

May 20, 2015

Martha Librock
Town Clerk
Town of Aurora
300 Gleed Avenue
East Aurora, NY 14052

Re: Revised Sketch Plan
Aurora Mills Cluster Subdivision
Mill Road, (T) Aurora

Dear Ms. Librock,

In response to comments received in a letter from the Town of Aurora, dated May 13th, additional information is being provided with respect to the proposed Aurora Mills Cluster Subdivision Project.

The additional information provided is as follows:

- The Cluster Subdivision Plan has been revised to include an itemized acreage breakdown for the proposed road right-of-way, private roads, hot box enclosure, sanitary sewer pump station and downstream forcemain, trail and storm water management ponds. As shown on the attached plan, after accounting for these site features, as well as steep slope areas, creek corridor, site wetlands and individual lot development, approximately 52.0+/- acres will remain open green space or 64% of the available developable area.
- Part I of the SEQR Long Form has been completed and is attached for review.
- The site includes 2.66+/- acres of Federally Jurisdictional Wetlands, as determined by the Army Corp of Engineers (ACOE), in letter dated August 10, 2010. Under the proposed Cluster Subdivision Plan, 0.02 acres of disturbance to the jurisdictional wetlands is proposed. An application for Nationwide Permit, to allow disturbance of the 0.02 acres of jurisdictional wetland, has been submitted and is under review by the ACOE.
- The Cluster Subdivision Plan now reflects the site topographic data.

Twelve (12) sets of the revised Cluster Subdivision Plan, SEQR Long Form and ACOE Jurisdiction Determination are included for your review and distribution.

At this time we are requesting placement of the project on the May 26th Town Board meeting agenda for further discussion.

Continued...

Revised Sketch Plan
Aurora Mills Cluster Subdivision
May 20, 2015
Page 2 of 2

Please contact me with any comments or questions.

Very truly yours,

A handwritten signature in cursive script that reads "Patricia Bittar".

Patricia Bittar
Sr. Project Manager

Cc: Gary Eckis
Bill Schutt / 15012



DEPARTMENT OF THE ARMY
BUFFALO DISTRICT, CORPS OF ENGINEERS
1776 NIAGARA STREET
BUFFALO, NEW YORK 14207-3199

REPLY TO

August 20, 2010

Regulatory Branch

SUBJECT: Preliminary Jurisdictional Determination for Department of the Army Application No. 1995-976122

Mr. Roy Emerling
427 Mill Street, Inc.
P.O. Box 204
Boston, New York 14205

Dear Mr. Emerling:

I have reviewed the wetland delineation map submitted by Mr. Erik Krull of Wetlands Investigation, CO. on the behalf of 427 Mill Street, Inc for a request for a wetland boundary verification, located along Mill Road before Kelly Road, Town of East Aurora, Erie County, New York.

I have evaluated your submitted wetland delineation map and have determined that the wetland and water boundaries shown on the map accurately represent on-site conditions. Please note that this is a Preliminary Jurisdictional Determination (JD). Preliminary JDs are non-binding written indications that there may be waters of the United States on your parcel and approximate locations of those waters. Preliminary JDs are advisory in nature and may not be appealed.

Pursuant to Regulatory Guidance Letter 08-02, any permit application made in reliance on this Preliminary JD will be evaluated as though all wetlands or waters on the site are regulated by the Corps. Further, all waters, including wetlands will be used for purposes of assessing the area of project related impacts and compensatory mitigation. If you require a definitive response regarding Department of the Army jurisdiction for any or all of the waters identified on the submitted drawings, you may request an approved jurisdictional determination from this office. If an approved jurisdictional determination is requested, please be aware that this is often a lengthy process and we may require the submittal of additional information.

I have enclosed the Preliminary JD Form with this letter. The form and attached table identifies the extent of waters on the site and specific terms and conditions of the Preliminary JD. Please sign and return a copy of this form to my attention so that I may complete my evaluation of your file. If you do not respond within fifteen days of this letter, I will assume you no longer

Regulatory Branch

SUBJECT: Preliminary Jurisdictional Determination for Department of the Army Application No. 1995-976122

wish to pursue the jurisdictional determination and will withdraw your application.

In accordance with Regulatory Guidance Letter 05-02, "Preliminary jurisdictional determinations are not definitive determinations of areas within regulatory jurisdiction and do not have expirations dates." However, I strongly recommend that the boundaries of waters of the United States be re-evaluated by a qualified wetland biologist after five years of the date of this letter. This will ensure that any changes are appropriately identified and you do not inadvertently incur a violation of Federal law while constructing your project or working on your project site.

Lastly, this determination has been conducted only to identify the limits of waters that may be subject to Corps Clean Water Act or Rivers and Harbors Act jurisdiction. This delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resource Conservation Service prior to starting work.

A copy of this letter has been sent to Mr. Erik Krull of Wetlands Investigation CO.

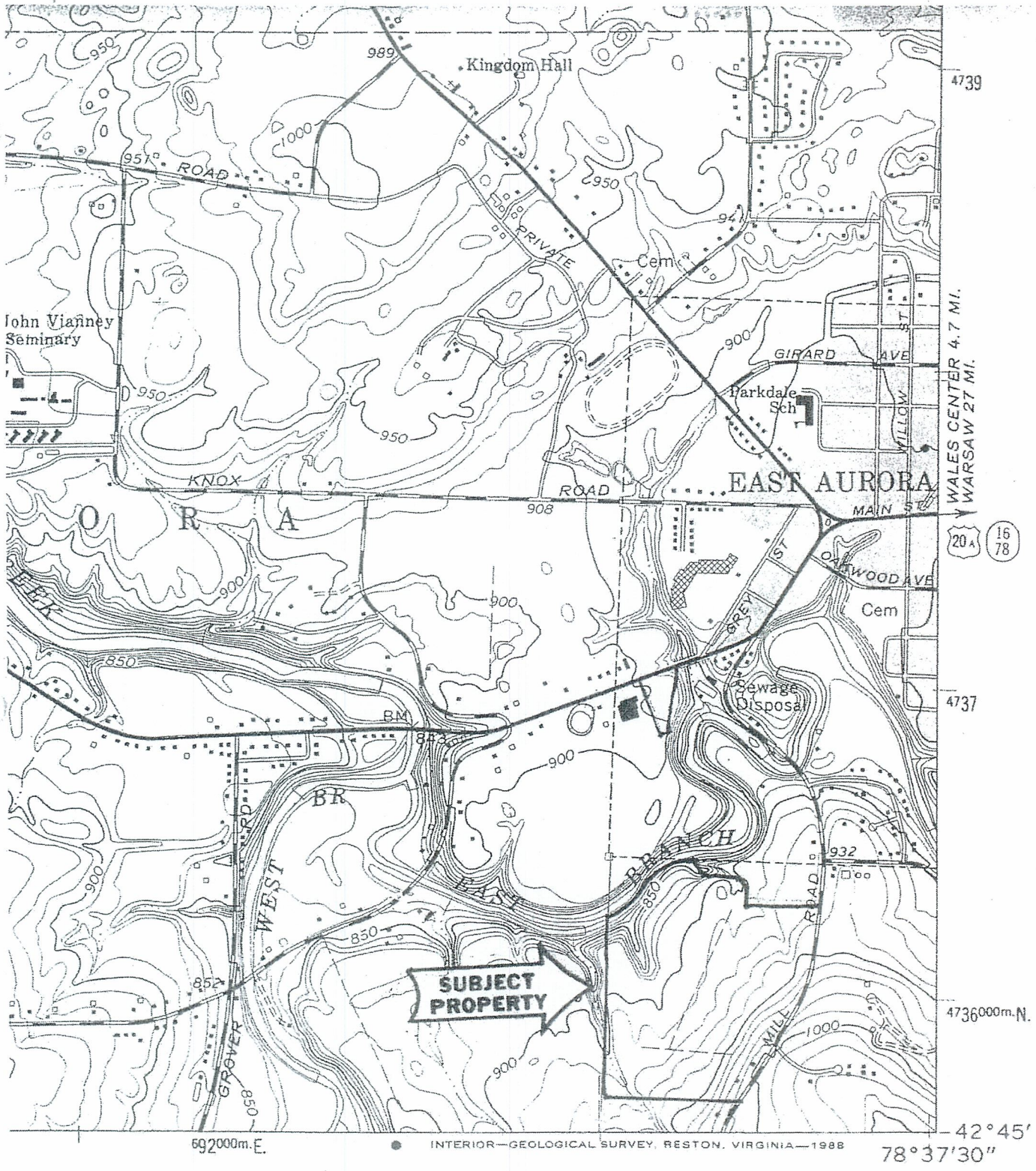
Questions pertaining to this matter should be directed to me at (716)879-4279, by writing to the following address: U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207, or by email at: joseph.m.rowley@usace.army.mil

Sincerely,

SIGNED

Joseph Rowley
Physical Scientist

Enclosures



SUBJECT PROPERTY

ROAD CLASSIFICATION

Heavy-duty ————— Light-duty - - - - -
 Improved dirt = = = = =

○ State Route

427 Mill Street, Inc.
 D/A Processing No. 1995-976122
 Erie County, New York
 Quad: Orchard Park
 Sheet 1 of 6

PAGE 11
 U.S.G.S.
 TOPOGRAPHICAL

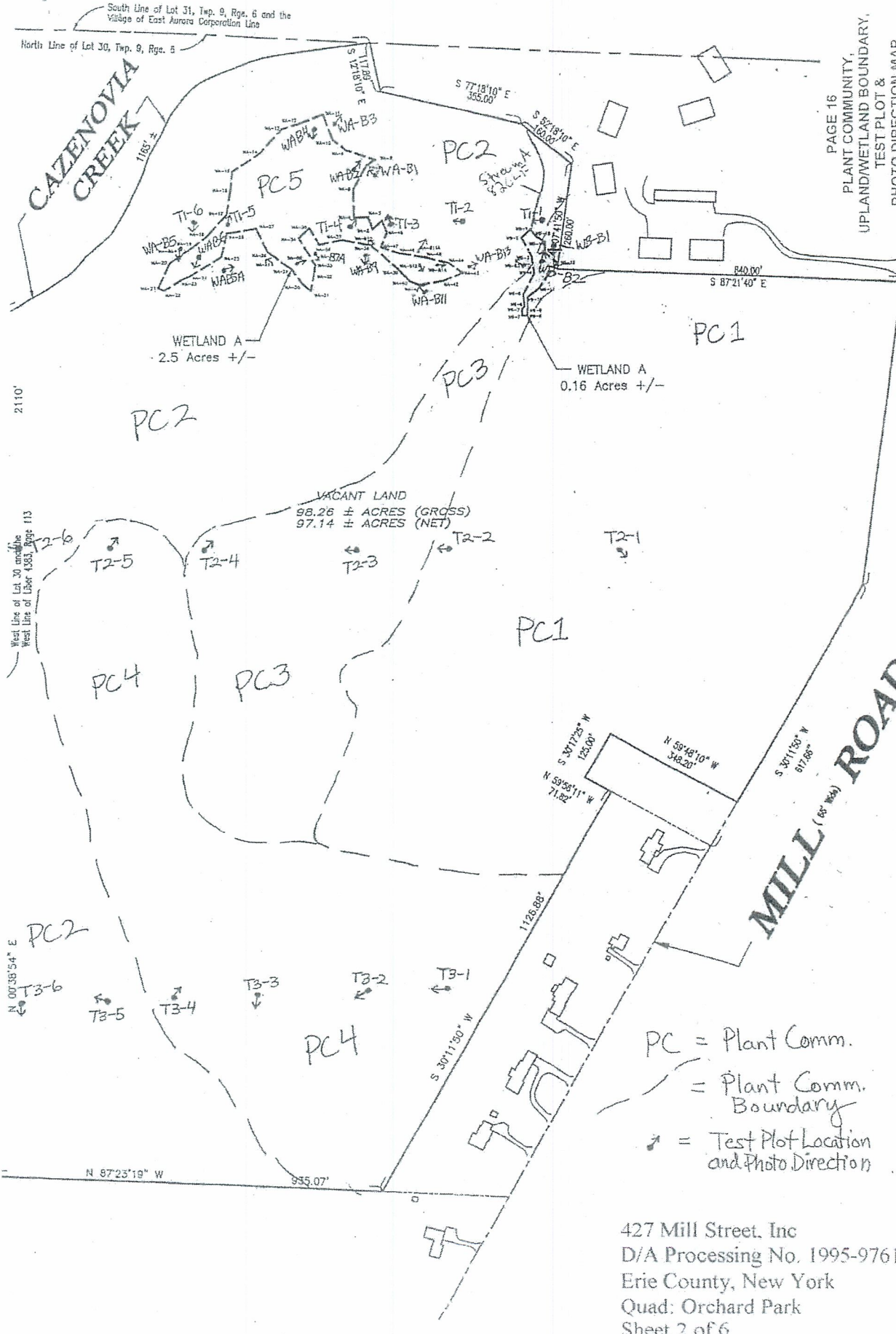


(HOLLAND)
 5269 11 N

South Line of Lot 31, Twp. 9, Rgs. 6 and the
Village of East Aurora Corporation Line

Hortin Line of Lot 30, Twp. 9, Rgs. 5

PAGE 16
PLANT COMMUNITY
UPLAND/WETLAND BOUNDARY,
TEST PLOT &
PHOTO DIRECTION MAP



2110'

West Line of Lot 30, middle
West Line of Lot 30, north
West Line of Lot 30, south

N 00°38'54" E
T3-6

N 87°23'19" W
935.07'

VACANT LAND
98.26 ± ACRES (GROSS)
97.14 ± ACRES (NET)

WETLAND A
0.16 Acres +/-

WETLAND A
2.5 Acres +/-

PC = Plant Comm.
 --- = Plant Comm. Boundary
 ↗ = Test Plot Location and Photo Direction

427 Mill Street, Inc
 D/A Processing No. 1995-976122
 Erie County, New York
 Quad: Orchard Park
 Sheet 2 of 6



South Line of Lot 31, Twp. 9, Rge. 6 and the Village of East Aurora Corporation Line

lot 30, Twp. 9, Rge. 6

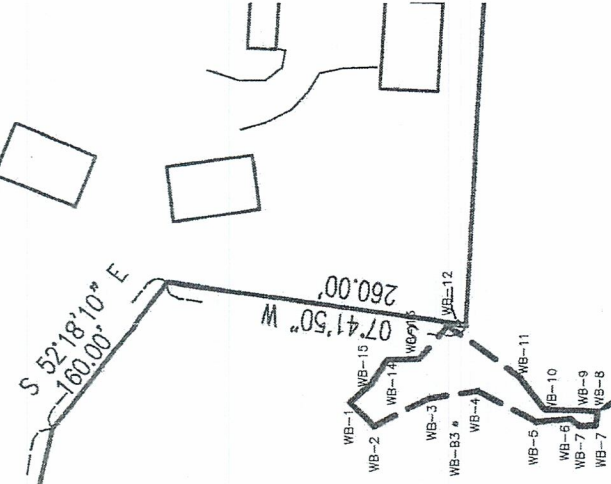
NOVIA
PREFEK
1165' ±

117.89
S 12°18'10" E

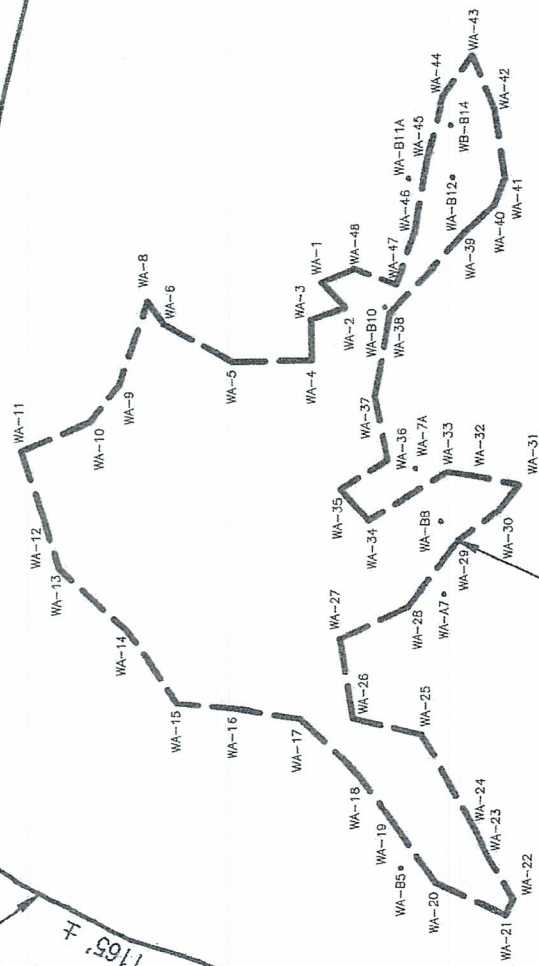
S 77°18'10" E
355.00'

S 52°18'10" E
100.00'

074°15'0" W
260.00'



WETLAND A
0.16 Acres +/-



WETLAND A
2.5 Acres +/-

VACANT LAND
98.26 ± ACRES (GROSS)
97.14 ± ACRES (NET)

Please set your printer orientation to "Landscape".

Mill St. : Town of Aurora, Erie County, NY

