

## **Chapter 130**

### **SUBDIVISION OF LAND**

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**[HISTORY: Adopted by the Board of Trustees of the Village of Camden 2-7-1977 as Ch. 31 of the 1977 Code. Amendments noted where applicable.]**

## GENERAL REFERENCES

Mobile home parks — See Ch. 94.  
Sewers — See Ch. 120.

Zoning — See Ch. 150.

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ARTICLE I  
General Provisions

**§ 130-1. Title.**

This chapter shall be known and may be cited as the “Subdivision Regulations of the Village of Camden, New York.”

**§ 130-2. Authority for plat approval.**

By authority of a resolution duly adopted by the Board of Trustees pursuant to the provisions of former Village Law § 179-k, now § 7-728 of the new Village Law, the Board of Trustees authorized and empowered the Planning Board of the Village of Camden to approve or disapprove:

- A. Changes in the lines of existing streets, highways or public areas shown on subdivision plats or maps filed in the County Clerk’s office.
- B. The laying out of, closing of, or abandonment of such streets, highways or public areas under and subject to the provisions of the Village and Highway Laws.
- C. All plats showing lots, blocks or sites with or without streets or highways; and to pass and approve the development of plats already filed in the County Clerk’s office if such plats are entirely or partially undeveloped; and to control subdivisions.

**§ 130-3. Purpose.**

These regulations are enacted for the following purposes and for such other or further purposes as may be authorized by law:

- A. To provide for the future growth and development of the Village of Camden.
- B. To afford adequate facilities for the housing, transportation, distribution, comfort, convenience, safety, health and welfare.
- C. To show in proper cases a park or parks suitably located for playground or other recreational purposes.
- D. To require that the streets and highways shall be of sufficient width and suitable grade and shall be suitably located to accommodate the prospective traffic, to afford adequate light and air, to facilitate fire protection, and to provide access of fire-fighting equipment to buildings.
- E. To assure that the subdivision streets and highways shall be coordinated so as to compose a convenient system conforming to the Official Map and properly related to the Comprehensive Plan and Chapter 150, Zoning.

- F. To find that the land shown on such plats shall be of such character that it can be used safely for building purposes without danger to health or peril from flood, fire or other menace.

**§ 130-4. Definitions.**

- A. As used in this chapter, unless the context or subject matter otherwise requires, the following terms shall have the meanings indicated:

**COMPREHENSIVE PLAN** — A Comprehensive Plan prepared and adopted pursuant to Village Law § 7-722.

**OFFICIAL MAP** — The map established by the Village of Camden pursuant to § 7-724 of the Village Law showing the streets, highways and parks theretofore laid out, adopted and established by law, and any amendment thereto adopted by the Village of Camden or addition thereto resulting from the approval of subdivision plats by the Planning Board and the subsequent filing of such approved plats. Streets not accepted by the Village of Camden as public streets may be shown thereon but shall be marked as private streets.

**PLANNING BOARD** — The duly appointed Planning Board of the Village of Camden.

**PLAT or FINAL PLAT** — A drawing in final form showing a proposed subdivision containing all information or detail required by this chapter, Article 7 of the Village Law or any other applicable state law or local law, ordinance, rule, regulation or resolution and, if modified as a conditionally approved preliminary plat, such modification.

**PRELIMINARY PLAT** — A drawing showing the salient features of a proposed subdivision submitted to the Planning Board for purposes of consideration prior to submission of the plat in final form.

**RESUBDIVISION** — The further division of lots, plots, sites or other division of land or the relocation of lot lines of any lot within a subdivision previously made and approved or recorded according to law; or changes in the lines of existing streets, highways or public areas within any such subdivision; or the laying out of, closing of or abandonment of such streets, highways or public areas; but not including conveyances made so as to combine existing lots by deed or other instrument. [Added 11-20-1989 by L.L. 4-1989]

**STREET** — A public or private way for vehicular traffic.

- (1) Arterial streets and highways are those which are used primarily for traffic with limited access.
- (2) Major streets are those which carry traffic from minor streets to the business and industrial districts.
- (3) Minor streets are those which are used primarily for access to abutting residential properties. A "cul-de-sac" is a minor street with only one outlet and having a turning loop or wye at the closed end.
- (4) Frontage roads are generally parallel with and adjacent to arterial streets and highways, and provide access to abutting properties and protection from through traffic.

- (5) Alleys are minor ways which are used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.

**SUBDIVISION** — The division of any parcel of land into two or more lots, plots, sites or other division of land for the purpose, whether immediate or future, of transfer of ownership or building development, and shall include resubdivision in whole or in part of any plat, filed or unfiled, which is entirely or partially undeveloped. [Amended 11-20-1989 by L.L. 4-1989]

**SUBDIVISION, MAJOR** — A subdivision resulting in the creation of six or more lots, plots, sites or other division of land within a three-year period; or a subdivision including the laying out of a new street of 500 feet or more in length. [Added 11-20-1989 by L.L. 4-1989]

**SUBDIVISION, MINOR** — A subdivision resulting in the creation of two lots, plots, sites or other division of land and including the laying out of a new street of less than 500 feet in length or including the extension of any municipal water or sewerage facilities; or a subdivision resulting in the creation of three, four or five lots, plots, sites or other division of land within a three-year period and not including the laying out of a new street of 500 feet or more in length. [Added 11-20-1989 by L.L. 4-1989]

- B. All other terms and phrases not specifically defined herein shall have the same meaning ascribed to them in the Village Law and in particular § 7-728 of the Village Law.

## ARTICLE II Procedure for Subdivision Approval

### § 130-5. Application for subdivision approval. [Amended 11-20-1989 by L.L. No. 4-1989]

- A. Whenever any minor or major subdivision of land is proposed to be made, the subdivider thereof, or his agent, shall apply, in writing, to the Planning Board for approval of such subdivision. In the case of a minor subdivision, there shall be filed with the Planning Board a final plat of the entire property, as hereinafter specified. In the case of a major subdivision, there shall first be filed with the Planning Board a preliminary plat of the entire property for conditional approval and subsequently thereto a final plat, as hereinafter specified.
- B. Whenever any street is proposed to be laid out, or lines of an existing street changed, the developer thereof or his agent shall apply, in writing, to the Planning Board for approval of such street. In the case of a street of less than 500 feet in length, there shall be filed with the Planning Board a final plat of the entire street, and such street shall be considered as a minor subdivision for the purposes of this chapter. In the case of a street of 500 feet or more in length, there shall first be filed with the Planning Board a preliminary plat of the entire street for conditional approval and subsequently thereto a final plat, as hereinafter specified, and such street shall be considered as a major subdivision for the purposes of this chapter.

**§ 130-6. Preapplication procedure.**

Prior to the filing of an application for conditional approval of a preliminary plat, the subdivider, his agent or engineer may appear and submit general site information and data regarding existing conditions, a location map and a sketch plan with a request for informal consideration by the Planning Board and for an expression of its views. No formal application is thereby required. The purpose of such appearance and submission of information and data is primarily to afford the subdivider an opportunity to consult informally and at an early stage with the Planning Board with the view toward conserving the time and expense of the subdivider and creating mutual opportunities of the parties for the achievement of a desirable subdivision in the public interest.

**§ 130-7. Conditional approval of preliminary plat.**

- A. Preliminary plat; required information. On reaching conclusions regarding the general program and objective following the preapplication appearances, if any, the subdivider shall cause to be prepared a preliminary plat, together with the following supplementary or supporting material:
- (1) Topographic data on the tract and existing drainageways.
  - (2) Tract boundary lines, tract area and street layout.
  - (3) Name and right-of-way width of each street or other right-of-way.
  - (4) Utilities on and adjacent to the tract.
  - (5) Location, dimensions and purposes of any easements.
  - (6) Number to identify each lot and letter to identify each block.
  - (7) Purpose for which sites, other than residential lots, are dedicated or reserved.
  - (8) Minimum setback line on all lots and other sites.
  - (9) Names of owners of record of adjoining unplatted land.
  - (10) Site data, including number of residential lots, typical lot size, lineal feet of streets, acres in parks, etc.
  - (11) Title, scale, North arrow and date.
- B. Required copies; filing. Four copies of the preliminary plat and supplementary material so required shall be submitted to the Planning Board with written application for conditional approval not less than seven days prior to a regularly scheduled meeting.
- C. Action by Planning Board. The Planning Board shall review and act upon all preliminary plats in accordance with the procedures specified in § 7-728 of the Village Law.<sup>1</sup>

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<sup>1</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

**§ 130-8. Procedure for approval of final plat.**

- A. Major subdivision conformance with preliminary plat. In the case of a major subdivision, the final plat shall conform substantially to the preliminary plat as conditionally approved. If desired by the subdivider, the final plat may constitute only that portion of the approved preliminary plat which he proposes to record and develop at the time; provided, however, that such portion conforms to all requirements of these regulations. [Amended 11-20-1989 by L.L. No. 4-1989]
- B. Filing. Application for approval of the final plat and other material required for approval shall be submitted to the Planning Board by filing the plat and such other material with the Secretary of the Planning Board at least 10 days prior to the regular monthly meeting, at which time it is to be considered.
- C. Copies; time limitations. Four copies of the final plat and other material required for approval shall be submitted to the Planning Board within six months after conditional approval of the preliminary layout; otherwise such conditional approval shall become null and void unless an extension of time is applied for and granted by the Planning Board.
- D. Public hearing; action by Planning Board.<sup>2</sup>
  - (1) The Planning Board shall review and act upon all final plats in accordance with the procedures specified in § 7-728 of the Village Law. Approval, however, shall not be deemed final until the subdivider shall have met all of the conditions imposed by the Planning Board as to parks and required improvements or alternatively that a performance bond sufficient to cover the full cost of the same as estimated by the Planning Board or other appropriate village departments designated by the Planning Board shall be furnished to the village by the subdivider as provided and subject to all the requirements contained in Village Law § 7-730.
  - (2) The approval shall expire 180 days from the date of approval or as specified in Village Law § 7-728, Subdivision 7, unless such final plat shall have been duly filed or recorded by the subdivider in the office of the County Clerk and the improvements completed or the bond posted as hereinabove provided unless extended by the Planning Board pursuant to Village Law § 7-728, Subdivision 7.
- E. Offers of cession. The subdivider shall be required to tender offers of cession in form approved as satisfactory by the Village Attorney of all sewers, drains, surface drains, water lines and all land included in streets, parks or other public areas, not specifically reserved as shown on the final plat, but approval of the final plat shall not constitute acceptance by the village of the dedication of such facilities without formal acceptance by the Board of Trustees. This subsection shall not apply to corporations operating under the Transportation Law.

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<sup>2</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

**ARTICLE III**  
**Minimum Design Standards**

**§ 130-9. Streets.**

- A. Conformance with Comprehensive Plan and Official Map. The arrangement, character, extent, width, grade and location of all streets shall conform to the Comprehensive Plan and to the Official Map, if any, and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety and to the proposed uses of the land to be served by such streets.
- B. Arrangement. The arrangement of streets in a subdivision shall either:
  - (1) Provide for the continuation, if appropriate, of major streets in the surrounding area; or
  - (2) Conform to a plan for the neighborhood approved by the Planning Board to meet a particular situation where topographic or other conditions make continuance or conformance to existing streets impracticable.
- C. Minor streets. Minor streets shall be so laid out that their use by through traffic will be discouraged.
- D. Abutting arterial street or railroad. Where a subdivision abuts or contains an existing or proposed arterial street or railroad, the Planning Board may require a frontage street, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots with rear service alleys or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
- E. Reserve strips. Reserve strips controlling access to streets, water mains, sewage mains, lines or treatment plants or other land dedicated or to be dedicated to public use shall be prohibited unless control thereof is expressly placed in the village under conditions approved by the Board of Trustees.
- F. Street jogs. Street jogs with center line offsets of less than 150 feet shall be avoided.
- G. Reverse curves. A tangent between reverse curves on arterial and major streets shall be 100 feet minimum; on minor streets, 50 feet minimum in length.
- H. Intersections. Streets shall be laid out so as to intersect as nearly as possible at right angles, and no street shall intersect any other street at less than 75°.
- I. Widths. Street right-of-way widths shall not be less than 60 feet, except that a minor residential street right-of-way width may be not less than 50 feet.
- J. Culs-de-sac. Cul-de-sac streets shall not be longer than 500 feet and shall be provided at the closed end with a turnaround having an outside roadway diameter of at least 80 feet and a street property line diameter of at least 150 feet. A wye may be used, provided that a turning area 60 feet wide and 60 feet deep shall be provided. Dead-end streets shall not be permitted except as provided herein.

- K. Names. No street or highway names shall be used which will duplicate or be confused with the names of existing streets or highways in the village or town. Street names shall be subject to the approval of the Planning Board.
- L. Grades. Street grades shall be not less than  $\frac{1}{2}$  of 1% nor more than 10% and subject to approval of the Superintendent of Public Works.
- M. Alleys. The minimum width of an alley shall be 20 feet, if provided.

#### **§ 130-10. Easements.**

- A. Utilities. Adequate easements centered on rear or side lot lines shall be provided for utilities where necessary. An easement width of 20 feet is required.
- B. Drainage. Where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse, and such further width or construction, or both, as will be adequate for the purpose and as determined by the Board of Trustees.

#### **§ 130-11. Blocks.**

- A. Considerations. The lengths, widths and shapes of blocks shall be determined with due regard to:
  - (1) The type of development proposed.
  - (2) Zoning requirements as to lot sizes and dimensions.
  - (3) Need for convenient access, circulation, control and safety of street traffic, with particular attention to limitation of the number and location of points of ingress or egress.
  - (4) Limitations and opportunities of topography.
- B. Length. Block lengths shall not exceed 1,200 feet nor be less than 600 feet.
- C. Pedestrian right-of-way. A pedestrian right-of-way, not less than 12 feet wide, in addition to any street, shall be provided where deemed essential by the Planning Board to provide safe circulation or access to schools, playgrounds, parks, shopping centers, transportation and other community facilities.

#### **§ 130-12. Lots.**

Lots shall conform to the following requirements:

- A. The lot size, width, depth, shape and orientation and the building setback lines shall be appropriate for the location of the subdivision, topographical conditions and for the type of development and use contemplated.



- B. All lots shall have area and width equal to minimum requirements of the zoning regulations applying to the district in which they are located.
- C. Corner lots for residential use shall have extra width to permit appropriate building setback from and orientation to both streets.
- D. The subdividing of land shall be such as to provide each lot with frontage on an improved street, with satisfactory access to an existing public street.
- E. Every street shown on the plat that is hereafter filed or recorded in the office of the County Clerk shall be deemed to be a private street until such time as it has been formally offered for cession to the public and formally accepted as a public street by resolution of the Board of Trustees or alternatively until it has been condemned by the village for use as a public street.
- F. Double-frontage lots should be avoided.
- G. Side lot lines shall be substantially at right angle or radial to street lines.
- H. Off-street parking space shall be provided as required by zoning regulations.

**§ 130-13. Grading and drainage.**

- A. Street layout and grading. Street layout, block grading and lot grading data shall be shown. The objective is to establish the street grades, floor elevations and lot grades in proper relation to each other and to existing topography, considering property protection, appeal, use and drainage. The developer shall allow no holes, depressions or other undrained areas to remain.
- B. Drainage. Stormwater and surface water drainage shall be designed for the tract in relation to drainage area above the tract and drainage outlets into adjacent tracts. Drainage structures and facilities shall be installed as necessary to assure adequate drainage for the tract, and drainage easements shall be provided where necessary.

**§ 130-14. Public sites and open spaces.**

Where a proposed park, playground, school or other public use shown in the Comprehensive Plan, or not anticipated in such Comprehensive Plan, is located in whole or in part in a subdivision, such area shall either be dedicated to the proper public agency, or it shall be reserved for acquisition by such agency within a specified period by purchase or other means, and an agreement shall be entered into between the subdivider and the public agency regarding the time and method of acquisition and the cost thereof. If the Planning Board determines that a suitable park or parks of adequate size cannot be located in any such plat or is otherwise not practical, the Planning Board may require as a condition to approval of any such plat such other or further conditions as may be authorized by law.

ARTICLE IV  
Minimum Required Improvements

**§ 130-15. Compliance with appropriate local or state specifications.**

All of the required improvements shall be made in full compliance with the specifications for each of the various units of work, as required by the village or the appropriate state and county authorities, according to the nature of the improvements.

**§ 130-16. Monuments.**

The tract boundary lines and the lines of all streets or roads shall be monumented with concrete, stone or iron monuments with monument caps. Individual properties shall be monumented with iron pins or pipe.

**§ 130-17. Street improvements. [Amended 11-20-1989 by L.L. No. 4-1989]**

- A. Superintendent of Public Works to set grades, etc. The grades for each street shall be specified by the Superintendent of Public Works and the location and depth of water lines and sewer lines shall be in accordance with such Superintendent's specifications, together with necessary gutters and/or storm or sanitary sewer lines.
- B. Subgrade. The subgrade of all streets shall be graded as follows: The center portion, 18 feet on each side of the center line, shall be 12 inches below the finished grade, as shown on the street profile. After it has been properly shaped, it shall be thoroughly rolled and compacted. Drainage ditches shall be provided on each side of the street, the center line of which shall be 21 feet from the center of the street. Ditches shall be at least 18 inches deep, one foot wide at the base, with slopes one foot vertical to 1.5 feet horizontal. The grade of the outside area or sidewalk and planting strip section shall in no case be lower than the crown of the pavement nor more than eight inches above the crown. No gravel or stone is to be placed on the subgrade until the subgrade is approved by the Superintendent of Public Works.
- C. Base course. Base course materials shall comply with the current construction and material specifications of the New York State Department of Transportation Item 4, or other material approved by the Superintendent of Public Works.
- D. Surface course. Surface course materials shall consist of oil and stone, minimum.
- E. Curbs and gutters.
  - (1) Where curbs exist on streets abutting the proposed subdivision, the Planning Board may require that curbs be extended throughout the proposed subdivision.
  - (2) Where curbs are not required, adequate gutters shall be provided and shall be graded and protected by seeding or other appropriate surfacing.
- F. Sidewalks. The Board of Trustees may require such sidewalks as it deems necessary to provide for the safety of pedestrians. Concrete sidewalks at least four feet wide and six

inches thick shall comply with the current construction and material specifications of the New York State Department of Transportation, Item 105.

**G. Drainage.**

- (1) Driveway culvert specifications shall be approved by the Superintendent of Public Works.
- (2) Storm sewers shall be provided where a subdivision may reasonably be served by the extension of existing municipal storm sewers, as determined by the Planning Board.
- (3) Stormwater may be diverted to a natural outlet, where considered appropriate by the Planning Board.
- (4) Where there is no natural stream or watercourse for the drainage of surface water from a proposed street, a drainage easement from the street to a natural waterway, or to other such location as directed by the Superintendent of Public Works, shall be secured.

**§ 130-18. Water supply.<sup>3</sup> [Amended 11-20-1989 by L.L. No. 4-1989]**

Municipal water lines shall be provided where a subdivision may reasonably be served by the extension of existing municipal water lines, as determined by the Planning Board. Service connections shall be provided for each lot.

**§ 130-19. Sewage disposal systems.<sup>4</sup> [Amended 11-20-1989 by L.L. No. 4-1989]**

- A. Municipal sanitary sewerage shall be provided where a subdivision may reasonably be served by the extension of existing municipal sanitary sewers, as determined by the Planning Board. Service connections shall be provided for each lot.
- B. Where the extension of municipal sanitary sewers is not feasible, other alternate sewage disposal systems may be provided upon approval of the Village Board of Trustees and in accordance with all state, county and local requirements.<sup>5</sup>

**§ 130-20. Street trees, planting strips and signs. [Amended 11-20-1989 by L.L. No. 4-1989]**

- A. Street trees. Street trees shall be provided of species and sizes and in such locations as approved by the Planning Board.
- B. Planting strips. The area between the gutters and property lines shall be seeded. Such area shall be maintained by the abutting lot owner.
- C. Street name signs. Street name signs shall be provided by the village.

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<sup>3</sup> Editor's Note: See also Ch. 145, Water, Art. I, Water Supply.

<sup>4</sup> Editor's Note: See also Ch. 120, Sewers.

<sup>5</sup> Editor's Note: Former § 31.46, Utilities, was repealed 11-20-1989 by L.L. No. 4-1989.

- D. Planting screens. When so required by the Planning Board, a planting screen easement not less than 10 feet wide, across which there shall be no right of access, may be required along the line of lots between the subdivision and industrial, commercial, major street, railroad and other similar uses.

**§ 130-21. Authority of Planning Board to require additional improvements.**

The Planning Board may require such other and additional improvements, such as but not limited to sidewalks, curbing and open space, as it determines appropriate or necessary to conform with the Comprehensive Plan and the Official Map, if any, and the purposes of these regulations.

**§ 130-22. Construction of public improvements. [Added 11-20-1989 by L.L. No. 4-1989]**

- A. In the case of a minor subdivision, the subdivider shall bear the costs of the construction of public improvements as follows:
- (1) Public improvements which are not offered for dedication to the public shall be constructed by the subdivider, who shall bear the full costs of such improvements.
  - (2) Where public improvements are offered for dedication to the public, and the Village Board of Trustees has agreed to accept such offer, responsibilities for the construction of such facilities shall be as follows:
    - (a) In the case of the extension of municipal water lines, sanitary sewerage and storm sewerage, the subdivider shall bear the full costs of all materials. The village shall be responsible for and bear the full costs of construction.
    - (b) In the case of newly laid out streets, the subdivider shall be responsible for and bear the full costs of all roadway and drainage excavation, constructing drainage facilities below base course other than municipal storm sewerage, stabilizing all slopes and developing streets to fully compacted base course. The village shall be responsible for and bear the full costs of all street construction above base course.
    - (c) The subdivider shall be responsible for the construction of and bear the full costs of all other public improvements, including electrical utility improvements, streetlighting, sidewalks and bridges.
- B. In the case of a major subdivision, the subdivider shall construct all public improvements and shall bear the full costs of such improvements.

**ARTICLE V  
Plat Data**

**§ 130-23. Final plat data.**

The final plat shall be drawn at a scale of 100 feet to one inch or larger (preferred scale of 40 feet to one inch). The final plat shall show the following:

- A. Topographic data on the tract, related to bench mark approved by the Engineer or Highway Superintendent.
- B. Tract boundary lines with bearings and distances, tract area, right-of-way lines of streets, easements and other rights-of-way and property lines of residential lots and other sites with accurate dimensions, bearings or deflection angles, radii and central angles of all curves.
- C. Name and right-of-way width of each street or other right-of-way.
- D. Utilities on and adjacent to the tract; location, size and invert elevation of sanitary and storm sewers; location and size of water mains; location of gas lines, fire hydrants and electric and telephone poles.
- E. Location, dimensions and purpose of any easements.
- F. Number to identify each lot and letter to identify each block.
- G. Purpose for which sites, other than residential lots, are dedicated or reserved.
- H. Minimum setback line on all lots and other sites.
- I. Location and description of monuments.
- J. Names of owners of record of adjoining unplatted land.
- K. Reference to recorded subdivision plats of adjoining platted land by record name, date and number.
- L. Certification by surveyor or engineer as to accuracy of survey and plat.
- M. Certification of title showing that applicant is the land owner.
- N. Statement by owner as to dedicating streets, rights-of-way and any sites for public uses.
- O. Site data, including number of residential lots, typical lot size, linear feet of streets, acres in parks, etc.
- P. Title, scale, North arrow and date.
- Q. Cross sections and profiles of streets showing approved grades shall be provided and grade elevations shall be indicated on the final plat. [Amended 11-20-1989 by L.L. No. 4-1989]

**§ 130-24. Additional material or data.**

The following shall also be submitted to the Planning Board:

- A. Offers of cession. Offers of cession for dedicating streets, easements, rights-of-way and any sites for public uses; agreements covering the improvements and maintenance of uncaded public open spaces and the conditions and limitations, if any, which offers and agreements, if any, shall be subject to the prior approval of the Village Attorney.
- B. Covenants. Protective covenants in form for recording.
- C. Statement by Village Attorney.

- (1) Written statement by the Village Attorney certifying that the required improvements have been completed or a bond satisfactory in form and sufficiency to the village has been posted in lieu thereof in accordance with the provisions of § 7-730 of the Village Law, and that the applicant or subdivider is the landowner.
  - (2) Written statement by the Village Attorney approving as to legal sufficiency all offers of cession, agreements regarding improvements and maintenance of public open spaces, if any.
- D. Other data. Such other certificates, affidavits or other agreements as may be required by the Planning Board in the enforcement of these regulations.
- E. Engineering materials. All engineering drawings and specification of water supply, sanitary sewerage and storm sewerage facilities shall be provided to the Planning Board and to the Superintendent of Public Works. Engineering drawings and specifications will be in sufficient detail to obtain necessary DEC and Health Department approval. [Added 11-20-1989 by L.L. No. 4-1989]

#### ARTICLE VI Variances and Modifications of Regulations

##### § 130-25. Variances.

Where the Planning Board finds that practical difficulty or unnecessary hardship, because of exceptional narrowness, shallowness or shape of the specific parcel or because of unusual topographic conditions or other unusual physical conditions of the specific parcel, may result from strict compliance with these regulations, it may grant a variance from these regulations in the specific case, so that substantial justice may be done and the public interest is secured; provided that such variation will not have the effect of nullifying the intent and purpose of the Comprehensive Plan or these regulations. In granting a variance, the Planning Board may require such conditions as will, in its judgment, secure substantially the objectives of these regulations.

##### § 130-26. Large scale development.

The standards and requirements of these regulations may be modified by the Planning Board in the case of a plan and program for a complete new community, planned neighborhood or cluster development, which in the judgment of the Planning Board provides adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and populated, and which also provides such covenants or other legal provisions as will assure conformity to and achievement of the plan.

ARTICLE VII  
Penalties

**§ 130-27. Penalties for offenses.<sup>6</sup>**

A violation of any provision of this chapter shall be punishable as provided in Chapter 1, General Provisions, Article II, General Penalty.

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<sup>6</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).