GENESEE COUNTY PLANNING BOARD
ZONING REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID	**T-05-PEM-5-15**
Review Date	**5/14/2015**
Municipality	**PEMBROKE. T.**
Board Name	**ZONING BOARD OF APPEALS**
Applicant's Name	**David Brumsted**
Referral Type	
Variance(s)	**Area Variance(s)**
Description:	**Area Variance to build a pole barn.** **Lot frontage** **Minimum required: 200 ft.** **Proposed: 0 ft. (agricultural easement)**
Location	**Main Rd. (NYS Rt. 5), Pembroke**
Zoning District	**Agricultural-Residential (AG-R) District**

PLANNING BOARD DECISION

APPROVAL WITH MODIFICATION(S)

EXPLANATION:

The required modification is that the building permit be issued only for an agricultural building and agricultural use only - no living space, residential or any other nonagricultural use be allowed. With this required modification, the proposed variance should pose no significant county-wide or inter-community impact.

Felix A. [illegible]

Director

May 14, 2015

Date

If the County Planning Board disapproved the proposal, or recommends modifications, the referring agency shall NOT act contrary to the recommendations except by a vote of a majority plus one of all the members and after the adoption of a resolution setting forth the reasons for such contrary action. Within 30 days after the final action the referring agency shall file a report of final action with the County Planning Board. An action taken form is provided for this purpose and may be obtained from the Genesee County Planning Department.

SEND OR DELIVER TO:
GENESEE COUNTY DEPARTMENT OF PLANNING
3837 West Main Street Road
Batavia, N.Y. 14020-9404
Phone: (585) 344-2580 Ext. 5467

DEPARTMENT USE ONLY:
G.C.D.P. Referral # T-05-PEM-5-15
Date Received 5-5-2015

* GENESEE COUNTY *
PLANNING BOARD REFERRAL

Required According to:
GENERAL MUNICIPAL LAW ARTICLE 12B, SECTION 239 L, M, N
(Please answer ALL questions as fully as possible)

1. REFERRING BOARD(S) INFORMATION

Board(s) ~~Planning Board~~ ZBA

Address 1145 Main Road

Corfu, New York 14036

2. APPLICANT INFORMATION

Name David Brumsted

Address 7738 Bryon-Holly Rd., Bryon, NY 14422

Phone 585-764-3248 Email _____

MUNICIPALITY: ☐ City ☑ Town ☐ Village of Pembroke

3. TYPE OF REFERRAL: (Check all applicable items)

- ☑ Area Variance
- ☐ Use Variance
- ☐ Special Use Permit
- ☐ Site Plan Review
- ☐ Zoning Map Change
- ☐ Zoning Text Amendments
- ☐ Comprehensive Plan/Update
- ☐ Other: _____
- Subdivision Proposal
  - ☐ Preliminary
  - ☐ Final

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:

A. Address Main Rd., Corfu, NY 14036

B. Nearest intersecting road Cleveland Rd.

C. Tax Map Parcel Number 20.-1-62

D. Total area of the property 30 acres Area of property to be disturbed _____

E. Present zoning district(s) AG/RES

5. REFERRAL CASE INFORMATION:

A. Has this referral been previously reviewed by the Genesee County Planning Board?

☑ NO ☐ YES If yes, give date and action taken _____

B. Special Use Permit and/or Variances refer to the following section(s) of the present zoning ordinance and/or law

Zoning Schedule A for AG/RES

C. Please describe the nature of this request For creation of a building lot without any frontage on Route 5, that has access via an easement from neighboring property

6. ENCLOSURES – Please enclose copy(s) of all appropriate items in regard to this referral

- ☑ Local application
- ☐ Site plan
- ☐ Subdivision plot plans
- ☑ SEQR forms
- ☐ Zoning text/map amendments
- ☑ Location map or tax maps
- ☐ Elevation drawings
- ☐ Agricultural data statement
- ☐ New or updated comprehensive plan
- ☐ Other: _____

***** If possible, please provide a reduced version or digital copy of any supporting documentation larger than 11 x 17 in. Digital copies may be sent via email to planning@co.genesee.ny.us *****

7. CONTACT INFORMATION of the person representing the community in filling out this form (required information)

Name Diane M. Denton Title Zoning Administration Secretary Phone 585-599-4892 ext. 26

Address 1145 Main Road, Corfu, New York 14036 Email Zoning-Clerk@townofpembroke.org

TOWN OF PEMBROKE
1145 MAIN ROAD
CORFU, NEW YORK 14036
585-599-4892

APPLICATION FOR:			
	SPECIAL USE PERMIT		ZONING APPEAL
	TEMP. SPECIAL USE PERMIT		LAND SEPARATION
	USE VARIANCE		SUB DIVISION
X	AREA VARIANCE		ZONE DISTRICT CHANGE
			SITE PLAN REVIEW

DATE APPLIED FOR	
APPLICATION NUMBER	
REFERRED TO PLANNING	
REFERRED TO ZBA	X
PUBLIC HEARING REQ.	X

APPLICANT David Baumsted
ADDRESS 7738 Byron-Holley Rd
Byron NY 14422
TELEPHONE # 585-764-3248

STREET LOCATION # Main Road near Cleveland
TAX MAP PARCEL # 20.-1-62
ZONING DISTRICT AG-R
SIZE OF PARCEL 30 Acres
CORNER LOT no

PROPERTY OWNER (IF OTHER THAN ABOVE)
NAME
ADDRESS
TELEPHONE #

SMART GROWTH DEVELOPMENT AREA?
CURRENT SET BACK OF BUILDING
FRONT
REAR
SIDE

PERMIT OR VARIANCE FOR:
- NEW CONSTRUCTION
- ADDITION
- SIGN
- HOME OCCUPATION
- OTHER

IF THIS APPLICATION IS FOR A VARIANCE PLEASE STATE THE SECTION OF THE ORDINANCE UNDER WHICH THE VARIANCE REQUESTED
Zoning Schedule A for AG-R

DESCRIBE REASON FOR VARIANCE Parcel has no frontage on Route 5 but can be accessed via an easement for agricultural use

DOES THIS PROJECT REQUIRE APPROVAL FROM THE FOLLOWING? CHECK THOSE THAT APPLY:

GENESEE CO. HEALTH DEPARTMENT	TOWN BOARD
GENESEE CO. SOIL & WATER	X Z.B.A.
DEPARTMENT OF TRANSPORTATION	PLANNING BOARD
COUNTY PLANNING DEPARTMENT	PUBLIC HEARING
D.E.C.	

DESCRIPTION OF PROPOSED PROJECT OR REASON FOR PERMIT REQUEST
For creation of a building lot with no frontage on route 5 and having access via an easement from neighboring property

INSTRUCTIONS FOR COMPLETING THIS APPLICATION:
1. INCLUDE SITE SKETCH PLAN, PREFERABLY A LAND SURVEY WITH CURRENT AND PROPOSED SET BACKS.
2. IF APPLICANT IS NOT THE OWNER OF THE LAND ON WHICH THE PROPOSED PROJECT IS LOCATED, THEY ARE THEN REQUIRED TO OBTAIN WRITTEN PERMISSION FROM THE LAND OWNER FOR THE PROJECT.
3. A SEQR FORM (EAF) MUST BE INCLUDED WITH THE APPLICATION.
4. APPLICANT OR REPRESENTATIVE SHOULD ATTEND PLANNING BOARD AND/OR ZBA MEETING.

NOTE: IF THE REQUEST IS FOR A USE OR AREA VARIANCE, THE PLANNING BOARD'S ONLY ACTION WILL BE TO MAKE A RECOMMENDATION TO THE ZONING BOARD OF APPEALS FOR APPROVAL OR DISAPPROVAL.

APPLICANT SIGNATURE _____ **DATE** _____

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.

Part 1 - Project and Sponsor Information

Name of Action or Project:
David Brumsted (Main Road Parcel)

Project Location (describe, and attach a location map):
Main Road (Rte 5) Southside near Cleveland Rd

Brief Description of Proposed Action:
TM#20-1-63

Name of Applicant or Sponsor:	Telephone: 585 7643248
David Brumsted	E-Mail:

Address: 7738 Byron-Holley Rd

City/PO:	State:	Zip Code:
Byron	NY	14422

	NO	YES
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.	☑	☐
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:	☑	☐

3.a. Total acreage of the site of the proposed action? 30 acres
b. Total acreage to be physically disturbed? yes Plan 1 2 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 80 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☑ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)
☑ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☑	
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 ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO ☑	YES ☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☑	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☑	☐	
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: _____	NO ☑	YES ☐	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO ☑	YES ☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO ☑	YES ☐	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO ☑	YES ☐	
b. Is the proposed action located in an archeological sensitive area?	☑	☐	
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 ☐	
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: _____	☑	☐	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☑ Forest ☑ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☐ Urban ☐ Suburban

	NO	YES
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?	☑	☐
16. Is the project site located in the 100 year flood plain?	☑	☐
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? ☐ NO ☐ YES	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES _____		

	NO	YES
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: _____	☑	☐
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: _____	☑	☐
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: _____	☑	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: _____ Date: _____

Signature: _____

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?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
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?	☐	☐
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?	☐	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☐	☐
b. public / private wastewater treatment utilities?	☐	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

Felipe Oltramari

From: Zoning Clerk <Zoning-Clerk@townofpembroke.org>
Sent: Tuesday, May 05, 2015 2:52 PM
To: Felipe Oltramari
Cc: Planning Dept Email; tschneider@rochester.rr.com
Subject: Referral for Town of Pembroke David Brumsted Area Variance Application
Attachments: GENESEE COUNTY Referral Form David Brumsted.pdf

Hi, Felipe. Attached is the referral for David Brumsted's Area Variance Application. We are aware that the documents aren't yet signed by the applicant, and no actual site plan has been submitted by Mr. Brumsted.

Tom let me know this morning that he had already spoken to you about this application. If you have any further questions, please call him @ 585-993-2163

Thank you and best regards,
Diane

Zoning and Planning Secretary
Diane M. Denton
585.599.4892 ext.26
zoning-clerk@townofpembroke.org

CONFIDENTIALITY NOTICE: The information contained in this message and any documents, files, previous messages or other information attached to it, may be privileged, confidential and protected from disclosure. If the reader of this message is not the intended recipient(s), you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by replying to the message and deleting it from your computer.

May 06, 2015 12:07 planning
CallerID:

facsimile transmittal

To: County Planning - Felipe
Fax: 348-3062

From:
Date: 5/6/15

Re: Brumstead
Pages: 2 + cover

Cc:

☐ Urgent ☐ For review ☐ Please comment ☐ Please reply ☐ Please recycle

Notes:

May 06, 2015 12:07 planning
CallerID:

LIBER 895 PAGE 337

Warranty deed with Lien Covenant

THIS INDENTURE, made the 26th day of OCTOBER 2012.

Between

Duane M. Schmigel
9181 Alleghany Road
Corfu, NY 14036

As Grantor(s), and

David Brumsted
7738 Byron-Holly Road
Byron, NY 14422

As Grantee(s)

Witnesseth, That the said Grantor(s), in Consideration of **One and More Dollars ($1.00 & more)** lawful money of the United States paid by the Grantee(s) do hereby grant and release unto the Grantee(s) his/her/their heirs and assigns forever.

See Premises annexed hereto.

This conveyance is subject to leases, easements and rights of way of record.

Together with the appurtenances and all the estate and rights of the Grantor(s) in and to the said premises.

To have and to hold, the above granted premises unto the said Grantee(s).

And said grantor(s) covenant as follows:

First. That the grantee(s) shall quietly enjoy the said premises;

Second. That said grantor(s) will forever **Warrant** the title to said premises.

Third. That, in Compliance with Sec. 13 of the Lien Law, the grantor(s) will receive the consideration for this conveyance and hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness whereof, the said Grantor(s) hereby sign this deed the date first above written.

X Duane M. Schmigel
Duane M. Schmigel

STATE OF NEW YORK)
COUNTY OF WYOMING):SS:

On the 26th day of OCTOBER in the year 2012, before me, the undersigned, a notary public in and for said State, personally appeared **Duane M. Schmigel**, personally known to me or proved 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 on behalf of which the individual(s) acted, executed the instrument.

Notary Public

TIMOTHY F. MORAN #4628933
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN WYOMING COUNTY
MY COMMISSION EXPIRES MAR. 30, 2014

KIBBE, KING & MORAN
2 Main Street P. O. Box 268
Attica, NY 14011
585-591-1800

May 06, 2015 12:07 planning
CallerID:

PREMISES

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Pembroke, County of Genesee and State of New York, known as the South side of Route 5, being part of Lot No. 8, Section 5, Township 12, Range 3 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the intersection of the south line of New York State Route 5 with the west line of Hess, Cutini and Schreiber lands as conveyed to them in Liber 420 of Deeds at page 608; thence easterly along the south line of Route 5, a distance of about 651.10 feet to the northwest corner of a 4.33 acre parcel of land sold to Wayne and Robin Newton recorded in the Genesee County Clerk's Office in Liber 434 of Deeds at page 180; thence southerly along Newton's west line and parallel with the east line of Lot No. 8 crossing the Niagara Mohawk Corp. property to the south line of Lot No. 8; thence westerly along the south line of Lot No. 8 to the southwest corner of the said Hess, Cutini and Schreiber lands; thence northerly along the said Hess, Cutini and Schreiber west line for about 2561.33 feet crossing the Niagara Mohawk Corp. property to the south line of Route 5 and the point of beginning, containing 36 acres of land, more or less.

EXCEPTING therefrom, the following three parcels:

1. A 2.28-acre parcel conveyed by Lola R. Cawker to Lawrence B. Cawker, recorded on August 19, 1980 in Liber 453 of Deeds at page 628.

2. A parcel conveyed by Merry Carol Stipp and Lawrence B. Cawker to James M. Galloway, recorded October 28, 1985 in Liber 502 of Deeds at page 147.

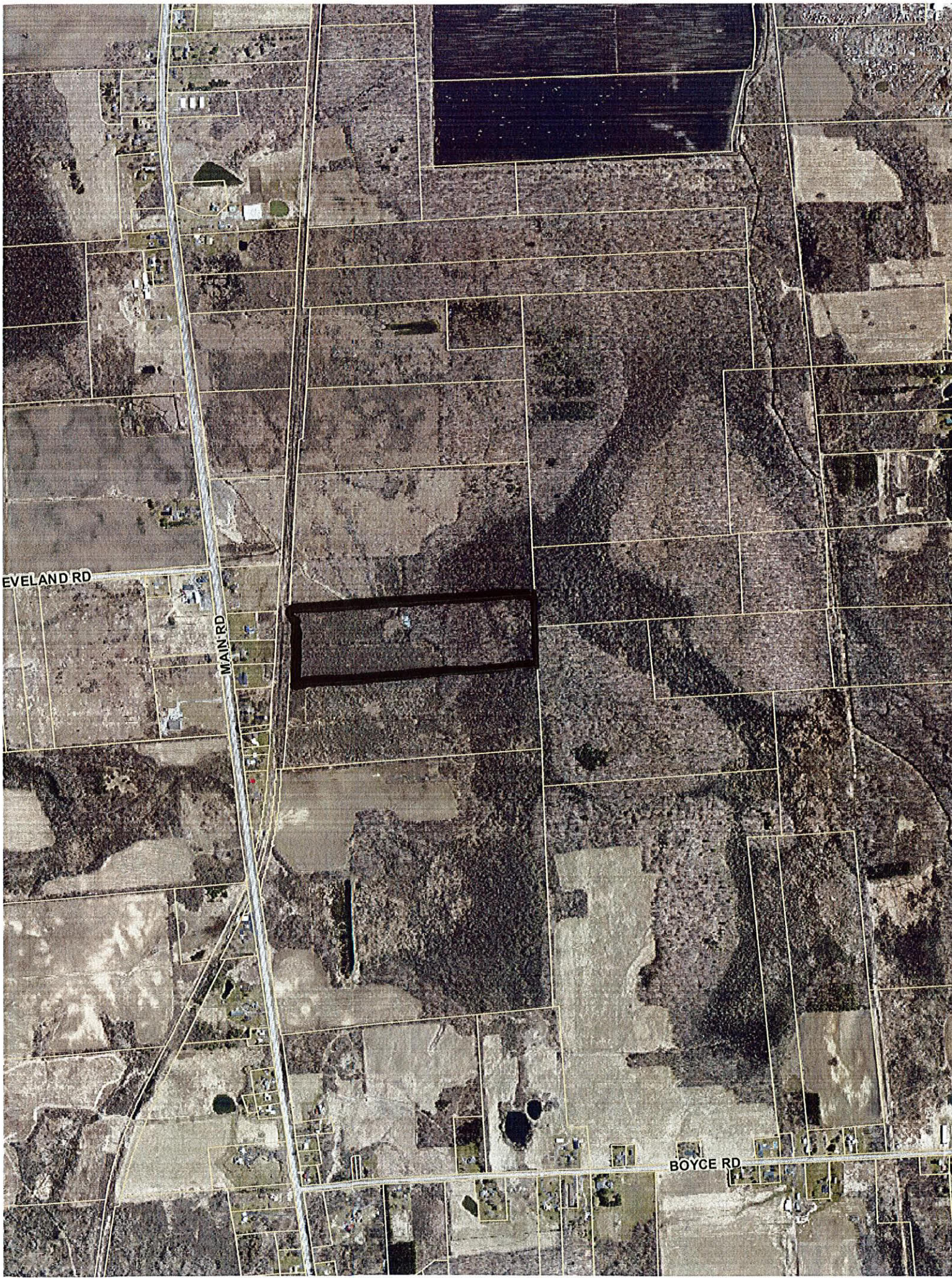
3. A parcel described as follows; ALL THAT TRACT OR PARCEL OF LAND, being part of Lot No. 8, Section 5, Township 12, Range 3 of the Holland Land Company's Survey bounded and described as follows: BEGINNING at the northwest corner of those certain premises described in a deed from Merry Carol Stipp and Lawrence B. Cawker, to James M. Galloway, which deed was recorded on October 28, 1985 in the Genesee County Clerk's Office in Liber 502 of Deeds at page 147; running thence south along a line parallel with the west line described in a deed recorded in Liber 453 of Deeds at page 628, a distance of 386.27 feet to the north line of the lands formerly owned by Niagara Falls – Canandaigua Railroad (now or formerly owned by Niagara Mohawk Power Corp.); thence running northwesterly along said Niagara Falls – Canandaigua Railroad (now or formerly owned by Niagara Mohawk Power Corp.) north line, a distance of about 219.03 feet to a point on the west line of the lands conveyed to Lawrence B. Cawker and Lola R. Cawker by deed recorded on January 2, 1979 in Liber 445 of Deeds at page 951; thence northerly along said Cawker west line a distance of about 349.41 feet to the south bounds of New York State Route 5; thence easterly along the south line of Route 5, a distance of 210.00 feet to the point or place of beginning.

INTENDING by this deed to convey all the land lying south of the said Niagara Falls – Canandaigua Railroad (now or formerly owned by Niagara Mohawk Power Corp.) contained in the said deed to Lawrence B. Cawker and Lola R. Cawker recorded on January 2, 1979 in Liber 445 of Deeds at page 95.

ALSO ALL THAT TRACT OR PARCEL OF LAND, described as follows:

1. A 20 foot wide right of way for passage of farm vehicles and equipment from the said Route 5 to the north bounds of the land hereby being conveyed, said right of way to lie on the east side of the 210 foot parcel of land described in the above Excepted #3 parcel.

2. The easement rights of passage including egress and ingress over the Niagara Mohawk property bisecting the property described in the deed to Lawrence B. Cawker and Lola R. Cawker in Liber 445 of Deeds at page 951, which easement rights are set forth in an easement instrument from Niagara Mohawk Power Corporation to Ray E. Hamilton, as executor, recorded in the Genesee County Clerk's Office on July 21, 1972 in Liber 420 of Deeds at page 571.


EVELAND RD
MAIN RD
BOYCE RD

16.2 SEE SECTION MAP 16

OLD BUFFALO ROAD (99' WIDE)

NIAGARA MOHAWK POWER CORPORATION (FORMERLY NEW YORK CENTRAL RAILROAD)

16.1

1.69A(C) 13.2 NIAGARA MOHAWK POWER CORPORATION

SEE SECTION MAP 19

SEE SECTION MAP 21

SEE SECTION MAP 24

EAST PEMBROKE FIRE DISTRICT

BOYCE ROAD (66.5'WIDE)

LAKE ROAD (66.5'WIDE)

4 5.0A(C) 2.2	5 2.1A(C)	9 10 11 12 1.1A(C)	8 7
9.4A(C) 2.11			
11.0A(C) 2.12	8.6A(C) 3	42.5A(C) 6.1	
21.8A(C) 1.111	2.1A(C) 1.21	2.7A(C) 6.2	
1.12 • 6.1A(C)		23.1A(C) 63	
6.7A(C) 58.121	58.21	57	
17.2A(C) 58.111		49.112	
		49.2	
58.0A(C) 55.11		55.2 56	49.12
			50.2
1.4A(C) 55.12		54.11	54.2
		54.12	
23.8A(C) 53.1		52	
	4.8A(C) 53.2		

119.7A(C) 13.1	34.3A(C) 14.1	30.0A(C) 62	60.8A(C) 25.11
42.6A(C) 18	35.3A(C) 19.1	6.2A(C) 19.2	35.75A(C) 20.1
35.75A(C) 20.2	8.5AC) 3		
130.8A(C) 49.113	44.3A(C) 48	27.0A(C) 44	82.5A(C) 43
23.2A(C) 47			
86.9A(C) 59	20A(C) 46	22.6A(C) 45.1	18.5A(C) 41.11
10.3A(C) 41.2	12.8A(C) 41.12	3.8A(C) 40.1	40.2
64.8A(C) 39.1	31.2A(C) 38	14.6A(C) 36	1.2 A(C) 37
42.8A(C) 33	42.2A(C) 31	74.3A(C) 30	23.1A(C) 29
34 • 11.2A(C)			

1.9A(C) 61	2.3A(C) 25.12	4.3A(C) 25.2	2.8A(C) 21.121
2.8A(C) 21.2	6.3A(C) 23	12.8A(C) 24	44.0A(C) 22.1
53.4A(C) 21.111	26 22.2 27.2	27.1 28	
2.3A(C) 17.1	1.8 A(C) 25.121		

REVISION TABLE

DATE	MADE BY	CHANGES OR ADDITIONS
09/20/2010	JRG	SPLIT 20.-1-14 INTO 20.-1-14.1 & 14.2
10/21/2010	JRG	MERGE 20.-1-14.2 & 17 INTO 17.1
08/06/2012	JRG	SPLIT 20.-1-49.111 INTO 49.113 & 63

SPECIAL DISTRICTS

FIRE	EAST PEMBROKE FIRE DISTRICT
SCHOOL	PEMBROKE CENTRAL

LEGEND

PROPERTY LINE	SCH
ORIGINAL LOT LINE	F
RAILROAD	W
STREAM OR DITCH	S
ROAD OR RAILROAD BNDY	
BLOCK LIMIT	
GREAT LOT LINE	
DENOTE COMMON OWNER	
SCHOOL DISTRICT LINE	
FIRE DISTRICT LINE	
WATER DISTRICT LINE	
SEWER DISTRICT LINE	
EASEMENT	

TAX MAP BLOCK No	③
TAX MAP PARCEL No	43-14-11
FILED PLAN LOT No	14
GREAT LOT No	(1)
CALCULATED ACREAGE	7.5 A (C)
DEED ACREAGE	17.5 A
SCALED DIMENSION	225 (S)
DEED DIMENSION	173.5

THIS MAP WAS PREPARED FOR TAX PURPOSES ONLY AND IS NOT TO BE REPRODUCED OR USED FOR SURVEYING OR CONVEYANCING.

PREPARED BY
McINTOSH & McINTOSH, LAND SURVEYORS
BATAVIA, NEW YORK
UNDER AUTHORITY
OF
GENESEE COUNTY BOARD OF SUPERVISORS
Data converted to digital tax map format, August 2004, by Weiler Mapping
Map created using GCPlot, Copyright 2007, Bergmann Associates

TAX MAP
TOWN OF PEMBROKE
GENESEE COUNTY, NEW YORK

SECTION 20

GRAPHIC SCALE
1"= 400'

MAP DATE: March 2014

~ REFERENCES ~
1) DEED TO: DUANE M. SCHMIGEL L.884 D.630
2) STEWART TITLE INSURANCE COMPANY
ABSTRACT No. 43638
DATED: APRIL 23, 2012
3) MAP BY: FRANK T. TRIPI, L.S.
DATED: 8/16/1984, LAST REVISED: 12/3/1984
JOB No. 2596-84
4) MAP BY: NIAGARA, LOCKPORT & ONTARIO POWER CO.
115 KV LOCKPORT- BATAVIA # 107 LINE
115 KV LOCKPORT- BATAVIA # 108 LINE
LAST DATED: 8/5/1992
5) OTHER MAPS AND/OR DEEDS LISTED HEREON

⊙ = IRON PIN SET
● = IRON PIN/PIPE FOUND
⌀ = UTILITY POLE
M&M = MAP & MEASURED
D&M = DEED & MEASURED

~ HORIZONTAL DATUM (NAD 83) ~
COORDINATES BASED ON GPS OBSERVATIONS USING THE NYSDOT COORS NETWORK.

CLEVELAND ROAD
49.5' WIDE
HIGHWAY LINES
CENTERLINE
49.5'

MAIN ROAD — NEW YORK STATE ROUTE 5 (99.0' WIDE)

HIGHWAY LINE
CENTERLINE
FOUND & HELD EXISTING AXLE
N 82°55'20" E 210.00' D&M
N 82°55'20" E 20.03'
S 82°55'20" W 200.00' D&M
651.10' D&M
1027.40' D&M L.420 D.608
N 82°55'20" E 24.10' D&M
86°57'20" M&M (REF. # 3)
N 82°55'20" E 376.30' M&M
1" PIPE 0.3'
NORTHWEST CORNER OF 4.33 AC DESCRIBED IN L.434 D.180
Fire Hydrant Found 3/31/15
Telephone pole. Found 3/31/15
N = 1091865.94
E = 1208391.84
N = 1091868.41
E = 1208411.71
CP6
CP7
GRID NORTH PER GPS OBSERVATIONS USING NYSDOT COORS NETWORK

RIGHT OF WAY SURVEYED IS THE 20.0' WIDE RIGHT OF WAY ORIGINALLY CONVEYED TO MERTON SCHMIGEL IN L.518 D.233 & CONVEYED TO DUANE M. SCHMIGEL IN L.884 D.630

20.0'
PARALLEL TO THE WEST LINE OF CAWKER L.453 D.628
WEST LINE OF HESS, CUTINI & SCHREIBER L.420 D.608
WEST LINE OF CAWKER L.445 D.951
N 03°33'55" W 348.85' MEAS. 349.91'± DEED
N 04°02'00" W 384.17'
S 04°02'00" E 387.85' MEAS. 386.27' DEED
N 04°02'00" W PARALLEL TO THE WEST LINE OF NEWTON L.434 D.180 421.24' DEED 424.65' MEAS.
WEST LINE OF L.434 D.180 — PARALLEL TO THE EAST LINE OF LOT 8 N 04°02'00" W 469.02' MEAS. NO RECORD DISTANCE 465.48' DEED 466.90' DEED
S 04°02'00" E 537.05' DEED 538.27' MEAS.
LOT 8
LOT 6
Push/Tie Line

N/F
PETER M. MARCHESE
L.855 D.693
(S.B.L. 20-1-25.121)
NOTE: THE DESCRIPTION IN L.855 D.693 DOES NOT CONTAIN LANGUAGE REGARDING THE 20' WIDE RIGHT OF WAY ORIGINALLY CONVEYED IN L.518 D.233
ALSO SEE EXCEPTION No. 3 IN L.884 D.630

N/F
BRADLEY D. SCHWAB
L.862 D.26
(S.B.L. 20-1-61)
FORMERLY
JAMES M. GALLOWAY
L.502 D.147

N/F
LAWRENCE B. CAWKER
L.453 D.628
(S.B.L. 20-1-25.122)

N/F
JAMES McAULEY & JENNIFER McAULEY
L.888 D.291
(S.B.L. 20-1-25.2)
FORMERLY
WAYNE D. NEWTON & ROBIN L. NEWTON
L.434 D.180

97°00'00" PER REF. #'s 3 & 4 & USED TO COMPUTE DISTANCE ALONG THE SOUTH LINE OF EXCEPTION No. 3 IN (L.884 D.630)

SUSPENSION H-FRAME No. 260
SUSPENSION H-FRAME No. 267
SUSPENSION H-FRAME No. 261
SUSPENSION H-FRAME No. 268
SUSPENSION H-FRAME No. 262
SUSPENSION H-FRAME No. 269
1" PIN 3.1' 3.0'
PIN 5.4'
N 86°33'55" W 214.37' (COMPUTED) 219.03'± DEED
N = 1091482.72
E = 1208418.86
S 86°33'55" E 201.43' MEAS. 201.1' DEED
N = 1091481.51
E = 1208438.99
N 86°33'55" W 20.17'
82°31'55" 83°03' MAP MEAS. (REF. # 3)
68' WIDE EASEMENT TO: NIAGARA MOHAWK POWER CORPORATION L.420 D.569
N 86°33'55" W 242.82' MEAS. 242.8' DEED
EXISTING CENTERLINE OF 115 KV LOCKPORT- BATAVIA # 108 ELECTRIC TRANSMISSION LINE
N 86°33'55" W 376.3' DEED 378.98' MEAS.
1" PIN 4.9' 0.8'
2.3' 1" PIN 0.6'
30' WIDE INGRESS & EGRESS EASEMENT L.420 D.571
33.0' D&M
2561.33'± DEED
40.2' DEED
FORMER CANANDAIGUA & NIAGARA FALLS RAIL ROAD CO. L.85 D.426
ORIGINAL CENTERLINE OF THE CANANDAIGUA & NIAGARA FALLS ROAD & EXISTING CENTERLINE OF 115 KV LOCKPORT- BATAVIA # 107 ELECTRIC TRANSMISSION LINE
SEE INGRESS & EGRESS RIGHTS CONVEYED IN L.420 D.571 FOR A ROAD NOT EXCEEDING 60 IN WIDTH. THE CENTER TO BE LOCATED NOT MORE THAN 100' EAST OF STRUCTURE 267 OR NOT MORE THAN 155' EAST OF STRUCTURE 268 (NOT LESS THAN 90' FROM ANY STRUCTURE)
555.0' DEED
FORMER NEW YORK CENTRAL RAILROAD CO. L.221 D.192
550.09'± DEED
NIAGARA MOHAWK POWER CORPORATION L.338 D.449
125.0'
40.00' DEED
40' WIDE EASEMENT TO: NIAGARA MOHAWK POWER CORPORATION L.420 D.575
N = 1091387.77 ± (COMPUTED)
E = 1208231.65 ± (COMPUTED)
N = 1091348.25 ± (COMPUTED)
E = 1208889.96 ± (COMPUTED)
(NOT TO SCALE)
(NOT TO SCALE)
SOUTHWEST CORNER OF L.420 D.608
SOUTH LINE OF LOT 8
NO RECORD DISTANCE
1006.50'

NOTE: THE PURPOSE OF THIS SURVEY IS TO ESTABLISH THE LOCATION OF THE 20' WIDE RIGHT OF WAY CONVEYED TO DUANE M. SCHMIGEL IN L.884 D.630

THE LANDS CONVEYED IN SAID DEED WHICH LIE SOUTH OF THE FORMER RAILROAD AND ARE PLOTTED FROM THE RECORDS LISTED HEREON AND WERE NOT THE RESULT OF AN ACTUAL FIELD SURVEY.

MAP OF A SURVEY
OF LAND BELONGING TO
DUANE M. SCHMIGEL
BEING PART OF LOT 8, SECTION 5, TOWNSHIP 12, RANGE 3 OF THE HOLLAND PURCHASE
SITUATE IN THE
TOWN OF PEMBROKE
GENESEE COUNTY, NEW YORK
JUNE 2, 2012

60 0 60 120 180
Scale: 1" = 60'

I HEREBY CERTIFY
THAT THIS MAP WAS MADE JUNE 2, 2012 FROM
NOTES OF A SURVEY COMPLETED MAY 29, 2012.
KEVIN M. O'DONOGHUE, L.S. No. 49514

STATE OF NEW YORK
KEVIN M. O'DONOGHUE
LICENSE No. 049514
LICENSED LAND SURVEYOR

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NOTE:
UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209 PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

JOB No. G12-3790S

PIKE

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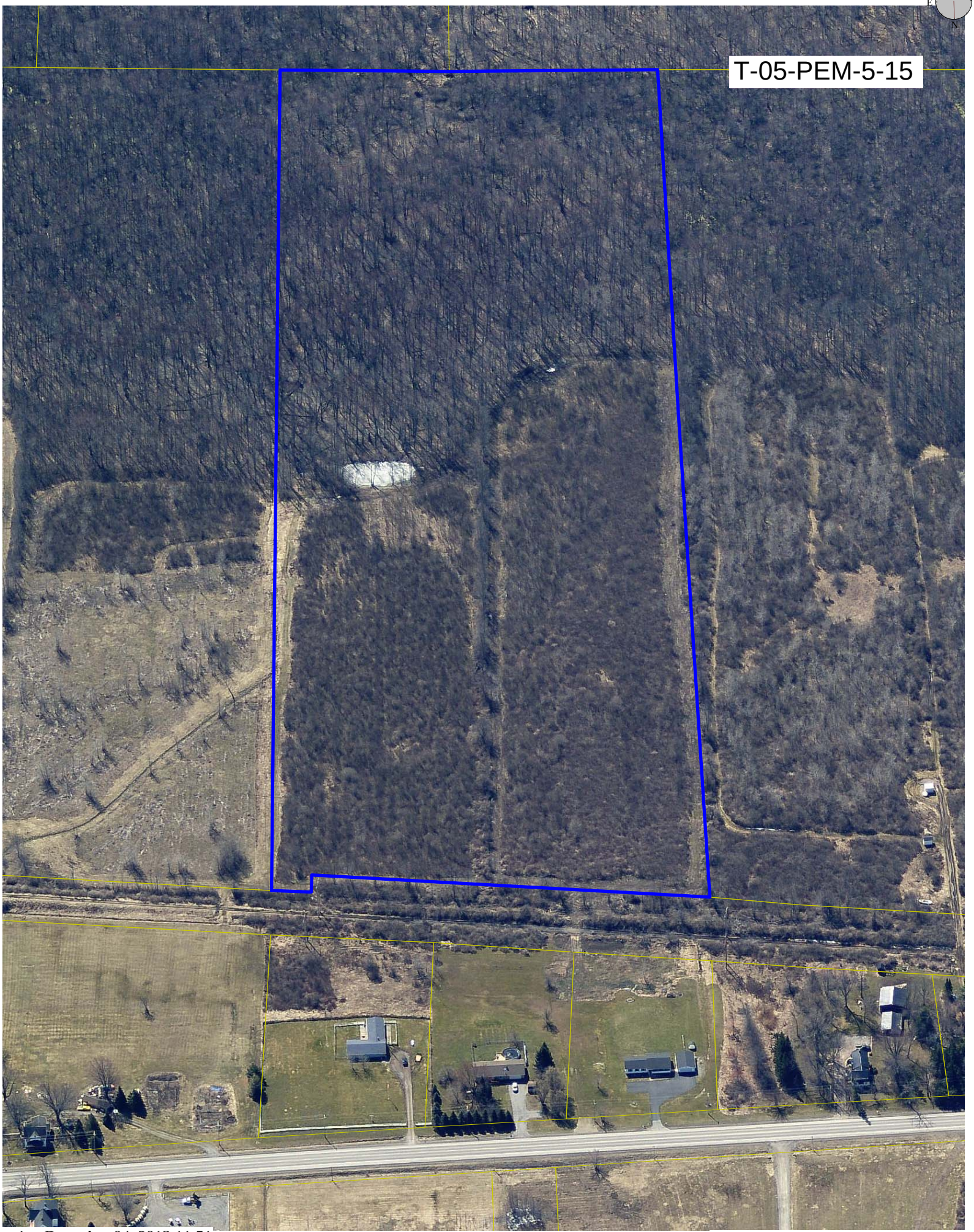

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