. Librock
Town Clerk



GOPY

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

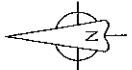
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: P22014 1047 Willardshire Road - New Morrison Residence							
Project Location (describe, and attach a location map): 1047 Willardshire Road, East Aurora NY 14127							
Brief Description of Proposed Action: Construction of new single-family wood framed residence on an existing vacant residential lot.							
Name of Applicant or Sponsor: Michael Anderson - Abstract Architecture PC		Telephone: (716) 812-2596 E-Mail: MikeA@AbstractArch.com					
Address: 313 Broadway							
City/PO: Buffalo		State: NY	Zip Code: 14204				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%; text-align: center;">NO</th> <th style="width: 50%; text-align: center;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<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: Town of Aurora Building Permit			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%; text-align: center;">NO</th> <th style="width: 50%; text-align: center;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		2.37 acres					
b. Total acreage to be physically disturbed?		0.1 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.37 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 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							

5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" 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"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<input checked="" 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: All appliances, HVAC systems, lighting & electronics will be either high-efficiency or energy-star compliant.		NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____		NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Private septic sewer system will be provided		NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. a. 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?		NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. 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: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. 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 <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?		NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES All storm water will be contained and dealt with on site.		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>Michael Anderson</u></p>		<p>Date: <u>3/7/2023</u></p>
<p>Signature: <u>Michael Anderson</u></p>		



NORTH LINE OF TOWN OF AURORA
& NORTH LINE OF LOT 64

BLACKTOP DRIVE

DRIVE 0.715

DRIVE 1.41N

DRIVE 1.25S

DRIVE 1.41N

DRIVE 1.25S

DRIVE 1.41N

ROUND IRON 2.68E

PARCEL 3
VACANT LOT
2.70± ACRES
(INCLUDING HIGHWAY)

309.85' 100°18'02"W

236.21' 50°18'02"E

568.68' 50°43'50"W

16.335' 92°45'19"E

FENCE 4.32N

FENCE 1.25S

FENCE 1.41N

FENCE 1.25S

FENCE 1.41N

FENCE 1.25S

FENCE 1.41N

394.00' 58°10'14"W

SET IRON

SET IRON

WILLARDSHIRE (66' WIDE) ROAD

NO IRONS SET OR FOUND AT PROPERTY CORNERS UNLESS NOTED HEREON.
This survey was prepared without the benefit of an Unlicensed alterations or additions to any survey, drawing, plan, specification, plan or report is a violation of section 7208, paragraph 2 of the New York State Education Law that may be revealed by an examination of such.

3556 Lake Shore Road, Suite 500, Buffalo, NY 14219
P (716) 827-8000 F (716) 270-6091 www.russclark.com



Boundary Survey

Vacant Lot-Willardshire Road
Part of Lot 64, Township 9, Range 6
Holland Land Company's Survey
Town of Aurora
County of Erie, State of New York

Date: 10/05/2021 Scale: 1" = 50'

Project No.: 2112-0575BG3

EXISTING DEVELOPED LOT
321 WALLACE ROAD
ROBERT ROCKAWAY

387.1

EXISTING SURFACE GRADE CURVEY AND ALONG NORTH SIDE OF EXISTING BUCKET DRIVE

NORTHLINE OF TOWN OF AUBURN

EXISTING BUCKET DRIVE 12' x 12' x 12'

CHURNING OF BUCKET DRIVE CONCRETE PAVEMENT

AREA OF EXISTING MATURE VEGETATION TO REMAIN TO BE PRESERVED

LINE OF PROPOSED ON-BUILDING DRAIN CURVEY RETENTION AREA

ASSUMED LOCATION OF BELOW GROUND UTILITY CONNECTION TO BE CONSIDERED

AREA OF EXISTING MATURE VEGETATION TO REMAIN TO BE PRESERVED

AREA OF EXISTING MATURE VEGETATION TO REMAIN TO BE PRESERVED

AREA OF EXISTING MATURE VEGETATION TO REMAIN TO BE PRESERVED

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EXISTING DEVELOPED LOT
321 WALLACE ROAD
ROBERT ROCKAWAY

EXISTING DEVELOPED LOT
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EXISTING DEVELOPED LOT
321 WALLACE ROAD
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LOT AREA: 103,286.6 SQ. FT.
2.37 ACRES

PROPOSED SITE PLAN
SCALE: 1"=50'-0"

WARRANTY DEED

THIS INDENTURE, made this 14th day of January, 2022, between

THE JERRY W. MORROW 2019 FAMILY TRUST DATED December 13, 2019 BY CO-TRUSTEE ERIC MORROW, 39 Bradley Street, Burlington, Vermont 05401,

Grantor(s)

DANIEL MORRISON & JOANNA MORRISON, Husband & Wife residing at 6850 Springs Road, Ellicottville, NY 14731

Grantee(s).

WITNESSETH, that the Grantor(s), in consideration of the sum One Hundred Ninety Thousand Dollars and 00/100, (\$190,000.00) lawful money of the United States paid by the Grantee(s), do hereby grant and release to the Grantee(s), their successors, heirs and assigns forever,

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Aurora, County of Erie and State of New York, being part of Lot 64, Township 9, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

Beginning at a point in the centerline of Willardshire Road, a distance of 16.335 feet south of the north line of the Town of Aurora & the north line of Lot 64;
Thence S 23°45'19" E along the centerline of Willardshire Road, a distance of 16.335 feet;
Thence S 89°33'50" W, a distance of 568.68 feet;
Thence S 00°18'02" E, a distance of 236.21 feet;
Thence S 81°00'14" W, a distance of 394.00 feet;
Thence N 00°18'02" W, a distance of 309.85 feet;
Thence N 89°33'50" E, a distance of 951.65 feet to the point of beginning, containing 2.70 +/- acres including highway.

The above premises are as shown on a survey map made by Nussbaumer & Clarke, Inc. dated October 5, 2021, a copy of which is attached hereto and made a part hereof (the "Map").

This conveyance is made to combine Tax Parcel No. 163.00-1-2.2 with approximately .5 acres from the west side of Tax Parcel No. 163.00-1-2.3.

THIS CONVEYANCE is made and accepted together with and subject to covenants, easements and restrictions of record, if any, affecting the above-described premises.

BEING AND HEREBY intending to describe a portion of the same premises conveyed to Grantor by Jerry W. Morrow by deed dated June 11, 2020 and recorded on July 10, 2020 in the Erie County Clerk's Office in Liber 11362 of Deeds at Page 7167 and the same premises conveyed to Grantor by Jerry W. Morrow by deed dated June 11, 2020 and recorded July 10, 2020 in the Erie County Clerk's Office in Liber 11362 of Deeds at page 7170.

TOGETHER WITH the benefits and subject to the burdens established in Declaration of Easement recorded on June 7, 2006 in the Erie County Clerk's Office in Liber 11114 of Deeds at page 7042, and also as contained in Quit Claim Deed recorded on July 10, 2020 in the Erie County Clerk's Office in Liber 11362 of Deeds at page 7167.

FILED

JAN 26 2022

ERIE COUNTY
CLERK'S OFFICE

TOGETHER with the appurtenances and all the estate and rights of the Grantor in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the Grantee, the heirs or successors and assigns of the Grantee, forever.

THIS DEED is subject to the trust provisions of Section 13 of the Lien Law. The words "Grantor" and "Grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

IN WITNESS WHEREOF, the said Grantor(s) have hereunto set their hands and seals the day and year first above written.


ERIC MORROW [L.S.]

STATE OF VERMONT: COUNTY OF Chittenden SS.:

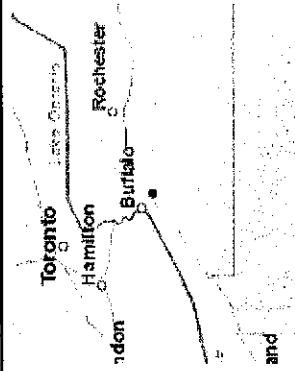
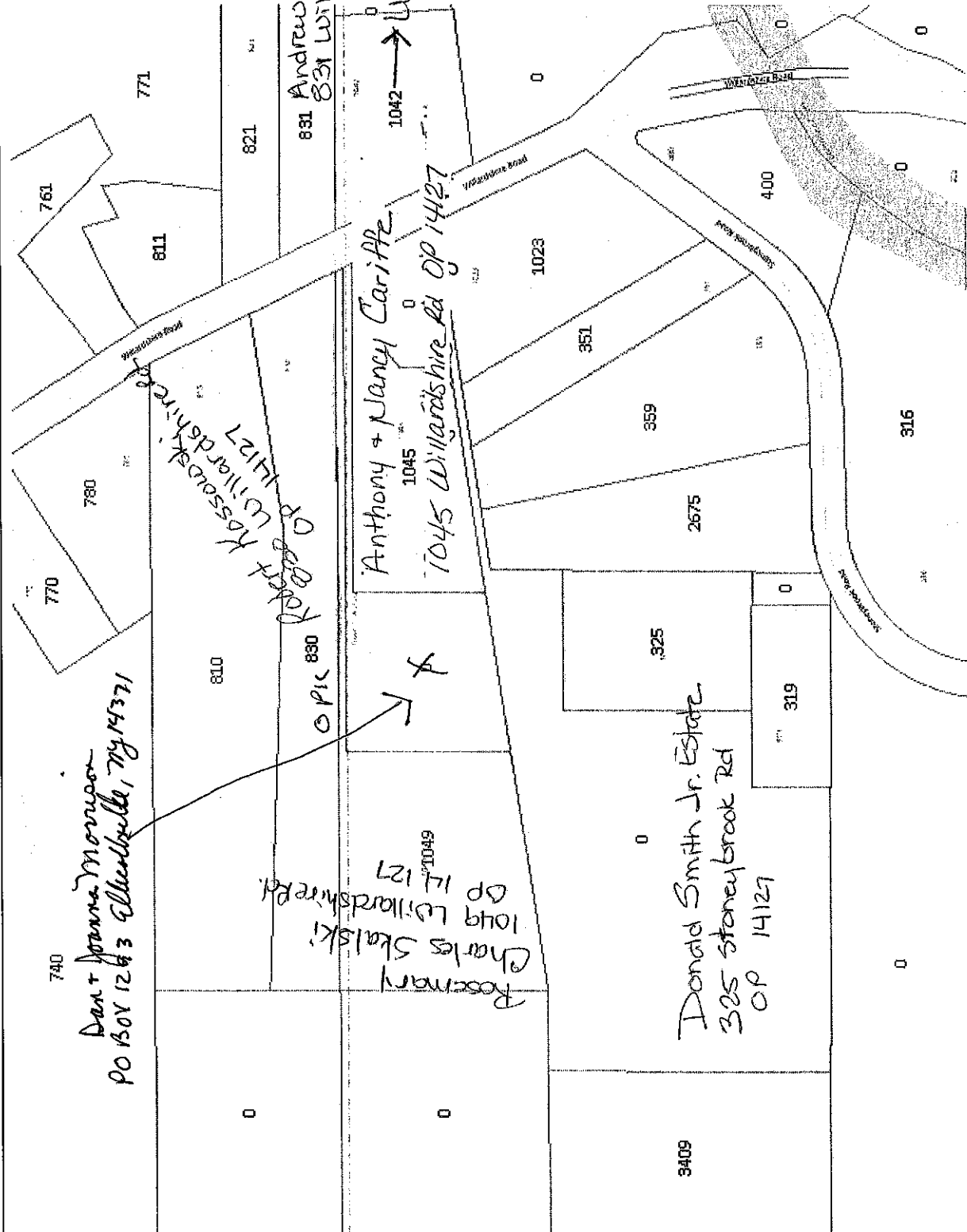
On this 14 day of January, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared **ERIC MORROW** personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that 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.


NOTARY PUBLIC

Notary # 157.0003524.
expires Jan 31 2023.
Emily Lee

#1432

Erie County On-Line Mapping Application



Legend

□ Parcels

0 0.07 0.1 Miles
 WGS_1984_Web_Mercator_Auxiliary_Sphere
 THIS MAP IS NOT TO BE USED FOR NAVIGATION

ERIE COUNTY
 DEPARTMENT OF ENVIRONMENT & PLANNING
 OFFICE OF GIS

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

1: 4,514



Town of Onondaga
 4295 S. BUFFALO ST
 Onondaga Park
 14127