TOWN OF AURORA

575 OAKWOOD AVENUE, EAST AURORA, NY 14052
BUILDING DEPARTMENT
(716) 652-7591

MEMO

TO: Supervisor Snyder and Town Board Members

FROM: Elizabeth Cassidy, Code Enforcement Officer

DATE: March 10, 2026

The Building Department has accepted a revised Special Use Permit application for 298 Ellicott Rd by Neil Hopkins, principal, on behalf of RNH 298 LLC, owner. The property was previously approved for a campground SUP on 5/13/24 to allow no more than 4 RV sites, 16 tent sites with no swimming posted, water hose bibs labeled as "non-potable", and year-round access for emergency vehicle maintained. The current request is to expand the campground operations for up to 8 events which consist of 4 days of camping for up to 400 people. This use is allowed in the C3 district as regulated in the C2 district which requires the Special Use Permit.

A campground must comply with all Public Health laws, and the applicant has been referred to the Erie County Health Department to begin that process. I would recommend the Town Board make no decision without written response from ECHD.

Per Town Code §116-42A the Town Board may take one of the following actions:

(1) Take no action
(2) Request the applicant modify the application nd resubmit
(3) Request the applicant submit an application for site plan review to be made in tandem with this application
(4) Refer the application for review to and recommendation by the Planning Board.

If the Town Board refers the application to the Planning Board, then once their recommendation is received, a public hearing must be scheduled. A SEQR determination must be made prior to the Town Board's decision.

Due to proximity of the property to the municipal boundary and County highway, a referral to Erie County Department of Environment and Planning is required as per GML §239-m.

This is an Unlisted Action for purposes of SEQRA.

Please contact my office with any questions.
Liz Cassidy

SPECIAL USE PERMIT APPLICATION FORM AND INSTRUCTIONS

Please Read Carefully
(Submit checklist with application)

The Town of Aurora Town Board has the authority to issue special use permits in accordance with Town Code Chapter 116 Zoning.

Application requirements:

For review and approval of a Special Use Permit Application, the following items must be submitted to the Town Board:

- ✓ Completed Application
- ✓ Application Fee with check made payable to: "Town of Aurora"
- NA Owner Authorization form, if necessary. (If the applicant/petitioner is not the property owner and the owner did not sign the application, an owner authorization form must be submitted.)
- ✓ Narrative describing all activities proposed for the site.
- ✓ Survey of the property partial
- ✓ Copy of property deed
- ✓ Site plan: A Site Plan and/or ~~Site Plan application~~ may be required as part of the Special Use Permit Application. Please consult with the Building Department to determine if a Site Plan Review Application will be required.
- ✓ Environmental Assessment Form (EAF), with Part 1 completed and signed. (Short or Full EAF - Please visit http://www.dec.ny.gov/permits/6191.html for EAF information and forms. If you have questions regarding which EAF to submit, please contact the Building Department.)

✓ previous SUP approval

Agency Review: The Town Board may circulate the Special Use Permit application packet to the following agencies for review and comment, as necessary:
Town: Planning Board, Building Department, Highway Department, Town Attorney
County: Department of Environment and Planning
Fire: East Aurora FD or South Wales FD or West Falls FD

Town Engineer Review: Special Use Permit applications may require review by the Town Engineer. If it is determined that such review is necessary, an escrow account will be required to defray the costs of this review. An estimate of the costs will be provided to the applicant and a check must be received prior to further consideration by the Town Board.

Incomplete applications will not be accepted for review. Applications submitted by the deadline (14 days prior to the Town Board work session) will be placed on the agenda at the discretion of the Town Board.

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

Special Use Permit Application Form

I. PROJECT INFORMATION (Applicant/Petitioner):

Business/Project Name: The Quarry 298 LLC
Business/Project Address: 298 Ellicott Rd West Falls NY 14170
Applicant Name: Neil Hopkins
Mailing Address: PO BOX 8
City West Falls State NY ZIP 14170
Phone 716-863-3632 Fax _____ Email NHopkins@Twincoinc.com
Interest in the property (ex: owner/purchaser/developer)_____

II. PROPERTY OWNER INFORMATION (If different than Applicant AND the Owner does not sign below, please submit and original, notarized "Owner Authorization" form - attached):

Property Owner(s) Name(s) Neil Hopkins
If a corporate, please name a responsible party/designated officer:_____
Address PO Box 8
City West Falls State NY ZIP 14170
Phone 716-863-3632 Fax _____ Email NHopkins@Twincoinc.com

III. SPECIAL USE AND PROPERTY INFORMATION:

Property Address 8001 Ellicott Rd West Falls NY 14170
SBL# _____
Describe Special Use requested (use additional pages if needed): Borderland weekend
CAMPING 9/17 — 9/21

Property size in acres 200 Property Frontage in feet 1896
Zoning District X 3 Surrounding Zoning 3
Current Use of Property Recreational/Personal
Size of existing building(s): 4382 sf Size of proposed building(s) 0 sf
Present/Prior tenant/use: weekends
Parking spaces: Existing: 250 Proposed additional spaces: _____ Total #:_____

Proposed water service: City public ____ private (well) ____ n/a ✓ Is this existing Y/N

Proposed sanitary sewer: ____ public ____ private (septic) ✓ n/a Is this existing (Y)N

Hours of operation (if applicable):

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	By Appt.
Hours	✓			✓	✓	✓	✓	

Peak hours: ____

Number of employees (if applicable): Full-time 4 Part-time ____ Seasonal ____

Upon approval of this application, the applicant intends to apply for: (Check all that apply)

a. Building Permit ____

b. Sign Permit ____

IV. SIGNATURE (*This application must be signed by the applicant/petitioner. If the applicant is not the owner of the property, a separate owner authorization form must be submitted – see pg. 4)*

Robert Neil Hopkins

Signature of Applicant/Petitioner

Robert Neil Hopkins

Print name of Applicant/Petitioner

State of New York; County of Erie

On the 15th day of January in the year 2026 before me, the above individual appeared, personally known to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Notary Public

(Notary stamp)

JEANNE H VIGER
STATE OF NEW YORK
NOTARY PUBLIC
Qualified in Erie County
01VI0040429
MY COMMISSION EXPIRES 08/12/2029

Office Use Only: Date received: ____ Receipt #: ____

Application reviewed by: ____

RNH 298 LLC – Special Permit Narrative

Special Permit Summary:

RNH 298 LLC is requesting Special Use Permit approval to host multi-day events at 298 Ellicott Road, West Falls, NY 14170. The repaired infrastructure from Alpine Recreation Center is sufficient to support camping and events.

Parcel Details:

Size: ±200 acres

Zoning: C3

Access: (2x) 298 Ellicott Road West Falls, NY 14170; (1x) 145 Ellicott Road West Falls, NY 14170; (1x) 8001 Ellicott Road West Falls, NY 14170

Ownership: Neil Hopkins

Background:

The parcel at 298 Ellicott Rd West Falls, NY 14170 was the location of the Jewettville Brickyard sometime in the early 1900's. Well after the Jewettville Brickyard closed the property became Alpine Recreation Center. The Alpine Recreation Center existed from the 1960's to the 1980's. The recreation center contained camp sites, cross-country skiing trails, general hiking trails, several playgrounds and a large quarry. The parcel has been privately owned since the closure of the recreation center. We currently own the adjacent business and property (Twinco) at 145 Ellicott Road West Falls, NY 14170. Twinco has been in business since 1969. We took interest in the 298 Ellicott Rd property when it was posted for sale in 2017. After roughly 1 year of negotiations, we purchased the property in 2019. Since that time, significant investment has been made to repair and restore existing buildings, internal roadways, parking areas, and grounds, allowing the property to once again support recreational use in a controlled and responsible manner.

Current Condition:

The parcel is currently used for both personal and recreation activities. Corrective maintenance was performed on the 25-acre section where the proposed activity will occur by a team of 3 seasonal workers and other contractors. The property has an existing public water supply. The current blacktop parking area has capacity for roughly 30 vehicles. There is a large open field that can be used for additional parking if required.

Access:

There are 4 access points to the 298 Ellicott Rd West Falls, NY 14170 parcel.

- Primary blacktop access at 298 Ellicott Rd West Falls, NY 14170

- Secondary stone access road on the east end of the 298 Ellicott Road West Falls, NY 14170 parcel
- Stone access road on the west side of the 298 Ellicott Road West Falls, NY 14170 parcel via 8001 Ellicott Road West Falls, NY 14170
- Blacktop/stone access road on the east side of the 298 Ellicott Road West Falls, NY 14170 parcel via 145 Ellicott Road West Falls, NY 14170

Proposed Activity:

This permit will be used to host multi-day events with overnight camping. The multi-day events and overnight camping will be limited to approximately 25 acres of the 200-acre parcel. The remaining acreage will remain undeveloped and available for passive recreation, such as hiking. Public water is available on-site via several hose bibs and will be clearly labeled as potable. Campers will have access to existing restrooms and shower facilities, which have been renovated and are actively maintained. To accommodate larger groups and organized events, temporary or modular restroom and shower units may be provided as needed and serviced by licensed vendors. The organized multi-day events will be subject to the following limitations: no more than eight organized multi-day events per year, each not to exceed four days in duration, with a maximum attendance of 400 people per event. An example of a multi-day event would be a remote tent site for events such as Borderland and other local events that attract larger crowds. Fires will be permitted only in designated fire rings or approved self-contained fire pits and will be subject to all applicable fire codes and regulations. Fire lanes and emergency access routes will be maintained at all times. On-site dumpsters will be provided for solid waste and recycling, with dumpster capacity increased as necessary during organized events. The owner or manager will be on-site during organized events and peak usage periods, with a 24-hour security presence provided during organized multi-day events. This operational oversight will ensure compliance with permit conditions, noise limitations, safety requirements, and emergency response needs. Swimming or water-based recreation in the quarry is strictly prohibited. Appropriate signage will be maintained to enforce this restriction. No new permanent buildings are proposed as part of this application. The proposed increase in camping capacity and the limited number of organized events is not expected to result in significant traffic impacts. The property is served by multiple existing access points and internal circulation routes. Parking will be accommodated on-site and managed during events to maintain safe access and emergency response capability. Based on the limited scope of development, reuse of existing infrastructure, historical precedent for recreational use, and the operational controls proposed, the project will not result in significant adverse environmental impacts.

298 Ellicott Campground

ACKNOWLEDGEMENT: the undersigned as applicant for this Special Use Permit for an event center at 298 Ellicott Road, PO West Falls, NY, does hereby acknowledge receipt of a copy of this Special Use Permit, agrees, and accepts the provisions herein. The applicant further acknowledges that a violation or breach of any covenants, provisions or conditions of this Special Use Permit will result in suspension or revocation of this Special Use Permit. The undersigned agrees to all terms and provisions of this Special Use Permit as herein stated or as hereafter may be amended.

SPECIAL USE PERMIT - SPECIAL CONDITIONS
298 Ellicott Road, PO West Falls, NY

1. USE: Event Center
2. SIGN(S): Shall be in accordance with Section 116.34 of the Town Code of the Town of Aurora.
3. PARKING: Sufficient parking will be provided for event attendees and employees of the establishment.
4. EVENTS:
   a. Events will be held on the 25-acre maintained portion of the property.
   b. No more than 200 people per event.
   c. Events will end no later than 11:00 p.m.
5. OTHER CONDITIONS:
   a. The existing four (4) entrances to the property will remain open during events.
   b. Year-round access for emergency vehicles is required when events are being held.
   c. Complaints brought to the Town regarding the use of this property for the activities associated with the business will be brought to the Code Enforcement Officer and, if necessary, be brought to the Town Board for further action. The Town of Aurora may terminate this Special Use permit at any time for failure of the Applicant to abide by the conditions of the Special Use Permit, terms of the Aurora Town Code and/or NYS Building and Fire Code.
   d. The property must remain under the Applicant's ownership. Transfer of the property to another owner or use of this permit by another individual or entity will terminate this special use permit.

Action #173 SUP for event center at 298 Ellicott aprvd

Upon a vote being taken: ayes – four noes – none Motion carried.

* * * * *

Councilman Wrazen moved that the Special Use Permit for a campground at 298 Ellicott Road will not result in an adverse environmental impacts as it does not involve construction or physical alteration of land and therefore for purposes of SEQR a negative declaration is issued. Councilman McCann seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #174 Neg Dec issued for 298 Ellicott SUP for campground

Councilman Wrazen moved to adopt the following resolution; seconded by Councilman McCann:

RESOLUTION APPROVING SPECIAL USE PERMIT
298 Ellicott Road (SBL# 186.00-5-1)

WHEREAS, Robert N. Hopkins/RNH 298 LLC has applied for a Special Use Permit for a campground at 298 Ellicott Road, PO West Falls, NY; and

WHEREAS, Chapter 116 Section 116-8.9 D(1) states that this type of development in a C-3 (commercial) zoned district requires a Special Use Permit from the Town Board; and

WHEREAS, the Town Board of the Town of Aurora referred the Special Use Permit application to the Town of Aurora Planning Board for their review and recommendation; and

WHEREAS, the Planning Board voted unanimously to recommend that the Town Board approve the Special Use Permit; and

WHEREAS, as an unlisted action under SEQRA the Town Board found that the project will not result in any significant adverse environmental impacts.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 116 – Zoning, Article III of the Code of the Town of Aurora, the Town Board of the Town of Aurora does hereby grant the attached Special Use Permit, including conditions, to Robert N. Hopkins/RNH 298 LLC for a campground at 298 Ellicott Road, PO West Falls, NY.

SPECIAL USE PERMIT

Pursuant to Chapter 116 Article III of the Zoning Code of the Town of Aurora, a Special Use Permit is hereby granted by the Town Board of the Town of Aurora in accordance with the following:

APPLICANT: Robert N. Hopkins/RNH 298 LLC

PROPERTY ADDRESS: 298 Ellicott Road (aka Rte. 240), PO West Falls, NY 14170
SBL# 186.00-5-1

PROPERTY OWNER: RNH 298 LLC - mailing address: PO Box 8, W. Falls, NY 14170

CODE: Chapter 116 – Zoning §116-8.9D(1)

SPECIAL PERMIT USE: Campground

The Town of Aurora Town Board received an application for a Special Use Permit for an event center from the applicant at their March 11, 2024 meeting. At that time the application was referred to the Planning Board. On April 3, 2024, the Planning Board recommended that the Town Board approve the Special Use Permit for a campground. A public hearing was held by the Town Board, at which hearing there were no comments from the public.

Background. The 196±-acre parcel at 298 Ellicott Road was once an eight-eight± site campground and recreation location known as Alpine Recreation Area (or Alpine Resort and Campground) was used as a campground and recreation area until the mid-1980's. The applicant wishes to use a portion of the property as a campground. The property at 298 Ellicott Road is zoned Commercial (C3).

This permit is contingent and subject to the following:

1. CODE REQUIREMENTS: Full compliance with all sections of the Aurora Code as presently codified or as may be amended from time to time.

2. APPLICATION AND PLANNING BOARD: Subject to all plans and specifications Submitted with the application, recommendations of the Planning Board and additional conditions and terms as adopted by the Town Board.

3. VIOLATION: Any violation of the provisions of the Permit or any other applicable law, code, rule or regulation of any government or department shall subject this Permit to suspension or revocation in the discretion of the Town Board.

4. ATTACHMENT: This permit is subject to any and all special conditions attached hereto.

ACKNOWLEDGEMENT: the undersigned as applicant for this Special Use Permit for a campground at 298 Ellicott Road, PO West Falls, NY, does hereby acknowledge receipt of a copy of this Special Use Permit, agrees, and accepts the provisions herein. The applicant further acknowledges that a violation or breach of any covenants, provisions or conditions of this Special Use Permit will result in suspension or revocation of this Special Use Permit. The undersigned agrees to all terms and provisions of this Special Use Permit as herein stated or as hereafter may be amended.

SPECIAL USE PERMIT - SPECIAL CONDITIONS
298 Ellicott Road, PO West Falls, NY

1. USE: Campground

2. SIGN(S): Shall be in accordance with Section 116.34 of the Town Code of the Town of Aurora.

3. CAMPGROUND:
   a. No more than four (4) RV sites (RV defined as self-contained unit with sanitary facilities)
   b. No more than sixteen (16) tent sites.
   c. Quite time will be from 10:30 p.m. to 7:30 a.m.

4. OTHER CONDITIONS:
   a. Signage stating "No Swimming" in the quarry will be posted around the quarry.
   b. All water hose-bibs in the campground will be labeled "non-potable".
   c. Year-round access for emergency vehicles is required when the campground is occupied.
   d. Complaints brought to the Town regarding the use of this property for the activities associated with the business will be brought to the Code Enforcement Officer and, if necessary, be brought to the Town Board for further action. The Town of Aurora may terminate this Special Use permit at any time for failure of the Applicant to abide by the conditions of the Special Use Permit, terms of the Aurora Town Code and/or NYS Building and Fire Code.
   e. The property must remain under the Applicant's ownership. Transfer of the property to another owner or use of this permit by another individual or entity will terminate this special use permit.

Action #175 SUP for campground at 298 Ellicott aprvd

Upon a vote being taken: ayes – four noes – none Motion carried.

* * * * *

Councilman Wochensky moved that the Special Use Permit for an auto repair, auto sales and auto undercoating business at 420 Olean Road, East Aurora, will not result in an adverse environmental impacts as it does not involve construction or physical alteration of land and therefore for purposes of SEQR a negative declaration is issued. Councilman Wochensky seconded the motion. Upon a vote being taken: ayes – four noes – none Motion carried.

Action #176 Neg Dec issued for 420 Olean SUP – auto repair etc

Councilman McCann moved to adopt the following resolution; seconded by Councilman Wochensky:

RESOLUTION APPROVING SPECIAL USE PERMIT
420 Olean Road (SBL# 176.13-2-2)

WHEREAS, Ronald Bartsch (dba Bartsch's Auto Service) has applied for a Special Use Permit for an auto repair, auto sales and auto undercoating business at 420 Olean Road, East Aurora, NY; and

WHEREAS, Chapter 116 Section 116-8.8 states that this type of development in a C-2 (commercial) zoned district requires a Special Use Permit from the Town Board; and

WHEREAS, the Town Board of the Town of Aurora referred the Special Use Permit application to the Town of Aurora Planning Board for their review and recommendation; and

WHEREAS, the Planning Board voted unanimously to recommend that the Town Board approve the Special Use Permit; and

WHEREAS, as an unlisted action under SEQRA the Town Board found that the project will not result in any significant adverse environmental impacts.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 116 – Zoning, Article III of the Code of the Town of Aurora, the Town Board of the Town of Aurora does hereby grant the attached Special Use Permit, including conditions, to Ronald Bartsch (dba Bartsch's Auto Service) for an auto repair, auto sales and auto undercoating business in the existing building at 420 Olean Road, East Aurora, NY.

SPECIAL USE PERMIT

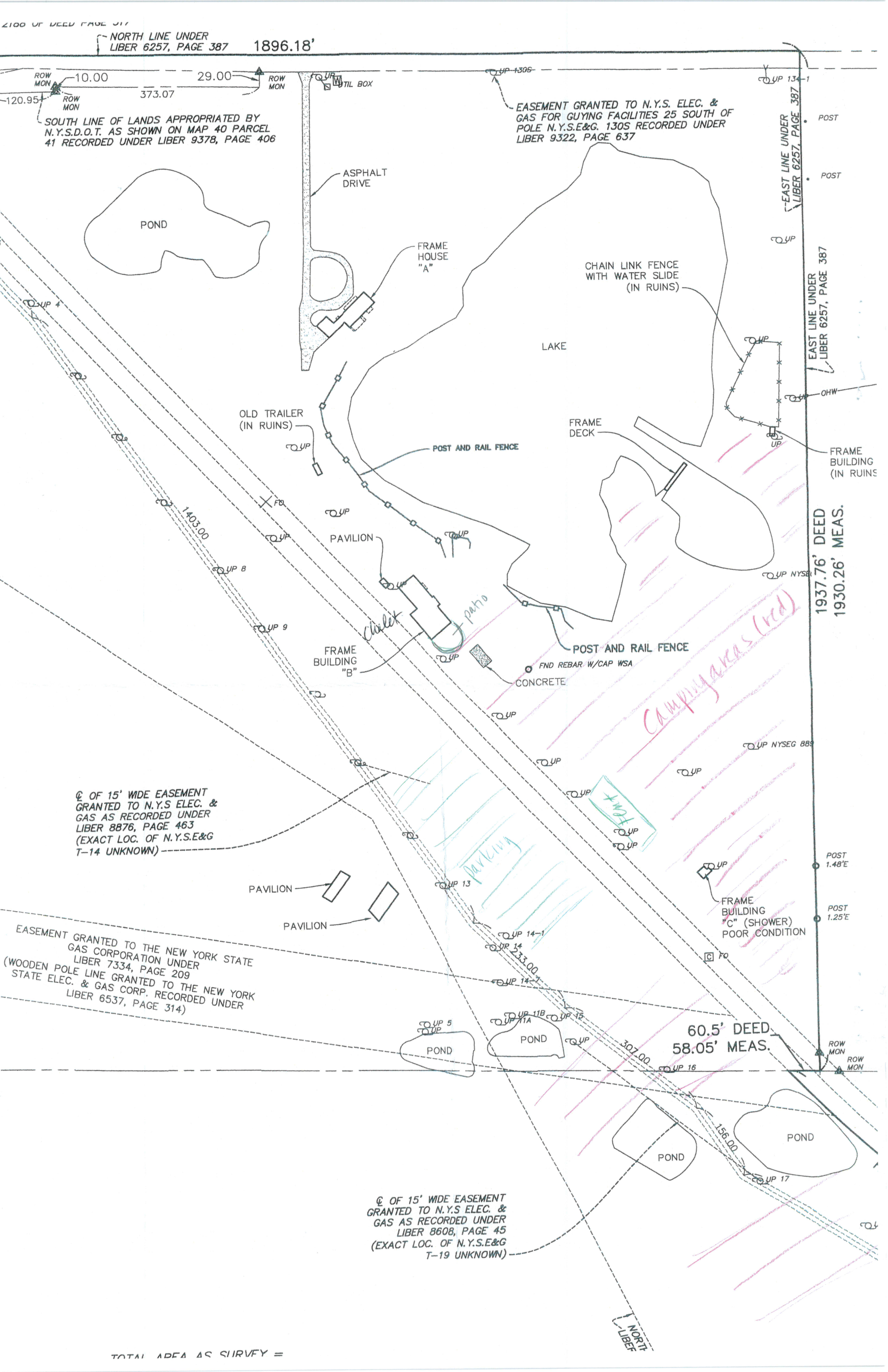
Pursuant to Chapter 116 Article III of the Zoning Code of the Town of Aurora, a Special Use Permit is hereby granted by the Town Board of the Town of Aurora in accordance with the following:

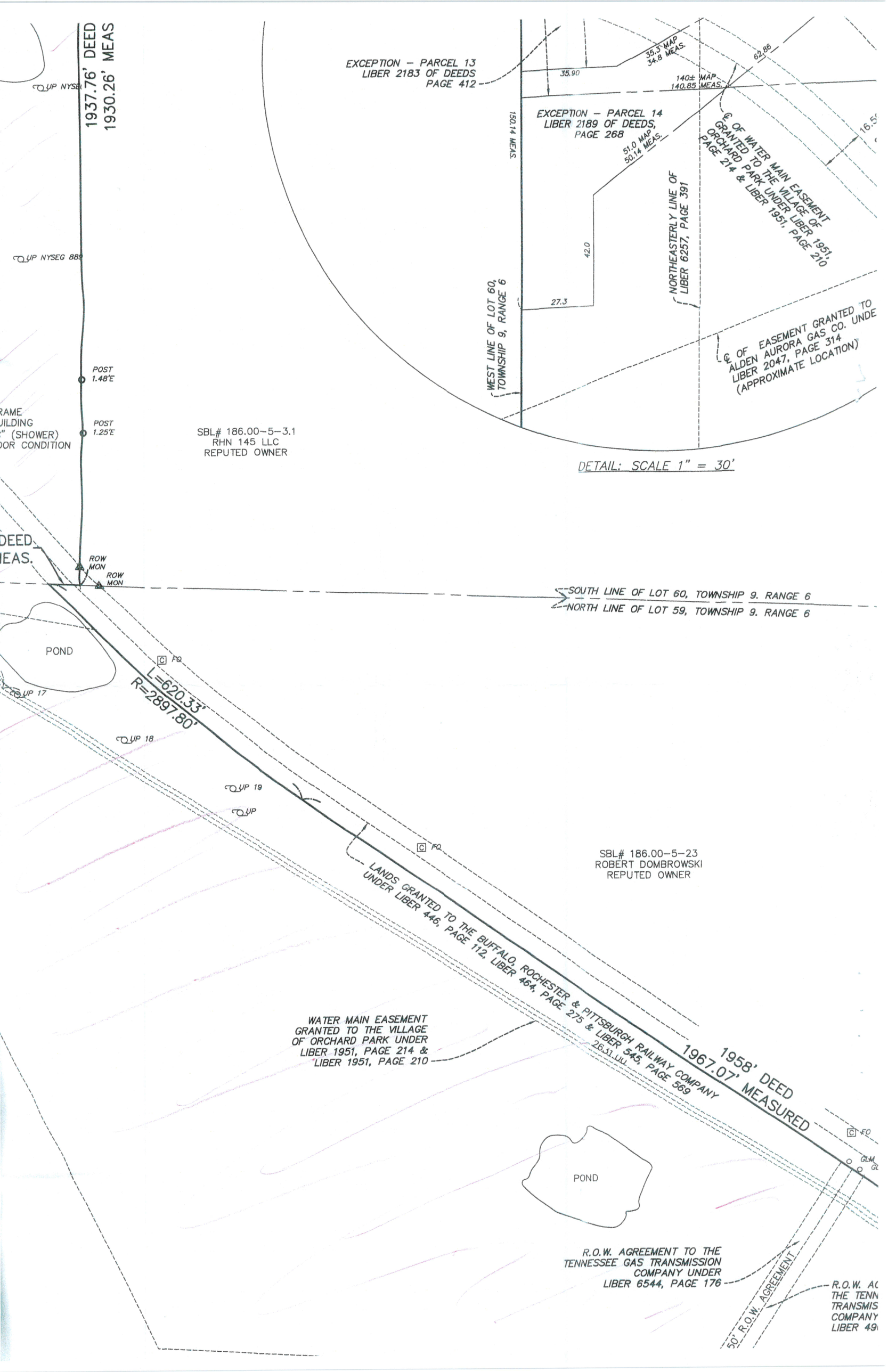
APPLICANT: Ronald Bartsch
dba: Bartsch's Auto Service

PROPERTY ADDRESS: 420 Olean (aka: Route 16, East Aurora, NY 14052 SBL# 176.13-2-2

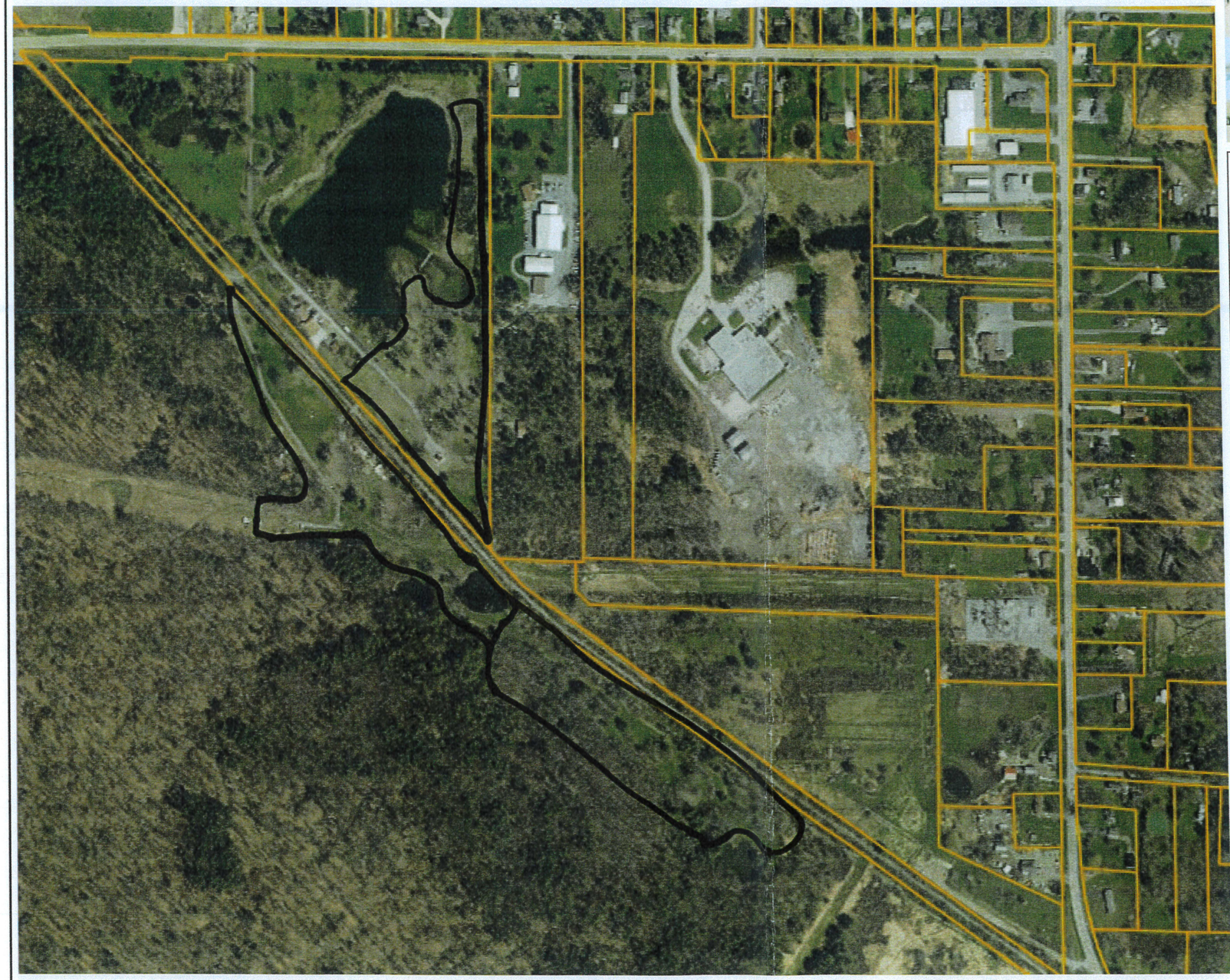
PROPERTY OWNER: Brian Shanley and David Dillon
mailing address: 420 Olean Road, East Aurora, NY 14052

CODE: Chapter 116 – Zoning §116-8.8 D(5) & Chapter 116 – Zoning §116-8.8 D(11)


NORTH LINE UNDER LIBER 6257, PAGE 387
1896.18'
ROW MON
10.00
29.00
373.07
120.95
SOUTH LINE OF LANDS APPROPRIATED BY N.Y.S.D.O.T. AS SHOWN ON MAP 40 PARCEL 41 RECORDED UNDER LIBER 9378, PAGE 406
UP
UTIL BOX
UP 130S
EASEMENT GRANTED TO N.Y.S. ELEC. & GAS FOR GUYING FACILITIES 25 SOUTH OF POLE N.Y.S.E&G. 130S RECORDED UNDER LIBER 9322, PAGE 637
UP 13-1
POST
EAST LINE UNDER LIBER 6257, PAGE 387
ASPHALT DRIVE
POND
FRAME HOUSE "A"
CHAIN LINK FENCE WITH WATER SLIDE (IN RUINS)
LAKE
OHW
FRAME DECK
FRAME BUILDING (IN RUINS
OLD TRAILER (IN RUINS)
POST AND RAIL FENCE
UP 4
UP 8
UP 9
1403.00
FO
PAVILION
FRAME BUILDING "B"
CONCRETE
FND REBAR W/CAP WSA
POST AND RAIL FENCE
1937.76' DEED
1930.26' MEAS.
UP NYSEG
Campground (red)
UP NYSEG 889
℄ OF 15' WIDE EASEMENT GRANTED TO N.Y.S ELEC. & GAS AS RECORDED UNDER LIBER 8876, PAGE 463 (EXACT LOC. OF N.Y.S.E&G T-14 UNKNOWN)
Parking
PAVILION
PAVILION
UP 13
UP 14-1
UP 14
233.00
UP 14-1
POST 1.48'E
FRAME BUILDING "C" (SHOWER) POOR CONDITION
POST 1.25'E
EASEMENT GRANTED TO THE NEW YORK STATE GAS CORPORATION UNDER LIBER 7334, PAGE 209 (WOODEN POLE LINE GRANTED TO THE NEW YORK STATE ELEC. & GAS CORP. RECORDED UNDER LIBER 6537, PAGE 314)
UP 5
POND
UP 11B
UP 11A
POND
UP 15
307.00
UP 16
60.5' DEED
58.05' MEAS.
ROW MON
ROW MON
POND
POND
156.00
POND
UP 17
℄ OF 15' WIDE EASEMENT GRANTED TO N.Y.S ELEC. & GAS AS RECORDED UNDER LIBER 8608, PAGE 45 (EXACT LOC. OF N.Y.S.E&G T-19 UNKNOWN)
NORTH LIBER
TOTAL AREA AS SURVEY =


1937.76' DEED
1930.26' MEAS
UP NYSEG
UP NYSEG 889
POST 1.48'E
POST 1.25'E
RAME
UILDING
" (SHOWER)
OOR CONDITION
SBL# 186.00-5-3.1
RHN 145 LLC
REPUTED OWNER
EXCEPTION - PARCEL 13
LIBER 2183 OF DEEDS
PAGE 412
35.90
35.3 MAP
34.8 MEAS.
140± MAP
140.85 MEAS.
62.86
EXCEPTION - PARCEL 14
LIBER 2189 OF DEEDS,
PAGE 268
51.0 MAP
50.14 MEAS.
150.14 MEAS.
42.0
27.3
WEST LINE OF LOT 60,
TOWNSHIP 9, RANGE 6
NORTHEASTERLY LINE OF
LIBER 6257, PAGE 391
℄ OF WATER MAIN EASEMENT
GRANTED TO THE VILLAGE OF
ORCHARD PARK UNDER LIBER 1951,
PAGE 214 & LIBER 1951, PAGE 210
℄ OF EASEMENT GRANTED TO
ALDEN AURORA GAS CO. UNDE
LIBER 2047, PAGE 314
(APPROXIMATE LOCATION)
DETAIL: SCALE 1" = 30'
DEED
IEAS.
ROW MON
ROW MON
SOUTH LINE OF LOT 60, TOWNSHIP 9. RANGE 6
NORTH LINE OF LOT 59, TOWNSHIP 9. RANGE 6
POND
℄ FD
L=620.33'
R=2897.80'
UP 17
UP 18
UP 19
UP
℄ FD
SBL# 186.00-5-23
ROBERT DOMBROWSKI
REPUTED OWNER
LANDS GRANTED TO THE BUFFALO, ROCHESTER & PITTSBURGH RAILWAY COMPANY
UNDER LIBER 446, PAGE 112, LIBER 464, PAGE 275 & LIBER 545, PAGE 569
26.31.00
1958' DEED
1967.07' MEASURED
WATER MAIN EASEMENT
GRANTED TO THE VILLAGE
OF ORCHARD PARK UNDER
LIBER 1951, PAGE 214 &
LIBER 1951, PAGE 210
℄ FD
POND
R.O.W. AGREEMENT TO THE
TENNESSEE GAS TRANSMISSION
COMPANY UNDER
LIBER 6544, PAGE 176
50' R.O.W. AGREEMENT
R.O.W. AG
THE TENN
TRANSMIS
COMPANY
LIBER 49

Erie County On-Line Mapping Application





Legend

- Parcels

0 0.14 0.3 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION

ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS

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

1: 9,028

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:
RNH 298 LLC

Project Location (describe, and attach a location map):
298 Ellicot Rd West Falls, NY 14170

Brief Description of Proposed Action:
weekend CAMPING For Borderland music Festival

Name of Applicant or Sponsor:	Telephone: 716-863-3632
Robert N Hopkins	E-Mail:

Address:
216 Old Glenwood

City/PO:	State:	Zip Code:
West Falls	NY	14170

	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? 25 acres
b. Total acreage to be physically disturbed? 0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 215 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: _____ Holding Tanks	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?	☑	☐	
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			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO ☑	YES ☐	
16. Is the project site located in the 100 year flood plain?	NO ☑	YES ☐	
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	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: Robert N Hopkins Date: 1/15/2026

Signature: Robert N Hopkins

PRINT FORM

INSTRUCTIONS(RP-5217-PDF-INS): www.orps.state.ny.us

FOR COUNTY USE ONLY

C1. SWIS Code 1,4,2,4,8,9

C2. Date Deed Recorded 2 (Month) 13 (Day) 2020 (Year)

C3. Book 1,1,3,5,7 C4. Page 2,8,4

New York State Department of Taxation and Finance

Office of Real Property Tax Services

RP- 5217-PDF

Real Property Transfer Report (8/10)

AURORA ASSESSOR'S
MAR 16 2020
RECEIVED

AURORA ASSESSOR'S
MAR 16 2020
RECEIVED

MAR 18 2020

PROPERTY INFORMATION

1. Property Location: 298 (* STREET NUMBER) Ellicott Road (* STREET NAME)
Aurora (* CITY OR TOWN) (VILLAGE) 14052 (* ZIP CODE)

2. Buyer Name: RNH 298 LLC (* LAST NAME/COMPANY) (FIRST NAME)
(LAST NAME/COMPANY) (FIRST NAME)

3. Tax Billing Address: Indicate where future Tax Bills are to be sent if other than buyer address(at bottom of form) (LAST NAME/COMPANY) (FIRST NAME)
(STREET NUMBER AND NAME) (CITY OR TOWN) (STATE) (ZIP CODE)

4. Indicate the number of Assessment Roll parcels transferred on the deed: 1 # of Parcels OR Part of a Parcel

(Only if Part of a Parcel) Check as they apply:
4A. Planning Board with Subdivision Authority Exists
4B. Subdivision Approval was Required for Transfer
4C. Parcel Approved for Subdivision with Map Provided

5. Deed Property Size: (*FRONT FEET) X (*DEPTH) OR 196.60 *ACRES

6. Seller Name: 3500 Genesee Associates (* LAST NAME/COMPANY) LLC (FIRST NAME)
(LAST NAME/COMPANY) (FIRST NAME)

*7. Select the description which most accurately describes the use of the property at the time of sale:
Rural Residential

Check the boxes below as they apply:
8. Ownership Type is Condominium
9. New Construction on a Vacant Land
10A. Property Located within an Agricultural District
10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District

SALE INFORMATION

11. Sale Contract Date: 11/15/2020

*12. Date of Sale/Transfer: ~~2/13/2020~~ 2/10/20

*13. Full Sale Price: $999,990.00

(*Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) *Please round to the nearest whole dollar amount.*

14. Indicate the value of personal property included in the sale: 0 .00

15. Check one or more of these conditions as applicable to transfer:
A. Sale Between Relatives or Former Relatives
B. Sale between Related Companies or Partners in Business.
C. One of the Buyers is also a Seller
D. Buyer or Seller is Government Agency or Lending Institution
E. Deed Type not Warranty or Bargain and Sale (Specify Below)
F. Sale of Fractional or Less than Fee Interest (Specify Below)
G. Significant Change in Property Between Taxable Status and Sale Dates
H. Sale of Business is Included in Sale Price
I. Other Unusual Factors Affecting Sale Price (Specify Below)
X J. None

Comment(s) on Condition:

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken(YY): 19

*17. Total Assessed Value: 397800

*18. Property Class: 240

*19. School District Name: East Aurora Union Free

*20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))
186.00-5-1

CERTIFICATION

I Certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein subject me to the provisions of the penal law relative to the making and filing of false instruments.

3500 Genesee Associates, LLC **SELLER SIGNATURE**
By _____ 2/13/20
SELLER SIGNATURE DATE

RNH 298 LLC **BUYER SIGNATURE**
By _____ 2/13/20
BUYER SIGNATURE DATE

BUYER CONTACT INFORMATION

(Enter information for the buyer. Note: If buyer is LLC,society, association, corporation, joint stock company, estate or entity that is not an individual agent or fiduciary, then a name and contact information of an individual/responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)

Hopkins (* LAST NAME) Richard Neil Jr. (FIRST NAME)
716 (*AREA CODE) 8633632 (*TELEPHONE NUMBER (Ex: 6666666))
145 (* STREET NUMBER) Ellicott Road (* STREET NAME)
West Falls (*CITY OR TOWN) NY (*STATE) 14170 (*ZIP CODE)

BUYER'S ATTORNEY

Drew (LAST NAME) Dean (FIRST NAME)
716 (AREA CODE) 8851151 (TELEPHONE NUMBER (Ex: 6666666))

Box 94
Drew & Drew

DEED

This Indenture,

Made the 10th day of February, Two Thousand and Twenty

Between

3500 Genesee Associates, LLC,
a New York limited liability company
c/o 1600 Main Place Tower, 350 Main Street, Buffalo, NY 14202

(hereinafter referred to as the "Grantor") and

RNH 298 LLC
a New York limited liability company
145 Ellicott Road, West Falls, NY 14170

(hereinafter referred to as the "Grantee").

WITNESSETH, That the Grantor for and in consideration of the sum of **NINE HUNDRED NINETY NINE THOUSAND NINE HUNDRED NINETY and 00/100 DOLLARS ($999,990.00)**, lawful money of the United States, paid by the Grantee, does hereby convey, grant and release unto the Grantee and its assigns forever:

ALL TRACT OR PARCEL OF LAND, situate in the Town of Aurora, County of Erie and State of New York more particularly described in **Schedule A** annexed hereto and made a part hereof,

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

SUBJECT TO easements, restrictions and rights of way of record.

TO HAVE AND TO HOLD the above granted premises unto the Grantee and its assigns forever.

34908

D-3
AUR

Schedule A to Deed

Grantor: **3500 Genesee Associates, LLC**

Grantee: **RNH 298 LLC**

ALL THAT PLOT OF LAND situate in the Town of Aurora, County of Erie and State of New York, being parts of Lots Nos. 59 and 60, Township 9, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the point of intersection of the westerly line of Lot No. 60 with the center line of the State Road (Orchard Park-Griffin Mills Road) leading east through said lot; thence southerly along the westerly line of Lot No. 60 and the westerly line of Lot No. 59, 3670 feet to the southwest corner of land deeded to Jewettville Clay Products, Inc. by deed recorded in the Erie County Clerk's Office in Liber 1384 of Deeds at page 419; thence easterly along the southerly line of lands as aforesaid, 2866 feet to the southwest corner of lands now or formerly owned by George H. Morton; thence northerly along the westerly line of Morton's lands, 250.2 feet to the northwest corner thereof; thence easterly along the northerly line of Morton's land, 1075.8 feet to an iron pipe; thence south 52° 58' east along the northeasterly line of Morton's land, 172.5 feet to the center line of Pine Tree Road (Old Glenwood Road); thence northerly along the center line of said road, 26 feet to the southwesterly line of lands of the Buffalo, Rochester and Pittsburgh Railway Company; thence northwesterly along said line of said Company's lands, 240 feet to a concrete monument; thence continuing northwesterly along the southwesterly line of said lands 1958.1 feet; thence continuing northwesterly along the southwesterly line of said lands on a curve having a radius of 2897.8 feet, 620.3 feet to the northerly line of Lot No. 59; thence easterly and along the northerly line of Lot No. 59, 60.5 feet to the easterly line of lands conveyed by Martha Johnson and William Johnson to William H. Brush and George W. Schmidt by deed recorded in Liber 623 of Deeds at page 182; thence northerly and along the easterly line of lands conveyed to Brush and Schmidt by deed aforesaid and also along the easterly line of lands conveyed to John H. Black Company by deed recorded in Liber 1823 of Deeds at page 27 in the Erie County Clerk's Office, 1937.76 feet to the center line of the State Road (Orchard Park-Griffin Mills Road); thence westerly along the center line of said State Road, 1896.18 feet to the westerly line of Lot No. 60 at the point or place of beginning.

EXCEPTING parts conveyed by deeds recorded in the Erie County Clerk's Office in Liber 446 of Deeds at page 112, Liber 464 of Deeds at page 275, Liber 545 of Deeds at page 569.

ALSO EXCEPTING parts appropriated by the State of New York in Liber 2183 of Deeds at page 412, Liber 2183 of Deeds at page 415, Liber 2188 of Deeds at page 317, Liber 2189 of Deeds at page 268, and Liber 9378 of Deeds at page 406 in the Erie County Clerk's Office.

THIS CONVEYANCE does not render the Grantor insolvent and is not made to defraud creditors.

AND the said Grantor does covenant with said Grantee as follows:

FIRST. - That the Grantor has not done and has not suffered anything whereby the said premises has been encumbered in any way whatever except as aforesaid;

SECOND. - That the said premises are free from encumbrances except as aforesaid;

THIRD. - That this conveyance is made subject to the trust fund provisions of section thirteen of the Lien Law of the State of New York.

IN WITNESS WHEREOF, the Grantor has hereunto caused this deed to be executed by its duly authorized representative as of the day and year first above written.

IN PRESENCE OF

3500 Genesee Associates, LLC

By: _____
Philip Terranova,
Manager

State of Florida)
) ss.:
County of Collier)

On the 10th day of February in the year 2020 before me, the undersigned, a notary public in and for said state, personally appeared **Philip Terranova**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

NOTARY PUBLIC
KELLY M. MULCAHY
Notary Public, State of Florida
Commission# GG 148851
My comm. expires Nov. 17, 2021

ERIE COUNTY CLERK'S OFFICE

County Clerk's Recording Page

Return to:
BOX 94

Party 1:
3500 GENESEE ASSOCIATES LLC

Party 2:
RNH 298 LLC

Book Type: D Book: 11357 Page: 284
Page Count: 4
Doc Type: DEED
Rec Date: 02/13/2020
Rec Time: 12:19:03 PM
Control #: 2020034908
UserID: Loretta
Trans #: 20230126
Document Sequence Number
TT2019014501

Recording Fees:

RECORDING	$40.00
COE CO $1 RET	$1.00
COE STATE $14.25 GEN	$14.25
COE STATE $4.75 RM	$4.75
RP5217 CNTY $9	$9.00
RP5217 ST-RES $116	$116.00
TP584	$10.00

Consideration Amount: 999990.00

BASIC MT	$0.00
SONYMA MT	$0.00
ADDL MT/NFTA	$0.00
SP MT/M-RAIL	$0.00
NY STATE TT	$4,000.00
ROAD FUND TT	$5,000.00

Total: $9,195.00

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE

WARNING – THIS SHEET CONSTITUTES THE CLERK'S ENDORSEMENT REQUIRED BY SECTION 319&316-a (5) OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH. THIS IS NOT A BILL.

Michael P. Kearns
Erie County Clerk