

Minor Subdivision Plat Data Checklist:

Sketch Plan: [§135-4]

- _____1. Ten (10) copies of a sketch plan need to be submitted to the Planning Board (PB) Chairman **twelve (12) days prior** to the regularly scheduled meeting which is the 1st Thursday of each month at 6:30 pm.
- _____2. The subdivider needs to attend the PB meeting to discuss the sketch plan. The PB will then determine if the proposed project is a **minor** or **major** subdivision. They will also determine if the sketch plan meets the regulations and where it deems it necessary, will make specific recommendations in writing to be incorporated by the applicant in the next submission to the PB.

Sketch Plan Must Contain the Following Information: [§135-19]

- _____3. Location of the portion of land to be subdivided in relation to the entire tract and the distance to the nearest existing street intersection.
- _____4. All existing structures, wooded areas, streams, and other significant physical features within the portion to be subdivided and within 200 feet. If topographic conditions are significant, contour lines must be indicated at intervals of no more than 10 feet.
- _____5. The name of the owner and all of the adjoining property owners as disclosed by the most recent municipal tax records.
- _____6. The tax map sheet, block and number, if available.
- _____7. All utilities that are available and all streets that are proposed, mapped or built.
- _____8. 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.
- _____9. All existing restrictions on the use of land, including easements, covenants or zoning lines.

Preliminary Approval of Minor Subdivision Plat: [§135-5]

- _____10. The subdivider must submit an application for the approval of the *Preliminary Minor Subdivision Plat* within six (6) months after being classified by the PB as a minor subdivision.
- _____11. The application must be accompanied by a fee.
- _____12. The application must include a completed Short Environmental Assessment form (EAF) (Attached).
- _____13. The subdivider must submit ten (10) copies of the *Preliminary Minor Subdivision Plat* to the PB Chairman **twelve (12) days prior** to the regularly scheduled meeting.
 - A public hearing will be held within sixty-two (62) days from the submission of the preliminary plat for approval.

- The PB will send a written letter to the subdivider notifying them of the date of the public hearing for their subdivision project.
- The public hearing will be advertised in the local newspaper at least five (5) days prior to the public hearing date.

_____14. The subdivider must attend the scheduled public hearing.

- The PB then has sixty-two (62) days from the date of the public hearing to approve, modify, approve or disapprove the *Preliminary Minor Subdivision Plat*.

Application for Preliminary Minor Subdivision Plat Must Contain the Following Information:

[§135-20]

_____15. Proposed subdivision name, name of town and county it is located in

_____16. Copy of covenants or deed restrictions

_____17. Map showing the proposed subdivision, date, north arrow, map scale, name and address of owner and subdivider

_____18. Zoning District, including exact boundary lines of district if more than one district, and any proposed changes in district or zoning text applicable to area.

_____19. The proposed lot lines with approximate dimensions and area of each lot.

_____20. All on-site sanitation and water supply facilities must meet appropriate State regulations.

_____21. If located within a sewer and/or water district, a note must be included on the plat that states which sewer and/or water district the property lies within.

Required Improvements That May be Necessary for Final Subdivision Plat Approval: [§135-8]

Improvements and Performance Bond:

- Before the PB grants final approval of the *Minor Subdivision Plat*, the subdivider may be required to:
 - a. File with the Town Clerk a certified check to cover the cost of required improvements or file a performance bond to cover the costs of the required improvements. A minimum period of one (1) year not to exceed three (3) years as determined by the PB will be allowed to complete the improvements.
 - b. The subdivider must complete the improvements to the satisfaction of the Zoning Enforcement Officer (ZEO) who will file a letter with the PB stating his satisfaction.
 - c. For any improvements that are not completed, the subdivider must file a bond or certified check with the Town Clerk to cover the costs of the improvements and the cost of installing any improvements not approved by the ZEO.

Modification of Design of Improvements: [§135-8]

- If at any time during the construction of the required improvements it is shown to the satisfaction of the ZEO that due to unforeseen conditions it is necessary to modify the location or design of the required improvements, the ZEO, upon the approval of a previously delegated member of the PB, may authorize modifications. The ZEO will issue the authorization in writing and provide a copy to the PB at their next regular meeting.

Inspection of Improvements: [§135-8]

- _____22. Five (5) days prior to commencing construction, the subdivider must pay the Town Clerk an inspection fee as required by the TB and must notify the TB in writing when they propose to commence construction of the improvements.

Proper Installation of Improvements: [§135-8]

- Upon inspection, if the ZEO finds that the required improvements have not been constructed in accordance with the plans and specifications filed by the subdivider, he or she must report the information to the TB and PB.
- The TB will notify the subdivider and will take necessary steps to preserve the Town's right under the security. The PB will not approve the plat if the subdivider is in default.

Final Minor Subdivision Plat Must Include the Following: [§135-20]

- _____23. An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract must also be located on the ground and marked by monuments as approved by the ZEO or other Town official, and must be referenced and shown on the Plat (must include the attached Water/Wastewater disclosure statement).
- _____24. The Plat to be filed with the County Clerk (See attached requirements).

General Requirements and Review Standards for the Subdivision of Land:

Street Layout: [§135-13]

A. Width, Location and Construction

- Streets must be of sufficient width, suitably located and adequately constructed to accommodate prospective traffic and provide access for fire, fighting, snow removal, and road maintenance.

B. Arrangement

- The arrangement of streets must provide for the continuation of principal streets of adjoining subdivisions, and for the proper projection of principal streets into adjoining properties that are not subdivided yet.

C. Minor Streets

- Minor streets should be laid out so that through traffic use of the street(s) is discouraged.

D. Special Treatment Along Major Arterial Streets

- When a subdivision abuts or contains an existing or proposed major arterial street, the PB may require marginal access streets: reverse frontage with screen planting contained in a nonsuccess reservation along the rear property line, deep lots with rear service alleys, or other treatments necessary for the protection of residential properties.

E. Provisions for Future Resubdivision

- Where a tract is subdivided into lots substantially larger than the minimum size required in the Zoning District, the PB may require that the streets and lots be laid out to permit future resubdivision.

F. Dead-end Streets

- The creation of dead-end or loop residential streets will be encouraged when this type of development will not interfere with normal traffic circulation in the area. The PB may require the reservation of a twenty-foot wide easement to provide for continuation of pedestrian traffic and utilities next to the street. Subdivisions containing 20 lots or more must have at least two street connections with existing public streets, or streets on an approved subdivision plat.

G. Block Size

- Blocks should not be less than 400 feet or more than 1,200 feet in length. No block should be less than twice the normal lot depth. In blocks exceeding 800 feet in length, the PB may require the reservation of a twenty-foot wide easement to provide for the crossing of underground utilities and pedestrian traffic where needed and may specify that a four-foot wide paved footpath be included.

H. Intersections with Collector or Major Arterial Roads

- Minor or secondary street openings into these roads must be at least 500 feet apart.

I. Street Jogs

- Street jogs with center line offsets of less than 125 feet should be avoided.

J. Angle of Intersection

- All streets must join each other, so that for a distance of at least 100 feet, the street is approximately at right angles to the street it joins.

K. Relation to Topography

- The street plan of a proposed subdivision should bear a logical relationship to the topography of the property, and all streets should be arranged to obtain as many of the building sites as possible at or above the grade of the streets.

L. Other Required Streets

- When a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the PB may require a street approximately parallel to and on each side of the right-of way, at a distance suitable for the appropriate use of the intervening land (park purposes in residential districts).
- The distances will be determined with regard for the requirements of approach grades and future grade separations.

Street Design: [§135-14]

A. Widths of rights-of-way

- Streets should have the following widths:

| | Minimum Right-of-Way | Minimum Pavement |
|-------------------|---------------------------------|-----------------------------|
| Major Streets | 66 feet | 24 feet |
| Collector Streets | 60 feet | 20 feet |
| Local Streets | 50 feet | 20 feet |

B. Improvements

- Streets must be graded and improved with pavements, curbs and gutters, sidewalks, storm drainage facilities, water mains, sewers, streetlights and signs, street trees, and fire hydrants except the PB may waive such improvements without jeopardy to the public health, safety and general welfare. Pedestrian improvements must be approved as required by the PB. The design and specifications of grading and improvements must be approved by the Town Engineer or Highway Superintendent.

a. Fire Hydrants

The installation of fire hydrants must be in conformity with all requirements of standard thread and nut as specified by the New York Fire Insurance Rating Organization and the Division of Fire Safety of the State of New York.

b. Streetlighting facilities

Lighting facilities must be in conformance with the lighting system of the Town. Lighting standards and fixtures must be installed after approval by the appropriate power company and the authorized Town Zoning and Building Inspector.

C. Utilities in Streets

- The PB, wherever possible, will require that underground utilities be placed in the street right-of-way between the paved roadway and street line to simplify location and repair of lines. The subdivider must install underground service connections to the property line of each lot within the subdivision before the street is paved.

D. Utilities easements

- Where topography makes the inclusion of utilities within the street right-of-way impractical, perpetual unobstructed easements at least 20 feet in width must be provided with satisfactory access to the street. Wherever possible, easements must be contiguous from block to block and must present as few irregularities as possible. The easements must be cleared and graded where required.

E. Grades

- Grades of all streets must conform in general to the terrain, and must not be less than 1/2 or more than 6% for major or collector streets, or 10% for minor streets in residential zones, but no more than 3% within 50 feet of any intersection.

F. Changes in grade

- All changes in grade must be connected by vertical curves of a length and radius that meets with the approval of the ZEO so that clear visibility is provided for a safe distance.

G. Curve radii at street intersections

- All street right-of-way lines at intersections must be rounded by curves of at least 20 feet radius, and curbs must be adjusted accordingly.

H. Steep grades and curves; visibility of intersections

- A combination of steep grades and curves must be avoided. In order to provide visibility for traffic safety, the portion of any corner lot (whether at an intersection entirely within the subdivision or of a new street with an existing street) must be cleared of all growth and

obstructions above the level three feet higher than the centerline of the street. If directed, the ground must be excavated to achieve visibility.

I. Dead-end streets (culs-de-sac)

- Where dead-end streets are designed to be permanent, they must not exceed 500 feet in length and must terminate in a circular turnaround having a minimum right-of-way radius of 60 feet and pavement radius of 50 feet. At the end of temporary dead-end streets, a temporary turnaround with a pavement radius of 50 feet must be provided, unless the PB approves an alternative arrangement.

J. Watercourses

- a. Where a watercourse separates a proposed street from abutting property, a provision must be made for access to all lots by means of culverts or other structures of design approved by the ZEO.
- b. Where a subdivision is traversed by a watercourse, drainage way, channel or stream, a stormwater easement or drainage right-of-way of no less than 20 feet in width must be provided as required by the ZEO.

K. Curve radii

- In general, street lines within a block, deflecting from each other at any one point by more than 10 degrees, must be connected with a curve, the radius of which for the centerline of the street must not be less than 400 feet on major streets, 200 feet on collector streets and 100 feet on minor streets.

L. Service streets or loading space in commercial development

- Paved rear service streets of not less than 20 feet in width or in lieu of adequate off-street loading space, suitable surfaced, must be provided in connection with lots designed for commercial use.

M. Free flow of vehicular traffic abutting commercial developments

- In front of areas zoned and designed for commercial use, or where a change of zoning to a zone which permits commercial use is contemplated, the street width must be increased by an amount on each side as may be deemed necessary by the PB to assure the free flow of through traffic without interference by parked or parking vehicles, and to provide adequate and safe parking space for the commercial or business district.

Street Names: [§135-15]

A. Type of name

- All street names shown on a preliminary plat or subdivision plat must be approved by the TB. In general, streets must have names and not numbers or letters.

- B. Names to be substantially different
- Proposed street names must 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 must bear the same name. Generally, no street should change direction by more than 90 degrees without a change in street name.

Lots: [§135-16]

- A. Lots to be buildable
- The lot arrangement must be such that in constructing a building in compliance with Chapter 158, Zoning, there will be no foreseeable difficulties for reasons of topography or other natural conditions. Lots should not be of such depth as to encourage the later creation of a second building lot at the front or rear.
- B. Side lines
- All side lines of lots must be at right angles to straight street lines and radial to curved street lines, unless a variance from this rule will give a better street or lot plan.
- C. 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.
- D. Driveway access
- Driveway grades between the street and the setback line must not exceed 10 %.
- E. Access from private streets
- Access from private streets must be deemed acceptable only if such streets are designed and improved in accordance with these regulations.
- F. Monuments and lot corner markers
- Permanent monuments meeting specifications approved by the ZEO as to size, type and installation must be set at such block corners, angle points, points or curves in streets and other points as the ZEO and their location must be shown on the subdivision plat.

Drainage Improvements: [§135-17]

- A. Removal of spring and surface water
- The subdivider may be required by the PB to carry away by pipe or open ditch any spring or surface water that may exist either previous to, or as a result of the subdivision. Such drainage facilities must be located in the street right-of-way where feasible, or in perpetual unobstructed easements of appropriate width.

- B. Drainage structure to accommodate potential development upstream
- A culvert or other drainage facility must, in each case, be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. The Town Engineer or other designated official must approve the design and size of facility based on anticipated runoff from at twenty-five year storm under conditions of total potential development permitted by Chapter 158, Zoning, in the watershed.
- C. Responsibility from drainage downstream
- The subdivider's engineer must also study the effect of each subdivision on the existing downstream drainage facilities outside the area of the subdivision; this study must be reviewed by the Town Engineer. Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility during a five-year storm, the PB must notify the TB of such potential condition. In such a case, the PB must not approve the subdivision until a provision has been made for the improvement of that condition.
- D. Land subject to flooding
- Land subject to flooding or land deemed by the PB to be uninhabitable will not be platted for residential occupancy, or for such other uses that may increase danger to health, life or property, or aggravate the flood hazard, but such land within the plat will be set aside for such uses as must not be endangered by periodic or occasional inundation or improved in a manner satisfactory to the PB to remedy the hazardous conditions.

Parks, Open Spaces and Natural Features: [§135-18]

- A. Recreation areas shown on town plan.
- Where a proposed park, playground or open space shown on the town plan is located in whole or in part in a subdivision, the PB will require that such area or areas be shown on the plat in accordance with the requirements specified in Subsection B, below. Such area or areas may be dedicated to the tow, county or other appropriate entity by the subdivider if the TB approves such a dedication.
- B. Parks and playgrounds not shown on town plan.
- a. The PB 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 PB may require that the developer satisfactorily grade any such recreations areas on the plat.
 - b. The PB will require that no less than three acres or recreation space be provided per 100 dwelling units shown on the plat. However, in no case should the amount be more than 10%

of the total area of the subdivision. Such area or areas may be dedicated to the town or county by the subdivider if the Tb approves such dedication.

C. Information to be submitted

- In the event that an area to be used for a park or playground is required to be shown, the subdivider must submit, *prior to final approval*, to the PB, three prints showing at a scale of not less than 30 feet to the inch, such are and the following features:
 - a. The boundaries of the said area, giving lengths and bearings of all straight lines; radii, lengths, central angles and tangent distance of all curves.
 - b. Existing features such as brooks, ponds, clusters of trees, rock outcrops, structures.
 - c. Existing, and if applicable, proposed changes in grade and contours of the said area and of area immediately adjacent.

D. Waiver of plat designation of area for parks and playgrounds

- a. In cases where the PB finds that due to the size, topography or location of the subdivision, land for park, playground or other recreation purpose cannot be properly located therein, or, if in the opinion of the PB it is not desirable, the PB may waive the requirement that the plat show land for such purposes. The PB will then require as a condition to approval of the plat a payment to the town of dollar consideration per building lot (to be established by the TB) which otherwise would have been acceptable as a recreation site. The amount of land which otherwise would have been acceptable as a recreation site must be determined in accordance with the standards set forth in §135-18B.
- b. Such amount must be paid to the TB at the time of final plat approval, and no plat will be signed by the PB Chairman until the payment is made. All payments will be held by the TB in a special Town Recreation Site Fund for the purpose of acquisition of land that is suitable for permanent park, playground or other recreational purposes, and is so located that it will serve primarily the general neighborhood in which the land covered by the plat lies, and will be used only for park, playground or other recreational land acquisition or improvements. The money may also be used for the physical improvement of existing parks or recreation areas serving the general neighborhood in which the land shown on the plat is situated, providing the PB finds that there is a need for such improvements.

E. Reserve strips prohibited

- Reserve strips of land, which might be used to control access from the proposed subdivision to any neighboring property, or to any land within the subdivision itself will be prohibited.

F. Preservation of natural features

- The PB will wherever possible, establish the preservation of all natural features which add value to residential developments and to the community, such as large trees or groves, watercourses and falls, beaches, historic spots, vistas and similar irreplaceable assets.

In addition to the standards listed above, each Zoning District has site development regulations, and some land uses have additional requirements. Please refer to the Town of LeRay Zoning Regulations for a description and list of requirements for each Zoning District. The Zoning Regulations can be purchased from the Town Clerk for a fee of \$10 or can be found online at www.townofleray.org.