



TOWN OF LERAY PLANNING BOARD

Major Subdivision Application Packet

This Packet is designed to assist applicants in providing the forms needed for submission of 5 or more lot subdivision to the Planning Board for approval. The following should be filled out to ensure the submission of a Complete Application and to avoid unnecessary delays in the review of your project plans. A complete submission enables the Planning Board to better understand your proposal, thus allowing for a more comprehensive and timely evaluation. **It is in your best interest to meet with the Planning Department before submitting your completed application to avoid delays and costly revisions to your Application.**

NOTE: Your plans must be prepared by a New York State licensed engineer, architect, or surveyor and certified by their seal and original signature. You must submit this original and 9 copies for submission of your application and ten (10) copies of the original plat(s), no less than twelve (12) business days prior to the Planning Board's regular meeting, which is held on the first Thursday of each month. Each submission must be deemed complete by the Planning Department, in consultation with the Planning Board Chairman, before it can be submitted to the Planning Board for consideration.

A Complete Application must include the following:

(requirement for submission is this original and 9 copies of each of the following)

- _____ A Completed Application Form (included)
- _____ A Letter of Authorization (included)
- _____ An Ag Data Statement (included)
- _____ Major Subdivision Checklist (included)
- _____ A Completed Part 1 SEQR Form
- _____ **Three** (3) full size originals of the plat and **seven** (7) 11x17 copies of the plat are allowable; or **ten** (10) full size originals of the plat
- _____ The Fee for Major Subdivision (Check, Cash, Credit Card, or Money Order)

OFFICE STAFF ONLY

_____ *\$150 Fee for 4-15 Lot Subdivision*

_____ *\$200+ Fee for over 15 Lot Subdivision
(+\$10 per additional lot over 15)*

Check # _____

Date Submitted: _____

Receipt # _____

Received By: _____

APPLICATION INFORMATION

Applicant: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Cell: _____ Fax: _____

E-Mail: _____

Property Owner (if different from applicant): _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Cell: _____ Fax: _____

E-Mail: _____

Contact Person (if different from applicant): _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Cell: _____ Fax: _____

E-Mail: _____

Licensed Engineer, Architect or Land Surveyor: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Cell: _____ Fax: _____

E-Mail: _____

PROJECT INFORMATION

Name of Subdivision: _____

Location of Project/Street Address: _____

Tax Map Number of all Parcels: _____

(Attach a copy of the current deed and any easements affecting property)

Zoning District(s) _____

Detailed Description of Proposed Activity: _____

Current Land Use of the Site: _____

Character of Surrounding Lands(Adjacent Uses): _____

Total Acreage Involved in Project: _____

Total Contiguous Acreage Controlled by Applicant/Owner: _____

(This shall include lands owned by family members of the applicant, and any corporation(s), partnership(s), limited liability company(ies) or other entities in which the applicant has an interest.)

Total Acres to be subdivided: _____

Number of Proposed Lots: _____

Proposed Use of Land: _____

NAMES AND ADDRESSES OF ADJACENT/ABUTTING LANDOWNERS

The following list consists of all individuals, firms, corporations, and businesses owning property adjacent to both sides and rear, and in front of (across street from) the property. Addresses must be obtained from the current tax rolls which are available in the Town Office. Use additional pages if needed.

Property Owner: _____ Tax Map Id # _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Property Owner: _____ Tax Map Id # _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Property Owner: _____ Tax Map Id # _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Property Owner: _____ Tax Map Id # _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Property Owner: _____ Tax Map Id # _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Property Owner: _____ Tax Map Id # _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

LETTER OF AUTHORIZATION

Let it be known that _____ has been retained to act as agent to perform all acts for development on my property identified below.

Please Check One of the Following:

_____ Minor Subdivision _____ Major Subdivision _____ Site Plan

_____ Site Plan Modification _____ Special Use Permit _____ Lot Line Adjustment

These acts include: (please initial the acts you are authorizing)

_____ Pre-application conferences with Town staff, filing applications and/or other required documents relative to all Planning Board applications

_____ Main point of contact for Town staff

_____ Agent will be contacted on all matter instead of the owner

_____ Attend all Planning Board meetings on my behalf

Tax Parcel: _____

Address: _____

PROPERTY OWNER(s):

Signature: _____ Date: _____

Signature: _____ Date: _____

Printed Name(s): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

AGENT:

Signature: _____ Date: _____

Printed Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

AGRICULTURAL DATA STATEMENT

Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval that would occur on property within a New York State Certified Agricultural District containing a farm operation or property with boundaries within 500 feet of a farm operation located in an Agricultural District shall include an Agricultural Data Statement.

A. Name of applicant: _____

Mailing address: _____

B. Description of the proposed project: _____

C. Project site address: _____ Town: LERAY

D. Project site tax map number: _____

E. The project is located on property:
_ within an Agricultural District containing a farm operation, or
_ with boundaries within 500 feet of a farm operation located in an Agricultural District.

F. Number of acres affected by project: _____

G. Is any portion of the project site currently being farmed?
_ Yes. If yes, how many acres or square feet?
_ No.

H. Name and address of any owner of land containing farm operations within the Agricultural District and is located within 500 feet of the boundary of the property upon which the project is proposed. _____

I. Attach a copy of the current tax map showing the site of the proposed project relative to the location of farm operations identified in Item H above.

FARM NOTE

Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts unless it can be shown that the public health or safety is threatened.

Name and Title of Person Completing Form

Date

MAJOR SUBDIVISION PLAT CHECKLIST

(Please sign off on the below list as to what is included on the plat.)

This Checklist is designed to assist applicants in the preparation of applications for Planning Board Review. This list should be used as a guideline to ensure the submission of a Complete Application and to avoid unnecessary delays in the review of your project plans.

Professionals	Applicant
Initial's	Initial's

Sketch Plat must contain the following information:

- | | | |
|-------|-------|---|
| _____ | _____ | The location of the portion of land to be subdivided in relation to the entire tract and the distance to the nearest existing street intersection. |
| _____ | _____ | The approximate location of all existing structures, wooded areas, streams and other significant physical 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. |
| _____ | _____ | The name of the owner and of all adjoining property owners as disclosed by the most recent municipal tax records. |
| _____ | _____ | The tax map sheet, block and numbers, if available. |
| _____ | _____ | All the utilities available, and all streets which are either proposed, mapped or built. |
| _____ | _____ | The proposed pattern of lots, including lot width and depth, street layout, recreation areas, systems or drainage, sewerage, and water supply within the subdivided area. |
| _____ | _____ | All existing restrictions on the use of land, including easements, covenants or zoning lines. |

Preliminary Plat must contain the following information:

- | | | |
|-------|-------|---|
| _____ | _____ | Proposed subdivision name, name of Town and County in which it is located, date, true north point, scale, name and address of record owner, subdivider and engineer or surveyor, including license number and seal. |
| _____ | _____ | The name of all subdivisions immediately adjacent and the name of the owners of record of all adjacent property. |
| _____ | _____ | Zoning district, including exact boundary lines of district, if more than one district, and any proposed changes in the zoning district lines and/or the zoning ordinance text applicable to the area to be subdivided. |
| _____ | _____ | All parcels of land proposed to be dedicated to public use and the conditions of such dedication. |

_____ _____ Location of existing property lines, easements, buildings, watercourses, marshes, rock outcrops, wooded areas and other significant existing features for the proposed subdivision and adjacent property.

_____ _____ Location of existing sewers, water mains, culverts and drains on the property, with pipe sizes, grades and direction of flow.

_____ _____ Contours with intervals of one (1) foot as required by the Board, including elevations on existing roads. Approximate grading plan if natural contours are to be changed more than two feet.

_____ _____ The width and location of all streets or public ways proposed by the developer.

_____ _____ The approximate location and size of all proposed water lines, valves, hydrants and sewer lines, and fire alarm boxes. Connection to existing lines or alternate means of water supply or sewage disposal and treatment as provided in the Public Health Law. Profiles of all proposed sewer lines.

_____ _____ Storm drainage plan indicating the approximate location and size of proposed lines and their profiles. Connection to existing lines or alternate means of disposal.

_____ _____ Plans and cross-sections showing the proposed location and type of sidewalks, street lighting standards, street trees, curbs, water mains, sanitary sewers and storm drains, and the size and type thereof, the character, width and depth of pavements and subbase, the location of manholes, basins and underground conduits.

_____ _____ Preliminary designs of any bridges or culverts which may be required.

_____ _____ The proposed lot lines with approximate dimensions and area of each lot.

_____ _____ Where the topography is such as to make difficult the inclusion of any of the required facilities within the public areas as laid out, the preliminary plat shall show the boundaries of proposed permanent easements over or under private property, which permanent easements shall not be less than 20 feet in width and which shall provide satisfactory access to an existing public highway or other public highway or public open space shown on the subdivision or the Official Map.

_____ _____ An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified to by a licensed land surveyor. The corners of the tract shall also be located on the ground and marked by substantial monuments of such size and type as approved by the Town Zoning Enforcement Officer or other designated official and shall be referenced and shown on the plat.

_____ _____ If the application covers only a part of the subdivider's entire holding, a map of the entire holding, a map of the entire tract, drawn at a scale of not less than 400 feet to the inch showing an outline of the platted area with its proposed streets and an 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. The part of the subdivider's entire holding submitted shall be considered in the light of the entire holdings.

_____ _____ A copy of any such covenants, deed restrictions, easements or other encumbrances intended to cover all or part of the tract and run with the land in perpetuity.

The Planning Board shall, within sixty-two (62) days from the date of the public hearing, approve, modify and approve or disapprove the preliminary plat unless such period is otherwise extended by mutual consent of the owner and the Planning Board

Final plat for major subdivision

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

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

_____ _____ Sufficient data acceptable to the Town Zoning Enforcement Officer or other designated Town official 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 referenced to monuments included in the state system of plane coordinates, and in any event should be tied to reference points previously established by a public authority.

_____ _____ 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.

_____ _____ The plat shall 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 therefore.

_____ _____ All offers of cession and covenants governing the maintenance of unceded open space shall bear the certificate of approval of the Town Attorney as to their legal sufficiency.

_____ _____ Lots and blocks within a subdivision shall be numbered and lettered in alphabetical order in accordance with the prevailing Town practice.

_____ _____ Permanent reference monuments shall be shown, and shall be constructed in accordance with specification of the Town Zoning Enforcement Officer or other designated Town official. 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 Town Zoning Enforcement Officer or other designated Town official and their location noted and referenced upon the plat.

_____ _____
Monuments of a type approved by the Town Zoning Enforcement Officer or other designated Town official shall be set at all corners and angle points of the boundaries of the original tract to be subdivided; and at all street lines, points of curve and such intermediate points as shall be required by the Town Zoning Enforcement Officer or other designated Town official.

_____ _____
Monuments of a type approved by the Town Zoning Enforcement Officer or other designated Town official shall be set at all corners and angle points of the boundaries of the proposed subdivided lots prior to the filing of a zoning permit, yet shall not be required as part of the subdivision application.

_____ _____
A map shall be submitted to the satisfaction of the Planning Board indicating the location of monuments marking all underground utilities as actually installed. If the subdivider completes all required improvements according to § 135-8A, then said map shall be submitted prior to final approval of the subdivision plat. However, if the subdivider elects to provide a security for all required improvements as specified in § 135-8A, such security shall not be accepted or released until such a map is submitted in a form satisfactory to the Planning Board.

Required improvements

Improvements and performance bond/ security.

Before the Planning Board grants final approval of the subdivision plat, the subdivider may be required to follow the procedure set forth in either Subsection (a) or (b) below:

- (a) In an amount set by the Town Board the subdivider shall either file with the Town Clerk a certified check to cover the full cost of the required improvements or the subdivider shall file with the Town Clerk a performance bond or letter of credit to cover the full cost of the required improvements. Any such security shall comply with the requirements of § 277 of the Town Law and shall be satisfactory to the Board, Town Zoning Enforcement Officer or other designated official as to form, sufficiency, and manner of execution and surety. A period of one year (or such other period as the Planning Board may determine appropriate, not to exceed three years) shall be set forth in the security within which required improvements must be completed.
- (b) Prior to the issuance of a zoning permit by the Zoning Enforcement Officer, the subdivider shall complete all required improvements to the satisfaction of the Zoning Enforcement Officer or other designated official, who shall file with Planning Board a letter signifying the satisfactory completion of all improvements required by the Board. For any required improvements not so completed the subdivider shall file with the Town Clerk a letter of credit, bond or certified check covering the costs of such improvements and the cost of satisfactorily installing any improvement not approved by the Zoning Enforcement Officer or other designated official. Any such security shall be satisfactory to the Town Board as to form, sufficiency, manner of execution and surety.

Modification of design of improvements

- (1) If at any time before or during the construction of the required improvements it is demonstrated to the satisfaction of the Town Zoning Enforcement Officer or other designated official that unforeseen conditions make it necessary or preferable to modify the location or design of such required improvements, the Town Zoning Enforcement Officer or other designated official may, upon approval by a previously delegated member of the Planning Board, authorize modifications.

- (2) All modifications shall be 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.
- (3) The Town Zoning Enforcement Officer or other designated official 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.

Inspection of improvements

- (1) At least five (5) days prior to commencing construction of required improvements the subdivider shall pay to the Town Clerk the inspection fee required by the Town Board.
- (2) Within the same five (5) day period the subdivider shall notify the Town Board in writing of the time when he proposes to commence construction of such improvements so that the Town Board may cause inspection to be made to assure that all Town specifications and requirements shall be met during the construction of required improvements, and to assure the satisfactory completion of improvements and utilities required by the Planning Board.

Proper installation of improvements

- (1) If the Town Engineer or other designated official shall find, upon inspection of the improvements performed before the expiration date of the security, that any of the required improvements have not been constructed in accordance with plans and specifications filed by the subdivider, he shall so report to the Town Board and Planning Board.
- (2) The Town Board then shall notify the subdivider and, if necessary, the surety company, and take all necessary steps to preserve the Town's rights under the surety.
- (3) No plat shall be approved by the Planning Board as long as the subdivider is in default on any previously approved plat.

Final approval and filing

- (1) Upon completion of the requirements above and notation to that effect upon the subdivision plat, it shall be deemed to have final approval and shall be properly signed by the appropriate officer of the Planning Board (Chairman or Acting Chairman) and shall be filed by the applicant in the office of the County Clerk.
- (2) Any subdivision plat not so filed or recorded within 62 days of the date upon which such plat is approved or considered approved shall become null and void.

Note: The above checklist is supplied as a guide and is not meant to be all-inclusive. Failure to provide any of the above, however, may be grounds for disapproval of the Subdivision Application.

Note: For All-Inclusive Subdivision of Land see Town of LeRay Town Codes Chapter 135

Note: For Subdivision of Land General Requirements and Review Standards see Town of LeRay Town Codes Chapter 135, Article IV.

Chapter 135 SUBDIVISION of LAND Article III Section 135-5
Sketch Plan Review

- A. Submission required.
- (1) Any owner of land shall, prior to subdividing or resubdividing land, submit to the Chairman of the Planning Board at least twelve (12) days prior to the regular meeting of the Board the following information:
 - (a) Ten (10) copies of a completed Subdivision Application Form for the proposed Minor subdivision;
 - (b) Required fees as set by the Town Board; and
 - (c) Ten (10) copies of a sketch plan of the proposed subdivision, which shall comply with the requirements of § 135-5D for the purposes of classification and preliminary discussion.
- B. Discussion of requirements and classification.
- (1) The subdivider, or his duly authorized representative, shall attend the meeting of the Planning Board to discuss the requirements of these regulations for street improvements, drainage, sewerage, water supply, fire protection, and similar aspects, as well as the availability of existing services and other pertinent information.
 - (2) Classification of the sketch plan is to be made at this time by the Planning Board as to whether it is a minor or major subdivision as defined in these regulations.
 - (3) The Board may require, however, when it deems it necessary for protection of the public health, safety and welfare, that a minor subdivision comply with all or some of the requirements specified for major subdivisions.
 - (4) Sketch plans classified as a minor subdivision shall be required to comply with the procedure outlined in § 135-6 and § 135-9 of these regulations.
 - (5) Sketch plans classified as major subdivisions shall be required to comply with the procedures outlined in § 135-7, 135-8 and 135-9.
- C. Cluster development.
- (1) Any applicant intending on applying for a cluster subdivision pursuant to Article VI of this Chapter shall make those intentions known at the sketch plan review or initial meeting with Town staff.
 - (2) The Planning Board, at its discretion, may request that the applicant utilize the provisions of the cluster development ordinance as indicated in Article VI of this Chapter to preserve open space and/or serve recreational, scenic, and public service purposes.
- D. Sketch plan review.
- (1) The Planning Board shall determine whether the sketch plan meets the purposes of these regulations and shall, where it deems it necessary, make specific recommendations in writing to be incorporated by the applicant in the next submission to the Planning Board.
- E. Documents to be submitted for sketch plan review.
- (1) The sketch plan initially submitted to the Planning Board shall be based on tax map information or some other similarly accurate base map at a scale (preferably not less than 200 feet to the inch) to enable the entire tract to be shown on one sheet.
 - (2) The Sketch Plan shall be submitted, showing the following information:
 - (a) The location of that portion which is to be subdivided in relation to the entire tract, and the distance to the nearest existing street intersection.
 - (b) The approximate location of all existing structures, wooded areas, streams and other significant physical 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.
 - (c) The name of the owner and of all adjoining property owners as disclosed by the most recent municipal tax records.
 - (d) The tax map sheet, block and numbers, if available.
 - (e) All the utilities available, and all streets which are either proposed, mapped or built.
 - (f) The proposed pattern of lots, including lot width and depth, street layout, recreation areas, systems or drainage, sewerage, and water supply within the subdivided area.
 - (g) All existing restrictions on the use of land, including easements, covenants or zoning lines.

Chapter 135 SUBDIVISION of LAND Article III Section 135-7
Major Subdivision Review and Approval

A. Submission, application and fee.

- (1) The preliminary plat shall, in all respects, comply with the requirements set forth in the provisions of § 276 and § 277 of the Town Law, and Article IV of these regulations, except where a waiver may be specifically authorized by the Planning Board.

B. Preliminary review of major subdivisions.

- (1) Ten (10) copies of a preliminary plat containing the following information prepared at a scale of not more than 100 but preferably not less than 50 feet to the inch shall be presented to the Chairman of the Planning Board at least twelve (12) days prior to a scheduled monthly meeting of the Planning Board:
 - (a) Proposed subdivision name, name of Town and County in which it is located, date, true north point, scale, name and address of record owner, subdivider and engineer or surveyor, including license number and seal.
 - (b) The name of all subdivisions immediately adjacent and the name of the owners of record of all adjacent property.
 - (c) Zoning district, including exact boundary lines of district, if more than one district, and any proposed changes in the zoning district lines and/or the zoning ordinance text applicable to the area to be subdivided.
 - (d) All parcels of land proposed to be dedicated to public use and the conditions of such dedication.
 - (e) Location of existing property lines, easements, buildings, watercourses, marshes, rock outcrops, wooded areas and other significant existing features for the proposed subdivision and adjacent property.
 - (f) Location of existing sewers, water mains, culverts and drains on the property, with pipe sizes, grades and direction of flow.
 - (g) Contours with intervals of one (1) foot as required by the Board, including elevations on existing roads. Approximate grading plan if natural contours are to be changed more than two feet.
 - (h) The width and location of all streets or public ways proposed by the developer.
 - (i) The approximate location and size of all proposed water lines, valves, hydrants and sewer lines, and fire alarm boxes. Connection to existing lines or alternate means of water supply or sewage disposal and treatment as provided in the Public Health Law. Profiles of all proposed sewer lines.
 - (j) Storm drainage plan indicating the approximate location and size of proposed lines and their profiles. Connection to existing lines or alternate means of disposal.
 - (k) Plans and cross-sections showing the proposed location and type of sidewalks, street lighting standards, street trees, curbs, water mains, sanitary sewers and storm drains, and the size and type thereof, the character, width and depth of pavements and subbase, the location of manholes, basins and underground conduits.
 - (l) Preliminary designs of any bridges or culverts which may be required.
 - (m) The proposed lot lines with approximate dimensions and area of each lot.
 - (n) Where the topography is such as to make difficult the inclusion of any of the required facilities within the public areas as laid out, the preliminary plat shall show the boundaries of proposed permanent easements over or under private property, which permanent easements shall not be less than 20 feet in width and which shall provide satisfactory access to an existing public highway or other public highway or public open space shown on the subdivision or the Official Map.
 - (o) An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified to by a licensed land surveyor. The corners of the tract shall also be located on the ground and marked by substantial monuments of such size and type as approved by the Town Zoning Enforcement Officer or other designated official and shall be referenced and shown on the plat.
- (2) If the application covers only a part of the subdivider's entire holding, a map of the entire holding, a map of the entire tract, drawn at a scale of not less than 400 feet to the inch showing an outline of the platted area with its proposed streets and an 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. The part of the subdivider's entire holding submitted shall be considered in the light of the entire holdings.
- (3) A copy of any such covenants, deed restrictions, easements or other encumbrances intended to cover all or part of the tract and run with the land in perpetuity.
- (4) Subdivider to attend Planning Board meeting.
 - (a) The subdivider, or his duly authorized representative, shall attend the meeting of the Planning Board to discuss the preliminary subdivision plat.

- (5) Date officially submitted.
 - (a) The time of submission of the preliminary subdivision plat shall be considered to be the date of the regular monthly meeting of the Planning Board.
 - (b) At least twelve (12) days prior to this date the application for plat approval, complete and accompanied by the required fee and all data required by § 135-7B, has been filed with the Chairman of the Planning Board.
 - (6) Public hearing.
 - (a) A public hearing shall be held by the Planning Board within sixty-two (62) days from the date of submission of the subdivision plat for preliminary approval.
 - (b) Said hearing shall be advertised in a newspaper of general circulation in the Town at least five (5) days prior to such hearing.
- C. Study of preliminary plat.
- (1) The Planning Board shall study the practicability of the preliminary plat taking into consideration the requirements of the community and the best use of the land being subdivided.
 - (2) Particular attention shall be given to the arrangement, location and width of streets, their relation to the topography of the land, water supply, sewage disposal, drainage, lot sizes and arrangement, the future development of adjoining lands as yet un-subdivided, and the requirements of Chapter 158, Zoning.
- D. Approval of preliminary plat.
- (1) The Planning Board shall within sixty-two (62) days from the date of the public hearing, approve, modify and approve or disapprove the preliminary plat unless such time period is otherwise extended by mutual consent of the owner and the Planning Board.
 - (2) When granting approval to a major subdivision preliminary plat, the Planning Board shall state the following:
 - (a) Conditions of such approval, if any, with respect to the specific changes which it will require in the final plat;
 - (b) 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;
 - (c) The amount of improvement or the provisions of all bonds, other security or conditions therefore which it will require as prerequisite to the approval of the subdivision plat.
 - (3) The action of the Planning Board plus any conditions attached thereto shall be noted on three (3) copies of the preliminary plat. One (1) copy shall be returned to the subdivider, one retained by the Planning Board.
 - (4) Approval of a preliminary plat shall not constitute approval of the subdivision plat, but rather it shall be deemed an expression of approval of the design submitted on the preliminary plat as a guide to the preparation of the final plat, which will be submitted for approval of the Planning Board and for recording upon fulfillment of the requirements of these regulations and the conditions of the approval, if any.
 - (5) Prior to final 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 obtained at the public hearing.
- E. Final plat for major subdivision.
- (1) Submission, application and fee.
 - (a) The subdivider shall, within six (6) months after the approval of the preliminary plat, file with the Planning Board a written request for approval of the subdivision plat in final form.
 - (b) If the final plat is not submitted within six (6) months after approval of the preliminary plat, the Planning Board may refuse to approve the final plat and require resubmission of the preliminary plat.
 - (2) Number of copies.
 - (a) A subdivider intending to submit a proposed subdivision plat for the approval of the Planning Board shall provide the Chairman of the Board with a copy of the application and three (3) copies of the plat, the original and one (1) true copy of all offers of cession, covenants and agreements, and two prints of all construction drawings, at least twelve (12) days in advance of the regular monthly Planning Board meeting at which it is to be officially submitted.
 - (3) The following documents shall be submitted for final plat approval:
 - (a) The plat to be filed with the County Clerk shall be drawn at a scale of no more than one-hundred (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 with lot and block numbers clearly legible.

- (b) The final plat shall show:
- [1] Proposed subdivision name or identifying title and the name of the Town and County in which the subdivision is located, the name and address of 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 Town Zoning Enforcement Officer or other designated Town official 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 referenced to monuments included in the state system of plane coordinates, and in any event should be tied to reference points 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 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 therefore.
 - [6] All offers of cession and covenants governing the maintenance of unceded open space shall bear the certificate of approval of the Town Attorney as to their legal sufficiency.
 - [7] Lots and blocks within a subdivision shall be numbered and lettered in alphabetical order in accordance with the prevailing Town practice.
 - [8] Permanent reference monuments shall be shown, and shall be constructed in accordance with specification of the Town Zoning Enforcement Officer or other designated Town official. 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 Town Zoning Enforcement Officer or other designated Town official and their location noted and referenced upon the plat.
 - [9] Monuments of a type approved by the Town Zoning Enforcement Officer or other designated Town official shall be set at all corners and angle points of the boundaries of the original tract to be subdivided; and at all street lines, points of curve and such intermediate points as shall be required by the Town Zoning Enforcement Officer or other designated Town official.
 - [10] Monuments of a type approved by the Town Zoning Enforcement Officer or other designated Town official shall be set at all corners and angle points of the boundaries of the proposed subdivided lots prior to the filing of a zoning permit, yet shall not be required as part of the subdivision application.
 - [11] A map shall be submitted to the satisfaction of the Planning Board indicating the location of monuments marking all underground utilities as actually installed. If the subdivider completes all required improvements according to § 135-8A, then said map shall be submitted prior to final approval of the subdivision plat. However, if the subdivider elects to provide a security for all required improvements as specified in § 135-8A, such security shall not be accepted or released until such a map is submitted in a form satisfactory to the Planning Board.
- (4) Date officially submitted.
- (a) The time of submission of the subdivision plat shall be considered to be the date of the regular monthly meeting of the Planning Board.
 - (b) At least twelve (12) days prior to this date the application for approval of the subdivision plat, complete and accompanied by the required fee and all data required by § 135-7B of these regulations, has been filed with the Chairman of the Planning Board.
 - (c) In addition, if the applicant elects to construct any or all required improvements [as specified in § 135-8A], the Town Zoning and Building Inspector or other designated official must file a letter with the Planning Board stating that these improvements have been satisfactorily installed before the subdivision plat shall be considered officially submitted.
- (5) Endorsement of State and County agencies.
- (a) Water and sewer facility proposals contained in the subdivision plat shall be properly endorsed and approved by the NYS Department of Health and the NYS Department of Environmental Conservation. Applications for approval of plans will be filed by the Town with all necessary County and State agencies.

- (6) Public hearing.
 - (a) A public hearing may be held by the Planning Board within sixty-two (62) days after the time of submission of the subdivision plat for approval. This hearing shall be advertised in a newspaper of general circulation in the Town at least five days before such hearing.
- (7) Action on proposed subdivision plat.
 - (a) The Planning Board shall, within sixty-two (62) days from the date of the public hearing on the subdivision plat, approve, modify and conditionally approve or disapprove the subdivision plat.
 - (b) If the hearing is waived, the Planning Board's action must be taken within sixty-four (64) days of receipt of the final plat by the Clerk of the Planning Board.
 - (c) The time within which the Planning Board must act on the final plat may be extended by mutual consent of the owner and the Planning Board.
 - (d) The Planning Board in acting on a final plat may also make conditional approvals. This type of approval is an approval subject to conditions set forth by the Planning Board.
 - (e) Upon satisfaction of these, the plat must be signed by an official of the Planning Board before it may be filed.
 - (f) The owner shall have 180 days to meet the conditions, and the Planning Board may extend this time for up to 180 additional days.

Chapter 135 SUBDIVISION of LAND Article III Section 135-8
Required Improvements

A. Improvements and performance bond/security.

- (1) Before the Planning Board grants final approval of the subdivision plat, the subdivider may be required to follow the procedure set forth in either Subsection (a) or (b) below:
 - (a) In an amount set by the Town Board the subdivider shall either file with the Town Clerk a certified check to cover the full cost of the required improvements or the subdivider shall file with the Town Clerk a performance bond or letter of credit to cover the full cost of the required improvements. Any such security shall comply with the requirements of § 277 of the Town Law and shall be satisfactory to the Board, Town Zoning Enforcement Officer or other designated official as to form, sufficiency, and manner of execution and surety. A period of one year (or such other period as the Planning Board may determine appropriate, not to exceed three years) shall be set forth in the security within which required improvements must be completed.
 - (b) Prior to the issuance of a zoning permit by the Zoning Enforcement Officer, the subdivider shall complete all required improvements to the satisfaction of the Zoning Enforcement Officer or other designated official, who shall file with Planning Board a letter signifying the satisfactory completion of all improvements required by the Board. For any required improvements not so completed the subdivider shall file with the Town Clerk a letter of credit, bond or certified check covering the costs of such improvements and the cost of satisfactorily installing any improvement not approved by the Zoning Enforcement Officer or other designated official. Any such security shall be satisfactory to the Town Board as to form, sufficiency, manner of execution and surety.

B. Modification of design of improvements.

- (1) If at any time before or during the construction of the required improvements it is demonstrated to the satisfaction of the Town Zoning Enforcement Officer or other designated official that unforeseen conditions make it necessary or preferable to modify the location or design of such required improvements, the Town Zoning Enforcement Officer or other designated official may, upon approval by a previously delegated member of the Planning Board, authorize modifications.
- (2) All modifications shall be 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.
- (3) The Town Zoning Enforcement Officer or other designated official 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.

C. Inspection of improvements.

- (1) At least five (5) days prior to commencing construction of required improvements the subdivider shall pay to the Town Clerk the inspection fee required by the Town Board.
- (2) Within the same five (5) day period the subdivider shall notify the Town Board in writing of the time when he proposes to commence construction of such improvements so that the Town Board may cause inspection to be made to assure that all Town specifications and requirements shall be met during the construction of required improvements, and to assure the satisfactory completion of improvements and utilities required by the Planning Board.

D. Proper installation of improvements.

- (1) If the Town Engineer or other designated official shall find, upon inspection of the improvements performed before the expiration date of the security, that any of the required improvements have not been constructed in accordance with plans and specifications filed by the subdivider, he shall so report to the Town Board and Planning Board.
- (2) The Town Board then shall notify the subdivider and, if necessary, the surety company, and take all necessary steps to preserve the Town's rights under the surety.
- (3) No plat shall be approved by the Planning Board as long as the subdivider is in default on any previously approved plat.

Chapter 135 SUBDIVISION of LAND Article III Section 135-9
Filing of Approved Subdivision Plat

- A. Final approval and filing.
 - (1) Upon completion of the requirements in § 135-5, 135-6, 135-7 and 135-8 above and notation to that effect upon the subdivision plat, it shall be deemed to have final approval and shall be properly signed by the appropriate officer of the Planning Board (Chairman or Acting Chairman) and shall be filed by the applicant in the office of the County Clerk.
 - (2) Any subdivision plat not so filed or recorded within 62 days of the date upon which such plat is approved or considered approved shall become null and void.
- B. Plat void if revised after approval.
 - (1) No changes, erasures, modifications, or revisions shall be made in any subdivision plat after approval has been given by the Planning Board and endorsed in writing on the plat, unless said plat is first resubmitted to the Planning Board and such Board approves any modifications.
 - (2) In the event that any such subdivision plat is recorded without complying with this requirement, the same shall be considered null and void and the Board shall institute proceedings to have the plat stricken from the records of the County Clerk.

Chapter 135 SUBDIVISION of LAND Article III Section 135-10
Public Streets, Recreation areas

- A. Public acceptance of streets.
 - (1) The approval of the Planning Board of a subdivision plat shall not be deemed to constitute or be evidence of any acceptance by the Town of any street, easement or other open space shown on such subdivision plat.
- B. Ownership and maintenance of recreation areas.
 - (1) When a park, playground or other recreation area shall have been shown on a plat, the approval of said plat shall not constitute an acceptance by the Town of such area.
 - (2) The Planning Board shall require the plat to be endorsed with appropriate notes to this effect.
 - (3) The Planning Board may also require the filing of a written agreement between the applicant and the Town Board covering future deed and title, dedication and provision for the cost of grading, development, equipment and maintenance of any such recreation area.