

ARTICLE 4: SUBDIVISION REGULATIONS

**ARTICLE 4: SUBDIVISION REGULATIONS** ..... 1

Section 401. **Declaration of Policy**..... 2

Section 402. **Applicability and Legal Effect**..... 2

Section 403. **Types of Subdivisions and Procedures**,..... 3

Section 404. **Coordination with County Health Department**..... 3

Section 405. **Planning Board Use of Consultants and Services of County and Regional Planning Staff**..... 3

Section 410. **Initiation of Subdivision Review: Submission of a Sketch Plat**..... 5

Section 411. **Sketch Plat: Information to be Included**..... 5

Section 412. **Classification as to Type of Subdivision Review Procedure**..... 5

Section 413. **Planning Board Review**..... 6

Section 420. **Minor Subdivision Review Procedure**..... 7

Section 421. **Minor Subdivision: Application and Fee**..... 7

Section 422. **Application Requirements for Minor Subdivision Plat Review**..... 7

Section 423. **Subdivider to Attend Planning Board Meeting, Minor**..... 7

Section 424. **Planning Board Study**..... 7

Section 425. **Public Hearing on Subdivision Plat, Minor**..... 8

Section 426. **Action on Subdivision Plat, Minor**..... 8

Section 430. **Major Subdivision Review Procedure**..... 9

Section 431. **Major Subdivision Preliminary Plat: Application and Fee**..... 9

Section 432. **Major Subdivision Preliminary Plat and Accompanying Data**..... 9

Section 433. **Subdivider to Attend Planning Board Meeting, Major**..... 10

Section 434. **Study of Preliminary Plat**..... 10

Section 435. **Public Hearing and Review of the Preliminary Plat**..... 10

Section 436. **Planning Board Approval of Preliminary Plat**..... 11

Section 440. **Major Subdivision Final Plat Application**..... 11

Section 441. **Major Subdivision Final Plat and Accompanying Data**..... 11

Section 442. **Public Hearing and Review of the Final Plat**..... 12

Section 443. **Planning Board Action on Proposed Final Subdivision Plat**..... 13

Section 444. **Required Improvements**..... 13

Section 445. **Waivers: Certain Required Improvements**..... 14

Section 446. **Modification of Design of Improvements**..... 14

Section 447. **Inspection of Improvements**..... 14

Section 448. **Proper Installation of Improvements**..... 14

Section 449. **Final Approval of Subdivision Plat**..... 15

Section 450. **"As Built" Plans**..... 15

Section 451. **Public Streets and Recreation Areas**..... 16

Section 460. **Cluster Subdivisions**..... 18

Section 470. **General Requirements and Design Standards**..... 19

Section 471. **General Considerations**..... 19

Section 472. **Street Layout**..... 19

Section 473. **Street Design**..... 20

Section 474. **Street Names**..... 21

Section 475. **Lots**..... 21

Section 476. **Drainage Improvements**..... 21

Section 477. **Parks, Open Spaces, and Natural Features**..... 22

Section 478. **Additional Improvements** .....23  
 Section 479. **Waivers and Modifications of Subdivision Improvements** .....23  
 Section 490. **Additional Design and Construction Requirements**.....25

Section 401. **Declaration of Policy.**

Pursuant to Article 7, Section 7-728, of the Village Law of the State of New York, the Planning Board of the Village of Trumansburg is hereby authorized and empowered:

- (a) To approve plats showing lots, blocks, or sites, with or without streets or highways;
- (b) to approve the development of entirely or partially undeveloped plats already filed in the office of the clerk of the county; and
- (c) to conditionally approve preliminary plats, within the Village of Trumansburg.

It is declared to be the policy of the Planning Board to consider Subdivision Plats as part of a plan for the orderly, efficient, and economical development of the Village. This means, among other things, that land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health, or peril from fire, flood, or other menace; that proper provision shall be made for drainage, water supply, sewerage, and other needed improvements; that all proposed lots shall be so laid out and of such size as to be in harmony with the development pattern of the neighboring properties; that the proposed streets shall compose a convenient system conforming to the Official Map, and shall be properly related to the proposals shown on the Comprehensive Plan, and shall be of such width, grade, and location as to accommodate the prospective traffic, to facilitate fire protection, and to provide access of fire-fighting equipment to buildings; and that proper provision shall be made for open spaces for parks and playgrounds.

In order that land subdivisions may be made in accordance with this policy, these regulations, which shall be known as, and which may be

cited as

**The Village of Trumansburg  
Subdivision Regulations**

have been approved by the Planning Board and adopted by the Village Board of Trustees.

The Planning Board may recommend that the rules and regulations as set forth herein be revised and amended. Such proposed amendments shall be subject to a public hearing by the Planning Board and adoption by the Village Board.

Section 402. **Applicability and Legal Effect.**

402.1 **Applicability.** These regulations apply to:

- (a) all division of land into two (one new lot plus the remainder of the original lot) or more lots, whether new streets, public facilities, or utility extensions are involved or not;
- (b) any transfer of land from lot to lot by relocating lot boundary lines; and
- (c) any other land transaction which requires filing of a plat with the County Clerk.

402.2 **Legal Effect: Land Use Regulations.**

Whenever any subdivision of land is proposed to be made, and:

- (d) before any site modifications are made and
  - (e) before any permit for the erection of a structure in such proposed subdivision is granted,
- the subdivider or a duly authorized agent must apply for in writing and receive approval of the proposed subdivision in accordance with these regulations.

402.3 **Legal Effect: Filing of Plats with County Clerk.**

Before any plat of land in the

## ARTICLE 4

Village of Trumansburg is filed with the County Clerk the plat must be approved by the Village Planning Board in accordance with the procedures of this Article. This is a requirement of New York Village Law, Section 7-732.

### **402.4 Plat Void if Revised After Approval.**

No changes, erasures, modifications, or revisions shall be made in any Subdivision Plat after approval has been given by the Planning Board and endorsed in writing on the Plat, unless the Plat is first resubmitted to the Planning Board and the Board approves any modifications. In the event that any such Subdivision Plat is recorded without complying with this requirement, it shall be considered null and void, and the Board shall institute proceedings to have the Plat stricken from the records of the County Clerk.

**402.5 Penalty for Violation.** The Village Board hereby provides that a violation of these rules and regulations is declared to be an offense, punishable by a fine not exceeding two-hundred and fifty dollars (\$250.00) or imprisonment for a period not to exceed fifteen day (15) days, or both. However, for the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of these rules and regulations shall be deemed offenses and, for such purpose only, all provisions of law relating to offenses shall apply to such violations.

Each day's continued violation constitutes a separate offense and penalties shall be aggregated accordingly.

**402.6 Separability.** Should any section or provision of the regulations contained herein or as amended hereafter be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the regulations as a whole or any part thereof other than the part so declared to be invalid.

## SUBDIVISION REGULATIONS

### **Section 403. Types of Subdivisions and Procedures,**

These regulations recognize three types of subdivision which are subject to different review and approval procedures by the Planning Board at public meetings.

**403.1 Major Subdivision:** As defined in Article 1, Section 111.3.

**403.2 Minor Subdivision:** As defined in Article 1, Section 111.2

**403.3 Cluster Subdivision.** Refer to Section 460 below.

### **Section 404. Coordination with County Health Department.**

All subdivisions of five or more lots, as well as those that come under the requirements of Section 115 of the New York Public Health Law, as amended, must be approved by the Tompkins County Health Department before Final Plat approval is given by the Planning Board.

### **Section 405. Planning Board Use of Consultants and Services of County and Regional Planning Staff.**

The Planning Board may choose at any point in the subdivision review process to retain private consultants or refer to the county or regional planning staffs for review, comment, and advice on any aspect of the approval process, subdivision design, engineering specifications, or other pertinent matters at the expense of the applicant, and be deposited with the Village Clerk's office in advance of the expense being incurred.

### **Section 406. Plat Review of Undeveloped Subdivisions.**

The Planning Board may, on direction of the

## **ARTICLE 4**

## **SUBDIVISION REGULATIONS**

Village Board, review, for purposes of revision, those plats already on file with the County Clerk if 20 percent or more of the plat is undeveloped for reasons other than terrain, drainage, soil conditions, or the like, or if there has been a material change in circumstances since the initial plat approval, or if new evidence is presented. Legislative authority for such review is found in New York Village Law, Section 7-728.

Section 407-409: reserved.

## INITIATION OF SUBDIVISION REVIEW

**Section 410. Initiation of Subdivision Review: Submission of a Sketch Plat.**

**410.1 Material Submitted to Planning Board.** To initiate review and approval of any subdivision or resubdivision an owner/subdivider of land must submit to the Planning Board at least ten days prior to the regular meeting of the Board:

- (a) a written request to approve the proposed subdivision, including any information the owner considers pertinent, and
- (b) two copies of a sketch plat of the proposed subdivision (a sketch plat must comply with the requirements of Section 411),
- (c) Short Form Environmental Assessment (see Article 5),

for the purposes of preliminary discussion and classification as to type of subdivision review procedure to be followed.

**410.2 Attendance at Planning Board Meeting.** The owner/subdivider, or an authorized representative, must attend the meeting of the Planning Board at which the sketch plat is presented to discuss the requirements of these regulations for street improvements, drainage, sewerage, water supply, fire protection, and similar aspects, as well as the availability of existing services and other pertinent information.

**410.3 Acceptance of Application.** The Planning Board shall determine whether the sketch plat meets the requirements of Section 411 and may, if the sketch plat is not complete, reject the application with reasons given in writing. It may also make specific recommendations in writing to be incorporated by the applicant in any subsequent submission to the Planning Board.

**Section 411. Sketch Plat: Information to be Included.**

The sketch plat initially submitted to the Planning Board shall be based on then current tax map information or some other similarly accurate base map at a scale (preferably not less than 1:2400) to enable the entire tract to be shown on one sheet. The Sketch Plat shall be submitted, showing the following information:

- (a) The location of that portion which is to be subdivided in relation to the entire tract, and the distance to the nearest existing street intersection.
- (b) All existing structures, wooded areas, streams, wetlands, flood hazard areas, and other significant physical features, within the portion to be subdivided and within 200 feet thereof. If topographic conditions are significant, contours shall also be indicated at intervals of not more than 10 feet.
- (c) The name of the owner and of all adjoining property owners as disclosed by the current tax roll.
- (d) The tax map, block, and lot numbers of all lots shown on the plat.
- (e) All the utilities available and all streets as they appear on the Official Map.
- (f) The proposed pattern of lots (with dimensions), street layout, recreation areas, systems of drainage, sewerage, and water supply within the subdivided area.
- (g) All existing restrictions on the use of land, including easements, covenants, and zoning district boundary lines.

**Section 412. Classification as to Type of Subdivision Review Procedure.**

Based on an acceptable sketch plat, the subdivision is to be classified at this time by the Planning Board as to whether it is subject to

## ARTICLE 4

## SUBDIVISION REGULATIONS

the Minor Subdivision, or the Major Subdivision review procedure of these regulations. The Board may require, however, when it deems it necessary for protection of the public health, safety, and welfare, that a Minor Subdivision procedure include some of the requirements specified for the Major Subdivision procedure.

To determine which type of subdivision review is required, the Planning Board shall ask each of the following questions:

1. Are any new streets needed?
2. Are any water and sewer extensions needed?
3. Are there any conflicts with the Comprehensive Plan, Official Map, or the Zoning Regulations?
4. Is the proposal for a cluster subdivision?
5. Will the subdivision result in five or more lots?

If all of the above questions were answered 'No' the proposal is reviewed as a Minor Subdivision (Sections 420).

If the answer to any one of the above questions is 'Yes' the proposal is reviewed as a Major Subdivision (Sections 430).

### Section 413. **Planning Board Review.**

When reviewing a proposed subdivision, the Planning Board shall study the practicability of the Sketch Plat or Preliminary Plat, taking into consideration the requirements of the community and the best use of the land being subdivided. Particular attention shall be given to the arrangement, location, and width of streets, their relation to the topography of the land, water supply, sewage disposal, drainage, lot sizes and arrangement, the location of existing trees and other natural features, the presence of historic buildings and sites, the future development of adjoining lands as yet

unsubdivided, and the requirements of the Comprehensive Plan, the Official Map, and Zoning Regulations, if such exist.

Section 414-419: reserved.

**MINOR SUBDIVISION REVIEW****Section 420. Minor Subdivision Review Procedure**

If the review of the Sketch Plat provided for in Section 412 results in the determination that the Minor Subdivision Review Procedure applies, the provisions in Sections 421 through 425 are to be followed.

**Section 421. Minor Subdivision: Application and Fee.**

Within six months after classification of the Sketch Plat as a Minor Subdivision by the Planning Board (see Section 412), the subdivider shall submit an application for approval of a Subdivision Plat. Failure to do so within the prescribed time period shall require resubmission of the Sketch Plat to the Planning Board for re-classification. The Plat shall conform to the layout shown on the Sketch Plat plus any recommendations made by the Planning Board. The application shall also conform to the requirements listed in Section 422.

Six copies of the Subdivision Plat (one each on drafting film or equivalent acceptable for filing with the County Clerk) shall be presented to the Planning Board at the time of submission of the Subdivision Plat.

All applications for Plat approval for Minor Subdivisions shall be accompanied by a fee according to the Village of Trumansburg Schedule of Fees.

**Section 422. Application Requirements for Minor Subdivision Plat Review.**

The Subdivision Plat application shall include

the following information:

- (a) A copy of such covenants or deed restrictions as are intended to cover all or part of the tract.
- (b) An actual field survey of the boundary lines of the tract and lot lines of proposed lots, giving complete descriptive data by bearings and distances, made and certified to by a licensed land surveyor. The corners of the tract shall also be located on the ground and marked by monuments as approved by the Village Engineer, and shall be referred to and shown on the Plat.
- (c) All on-site sanitation and water supply facilities (if any) shall be designed to meet the minimum specifications of the Tompkins County Sanitary Code, and a note to this effect shall be stated on the Plat and signed by an officer of the County Health Department.
- (d) A Environmental Assessment Form (EAF, short form) with Part 1 filled in.
- (e) Plat map title block showing the proposed subdivision name (if any), name of the street, Village, Town, and County in which it is located.
- (f) The date, north point, map scale, and the name and address of the owner of record and the subdivider, clearly set forth on the plat.

**Section 423. Subdivider to Attend Planning Board Meeting, Minor.**

The subdivider, or a duly authorized representative, shall attend the meeting of the Planning Board at which the Subdivision Plat (Minor) is first discussed.

**Section 424. Planning Board Study.**

The Planning Board shall study the proposed subdivision using the criteria set forth in Section 413.

**Section 425. Public Hearing on Subdivision Plat, Minor**

A public hearing shall be held by the Planning Board within 45 days from the time of submission of the subdivision plat for approval. The hearing shall be advertised in a newspaper of general circulation in the Village at least 5 days before such hearing.

The Plat upon which the public hearing is held shall be in a suitable form for filing with the County Clerk and in accordance with specifications of the County Clerk. The size of the sheet shall be no larger than 34 by 44 inches.

**Section 426. Action on Subdivision Plat, Minor.**

The Planning Board shall take the following actions:

- (a) The Planning Board shall, within 45 days from the date of the conclusion of the public hearing, act to conditionally approve, conditionally approve with modification, disapprove, or grant final approval and authorize the signing of the Subdivision Plat. This time may be extended by mutual consent of the subdivider and the Planning Board. Failure of the Planning Board to act within such time shall constitute approval of the plat. All actions of the Planning Board, and the reasons therefore, shall be in written form and made a part of the record of the subdivision.
- (b) Upon granting conditional approval, the Planning Board shall empower the Planning Board Chair to sign the plat upon compliance with such conditions and requirements as may be stated in its resolution of conditional approval.
- (c) Within 5 days of the resolution granting conditional approval, the plat shall be certified by the Clerk of the Planning Board as conditionally approved, a copy shall be filed

with the Village Clerk, and a certified copy mailed to the subdivider. The copy mailed to the subdivider shall include a certified statement of such requirements which, when completed, will authorize the signing of the conditionally approved plat.

(d) Upon completion of the requirements in the resolution of approval, the plat shall be signed by the chair of the Planning Board.

Conditional approval of a plat shall expire 180 days after the date of the resolution granting such approval. The Planning Board may, however, extend the time within which a conditionally approved plat may be submitted for signature, if in its opinion such extension is warranted in the circumstances, for not to exceed two additional periods of 90 days each.

**Section 427. Filing of the Signed Plat.**

A signed minor subdivision plat shall be filed or recorded by the applicant in the office of the County Clerk. Any plat not so filed or recorded within 60 days from the date of endorsement of such plat (or from the date deemed approved by reason of failure of the planning board to act) shall become null and void. Tompkins County Clerk now requires one mylar and one paper copy plat for filing (as opposed to recording where a paper copy suffices).

Tompkins County Assessment requires after final approval, the surveyor, engineer or developer shall submit two paper prints of such subdivision to the Tax Map/Geographic Information System pursuant to Section

334 of the Real Property Tax Law. One copy shall be returned to the developer with the original tax map number (s) of the tract (s) certified thereon.

Section 428-429: reserved.

**MAJOR SUBDIVISION REVIEW:  
PRELIMINARY PLAT**

**Section 430. Major Subdivision Review Procedure.**

If it is determined in the Sketch Plat classification process in Section 412 that the Major Subdivision Review Procedure applies, the provisions of Section 431 through 459 are to be followed

**Section 431. Major Subdivision Preliminary Plat: Application and Fee.**

Prior to the filing of an application for the approval of a Major Subdivision Plat, the subdivider shall file an application for the approval of a Preliminary Plat of the proposed subdivision. Such Preliminary Plat shall be clearly marked with the words "Preliminary Plat" and shall be in the form described in Section 432 hereof. The Preliminary Plat shall, in all respects, comply with the requirements set forth in the provisions of Sections 7-728 and 7-730 of the Village Law and Section 432 of these regulations, except where a waiver may be specifically authorized by the Planning Board.

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

The application for approval of the Preliminary Plat shall be accompanied by a fee as specified in the Village of Trumansburg Schedule of Fees.

The date of submission of the Preliminary Plat shall be as defined in Article 1, Section 111.8. The Clerk shall note the date on the Preliminary Plat.

**Section 432. Major Subdivision Preliminary Plat and Accompanying Data.**

The following documents shall be submitted for approval:

- (a) Proposed subdivision name, name of Village, Town, and County in which it is located, date, true north point, scale, name and address of owner of record, subdivider, engineer or surveyor, including license number and seal.
- (b) The name/s of all subdivisions immediately adjacent and the name of the owners of record of all adjacent property.
- (c) Zoning district, including exact boundary of districts, where applicable.
- (d) All parcels of land proposed to be dedicated to public use and the condition of such dedication.
- (e) Location of existing property lines, easements, buildings, water courses and wetlands, rock outcrops, wooded areas, single trees with a circumference of 25 inches or more as measured 3 feet above the base of the trunk, and other significant existing features for the proposed subdivision and adjacent property.
- (f) Location of existing sewers, water mains, culverts, and drains on the property, with pipe sizes, grades, and directions of flow.
- (g) Contours with intervals of 10 feet or less as required by the Planning Board, including elevations on existing roads. Approximate grading plan if natural contours are to be changed more than 2 feet.
- (h) The width and location of any streets or public ways or places shown on the Official Map or the Master Plan, if such exists, within the area to be subdivided, and the width, location, grades, and street profiles of all streets or public ways proposed by the developer.
- (i) The approximate location and size of all proposed water lines, valves, hydrants, and sewer lines, and fire alarm boxes. Connection

## ARTICLE 4

to existing lines or alternate means of water supply or sewage disposal and treatment as provided in the Tompkins County Sanitary Code. Profiles of all proposed water and sewer lines.

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

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

(l) Preliminary designs of any bridges or culverts which may be required.

(m) The proposed lot lines with approximate dimensions and area of each lot.

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

(o) An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified to by a licensed land surveyor. The corners of the tract shall also be located on the ground and marked by substantial monuments of such size and type as approved by the Village Engineer, and shall be referred to and shown on the Plat.

(p) If the application covers only a part of the subdivider's holding, a map of the entire tract, drawn at a scale of not less than 1 : 4,800 showing an outline of the platted area with its proposed streets and indication of the probable future street system with its grades and drainage in the remaining portion of the tract and the probable future drainage layout of the entire tract shall be submitted so that the part of

## SUBDIVISION REGULATIONS

the subdivider's holding submitted can be considered in the light of the entire holding.

(q) A copy of any covenants or deed restrictions intended to cover all or part of the tract.

(r) A Full Environmental Assessment Form (EAF, long form) with Part 1 filled in.

### Section 433. **Subdivider to Attend Planning Board Meeting, Major.**

The subdivider, or a duly authorized representative, shall attend the meeting of the Planning Board to discuss the Preliminary Plat.

### Section 434. **Study of Preliminary Plat.**

The Planning Board shall study the practicability of the Preliminary Plat, using the criteria set forth in Section 413.

### Section 435. **Public Hearing and Review of the Preliminary Plat.**

Actions to be taken by the Planning Board are the following:

(a) Within 45 days after the time of submission of a Preliminary Plat to the Planning Board the Planning Board shall hold a public hearing, which hearing shall be advertised at least once in a newspaper of general circulation in the Village at least 5 days before such hearing.

The Planning Board may provide that the hearing further advertised in such manner as it deems most appropriate for full public consideration of such Preliminary Plat.

(b) Within 45 days after the date of the conclusion of the public hearing, the Planning Board shall approve, approve with modification, or disapprove the Preliminary Plat. The grounds for modification, if any, or the grounds for disapproval shall be stated in records of the Planning Board. The time in which the Planning Board must take action on such plat, may be extended by mutual consent of the subdivider and the Planning Board.

## ARTICLE 4

## SUBDIVISION REGULATIONS

(c) The above to the contrary notwithstanding, if the Planning Board has determined that the proposed subdivision may cause a significant environmental impact, and that an Environmental Impact Statement is necessary (positive declaration), action on a preliminary plat will not be taken until findings and determinations have been made pursuant to Part 617 of the State Environmental Conservation Law regulations and the Village Environmental Quality Review law (SEQR/VEQR).

(d) When approving a Preliminary Plat, the Planning Board shall state in writing the modifications, if any, it deems necessary for submission of the plat in final form. Within 5 days of the approval of such preliminary plat it shall be certified by the Clerk of the Planning Board as granted preliminary approval, and a copy filed in their office, a certified copy mailed to the owner, and a copy forwarded to the Village Board of Trustees.

(e) Failure of the Planning Board to act within the 45-day period, or any extensions thereto, shall constitute approval of the preliminary plat.

### Section 436. **Planning Board Approval of Preliminary Plat.**

**436.1 Conditional Approval of Preliminary Plat.** When granting approval to a preliminary plat, the Planning Board shall state in writing the terms of such approval, if any, with respect to:

- (a) modifications to the Preliminary Plat,
- (b) the character and extent of the required improvements for which waivers may have been requested and which in its opinion may be waived without jeopardy to the public health, safety, and welfare, and
- (c) the amount of improvement or the amount of all bonds therefore which it will require as prerequisite to the approval the of Final Subdivision Plat.

**436.2 Effect of Approval of Preliminary Plat.** Approval of a Preliminary Plat shall not

constitute current or future approval of the Final Subdivision Plat. It is only an expression of approval of the design submitted on the Preliminary Plat as a guide to the preparation of the Final Subdivision Plat.

Sections 437-439: reserved.

### Section 440. **Major Subdivision Final Plat Application.**

**440.1 Time Limitations.** The subdivider shall, within six months after the approval of the Preliminary Plat, file with the Planning Board an application for approval of the Final Subdivision Plat in final form, using the approved application blank available from the Clerk of the Planning Board. If the Final Subdivision Plat is not submitted for approval within six months after the approval of the Preliminary Plat, the Planning Board may refuse to accept the Final Subdivision Plat and require re-submission of the Preliminary Plat.

**440.2 Plats and Drawings.** A subdivider intending to submit a Final Plat for the approval of the Planning Board shall provide the Clerk of the Planning Board with a copy of the application and six copies of the Plat (one in ink on drafting film or equivalent acceptable for filing with the County Clerk), the original and one copy of all offers of cession, covenants, and agreements, and two prints of all construction drawings.

### Section 441. **Major Subdivision Final Plat and Accompanying Data.**

The Final Plat to be filed with the Tompkins County Clerk shall be prepared in accordance with the specifications of the County Clerk. The size of the sheets shall not exceed 34 by 44 inches. The Final Plat shall be drawn at a scale of no more than 1:1200, and oriented with the north point at the top of the map. When more than one sheet is required, an additional index sheet of the same size shall be filed showing to

## ARTICLE 4

scale the entire subdivision with lot and block numbers clearly legible.

The Plat shall show:

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

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

(c) Sufficient data acceptable to the Village Engineer to determine readily the location, bearing, and length of every street line, lot line, boundary line, and to reproduce such lines upon the ground. Where applicable, these should be referred to monuments included in the State system of plane coordinates, and in any event should be tied to reference points previously established by a public authority.

(d) The length and bearing of all straight lines, radii, length of curves, central angles of curves, and tangent bearings shall be given for each street. All dimensions and angles of the lines of each lot shall also be given. All dimensions shall be shown in feet and decimals of a foot. The Plat shall show the boundaries of the property, location, graphic scale, and true north point.

(e) The Plat shall also show by proper designation thereon all public open spaces for which deeds are included and those spaces title to which is reserved by the developer. For any of the latter there shall be submitted with the Final Subdivision Plat copies of agreements or other documents showing the manner in which such areas are to be maintained and the provisions made therefor.

(f) The village shall request that the Village Attorney review all offers of cession and covenants governing the maintenance of unceded open space as to their legal sufficiency.

(g) Lots and blocks within a subdivision shall be numbered and lettered in alphabetical order in accordance with the prevailing Village practice, and preference, upon request.

(h) Permanent reference monuments shall be

## SUBDIVISION REGULATIONS

located and referred to upon the Final Plat and shall be set:

(1) at all corners and angle points of the boundaries of the original tract to be subdivided;

(2) at all street intersections, angle points in street lines, points of curve, and

(3) at such intermediate points and additional points as shall be required by the Village Engineer.

Monuments shall be constructed in accordance with specifications of the Village Engineer.

When the permanent reference monuments refer to the State system of plane coordinates they shall also refer to the requirements of the State System of Plane Coordinates.

(i) All lot corner markers shall be permanently located satisfactorily to the Village Engineer.

(j) Construction drawings including plans, profiles, and typical cross-sections as required, showing the proposed location, size and type of streets, sidewalks, street lighting standards, street trees, curbs, water mains, sanitary sewers and storm drains, pavements and sub-base, manholes, catchbasins, and other facilities.

(k) Water and sewer facility proposals contained in the Final Subdivision Plat shall be properly endorsed and approved by the Tompkins County Department of Health. Applications for approval on plans for sewer or water facilities will be filed by the subdivider with all necessary Village, County, and State agencies. Endorsement and approval on the plat map by the Tompkins County Department of Health shall be secured by the subdivider before official submission of the Final Subdivision Plat for approval by the Planning Board.

All required plans, sketches, and specifications shall be provided at the subdivider's expense.

### Section 442. **Public Hearing and Review of the Final Plat.**

Within 45 days of the submission of a Major Subdivision Final Plat in final form for approval, a hearing shall be held by the

## ARTICLE 4

## SUBDIVISION REGULATIONS

Planning Board. This hearing shall be advertised at least once in a newspaper of general circulation in the Village at least 5 days before the hearing, provided however, that when the Planning Board deems the final plat to be in substantial agreement with a Preliminary Plat approved under Section 436, and modified in accordance with requirements of such approval if such preliminary plat has been approved with modification, the Planning Board may waive the requirement for such public hearing.

### Section 443. **Planning Board Action on Proposed Final Subdivision Plat.**

**443.1 Actions by Planning Board.** The Planning Board action shall be by resolution to conditionally approve with or without modification, disapprove, or grant final approval (see Section 449) and authorize the signing of the plat by the Chair of the Planning Board. The action is to be taken within 45 days after the conclusion of the public hearing, if one was held, and if no public hearing was held, within 45 days of the submission date of the Plat. This time may be extended by mutual consent of the subdivider and the Planning Board. Failure to take action on a final plat within the time prescribed therefore shall be deemed approval of the plat.

**443.2 Conditional Approval.** Upon resolution of conditional approval of the Final Plat the Planning Board shall empower the Chair to sign the plat upon completion of such requirements as may be stated in the resolution. Within 5 days of such resolution the plat shall be certified by the Clerk of the Planning Board as conditionally approved and a copy filed in their office and a certified copy mailed to the subdivider. The copy mailed to the subdivider shall include a certified statement of such requirements which, when completed, will authorize the signing of the conditionally approved final plat.

### 443.3 **Certification by Chair of Planning**

**Board.** Upon completion of such requirements the plat shall be signed by the Chair of the Planning Board.

**443.4 Expiration of Approval.** Conditional approval of a final plat shall expire 180 days after the date of the resolution granting such approval unless the requirements have been certified as completed within that time. The Planning Board may, however, extend the time within which a conditionally approved plat may be submitted for signature, if in its opinion such extension is warranted. These extensions shall not exceed two additional 90-day periods.

### Section 444. **Required Improvements.**

Before the Planning Board grants final approval of the Final Subdivision Plat, the subdivider shall follow the procedure set forth in either subparagraph one or subparagraph two below. (1) In an amount set by the Planning Board the subdivider shall either file with the Village Clerk a certified check to cover the full cost of the required improvements to be dedicated to the Village or otherwise performed, OR the subdivider shall file with the Village Clerk a performance guarantee (Sec. 111.11) to cover the full cost of the required improvements. Any such bond or other security shall comply with the requirements of Section 7-730 of the New York State Village Law and further, shall be satisfactory to the Village Board of Trustees and Village Attorney as to form, sufficiency, manner of execution, and surety. A period of one year (or such other period as the Planning Board may determine appropriate, not to exceed three years) shall be set forth in the bond within which required improvements must be completed. (2) The subdivider shall complete all required improvements to the satisfaction of the Village Engineer, who shall file with the Planning Board a letter signifying the satisfactory completion of all improvements required by the Board. For any required improvements not so completed the subdivider shall file with the Village Clerk a performance guarantee

covering the costs of such improvements not approved by the Village Engineer. Any such guarantee shall be satisfactory to the Village Board of Trustees and Village Attorney as to form, sufficiency, manner of execution, and surety.

The required improvements shall not be considered to be completed until the installation of the improvements has been approved by the Village Engineer and a map satisfactory to the Planning Board has been submitted indicating the location of monuments marking all underground utilities as actually installed. If the subdivider completes all required improvements according to subparagraph two, then the map shall be submitted prior to endorsement of the plat by the appropriate Planning Board officer. However, if the subdivider elects to provide a bond or other security or certified check for all required improvements as specified in subparagraph one, such bond or other security or deposited funds shall not be released until such a map is submitted. (See also Section 477.)

**Section 445. Waivers: Certain Required Improvements.**

Where the Planning Board finds that, due to the special circumstances of a particular property and Plat approval, the provision of certain required improvements is not requisite in the interest of the public health, safety, and general welfare or is inappropriate because of inadequacy or lack of connecting facilities adjacent to or in proximity to the proposed subdivision, it may waive such requirements subject to appropriate conditions, provided that such waiver will not have the effect of nullifying the intent and purpose of the Official Map, the Comprehensive Plan, or the Zoning Regulations.

In granting waivers, the Planning Board shall require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so waived.

**Section 446. Modification of Design of Improvements.**

If at any time before or during the construction of the required improvements it is demonstrated to the satisfaction of the Village Engineer that unforeseen conditions make it necessary or preferable to modify the location or design of the required improvements, the Village Engineer may, upon approval by the Chair of the Planning Board, authorize modifications, provided that these modifications are in keeping with the Planning Board's approval and do not extend to the waiver or substantial alteration of the function of any improvements required by the Board. Otherwise review by the Planning Board shall be required on the modification. The Village Engineer shall issue any authorization under this Section in Writing and shall transmit a copy of such authorization to the Planning Board at their next regular meeting.

**Section 447. Inspection of Improvements.**

At least five days prior to commencing construction of required improvements the subdivider shall pay to the Village Clerk the inspection fee required by the Village Board of Trustees and shall notify the Village Board of Trustees in writing of the time when they propose to commence construction of the improvements so that the Village Board of Trustees may cause inspection to be made to assure that all Village specifications and requirements shall be met during the construction of required improvements, and to assure the satisfactory completion of improvements and utilities required by the Planning Board.

**Section 448. Proper Installation of Improvements.**

If the Village Engineer finds, upon inspection

## ARTICLE 4

## SUBDIVISION REGULATIONS

of the improvements performed before the expiration date of the performance bond, that any of the required improvements have not been constructed in accordance with plans and specifications filed by the subdivider, he shall so report to the Village Board, Building Inspector, and Planning Board. The Village Board then shall notify the subdivider and, if necessary, the bonding company, and take all necessary steps to preserve the Village's rights under the bond. No Subdivision Plat shall be approved by the Planning Board as long as the subdivider or an entity closely associated with the subdivider is in default on a previously approved Subdivision Plat.

### Section 449. **Final Approval of Subdivision Plat.**

#### 449.1 **Signature from Planning Board.**

Upon completion of the requirements in Sections 440, 441 through 448 above and notation to that effect upon the Subdivision Plat, it shall be deemed to have final approval and shall be properly signed by the chair of the Planning Board and shall be filed by the applicant in the Office of the Tompkins County Clerk.

449.2 **Prompt Filing.** Any Subdivision Plat not so filed with the County Clerk within sixty days of the date upon which the Plat is approved and signed, or the date deemed approved by reason of the failure of the Planning Board to act, shall become null and void. County Clerk requires one mylar and one paper copy plat for filing.

Tompkins County Assessment requires after final approval, the surveyor, engineer or developer shall submit two paper prints of such subdivision to the Tax Map/Geographic Information System Section pursuant to Section 334 of the Real Property Tax Law. One copy shall be returned to the developer with the original tax map number (s) of the tract (s) certified thereon.

#### 449.3 **Plat Void if Revised After Approval.**

No changes, erasures, modifications, or revisions shall be made in any Subdivision Plat after approval has been given by the Planning Board and endorsed in writing on the Plat, unless the Plat is first resubmitted to the Planning Board and the Board approves any modifications. In the event that any such Subdivision Plat is recorded without complying with this requirement, it shall be considered null and void, and the Board shall institute proceedings to have the Plat stricken from the records of the County Clerk. However, modifications may be made in the location or design of required improvements in accordance with Sec. 446 of these Rules and Regulations.

### Section 450. **"As Built" Plans.**

After construction of the subdivision has been completed, the developer shall file with the Village Superintendent of Public Works or the Village Engineer "as built" plans, prepared and certified by a licensed professional, of all roads, utilities, drainage structures and services installed underground within the subdivision by the contractor within the subdivision. No building permit shall be issued for construction within the subdivision until the "as built" plans have been approved by the Planning Board.

As built plans shall contain at least the following information:

- (1) Locations, sizes, elevations, lengths, slopes, invert and top elevations of manholes of all sanitary and storm sewers, water mains and appurtenances.
- (2) Locations, including ties, of all valves, curb stops and hydrants.
- (3) Locations at the property line of each lot of sanitary laterals, storm sewer laterals and water service curb boxes.
- (4) Locations of all newly constructed or improved roads.
- (5) The location of all facilities shall be tied to visible and reproducible objects.

**Section 451. Public Streets and Recreation Areas.**

**451.1 Public Acceptance of Streets.** The approval by the Planning Board of a Subdivision Plat shall not be deemed to constitute or be evidence of any acceptance by the Village of any street, easement, or other open space shown on the Subdivision Plat.

**451.2 Ownership and Maintenance of Recreation Areas.** When a park, playground, or other recreation area has been shown on a Plat, approval of the Plat shall not constitute an acceptance by the Village of the recreation area. The Planning Board shall require the Plat to be endorsed with appropriate notes to this effect. The Planning Board may also require the filing of a written agreement between the applicant and the Village Board covering future deed and title dedication, and provision for the cost of grading, development, equipment, and maintenance of any such recreation area.

Section 452-459: reserved.

**CLUSTER SUBDIVISIONS**

Section 460. **Cluster Subdivisions.**

460.1 **Authority.** The Planning Board is hereby empowered to modify applicable provisions of the Zoning Regulations in accordance with the provisions of Section 7-738 of the Village Law for the purpose of enabling and encouraging flexibility of design and development of land in such a manner as to promote the most appropriate use of land, to facilitate the adequate and economic use of streets and utilities, and to preserve the natural and scenic qualities of open lands, the following shall be the procedure and standards.

460.2 **Initiation of Cluster Subdivision**

**Procedure.** A subdivider may request the use of Village Law Section 7-738 simultaneously with presentation of the sketch plat as described in Section 410-412. The Planning Board, upon initial review of a sketch plat, may decide that a cluster subdivision is appropriate for the site. The Planning Board shall set forth the reasons for requiring a cluster subdivision design and instruct the subdivider to submit a cluster subdivision sketch plat for the site. Regardless of who initiates the cluster subdivision, the procedures of a Major Subdivision are followed in all events.

460.3 **Sketch Plat.** A subdivider shall present along with a proposal in accordance with the provisions of Village Law, Section 7-738 a standard sketch plat which is consistent with all the criteria established by these Subdivision Regulations, including streets being consistent with the street specifications and lots being consistent with Zoning Regulations. Using the standard sketch plat and the minimum lot size regulations as its guide, the Planning Board computes the maximum number of dwelling units that could be placed on the land being subdivided. The number so determined is the maximum number of dwelling units that may be allowed in the cluster subdivision.

460.4 **Park, Recreation, Open Space, or Other Municipal Purposes.** If the application

of this procedure results in a plat showing land available for park, recreation, open space, or other municipal purposes directly related to the plat, then necessary conditions as to ownership, use, and maintenance of such lands for their intended purposes shall be set forth by the Planning Board.

460.5 **Plat Submission.** Upon determination that such sketch plat is suitable for the procedures under Village Law, Section 7-738 and subsequent to the resolution authorizing the Planning Board to proceed, a preliminary plat meeting all of the requirements of the resolution shall be presented to the Planning Board and thereafter the Planning Board shall proceed with the required public hearings and other requirements of these Regulations.

460.6 **Limitations.** The procedure is applicable only to land zoned for residential purposes. The dwelling units permitted may be, at the discretion of the Planning Board, detached, semidetached, attached, or multistory residential structures.

460.7 **Filing: Notation on Zoning Map.** Upon final approval of a plat on which Village Law, Section 7-738, Cluster Subdivision provisions have been used, the Clerk of the Planning Board shall notify the officer charged with keeping the Village Zoning Map who shall make appropriate notations and references thereon.

Section 461-469: reserved.

## SUBDIVISION DESIGN

**Section 470. General Requirements and Design Standards**

In considering applications for subdivision of land, the Planning Board shall be guided by the standards set forth in the following sections. The standards shall be considered **minimum** requirements.

**Section 471. General Considerations**

**471.1 Character of Land.** Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace.

**471.2 Conformity to Official Map and Comprehensive Plan.** Subdivisions shall conform to the Official Map of the Village and shall be in harmony with the Master Plan.

**471.3 Specifications for Required Improvements.** All required improvements shall be constructed or installed to conform to the Village Specifications.

**471.4 Acceptance.** Roads will be accepted only if they are free and clear of all liens, encumbrances, easements, and/or rights of way. A written statement of acceptance must be filed by the Supervisor of Public Works, the Village Engineer, and the Village Attorney before any road shall be accepted by the Village Board.

**Section 472 Street Layout**

**472.1 Width, Location, and Construction.** Streets shall be of sufficient width, suitably located, and adequately constructed to conform with the Master Plan, and to accommodate the prospective traffic and afford access for fire

fighting, snow removal, and other road maintenance equipment. The arrangement of streets shall be such as to cause no undue hardship to adjoining properties and shall be coordinated so as to compose a convenient system.

**472.2 Arrangement.** The arrangement of streets in the subdivision shall provide for the continuation of principal streets of adjoining subdivisions, and for proper projection of principal streets into adjoining properties which are not yet subdivided, in order to make possible necessary fire protection, movement of traffic, and the construction or extension, presently or when later required, of needed utilities and public services such as sewers, water lines, and drainage facilities. Subdivisions containing 20 units or more shall have at least two street connections with existing public streets, or streets shown on the Official Map, if such exists, or streets on an approved Subdivision Plat for which a bond has been filed.

Where, in the opinion of the Planning Board, topographic or other conditions make such continuance undesirable or impracticable, the above conditions may be modified.

**472.3 Minor Streets.** Minor streets shall be so laid out that their use by through traffic will be discouraged.

**472.4 Special Treatment Along Major Streets.** When a subdivision abuts or contains an existing or proposed major street, the Board may require marginal access streets, reverse frontage with screen planting contained in a non-access 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.

**472.5 Provision for Future Re-Subdivision.**

Where a tract is subdivided into lots substantially larger than the minimum size required in the zoning district in which a subdivision is located, the Board may require that streets and lots be laid out so as to permit future re-subdivision in accordance with the requirements contained in these regulations.

**472.6 Circle Drives and Loop Streets.** The creation of circle drive or loop residential streets will be encouraged wherever the Board finds that such types of streets are 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.

**472.7 Block Size.** Blocks generally shall not be less than 400 feet nor more than 1200 feet in length. In general, no block width shall be less than twice the normal lot depth. In blocks exceeding 800 feet in length, the Planning Board may require the reservation of a 20-foot wide easement through the block to provide for the crossing of underground utilities and pedestrian traffic where needed or desirable and may further specify, at its discretion that a 4 foot wide paved foot path be included.

**472.8 Intersections with Collector or Major Arterial Roads.** Minor or secondary street openings into such roads shall, in general, be at least 500 feet apart.

**472.9 Street Jogs.** Street jogs with centerline offsets of less than 125 feet shall not normally be permitted.

**472.10 Angle and Slope of Intersection.** In general, all streets shall join each other so that for a distance of at least 30 feet the street is approximately at right angles to the street it joins, and at a slope of 3 percent or less.

**472.11 Relation to Topography.** The street plan of a proposed subdivision shall bear a logical relationship to the topography of the property, and all streets shall be arranged so as to obtain as many of the building sites as

possible at or above the grade of the streets. Grades of streets shall conform as closely as possible to the original topography.

### Section 473. Street Design

**473.1 Improvements.** Streets shall be graded and improved with pavements, curbs and gutters, sidewalks, storm drainage facilities, water mains, sewers, street lights and signs, street trees, and fire hydrants, except where waivers may be requested, and the Planning Board may waive, subject to appropriate conditions, such improvements as it considers may be omitted without jeopardy to the public health, safety, and general welfare. Pedestrian easements shall be improved as required by the Village Engineer. Such grading and improvements shall be approved as to design and specifications by the Village Engineer. Installation of fire hydrants shall be in conformity with all requirements of standard thread and nut as specified by the New York Fire Insurance Rating Organization and the Division of Fire Safety of the State of New York.

Lighting facilities shall be in conformance with the lighting system of the Village. Such lighting standards and fixtures shall be installed after approval by the appropriate power company and the authorized Village electrical inspector.

**473.2 Utilities in Streets.** The Planning Board shall, wherever possible, require that underground utilities be placed in the street right-of-way between the paved roadway and street line to simplify location and repair of lines when they require attention. The subdivider shall install underground service connections to the property line of each lot within the subdivision for such required utilities before the street is paved.

**473.3 Utility Easements.** Where topography is such to make impractical the inclusion of utilities within the street rights-of-way,

## ARTICLE 4

## SUBDIVISION REGULATIONS

perpetual unobstructed easements at least 20 feet in width shall be otherwise provided with satisfactory access to the street. Wherever possible, easements shall be continuous from block to block and shall present as few irregularities as possible. Such easements shall be cleared and graded where required.

**473.4 Changes in Grade.** All changes in grade shall be connected by vertical curves of such length and radius as meet with the approval of the Village Engineer so that clear visibility shall be provided for a safe distance.

**473.5 Watercourses.** Where a watercourse separates a proposed street from abutting property, provision shall be made for access to all lots by means of culverts or other structures of design approved by the Village Engineer. Where a subdivision is traversed by a watercourse, drainage way, channel, or stream there shall be provided a storm water easement or drainage right-of-way as required by the Village Engineer, and in no case less than 20 feet in width.

### Section 474 Street Names

**474.1 Type of Name.** All street names shown on a Preliminary Plat or Subdivision Plat shall be approved by the Planning Board. In general, streets shall have names and not numbers or letters.

**474.2 Names to be Substantially Different.** The subdivider shall confer with the County Fire Coordinator to assure that proposed street names are substantially different and are not confused in sound or spelling with present names in this or nearby municipalities, except that streets that join or are in alignment with streets of an abutting or neighboring property shall bear the same name. Generally, no street should change direction sharply or at a corner without a change in street name.

### Section 475. Lots

**475.1 Lots to be Buildable.** The lot arrangement shall be such that in constructing a building in compliance with the zoning regulations, there will be no foreseeable difficulties for reasons of topography or other natural conditions. Lots should not be of such depth as to encourage the later creation of a second building lot at the front or rear.

**475.2 Side Lines.** All side lines of lots shall be at right angles to straight street lines and radial to curved street lines, unless a variance from this rule will give a better street or lot plan.

**475.3 Corner Lots.** In general, corner lots should be larger than interior lots to provide for proper building setback from each street and provide a desirable building site, and to avoid obstruction of free visibility at the roadway intersection.

**475.4 Driveway Access.** Driveway access and grades shall conform to specifications of the Village Driveway Law, if one exists. Driveway grades between the street and the setback line shall not exceed 10 percent.

**475.5 Access from Private Streets.** Access from private streets shall be deemed acceptable only if such streets are designed and improved in accordance with these regulations.

**475.6 Monuments and Lot Corner Markers.** Permanent monuments meeting specifications approved by the Village Engineer as to size, type, and installation, shall be set at such block corners, angle points, points of curves in streets, and other points as the Village Engineer may require and their location shall be shown on the Subdivision Plat.

### Section 476. Drainage Improvements

**476.1 Removal of Spring and Surface Water.** The subdivider may be required by the Planning Board to carry away by pipe or

watercourse 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.

**476.2 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 the entire upstream drainage area, whether inside or outside the subdivision. The Village Engineer shall approve the design and size of the facility based on anticipated run-off from a ten-year storm under conditions of total potential development permitted by the Zoning Regulations in the watershed.

**476.3 Responsibility for 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 Village Engineer. Where it is anticipated that the additional run-off incident to the development of the subdivision will overload an existing downstream drainage facility during a ten-year storm, the Planning Board shall notify the Village Board of such potential condition. In such case, the Planning Board shall not approve the subdivision until provision has been made for the improvement of such condition.

**476.4 Land Subject to Flooding or Uninhabitable Land.** Land subject to flooding or land deemed by the Planning Board to be uninhabitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life, or property, or aggravate the flood hazard, but such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation, or improved in a manner satisfactory to the Planning Board to remedy the hazardous conditions. (See Trumansburg Local Law No. 1-1987, *Flood Damage Prevention Local Law*, concerning

regulation of development in Flood Hazard Areas.)

### Section 477. Parks, Open Spaces, and Natural Features

**477. 1 Recreation Areas Shown on Village Plan.** Where a proposed park, playground, or open space shown on the Village Plan is located in whole or in part in a subdivision, the Board shall require that such area or areas be shown on the Plat in accordance with the requirements specified in paragraph 487.2 below. Such area or areas may be dedicated to the Village or County by the subdivider if the Village Board approves such dedication.

**477.2 Parks and Playgrounds not Shown on Village Plan.** The Planning Board shall require that the Plat shows sites of a character, extent, and location suitable for the development of a park, playground, or other recreation purpose. The Planning Board may require that the developer satisfactorily grade any such recreation areas shown on the Plat.

The Board shall require that not less than 3 acres of recreation space be provided per 100 dwelling units shown on the plat. However, in no case shall the amount required be more than 10 percent of the total area of the subdivision. Such area or areas may be dedicated to the Village by the subdivider if the Village Board approved such dedication.

**477.3 Information to be Submitted for Evaluation of Proposed Recreation Site.** In the event that an area to be used for a park or playground is required by the Board to be shown on the plat, the subdivider shall submit to the Board, prior to final approval, a reproducible site map of the proposed park or playground area at a scale not smaller than 1:3,600, with the following features shown thereon:

- (a) The boundaries of the area, giving lengths and bearing of all straight lines, radii, lengths, central angles, and tangent

distances of all curves.

(b) Existing features such as brooks, ponds, clusters of trees, rock outcrops, and structures.

(c) Existing, and, if applicable, proposed changes in grade and contours of the area and of areas immediately adjacent.

**477.4 Waiver of Plat Designation of Area for Parks and Playgrounds.** In cases where the Planning Board finds that due to the size, topography, or location of the subdivision, land for park, playground, or other recreation purpose cannot be properly located therein, or, if in the opinion of the Village Board or Planning Board it is not desirable, the Planning Board may waive the requirement that the Plat show land for such purposes.

If the Board does waive this requirement it shall then require as a condition to approval of the Plat a payment to the Village of Trumansburg an amount of \$250.00 per unit shown on the Final Plat. Such payment shall be made to the Village at the time of Final Plat approval, and no Plat shall be signed by the authorized officer of the Planning Board until such payment is made. The Village has conducted financial analysis which indicates this sum is reasonably related, and conservatively so, to the additional burden a new residential dwelling lot creates for recreational requirements of the village’s citizens. All such payments shall be held by the Village in a special Village Recreation Site Acquisition and Improvement Fund to be used for the acquisition or improvement of land that:

- (a) is suitable for public park, playground, or other recreational purposes, and
- (b) is so located that it will serve primarily the general neighborhood in which the land covered by the Plat lies, and
- (c) shall be used only for park, playground, or other recreational land acquisition or improvements.

Such money may also be used for the physical improvement of existing parks or recreation areas serving the general neighborhood in which the land shown on the Plat is situated,

providing the Planning Board finds there is a need for such improvements.

**477.5 Reserve Strips Prohibited.** Reserve strips of land, which might be used to control access from the proposed subdivision to any neighboring property, or to any land within the subdivision itself shall be prohibited.

**477.6 Preservation of Natural Features.** The Planning Board shall, wherever possible, establish the preservation of all natural features which add value to residential developments and to the community, such as large trees or groves, water courses and falls, historic spots, and similar irreplaceable assets. No tree with a circumference of 25 inches or more as measured 3 feet above the base of the trunk shall be removed unless the tree is within the right-of-way of a street as shown on the final Subdivision Plat. Removal of additional trees shall be subject to the approval of the Planning Board. In no case, however, shall a tree with a circumference of 25 inches or more as measured 3 feet above the base of the trunk be removed without prior approval by the Planning Board.

**Section 478. Additional Improvements**

Requirements for additional improvements that may be adopted from time to time are included in Sec. 490 of these rules and regulations.

**Section 479. Waivers and Modifications of Subdivision Improvements**

**479. 1 Practical Difficulties.** Where the Planning Board finds that compliance with the design standards in these rules and regulations would cause practical difficulties due to exceptional or unique conditions of topography, access, shape, drainage, or other physical feature of the site, the improvements required by these rules and regulations may be modified to mitigate the practical difficulty, provided that the public interest is protected

## ARTICLE 4

## SUBDIVISION REGULATIONS

and the development is in keeping with the general spirit and intent of these rules and regulations. In no case can modification be less stringent than the provision of the zoning law of the Village of Trumansburg.

**479.2 Conditions to Waivers and Modifications of Design Standards.** In granting waivers or modifications to design standards of these rules and regulations the Planning Board may require such reasonable conditions as will in its judgment substantially secure the objectives of the standards so waived or modified.

Sections 480- 489: reserved.

ADDITIONAL DESIGN AND CONSTRUCTION REQUIREMENTS

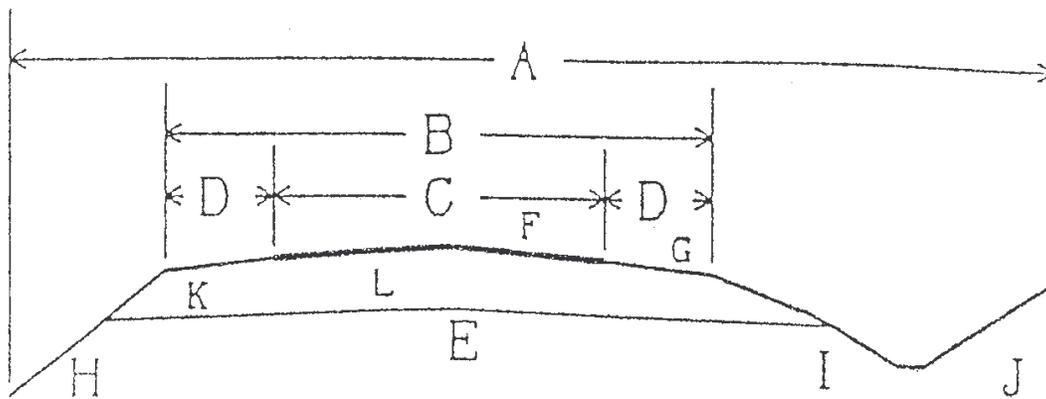
Section 490. Additional Design and Construction Requirements.

490.1 **Applicability.** All required improvements shall be designed, constructed and installed to conform to Village Design Specification. Such specifications are outlined below and may be modified or expanded from time to time. Further clarification and consultation may be obtained from the Village Engineer.

490.2 **Specifications.**

A. Street Construction

1. Cross section design



(Roadway cross section, not to scale.)

	Minor Street	Collector Street
A. Right-of-way:	50 ft min.	66 ft min.
B. Total pavement:	32 ft min.	40 ft min.
C. Traffic paving:	20 ft min.	28 ft min.
D. Shoulder:	6 ft min.*	6 ft min.*
(binder only)	4 inches	4 inches
E. Subgrade crown:	5 percent	5 percent
F. Subsurface crown:	2 percent	2 percent
G. Shoulder crown:	6 percent	6 percent
H. Berm slope:	65 percent max.	65 percent max.
I. Inside slope:	50 percent max.	50 percent max.
J. Outside slope:	65 percent max.	65 percent max.
K. Base gravel depth:	18 inches	18 inches
L. Total depth:	24 inches	24 inches

\* See Section 490.2 (9)(h)

## ARTICLE 4

## SUBDIVISION REGULATIONS

2. Before placing any gravel, the subgrade shall be crowned to a 5 percent grade and well compacted.

3. Adequate ditches shall be provided by the builder. The minimum ditch grade shall be 0.5 percent. Village will run ditches.

4. Culverts shall be placed in natural waterways, at low spots in grade, and in other spots where required. Builder will furnish culverts and install headwalls if requested by the Highway Superintendent. All culvert sizes and lengths shall be determined, and culvert designs approved, by the Highway Superintendent before installation.

5. Underdrains shall be placed in low, wet areas where sidehill seepage is encountered or in other areas where required.

6. Approved gravel base shall be placed 18 inches deep from ditch to ditch and well compacted. All depth measurements refer to compacted depths. The top lift shall be crushed gravel or crusher run stone, 20 feet wide and 6 inches deep centered on base and compacted. The total compacted depth of gravel shall be 18 inches. Gravel base will be compacted at 6 inch lifts, top grade compacted at the 6 inch lift.

7. A 4 inch asphalt binder course shall be provided.

8. A 2 inch asphalt surface course shall be provided.

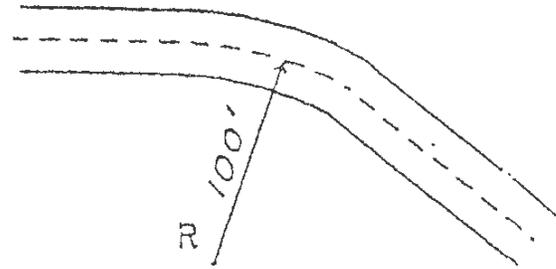
9. (left blank)

10. If considered necessary for road maintenance purposes, the Highway Superintendent may require greater road curve radii than the standards in the following sections.

a. (left blank)

b. Curve Radii. In general, street lines within a block deflecting from each other at any one

point by more than ten degrees shall be connected by a curve, the centerline radius of which shall not be less than 200 feet on a Collector Street and 100 feet on a Minor Street.



Minimum street radius, minor.

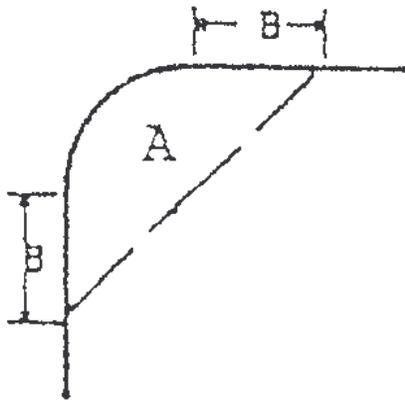
c. Curve radii at Street Intersections. Street right-of-way lines at intersections shall be rounded by curves of at least twenty feet radius and curbs shall be adjusted accordingly.



**ARTICLE 4**

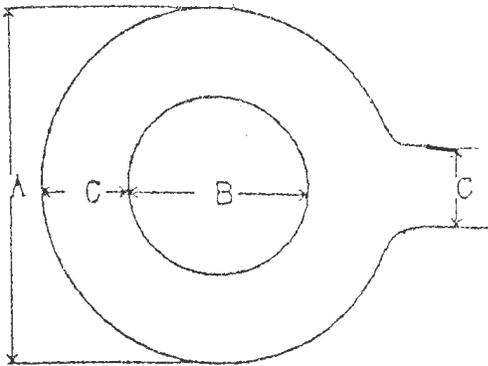
**SUBDIVISION REGULATIONS**

d. Steep Grades and Curves: Visibility at Intersections. A combination of steep grades and curves shall be avoided. In order to provide visibility for traffic safety, that portion of any corner lot (whether at an intersection entirely within the subdivision or of a new street with an existing street), which is shown shaded on the figure below shall be kept clear of all growth (except isolated trees and obstructions above a level of three feet higher than the centerline of the street. If directed by the Planning Board, ground shall be excavated to achieve visibility.



(A) Clear Area  
(B) Twenty feet from point of tangent along street line to edge of clear area.

e. Circle Drive Streets. Circle drive streets shall terminate in a circular turn-around having a minimum outside right-of-way radius of 100 feet and a minimum right-of-way width of 50 feet.

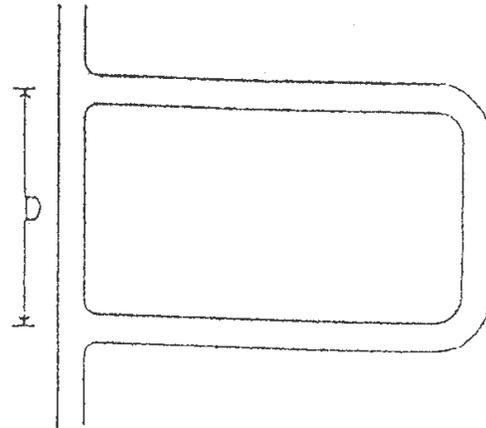


Dimensions of Circle Drive

- (A) Minimum outside diameter: 200'
- (B) Minimum inside diameter: 100'
- (C) Minimum right of way: 50'

f. Cul-de-sac Streets. A cul-de-sac street shall terminate in a turnaround with a pavement radius of 50 feet and a minimum right-of-way diameter of 115 feet. At the end of a temporary dead-end street a temporary turnaround with a pavement radius of 50 feet shall be provided unless the planning Board approves an alternative design.

g. Loop Roads. The two intersections of a loop road with the main road shall be at least 400 feet apart.



Loop road minimum dimensions:  
(D) 400 feet minimum

h. Watercourses. Where a watercourse separates a proposed street from abutting property, provisions shall be made for access to all lots by means of culverts or other structures of a design approved by the Village Engineer. Where a subdivision is traversed by a watercourse, drainage way, channel or stream there shall be provided a storm water easement or drainage right-of-way as required by the Village Engineer, and in no case less than 20 in width.

i. Shoulders. Shoulder requirements set forth in Sec. 490.2 (a) above may be waived by the Planning Board in areas of the Village where existing streets do not have shoulders.

Sections 491 - 499 (reserved)

Adopted by Village Board 12/9/02  
Filed with State 12/13/02

