

TOWN OF CUYLER

SUBDIVISION CONTROL REGULATIONS

Adopted by the Planning Board

on May 6, 1991

Approved by the Town Board

on May 7, 1991

TOWN OF

CUYLER

PLANNING BOARD

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SUBDIVISION CONTROL REGULATIONS

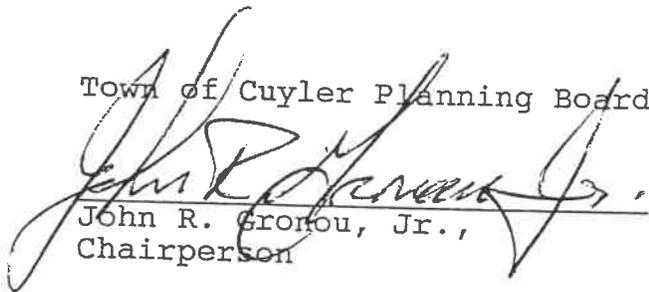
TOWN OF CUYLER

CORTLAND COUNTY, STATE OF NEW YORK

Adopted

5/6/91

Town of Cuyler Planning Board


John R. Gronou, Jr.,
Chairperson

Approved

5-7-91

Town Board

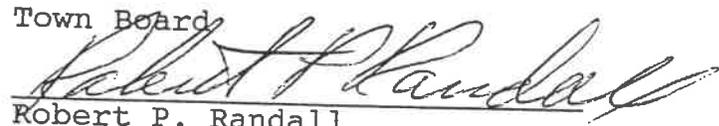

Robert P. Randall
Town Supervisor



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ARTICLE 1: ENACTMENT, AUTHORIZATION, PURPOSE, VARIANCE

Section 110 Enactment Authorization

Pursuant to the authority granted to the Town in Article 16 of the Town Law of the State of New York, the Town Board of the Town of Cuyler has, previously by resolution, authorized and empowered the Planning Board of the Town of Cuyler to approve plats within the Town of Cuyler and to pass and approve the development of plats already filed in the office of the Clerk of Cortland County if such plats are entirely or partially undeveloped.

Section 120 Title

These regulations shall be known as the "Subdivision Control Regulations of the Town of Cuyler".

Section 130 Purpose

The purpose of these regulations is to provide for orderly, efficient growth within the community and to afford adequate facilities for the transportation, housing, comfort, convenience, safety, health and welfare of its population, with due regard to topography so that the natural beauty of the land and vegetation shall be protected and enhanced. Intent is not to limit existing and normal agricultural practices.

Section 140 Administration

The Subdivision Control Regulations shall be administered by the Planning Board and its designee, if any.

Section 150 Variance

When the Planning Board finds that extraordinary and unreasonable hardship may result from strict compliance with these rules and regulations it may vary the regulations so that substantial justice may be done.

It is not the intent of these rules and regulations to effect or impose uniformity or standardization in the development of subdivisions in the Town of Cuyler. When design concepts which are imaginative and beneficial to the public interest are proposed by a subdivider the Planning Board may modify the requirements of these rules and regulations as necessary to permit accomplishment of such concepts.

ARTICLE 2: DEFINITIONS

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

Accessory Use-----The use or structure on the same lot and of a nature customarily incidental and subordinate to the principal use or structure and may include alternate energy system.

Alterations-----As applied to a building or structure, a change or rearrangement in the structural parts, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location to another.

Application-----As applied to a subdivision, the procedure of applying or requesting through approved forms to the Town of Cuyler Planning Board to construct a subdivision.

Building-----Any structure which is permanently affixed to the land, has one or more floors and a roof, and is intended for the shelter, housing or enclosure of person, animals or any article of tangible property.

Building Inspector-----Any person appointed, designated, or otherwise retained by the Town Board to carry out the functions assigned to such person according to these regulations.

Code-----A systematic statement of a body of law such as this Subdivision Control Regulation or land development code. The word "Code" has been used herein when referring to related town regulations.

Code Enforcement Officer-The official designated to administer and enforce these regulations.

Development-----Any man-made change to improve or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, excluding normal maintenance to farm roads.

Dwelling-----Any building or portion thereof designed or used exclusively as a residence or sleeping place of one (1) or more persons, including a mobile home.

Single-Family-----A detached residential dwelling designed for an occupied by one family only.

Two-Family-----A detached residential building containing two dwelling units, designed for occupancy by not more than two families.

Multiple-family-----A residential building designed for or occupied by three or more families with the number of families not exceeding the number of dwelling units provided.

Seasonal home-----A dwelling unit intended for occupancy only during certain seasons of the year, principally for recreational use by the owner, including beach cottages, hunting cabins, vacation cottages, summer cottages and vacation lodges.

Dwelling Unit-----One room or rooms connected together constitution a separate, independent housekeeping establishment for owner occupancy or rental or lease on a weekly, monthly or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure and containing independent cooking and sleeping facilities, designed for occupancy by one family.

Engineer (Approved)-----An engineer licensed by New York State and not expressly disapproved by the Town of Cuyler.

Engineer (Town)-----Any person so designated by the Town Board.

Engineer's Certificate of Approval-----A statement from an Approved Engineer of that the subdivider's plats, specifications, construction documents, and proposed improvements are in compliance with all applicable laws, regulations and codes and that they provide adequate provisions for drainage, sewage, water, utilities and roadways.

Final Plat-----A drawing, in final form, showing a proposed subdivision containing all information or detail required by law and by these regulations to be presented to the Planning Board for approval and which, if approved, must be duly filed or recorded by the applicant in the Office of the Clerk of the County of Cortland.

Garages, private-----An accessory building not operated for gain and used in conjunction with a principal building which provides for the storage of motor vehicles and/or other household items.

Lot-----A parcel or area of land, the dimensions and extent of which are determined by the latest official

records or recordings.

Corner Lot-----A parcel of land at the junction of and fronting on two or more intersecting streets. The sides facing both streets shall be considered front yards.

Through Lot-----An interior lot having frontage on two or more intersecting streets.

Lot Depth-----The main distance from the street line of the lot to its opposite rear line measured in the general direction of the side lines of the lot.

Lot Frontage-----The front of a lot shall be construed to be the portion nearest the highway. For the purposes of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to highways shall be considered frontage, and yards shall be provided as indicated under "Yards" in these definitions.

Lot Line-----Any boundary line of a lot.

Lot Width-----The width of the lot between side lot lines at the front building line as prescribed by the front yard regulations.

Mobile Home-----Any portable vehicle is designed to be transported on its own wheels or those of another vehicle, which is used, designed to be used, and capable of being used as a detached single family residence; and which is intended to be occupied as permanent living quarters containing sleeping accommodations, a flush toilet, a tub or shower, kitchen facilities, and plumbing and electrical connections for attachment to outside systems. The definition of mobile home includes all additions made subsequent to installation. This definition does not include modular housing placed on a standard foundation or travel trailer.

Modular House-----A housing unit constructed off-site consisting of more than one segment and designed to be permanently anchored to a foundation, to become a fixed part of the real estate, and which meets all the standards of the New York State Fire and Building Code.

Non Conforming Lot-----A lot existing at the time of enactment of these regulations or any amendment thereto, which does not conform to the area regulations of the district or zone in which it is situated.

Non Conforming Use-----A use of land existing at the time of

enactment of these regulations and which does not conform to the regulations of the district or zone in which it is located.

Official Submission-----The date on which an application for plat approval, complete and accompanied by all required information, endorsements, and fees, has been filed with the Planning Board.

Planning Board-----The Town of Cuyler Planning Board.

Preliminary Plat-----A drawing or drawings clearly marked "Preliminary Plat" showing the layout of a proposed subdivision submitted to the Planning Board for approval prior to submission of the plat in final form and of sufficient detail to apprise the Planning Board of the layout of the proposed subdivision.

Re-subdivison-----Means a change in map of an approved or recorded subdivision or resubdivision if such change (a) affects any street layout shown on such map, (b) affects any area reserved thereon for public use or (c) diminishes the size of any lot shown thereon and creates an additional building lot, if any of the lots shown thereon have been conveyed after the approval or recording of such map.

Right-of-way-----Land set aside for use as a street, alley, or other means of travel.

Road, Major-----Streets or highways connecting through roads with each other and which also handle internal movement within built-up areas.

Road, Secondary-----Streets or roads serving to connect major roads with each other and which also handle internal movement within built up areas.

Road, Local-----Streets or roads which primarily function to give direct access to abutting property. Local roads are the internal part of the system providing movement within residential and other land use areas.

SEQR Act-----The New York State Environmental Quality Review Act and regulations promulgated thereunder.

Setback, Front-----The required open unoccupied space between the street line and the front of the main structure, but not including porches, entrance steps and other appendages to the front of the main structure.

Setback, back-----The required open unoccupied space

measured from the rear lot line to the nearest part of the main or accessory structure.

Sign-----Any device, structure or object for visual communication that is used for the purpose of bringing the subject thereof to the attention of others, but not including any flag, badge or insignia of any public, quasi-public, civic, charitable or religious group.

Site Plan-----A layout plan of a lot or subdivision on which is shown topography, location of all buildings, structures, roads, right-of-ways, boundaries, essential dimensions and bearings and any other information deemed necessary by the Planning Board.

Site Plan Review-----A review and approval process, conducted by the Planning Board, whereby site plans are reviewed utilizing criteria stated in these regulations.

Sketch Plan-----A sketch of a proposed subdivision to enable the subdivider 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. Review of a sketch plan does not constitute an official submission of an application.

Streetline-----The limit of the street width or highway right-of-way, whichever is greater.

Structure-----Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences, signs, billboards and poster panels.

Subdivider-----Any person, firm, corporation, partnership or association or other legal entity who shall make application to lay out any subdivision or part thereof as defined herein, either for himself or for others as agent.

Subdivision-----A division of any parcel of land into two (2) or more lots, blocks, or sites for the purpose of conveyance, transfer of ownership, improvement, building development or sale. See also Resubdivision.

Subdivision, Minor-----A subdivision fulfilling the following requirements:

- 1) Contains either three (3) or four (4) lots (initial

lot plus either two or three new lots). Two lot subdivisions shall be exempt from this local law. This exemption does not apply to resubdivision of previously subdivided lots if within five years of initial subdivision. The term subdivision shall be applied to entire parcels of land identified by a tax map number in the County Real Property Tax Office.

2) Does not require any new road construction or improvement or other town supplied utility improvement or extension as determined by the Planning Board.

3) Does not conflict with Section 130 (see page one of these regulations) as determined by the Planning Board.

Subdivision, Major-----Any subdivision of land not classified by the Planning Board as a minor subdivision

Use-----The specific purposes for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained.

Yard-----An open space within and extending the full width of the lot from the front lot line to the part of the principal building which is nearest to such front line.

Yard, Rear-----An open space extended across the entire width of the lot between the rear wall of the principal building and the rear line of the lot, and unoccupied except for accessory buildings and open porches.

Yard, Side-----An open space on the same lot with a principal building between the principal building and the side line of the lot extending through the front yard to the rear yard, into which space there shall be no extension of building parts other than two (2) feet for rain water leaders, window sills, and other such fixtures and open steps.

ARTICLE 3: MISCELLANEOUS PROVISIONS

Section 310 Penalty Provisions

- A. The violation of any rule or regulation approved by the Town Board herein shall be deemed an offense against such rules and regulations.
- B. For any violation of the Rules and Regulations herein, the person violating same shall be subject to a fine of not more than \$250.00, or imprisonment not exceeding 30 days, or both such fine and imprisonment. Each week's continued violation shall constitute a separate violation.
- C. In addition to the above-provided penalties and punishment, the Town Board may also maintain an action or proceeding in the name of the Town of Cuyler in a court of competent jurisdiction to compel compliance with or restrain by injunction the violation of the rules and regulations herein.

Section 320 Certification and Filing with County

The Town Clerk is hereby directed to forthwith file a certified copy of these regulations with the Clerk of Cortland County.

Section 330 Severability

If any clause, paragraph, section, or part of these regulations shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate any other clause, sentence, paragraph, section, or part of these regulations.

Section 340 Effective Date

These regulations shall take effect on the 7th of May, 1991.

ARTICLE 4: MINOR SUBDIVISION PROCEDURES AND STANDARDS

Section 410 General

Minor subdivisions shall be processed in the following manner:

1. Sketch Plan Conference
2. Application for Final Plat
3. Submission of Application to County Planning Board (Recommendation by the County Planning Board Per Section 239 n of the General Municipal Law if Required)
4. Final Plat Approval

Section 420 Sketch Plan Conference

At least fourteen days before the next regularly scheduled meeting of the Planning Board, the subdivider should submit three (3) copies of the sketch plan(s) and request an appointment with the Planning Board for the purpose of reviewing the sketch plan(s). The Planning Board Clerk will notify the subdivider of the time, date, and the place that the Planning Board will meet to consider and review such sketch plan(s) and the subdivider's program as they relate to the Comprehensive Plan (if any), design standards, and improvement requirements. The Planning Board may, prior to the sketch plan conference, make the plan(s) available to appropriate government agencies such as the County Planning Department and the Soil and Water Conservation District staff for their review and comment.

A Sketch Plan Conference is intended to assist the subdivider in the planning and preparation of a Final Plat. At this meeting, the plan will be classified as a minor or major subdivision by the Planning Board as defined by this ordinance. Subdivisions classified as minor will be allowed to proceed directly to an application for a Final Plat.

A Sketch Plan Conference does ~~not~~^{ER} require formal application, fee or official filing with the Planning Board. Any advice and suggestions received by a potential subdivider at a Sketch Plan Conference are unofficial and do not obligate the potential subdivider or Planning Board in any way.

The sketch plan will be an informal plan not necessarily to exact scale, indicating salient existing features of a tract and its surroundings and the general layout of a proposed subdivision.

Section 430 Department of Health

Cortland County Department of Health approval will be required for any subdivision. Contact by the subdivider with this department is advised prior to the submission of the final plat.

Section 440 Information Required for Final Plat Submission (Minor Subdivision).

1. Name and address of subdivider and professional advisers, including license numbers and seals if any.
2. Map of property by a licensed land surveyor drawn to a scale appropriate to show clearly all existing and proposed improvements to the subdivision.
 - a. Subdivision name, scale, north arrow, date, Town, County and tax map number.
 - b. Subdivision boundaries including name of owner, deed book and page, and bearings and distances on all existing and proposed property lines.
 - c. Contiguous properties and names of their owners, locations of wells and septic systems if within 300 feet of proposed subdivision.
 - d. Existing and proposed roads, utilities, structures, wells, septic tanks, dry wells, tile fields, etc.
 - e. Water courses, wetlands (if NYS designated so indicate), public facilities, and other significant physical features on or near the site.
 - f. Proposed pattern of lots including lot widths and depths, road layout, open space, drainage, water supply, and sewage disposal facilities as well as electric distribution lines including inground or above ground location.
 - g. Land contours at minimum intervals of five (5) feet, or other suitable indicators of slope.
 - h. Subsurface conditions on the tract, if required by the Board: Locations and results of tests made to ascertain subsurface soil; rock and ground water conditions; depth to ground water unless test pits are dry at a depth of eight (8) feet; location and results of soil percolation tests if individual sewage

disposal systems are contemplated. The existing soil classification map for the township shall be consulted in determining if subsurface conditions of the tract need to be ascertained by testing of the soil.

3. Copy of tax map(s).
4. Existing and proposed restrictions on the use of land including easements, covenants, zoning, flood hazard areas, agricultural district properties, historical areas and unique natural areas.
5. Total acreage of subdivision and area of each lot proposed to within one hundredth of an acre or given in square feet.
6. Existing/proposed building types, if any, including their approximate size and actual or estimated value at time of application.
7. A certification from the Town Superintendent of Highways indicating that the existing highways to said property are adequate to support the increased volume of traffic which will be generated by the subdivision.

Section 450 Final Plat Additional Requirements (Minor Subdivision)

The following shall be submitted with all applications for approval of a Final Plat for a minor subdivision:

1. One (1) mylar copy of the plat, which is to be submitted to the Cortland County Clerk, prepared in an appropriate manner suitable for filing plus seven (7) paper copies (includes one (1) for Cortland County Planning Department and one (1) for the Soil & Water Conservation District).
2. Sufficient data acceptable to the Planning Board which shall readily enable it to determine the location, bearing, and length of every road line, lot line, and boundary line. Such data shall be sufficient to allow for the reproduction of such lines on the ground, and shall include a distance from a corner of the subdivision to an identifiable line such as a road intersection, to facilitate readily identifying the location of said property.
3. On-site sanitation and water supply facilities, if any, shall be designed to meet the specifications of the Cortland County Department of Health and a statement to this effect shall be made on the application.

4. A completed preliminary environmental assessment (EAF Short Form, Appendix).
5. Additional information as deemed necessary by the Planning Board.
6. A \$15.00 fee, will be levied to the developer prior to Final Plat Approval & will reflect costs incurred in the administration of the application.

Section 460 Waiver of Submission Requirements

The Planning Board may waive compliance with any of those submission requirements it deems appropriate.

Section 470 Design Standards for Lots

Location. All lots should have suitable access to a public road.

Dimensions. Lot sizes shall conform to County and State Health Department requirements or these regulations, whichever is greater.

Pedestrian Easements. In order to facilitate pedestrian access from particular areas to such places as schools, parks, play areas, or nearby roads, perpetual, unobstructed easements at least twenty (20) feet wide may be required by the Planning Board. Sidewalks may also be required for reasons of safety and convenience.

Lot Lines. Side lot lines shall be approximately at right angles to the road or radial to curved roads. On large size lots and, except when indicated by topography, lot lines shall be straight.

Nuisance Strips. Parcels of land of such size and dimension as to be unsuitable for any reasonable purpose other than to exclude access to adjacent lands owned or to be owned by others, shall be avoided.

Section 480 Unique and Natural Features Preservation

Unique features such as historic landmarks and sites, rock outcrops, hill-top lookouts, desirable natural contours, and similar features shall be preserved when possible. Also streams, lakes, ponds, and wetlands shall be left unaltered and protected by easements or otherwise.

Section 490 Final Plat Approval Procedures(Minor Subdivision)

All subdivisions as defined herein shall require final plat approval by the Planning Board.

The subdivider shall file with the Planning Board an application for Final Plat approval on forms available from the Town Clerk. The application shall be accompanied by the documentation specified in Article 4 herein. Such application shall be submitted to the Town Clerk at least thirty (30) calendar days prior to the meeting at which it is to be considered by the Planning Board.

Recommendation By County Planning Board. When required by Section 239 n of the General Municipal Law the application for final plat approval shall be referred to the County Planning Board for their recommendation. Any recommendation received from the County Planning Board within the thirty (30) day period prescribed shall be reviewed and taken into account by the Cuyler Planning Board before any decision on the final plat approval.

Optional Public Hearing. For good reason a public hearing may be held by the Planning Board after a complete application is filed and prior to rendering a decision. This hearing shall be held within forty-five (45) days of the official submission date of the Final Plat. It is recommended that the subdivider or agent of the subdivider attend the hearing.

Notice of Public Hearing. The hearing shall be advertised by Planning Board at least once in the official newspaper of the Town at least ten (10) days before the hearing. Notice of the hearing shall be mailed by the Planning Board by certified return receipt, to the owners of record of all adjoining properties within three hundred (300) feet of the property proposed for subdivision at least ten (10) days before the hearing.

Notice of Decision The Planning Board shall approve, conditionally approve, or disapprove the Final Plat within Thirty-five (35) days of the public hearing if one is held. If no hearing is held, the Planning Board shall approve, conditionally approve, or disapprove the Final Plat within forty-five (45) days of its official submission date. The time in which the Planning Board must take action on the Final Plat may be extended by mutual consent of the subdivider and the Planning Board.

If the Final Plat is disapproved, the grounds for disapproval (including a reference to the provisions of these regulations violated by the Final Plat), shall be stated in the record of the Planning Board. Failure of the Planning Board to render a decision within the required time period shall be deemed final

plat approval. Within five (5) days of approval, conditional approval or disapproval the subdivider shall be notified by mail of the final action of the Planning Board.

Recording Final Plat The subdivider shall record an approved final plat, or the approved section thereof, in the Office of the Clerk of Cortland County, N.Y. within sixty (60) days after the date of approval; otherwise the Final Plat shall be considered void and must again be submitted to the Planning Board for approval before recording it in the Office of the Cortland County Clerk.

Conditional Approval. Upon conditional approval of such Final Plat the Planning Board Chairperson is duly authorized to sign the Final Plat upon completion of such requirements as may be stated in the conditional approval resolution. A certified statement of the requirements shall be noted on the Final Plat. Upon the signing of the conditionally approved plat by the Planning Board Chairperson the Final Plat shall then be certified by the Town Clerk. Conditional approval of a Final Plat shall expire one hundred-eighty (180) days after the date of the resolution granting conditional approval. The Planning Board may, however, extend the expiration time by not more than one hundred eighty (180) days.

The Building Inspector shall not be authorized to issue a building permit or a Certificate of Occupancy for any structure on any lot in the subdivision unless and until the approved plat shall have been filed in the office of the County Clerk as required by this paragraph.

Surface Grading and Stabilization

Ground surfaces shall be graded and restored within six (6) months of completion of any building construction or improvement so no unnatural mounds or depressions are left. Original topsoil moved during construction shall be returned and stabilized by appropriate seeding or other approved methods.

Tree Preservation & Protection

Damage to existing trees should be prevented to the fullest extent possible during construction projects. Large trees can be protected with barriers.

ARTICLE 5: MAJOR SUBDIVISION REVIEW AND APPROVAL PROCEDURE

Section 505 General (See Chart: Subdivision Review Procedure)

Major subdivisions shall be processed in the following stages:

1. Sketch Plan Conference (required).
2. Application for Preliminary Plat (required).
3. Submission of Application to County Planning Board (If required by Section 239 n of the General Municipal Law calling for their recommendation).
4. Required Public Hearing.
5. Preliminary Plat approval.
6. Optional Public Hearing.
7. Final Plat approval.

Section 510 Applications, Fees, and Costs

Wherever any subdivision of land is proposed to be made and before any contract for the sale of, or any offer to sell such subdivision or any part thereof is made, the subdivider shall apply in writing to the planning board for approval. Applications may be obtained from the Town Clerk or can be found in the appendix. Applications shall be filed with, and fees paid to, the Town Clerk.

1. Filing Fees. Subdividers are required to pay fees to cover a portion of the reasonable cost of administering these regulations including all reasonable engineering, legal, clerical, advertising, and other expenses incurred. At the time a subdivider first submits an application for preliminary approval of a proposed subdivision Plat, and before the required public hearing on the proposed subdivision shall be called and opened, the subdivider of lands hereinafter classified as a major subdivision shall pay a fee of \$50.00, plus \$5.00 per proposed lot. Cortland County fee's are over and above this cost (see Appendix for County Requirements).
2. Engineer's Certificate of Approval. Subdividers are responsible for the cost of obtaining a Certificate of Approval for the Final Plat, if required, by an Approved Engineer.

3. Cost of Review by Town Engineer. The Planning Board may require that the Town's Engineer review the specifications and proposed improvements of subdividers who obtain the Certificate of Approval from an Approved Engineer. The Planning Board shall inform a subdivider of the need for such review after submission of the application for approval of the subdivision. Subdividers are responsible for the cost of any such Town Engineer's review. If the Planning Board informs the subdivider that such review is necessary, the subdivider shall contact the Town's Engineer and obtain an estimate ("the estimate") of the cost to the Town of the review of the subdivider's plats, specifications, construction documents, and proposed improvements. The subdivider shall deliver to the Town Clerk a copy of "the estimate", and shall deposit the amount of "the estimate", plus 10%, with the Town Clerk before the hearing on the proposed subdivision shall be called and opened.

Within sixty (60) days after the Final Plat is filed in the Office of the Cortland County Clerk, or within sixty (60) days after an application for plat approval is withdrawn or disapproved, the Town Clerk shall refund to the subdivider the unexpended portion of the sums collected, for an Approved Engineers Review, if any.

4. Cost of Engineer's Inspections. Subdividers are responsible for the cost of inspections of all improvements by the Town's Engineer. The subdivider shall obtain an estimate as described in #3 above and also deliver a copy of "the estimate" and make a deposit as described in #3 at least seven (7) days prior to commencing the construction of the first of the required improvements. Unless and until the subdivider pays the inspection fee, no Certificate of Occupancy shall be issued for any structure erected upon any lot in the subdivision nor shall the Town accept the dedication of any road or other improvement in the subdivision.

Section 515 Preapplication Procedure (Major Subdivision)

Prior to the preparation of and the submission of a plat for approval, the subdivider should proceed to gather the necessary information and data on the existing conditions at the site. He should study the site suitability and opportunities for development. Presumably he will discuss financing, planning, and marketing with the lending institutions. With a surveyor or other professional, a sketch plan should be developed which in turn may be submitted to the Planning Board for review and recommendations. An environmental assessment form (EAF) may be submitted with the sketch plan or at the time of application for

the preliminary plat.

Section 520 Sketch Plan Conference (required)

At least fourteen (14) days before the next regularly scheduled meeting of the Planning Board, the subdivider should submit seven (7) copies of the sketch plan(s) and request an appointment with the Planning Board for the purpose of reviewing the sketch plan(s). The Planning Board Clerk will notify the subdivider of the time, date, and the place that the Planning Board will meet to consider and review such sketch plan(s) and the subdivider's program as they relate to the Comprehensive Plan (if any), design standards, and improvement requirements. The Planning Board may, prior to the sketch plan conference, make the plan(s) available to the County Planning Department and the Soil and Water Conservation District staff for their review and comments.

The Sketch Plan conference is intended to assist the subdivider in the planning and preparation of a preliminary plat. At this meeting, the plan will be classified as a minor or major subdivision by the Planning Board as defined by this ordinance. Subdivisions classified as minor may proceed directly to submission of an application for a Final Plat. The submission of a Preliminary Plat is required for a major subdivision.

A sketch plan conference does not require formal application, fee or official filing with the Planning Board. Any advice and suggestions received by a potential subdivider at a sketch plan conference are unofficial and do not obligate the potential subdivider or the Planning Board in any way.

Section 525 Department of Health

Cortland County Department of Health approval will be required for any subdivision. Contact by the subdivider with this department is advised prior to the submission of the final plat.

Section 530 Preliminary Plat Approval Procedures (Major Subdivision)

All major subdivisions shall be subject to the Preliminary Plat requirements, as specified herein. The subdivider shall file an application for approval of the Preliminary Plat at least thirty (30) days prior to the next regularly scheduled meeting of the Planning Board on forms available from the Town Clerk accompanied by all documents specified in Article 5 herein. The full application shall be filed with the Town Clerk.

Recommendation by County Planning Board. When required by Section 239 n of the General Municipal Law the application for preliminary plat approval shall be referred to the County Planning Board for their recommendation. Any recommendation received from the County Planning Board within the thirty (30) day period prescribed shall be reviewed and taken into account by the Cuyler Planning Board before any decision on the preliminary plat approval.

Review of Subdivision and Public Hearing. Following the review of the preliminary plat and supplementary material submitted for conformity to these regulations, and following discussions with the subdivider on changes deemed advisable and the kind and extent of improvements to be made, the Planning Board shall hold a public hearing. This hearing shall be held within forty-five (45) days of the official submission date of the preliminary plat. It is recommended that the subdivider or an agent of the subdivider attend the hearing. This hearing shall also fulfill the requirements of the SEQR Act regarding the potential impact which the proposed subdivision may have upon the environment. Within thirty-five (35) days following the public hearing, the Planning Board shall approve with modifications, or disapprove the preliminary plat. The time in which the Planning Board must take action may be extended beyond the thirty five (35) day period by mutual consent of the subdivider and the Planning Board.

If the preliminary plat is disapproved, the grounds for disapproval (including a reference to the provisions of these regulations violated by the preliminary plat), shall be stated in the record of the Planning Board. Failure of the Planning Board to render a decision within the required time period shall be deemed approval of the preliminary plat.

Notice of Public Hearing. The hearing shall be advertised by the Planning Board at least once in the official newspaper of the Town at least ten (10) days before the hearing. The Planning Board may provide that the hearing be further advertised in such manner as it deems appropriate. Notice of the hearing shall be mailed, by the Planning Board by certified return receipt, to the owners of record of all adjoining properties and properties within three hundred (300) feet of the property proposed for subdivision at least ten (10) days before the hearing.

SEQR Act Review. A short or long environmental assessment form shall accompany each application. The SEQR Review shall be followed in full. A summary of the Environmental Impact Statement findings must accompany approval of the preliminary plat where and such EIS is required.

Notice of Decision. Within five (5) days of approval, conditional approval, or disapproval the action of the Planning Board shall be noted on three (3) copies of the preliminary plat and reference made to any modifications required. One (1) copy shall be returned by mail to the subdivider and the other two (2) copies retained by the Planning Board.

Effect of Approval. Approval or conditional approval of a preliminary plat shall not constitute approval of the final plat. The preliminary plat shall be a guide to the preparation of the final plat. Before submission of the final, plat or any portion thereof, for formal approval, the subdivider must comply with all requirements set forth by the Planning Board for approval of the preliminary plat. This includes any requirements of the Cortland County Department of Health.

Section 535 Final Plat Approval Procedures (Major Subdivision)

All subdivisions as defined herein shall require final plat approval by the Planning Board.

The subdivider shall file with the Planning Board an application for final plat approval on forms available from the Town Clerk. The application shall be accompanied by the documentation specified in Article 5 herein. Such application shall be submitted at least thirty (30) calendar days prior to the meeting at which it is to be considered by the Planning Board and no later than six (6) months after the date of the preliminary plat conditional or final approval.

Optional Public Hearing. A public hearing may be held for good cause by the Planning Board after a complete application is filed with the Town Clerk and prior to rendering a decision. This hearing shall be held within forty-five (45) days of the official submission date of the final plat. It is recommended that the subdivider or an agent of the subdivider attend the hearing.

Notice of Public Hearing. Where a public hearing is held it shall be advertised by the Planning Board at least once in the Official newspaper of the Town at least ten (10) days before the hearing. Notice of the hearing shall be mailed by the Planning Board by certified return receipt to the owners of record of all adjoining properties and properties within three hundred (300) feet of the property proposed for subdivision at least ten (10) days before the hearing.

Waiver of Public Hearing. If the Final Plat is in substantial agreement with the approved Preliminary Plat, the Planning Board

may waive the public hearing requirement. If no hearing is held, the Planning Board shall approve, conditionally approve, or disapprove the Final Plat within forty-five (45) days of its official submission date unless an extension of time is mutually agreed upon.

Decision & Notice Thereof The Planning Board shall approve, conditionally approve, or disapprove the Final Plat within Thirty-five (35) days of the public hearing if one is held. If no hearing is held, the Planning Board shall approve, conditionally approve, or disapprove the Final Plat within forty-five (45) days of its official submission date. The time in which the Planning Board must take action on the Final Plat may be extended by mutual consent of the subdivider and the Planning Board.

If the Final Plat is disapproved, the grounds for disapproval (including a reference to the provisions of these regulations violated by the Final Plat), shall be stated in the record of the Planning Board. Failure of the Planning Board to render a decision within the required time period shall be deemed final plat approval. Within five (5) days of approval, conditional approval or disapproval the subdivider shall be notified by mail of the final action of the Planning Board.

Recording Final Plat The subdivider shall record an approved final plat, or the approved section thereof, in the Office of the Clerk of Cortland County, N.Y. within sixty (60) days after the date of approval; otherwise the Final Plat shall be considered void and must again be submitted to the Planning Board for approval before recording it in the Office of the Cortland County Clerk.

Conditional Approval. Upon conditional approval of such final plat the Planning Board Chairperson is duly authorized to sign the final plat upon completion of such requirements as may be stated in the conditional approval resolution. The Final Plat shall be certified by the Town Clerk. A certified statement of the requirements shall be noted on the final plat which, when carried out, authorizes the signing of the conditionally approved final plat. Conditional approval of a final plat shall expire one hundred-eighty (180) days after the date of the resolution granting conditional approval. The Planning Board may, however, extend the expiration time by one hundred eighty (180) days.

Filing of Plats in Sections. Prior to granting conditional or final approval of a plat in final form the Planning Board may permit the Final Plat to be subdivided into two or more sections. The Board also may in its resolution granting conditional or

final approval state any requirements it deems are necessary to insure the orderly development of the final plat. The stated requirements are to be completed before such sections may be signed by the Chairperson of the Planning Board. Conditional or final approval of the sections of a final plat subject to any conditions imposed by the Planning Board shall be granted concurrently with conditional or final approval of the final plat.

In the event the subdivider shall file only a section of such approved final plat in the office of the County Clerk, the entire approved plat shall be filed within thirty (30) days of the filing of such section with the Town Clerk in each Town in which any portion of the land described in the plat is situated. Such section shall encompass at least ten percent of the total number of lots contained in the approved plat and the approval of the remaining sections of the approved plat shall expire unless said sections are filed before the expiration of the exemption period to which such plat is entitled under the provisions of Article 16 of the Town Law of the State of New York.

The Building Inspector shall not be authorized to issue a building permit or a Certificate of Occupancy for any structure on any lot in the subdivision unless and until the approved plat shall have been filed in the office of the County Clerk as required by this paragraph.

Section 540 Information Required for all Plat Submissions (Major Subdivision) including Sketch Map.

1. Name and address of subdivider and professional advisors, including license numbers and seals.
2. All Maps:
Title, scale, north arrow, date, town and county.

Site Map:

Should be on a topographical survey map as required for the Preliminary Plat or an enlargement of the most recent U.S.G.S. quadrangle to a scale of 1" to 100' and showing contours at intervals of not more than 20 feet, or other suitable indicators of slope. Contours may be free hand on the Sketch Map only. This must include:

- A. Subdivision boundaries to include bearings and distances on all existing and proposed property lines;
- B. Total acreage of subdivision and number of lots proposed;

- C. Names of owner and approximate boundaries of all contiguous properties; locations of wells and septic systems if within 300' of proposed subdivision;
 - D. Area designated as wetlands, streams and lakes;
 - E. Park and Recreation ares;
 - F. Existing and proposed public facilities, utilities, structures, wells, septic tanks, dry wells, tile fields, historical sites and other significant physical features on or near the site;
 - G. Proposed pattern of lots including lot widths and depths, road layout, open space, drainage, water supply, and surface disposal facilities as well as electric distribution lines including in ground and above ground location;
 - H. Subsurface conditions on the tract, if required by the Board: Location and results of tests made to ascertain subsurface soil; rock and ground water conditions; depth to ground water unless test pits are dry at a depth of eight (8) feet; location and results of soil percolation tests if individual sewage disposal systems are contemplated. Existing soil classification map for the township shall be consulted in determining if subsurface conditions of the tract need to be ascertained by testing of the soil.
3. Copy of tax map(s).
 4. Land characteristics of the site.
 5. Availability of existing and proposed utilities, school, parks and playgrounds.
 6. Building types and approximate square footage of living area in dwelling (or approximate size) and actual or estimated value at time of application.

Section 545 Preliminary Plat Submission Requirements (Major Subdivision)

The following shall be submitted with all applications for approval of a preliminary plat for a major subdivision.

1. Two (2) paper copies of the plat map, drawn to scale.

A. Sheet size and required scale:

-less than 10 acres:	17" X 22"	1" X 50'
-10 or more acres:	22" X 34"	1" X 100'

2. All information specified under Section 540, updated and accurate.
3. Location of percolation test sites, if required
4. All parcels of land proposed to be dedicated to public use and the conditions of such use.
5. Grading and landscaping plans.
6. The width and location of any roads or public ways and the width, location, grades and road profiles of all roads or public ways proposed by the developer. For any proposed public roads a statement of dedication to the Town where applicable.
7. The approximate location and size of all proposed waterlines hydrants, and sewer lines, showing connection to existing lines, if appropriate.
8. Drainage plan, indicating profiles of lines or ditches and drainage easements on adjoining properties.
9. Plans and cross sections showing sidewalks, road lighting, roadside trees, curbs, water mains, sanitary sewers and storm drains, the character, width and depth of pavements and sub-base, as well as the location of electric distribution lines including inground or above ground location.
10. Preliminary designs for any bridges or culverts.
11. An actual field survey of the boundary lines of the tract, giving complete description by bearings and distances, shall be made and certified by a licensed surveyor.
12. A short or long environmental assessment form per the SEQR Act.
13. Where the Preliminary Plat submitted covers only a part of the subdivider's entire holding, a sketch of the prospective future road and drainage system of the unsubdivided part shall be submitted for study by the Planning Board.

14. A certification from the Town Superintendent of Highways indicating that the existing highways to said property are adequate to support the increased volume of traffic which will be generated by the subdivision.
15. Results of any percolation tests
16. Draft of restrictions of all types which will run with the land and become covenants in the deed for lots.
17. Time schedule of operations.

Section 550 Final Plat Additional Information (Major Subdivision)

The following additional information shall be submitted with all applications for approval of a final plat for a major subdivision:

1. Two (2) mylar copies of the final plat, which are to be submitted to the Cortland County Clerk, prepared in an appropriate manner suitable for filing. The map scale shall be appropriate to show clearly all existing and proposed improvements to the subdivision. Five paper copies will also be required.
2. All information specified under Section 540, updated and accurate.
3. All information specified under Section 545, updated and accurate.
4. Maps, development data and legal data corrected and updated from the preliminary plan.
5. All offers of cession and any covenants governing the maintenance of unceded open space shall bear the certificate of approval of the Town Attorney as to their legal sufficiency.
6. Property corner markers shall be installed at all lot boundary angle points. Markers must be of permanent material such as iron pins, pipes, concrete monuments or drill holes in ledge or rock, with the tops reasonably close to the ground surface.

The developer must certify to the Planning Board through a registered land surveyor that such markers have been installed.

7. Approval of the Cortland County Department of Health for water supply systems and sewage disposal systems proposed or installed.
8. An approved Environmental Impact Statement, if required under SEQOR Act.
9. Construction drawings including plans, profiles, and typical cross sections, as required showing the proposed location, size and type of road, sidewalks, road lighting standards, roadside trees, curbs, water mains, sanitary sewer or septic systems, storm drains or ditches, pavements, and sub-base and other facilities.
10. Evidence of legal ownership of the real property which is the subject of the final plat.
11. An Engineer's Certificate of Approval from an Approved Engineer. The certificate of approval for a major subdivision must also certify that the subdivider has complied with one of the following alternatives:
 - a. All improvements have been installed in accordance with requirements of these regulations and with the action of the Planning Board giving approval of the preliminary plat, or
 - b. A performance bond, certified check, or letter of credit has been posted in an amount sufficient to assure such completion of all required improvements.
12. Any other data such as certificates, affidavits, endorsements, or other agreements as may be required by the Planning Board in enforcement of these regulations.
13. A location map showing the subdivision in relation to other known landmarks, such as road intersections, lot lines, other subdivisions, etc.

Section 560 Wavier of Submission Requirements

The Planning Board may waive compliance with any of those submission requirements it deems appropriate.

ARTICLE 6: DESIGN STANDARDS AND REQUIRED IMPROVEMENTS-MAJOR
SUBDIVISION

Section 605 Road Design Standards

Conformity with General Plan. The arrangement, width, location and extent of major roads and all minor roads shall conform and be in harmony with the Comprehensive Plan, if any, for the Town. Roads not in the Comprehensive Plan, if any, shall conform to the recommendation of the Planning Board based on existing and planned roads, topography, public safety, convenience, and proposed uses of land. The Town Highway Superintendent shall be consulted by the Planning Board for an advisory opinion before the approval of any new road.

Arrangement. Residential minor roads shall be designed to discourage through traffic whose origin or destination is not within the subdivision.

Location. When a proposed subdivision is adjacent to or contains a State or County highway, the Planning Board may seek information from the New York State Department of Transportation or Cortland County Department of Highways as to the status of said highway regarding the State or County highway right-of-way and direction. The Planning Board may require the subdivider to establish a marginal road approximately parallel to and on each side of such a right-of-way at a distance suitable for an appropriate use of the intervening land as for park purposes in residential districts, or for commercial or industrial purposes. Such distance shall also be determined with due regard for the requirements of approach grades and future grade separation.

Intersections. Roads shall intersect one another at angles as near to a right angle as possible, and no intersections of roads at angles less than sixty (60) degrees shall be approved. Road intersections shall be rounded with a radius of twenty-five (25) feet measured at the right-of-way line when the intersection occurs at right angles. If an intersection occurs at an angle other than a right angle, it shall be rounded with a curve of radius acceptable to the Planning Board. Road jogs with center line offsets of less than one hundred twenty-five (125) feet shall be avoided. Intersections of more than 4 road are not allowed.

Dead End Streets (Culs-de-Sac). The creation of dead-end residential streets will be encouraged wherever the Board finds that such type of development will not interfere with normal traffic circulation in the area. In the case of dead-end streets

where needed or desirable, the Board may require the reservation of a 20-foot wide easement to provide for continuation of pedestrian traffic and utilities to the next street.

Where dead-end streets are designed to be so permanently, they should, in general, not exceed 1000 feet in length, and shall terminate in a circular turn-around having a minimum right-of-way radius of 60 feet and pavement radius of 50 feet. The Board may approve a longer permanent dead-end street where topographic conditions and/or land ownership patterns make it logical. At the end of temporary dead-end streets a temporary turn-around with a pavement radius of 50 feet shall be provided, unless the Planning Board approves an alternate arrangement. All dead-end streets shall have a special turning area at the closed end. The turning area may be either circular or T-shaped (hammer-head) having a minimum arm length of 60 feet each.

Half Roads. Dedication of a half road shall be prohibited, except when essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations and where the Planning Board finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided. Wherever a half road is adjacent to a tract to be subdivided, the other half of the road shall be plated within such tract.

Access. In commercial and industrial districts, definite and assured provision shall be made for service access, such as off road parking, and loading and unloading consistent with and adequate for the uses proposed.

Names and Addresses. Names of new roads shall not duplicate existing or plated roads in Cortland County. The subdivider shall contact the County Fire Coordinator regarding proposed names of new roads. The Fire Coordinator will tell the subdivider whether or not a particular road name is already being used in the County. New roads which are extended or in alignment with existing roads shall bear the name of the existing roads. House numbers shall be assigned by the County Planning Department in accordance with the house numbering system now in effect in the County.

Road Signs. The subdivider shall provide and erect road signs of a type to be approved by the Town Board at all road intersections prior to acceptance of the constructed roads. Road signs will conform to the Manual of Uniform Traffic Control Devices.

Trees. If roadside trees are provided, they should be outside of the road right-of-way and planted in such a manner as not to impair visibility at any corner or corners. A 200' foot minimum horizontal sight distance at intersections, unobstructed by trees and other plant materials, shall be maintained along each street four (4) feet above the ground.

Standards for Road Design

Minimum width Right-of-way	60 feet
Minimum width of Driving Lanes	22 feet
Minimum width of Shoulders	4 feet
Minimum radius of Horizontal Curves	500 feet
Minimum length of Vertical Curves	200 feet
Minimum length of Tangents between Reverse Curves	200 feet
Maximum Grade	6% except that grades up to 10% may be approved on short runs NYS DOT standards
Minimum Braking Sight Distance	200 feet

Section 610 Road Construction Standards

All road improvements shall be installed at the expense of the subdivider. Roads shall be built in conformity with the Highway Specifications of the Town of Cuyler, if any. The roadway base and surface material is to ensure a 5-year life of the roadway with minimum maintenance. Road construction is to conform to

standards of the New York Consolidated Highway Improvement Program.

Section 615 Shoulders

Shoulders shall be constructed of the same base material as the roadway and expected to achieve a 5-year lifetime with minimum maintenance. Shoulders will also conform to standards of the New York Consolidated Highway Improvement Program.

Section 620 Drainage Improvements

1. Removal of Spring, Sub-surface and Surface Water The subdivider may be required by the Planning Board 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 shall be located in the street right-of-way where feasible, or in perpetual unobstructed easements of appropriate width.
2. Drainage Structure to Accommodate Potential Development Upstream A culvert or other drainage facility shall, in each case, be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. The Town Highway Superintendent shall approve the design and size of facility based on anticipated run-off from a "twenty five year" storm under conditions of total potential development permitted by the Land Development Ordinance.
3. Responsibility from Drainage Downstream The subdivider's engineer shall also study the effect of each subdivision on the existing downstream drainage facilities outside the area of the subdivision; this study shall be reviewed by the Town Highway Superintendent. Where it is anticipated that the additional run-off incident to the development of the subdivision will overload an existing downstream drainage facility, the Planning Board shall notify the Town Board of such potential condition. In such case, the Planning Board will not approve the subdivision until provisions have been made for the improvement of said condition.

Section 625 Culverts

The minimum culvert size shall be fifteen (15) inches in diameter. The pipe shall be corrugated steel with a minimum of sixteen (16) gauge. Culverts shall be installed where necessary subject to the review and approval of the Town Highway Superintendent. They shall be a minimum of twenty (20) feet in

length at all driveways. Culverts beneath the roadway shall be lengths approved by the Town Highway Superintendent. Concrete headwalls shall be constructed at culvert ends where necessary subject to the approval of the Town Highway Superintendent.

Section 630 Dedication

The acceptable roadway shall be a minimum of sixty (60) feet. The Town shall be provided with a survey map and legal description prepared by a N.Y.S. Licensed Land Surveyor. The highway boundaries shall be clearly marked by permanent survey markers.

The Town shall receive a title insured warranty deed by properly executed conveyance.

Section 635 Sidewalks

Sidewalks may be required and shall be installed as follows:

1. Sidewalks shall be installed at the expense of the subdivider, at such locations as the Planning Board may deem necessary.
2. Sidewalks must be constructed to comply with the detailed specifications required by an Approved Engineer and approved by the Planning Board.
3. Sidewalks shall be concrete or other approved material, and have a minimum width of four (4) feet in residential areas, and five (5) feet in commercial and industrial areas.

Section 640 Utilities

Public utility improvements may be required and shall be installed as follows:

1. Fire Protection: Hydrants to be of size, type and location specified by the Town Engineer or by an Approved Engineer.
2. Street Lighting: Poles, brackets, and lights to be of size, type, and location approved by the local power company
3. Electricity: Power lines shall normally be placed underground and shall be approved by the local power company.
4. Utility Services: Shall be extended beyond the highway

boundary or the easement within which the main utility line is located.

Section 645 Water Supply

1. Individual wells shall be installed at the expense of the subdivider to the approval of the Planning Board
2. If it is required by the County Health Code or it is feasible and desirable to require a public water supply system, such system shall be installed at the expense of the subdivider to specifications acceptable to the County Health Department.
3. All individual wells shall meet the requirements of the NYS Department of Health to the satisfaction of the Planning Board.

Section 650 Sewage Disposal

1. If it is required by the County Health Code or it is feasible and desirable to require a sanitary sewer system, such system shall be installed at the expense of the subdivider to specifications acceptable to the Cortland County Department of Health.
2. All sanitary sewage disposal systems shall meet the requirements of the Cortland County Health Department and the State Department of Environmental Conservation to the satisfaction of the Planning Board.
3. Dry sewers may be required in those parts of the Town deemed to have sufficient population density to merit community sanitary sewer systems in the future. Such requirements shall be in harmony with the Comprehensive Plan, if any, for the Town.
4. Individual septic systems shall be installed at the expense of the subdivider to the approval of the Planning Board.

Section 655 Lots

Location. All lots should have suitable access to a public road.

Dimensions. Lot sizes shall conform to County and State Health Department regulations except: When subdividing into five (5) or more lots; (Major Subdivision) lot depth shall not be more than three (3) times the lot frontage.

Pedestrian Easements. In order to facilitate pedestrian access from particular areas to such places as schools, parks, play areas, or nearby roads, perpetual, unobstructed easements at least twenty (20) feet wide may be required by the Planning Board. Sidewalks may also be required for reasons of safety and convenience.

Lot Lines. Side lot lines shall be approximately at right angles to the road or radial to curved roads. On large size lots and, except when indicated by topography, lot lines shall be straight.

Corner Lots. Corner lots for residential use shall have extra width to permit appropriate building setback from and orientation to both roads.

Nuisance Strips. Parcels of land of such size and dimension as to be unsuitable for any reasonable purpose other than to exclude access to adjacent lands owned or to be owned by others, shall be avoided.

Section 660 Unique and Natural Features Preservation

Unique features such as historic landmarks and sites, rock outcrops, hill-top lookouts, desirable natural contours, and similar features shall be preserved when possible. Also streams, lakes, ponds, and wetlands shall be left unaltered and protected by easements or otherwise. All surfaces must be graded and restored within six (6) months of completion of the building construction or improvement so no unnatural mounds or depressions are left. Original topsoil moved during construction shall be returned and stabilized by approved methods. Damage to existing trees should be avoided whenever possible.

Section 665 Public Open Spaces and Sites

Consideration shall be given to the allocation of areas suitably located for community purposes as indicated on the Comprehensive Plan, if any, and be made available by one of the following methods:

1. Dedication to the Town.
2. Reservation of land for the use of property owners by deed or covenant.
3. Reservation for acquisition by the Town within a reasonable period of time. Said reservation shall be made in such manner as to provide for a release of the land to the

subdivider in the event the Town does not proceed with the purchase.

4. If the Planning Board determines that a suitable park or parks of adequate size cannot be properly located in the plat or that a provision for such parks would otherwise be impractical, the board may require, as a condition to approval of the plat, a payment to the Town of a dollar amount to be determined by the Town Board. This sum shall be used to establish a trust fund for use by the Town exclusively for neighborhood park, playground, and/or recreational purposes and which purposes also includes the acquisition of property.

The Planning Board may require the reservation of areas or sites of such character, extent, and location as are suitable to the needs of the Town for such things as water treatment plants, sewage disposal plants, and other community purposes not necessarily anticipated in the Comprehensive Plan.

Section 670 Determination of Land Suitability

No plan of a Subdivision of land shall be approved unless, after adequate investigation and consultation with the County Health Department, the Planning Board determines that the land can be used for building purposes without danger to health and is otherwise suitable for such purposes.

) Approval of a Subdivision may be withheld if the proposed system for the drainage of surface water from or in the Subdivision is disapproved by the Planning Board after consultation with the County Health Department.

ARTICLE 7: BOND FOR INSTALLATION OF IMPROVEMENTS - MAJOR
SUBDIVISION

Section 710 General

In order that the Town has the assurance that the construction and installation of such improvements as storm sewer, public water supply, sewage disposal, road signs, sidewalks and road surfacing will be constructed, the subdivider shall enter into one of the following agreements with the Town.

1. An agreement that the subdivider will construct all improvements directly affecting the subdivision as required by these regulations and by the Planning Board, prior to final approval of the plat.
2. In lieu of the completion of the improvements, the subdivider shall furnish a bond executed by a surety company acceptable to the Town in an amount equal to the cost of construction of the improvements as shown on the plans and based on an estimate furnished by the applicant and approved by the Planning board, after consultation an Approved Engineer. The subdivider shall pay for the cost, if any, incurred by the Planning Board in consulting an Approved Engineer for verification of the adequacy of bonding amounts.
3. In lieu of the completion of improvements, the subdivider shall deposit a certified check or a letter of credit in sufficient amount equal to the cost of construction of such improvements as shown on the plans and based on an estimate furnished by the subdivider and approved by the Planning Board following verification of surety amounts by an Approved Engineer.

Section 720 Conditions

Before the final plat is approved, the subdivider shall have executed a subdivider contract with the Town, and a performance bond, certified check, or letter of credit shall have been deposited covering the estimated cost of the required improvements that have been designated by the Planning Board.

The performance bond or letter of credit shall (a) in the case of the performance bond, name the Town as obligee and (b) in the case of the letter of credit, name the Town as the payee, and each shall provide that the subdivider, his heirs, successors, and assigns, his agent or servants, will comply with all applicable terms, conditions, provisions, and requirements of

this ordinance, and will faithfully perform and complete the work of constructing and installing such facilities or improvements in accordance with all applicable laws and regulations.

Any such bond or letter of credit shall require the approval of the Town Board and the Town Attorney as to form, sufficiency, manner of execution and surety and/or financial institution.

Wherever a certified check is deposited, it shall be made payable to the Town of Cuyler.

Section 730 Extension of Time

The construction or installation of any improvements or facilities, other than roads, for which guarantee has been made by the subdivider in the form of a bond, letter of credit, or certified check deposit, shall be completed within one year from the date of approval of the Final Plat. Road improvements shall be completed within two years from the date of approval of the final plat. The subdivider may request an extension of time, provided he can show reasonable cause for his inability to perform the improvements within the required time. The extension shall not exceed six (6) months, at the end of which time the Town may use as much of the bond, letter of credit, or certified check deposit to construct the improvements as it deems necessary. The same shall apply whenever construction of improvements is not performed in accordance with applicable standards and specifications. There shall be no extension of time given unless and until the terms of the bond or letter of credit shall be extended as well and proof of such extension provided to the Town in sufficient time to enable the Town to grant an extension.

Section 740 Agreement - Schedule of Improvements

When a certified check, letter of credit or performance bond are provided pursuant to the preceding sections, the Town and the subdivider shall enter into a written agreement itemizing the schedule of improvements in sequence with the cost opposite each phase of construction or installation, provided that each cost as listed may be repaid to the subdivider upon completion and approval after inspection of such improvement or installation. However, ten percent (10%) of the check deposit, letter of credit or performance bond shall not be repaid to the subdivider until one (1) year following the completion, inspection, and acceptance by the Town of all construction and installation covered by the check deposit or performance bond as outlined in the subdivider's contract.

Section 750 Modification of Requirements

Upon approval by the Town Board, the Planning Board, after due notice and a public hearing, may modify its requirements for any or all improvements, and the face value of the performance bond or letter of credit shall there upon be increased or reduced by an appropriate amount so that the new face value will cover the cost in full of the amended list of improvements required by the Planning Board and any security deposited with the bond or letter of credit may be increased or reduced proportionately.

Section 760 Inspections

Periodic inspections during the installation of improvements shall be made by the Town Engineer to insure conformity with the approved plans and specifications as contained in the subdivider's contract and these regulations. The subdivider shall notify the Town's Engineer when each phase of improvement is ready for inspection. Upon acceptable completion and installation of the improvement, as certified by the Town's Engineer, the Planning Board shall issue a letter to the subdivider or his representative and such letter shall be sufficient evidence for the release by the Town of the portion of the performance bond, letter of credit or certified deposit as designated in the subdivider's contract to cover the cost of such completed work.

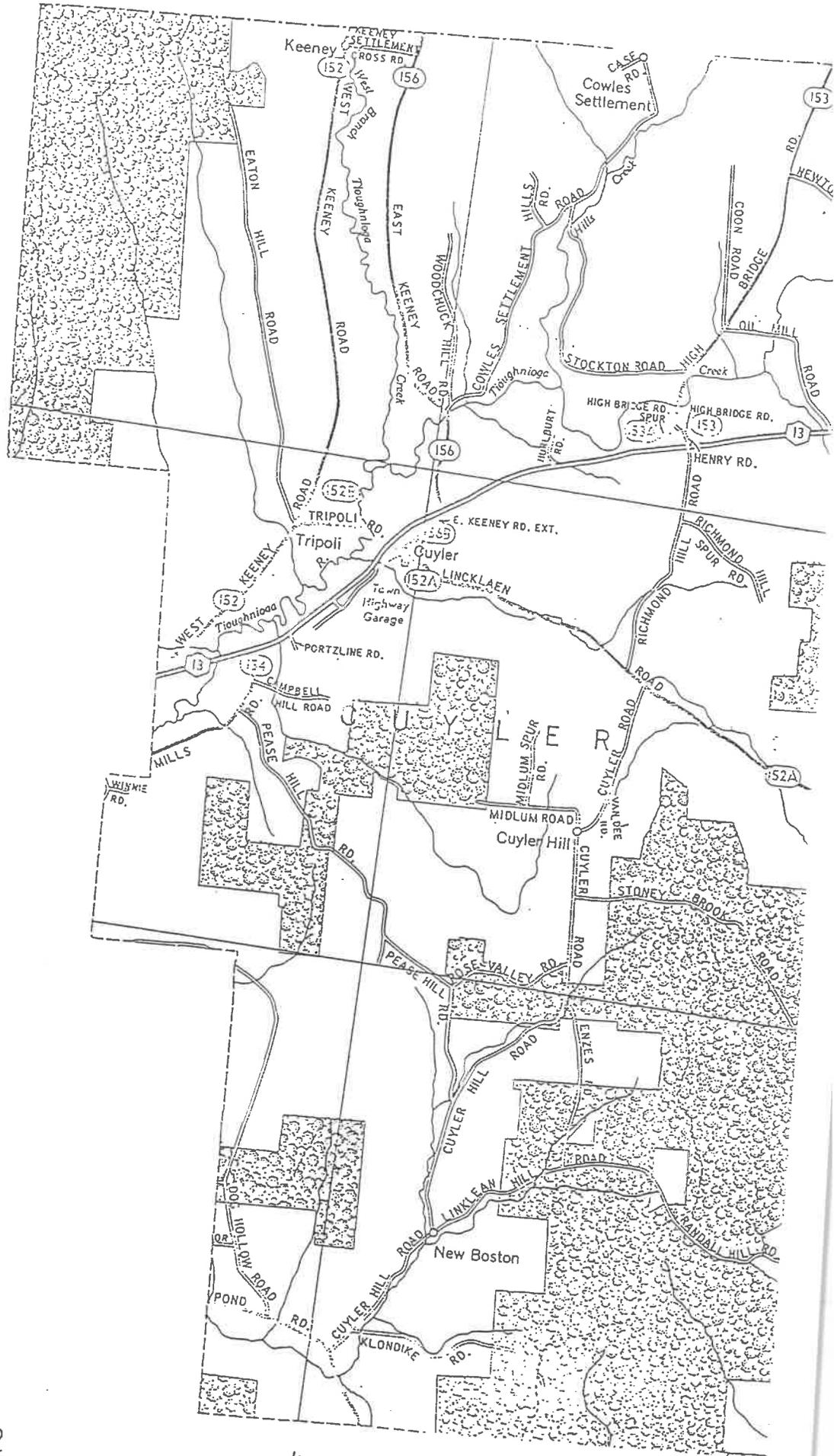
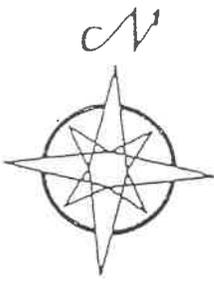
Section 770 Acceptance of Roads and Facilities

When the Town's Engineer, following the final inspection of the subdivision, certifies to the Planning Board and the Town Board that all installations and improvements have been completed in accordance with the subdivider's contract, the Town Board may, by resolution, proceed to accept the facilities for which the performance bond has been posted, the letter of credit issued, or the certified check deposited. Prior to acceptance of the facilities, the subdivider shall deposit with the Town Clerk a complete set of as-built drawings which show the location and extent of all installations and improvements required to be completed by the subdivider's contract.

APPENDIX 1

MAP OF THE TOWN OF CUYLER
WITH SCALE OF MILES AND LEGEND

WUYLER



TOWN OF CUYLER PLANNING BOARD
SUBDIVISION APPLICATION FORM
AND
STATEMENT OF INFORMATION

1. Name of Subdivision _____

2. Location _____

3. Subdivider's Name _____

Address _____

Telephone _____ Owner? Yes No

4. Licensed Land Surveyor, Engineer or Architect

Name _____

Address _____

Telephone _____

5. Total Acres of Subdivision _____

6. Total Number of Lots _____

7. Type of Units:

	<u>Number of Units</u>		
	2 bedroom	3 bedroom	4 bedroom
Single Family	_____	_____	_____
Multi-Family	_____	_____	_____
Townhouses	_____	_____	_____
Condominiums	_____	_____	_____

8. Plan to dedicate streets or other lands to town?
yes _____ no _____

9. Will these or other streets be constructed before request
for final approval or will a performance bond be filed?

10. Have proposals for water supply and sewage disposal been discussed with the County Health Department? (Explain)

11. Will there be any extensive grading or fill? (Explain)

12. Anticipated completion date of subdivision?

13. The undersigned hereby requests approval by the Planning Board of the above identified Subdivision Plat, and hereby dispose and say that all the above statements and the statements contained in the documents submitted herewith are true.

SIGNATURE _____

TITLE _____

DATE _____

(TO BE SUBMITTED NOT LATER THAN THE SKETCH PLAN CONFERENCE BY THE SUBDIVIDER).

APPENDIX 3

SUBDIVISION REVIEW PROCEDURE CHART

APPLICANT'S DECISION TO SUBDIVIDE

SKETCH CONFERENCE WITH PLANNING BOARD

COORDINATE WITH COUNTY HEALTH
DEPARTMENT AND REQUEST SOILS EVALUATION
FROM SOIL AND WATER CONSERVATION DISTRICT

PRELIMINARY PLAT SUBMITTED

45 DAYS MAX.

PUBLIC HEARING HELD

45 DAYS MAX.

PLANNING BOARD ACTION

APPROVAL
WITH MODIFICATION

APPROVAL

DISAPPROVAL

6 MONTHS MAX.

6 MONTHS MAX.

FINAL PLAT SUBMITTED

45 DAYS MAX.

45 DAYS MAX.

SECOND PUBLIC HEARING IF FINAL
PLAT IS NOT IN SUBSTANTIAL
AGREEMENT WITH PRELIMINARY PLAT

45 DAYS MAX.

PLANNING BOARD ACTION

DISAPPROVAL

APPROVAL

CONDITIONAL
APPROVAL

AUTHORIZED
PLANNING BOARD
MEMBER SIGNS

180 DAYS WITH 2
POSSIBLE EXTEN-
SIONS OF 180 DAYS

60 DAYS MAX.

PLAT FILED WITH COUNTY CLERK

CONDITIONS SATISFIED

AUTHORIZED PLANNING
BOARD MEMBER SIGNS

60 DAYS MAX.

APPENDIX 4

SHORT ENVIRONMENTAL ASSESSMENT FORM

Appendix C
 State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
 For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR	2. PROJECT NAME
-----------------------	-----------------

3. PROJECT LOCATION:
 Municipality _____ County _____

4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)

5. IS PROPOSED ACTION:
 New Expansion Modification/alteration

6. DESCRIBE PROJECT BRIEFLY:

7. AMOUNT OF LAND AFFECTED:
 Initially _____ acres Ultimately _____ acres

8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?
 Yes No If No, describe briefly _____

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?
 Describe: Residential Industrial Commercial Agriculture Park/Forest/Open space Other

10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?
 Yes No If yes, list agency(s) and permit/approvals _____

11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?
 Yes No If yes, list agency name and permit/approval _____

12. AS A RESULT OF PROPOSED ACTION, WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?
 Yes No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: _____ Date: _____

Signature: _____

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

B. WILL ACTION RECEIVE COORDINATED REVIEW, AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

- C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)
- C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
 - C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
 - C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
 - C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
 - C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.
 - C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.
 - C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

Date

APPENDIX 5

FULL ENVIRONMENTAL ASSESSMENT FORM

Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1: Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2: Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3: If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE—Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a negative declaration will be prepared.
 - B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED** negative declaration will be prepared.*
 - C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a positive declaration will be prepared.
- * A Conditioned Negative Declaration is only valid for Unlisted Actions

Name of Action

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION			
LOCATION OF ACTION (Include Street Address, Municipality and County)			
NAME OF APPLICANT/SPONSOR			BUSINESS TELEPHONE ()
ADDRESS			
CITY/PO			STATE ZIP CODE
NAME OF OWNER (If different)			BUSINESS TELEPHONE ()
ADDRESS			
CITY/PO			STATE ZIP CODE
DESCRIPTION OF ACTION			

Please Complete Each Question — Indicate N.A. if not applicable

A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: Urban Industrial Commercial Residential (suburban) Rural (non-f)
 Forest Agriculture Other _____

2. Total acreage of project area: _____ acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	_____ acres	_____ acres
Forested	_____ acres	_____ acres
Agricultural (Includes orchards, cropland, pasture, etc.)	_____ acres	_____ acres
Wetland (Freshwater or tidal as per Articles 24, 25 of ECL)	_____ acres	_____ acres
Water Surface Area	_____ acres	_____ acres
Unvegetated (Rock, earth or fill)	_____ acres	_____ acres
Roads, buildings and other paved surfaces	_____ acres	_____ acres
Other (Indicate type) _____	_____ acres	_____ acres

3. What is predominant soil type(s) on project site? _____

- a. Soil drainage: Well drained _____ % of site Moderately well drained _____ % of site
 Poorly drained _____ % of site

b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the Land Classification System? _____ acres. (See 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? Yes No

- a. What is depth to bedrock? _____ (in feet)

6. Is project site currently designated as a National Historic Landmark, or listed on the State or National Registers of Historic Places? Yes No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No
8. What is the depth of the water table? _____ (in feet)
9. Is site located over a primary, principal, or sole source aquifer? Yes No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
 Yes No According to _____
 Identify each species _____
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)
 Yes No Describe _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
 Yes No If yes, explain _____
14. Does the present site include scenic views known to be important to the community?
 Yes No
15. Streams within or contiguous to project area: _____
 a. Name of Stream and name of River to which it is tributary _____
16. Lakes, ponds, wetland areas within or contiguous to project area:
 a. Name _____ b. Size (In acres) _____
17. Is the site served by existing public utilities? Yes No
 a) If Yes, does sufficient capacity exist to allow connection? Yes No
 b) If Yes, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 6 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- Total contiguous acreage owned or controlled by project sponsor _____ acres.
 - Project acreage to be developed: _____ acres initially; _____ acres ultimately.
 - Project acreage to remain undeveloped _____ acres.
 - Length of project, in miles: _____ (If appropriate)
 - If the project is an expansion, indicate percent of expansion proposed _____ %;
 - Number of off-street parking spaces existing _____; proposed _____.
 - Maximum vehicular trips generated per hour _____ (upon completion of project)?
 - If residential: Number and type of housing units:

	One Family	Two Family	Multiple Family	Condominium
Initially	_____	_____	_____	_____
Ultimately	_____	_____	_____	_____
 - Dimensions (in feet) of largest proposed structure _____ height; _____ width; _____ length.
 - Linear feet of frontage along a public thoroughfare project will occupy is? _____ ft.

3. Will disturbed areas be reclaimed? Yes No N/A
- a. If yes, for what intended purpose is the site being reclaimed? _____
- b. Will topsoil be stockpiled for reclamation? Yes No
- c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? _____ acres
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?
 Yes No
6. If single phase project: Anticipated period of construction _____ months, (including demolition).
7. If multi-phased:
- a. Total number of phases anticipated _____ (number).
- b. Anticipated date of commencement phase 1 _____ month _____ year, (including demolition)
- c. Approximate completion date of final phase _____ month _____ year.
- d. Is phase 1 functionally dependent on subsequent phases? Yes No
8. Will blasting occur during construction? Yes No
9. Number of jobs generated: during construction _____; after project is complete _____
10. Number of jobs eliminated by this project _____
11. Will project require relocation of any projects or facilities? Yes No If yes, explain _____
12. Is surface liquid waste disposal involved? Yes No
- a. If yes, indicate type of waste (sewage, industrial, etc.) and amount _____
- b. Name of water body into which effluent will be discharged _____
13. Is subsurface liquid waste disposal involved? Yes No Type _____
14. Will surface area of an existing water body increase or decrease by proposal? Yes No
Explain _____
15. Is project or any portion of project located in a 100 year flood plain? Yes No
16. Will the project generate solid waste? Yes No
- a. If yes, what is the amount per month _____ tons
- b. If yes, will an existing solid waste facility be used? Yes No
- c. If yes, give name _____; location _____
- d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No
- e. If Yes, explain _____
17. Will the project involve the disposal of solid waste? Yes No
- a. If yes, what is the anticipated rate of disposal? _____ tons/month.
- b. If yes, what is the anticipated site life? _____ years.
18. Will project use herbicides or pesticides? Yes No
19. Will project routinely produce odors (more than one hour per day)? Yes No
20. Will project produce operating noise exceeding the local ambient noise levels? Yes No
21. Will project result in an increase in energy use? Yes No
If yes, indicate type(s) _____
22. If water supply is from wells, indicate pumping capacity _____ gallons/minute.
23. Total anticipated water usage per day _____ gallons/day.
24. Does project involve Local, State or Federal funding? Yes No
If Yes, explain _____

- Yes No
- City, Town, Village Planning Board Yes No
- City, Town Zoning Board Yes No
- City, County Health Department Yes No
- Other Local Agencies Yes No
- Other Regional Agencies Yes No
- State Agencies Yes No
- Federal Agencies Yes No

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? Yes No
 If Yes, indicate decision required:
 zoning amendment zoning variance special use permit subdivision site plan
 new/revision of master plan resource management plan other _____
2. What is the zoning classification(s) of the site? _____
3. What is the maximum potential development of the site if developed as permitted by the present zoning? _____
4. What is the proposed zoning of the site? _____
5. What is the maximum potential development of the site if developed as permitted by the proposed zoning? _____
6. Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No
7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action? _____
8. Is the proposed action compatible with adjoining/surrounding land uses within a ¼ mile? Yes No
9. If the proposed action is the subdivision of land, how many lots are proposed?
 a. What is the minimum lot size proposed? _____
10. Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No
11. Will the proposed action create a demand for any community provided services (recreation, education, police fire protection)? Yes No
 a. If yes, is existing capacity sufficient to handle projected demand? Yes No
12. Will the proposed action result in the generation of traffic significantly above present levels? Yes No
 a. If yes, is the existing road network adequate to handle the additional traffic? Yes No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name _____ Title _____ Date _____

Signature _____

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

Part 2—PROJECT IMPACTS AND THEIR MAGNITUDE
Responsibility of Lead Agency

General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations reasonable? The reviewer is not expected to be an expert environmental analyst.
- Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily significant. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 asks that it be looked at further.
- The Examples provided are to assist the reviewer by showing types of impacts and wherever possible the threshold magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- Answer each of the 19 questions in PART 2. Answer Yes if there will be any impact.
- Maybe answers should be considered as Yes answers.
- If answering Yes to a question then check the appropriate box (column 1 or 2) to indicate the potential size of impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the Yes box in column 3. A No response indicates that such a reduction is not possible and must be explained in Part 3.

IMPACT ON LAND

1. Will the proposed action result in a physical change to the project site? NO YES

Examples that would apply to column 2

- Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.
- Construction on land where the depth to the water table is less than 3 feet.
- Construction of paved parking area for 1,000 or more vehicles.
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- Construction that will continue for more than 1 year or involve more than one phase or stage.
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.
- Construction or expansion of a sanitary landfill
- Construction in a designated floodway.
- Other impacts _____

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.) NO YES

• Specific land forms: _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Mitigated Project Cha
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/>

OF COMMUNITY OR NEIGHBORHOOD

18. Will proposed action affect the character of the existing community?
 NO YES

Examples that would apply to column 2

- The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.
- The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project
- Proposed action will conflict with officially adopted plans or goals.
- Proposed action will cause a change in the density of land use.
- Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.
- Development will create a demand for additional community services (e.g. schools, police and fire, etc.)
- Proposed Action will set an important precedent for future projects.
- Proposed Action will create or eliminate employment.
- Other impacts: _____

Column 1 Moderate Impact	Column 2 Potential Large Impact	Can Impact Be Mitigated By Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

19. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts?
 NO YES

If Any Action in Part 2 Is Identified as a Potential Large Impact or
 If You Cannot Determine the Magnitude of Impact, Proceed to Part 3

Part 3—EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s)
3. Based on the information available, decide if it is reasonable to conclude that this impact is important.

To answer the question of importance, consider:

- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact.

(Continue on attachments)

APPENDIX 6

ADMINISTRATIVE CHECKLIST FOR USE IN SUBDIVISION REVIEW

Applicant Name and Address: _____ Application # _____

<u>Preapplication Procedure</u>	<u>Dates</u>
Sketch Plan Conference Held	_____
Plan Classified as Major Subdivision _____	_____
Minor Subdivision _____	_____

Note: Minor subdivision -- proceed to preparation of Final Plat.

=====

Preliminary Plat

Environmental Assessment Form _____

Application for approval of Preliminary Plat received in accordance with subdivision law (See Article 4) _____

Date of official submission to the Planning Board _____

Fee Paid _____ - Amount _____

Public hearing notice given (10 days before hearing) _____

Notice of hearing mailed to adjoining property owners (10 days before hearing) _____

Public hearing held (within 45 days of official submission date) _____

Note: Hearing is also on draft environmental impact (SEQR).
Lead agency is SEQR process completes final EIS. _____

Technical review completed _____

Where needed, consultation with County, State and Federal Agencies

Within forty-five (45) days of the public hearing, the Planning Board shall: (Check One)

approve _____
conditionally approve _____ lapse date _____
or disapprove _____ (6 mths. max.)

The Preliminary Plat. Date of Action _____

Decision on Preliminary Plat noted on 3 copies of Preliminary Plat and one copy returned to subdivider. _____

If modifications are required, date notification of modifications referred to subdivider _____

Final Plat

Application for Final Plat approval received in accordance with subdivision law (See Article 4 & 5). _____

Note: Application must be submitted at least 30 days prior to the meeting at which it is to be considered by the Planning Board and not later than six (6) months after the date of the Preliminary Plat approval. _____

Technical Review Completed _____

If Final Plat is in substantial agreement with the preliminary plat and no hearing is held, the Planning Board shall within forty-five (45) days of the official submission date: (check action taken)

approve _____
conditionally approve _____ lapse date _____
or disapprove _____ (6 mth. max.)

the Final Plat within 45 days of the official submission date. Date of Action: _____

If public hearing is held ten (10) day notice must be given. Date notice given: _____

Notice must also be sent to owners of all adjoining properties. Date notice sent: _____

Public hearing is held within 45 days of the official submission date. Date of hearing: _____

Within forty-five (45) days of the public hearing, the Planning Board shall (check one) _____

approve _____

conditionally approve _____

or disapprove _____

lapse time _____
(6 mths. max.)

the Final Plat. Date of action: _____

If conditional approval was given, date conditions were satisfied and Final Plat approval was granted: _____

Lapse date for filing with County Clerk - 60 days from approval date: _____

Notice received from County Clerk of filing of Plat: _____

APPENDIX 7

TECHNICAL CHECKLIST FOR USE IN SUBDIVISION REVIEW FOR TOWNS

Name and Address of Applicant:

Application No.

Name and Location of Proposed Subdivision:

Name and Address of Owner:

CHECK WHEN EACH ITEM IS SATISFACTORY

PREAPPLICATION MEETINGS

- _____ Location Map
- _____ Sketch Plan on Topographic map
- _____ Conformity with Comprehensive Plan & Official Map & Zoning (if any)
- _____ Discussion of Design Standards
- _____ Discussion of Improvement Conformity Requirements
- _____ Conformity with State/Federal Laws.
- _____ Completed EAF, Short or Long Form.

PRELIMINARY PLAT

- _____ Dimensions and Bearings or Angles of all Property Boundary Lines

- _____ Name, Location, and Width of Adjacent Roads
- _____ Location and Sizes of Existing Utilities & Width of Easements
- _____ If Pertinent, the Location and Size of Rock Outcrops, Streams, Swamps, and Other Features, such as Buildings, Trees, Soils, etc.
- _____ Existing or Proposed Deed Restrictions
- _____ Proposed Road Layout (Conformity with Official Map and Master Plan).
- _____ Right-of-way Width
- _____ Pavement Width
- _____ Road Sections
- _____ Road Profile
- _____ Sidewalks
- _____ Storm Sewers, Catch Basins and Culverts
- _____ Road Trees
- _____ Copy of Tax Map
- _____ Existing Building(s) Location
- _____ Grading and Landscaping Plans

FINAL SUBDIVISION PLAT

- _____ Plat on Suitable Material (2 Copies)
- _____ Title
- _____ Scale
- _____ North Arrow
- _____ Date of Plat
- _____ Name, Address, and Signature of Subdivider

- _____ Evidence of Ownership
- _____ Name, Address, and Signature of Subdivider
- _____ Name, Address, and Signature of Licensed Engineer or Land Surveyor
- _____ Names of Adjoining Property Owners or Subdivisions
- _____ Dimensions and Bearings or Angles of Boundary Lines of Property Being Subdivided
- _____ Location, Names, & Width of Existing and Proposed Roads
- _____ Location and Names of Existing and Proposed Parks, Playgrounds or Open Space
- _____ Location Map
- _____ Any Covenants Governing the Maintenance of Unceded Open Space Approved by the Town Attorney
- _____ Plans and Profiles Showing Location, Size and Invert Elevations of Existing and Proposed Sanitary Sewers and Storm Sewers
- _____ Plan and Profiles Showing Location and Size of All Water Lines, Gas Lines and Other Underground Utilities and Structures
- _____ Fire Hydrants

PRELIMINARY PLAT (2 COPIES) (IF MAJOR SUBDIVISION)

- _____ Location Map
- _____ Subdivision Name
- _____ Date
- _____ Scale
- _____ North Arrow
- _____ Topography Contour Interval 5 Feet
- _____ Designated Other Contour Interval
- _____ Name of Owner

- _____ Evidence of Ownership
- _____ Name of Engineer or Surveyor
- _____ List of Exceptions Desired by Subdivision (if any)
- _____ Name of Adjoining Property Owners or Subdivision(s)
- _____ Total Acreage
- _____ Area of Each Lot
- _____ Location of Wells and Septic Systems of Adjoining
- _____ Owners if Within 300 Feet of Proposed Subdivision

PRELIMINARY PLAT

- _____ Road Lighting Standards
- _____ Road Signs
- _____ Water Lines
- _____ Fire Hydrants
- _____ Sanitary Sewage system or Percolation Tests
- _____ Sketch of Stages (if any)
- _____ Road Access to Adjoining Properties
- _____ Block Length & Width
- _____ Intersections
- _____ Walkway Easements (When Blocks are Excessively Long)
- _____ Dimensions and Area of Lots
- _____ Location and Sizes of Proposed Utilities and Easements
- _____ Any Proposed Restrictive Covenants
- _____ Proposed Parks, Playgrounds or Open Space
- _____ Draft Environmental impact Assessment

FINAL SUBDIVISION PLAT

- _____ Location and Widths of Existing and Proposed Easements
- _____ Lot Lines and Accurate Dimensions & Bearings or Angles
- _____ Curve Data for Roads
- _____ Location, Description, & Size of All Monuments
- _____ Approval or Certification of Health Department
- _____ Restrictive Covenants
- _____ Check for Conformity with Preliminary Plat
- _____ Road Plans and Profiles on Suitable Material
- _____ Final Environmental Impact Statement

CONSTRUCTION PLANS

- _____ Typical Cross Section and Details of Road Pavement, Such as Curbs and Gutters, Sidewalks, Manholes, Catch Basins, Sewers or Septic Systems, Wells or Water Mains
- _____ Road Trees
- _____ Road Lighting Standards
- _____ Road Signs

APPENDIX 8

CORTLAND COUNTY REQUIREMENTS WHEN FILING SUBDIVISION MAPS

COUNTY CLERK'S OFFICE - CORTLAND COUNTY
BOX 5590 COURT HOUSE
CORTLAND, NY 13045-5590

REVISED

September 12, 1990

SUBDIVISION MAPS
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When filing subdivision maps in the County Clerk's Office, the following general information is necessary:

1. Shall be original ink drawn on linen or tracing cloth or copies made by an Ozalid machine on linen, tracing cloth, or mylar. (Dry toner copies will not be accepted for filing).
2. Must be a minimum of 8 1/2" x 11" or a maximum of 34" x 44".
3. Must be drawn by a licensed land surveyor. The original signature and seal must be affixed to the map.
4. Title of map.
5. Name of property owner and tax parcel number.
6. Scale of map.
7. Location of property in Town, City, or Village; street and house number or any other identifying information.
8. Date of survey.
9. A Health Department seal must be affixed to the map. A paper copy of subdivision map is required by this department.
10. A copy is required to be submitted with the original. It will be sent to the Real Property Tax Office. Check with your Town Clerk to see if they also require a paper copy. No additional fee is required for filing additional copies.
11. The filing fee is \$10.00 per map.

12. Every map, whether an original or an alteration to a prior subdivision, must be accompanied by a Tax Search Certificate from the County Treasurer or an abstract and title company and except after June 1st thru December 31st a certificate of a tax collecting officer of any city, town, or village wherein the property is located, showing all taxes have been paid. (Real Property Law, Section 334).
13. If property is located within a Town, contact the Town Planning Board for additional requirements, if applicable.

APPENDIX 9

CERTIFICATE OF STREET AND DRAINAGE CONSTRUCTION

Planning Board of the Town of Cuyler
Cortland County

Name _____ of
Subdivision _____

Owner _____

I hereby certify that all streets, drainage and other construction as required by the Planning Board for the above named subdivision have been constructed and completed in accordance with the specifications of the Town of Cuyler and I recommend that the Town Board accept dedications of the streets and other lands as follows:

List Streets and other Lands if any: _____

Date _____ 19 _____

Superintendent of Highways
Town of Cuyler
Cortland County

(To be submitted by Superintendent of Highway and Submitted to Planning Board by the Subdivider).

APPENDIX 10

CERTIFICATE OF REVIEW OF DEDICATIONS
BY THE TOWN ATTORNEY

Name of Subdivision _____

Other _____

I hereby certify that I have reviewed the Deeds of Dedication of the following lands and find that they are true and legal.

Lands to be Dedicated: _____

Date _____ 19 _____

Attorney, Town of Cuyler

(To be completed by the Town Attorney)

APPENDIX 11

CERTIFICATE OF REVIEW OF PERFORMANCE BOND
BY THE TOWN ATTORNEY

Planning Board of the Town of Cuyler
Cortland County

Name of Subdivision _____

Owner _____

I hereby certify that I have reviewed the performance bond(s) for the construction of the items listed below and that they are true and legal.

ITEM

AMOUNT

Remarks: _____

Date _____ 19 _____

Attorney, Town of ~~_____~~
CUYLER

(To be completed by the Town Attorney)