Yates County Planning Board Referral Form

Referral # County Use Only 2016-51

Date Received 10/06/2016

Revised 9/2016

Municipality and Referring Agency Town of Milo

Project Address (no number) Plum Point Road+(no number) Plum Point Road Project Tax Map # 88.03-1-7 and 88.03-1-28

Zoning District Agricultural Residential (AR)

Applicant (**Name & MAILING**) Donald Schneider, Esq. (Authorized Representative) / 307 Liberty Street Penn Yan, NY 14527

Email

Property Owner (**Name & MAILING**) Lewis N. Martin and Lucy H. Martin / 2472 Stape Road Penn Yan, NY 14527

Email

Reason for Referral (Prox. to Cty Rd., State Rd., Muni Boundary, etc.) lots located within 500 feet of Route 14, which is a NYS primary highway system, and Plum Point Road, which is a Yates County highway system

Application Type

- Area Variance ☐
- Use Variance ☐
- Special Use Permit ☐
- Site Plan ☐
- Subdivision ☒
- Text Amendment ☐
- Map Amendment ☐
- Other ☒ Lot Line Adjustment

Project Description

Minor subdivision of land (creating 1 new lot of record) and a lot line adjustment with a contiguous lot of record. (Parcel 3 to be adjusted into lot having a tax map identification number of 88.03-1-28).

Supporting Documents Required (IF N/A, include explanation)

- Municipal Application ☒
- Tax Map or Plat ☒
- SEQR ☒
- Site Plan * ☐
- Variance Criteria ** ☐
- Subdivision Plat ☒ For Subdivision Referrals Only
- Other ☒ See attachements

Please review the submittal letter from the Code Enforcement Officer, dated October 6, 2016, and the attached documents that will explain the project.

*If Site Plan Review, Site Plan **MUST** be detailed and meet the municipal requirements.

All Variance referrals (Area/Use) **MUST include detailed justifications associated with reason/s for appeal.

Certification: *With the following signature I certify that this application provides a complete description of the proposed local action and is a complete application pursuant to NYS General Municipal Law Article 12b, Section 239-m, part c.*

C Valdonc, Referring Official

Provision of required information is the responsibility of the referring agency. Failure to provide such information may result in a significant delay in processing.

Submit To: **Yates County Planning Department, tcutler@yatescounty.org or 417 Liberty St. Suite 1093, Penn Yan, NY 14527**

TOWN OF MILO, NEW YORK

Department of Code Enforcement and Administration
137 Main Street – Town Hall
Penn Yan, New York 14527
Telephone No.: (315) 531-8042
Fax No.: (315) 536-9760
TDD No.: (202) 720-6382
Email: codeofficer@townofmilo.com
Website. www.townofmilo.com

Thursday, October 06, 2016

To: ☒ **Planning Board** ☐ **Town Board** ☐ **Zoning Board of Appeals**

Application No.: **PB-11-08-2016B**

Approvals Required: **Minor Subdivision of Land and Lot Line Adjustment**

Lot of Record: **(no number) Plum Point Road, Himrod**
(no number) Plum Point Road, Himrod

Tax Map ID No.: **88.03-1-7 (Parcel 1 & 2 created from this lot as illustrated in the final plat)**
88.03-1-28 (Parcel 3 adjusted into this existing lot as illustrated in the final plat)

Dear Board Members:

Thank you for taking the time to read this letter. Our department has received an application for a Minor Subdivision of Land and a Lot Line Adjustment to create one new lot of record but also to adjust lot lines (Parcel 3 adjusted into lot having a tax map identification number of 88.03-1-28) at (no number) Plum Point Road, which is more specifically known as tax map identification numbers 88.03-1-7, and (no number) Plum Point Road, which is more specifically known as 88.03-1-28. The application was submitted on September 19, 2016, application fees were paid and the owner submitted all required documentation in order for the application to be considered "complete." Therefore, the Code Enforcement Officer has reviewed the application and wishes to convey the following information:

1. Both existing lots are owned by Lewis N. Martin and Lucy H. Martin.

2. Both existing lots are contiguous to each other (i.e., share a same lot line).

3. No new access to Route 14 and/or Plum Point Road is proposed. The owner understands that any new access points unto Route 14 shall be approved by NYSDOT. Lastly, the owner understands that any new access points unto Plum Point Road shall be approved by the Highway Superintendent of Yates County.

4. The Code Enforcement Officer reviewed the applicable regulations prescribed within the Zoning Law of the Town of Milo and the Subdivision of Land Law of the Town of Milo. No concerns arose from such review.

5. The Code Enforcement Officer reviewed the application and Short Environmental Assessment Form (Short EAF). Minor corrections were made to avoid any confusion but also to correct mistakes when such officer utilized the NYSDEC EAF Mapper.

a. The Code Enforcement Officer reviewed 6 NYCRR Part 617 and determined that this action is an Unlisted Action and the Planning Board should act as "Lead Agency."

6. The Code Enforcement Officer conducted a floodplain damage protection review and this lot of record is located in a Flood Zone A, which are areas of 100 year flood, and Flood Zone C, which are areas outside the 500 year flood. However, the areas located in Flood Zone A is the gully of Plum Point Creek and are not buildable. Therefore, no concerns arose from such review.

7. The Code Enforcement Officer utilized NYSDEC Environmental Resource Mapper. No concerns were raised when the results were obtained from such state program.

Therefore, it is the opinion of the Code Enforcement Officer that this application be "Approved with Conditions" since this application appears to conform to Chapter 140, Zoning, of the Code of the Town of Milo, which was adopted on 1/23/2016. Therefore, the Code Enforcement Officer suggests that the conditions of approval are as follows:

- The proposed Action is solely a Minor Subdivision of Land that is creating only 1 new lot of record as well as a lot line adjustment that will allow Parcel 3 to be adjusted into lot having a tax map identification number of 88.03-1-28. Approval has not been granted to construct any new buildings and/or structures or use the land contrary to regulations mandated by the Code of the Town of Milo or other applicable local, state and federal laws; and

- All parties involved in this application fully understand and agree to obtain all necessary local, state and federal approvals prior to the start of any future development; and

- All parties involved in this application fully understand and agree to obtain approval from the NYSDOT for any new access unto Route 14, which is a state owned primary highway system; and

- All parties involved in this application fully understand and agree to obtain approval from the Highway Superintendent of Yates County for any new access unto Plum Point Road, which is a Yates County owned highway system; and

- All parties involved in this application fully understand and agree that any approval of this application for a Minor Subdivision of Land does not deem acceptance of any improvement by the Town of Milo; and

- The final subdivision plat shall be filed by the Applicant in the Office of the Clerk of Yates County. Any final subdivision plat not so filed and recorded within sixty (60) days of the date upon which the Chairperson signs the final subdivision plat evidencing its final approval, the final subdivision plat shall become null and void; and

- No changes, erasures, modifications, or revisions shall be made in any final subdivision plat after approval has been given by the Planning Board and endorsed in writing on the final subdivision plat, unless said final subdivision plat is first resubmitted to the Planning Board and such Board approves any modifications; and

- A Certificate of Real Property Tax Status shall be obtained from the County Treasurer prior to filing the final subdivision plat in the Office of the Clerk of Yates County. Such tax certificate shows the current status of taxes. If delinquent, the certificate reflects penalties and interest that are due according to tax records. Please understand that the final subdivision plat shall not be accepted by the County Clerk until such certificate documents no delinquent payments; and

- In the event that any such final subdivision plat is recorded without complying with these requirements, said recorded final subdivision plat shall be considered null and void, and the Planning Board shall institute proceedings to have said subdivision plat stricken from the records of the Clerk of Yates County; and

- In the event that it is necessary for the Town of Milo to take legal action to enforce the conditions stated hereinabove, the Applicant shall be responsible for all legal expenses and other costs incurred by the Town of Milo in such proceedings to enforce the conditions stated hereinabove.

Respectfully,

Anthony Validzic

Anthony Validzic
Code Enforcement Officer

9/19/2016
check # 26254 Donald Schneider
PAID $250

Reset Form

Print Form

TOWN OF MILO, NEW YORK

Department of Code Enforcement and Administration
137 Main Street
Penn Yan, New York 14527
Telephone No.: (315) 531-8042
Facsimile No.: (315) 536-9760
TDD: (202) 720-6382
Email: codeofficer@townofmilo.com
Website: www.townofmilo.com

RECEIVED
SEP 19 2016
TOWN OF MILO

1. $250 fee
2. Complete application
3. Short EAF
4. Ag Data Statement
5. 1 mylar, 2 original copies, 10 paper copies } final plat

APPLICATION FOR A SUBDIVISION & Lot Line Adjustment

DMW

Part 1. Contact Information.

Owner of Record

Name: Lewis N. Martin, Lucy H. Martin
Address: 2472 Stape Road
City: Penn Yan State: NY Zip Code: 14527
Telephone: 315-536-3994

Authorized Representative (e.g., Attorney at Law)

Name: Donald A. Schneider
Address: 307 Liberty Street
City: Penn Yan State: NY Zip Code: 14527
Telephone: 315-536-2100

Part 2. Lot(s) Information.

(Note: Please inform us of the addresses and its associated tax map identification numbers, which are assigned to the lot by Yates County Real Property Services, for all lots involved in this application.)

Lot #1 - Address: Plum Point Road 88.03-1-7 (Parcel 1 & 2 created from this lot of record.) DMW
Lot #2 - Address: Plum Point Road 88.03-1-28 (PARCEL 3 adjusted into this existing lot of record)
Lot #3 - Address: DMW
Lot #4 - Address: Both lots are vacant DMW
Lot #5 - Address:

Part 3. Subdivision Information.

Type of subdivision: ☒ Conventional subdivision ☐ Cluster development Lot line adjustment DMW

Proposed number of lots created by the proposed subdivision, including the remainder of the original lot: 3

Proposed number of lots, including the remainder of the original lot, that will have a lot area equal to or less than five (5) acres: 2

Name of the road(s), whether private or public, that will provide access to each lot: Plum Point Road

Does the proposed subdivision create a new roadway, whether private or public, in the Town?

If "yes," a Stormwater Pollution Prevention Plan needs to be completed in accordance with the NYSDEC Phase II Stormwater Permit Program and attached to this application. In addition, roadway design and specifications that are prepared by a professional engineer licensed in the State of New York, which comply with the Town standards for construction of new roadways, shall be attached to this application for review by the Town.

☐ Yes ☒ No

If a new road is being proposed, does the owner intend for it to be dedicated to the Town?

If "yes," any roads proposed to be dedicated to the Town shall be approved by the Town Board pursuant to law. The owner shall submit a request to the Town Clerk and attach all necessary documents needed for the review of road being dedicated to the Town. Please comprehend that the approval of a subdivision of land does not constitute the acceptance of a roadway or any other types of improvements by the Town.

☐ Yes ☒ No

Does the proposed subdivision create a new sewer and/or water district or an extension thereof?

If "yes," any new sewer and/or water district or an extension thereof shall be approved by the Town Board pursuant to law. The owner shall submit a request to the Town Clerk and attach all necessary documents needed for the approval of a sewer and/or water district or extension thereof. Please comprehend that the approval of a subdivision of land does not constitute the creation of a sewer and water district or extension thereof. Moreover, such approval does not constitute the acceptance of a sewer and/or water system or any other type of improvement by the Town.

☐ Yes ☒ No

Does the proposed subdivision require coverage under the NYSDEC's SPDES General Permit for Stormwater Discharges?

Note: Owners subdividing a parcel of land after March10, 2003, where the total anticipated land disturbance for the subdivision is greater than one acre, are not required to obtain coverage under GP-0-10-001 at the time they subdivide the land provided they meet all of the following conditions: the individual lots are for single family homes only; the total anticipated land disturbance for the subdivision is less than five acres; the subdivision does not require the construction of roads or common driveways; the subdivision does not require municipal sewer and/or water system extensions as part of their local approval; the subdivision will not connect to an existing subsurface storm sewer system; and the owner is not required, as part of their subdivision approval at the local level, to prepare engineering plans showing the individual lot layout (e.g. house, drive, septic system, water supply, etc.
(Additional Note: At this time, engineered plans showing the individual lot layout is not required as part of the Subdivision of Land Law of the Town of Milo.)

☐ Yes
☒ No

Part 4. Reason(s) for the subdivision of land.

Please inform us why you are proposing to subdivide your existing lot(s). Such information can help the members of the Planning Board to better understand your request that will hopefully avoid any misunderstandings during the approval process. For example, an owner wishes to subdivide his or her land to give a portion of it to his or her child. For these reasons, any information you wish to share with us will be greatly appreciated.

Subdividing 7.668 acres into three parcels as shown on the attached Survey map and having a tax map parcel of 88.03-1-7. Parcel 1 Containing 2.168 acres +/-, Parcel 2 Containing 5.032 acres +/- and Parcel 3 Containing 0.468 acres which is to be Combined with Lewis and Lucys existing Contiguous parcel to the South ~~stream~~ having a tax map parcel of 88.03-1-28

Part 5. Infrastructure Information.

Type of road access to each lot:
(Note: Please check all that apply.)

☐ Private
☒ Town
☐ County
☐ State

Type of water system:
(Note: Please check all that apply.)

☐ Private
☐ Public
☒ None

Type of sanitary system:
(Note: Please check all that apply.)

☐ Private
☐ Public
☒ None

Part 6. Miscellaneous Information.

Do any of the lots involved in this application directly abut Keuka or Seneca Lakes?

If "yes," these lands are designated as areas of special flood hazard by FEMA, which requires the owner to comply with the Flood Damage Prevention Law of the Town of Milo prior to the start of any construction activity.

☐ Yes
☒ No

Do any of the lots involved in this application directly abut Keuka Lake Outlet or Plum Point Creek?

If "yes," these lands are designated as areas of special flood hazard by FEMA, which requires the owner to comply with the Flood Damage Prevention Law of the Town of Milo prior to the start of any construction activity.

☒ Yes
☐ No

Are any of the lots involved in this application located in the NYS certified agricultural district?

If "yes," please complete the attached Agricultural Data Statement if any lot involved in this action is within 500 feet of a farm operation. In addition, the Code Enforcement Officer can help you create a list of owners within 500 feet of any property in our Town, which is required as part of this data statement.

☒ Yes
☐ No

Are any of the lots involved in this application located in a protected natural resource or environment feature?

If "yes," please inform us in the attached environmental assessment form if permit approval or funding from other governmental agencies (federal, state or local) is involved in this action. To assist you, the NYSDEC's environmental resource mapper (http://www.dec.ny.gov/imsmaps/ERM/viewer.htm) can help you identify such resources and features in your area. Please understand that any development located in a protected natural resource or environmental feature might require the review of the Town Engineer and/or professional consultants to evaluate if any significant affects are being created.

☐ Yes
☒ No

Are any of the lots involved in this application located in, whether wholly or partially, in a designated steep slope area? Plum Point Creek (AW)

If "yes," the owner will need to comply with the Steep Slopes Law of the Town of Milo prior to the start of any construction activity. (Note: A map showing the designated steep slope areas in the Town of Milo is located on our website under the subsection of "Forms and Applications by Department."

☒ Yes
☒ No

Does this action conform to the applicable regulations of the Code of the Town of Milo (e.g., zoning)

If "no," please submit a completed application for an area variance as part of this application. The Zoning Board of Appeals is required to make a final determination pertaining to any needed variances prior to the Planning Board making its final determination on this application for a subdivision of land.

☒ Yes
☐ No

Does this action violate a deed restriction, covenant, etc. filed against the deed of any lot involved in this action?

If "yes," please submit a copy of the deed restriction, covenant, etc. and an explanation of any alleged violation(s) for review by the Town Attorney.

☐ Yes
☒ No

Are any easements or any other type of deed restriction being created due to this action?

If "yes," please submit a copy of such easements for review by the Town Attorney.

☐ Yes
☒ No

Part 7. Stipulations of application.

Stipulation #1. Building Permits and/or Certificates of Zoning Compliance required prior to the start of construction. The owner hereby understands and agrees that a Building Permit and/or Certificate of Zoning Compliance is required prior to the start of any construction activity. Please realize that an approval of a subdivision of land does not grant an owner the right to construct a building and/or structure.

Stipulation #2. Disclosure Affidavit. The owner hereby understands and agrees that he/she/they have read and is familiar with the provisions of Section 809 of the General Municipal Law of the State of New York, which states:

a. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of plat, exemption of plat or offical map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature of extent of the interest of any state officer or any officer or employee of such municipality or of a municipality of which such municipality or a part, in the person, partnership or association making the application, petition, or request (hereinafter called the applicant) to the extent to such applicant.

b. For the purpose of this section of law, an officer or employee shall be deemed to have an interest in the applicant when he/she, his/her spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:

i. Is the applicant;

ii. Is an officer, director, partner or employee of the applicant;

iii. Legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant; or

iv. Is a party to an agreement with such applicant, express or implied, whereby he/she may receive any payment or other benefit, whether or not services are rendered, dependent or contigent upon the favorable approval of such application, petition or request.

c. Ownership of less than five percent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purpose of this section.

d. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

The applicant shall disclose the full particulars on an attached sheet of paper if a state officer or any officer or employee of a municipality or relative of either as defined by Section 809 of the General Municipal Law of the State of New York has interest in this application.

Stipulation #3. Disclaimer of liability. The applicant hereby understands and agrees that the Town of Milo is not responsible for the accuracy of an application and its associated documents that are submitted for a determination and does not guarantee that its review will detect all hazards, design defects and/or violations of law.

Stipulation #4. Indemnity and hold harmless. The applicant hereby understands and agrees to release and forever discharge the Town of Milo, and its officers, boards and employees, jointly and severally from any and all:

a. Claims and liability that may be made against the Town of Milo pertaining to its review and determination of this application; and

b. Actions, claims and demands for, upon or by reason of damage, loss, liability or injury, which hereafter my be sustained by the review and determination of this application. This release extends and applies to, and also covers and includes, all unknown, unforeseen, unanticipated and unsuspected injuries, damages, loss or liability and the consequences thereof, as well as those that shall be disclosed and known to exist.

Furthermore, the applicant hereby understands and agrees to defend, at his/her/their expense, any claims brought or actions filed against the Town of Milo with respect to the subject of the indemnity contained herein, whether such claims or actions are rightfully or wrongfully brought or filed. Lastly, the applicant hereby understands and agrees to reimburse the Town of Milo for any unnecessary expenses, attorney fees or other expenses incurred in the enforcement of this indemnity and hold harmless agreement.

Stipulation #5. Inspection of property. The applicant hereby understands and agrees to inspection by the Town of Milo's officers, employees, boards or duly authorized representatives at the real property for which an application for review and determination has been submitted to the Town of Milo as well as, to the extent necessary, buildings, and/or structures within such real property that is under the ownership of the applicant. The applicant also understands and agrees that during such inspection, the Town of Milo's officers, employees, boards or duly authorized representatives may, among other things, take measurements, may analyze physical characteristics of the real property including but not limited to, soils and vegetation, and may make drawings or take photographs.

Stipulation #6. Refund of fees. The applicant hereby understands and agrees that any fee paid to the Town of Milo is nonrefundable regardless if whether or not a review and/or determination has been made or if the application has been suspended or abandoned.

Stipulation #7. Reimbursement of incurred expenses. The applicant hereby understands and agrees that:

a. The Town of Milo has the authority to engage registered design professionals, financial analysts, planners, lawyers or other appropriate professionals who can assist the Town of Milo's officers, employees, and boards in analyzing this application to ensure compliance with the law. Such assistance may include, but is not limited to, analyzing an application, monitoring or inspecting the proposed action that is the subject of this application, as well as conducting various reviews to ascertain compliance with the law.

b. The Town of Milo may require funds to retain such professionals prior to its review of this application. In the event that such funds are insufficient, the Town of Milo may require additional funds to pay for all incurred expenses.

c. Any funds received by the Town of Milo shall be deposited in a line item by the Town Clerk. Expenditures from this line item may be made at the direction of the Town Clerk without further appropriation. Expenditures from this line item shall be made only for services rendered in connection with a specific land use action for which funds have been collected from the applicant. Additionally, the failure of any applicant to pay any incurred expense shall be grounds for the denial of an application. Lastly, any outstanding incurred expenses shall be charged against the real property that is the subject to this application and shall constitute a lien thereon in favor of the Town of Milo, and the amount of such expenses shall be entered on the tax rolls as being due and payable. Such expenses may also be recovered in any other lawful manner.

d. At the completion of a land use action, any excess funds in the line item attributed to such action that is the subject of this application shall be paid to the applicant. A final report of the line item shall be available to the applicant upon request within a reasonable amount of time.

e. Any applicant may take an administrative appeal from the selection of a third party agency to the Town Board. Such appeal shall be in writing and may be taken only within twenty (20) days after the Town of Milo has mailed or hand-delivered notice to the application of the selection. The grounds for such appeal shall be limited to claims that the third party agency selected has a conflict of interest or does not possess the minimum required qualifications. The required time limit of action upon an application by the Town of Milo shall be extended by the duration of the administrative appeal. In the event that no decision is made by the Town Board within one month following the submission date of the appeal, the selection of the third party agency made by the Town of Milo shall stand.

Stipulation #8. Private Sanitary and Water Systems. The applicant hereby understands and agrees that the approval of a subdivision by the Town of Milo does not constitute that such lands will conform to the applicable regulations governing private sanitary and/or water systems. It is highly recommended that the owner employ a professional engineer to evaluate if such lands would support such systems prior to subdivision.

Part 8. Signature.

THE UNDERSIGNED HEREBY ATTESTS that he/she/they is the owner of the real property that is the subject of this application that has been submitted to the Town of Milo for review and a determination. Additionally, such owner certifies that the information contained in this application and its associated documents is accurate, true and complete to the best of his/her/their knowledge, and understands that any false statements made in this application are subject to the applicable provisions of the Penal Law of the State of New York. Furthermore, such owner comprehends that he/she/they are ultimately responsible for compliance with the law regardless of any contractual agreements. Moreover, as the owner of real property that is the subject of this application, he/she/they hereby certify that he/she/they have caused the land described by the attached plat to be surveyed, divided, mapped, dedicated, and access rights reserved as represented on the plat. Lastly, such owner has read this entire application and agrees to comply with its stipulations as contained herein.

Owner's Signature: Lewis M. Martin

Date: 9-19-16

TOWN OF MILO, NEW YORK

Agricultural Data Statement

Instructions:
In accordance to Section 283-a of the Town Law of the State of New York, this form shall be completed for any application for an area variance, special use permit, subdivision of land or a use variance requiring municipal review that would occur on property within five hundred (500) feet of a farm operation located in a NYS certified agricultural district.

Owner:

Last Name: Martin

First Name: Lewis N. and Lucy H

Address: 2472 Stape Road Penn Yan NY

Phone: 315-536-3994

Email:

Type of action: *(Please check all that apply.)*

- ☐ Application for an Area Variance
- ☐ Application for a Special Use Permit
- ☒ Application for a Subdivision of Land
- ☐ Application for a Use Variance

Lot(s) Information:
(Note: Please inform us of the addresses and its associated tax map identification numbers, which are assigned to the lot by Yates County Real Property Services, for all lots involved in this application.)

Lot #1 - Address: 7.668 Acres on Plum Point Road 88.03-1-7

Lot #2 - Address: Plum Point Rd 88.03-1-28

Lot #3 - Address:

Lot #4 - Address:

List of Farm Operations located within five hundred (500) feet of above-listed lots:
(Note: The Code Enforcement Officer can provide a list of owners and their addresses located within this required distance if you are having problems finding such information.)

Farm Operation Owner's Information:

Last Name:

First Name:

Address:

Farm Operation Owner's Information:

Last Name:

First Name:

Address:

Farm Operation Owner's Information:

Last Name:

First Name:

Address:

Farm Operation Owner's Information:

Last Name:

First Name:

Address:

See attached list (BW)

Declaration by owner:

I, the owner of lots involved in this action, declare under penalty of prejury under the Laws of the State of New York that the foregoing is true and accurate.

Owner's Signature: Lewis N. Martin

Date: 9-19-16

TOWN OF MILO, NEW YORK

Realty Subdivision Statement

What is a Realty Subdivision?
Under a Memorandum of Understanding with the State Department of Environmental Conservation (NYSDEC), the State Health Department (NYSDOH) has statewide responsibility for approval of all realty subdivisions, including the review and approval of plans for individual sewage treatment systems. NYSDEC retains responsibility only for the review and approval of plans for public or community sewerage. For clarification purposes, the following defintions help to explain what is a realty subdivision:

REALTY SUBDIVISION - Any tract of land which is divided into *five or more parcels,* after the effective date of this act, along an existing or proposed street, highway, easement or right-of-way for sale or for rent as *residential lots or residential building plots*, and in the County of Suffolk also as business, commercial or industrial lots or building plots, regardless of whether the lots or plots to be sold or offered for sale, or leased for any period of time, are described by metes and bounds or by reference to a map or survey of the property or by any other method of description and regardless of whether the lots or plots are contiguous. A tract of land shall constitute a subdivision upon the sale, rental or offer for sale or lease of the fifth residential lot or residential building plot therefrom within any consecutive three year period, and at this time the provisions of section eleven hundred sixteen of the public health law shall apply to all such parcels thereof, including the first four parcels, regardless of whether said parcels have been sold, rented or offered for sale or lease singly or collectively.

TRACT - Any body of land, including contiguous parcels of land, under one ownership or under common control of any group of persons acting in concert as part of a common scheme or plan.

RESIDENTIAL LOT or RESIDENTIAL BUILDING PLOT - Any parcel of land of five acres or less, any point on the boundary line of which is less than one-half mile from any point on the boundary line of another such lot in the same tract, unless any such lot may not legally be used for residential purposes. Without limiting the generality of the foregoing, the term "residential" shall include temporary, seasonal and permanent residential use.

How does one obtain NYSDOH approval for a realty subdivision?
To obtain detailed instructions on submitting an application for the approval of realty subdivision plans, please contact the following district office:
New York State Department of Health - Geneva District Office
624 Pre-Emption Road
Geneva, New York 14456
Telephone No.: (315) 789-3030
Facsimile No.: (315) 781-0831

NOT A REALTY SUBDIVISION (MW)

Do I need to apply to the Town of Milo for subdivision approval too?
Local regulations (subdivision, zoning, etc.) are separate and may differ from state regulations. Neither state nor local regulations supersede each other and any applicant proposing a realty subdivision shall obtain approval from the Town of Milo as well as New York State Department of Health (NYSDOH).

Why is a realty subdivision a Type 1 action under SEQRA?
The New York State Department of Health (NYSDOH) has determined that any realty subdivision that occurs in the State of New York is a Type 1 action under SEQRA. Furthermore, such state department has duly notified the Town of Milo on March 4, 2013 of this classification and that the review of any realty subdivision by the Town of Milo shall be a Type 1 action pursuant to the Public Health Law of the State of New York. Therefore, any applicant proposing a realty subdivision in the Town of Milo shall be required to completed a Full Environmental Assessment Form (Full EAF) and a coordinated review will be required. Such an action will increase the expense, which shall be paid by the applicant, and lengthen the typical time to review of an application for a subdivision by at least 60 days and might require an additional public hearing.

With the above information explained, is your proposed application for a subdivision meet the definition of a "Realty Subdivision" and require approval from the New York State Department of Health (NYSDOH)?

☐ Yes
☒ No

If you answered "yes," have you completed a Full Environmental Assessment Form (Full EAF) as mandated by the Public Health Law of the State of New York?

☐ Yes
☐ No

If you answered "yes," have you contacted the New York State Department of Health (NYSDOH) and obtained their approval for a realty subdivision?

☐ Yes
☐ No

Declaration by owner:

I, the owner of lots involved in this action, declare under penalty of prejury under the Laws of the State of New York that the foregoing is true and accurate.

Owner's Signature: Lewis N. Martin Date: 9-19-16

Affirmation of notification by NYSDOH:

In accordance to the Public Health Law of the State of New York, the below official of the New York State Department of Health affirms their receipt of an application of a realty subdivision. Furthermore, such official hereby attests that the New York State Department of Health has been duly notified of a realty subdivision pursuant to such state law as well as the State Environmental Quality Review Act (SEQRA).

NYSDOH Official's Signature: Date:

TOWN OF MILO, NEW YORK

Department of Code Enforcement and Administration
137 Main Street - Town Hall
PennYan,New York14527
Telephone No.: (315) 531-8042
Facsimile No.: (315) 536-9760
Email: codeofficer@townofmilo.com

AUTHORIZED REPRESENTATIVE FORM

Owner's Information:

Name: Lewis N. and Lucy H. Martin
Address: 2472 Stape Road
City: PennYan State: NY Zip Code: 14527
Telephone: 315-536-3994

Authorized Representative's Information:

Name: Donald A. Schneider
Address: 307 Liberty Street
City: PennYan State: NY Zip Code: 14527
Telephone: 315-536-2100

THE UNDERSIGNED HEREBY ATTESTS that he/she/they is the owner of real property that is the subject of this application, which has been submitted to the Town of Milo for review and a determination. Such owner hereby permits the above-named authorized representative to act on his/her/their behalf regarding this application. Such owner also grants authority to the authorized representative to do all of the following actions:

a. Receive, inspect and provide confidential information.
b. Represent him/her/them and make oral and/or written presentations of fact and/or argument.
c. Sign documents.
d. Enter into agreements.

For clarification purposes, an authorized representative is an individual, age 18 or older, who stands in place of the owner during the application review and determination process. Furthermore, such representative has been granted all powers and duties typically reserved to an owner during the application review and determination process. Lastly, the owner has the right to revoke the authorized representative at any time but such revocation shall be done in writing to the Town of Milo.

It is highly recommended that you consult with your lawyer prior to signing this document. The New York State Bar Association has a lawyer referral and informational service, which can be contacted at 1-800-342-3661 or (518) 463-3200 ext. 255. Please understand that the Town of Milo is not permitted by law to give legal advice.

Owner's Signature: Lewis N. Martin Date: 9-19-16

State of New York)
) ss.:
County of Yates)

On the 19th day of September in the year 2016 before me, the undersigned, personally appeared Lewis N. Martin, 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 upon behalf of which the individual(s) acted, executed the instrument.

Esther L. Emes
Notary Public

ESTHER L. EMES
Notary Public, No. 01EM6142768
Ontario County, State of New York
Commission Expires March 20, 2018

Printed Name: Esther L. Emes

My Commision Expires: _____

GUIDE TO APPLICANTS APPLYING FOR A SUBDIVISION

This publication has been written to aid potential applicants in understanding and appreciating the subdivision of land process, and to provide an explanation of the rules and standards under which subdivision of land decisions of this Town's Planning Board (PB) must be made.

What is a conventional subdivision?

Most of the residential development that has emerged in the United States since World War II can be described as "checkerboard housing development." Since it is so common, this pattern is also considered to be "conventional development." Zoning regulations typically provide standards for a subdivision, which require that when a piece of land is divided into smaller lots, each must have a uniform lot area, depth and width as well as achieve minimum setbacks from property lines. These restrictions generally result in equal lot areas with buildings placed in the same location on each lot regardless of the parcel's characteristics. Simply stated, a subdivision is the division of any lot of record into two or more lots, including any remainder of the lot of record, with or without roads, that conform to the applicable regulations of the Zoning Law of the Town of Milo.

What is a cluster development?

A cluster development is an alternate method of a subdivision that concentrates buildings and structures in specific areas on a lot, site, or parcel to allow the remaining land to be used for recreation, open space, and/or preservation of features and/or structures with agricultural, environmental, historical, cultural, or other significance. The techniques used to concentrate buildings may include, but shall not be limited to, reduction in lot areas, setback requirements or other density requirements, which the resultant open space being devoted by deed restrictions for one or more uses.

What is the size permitted for a subdivision plat?

The Town needs ten copies, which one shall be a Mylar and two shall be original copies, that:

1. Have a minimum size of 8 ½" x 14";
2. Have a maximum size of 34" x 44";
4. Contain the name of the subdivision and the original signature and seal of the surveyor shall appear on all maps; and
5. The Town's Planning Board endorsement must appear on all maps.

What is the subdivision review process for the Town of Milo?

The Town of Milo utilizes a "one step plat review" to save time and money for both the municipality and the landowner. Typically, an application for a subdivision can be completed at one meeting with the Planning Board of the Town of Milo. The list provided below is a brief summary of the "steps" required by the Planning Board to approve an application for a subdivision:

1. Preliminary meeting with Code Enforcement Officer. (Optional but highly recommended.)
2. Determine type of SEQR action by Code Enforcement Officer.
3. County referral, if required.
4. Submission of Final Plat.
5. County referral, if required.
6. Public Hearing.
7. Determination of Completeness.
8. SEQR determination of Final Plat.
9. Action on Final Plat.
10. Certifications, notifications and filings of Final Plat.

Can the Town waive the requirements or improvements described in the Code of the Town of Milo?

The Planning Board is authorized to waive, when reasonable, any requirement or improvement for the approval, approval with modifications, or disapproval of subdivisions submitted for review in accordance to Section 277(7) of the Town Law of the State of New York. The Planning Board may exercise this waiver authority only when the requirements in question are found not to be a requisite in the interest of the public health, safety and general welfare or to be found to be inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the subdivision. Even then, any waiver is subject to appropriate conditions imposed by the Planning Board in its reasonable discretion.

What is an Environmental Assessment Form (EAF)?

An Environmental Assessment Form (EAF) means a form used by an agency, such as the Planning Board, to assist it in determining the environmental significance or nonsignificance of actions. A properly completed EAF must contain enough information to describe the proposed action, its location, its purpose and its potential impacts on the environment. The New York State Department of Environment Conservation (NYSDEC) provides a model full and short EAFs, which are contained in Appendices A and C of section 617.20 of the State Environmental Quality Review Act. You may obtain a copy of these forms at http://www.dec.ny.gov/permits/6191.html.

What is filing of a plat?

Within sixty two (62) days from the date of the final approval, the Applicant must file the approved plat in the Office of the County Clerk. Otherwise, the plat approval automatically expires. For the purpose of this requirement, the following constitute final approval:

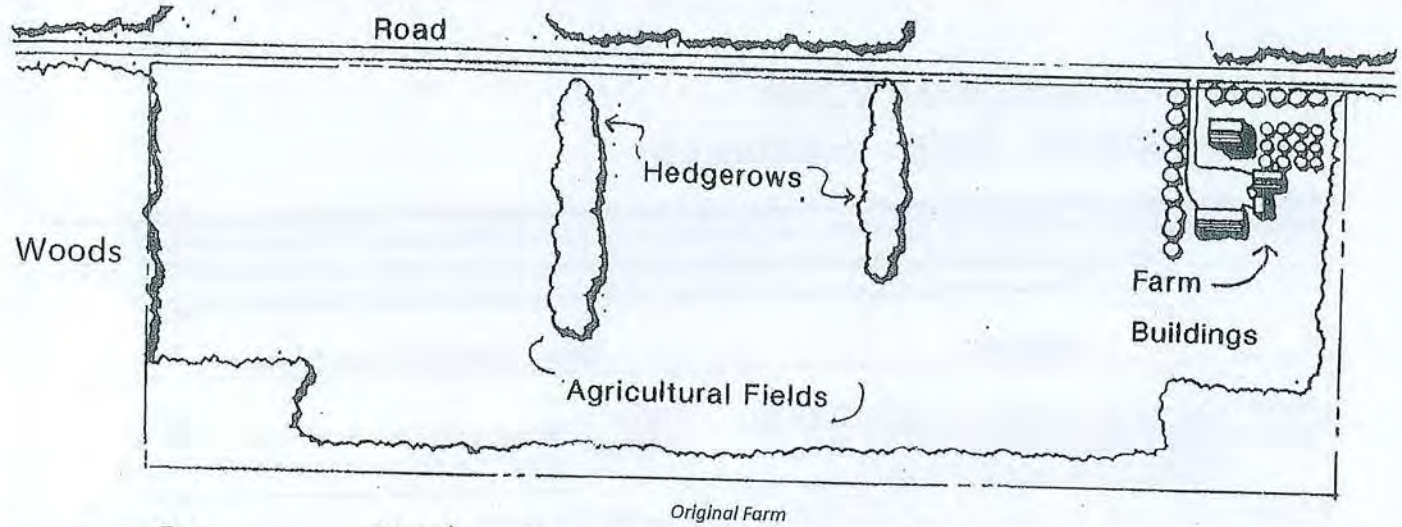
1. The signature of the duly authorized officer of the Planning Board on the plat; or
2. Planning Board approval of the development of a plat or plats already filed in the Office of the County Clerk.

If the Applicant fails to submit such plat within the above-mentioned timeframe, he/she will need to resubmit a subdivision application and obtain approval from the Planning Board. For these reasons, please contact the Office of the County Clerk at (315) 536-5120 to understand the filing process of a plat.

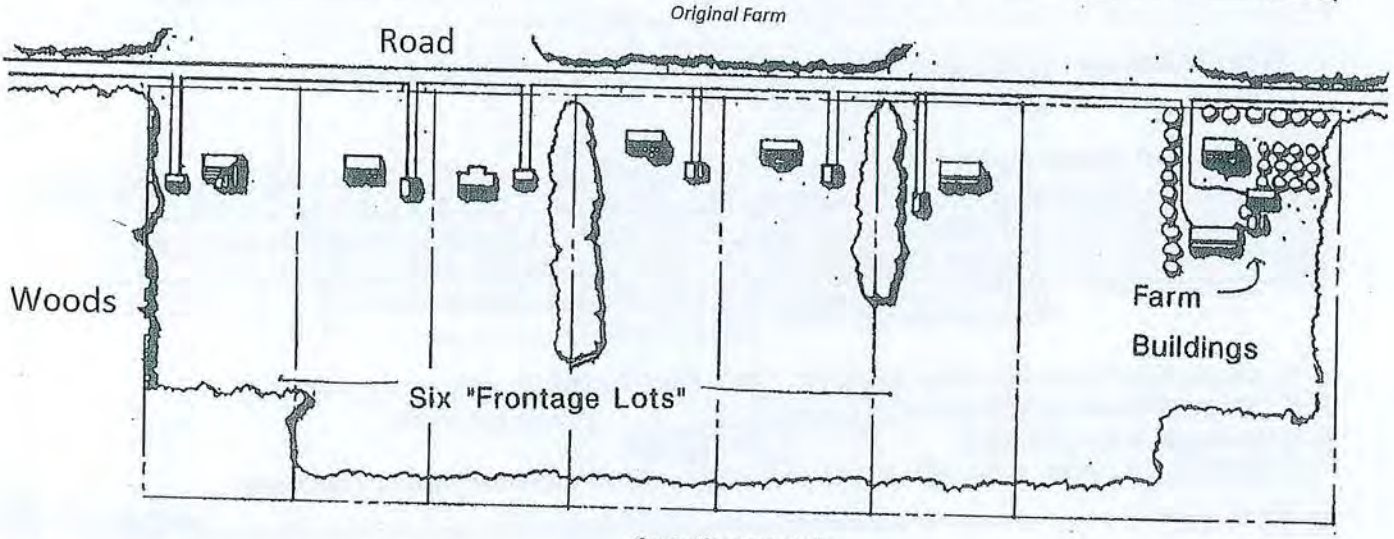
Application Checklist: Please provide the following documents to the Code Enforcement Officer in order for the Planning Board to initiate its review of an application for a subdivision:

- ☐ Application fee (Checks made payable to the "Town of Milo")
- ☐ Completed application, which shall be signed by the owner(s)
- ☐ Completed Environmental Assessment Form
- ☐ One mylar and two original paper plats certified by land surveyor
- ☐ Ten paper copies of the certified paper plat
- ☐ Completed Agricultural Data Statement, if applicable.
- ☐ Completed Authorized Representative Form, if applicable.
- ☐ Completed Realty Subdivision Statement, if applicable.

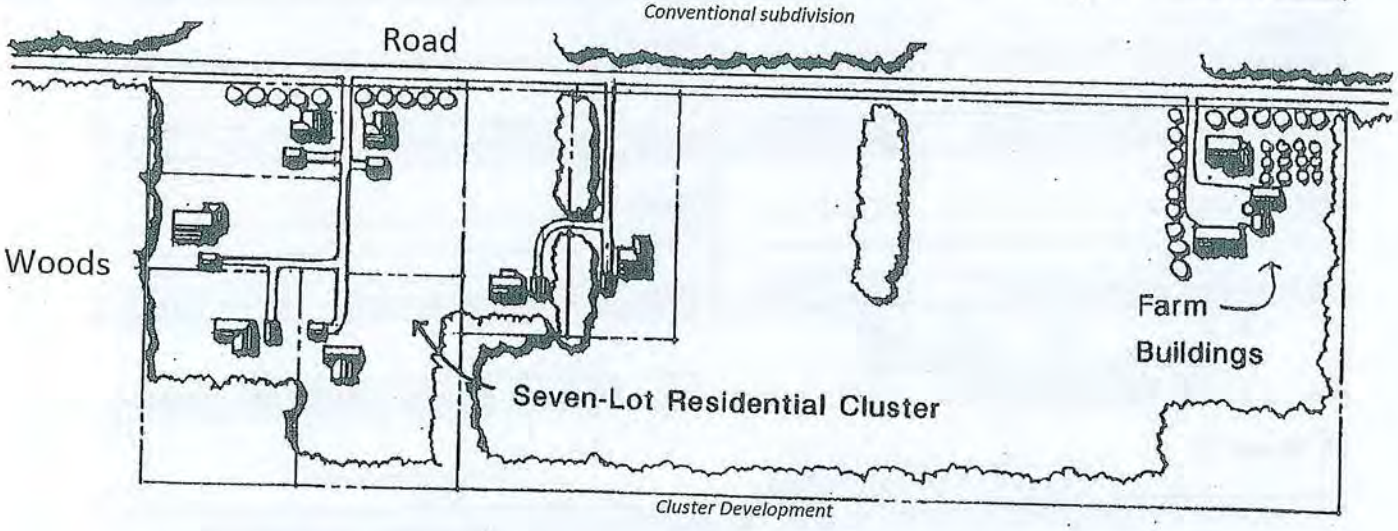
DIFFERENCE BETWEEN CONVENTIONAL SUBDIVISION AND A CLUSTER DEVELOPMENT



Original Farm



Conventional subdivision



Cluster Development

TOWN OF MILO, NEW YORK
Agricultural Data Statement

Instructions: This form must be completed for any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review that would occur on property within 500 feet of a farm operation located in a NYS Dept. of Ag & Markets certified Agricultural District.

Applicant	Owner if Different from Applicant
Name: Lewis N. and Lucy H. Martin Address: 2472 Stape Road Penn Yan NY 14527	Name: Address:

1. Type of Application: ☐Special Use Permit; ☐Site Plan Approval ; ☐Use Variance;
   (circle one or more) ☒Subdivision Approval

2. Description of proposed project: Subdivide 7.668 +/- acres into three parcels. Parcel 1 containing 2.168 acres +/-, Parcel 2 Containing 5.032 +/- acres and parcel 3 containing 0.468 +/- acres which is to be combined with their existing contiguous parcel to the South
3. Location of project: Address: 7.668 +/- Acres Plum point Road
   Tax Map Number (TMP) 88.03-1-7

4. Is this parcel within an Agricultural District? ☐NO ☒YES (Check with your local assessor if you do not know)
5. If YES, Agricultural District Number Yates 1
6. Is this parcel actively farmed? ☐NO ☐YES
7. List all farm operations within 500 feet of your parcel. Attach additional sheets if necessary.

see attached

Name: Address: Is this parcel actively farmed? ☐NO ☐YES	Name: Address: Is this parcel actively farmed? ☐NO ☐YES
Name: Address: Is this parcel actively farmed? ☐NO ☐YES	Name: Address: Is this parcel actively farmed? ☐NO ☐YES

Lewis N. Martin
Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by:
Signature of Municipal Official

Date

NOTE TO REFERRAL AGENCY: County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.

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:
Subdivision of Lewis and Lucy Martin's 7.668 Acres +/-

Project Location (describe, and attach a location map):
7.668 +/- acres of land located in the Town of Milo on plum Point Road

Brief Description of Proposed Action:
Subdiving 7.668 +/- Acres on plum point Road into three parcels. Parcel 1 containing 2.168 acres +/-, Parcel 2 containing 5.032 acres +/-. Parcel 3 containing 0.468 acres which is to be combined with their existing contiguous parcel to the South. (Lot line adjustment) (MW)

Name of Applicant or Sponsor:	Telephone: 315-536-3994
Lewis N. Martin and Lucy H. Martin	E-Mail:

Address:
2472 Stape Road

City/PO:	State:	Zip Code:
Penn Yan	NY	14527

	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? 7.668 +/- acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 7.668 +/- 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?	☐	☒	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☒
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☒	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☒	☐
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: N/A - SUBDIVISION OF LAND ONLY (AM)	☐	☒
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☒	☐
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☒	☐
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☒	☐
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?	☐	☒ (AM)
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: No disturbance to Plum Point Creek - Subdivision of Land & Lot Merge Only	☒	☐
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		
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		

Short Environmental Assessment Form
Part 3 Determination of Significance

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.

See attached resolution

☐ 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.

☒ 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 FORM

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.
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)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

PRINT FORM

	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: Lewis N. Martin Date: 9-19-16

Signature: LEWIS MARTIN

PRINT FORM

Warranty Deed

THIS INDENTURE, Made the _____ day of September, Two Thousand Sixteen

BETWEEN

Lewis N. Martin and Lucy H. Martin
2472 Stape Road
Penn Yan, NY 14527

party(ies) of the first part, and

Lewis N. Martin and Lucy H. Martin, husband and wife
2472 Stape Road
Penn Yan, NY 14527
As tenants by the entirety with the right of survivorship

party(ies) of the second part,

WITNESSETH that the party(ies) of the first part, in consideration of one and no/100ths Dollar ($1.00) lawful money of the United States, and other good and valuable consideration paid by the party(ies) of the second part, do(es) hereby grant and release unto the party(ies) of the second part, his/her/their heirs, distributees and assigns forever,

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Milo, County of Yates and State of New York, and State of New York, commonly known as Vacant Land on Plum Point Road, more particularly described in Schedule "A" attached hereto.

TOGETHER with the appurtenances and all the estate and rights of the party(ies) of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party(ies) of the second part, his/her/their/heirs and assigns forever.

AND said party(ies) of the first part covenant as follows:

FIRST, that the party(ies) of the second part shall quietly enjoy the said premises;

SECOND, that said party(ies) of the first part will forever warrant the title to said premises.

THIRD, that, in compliance with Sec. 13 of the lien law, the party(ies) of the first part will receive the consideration for this conveyance and will 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 and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, the party(ies) of the first part has/have hereunto set his/her/their hand(s) on the day and year first above written.

In Presence of

_____
Lewis N. Martin

_____
Lucy H. Martin

State of New York}
County of _____} ss.:

On this ____ day of September, Two Thousand Sixteen before me, the undersigned, a Notary Public in and for said State, personally appeared **Lewis N. Martin and Lucy H. Martin** 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 upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public

das;lml
13621

Schedule "A"

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Milo, County of Yates and State of New York, bounded and described as follows:

Beginning at a point in the centerline of Plum Point Road which is North 81-12-35 East 209.96 feet from a concrete monument set at the intersection of the easterly line of New York State Route 14 with the southerly line of Plum Point Road and running thence along the centerline of Plum Point Road:

1. North 79-16-41 East 85.54 feet,
2. North 82-43-46 East 84.00 feet,
3. North 84-42-58 East 245.00 feet,
4. North 86-58-43 East 137.07 feet,
5. South 86-10-59 East 117.00 feet,
6. South 79-36-14 East 186.00 feet,
7. South 81-32-11 East 26.00 feet

Thence South 09-41-23- East along lands retained by Lewis N. Martin and Lucy H. Martin 49.14 feet to a point in the North bank of Plum Point Creek; thence along the North bank of Plum Point Creek and the various courses thereof through points which are in reference to the last mentioned point and then each preceding point the following courses and distance:

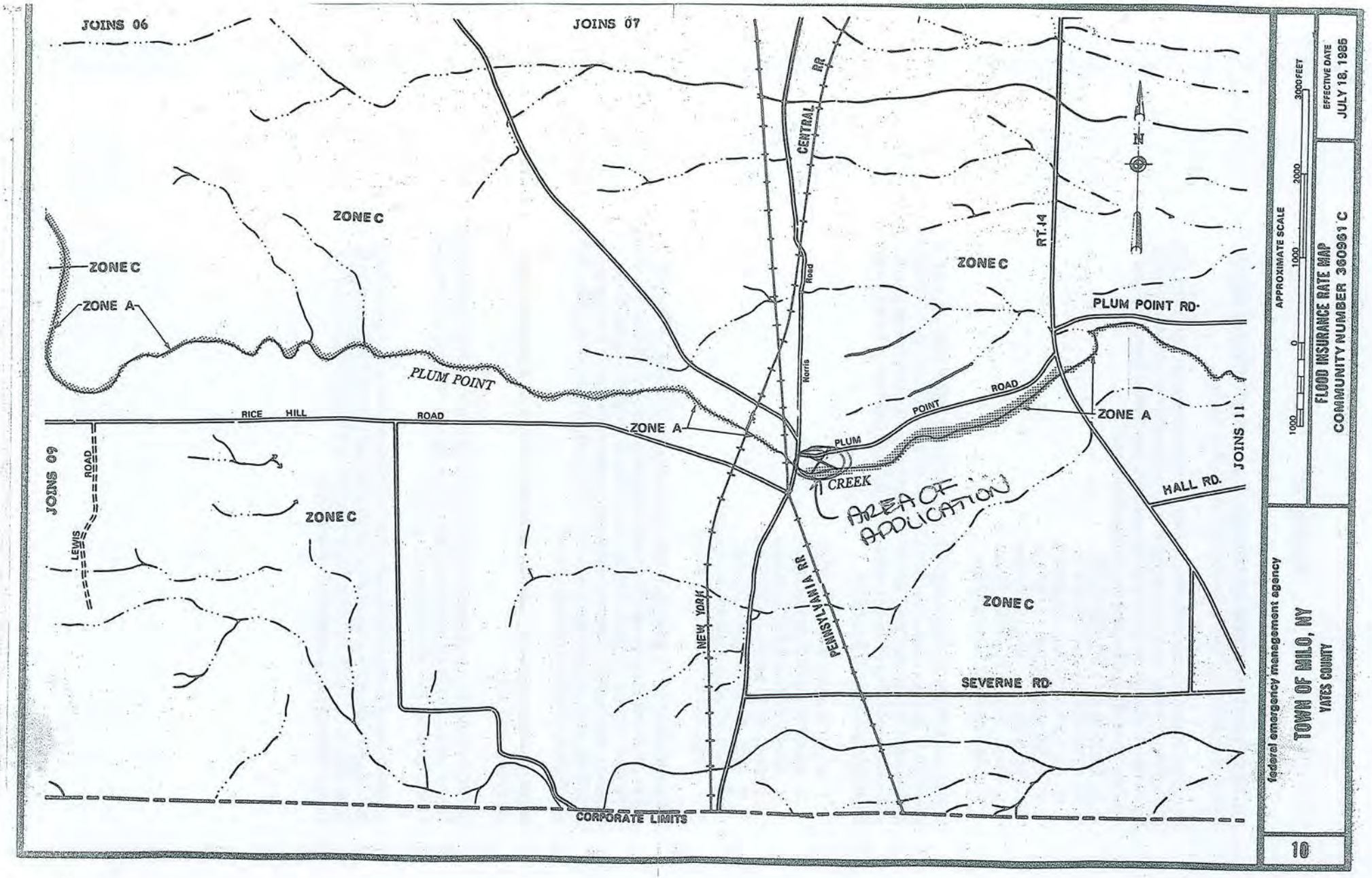
1. North 72-19-09 West 92.90 feet,
2. North 76-34-59 West 123.10 feet,
3. North 70-33-29 West 51.09 feet,
4. South 89-15-18 West 174.28 feet,
5. South 84-03-11 West 99.67 feet
6. South 83-30-34 West 163.66 feet and
7. South 84-06-26 West 189.08 feet;

Thence North 02-39-35 West along other lands of Lewis N. Martin and Lucy H. Martin 13.90 feet to the point of beginning, comprising an area of 0.468 acre shown as Parcel 3 on "Plan of Land Owned by Lucy N. & Lucy H. Martin" prepared by Richard L. Willson and dated as completed on September 26, 2006 and revised on August 29, 2016 a copy of which map is to be filed in the Yates County Clerk's Office simultaneously with the recording hereof.

SUBJECT to the rights of the public in and to Plum Point Road and public utility easements of record.

BEING a portion of premises conveyed by Anthony Buzzoni to Lewis N. Martin and Lucy H. Martin by Deed dated December 14, 2015 and recorded in the Yates County Clerk's Office in Liber 695 of Deeds at Page 112.

It is the intent of Lewis N. Martin and Lucy H. Martin and one of their purposes in executing this Deed is to combine the above-described premises with contiguous lands lying to the South owned by Lewis N. Martin and Lucy H. Martin which are shown on the Tax Map as Parcel No. 88.03-1-28.


JOINS 06
JOINS 07
JOINS 09
JOINS 11
ZONE C
ZONE A
PLUM POINT
RICE HILL ROAD
LEWIS ROAD
CENTRAL RR
Norris Road
NEW YORK PENNSYLVANIA RR
RT.14
PLUM POINT ROAD
PLUM CREEK
HALL RD.
SEVERNE RD.
CORPORATE LIMITS
AREA OF APPLICATION
N
APPROXIMATE SCALE
1000 0 1000 2000 3000 FEET
EFFECTIVE DATE
JULY 18, 1985
FLOOD INSURANCE RATE MAP
COMMUNITY NUMBER 360961 C
federal emergency management agency
TOWN OF MILO, NY
YATES COUNTY
10

Services News Government Local Location Translate

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Environmental Resource Mapper

Base Map: Satellite with Labels

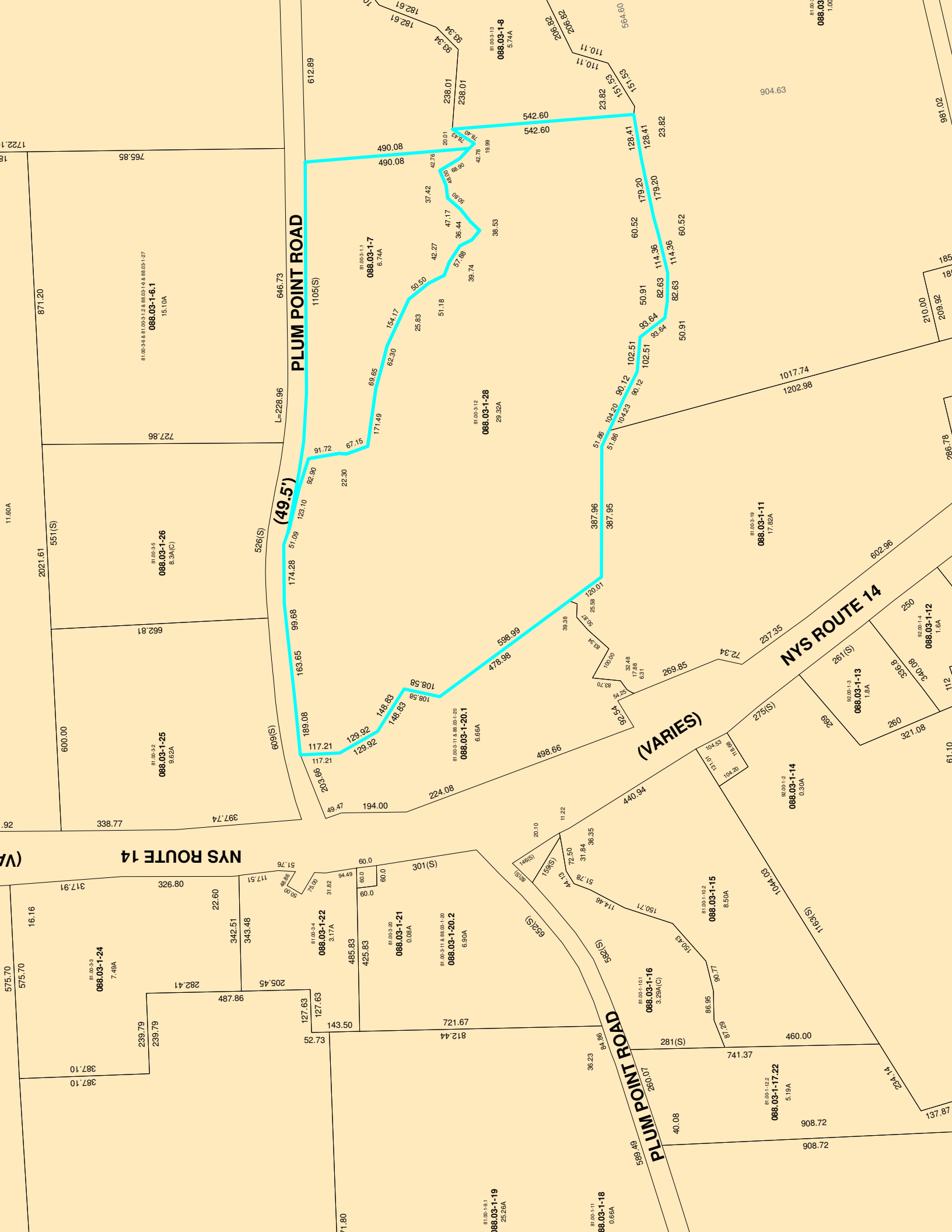
Search
Tools
Layers and Legend

- [x] All Layers
- [x] Unique Geological Features
- [x] Waterbody Classifications for Rivers/Streams
- [x] Waterbody Classifications for Lakes
- [x] State Regulated Freshwater Wetlands
  - [ ] Regulated Wetland Checkzone
- [x] Significant Natural Communities
  - [ ] Natural Communities Vicinity
- [x] Rare Plants or Animals

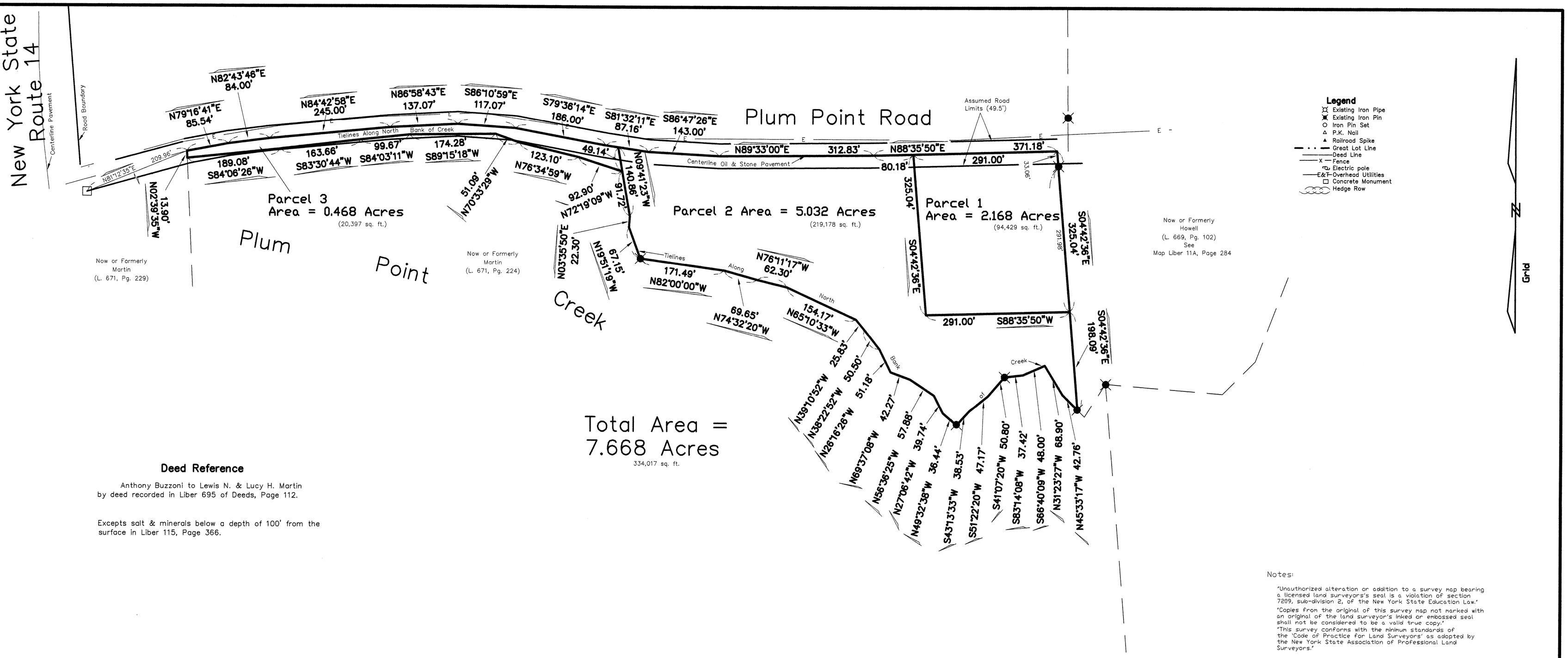
Other Wetland Layers
Reference Layers
Tell Me More...
Need A Permit?
Contacts

TAX MAP

NYS ROUTE 14
PLUM POINT ROAD
(66')
(VARIES)
NYS ROUT
PL 13
088.03-1-25
9.62A
088.03-1-26
10.12A
088.03-1-6.1
15.81 A
088.03-1-7
6.53A(C)
088.03-1-28
29.32A
088.03-1-8
5.75A(C)
088.03-1-11
17.82A
088.03-1-14
088.03-1-15
8.40A
088.03-1-10
1.00A
2027(S)
619(S)
607(S)
908(S)
1722.05
765.85
490.08
542.63
1168.92
442.15
222.70
206.82
564.60
469.60
431.08
1017.74
1202.98
1033.33


PLUM POINT ROAD
(49.5')
NYS ROUTE 14
(VARIES)
NYS ROUTE 14
PLUM POINT ROAD
088.03-1-6.1
15.10A
088.03-1-26
8.3A(C)
088.03-1-25
9.62A
088.03-1-24
7.49A
088.03-1-7
6.74A
088.03-1-8
5.74A
088.03-1-28
29.32A
088.03-1-20.1
6.66A
088.03-1-22
3.17A
088.03-1-21
0.08A
088.03-1-20.2
6.90A
088.03-1-11
17.82A
088.03-1-13
1.8A
088.03-1-12
1.6A
088.03-1-14
0.30A
088.03-1-15
8.50A
088.03-1-16
3.29A(C)
088.03-1-17.22
5.19A
088.03-1-19
25.26A
088.03-1-18
0.66A
L=228.96
1105(S)
526(S)
551(S)
609(S)
301(S)
281(S)
261(S)
275(S)
652(S)
582(S)
1163(S)
146(S)
159(S)
904.63
564.60
1017.74
1202.98
542.60
490.08
612.89
646.73
871.20
2021.61
765.85
727.86
662.81
600.00
397.74
338.77
326.80
317.91
575.70
487.86
282.41
205.45
342.51
343.48
485.83
425.83
721.67
812.44
143.50
741.37
460.00
908.72
224.08
194.00
498.66
440.94
269.85
237.35
602.96
321.08
340.08
339.8
210.00
209.92
387.96
387.95
598.99
478.98
108.58
148.83
129.92
117.21
203.66
189.08
163.65
174.28
99.68
51.09
123.10
92.90
91.72
67.15
22.30
171.49
69.65
62.30
154.17
50.50
25.83
51.18
42.27
57.88
39.74
47.17
36.44
38.53
37.42
50.80
66.90
42.76
42.78
19.99
20.01
76.43
76.40
238.01
182.61
93.34
206.82
110.11
151.53
128.41
179.20
114.36
82.63
93.64
102.51
90.12
104.20
104.23
51.86
60.52
50.91
23.82
72.34
120.01
25.58
50.67
83.34
100.00
32.48
17.88
6.31
83.70
54.25
39.38
29.54
49.47
36.23
260.07
40.08
589.49
84.86
87.29
90.77
86.95
150.43
150.71
114.46
44.13
51.78
72.50
31.84
36.35
11.22
20.10
104.53
101.61
104.20
89.81
51.76
117.51
50.00
46.86
75.90
31.82
94.49
60.0
52.73
127.63
127.63
239.79
239.79
387.10
387.10
16.16
22.60
11.60A
185
234.14
137.87
1722.1
18

NYS ROUTE 14
(VARIES)
PLUM POINT ROAD
(49.5')
088.03-1-24
088.03-1-25
088.03-1-26
088.03-1-6.1
088.03-1-7
088.03-1-21
088.03-1-20.2
088.03-1-20.1
088.03-1-28
088.03-1-19
088.03-1-18
088.03-1-16
088.03-1-15
088.03-1-17.22
088.03-1-14
088.03-1-13
088.03-1-12
088.03-1-11
088.03-1-8



Deed Reference

Anthony Buzzoni to Lewis N. & Lucy H. Martin by deed recorded in Liber 695 of Deeds, Page 112.

Excepts salt & minerals below a depth of 100' from the surface in Liber 115, Page 366.

Notes:

"Unauthorized alteration or addition to a survey map bearing a licensed land surveyors's seal is a violation of section 7209, sub-division 2, of the New York State Education Law."

"Copies from the original of this survey map not marked with an original of the land surveyor's inked or embossed seal shall not be considered to be a valid true copy."

"This survey conforms with the minimum standards of the 'Code of Practice for Land Surveyors' as adopted by the New York State Association of Professional Land Surveyors."

Map Reference

"Plan of Land to be Conveyed By Christine Marie Conley, Michael Jay Conley and Teresa Lynn Conley" – surveyed by Richard L. Willson – filed March 9, 1984 in Liber 10A of Maps, Page 426.

"Plan of Land Owned By Donld M. & Marion E. Howell" surveyed by Willson & Associates – filed in Liber 11A of Maps, Page 284.

Certificate

This is to certify that I am a Licensed Land Surveyor and that this plan was completed on September 26, 2006 from notes from an instrument survey on September 5, 2006.

Signed _____

Richard L. Willson
License No. 49409

Revised August 29, 2016 to subdivide parcel

RICHARD LEWIS WILLSON
No. 049409
LICENSED LAND SURVEYOR
NEW YORK

Plan of Land Owned By Lewis N. & Lucy H. Martin

In
Lot No. 13
Potter's Location
Town of Milo
County of Yates
State of New York

Surveyed By
Penn Yan, N.Y.

Scale: 1" = 100'

Telephone/Fax (315) 536-2618

Willson & Associates
Job No. 10-1163A

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