Monroe County Roads Historical Right of Way Widths Guide

Research for the historical right of way widths is a result of examination of record information available from files of the former County Right of Way Office and relies heavily on the Road Right of Way Records on file in County Real Property. County Road Right of Way Records are typed transcriptions of original Town Clerk’s Offices records of surveyed road openings or dedications. The records were compiled by County workers back in the 1930’s as part of a WPA project. The workers went to each Town Clerk’s Offices and transcribed by hand the written records for road openings or dedications, most of which are from the early to late 1800’s. Village Clerk’s Office and City of Rochester records were not transcribed. Most if not all of the original Town Clerk’s Office records are no longer in existence, having been lost, destroyed by fire or disposed of. County research of the records and compilation of the guide began in 1975 by Richard Kellar, P.L.S. and has been updated by those that follow him.

The following should be helpful to understand and interpret the guide.

1. Maps in Guide are indexed by Town.
2. Town maps show Town, County and State roads, no subdivision roads.
3. Roads shown on Town maps are color coded for right of way width as follows:
   a. *Blue = 3 rods / 49.5’ wide
   b. *Red = 4 rods / 66’ wide
   c. *Yellow = 6 rods / 99’ wide
   d. *Green = Expressway or Thruway
   e. *Other yellow = as noted or highway acquisition areas
   f. *No Color = roads not researched or no record
4. Roads that were opened without a declared width were held to the statutory width according to Statute Laws of New York State as follows:
   a. April 8, 1801 Chapter 186, New York Sessions Laws of 1801
      Public Roads not less than 4 Rods wide
      Private Roads not more than 3 Rods wide
   b. March 19, 1813 Chapter 33, Section 22, New York Sessions Laws of 1813
      Public Roads not less than 4 Rods wide
      Private Roads not more than 3 Rods wide
   c. April 14, 1826 Chapter 198, Section 2, New York Sessions Laws of 1826
      Public Roads not less than 3 Rods wide
      Private Roads not stated
   d. February 23, 1830 Chapter 56, Section 63, New York Sessions Laws of 1830
      Public Roads not less than 3 Rods wide
      Private Roads not more than 2 Rods wide
e. 1830  Chapter 30, New York Sessions Laws of 1830  
No trees to be planted more than 6 feet inside Highway line  
f. 1860  Chapter 422, New York Sessions Laws of 1860  
No trees to be planted more than:  
   6’ inside 3 Rod wide Highway line  
   8’ inside 4 Rod wide Highway line  
   12’ inside 6 Rod wide Highway line  
g. 1890  Chapter 568, New York Sessions Laws of 1890  
Public Roads not less than 3 Rods wide unless consent of landowners, County Court and Appellate Division  
Private Roads unknown  
h. 1897  Chapter 204, New York Sessions Laws of 1897  
Public Roads not less than 2 Rods wide  
Private Roads not stated  
i. 1909  Chapter 30, New York Sessions Laws of 1909  
Public Roads not less than 3 Rods wide  
Private Roads unknown  
j. 2000  Section 200, New York State Town Law  
Public or Private Roads less than 3 Rods wide allowed if Commissioner of Transportation files certification of necessity with the Town Clerk