

Tax Parcel Number: Section: _____ Block: _____ Lot: _____ Log No.: _____

TOWN OF HUNTER
 MAJOR SUBDIVISION REVIEW PROCEDURE

Proposed Development Name	Applicant Name and Address
_____	_____
_____	_____
_____	_____
_____	Phone () _____

	Date of Action
Sketch plan presented.	_____
Type of SEQR action determined to be:	_____
<input type="checkbox"/> type I <input type="checkbox"/> unlisted <input type="checkbox"/> other	_____
EAF form filed.	_____
Environmental significance determined by:	_____
<input type="checkbox"/> positive declaration <input type="checkbox"/> negative declaration <input type="checkbox"/> conditional negative declaration	_____
(Note: positive declaration will initiate steps not on this checklist)	_____
Preliminary plat fee paid.	_____
Preliminary plat accepted as complete.	_____
Application submitted to county planning agency.*	_____
County planning agency response received.*	_____
Motion to hold public hearing.	_____
Notice of hearing published in paper.	_____
Public hearing held--motion to close hearing.	_____
Preliminary action taken on the application:	_____
<input type="checkbox"/> approval <input type="checkbox"/> approval with modifications <input type="checkbox"/> disapproval	_____
Final plat fee paid	_____
Final plat accepted as complete.	_____
Motion to waive or hold public hearing.	_____
Notice of hearing published in paper.	_____
Public hearing held--motion to close hearing.	_____
Final action taken on the application:	_____
<input type="checkbox"/> conditional approval <input type="checkbox"/> conditional approval with modifications	_____
<input type="checkbox"/> disapproval <input type="checkbox"/> final approval	_____
Resolution addressing county planning agency review.*	_____
Conditionally approved plat mailed to subdivider.	_____
Conditionally approved plat signed when complete.	_____
Records filed with town clerk.	_____
Plat filed in the office of the county clerk	_____
Report filed with county planning agency.	_____
<i>*Counties with GML §239-n reviews only</i>	_____



(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~
~~City~~ of Hunter
Town
~~Village~~

Local Law No.3..... of the year ~~200~~ ...2009

A local law Revised Subdivision Regulations
(Insert Title)

Be it enacted by the Town Board of the
(Name of Legislative Body)

~~County~~
~~City~~ of Hunter as follows:
Town
~~Village~~

(If additional space is needed, attach pages the same size as this sheet, and number each.)

5. (City local law concerning Charter revision proposed by petition.)


I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph One ; above.



Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

Date: 8/19/09

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF Greene

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature

Town Attorney

Title

~~XXXX~~
~~XX~~ of Hunter
Town
~~XXXX~~

Date: August 19, 2009

TOWN OF HUNTER SUBDIVISION REGULATIONS

Revised August 18, 2009

Approved by the Town of Hunter Town Board on August 18, 2009

TOWN OF HUNTER SUBDIVISION REGULATIONS

TABLE OF CONTENTS

ARTICLE I - GENERAL PROVISIONS

- 1.01 Authority
- 1.02 Policy
- 1.03 Separability Clause
- 1.04 Waivers
- 1.05 Resubdivision
- 1.06 Jurisdiction
- 1.07 Enforcement
- 1.08 Compliance with State Environmental Quality Review (SEQR)
- 1.09 Effective Date

ARTICLE II — DEFINITIONS

ARTICLE III - PROCEDURE IN FILING SUBDIVISION APPLICATIONS

- 3.01 General Procedure
- 3.02 Pre-application Conferences
- 3.10 SKETCH PLAN PROCEDURE
- 3.11 State Environmental Quality Review Determination
- 3.20 PRELIMINARY PLAT PROCEDURE FOR MAJOR SUBDIVISIONS
- 3.21 Application and Fee
- 3.22 Number of Copies
- 3.23 Sub-divider to Attend Planning Board Meeting
- 3.24 Study of Preliminary Plat
- 3.25 When Officially Submitted
- 3.26 Public Hearing
- 3.27 Approval of the Preliminary Plat
- 3.30 PLAT PROCEDURE FOR MAJOR SUBDIVISIONS
- 3.31 Application for Approval and Fee
- 3.32 Number of Copies
- 3.33 When Officially Submitted
- 3.34 Endorsement of State and County Agencies
- 3.35 Public Hearing

3.40 PLAT PROCEDURE FOR MINOR SUBDIVISIONS

3.41 Application and Fee

3.42 Number of Copies

3.43 Subdivider to Attend Planning Board Meeting

3.44 When Officially Submitted

3.45 Public Hearing

3.46 PLAT PROCEDURE FOR FIVE ACRE SUBDIVISION

3.47 Application

3.48 Number of Copies and Fee

3.49 Public Hearing

3.50 ACTION ON PROPOSED SUBDIVISION PLAT

3.51 Required Improvements and Procedure

3.52 Proper Installation of Improvements

3.53 Filing of Approved Subdivision Plat - Signing and Filing

3.54 Plat Void if Revised After Approval

3.55 Status of Streets, Parks, Easements - Offers of Cession

3.56 Status of Streets, Parks, Easements - Acceptance by Town

3.57 Maintenance of Roads

ARTICLE IV - GENERAL REQUIREMENTS AND DESIGN STANDARDS

4.01 Character of Land

4.02 Preservation of Natural Cover

4.03 Specifications for Required Improvements

4.04 Streets - General

4.05 Street Improvements

4.06 Water and Sewerage Facilities

4.07 Public Utilities

4.08 Lot Requirements

ARTICLE V - DOCUMENTS TO BE SUBMITTED

5.10 ITEMS TO BE SUBMITTED AT THE SKETCH PLAN STAGE

5.11 Background Data

5.12 Existing Physical Features

5.13 Streets/Public Ways

5.14 Utilities

5.15 Drainage

5.16 Lots

- 5.20 ITEMS TO BE SUBMITTED AT THE PRELIMINARY PLAT STAGE
- 5.21 Background Data
- 5.22 Existing Physical Features of Tract
- 5.23 Street/Public ways
- 5.24 Utilities
- 5.25 Drainage
- 5.26 Location, Type
- 5.27 Lots
- 5.28 Future Plans
- 5.30 ITEMS TO BE SUBMITTED AT THE SUBDIVISION PLAT STAGE
- 5.31 Background Data
- 5.32 Streets/Public Ways
- 5.33 Lots
- 5.34 Construction
- 5.35 Final Drawing of Subdivision

TOWN OF HUNTER SUBDIVISION REGULATIONS

ARTICLE I - GENERAL PROVISIONS

1.01 Authority

By the authority of the resolution of the Town Board of the Town of Hunter adopted on January 25, 1977, pursuant to the provisions of Article 16 of the Town law of the State of new York, the Planning Board of the Town of Hunter, is authorized and empowered to approve Plats showing lots, plots or sites, with or without streets, to approve the development of entirely or partially undeveloped plats already filed in the office of the clerk of the county and to conditionally approve preliminary plats within the Town of Hunter.

1.02 Policy

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. Proper provision shall be made for drainage, water supply, sewerage and other needed improvements. The natural terrain, vegetation, and soil shall be conserved wherever possible, and proposed lots shall be so laid out and of such size as to be in harmony with the development pattern of the neighboring proper—ties. Streets shall be of such width, grade and location as to accommodate prospective traffic, to facilitate fire protection and to provide access of firefighting equipment to buildings; and that proper provision shall be made for open spaces for parks and playgrounds. In order that land subdivisions may be made in accordance with this policy, these regulations which shall be known as, and which may be cited as the "Town of Hunter Subdivision Regulations" have been adopted by the Planning Board on December 15, 1976, and approved by the Town Board on January 25, 1977 with revisions adopted by the Planning Board on October 12, 1989, and approved by the Town Board on October 17, 1989.

1.03 Separability Clause

Should any section or provision of these Regulations, as contained herein or as hereafter amended, 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 of any part thereof other than the part so declared to be invalid.

1.04 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 the 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 Official map, or the Master Plan.

1.05 Re-subdivision

For a re-subdivision, the same procedure, rules and regulations shall apply as for a subdivision.

1.06 Jurisdiction

Land within the Town of Hunter may be subdivided into lots, blocks, or sites, with or without roads or highways, only if approved by the Planning Board in accordance with the procedures and requirements as set forth in these Regulations, and only if the approved plat is duly filed in the Office of the County Clerk of Greene County, New York. Construction, excavation, filling, regarding, clearing of vegetation or other similar activities shall not begin within any area proposed for subdivision until said subdivision shall have been approved, or conditionally approved by the Planning Board.

1.07 Enforcement

These Regulations are enforced by the Town of Hunter in accordance with its Local Law titled: "Providing Penalties for Failure to Comply with Subdivision Regulations"

1.08 Compliance with State Environmental Quality Review (SEQR)

Notwithstanding any provisions of these Regulations or any other laws or regulations to the contrary, the provisions and requirements of Article 8 of the Environmental Conservation Law, Section 8—0113, Part 617, hereinafter referred to as "SEQR" regulations, shall be complied with.

1.09 Effective Date

These Regulations take effect at 12:01 AM on October 18, 1989. Subdivisions created prior to October 18, 1989 shall be deemed as preexisting and shall not be subject to the requirements of these Regulations. Pre existing subdivisions shall include all subdivisions that have:

- a. A plat on file at the Greene County Clerk's Office as of October 18, 1989, or
- b. At least 25% of the lots sold as of October 18, 1989, or
- c. At least 10 percent of the lots improved by the developer with a completed dwelling, or
- d. In a subdivision of no more than 2 lots, a letter certified by a licensed land surveyor that the survey and map or plat of the subdivision was completed prior to October 18, 1989.

Any lot which was under a binding contract for sale as of October 18, 1989 shall be deemed as preexisting and shall not be subject to the requirements of these Regulations.

ARTICLE II DEFINITIONS

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

Clerk of the Planning Board = The person who shall be designated to perform the duties of the Clerk of the planning board for all purposes of these Regulations.

Code Enforcement Officer = The duly designated code enforcement officer of the Town.

Dead End Road or Cul-De-Sac = A road or a portion of a road with only one vehicular or traffic outlet.

Easement = Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

Engineer or Licensed Prof. Engineer = A person licensed as a professional Engineer by the State of New York.

Environmental Assessment Form (EAF) = A form used by the Planning board in the State Environmental Quality Review process to assist in determining the environmental significance or non significance of an action or project.

Environmental Impact Statement (EIS) = A written document required for each subdivision which the Planning Board determines may have a significant effect on the environment.

Official date of Submission = The date when a Sketch Plan, Preliminary Plat, or Subdivision Plat shall be considered submitted to the Planning Board, hereby defined to be the date of the regular monthly meeting of the Planning Board at least ten days prior to which all required surveys, plans, data, and fees are filed with the Clerk of the Planning Board.

Performance Bond = A bond as required by Section 277 of the Town Law to Bond assure the full and satisfactory completion of all required subdivision improvements as specified in the Planning Board's resolution of approval.

Planning Board = The Planning Board of the Town of Hunter.

Preliminary Plat = A drawing or drawings clearly marked "Preliminary Plat" showing the salient features of a proposed subdivision to the Planning Board for purposes of consideration prior to submission of the plat in final form, in accordance with these Regulations.

Resubdivision = Any change in the plat of a subdivision which has previously been filed in the office of the County Clerk.

Scoping Meeting = An informal session held by the Planning Board to identify the significant issues related to the subdivision which are to be addressed in the draft EIS including, where possible, the content and level of detail of the analysis, the range of alternatives, the mitigation measures needed to minimize or eliminate adverse impacts, and the identification of nonrelevant issues. Scoping is intended to promote the efficiency of the Planning Board's review of the draft EIS, to provide an applicant with guidance on matters which must be considered, and to provide an opportunity for early involved agency and public awareness of the proposal.

Sketch Plan = A sketch of the proposed subdivision showing the information specified in Sections 5.01 through 5.07 of these Regulations to enable the sub divider to save time and expense in reaching general agreement with the Planning Board as to the form of the layout and objectives of these Regulations.

Street = A right-of-way for vehicular traffic, including road, avenue, land, highway, or other way which is an existing public way, or a way shown upon a subdivision plat approved by the Town Planning Board as provided by law, or on a plat duly filed and recorded in the Office of the County Clerk.

Sub divider = Any person, firm, corporation, partnership or association, who shall lay out any subdivision or part thereof as defined herein, either, for himself or for others.

Subdivision = The division of any parcel of land into two or more lots, blocks, or sites, with or without roads, including resubdivision.

Minor Subdivision = Any subdivision where a tract of real property is Subdivision being divided into no more than four (4) residential building lots.

Five Acre Subdivision = Any subdivision which is being divided into lots all of which are five (5) acres or more in size and all of which are subject to a restriction prohibiting further subdivision.

Major Subdivision = Any subdivision not classified as a minor subdivision or a five (5) acre subdivision.

Subdivision Plat = The final drawing or drawings of the subdivision submitted to the Planning Board which, if approved, may be duly filed in the office of the County Clerk.

Surveyor = A person licensed as a land surveyor by the State of New York.

Town Board = The Town Board of the Town of Hunter

Town Engineer = An engineer retained by the Town. Whenever appropriate, the Town Highway Superintendent, members of the Planning Board or another appropriate responsible individual shall be designated to act as or substitute for the town engineer upon specific authorization of the Planning Board.

Town Specifications = The standards and specifications adopted by the Town Board for the construction of new roads and related improvements.

Tract = Any body of land including contiguous parcels purchased at different times or from different persons provided that these contiguous parcels are under one ownership, or if under different ownership, are under the common control of a group of persons acting in concert.

ARTICLE III - PROCEDUR FILING

3.01 General Procedure

Whenever any subdivision of land is proposed and before any contracts for the sale of or any offer to sell any lots in such subdivision or any part thereof is made, and before any permit for erection of a structure in such proposed subdivision shall be granted, the sub divider or his authorized agent, shall apply in writing for approval of such proposed subdivision in accordance with the following procedure:

1. Pre-application meeting with Planning Board.
2. Sketch Plan showing general concept; Board makes SEQR determination.
3. Preliminary Plat showing proposal in detail.
4. Plat or finalized proposal
5. Review by non-Town agencies.
6. Public Hearing
7. Planning Board approval by resolution.
8. Completion of improvements or posting of bond, certified checks, or suitable alternative surety.
9. Planning Board signs plat

10. Plat is filed in County Clerk's Office.

3.02 Pre-application Conferences

Before preparing a detailed proposal, the sub divider may make an appointment at a regular meeting of the Planning Board to familiarize himself with the requirements of these and other regulations, the policies and plans of the Planning Board, and other information that may be pertinent to the subdivision. Other agencies necessary for approval should be contacted by the sub divider.

3.10 SKETCH PLAN PROCEDURE

Prior to filing any Plat, the sub divider or his duly authorized representative, shall submit a Sketch Plan showing a basic proposed layout and other information required in Article V of these Regulations. At least two (2) copies of this Sketch Plan shall be delivered to the Clerk or other official of the Planning Board at least 10 days before the next scheduled Board meeting. After review of the Sketch Plan and field inspection, but within 45 days of the official date of submission of the Sketch Plan, the Planning Board shall tentatively approve the Sketch Plan or recommend modifications in writing.

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. If the Sketch Plan is classified as a Major Subdivision, the sub divider shall then comply with the procedures outlined in Sections 3.20, 3.30 and 3.50 of these Regulations. If it is classified as a Minor Subdivision, the sub divider shall then comply with the procedure outlined in Sections 3.40 and 3.50 of these Regulations.

3.11 State Environmental Quality Review (SEQR) Determination

After reviewing the Sketch Plan, the Planning Board will have the sub divider complete a preliminary SEQR document. This document is either an Environmental Assessment Short Form or an Environmental Assessment Long Form. General guidelines to decide which document should be completed are:

1. Environmental Assessment Short Form

Use if the subdivision is less than ten lots or if no unusual environmental circumstances exists such as freshwater wetlands, agricultural districts, sites which are on or eligible to be on the National Register of Historical Places, and land adjacent to public lands.

2. Environmental Assessment Long Form

Use if the subdivision involves more than ten lots or has special environmental concerns. These special environmental concerns include the examples mentioned above and any other concerns that the Planning Board considers special.

3.20 PRELIMINARY PLAT PROCEDURE FOR MAJOR SUBDIVISIONS

3.21 Application and Fee

Prior to the filing of an application for the approval of a Major Subdivision Plat, the sub divider shall file an application for the approval of a Preliminary Plat of the proposed subdivision. Such Preliminary Plat shall be clearly marked "Preliminary Plat" and shall be in the form described in Section 5.20, hereof. The Preliminary Plat shall, in all respects, comply with the requirements set forth in the provisions of Sections 276 and 277 of the Town Law, and Section 5.20 of these regulations, except where a waiver may be specifically authorized by the Planning Board.

The application for approval of the preliminary plat shall be accompanied by a fee of One Hundred and Fifty (\$150.) dollars, plus cost of advertising of Public Hearing in the newspaper(s).

3.22 Number of Copies

Five (5) copies of the Preliminary Plat shall be presented to the Clerk of the Planning Board at the time of submission of the Preliminary Plat.

3.23 Subdivider to attend Planning Board meeting

The sub divider, or his duly authorized representative, shall attend the meeting of the Planning Board to discuss the Preliminary Plat.

3.24 St of Preliminary Plat

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. 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 and the future development of adjoining lands as yet unsubdivided.

3.25 When Officially Submitted

The time of submission of the Preliminary Plat shall be considered to be the date on which the application for approval of the preliminary plat, complete with all data required by Article V of these regulations, has been filed with the Clerk of the Planning Board.

3.26 Public Hearing

Within forty-five (45) days after the receipt of such Preliminary Plat by the Clerk of the Planning Board, the Planning Board shall hold a public hearing, which hearing shall be advertised at least once in a newspaper of general circulation in the Town at least five (5) days before such hearing. The Planning Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such preliminary plat.

3.27 Approval of the Preliminary Plat

Within forty-five (45) days after the date of such hearing, the Planning Board may approve with or without modification or disapprove such Preliminary Plat, and the ground of a modification, if any, or the ground for disapproval shall be stated upon the records of the Planning Board. The time in which the Planning Board must take action on such plat, may be extended by mutual consent of the sub divider and the Planning Board. When so approving a Preliminary Plat, the Planning Board shall state in writing modifications, if any, as it deems necessary for submission of the plat in final form. Within five (5) days of the approval of such Preliminary Plat, it shall be certified by the Clerk of the Planning Board as granted preliminary approval and a copy filed in his office, a certified copy mailed to the owner, and a copy forwarded to the Town Board. Failure of the Planning Board to act within such forty-five (45) day period shall constitute approval of the Preliminary Plat.

When granting approval to a Preliminary Plat, the Planning Board shall state the terms of such approval, if any, with respect to (1) the modifications 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, and general welfare, (3) the amount of improvement or the amount of all bonds therefore which it will require as prerequisite to the approval of the Subdivision Plat. 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 Plat.

which will be submitted for approval of the Planning Board and the Planning Board and for recording upon fulfillment of the requirements of these regulations. Prior to 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.

3.30 PLAT PROCEDURE FOR MAJOR SUBDIVISIONS

3.31 Application for Approval and Fee

The sub divider shall, within six (6) months after the approval of the Preliminary Plat, file with the Planning Board an application for approval of a Major Subdivision Plat in final form, using an approved application blank available from the Clerk of the Planning Board. All applications for Plat approval for Major Subdivisions shall be accompanied by a fee of \$100.00 plus \$50.00 per parcel, plus the cost of advertising of Public Hearing in the newspaper(s). If the final plat is not submitted within six (6) months after the approval of the Preliminary Plat, the Planning Board may refuse to approve the final plat and require resubmission of the Preliminary Plat.

3.32 Number of Copies

A sub divider intending to submit a proposed Major Subdivision Plat for the approval of the Planning Board shall provide the Clerk of the Board with a copy of the application and three (3) copies (one copy in ink on linen or an acceptable equal) of the Plat, the original and one true copy of all offers of cession, covenants, and agreements and two prints of all construction drawings as required in Section 5.34.

3.33 When Officially Submitted

The time of submission of the Major Subdivision Plat shall be considered to be the date on which the application for approval of the Major Subdivision Plat, complete and accompanied by the required fee and all data required by Article V has been filed with the Clerk of the Planning Board.

3.34 Endorsement of State and County Agencies

Water and sewer facility proposals contained in the Major Subdivision Plat shall be properly endorsed and approved by the New York State Department of Health, when required. Applications for approval of plans for sewer or water facilities will be filed by the sub divider with all necessary Town, County, State and New York City agencies when required. Endorsement and approval by the New York State Department of Health shall be secured by the sub divider before official submission of the Major Subdivision Plat. An Impact Statement shall be prepared by the sub divider in accordance with Department of Environmental Conservation (DEC) regulations.

3.35 Public Hearing

Within forty five (45) days of the submission of a plat in final form for approval, a hearing shall be held by the Planning Board. This hearing shall be advertised at least once in a newspaper of general circulation in the Town at least five (5) days before such hearing, provided, however, that when the Planning Board deems the final Plat to be in substantial agreement with a Preliminary Plat approved under Section 3 of this article, and modified in accordance with requirements of such approval, if such Preliminary Plat has been approved with modifications the Planning Board may waive the requirement for such public hearing.

3.40 PLAT PROCEDURE FOR MINOR SUBDIVISIONS

3.41 Application and Fee

Within six months after classification of the Sketch Plan as a Minor Subdivision by the Planning Board, the sub-divider shall submit an application for approval of a Subdivision Plat. The Plat

shall conform 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 Article V, Section 5.30. All applications for Plat approval for Minor Subdivisions shall be accompanied by a fee of fifty dollars.

3.42 Number of Copies

Two copies of the Minor Subdivision Plat shall be presented to the Clerk of the Planning Board at the time of submission

3.43 Subdivider to Attend Planning Board Meeting

The sub-divider or his duly authorized representative shall attend the meeting of the Planning Board to discuss the Minor Subdivision Plat.

3.44 When Officially Submitted

The time of submission of the Minor Subdivision Plat shall be considered to be the date on which the application for plat approval, complete and accompanied by the required fee and all data required by Section 5.30 of these Regulations has been filed with the Clerk of the Planning Board.

3.45 Public Hearing

A public hearing shall be held by the Planning Board within forty-five (45) days from the time of submission of the Minor Subdivision Plat for approval. Said hearing shall be advertised in a newspaper of general circulation in the Town at least ten (10) days before such hearing.

3.46 PLAT PROCEDURE FOR FIVE ACRE SUBDIVISION

3.47 Application

Within six months after classification of the Sketch Plan as a Five Acre Sub-division by the Planning Board the sub-divider shall submit an application for approval of a Subdivision Plat. The Plat shall conform to the layout shown on the Sketch Plan plus each 1 shall include the following notation: "This lot shall not be subdivided further and the corresponding deed for this lot must contain this restriction." Five Acre Subdivision Plats shall not be required to conform to all the requirements listed in Article V Section 5.30 but each Five Acre Subdivision Plat shall include the following:

1. Background Data: Date, true north point, map scale, name and address of record owner, sub-divider, engineer, surveyor (including license number and seal), proposed subdivision name, name of town and county in which it is located, name of all adjacent subdivisions, and name of the record owners of all adjacent property owners.
2. Street lines with lengths, bearings and curve angles.
3. Lot lines, boundary lines and dimensions, and angles of the lines.

3.48 Number of Copies and Fee

Two copies of the Five Acre Subdivision Plat shall be presented to the Clerk of the Planning Board at the time of submission. All applications for Plat approval for Five Acre Subdivisions shall be accompanied by a fee of fifty (\$50.00) dollars.

3.49 Public Hearing

A public hearing shall be held by the Planning Board within forty five (45) days from the time of submission of the Five Acre Subdivision Plat for approval. Said hearing shall be advertised in a newspaper of general circulation in the Town at least ten (10) days before such hearing.

3.50 ACTION ON PROPOSED SUBDIVISION

The Planning Board shall, by resolution, conditionally approve, conditionally approve with or without modification, disapprove, or grant final approval and authorize the signing of such plat, within forty-five (45) days of its receipt by the Clerk of the Planning Board if no hearing is held, or in the event a hearing is held, within forty-five (45) days after the date of such hearing. This time may be extended by mutual consent of the sub-divider and the Planning Board.

Upon resolution of conditional approval of such final plat, the Planning Board shall empower the Chairman or a duly authorized member of the Planning Board, to sign the Plat upon completion of such requirements as may be stated in the resolution. Within five (5) days of such resolution, the Plat shall be certified by the Clerk of the Planning Board as conditionally approved and a copy filed in his office and a certified copy mailed to the sub-divider. The copy mailed to the sub-divider shall include a certified statement of such requirements which, when completed, will authorize the signing of the conditionally approved final Plat. Upon completion of such requirements, the Plat shall be signed by said duly authorized officer of the Planning Board. Conditional approval of a final Plat shall expire one hundred eighty (180) days after the date of the resolution granting such approval unless the requirements have been certified as completed within that time. The Planning Board may, however, extend the time within which a conditionally approved Plat may be submitted for signature, if in its opinion such extension is warranted in the circumstances, for not to exceed two additional periods of ninety (90) days each.

3.51 Required Improvements and Procedure

Before the Planning Board grants final approval of the Subdivision Plat the sub-divider 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 Town Clerk a certified check or bond to cover the full cost of the required improvements. Any such bond shall comply with the requirements of Section 277 of the Town Law and shall be satisfactory to the Town Board and Town Engineer as to form, sufficiency, manner of execution and surety. A period of one (1) year, or such other period as the Planning Board may determine appropriate, not to exceed three (3) years, shall be set forth in the bond within which required improvements must be completed.

(2) The sub-divider shall complete all required improvements to the satisfaction of the Town Engineer, who shall file with the Planning Board a letter signifying the satisfactory completion of all improvements required by the Board. For any required improvements not so completed, the sub-divider shall file with the Town Clerk a bond or certified check covering the costs of such improvements and the cost of satisfactorily installing any improvement not approved by the Town Engineer. Any such bond shall be satisfactory to the Town Board and Town Engineer as to form, sufficiency, manner or execution and surety.

The required improvements shall not be considered to be completed until the installation of the improvements has been approved by the Town 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 sub-divider 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 Office. However, if the sub-divider elects to provide a bond or certified check for all required improvements as specified in sub-paragraph (1), such bond shall not be released until such a map is submitted.

At least five (5) days prior to commencing construction of required improvements the sub-divider shall pay to the Town Clerk any Inspection Fee required by the Town Board and shall notify the Town Board, in writing, of the time when he proposes to commence construction of

such improvements so 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.

Expenses for consultant review – The Town of Hunter Planning Board reserves the right to retain an engineer and other professional consultants, as it deems necessary, at the applicant's expense, to review any information and materials submitted or filed by a subdivider.

3.52 Proper Installation of Improvements

If upon inspection of the improvements performed before the expiration date of the Performance Bond, any of the required improvements have not been constructed in accordance with plans and specifications filed by the sub-divider, the Town Board shall notify the sub-divider and, if necessary, the bonding company, and take all necessary steps to preserve the Town's rights under the Bond. No Plat shall be approved by the Planning Board as long as the sub-divider is in default on a previously approved Plat.

3.53 Filing of Approved Subdivision Plat: Signing Filing

Upon completion of the required procedures and improvements, the Subdivision Plat shall be signed by the duly designated officer of the Planning Board and may be filed by the sub-divider in the office of the County Clerk. Any Subdivision Plat not so filed or recorded within ninety (90) days of the date upon which such Plat is approved or considered approved by reasons of the failure of the Planning Board to act, shall become null and void, unless the particular circumstances of said sub-divider warrant the Planning Board to grant an extension which shall not exceed two additional periods of ninety (90) days. Such extensions shall be granted in only the most extraordinary circumstances.

3.54 Plat Void if Revised After Approval

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 the said Plat is first resubmitted to the Planning Board and such Board approves any modifications. 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.

3.55 Status of Streets, Parks, Easements — Offers of Cession

In accordance with Section 278 of the Town Law, the sub-divider may add a notation on the Subdivision Plat that no offer of streets, parks or easements, shown on the Plat, is made to the public. Failure to make such notation will constitute a continuing offer of cession to the Town, which may be accepted by the Town Board at any time prior to revocation of said offer by the owner of the land or his agent. Formal offers of cession to the public of all streets, parks and easements, not marked with such notation on the Plat, shall be filed with the Planning Board prior to approval of the Plat.

3.56 Status of Streets, Parks, Easements — Acceptance by Town

Acceptance of any such offer of cession shall rest with the Town Board. In the event the applicant shall elect not to file the Subdivision Plat in the Office of the County Clerk, such offer of cession shall be deemed to be void.

The approval by the Planning Board of a Subdivision Plat shall not be deemed to constitute or imply the acceptance by the Town Board of any street, park, easement or open space shown on

said Plat. The Planning Board may require said Plat to be endorsed with an appropriate note to this effect.

3.57 Maintenance of Roads

in those cases where no offer of cession to the public is made for the roads, parks and required easements shown on the Plat, there shall be submitted with the Plat copies of agreements or other documents providing for, and fixing responsibility for, their suitable maintenance, and statements of all rights which exist with respect to the use of such property or properties.

ARTICLE IV – GENERAL REQUIREMENTS AND DESIGN STANDARDS

4.01 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.

4.02 Preservation of Natural Cover

Land to be subdivided shall be laid out and improved in reasonable conformity to existing topography, in order to minimize grading, cut and fill, and to retain, insofar as possible, the natural contours, limit storm water runoff, and conserve the natural cover and soil. No topsoil, sand or gravel shall be removed from any lots shown on any subdivision plat, except for the purpose of improving such lot; and for the laying out of streets shown thereon.

Existing features which would enhance, the attractiveness of the site or the community as a whole, such as trees, watercourses, ponds, historic places and similar irreplaceable assets, shall be preserved insofar as possible through harmonious designs of the subdivision.

4.03 Specifications for Required Improvements

All streets and other required improvements shall be constructed or installed to conform to Town Specifications.

4.04 Streets -General

Streets shall be suitably located and logically related to original topography, of sufficient width, and adequately improved to accommodate the prospective traffic, and to afford satisfactory access to police, fire fighting, snow removal or other road maintenance equipment, and shall be coordinated so as to compose a convenient system.

4.05 Street Improvements

Streets shall be graded and improved with pavement, street signs, street lighting standards, street trees, water mains, sanitary sewers, storm drains, and fire hydrants, except where waivers may be requested, and the Planning Board may waive, subject to appropriate conditions. such improvements as it considers are not requisite in the interest of the public health, safety and general welfare or may result in unnecessary hardship. If underground utilities are required by the Planning Board, they shall be placed between the paved roadway and street right-of-way, where possible, to simplify location and repair of the lines.

4.06 Water and Sewerage Facilities

Facilities for water and sewerage in each new subdivision shall be in accordance with the requirements appropriate agency having jurisdiction over the planning and installation of these in the area of the subdivision.

4.07 Public Utilities

The Board may accept assurance from each public utility company whose facilities are proposed to be installed. Such assurance shall be in writing, addressed to the Board, stating that such public utility company will make the installations necessary for the furnishing of its services within a specified time, in accordance with the approved Sub division Plat.

4.08 Lot Requirements

The lot size, width, depth, shape, and arrangement shall be such that in constructing a building there will be no foreseeable difficulty for reasons of topography or other natural conditions in securing building permits to build on all lots in compliance with these Regulations, the J York State Health Department Regulations and the Uniform Fire Prevention and Building Construction Code. Lot size, width, depth, shape, and arrangement shall be determined by soil percolation, slope, area density, topography and such other factors as the Planning Board may reasonably employ in assuring that the 1 shall be buildable and that the aesthetic environment of the community shall be preserved.

ARTICLE V - DOCUMENTS TO BE SUBMITTED

5.10 Items to be Submitted at the Sketch Plan Stage

The Sketch Plan will not be considered officially submitted, and, there— fore, not reviewed until all the required information is provided or a waiver for a particular requirement is requested in writing by the applicant and granted by the Planning Board.

The Sketch Plan is a drawing and does not need to be a field survey. It must show the entire tract on one sheet and must have a scale of 1" = 200' (or as large as possible to show the entire tract on one sheet). The following information is to be shown on the drawing or shall accompany the drawing:

5.11 BACKGROUND DATA:

True north point. Name of the owner of the property to be sub divided. Name(s) of all adjacent property owners. Location of the section to be subdivided in relation to the entire tract.

5.12 EXISTING PHYSICAL FEATURES:

Existing structures, wooded areas, streams and other significant physical features in the area to be subdivided and within 200' of any property line. Contours at not more than a 20' interval (if topographic conditions are significant).

5.13 STREETS/PUBLIC WAYS:

Layout of all existing, mapped or proposed streets. Distance to the nearest existing street intersection.

5.14 UTILITIES:

All available utilities. Water Supply. Sewerage disposal system.

5.15 DRAINAGE:

Proposed systems of drainage.

5.16 LOTS:

Tax map sheet, block and lot numbers (if available). Proposed pattern of lots including widths and depths areas to be dedicated to recreational use existing restrictions on the use of the land including covenants, easements and zoning lines.

5.20 ITEMS TO BE SUBMITTED AT THE PRELIMINARY PLAT STAGE

The Preliminary Plat will not be considered officially submitted and, therefore, not reviewed until all the required information is provided or a waiver for a particular requirement is requested in writing by the applicant and granted by the Planning Board.

5.21 BACKGROUND DATA:

Date True north point Map scale Name and address of record owner, sub divider, engineer, surveyor (inc. license number and seal) Proposed subdivision name. Name of town and county in which it is located Name of all adjacent subdivisions. Name of the record owners of all adjacent property owners.

5.22 EXISTING PHYSICAL FEATURES OF TRACT:

Watercourses Marshes Rock outcropping Wooded areas Other significant physical features Contours at an interval of 20' or as required by the Planning Board

5.23 STREETS/PUBLIC WAYS:

Elevations of existing streets Location, width, grades and profiles of all proposed streets or public ways Character, width, depth of all sub base and pavement Preliminary design of any bridges or culverts Location, type, plans and cross sections of proposed: sidewalks street lighting standards street trees curbs

5.24 UTILITIES:

Location, pipe sizes, grades, direction of flow of all existing: sewers and water mains Approximate location, size, plans and cross sections of proposed: water lines and sewer lines Connection to existing lines or alternate means of water supply and sewerage treatment and disposal as provided by Public Health Law Location and size of all proposed: valves, fire alarm boxes, hydrants Underground conduits, man holes, basins.

5.25 DRAINAGE:

Location, pipe sizes, grades and direction of flow of all existing drains and culverts Approximate grading plan if natural contours are to be changed more than 2 feet Approximate location, size and profiles of proposed drainage ways Connections to existing lines or alternate means of Plans and cross sections of proposed storm drains

5.26 LOTS:

Field survey of boundary lines of the lots in the section of the tract being subdivided which are then presently being sold or offered for sale including complete descriptive data by bearings and distances made and certified by a licensed surveyor. Certificate from the Town Engineer that the corners of the tract have been located on the ground and marked by approved monuments Proposed lot lines dimensions of area. All parcels to be dedicated for public use and the conditions of such dedication Boundaries of proposed permanent easements over adjacent private property. Copy of all covenants or deed restrictions covering any part of tract Zoning District(s) involved - exact boundary lines and any proposed changes.

5.27 FUTURE PLANS:

If the application covers only part of the sub dividers' holdings, then a map of the entire tract including the following information must be submitted (scale = 400' to the inch) Outline of plotted area with proposed streets Indication of probable future street system (including grades and drainage) Probable future drainage layout

5.30 ITEMS TO BE SUBMITTED AT THE SUBDIVISION PLAT STAGE

The Subdivision Plat will not be reviewed until all the required information is provided or a waiver for a particular requirement is requested in writing by the sub divider and granted by the Planning Board. Information to accompany the Subdivision Plat application:

5.31 BACKGROUND DATA:

Date True north point Map scale Name and address of record owner, sub divider, engineer, surveyor (inc. license number and seal) Proposed subdivision name. Name of town and county in which it is located Name of all adjacent subdivisions Name of the record owners of all adjacent property owners.

5.32 STREETS/PUBLIC WAYS:

Street lines ways: Street Lines (data acceptable to town engineer to enable him to determine the location, bearing and length)

Pedestrian ways

Length and bearing of all straight lines Radii, length and central angle of all curves Tangent bearings Certification from town engineer that approved monuments have been placed at all street inter sections, angle points in street lines, points of curve and other required points.

5.33 LOTS:

(data acceptable to town engineer to enable him to determine the location, bearing, and length) Lot lines Boundary lines Dimensions & angles of the lines for each lot Placement of buildings, septic systems and Certification from town engineer that approved permanent referenced monuments will be placed as required and location is shown on the plat Certification from town engineer that approved corner lot markers be located as required Certification from town engineer that approved monuments have been placed at all corner points and angle points of the tract

Locate all public open spaces for which deeds are included (data acceptable to town engineer to enable him to determine the location, bearing and length)

Offers of cession and covenants covering maintenance of unseeded open spaces to be certified with approval of the town attorney

Locate parcels to be retained by developer including copies of agreements or other documents showing how such areas will be maintained (data acceptable to town engineer to enable him to determine the location, bearing and length) Lots and blocks to be numbered and lettered in accordance with the prevailing town practice

5.34 CONSTRUCTION: Construction drawings including plans, profiles and typical cross sections showing proposed location, size and type of streets, sidewalks, street lighting stds, street trees, curbs, cul-de-sacs, water mains, sanitary sewers, storm drainage pavements and sub base man holes

5.35 FINAL DRAWING OF SUBDIVISION: Include all proposed changes