

VILLAGE OF DELANSON
LOCAL LAW #1-1979

A LOCAL LAW OF THE VILLAGE OF DELANSON, N.Y. ADOPTING A SUB-DIVISION LAW
IN AND FOR THE VILLAGE OF DELANSON

BE IT ENACTED by the Village Board of the Village of Delanson, New York as follows:

ARTICLE I DECLARATION OF POLICY

By authority of a local law of the Village Board of Trustees of the Village of Delanson, pursuant to the provisions of Article 7 of the Village Law of the State of New York, the Planning Board of the Village of Delanson is authorized and empowered to approve Plats showing lots, blocks or sites, with or without streets, to approve the development of entirely undeveloped Plats already filed in the office of the County Clerk and to approve Preliminary Plats, within the Village of Delanson. It is declared to be the policy of the Planning Board to consider land subdivision Plats as part of a plan for the orderly, efficient and economical development of the Village. Land to be subdivided shall be of such character that can be used safely for building without peril from fire, flood or other menace to health or property. Proposed lots shall be laid out and of such size as to be in harmony with neighboring properties and be adequate for the provision of drainage, water supply and sewage disposal. Proposed streets shall compose a convenient system and shall be of such width, grade and location as to accommodate prospective traffic and facilitate fire protection. Proper provision shall be made for open spaces, adequate recreation facilities, and necessary public improvements. In order that land subdivisions may be made in accordance with this policy, these regulations known as the "Village of Delanson Subdivision Regulations" have been adopted by the Planning Board on February 12, 1979 and authorized by the Village Board of Trustees on March , 1979.

ARTICLE II DEFINITIONS

For the purpose of the regulations, certain words and terms used herein are defined as follows:

Easement. Authorization in proper form by a property owner for the use of another, for a specified purpose, of any designated part of his property.

Final Plat. A drawing, in final form, showing a proposed subdivision containing all information or detail required by those regulations and Article 7 of the Village Law to be presented to the Planning Board for approval, and which, if approved, may be filed by the applicant in the office of the County Clerk.

Major Subdivision. Any subdivision not classified as a minor subdivision, including, but not limited to, subdivisions of five or more lots, or any size subdivision requiring any new street or extension of municipal facilities.

Minor Subdivision. Any subdivision containing not more than four parcels, lots or blocks fronting on an existing street, not involving any new road or street or the significant extension of municipal facilities, and not in conflict with any provision of the Village zoning ordinance.

Planning Board. The Planning Board of the Village of Delanson.

Preliminary Plat. A drawing marked "Preliminary Plat" showing the important features of a proposed subdivision, as specified in SECTION 7.2 of these regulations, submitted to the Planning Board for the purpose of consideration prior to submission of the plat in final form and of sufficient detail to advise the Planning Board of the layout of the proposed subdivision.

Street, Collector. A street designed to serve as a traffic way for a neighborhood or as a feeder for a major street.

Street, Dead End. A street with only one outlet for vehicles.

Street, Local. A street intended to provide access to abutting properties in areas where residences are frequent.

Street, Major. A street designed to serve heavy flows of traffic, used primarily as a route for traffic between communities.

Street, Width. Width of right-of-way measured at right angles to the center of the street.

Subdivider. Any person, firm, company, corporation, partnership or association, who shall lay out any subdivision or part thereof as defined herein, either for that person or others.

Subdivision. The division of any parcel of land into two or more lots, blocks or sites, with or without streets or highways and includes re-subdivision.

Village Building Inspector. The Building Inspector of the Village of Delanson or a duly appointed representative thereof.

ARTICLE III. PLATTING PROCEDURES

Whenever any subdivision of land in the Village is proposed to be made, and before any sale, lease, contract for sale or offer for sale or lease of any lots in such subdivision or any part thereof is made, and before any permit for the erection of any structure in such proposed subdivision shall be granted, the subdivider or his duly authorized agent shall apply in writing for approval of such proposed subdivision in accordance with the provisions of this local law.

SECTION 3.1 OFFICIAL SUBMISSION OF PLATS

The date of submission of all Plats shall be considered to be the date of the regular monthly meeting of the Planning Board, at least ten (10) days prior to which, the completed application for subdivision approval and required fee shall be filed with the Village Building Inspector.

SECTION 3.2 PRE-APPLICATION REVIEW

3.2.1 Sketch Plan Discussion. The subdivider, or a duly authorized representative, shall attend the meeting of the Planning Board in order to discuss the intent and application of these regulations. Prior to the meeting, the subdivider shall submit two copies of the sketch plan as required by Section 3.2.2 (below).

The Planning Board shall determine:

(1) Whether the Sketch plan meets the purposes and requirements of these regulations and may make specific recommendations in writing to be incorporated by the applicant in the next submission to the Planning Board, and;

(2) Whether the proposed subdivision is a Major or Minor subdivision as defined by these regulations. The Board may require, when it is necessary for the protection of the public health, safety and welfare, that a Minor Subdivision comply with all or some of the requirements specified for Major Subdivisions. If requested by the subdivider, and undue hardship or practical difficulty is demonstrated, the Planning Board may waive or modify certain of the requirements for documents to be submitted under Section 7.1 of this Local Law. If the Sketch plan is classified as a Minor Subdivision, the subdivider shall then comply with the procedure outlined in Section 3.3 of these regulations. If it is classified as a major subdivision, the subdivider shall then comply with the procedure outlined in Section 3.4.

3.2 Sketch Plan. The Sketch Plan initially submitted to the Planning Board shall be based on Schenectady County Real Property 1" = 50' Tax Map information or some other similarly accurate base map to enable the entire tract to be shown. The Sketch Plan shall be submitted, showing the following information:

(1) The location of the portion which is to be subdivided in relation to the entire tract, and the distance to the nearest street intersections.

(2) All existing structures, wooded areas, streams and other significant features, within the portion to be subdivided and within 200 feet thereof. If topographic conditions are significant, contours shall also be indicated at intervals of not more than 10 feet.

(3) All utilities available, and all streets which are either proposed, mapped or built.

(4) The proposed pattern of lots (including lot width, depth and area), street layout, recreation areas, systems of drainage, sewage disposal, and water supply (see Article VI) within the subdivides area.

(5) The name and address of the owner(s) and applicant(s) if individuals. If such owner(s) or applicant(s) be a partnership, the names, residence and business addresses of the partners, including special or limited partners and of all other individuals participating as principals. If such owner(s) or applicant(s) be other than an individual or partnership, the name of the state or country where incorporated or organized and the names, residences and business addresses of its principal officers, wherever located, and of its officers and branch managers in this state.

(6) A map of soil types found on the tract proposed for subdivision including a summary of soil suitability characteristics with respect to the use proposed for the land and a percolation test for each section of any lot or tract where on-site septic disposal is anticipated.

Section 3.3 APPROVAL FOR MINOR SUBDIVISIONS

3.3.1 Application and Fee. Within six months after classification of the Sketch Plan as a Minor Subdivision by the Planning Board, the subdivider shall submit an application for approval of a Subdivision Plat. Failure to do so shall require resubmission of the Sketch Plan to the Planning Board for reclassification. The application shall contain a Plat conforming to the layout shown on the Sketch Plan plus any recommendations made by the Planning Board. Said application shall also conform to the requirements listed in Section 7.1.

All applications for Plat approval for Minor Subdivisions shall be accompanied by a fee as established by the Village Board of Trustees.

3.3.2 Public Hearing. A public hearing shall be held by the Planning Board after the submission of the Minor Subdivision Plat for approval, which hearing shall be

advertised at least once in a newspaper of general circulation in the Village, and a notice of such hearing shall be posted in at least three prominent places at least five (5) days before such hearing.

3.3.3 Approval of Minor Subdivision Plat. The Planning Board shall, within sixty (60) days from and after the time of submission of the Subdivision Plat, and following the public hearing, approve, approve with modifications, or disapprove such Subdivision Plat. The ground of refusal of any Plat, or any modification required, shall be stated upon the record of the Village Planning Board. Failure of the Planning Board to act within such time shall constitute approval of the Plat except in the failure of the subdivider to attend the public hearing or to provide a complete application.

Upon granting approval of the Plat, the Planning Board shall authorize the chairman of the Planning Board to sign the Plat, or if approved with modification, to sign the Plat upon compliance with such modifications. After signing, one (1) copy shall be sent to the subdivider and one (1) copy shall be filed in the office of the Village Building Inspector. The subdivider may then file the approved subdivision plat in the office of the Schenectady County Clerk. Failure to do so within ninety (90) days of approval shall result in the expiration of such approval.

SECTION 3.4 APPROVAL OF MAJOR SUBDIVISION PLATS

3.4.1 Engineering Review Fee. To enable the Village Planning Board to hire a qualified engineering professional for review of Major Subdivisions involving new public streets, extension of village facilities, extensive grading or drainage improvements or other similar improvements, the Planning Board may assess the subdivider an engineering review fee, not to exceed the rate established by the Village Board of Trustees. Such fee shall be used to obtain engineering advice in the review of the Preliminary and Final Subdivision Plats. The fee shall be paid along with the application for approval of a Preliminary Subdivision Plat and any excess not used for engineering review shall be returned to the applicant at the time of the subdivision approval or disapproval.

3.4.2 Application and Fee. Prior to the filing of the application for approval of a Major Subdivision Plat, and within six (6) months of the Sketch Plan review meeting, the subdivider shall file an application for the approval of a Preliminary Plat of the subdivision, together with any required engineering review fee. Such Preliminary Plat shall be clearly marked "Preliminary Plat".

3.4.3 Required Information. Three (3) copies of the Preliminary Plat, in the form described in section 7.2 of this ordinance, shall be submitted to the Village Building Inspector not less than ten (10) days prior to the Planning Board's regular scheduled meeting. The Planning Board, in review of the Preliminary Plat, may require the subdivider to supply additional information.

3.4.4 Review and Study of Preliminary Plat. The Planning Board shall study the practicability of the Preliminary Plat taking into consideration the best use of the land, the requirements of the village, and the impact of the proposed use. Particular attention shall be given to:

- the arrangement , location, and width of the streets
- the capacity of soils, slope, topography, and other natural features to sustain the subdivision and resultant development without substantial harm to the quality of the natural and man-made environment
- the adequacy of water supply, storm water drainage and sewage or septic disposal
- the requirements of the Village Zoning Ordinance
- availability of utilities
- the impact on, and compatibility with, future development of adjoining land

3.4.5 Approval of Preliminary Plat. Within sixty (60) days after the time of submission of a completed Preliminary Plat application, the Planning Board shall take action to conditionally approve, with or without modifications, or disapprove such Preliminary Plat. The ground of any modification required, or the ground for disapproval shall be stated in the records of the Planning Board. Approval of the Preliminary Plat shall not constitute approval of the Subdivision Plat, but rather approval of the design as a basis for preparing the Final Plat. Failure of the Planning Board to act within such sixty (60) day period shall constitute a conditional approval of the Preliminary Plat. The applicant shall be notified of the Planning Board's decision. At the discretion of the Planning Board, the meeting of the Planning Board for action on the Preliminary Plat may be advertised to the public. All such meetings for Preliminary Plat review shall be open to the public.

When granting approval to a Preliminary Plat, the Planning Board shall state the terms of such approval, if any, with respect to (1) the modification to the Preliminary Plat, (2) the character and extent of the required improvements for which waivers may have been requested and which in its opinion may be waived without jeopardy to the public health, safety, morals, and general welfare, (3) the amount of improvement or the amount of bonds therefor it will require as prerequisite to the approval of the Subdivision Plat. Prior to the approval of the Subdivision Plat, the Planning Board may require additional changes as a result of further study of the subdivision in final form or as a result of new information.

3.4.6 Final Plat Application and Fee. The subdivider shall, within six (6) months after approval of the Preliminary Plat, file with the Planning Board an application for approval of the subdivision plat in final form. The application shall be accompanied by a fee according to the schedule established by the Village Board. The Planning Board

may refuse to approve the Final Plat if submitted more than six (6) months after the Preliminary Plat.

3.4.7 Required Information. The application for Final Plat approval shall include the original and three (3) copies of the Plat, in the form described in Section 7.3 of this ordinance. The required fee, two prints of all construction drawings and one true copy of all offers of lease, contract, covenants, and agreements shall be present to the Building Inspector at least ten (10) days prior to the regular monthly meeting.

3.4.8 Final Plat Endorsement by Authorities. The Final Subdivision Plat shall be properly endorsed and approved by the New York State Department of Health with respect to all water and septic or sewer disposal facilities. Endorsement and approval from other village, county and state agencies shall be secured by the subdivider before official submission of the Final Subdivision Plat. Evidence of such may be required by the Planning Board.

3.4.9 Approval of Final Plat. The Planning Board shall, within sixty (60) days from and after the time of submission of the Final Subdivision Plat, hold an advertised public hearing on such Subdivision Plat. This hearing shall be advertised in a newspaper of general circulation in the Village, and a notice of hearing posted in at least three prominent places at least five (5) days before such hearing.

The Planning Board shall approve, approve with modifications, or disapprove of the Final Plat. The ground for refusal of any plat, or any modification required shall be stated upon the record of the Village Planning Board. Failure of the Planning Board to act within the sixty (60) day period shall constitute approval of the Plat except in the failure of the subdivider to attend the public hearing or to provide a complete application,

Where modifications are required for approval, the subdivider shall be notified of such requirements which, when completed, will authorize the signing of the Final Plat. Upon completion of such requirements the Plat shall be signed by the Planning Board chairman. Approval with modification of the final plat shall expire one hundred eighty (180) days after the date of the public hearing granting such approval unless the requirements have been completed within that time.

Upon granting approval of the Final Plat, the Planning Board shall authorize the chairman of the Planning Board to sign the Plat, or if approved with modifications, to sign the Plat upon compliance with such modification. One (1) copy shall be sent to the office of the Village Building Inspector. The subdivider may then file the approved Subdivision Plat in the office of the Schenectady County Clerk. Failure to do so within ninety (90) days of approval shall result in the expiration of such approval.

ARTICLE IV REQUIRED IMPROVEMENTS

SECTION 4.1 IMPROVEMENTS AND PERFORMANCE BOND

Before the Planning Board grants final approval of the Subdivision Plat, the subdivider shall follow the procedure set forth in either sub-paragraph (1) OR sub-paragraph (2) below:

(1) In an amount set by the Planning Board the subdivider shall either file with the Village Clerk a certified check to cover the full cost of the required improvements OR the subdivider shall file with the Village Clerk a performance bond to cover the full cost of the required improvements. Such performance bond shall be issued by a bonding or surety company approved by the Board of Trustees, and such bond shall be satisfactory to the Village Attorney as to form, manner, sufficiency, execution and surety and shall meet the requirements of New York State Village Law, Section 7-730. A period of one year (or such other period as the planning board may determine to be appropriate, not to exceed three years) shall be set forth in the bond within which required improvements must be completed.

(2) The subdivider shall complete all required improvements to the satisfaction of the Village Building Inspector, who shall file with the Planning Board a letter signifying the satisfactory completion of all improvements required by the Board. For any requirements not so completed, the subdivider shall file with the Village Clerk a bond or certified check covering the cost of such improvements and the cost of satisfactorily installing any improvements not approved by the Village Building Inspector. Any such bond shall be satisfactory to the Village Board and the Village Attorney as to form, sufficiency, manner of execution and surety.

(3) The required improvements shall not be considered to be completed until the installation of the improvements has been approved by the Village Building Inspector or Designated Engineer and a map satisfactory to the Planning Board has been submitted indicating the location of monuments marking all underground utilities as actually installed. If the subdivider completes all required improvements according to sub-paragraph (2), then said map shall be submitted prior to endorsement of the Plat by the appropriate planning board officer. However, if the subdivider elects to provide a bond or certified check for all required improvements as specified in sub-paragraph (1), such bond or certified check shall not be released until such map is submitted.

SECTION 4.2 MODIFICATION OF DESIGN OF IMPROVEMENTS

If at any time before or during the construction of the required improvements it is demonstrated to the satisfaction of the Village Building Inspector or Designated

Engineer that unforeseen conditions make it necessary or preferable to modify the location or design of such required improvements, the Village Building Inspector may, upon approval by a previously delegated member of the Planning Board, authorize modifications, provided that these modifications are within the spirit and intent of the Planning Board's approval and do not extend to the waiver or substantial alteration of the function of any improvements required by the board. The Village Building Inspector shall issue any authorization under this Section in writing and shall transmit a copy of such authorization to the Planning Board at their next regular meeting.

SECTION 4.3 INSPECTION OF IMPROVEMENTS

At least five (5) days before commencing construction of required improvements, the subdivider shall notify the Building Inspector in writing of such construction schedule. The Building Inspector or Designated Engineer shall inspect the improvements to assure that all specifications and requirements shall be met and to assure the satisfactory completion of the improvements and utilities required by the Planning Board. The Village Board of Trustees may establish and require an inspection fee for inspection of such improvements.

SECTION 4.4 PROPER INSTALLATION OF IMPROVEMENTS

If the Village Building Inspector or the Designated Engineer shall find, upon inspection of the improvements performed before the expiration date of the performance bond, that any of the required improvements have not been constructed in accordance with the plans and specifications filed by the subdivider, he shall so report to the Village Board of Trustees, Village Attorney, and Planning Board. The Village Board then shall notify the subdivider and, if necessary, the bonding company, and take all necessary steps to preserve the Village's rights under the bond. No Plat shall be approved by the Planning Board as long as the subdivider is in default on a previously approved Plat.

ARTICLE V FILING OF APPROVED SUBDIVISION PLAT

SECTION 5.1 FINAL APPROVAL AND FILING

Upon completion of the requirements in Article III & IV above, and notation and signing of the Final Plat by the duly designated officer of the Planning Board, it may be filed by the subdivider in the office of the County Clerk. Any Subdivision Plat not filed or recorded within ninety (90) days shall become null and void.

SECTION 5.2 PLAT VOID IF REVISED AFTER APPROVAL

No changes, erasures, modification or revision shall be made in any approved Subdivision Plat unless said Plat is re-submitted to the Planning Board and such Board

approves any modification. Any such changes, erasures, modifications or revisions made without such approval shall render the Plat approval null and void.

ARTICLE VI GENERAL REQUIREMENTS AND DESIGN STANDARDS

SECTION 6.1 VILLAGE ACCEPTANCE OF STREETS, PUBLIC AREAS, EASEMENTS AND PARKS

Acceptance of formal offers of dedication of streets, public areas, easements and parks shall be a resolution of the Village Board of Trustees. Approval by the Planning Board of a Subdivision Plat shall not be deemed to constitute or imply the acceptance by the Village of any street, easement, or park shown on said Plat. The Planning Board may require the filing of a written agreement between the applicant and the Village Board covering future deed and title, dedication, and provision for cost of improvements.

SECTION 6.2 GENERAL REQUIREMENTS

6.2.1 Character of Land. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace.

6.2.2 Conformity with the Land Use Plan and Zoning Ordinance. Subdivisions shall conform to the requirements of the Village Zoning Ordinance, the Land Use Plan, septic disposal code and other applicable regulations.

6.2.3 Street Rights-of-Way. Street rights-of-way and pavement shall be designed to accommodate the type and volume anticipated thereupon.

6.2.4 Special Requirements. The Planning Board may impose special requirements with respect to the design and installation of septic disposal, water, and storm water drainage systems, curbs, gutters and streets.

SECTION 6.3 STREET LAYOUT

6.3.1 Width, Location and Construction. Streets shall be of sufficient width, suitably located and adequate to accommodate the prospective traffic and afford access for firefighting, snow removal and other road maintenance equipment.

The arrangement of streets shall be such as to cause no undue hardship to adjoining properties and shall be coordinated so as to compose a convenient system.

6.3.2 Arrangement of Streets. The arrangement of streets in the subdivision shall provide for a continuation of principal streets and adjoining subdivisions, and for

proper projection of principal streets into adjoining properties which are not yet subdivided, in order to make possible necessary fire protection and movement of traffic. Where, in the opinion of the Planning Board, topographic or other conditions make such continuance undesirable or impracticable, the above conditions may be modified.

The street plan of a proposed subdivision shall bear a logical relationship to the topography of the property, and all streets shall be arranged so as to obtain as many of the building sites as possible at or above the grade of the streets. Grades of streets shall conform as closely as possible to the original topography.

6.3.3 Local Streets. Local streets shall be laid out that there use by through traffic will be discouraged. Dead-end or loop residential streets may be approved whenever the Board finds that such design will not interfere with efficient traffic circulation.

6.3.4 Block Size. Blocks generally shall not be less than 400 feet nor more than 1200 feet in length. In general, no block width shall be less than twice the normal lot depth. In blocks exceeding 800 feet in length, the Planning Board may require the reservation of a 20-foot wide easement through the block to provide for the crossing of underground utilities and pedestrian traffic where needed or desirable and may further specify, at its discretion, that a 4-foot wide paved foot path be included.

6.3.5 Distance Between Intersections. Street intersections with major streets or highways shall, in general, be at least five hundred (500) feet apart.

6.3.6 Angle of Intersection. In general, all streets shall join each other so that for a distance of at least one hundred (100) feet the street is approximately at right angles to the street it joins.

6.3.7 Street Jogs. Street jogs with center line off-sets of less than one hundred twenty-five (125) feet shall be avoided.

SECTION 6.4 STREET DESIGN

6.4.1 Standards. Streets shall conform to the following standards. The planning board may require higher standards where appropriate.

	MAJOR STREET	COLLECTOR STREET	LOCAL STREET
Minimum ROW	66	60	50
Pavement Width	36'	24'	20'

	MAJOR STREET	COLLECTOR STREET	LOCAL STREET
Maximum Grade	5%	8%	8%
Minimum Grade	½%	½%	½%
Minimum Stopping Sight Distance	400'	300'	200'
Minimum Curve Radii @ Centerline	400'	200'	100'

6.4.2 Improvements. Streets shall be graded and improved with pavements, curbs and gutters, storm drainage facilities, street trees, and signs, except where waivers may be requested, and the Planning Board may waive, subject to appropriate conditions, such improvements as it considers may be omitted without jeopardy to the public health, safety and general welfare. Where appropriate, the Planning Board may require the provision of sidewalks, water mains, sewers, street lights and fire hydrants. All such grading and improvements shall be approved as to design and specifications by the Village Building Inspector.

6.4.3 Utilities in Streets. The Planning Board shall, wherever possible, require that underground utilities be placed in the streets right-of-way between the paved roadway and street line to simplify location and repair of lines when they require attention. The subdivider shall install underground service connections to the property line of each lot within the subdivision for such required utilities before the street is paved.

6.4.4 Utility Easements. Where topography is such as to make impractical the inclusion of utilities within the street rights-of-way, perpetual unobstructed easements at least 20-feet in width shall be otherwise provided with satisfactory access to the street. Wherever possible, easements shall be continuous from block to block and shall present as few irregularities as possible. Such easements shall be cleared and graded where required.

6.4.5 Curve Radii at Street Intersections. All street right-of-way lines at intersections shall be rounded by curves of at least twenty (20) feet radius and curbs shall be adjusted accordingly.

6.4.6 Steep Grades and Visibility at Intersections. At the approach to an intersection, a leveling area shall be provided having not greater than two (2) percent grade at a distance of sixty (60) feet. Intersections shall be designed to provide

adequate visibility conforming to the minimum stopping sight distance of Section 6.4.1 of this Local Law.

6.4.7 Dead-End Streets. Permanent dead-end streets, in general, shall not exceed five hundred (500) feet in length, and shall terminate in a circular turnaround having a minimum right-of-way radius of sixty (60) feet and pavement radius of forty (40) feet.

6.4.8 Materials. The street sub base shall be installed in accordance with Section 304 of the New York State Department of Transportation publication entitled Standard Specifications: Construction and Materials January 1978 or as amended. After the sub base has been installed and approved by the Designated Engineer, 3 inches of Type 1 base – asphalt concrete should be installed in accordance with Section 403 of the New York State standard specifications. The final wearing surface shall be 1 inch of Type 7 top-asphalt concrete installed in accordance with Section 403 of the New York State standard specifications.

6.4.9 Street Names. All street names shown on a Preliminary Plat or Subdivision Plat shall be approved by the Planning Board. Proposed street names shall be substantially different so as not to be confused in sound or spelling with present names except that streets that join or are in alignment with streets of an abutting or neighboring property shall bear the same name.

SECTION 6.5 LOTS

6.5.1 Lot Arrangement. The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with the zoning ordinance, and other applicable regulations. Lots should not be of such depth as to encourage the later creation of a second building lot at the front or rear.

6.5.2 Lot Dimensions. Lot dimensions shall comply with the minimum standards of the zoning ordinance. In general, side lot lines shall be at right angles to street lines unless a variation from this rule will give a better street or lot plan.

6.5.3 Lot Drainage. Lots shall be laid out so as to provide positive drainage away from all buildings and individual lot drainage shall be coordinated with the general storm drainage pattern for the area.

6.5.4 Corner Lots. In general, corner lots should be larger than interior lots to provide for proper building setback from each street and provide a desirable building site.

6.5.5 Monuments and Lot Corner Markers. Permanent monuments shall be set at block corners, angle points, points of curves in streets and other points as the Village Building Inspector may require, and their location shall be shown on the Subdivision Plat.

SECTION 6.6 DRAINAGE IMPROVEMENTS

6.6.1 Removal of Spring and Surface Water. The subdivider may be required by the Planning Board to carry away by pipe, drain tile or open ditch any spring or surface water that may exist either previous to, or as a result of the subdivision. Such drainage facilities shall be located in the street right-of-way where feasible, or in perpetual unobstructed easements of appropriate width.

6.6.2 Drainage Structures to Accommodate Potential Development Upstream. A culvert or other drainage facility shall, in each case, be large enough to accommodate potential run-off from its entire upstream drainage area, whether inside or outside the subdivision. The Designated Engineer or Village Building Inspector shall approve the design and size of the facility based on anticipated run-off from a "ten-year" storm under conditions of total potential development permitted by the Zoning Ordinance in the watershed.

6.6.3 Land Subject to Flooding. Land subject to flooding or land deemed by the planning board to be uninhabitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life or property, or aggravate the flood hazard, but such land within the plat shall be set aside for uses as shall not be endangered by periodic or occasional inundation or improved in a manner satisfactory to the Planning Board to remedy said hazardous conditions.

6.6.4 Areas of Poor Drainage. Subdivision in areas of extremely poor drainage is to be discouraged, particularly where such conditions preclude efficient and safe on-site septic disposal.

SECTION 6.7 PRESERVATION OF NATURAL FEATURES

The Planning Board shall, wherever possible, establish the preservation of all natural features such as large trees or groves, water courses and falls, beaches, historic spots, vistas and similar irreplaceable assets.

SECTION 6.8 PARKS, OPEN SPACE AND RECREATION

6.8.1 Dedication of Land. The Planning Board may require that the Plat show sites of a character, extent, and location suitable for the development of a park, playground or other recreation purpose. The Planning Board may require that the developer satisfactorily grade any such recreation areas shown on the Plat. If the

Planning Board determines that a suitable park or parks of adequate size cannot be properly located in any such Plat or is otherwise not practical, the Board may require as a condition for approval of any such Plat a payment to the village of a sum to be determined by the Board of Trustees, which sum shall constitute a trust fund to be used by the Board of Trustees exclusively for a neighborhood park, playground or recreation purposes including the acquisition of land.

The Planning Board may require that not less than 1 acre of recreation space be provided per 20 acres of land area subdivided. However, in no case shall the amount be more than 10 percent of the total area of the subdivision. Such area or areas may be dedicated to the Village by the subdivider if the Village Board approves such dedication. Appropriate legal measures should be taken to assure that such land can never be developed for other than recreational purposes.

6.8.2 Required Information. In the event that an area to be used for a park or playground is required to be so shown, the subdivider shall submit, prior to final approval, to the Board, one print drawn in ink, and two blue-line copies showing at a scale of not less than fifty (50) feet to the inch such area and the following features thereof:

- The boundaries of the said area, giving lengths and bearings of all straight lines; radii, lengths, central angles and tangent distances of all curves.
- Existing features such as brooks, ponds, clusters of trees, rock outcrops, structures.
- Existing, and, if applicable, proposed changes in grade and contours of the said area and of the area immediately adjacent.

ARTICLE VIII DOCUMENTS TO BE SUBMITTED

SECTION 7.1 MINOR SUBDIVISION PLAT

The Minor Subdivision Plat shall be presented in India Ink on reproducible mylar or tracing cloth at a scale not smaller than one (1) inch equals one hundred (100) feet and contains the changes, modifications, or additions required by the planning Board review of the sketch plan. In the case of minor subdivision only, the Subdivision Plat shall include the following information:

- (1) A copy of such covenants or deed restrictions as are intended to cover all or part of the tract.

(2) An actual field survey of the boundary lines of the entire tract owned by the subdivision owner giving complete descriptive data by bearings and distances, made by a licensed land surveyor. The corners of the said tract shall also be located on the ground and marked by monuments, and shall be referenced and shown on the Plat.

(3) All on-site sanitation and water supply facilities shall be designed to meet the minimum specifications of the Village Sanitation Code and of the State Department of Health. A note to this effect shall be stated on the Plat and signed by a licensed engineer. The Planning Board reserves the right to request additional information pertaining to the suitability of the site for on-site septic disposal.

(4) Proposed subdivision name, name of the Village, Town and County in which it is located.

(5) The date, north point, map scale, name and address of the record owner and subdivider.

(6) The Plat to be filed with the County Clerk shall not be larger than 34 X 34-inches.

SECTION 7.2 MAJOR SUBDIVISION PRELIMINARY PLAT AND ACCOMPANYING DATA

7.2.1 General Requirements. The Preliminary Plat shall be prepared by a licensed land surveyor at a scale of one (1) inch equals one hundred (100) feet or greater, prepared in pen or pencil. Size shall not be greater than thirty-four by thirty-four (34 X 34) inches. The map prepared for the Preliminary Plat may also be used for the Final Subdivision Plat and, therefore, should be drawn on a tracing cloth or reproducible mylar; preparation in pencil will make required changes and additions easier.

7.2.2 Features. The Major Subdivision Preliminary Plat shall show the following:

(1) The location of property with respect to surrounding property and streets, the names of all adjoining property owners of record, or the name of adjoining developments; the names of adjoining streets,

(2) The location and dimensions of all boundary lines of the property to be expressed in feet and decimals of a foot.

(3) The location of existing streets, easements, water bodies, streams and other pertinent features such as wetlands, railroads, buildings, parks, cemeteries, drainage ditches and bridges.

(4) The location and width of all existing and proposed streets and easements, and other public ways, and easement and proposed street rights-of-ways and building set-back lines.

(5) The locations, dimensions, and areas of all proposed or existing lots.

(6) The location and dimension of all property proposed to be set aside for park or playground use, or other public or private reservation with the designation of the purpose thereof, and conditions, if any, of the dedication or reservation.

(7) The name and address of the owner or owners of the land to be subdivided, the name and address of the subdivider, if other than the owner, and the name and address of the surveyor.

(8) The date of the map, approximate true north point, scale and title of the subdivision.

(9) Sufficient data acceptable to the Village Building Inspector to determine readily the location, bearing and length of all lines, and to reproduce such lines upon the ground; the location of all proposed monuments.

(10) Names of the subdivision and all new streets.

(11) Indication of the use of any lot (single-family, two-family, multi-family, townhouse) and all uses, other than residential, proposed by the subdivider.

(12) Construction drawings including typical cross sections showing the proposed size, type, location and construction of any streets.

(13) Blocks shall be consecutively numbered or lettered in alphabetical order. The blocks in numbered additions to subdivisions bearing the same name shall be numbered consecutively throughout the several additions.

(14) All information required on the sketch plat should also be shown on the preliminary plat, and the notation shall also be shown:

- (i) Explanation of drainage easements, if any.
- (ii) Explanation of site easements, if any.
- (iii) Explanation of reservations, if any.
- (iv) Endorsement of owner, as follows:

.....
Owner Date

7.2.3 Additional Information. Accompanying the Preliminary Plat, the following information shall be submitted:

(1) If the application covers only a portion of the subdivider's entire holding, a map of the entire tract, drawn at a scale not smaller than 400 feet to the inch showing an outline of the platted area with its proposed streets and indication of the probable future street system with its grades and drainage in the remaining portion of the tract and the probable future drainage layout of the entire tract shall be submitted.

(2) A copy of such covenants or deed restrictions as are intended to cover all or part of the tract.

SECTION 7.3 MAJOR SUBDIVISION PLAT AND ACCOMPANYING DATA

7.3.1 Final Subdivision Plat. The Final Plat to be filed with the County Clerk shall be printed upon reproducible mylar or tracing cloth. The size of the sheets shall be not greater than 34 X 44 inches. The plat shall be drawn at a scale not smaller than 100 feet to the inch and oriented with the north point at the top of the map. When more than one sheet is required, an additional index sheet of the same size shall be filed showing to scale the entire subdivision.

The Plat shall show:

(1) Proposed subdivision name or identifying title and the name of the Village, Town and County in which the subdivision is located, the name and address of the record owner and subdivider, name, license number and seal of the licensed land surveyor.

(2) Street lines, pedestrian ways, lots, reservations, easements and areas to be dedicated to public use.

(3) Sufficient data acceptable to the Village Building Inspector to determine readily the location, bearing and length of every street line, lot line, boundary line, and to reproduce such lines upon the ground. Where applicable, these should be references to monuments included in the State system of plans previously established by a public authority.

(4) The length and bearing of all straight lines, radii, length of curves and central angles of all curves, tangent bearings shall be given for each street. All dimensions and angles of the lines of each lot shall also be given. All dimensions shall be shown in feet and decimals of a foot. The Plat shall show the boundaries of the property, location, graphic scale and true north point.

(5) The Plat shall also show by proper designation thereon all public open spaces for which deeds are included and those spaces title to which is reserved by the developer. For any of the latter, there shall be submitted with the Subdivision Plat copies of agreements or other documents showing the manner in which such areas are to be maintained and the provisions made thereof.

(6) Lots and blocks within a subdivision shall be numbered and lettered in alphabetical order in accordance with the prevailing Village practice.

(7) Permanent reference monuments shall be shown, and shall be constructed in accordance with specifications of the Village Building Inspector. When referenced to the State system of plane coordinates, they shall also conform to the requirements of the State Department of Transportation. They shall be placed as required by the Village Building Inspector and their location noted and referenced upon the Plat.

(8) All lot corner markers shall be permanently located satisfactorily to the Village Building Inspector at least three quarter (3/4) inches (if metal) in diameter and at least twenty four (24) inches in length, and located in the ground to existing grade.

(9) Monuments shall be set at all corners and angle points of the boundaries of the original tract to be subdivided; and at all street intersections, angle points in street lines, points of curve, and such intermediate points as shall be required by the Village Building Inspector.

7.3.2 Additional Information. Construction drawings including plans, profiles and typical cross-sections, as required, showing the proposed location, size and type of streets, sidewalks, street lighting standards, street trees, curbs, water mains, sanitary sewers or septic tanks and leach fields, storm drains, pavements and sub-base, manholes, catch basins, underground utilities and other facilities.

ARTICLE VIII WAIVERS AND SEPARABILITY

Section 8.1 WAIVERS

8.1.1 Basis for Waivers. Where the Planning Board finds that, due to the special circumstances of a particular Plat, the provision of certain required improvements is not requisite in the interest of public health, safety and general welfare or is inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the proposed subdivision, it may waive such requirements subject to appropriate conditions, provided that such waiver will not have the effect of nullifying the intent and purpose of the Village Zoning Ordinance.

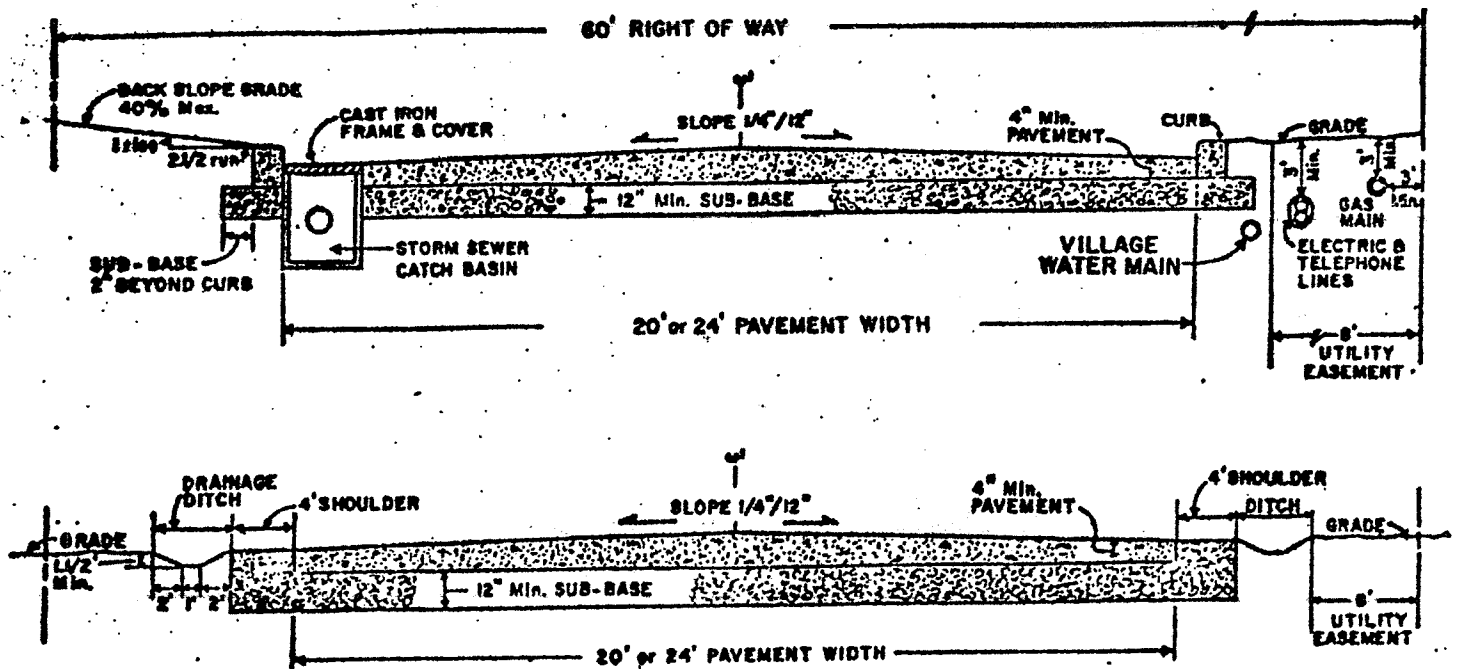
8.1.2 Conditions. In granting waivers, the Planning Board shall require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so waived.

SECTION 8.2 SEPARABILITY

Should any section or provision of the regulations contained herein, or as amended hereafter, be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the regulations as a whole or any part thereof other than the part so declared invalid.

FIGURE 1

VILLAGE OF DELANSON
"TYPICAL STREET SECTION"
(not to scale)



SUB-BASE - Shall be graded to a depth sufficient for thickness of sub-base as required by the Standard Specifications.

PAVEMENT - Shall be 3" of Type 1 Asphalt Concrete covered with a final wearing surface of 1' of Type 7 Top Asphalt Concrete.

CURBS, GUTTERS – Shall be provided at the discretion of the Designated Engineer and Planning Board.

STANDARDS – Higher standards may be required by the Village where appropriate. All materials shall conform to New York State DOT specs and are subject to approval of the Village Street Commissioner or Designated Engineer.