TOWN OF GARDINER
PLANNING BOARD
PROCEEDURE FOR MINOR SUBDIVISION

(Minor Subdivision is any subdivision containing not more than three lots which does not require any new municipal street, street extensions, or extensions of municipal facilities)

1. Submit a sketch plan (at least four copies) showing the basic proposed layout.
2. Complete Short Environmental Assessment Form. (Side 1 only).
3. Complete the application for Preliminary/Final Subdivision Layout Approval.
   Have application notarized and return packet (at least two copies of the sketch plan, short environmental assessment form along with a check (refer to #4).
4. Submit a CHECK (made payable to the Town of Gardiner) in the amount:
   a. Sketch Plan Review — $0
   b. 2-lot Subdivision — $350.00
   c. Preliminary Plat Review – (3 lots or more) — $125.00 plus $100 per newly created lot)
   d. Final Plat Approval – (3 lots or more) — $125.00 plus $100 per newly created lot)
   - Fees in Lieu of Parkland
     - 2 Lot Subdivision — $0
     - 3 Lot Subdivision (or more) — $1200 per newly created lot

SEQR (Fees listed below are in addition to basic fees found elsewhere in schedule)

- Short Form — $0
- Long Form — $250
- EIS — $250 each

5. Address a plain #10 self stamped envelope to each property owners within 250 feet of the boundary lines. List of property owners can be complied with assistance from the Assessor's Office. The return address on each envelope should be just your name. The remainder of the return address will be the Town of Gardiner address will be completed by the Town.
6. The Planning Board requests technical review and analysis of the proposed sketch plan of its Planning Consultant and/or Town Engineer or other authorized persons. The applicant shall reimburse the Town for the professional fees required in accordance with said review(s). The same procedure shall apply in the case of the preliminary plat, § 188-13, and the final plat, § 188-14.
7. Preliminary plat documents to be submitted refer to § 188-25.
8. Final plan documents to be submitted refer to § 188-26.
9. For an application to be placed on the Planning Board monthly agenda **all paper work needs to be received no later than ten working days prior to the meeting** for the month's Planning Board meeting. (Planning Board meets every third Tuesday and carried over to the fourth Tuesday of the month).
10. If there are any further questions concerning these procedures, please contact Clerk of the Planning Board Margarete Wagner at (845) 255-9675 ext. 108.

TOWN OF GARDINER
PLANNING BOARD

APPLICATION FOR PRELIMINARY/FINAL SUBDIVISION & LOT LINE REVISION APPROVAL

(Accompanied by copies of the plat plan, subdivision fees and SEQR form)

1. Name of subdivision_____

2. Tax # Section_____Block_____Lot_____

3. Zoning District_____

4. Name of applicant(s)_____Telephone #_____

   Address_____
   (Street #) (Town) (State)

5. Owner of record_____Telephone #_____

   Address_____
   (Street #) (Town) (State)

6. Engineer_____

7. Address_____
   (Street #) (Town) (State)

8. Land Surveyor_____
   (Street #) (Town) (State)

9. Subdivision location: On the_____side of_____

10. Postal delivery area_____School District_____

11. Total acrage_____Number of lots_____

12. Is any waiver of requirements from the Subdivision Regulations requested?_____

List all conditions holdings and all other holding in the same ownership in the Township, indicating size and location of such holdings.

Attached hereto is an affidavit of ownership indicating name of previous owner, the dates the respective holdings of land were acquired, together with the libber and page of each conveyance into the present owner as recorded in the Ulster County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed. IN THE EVENT OF CORPORATE OWNERSHIP: a list of all directors, officers and stockholders of each corporation must be attached.

STATE OF NEW YORK)
COUNTY OF ULSTER : SS:
TOWN OF GARDINER)

I,_____hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true.

Name_____

Mailing Address_____

_____

SWORN to before me this

_____day of_____200___

Date received by the Planning Board_____

617.20

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR	2. PROJECT NAME

3. PROJECT LOCATION:

Municipality County

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

5. PROPOSED ACTION IS:

☐ New ☐ Expansion ☐ Modification/alteration

6. DESCRIBE PROJECT BRIEFLY:

7. AMOUNT OF LAND AFFECTED:

Initially _____ acres Ultimately _____ acres

8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?

☐ Yes ☐ No If No, describe briefly

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?

☐ Residential ☐ Industrial ☐ Commercial ☐ Agriculture ☐ Park/Forest/Open Space ☐ Other

Describe:

10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?

☐ Yes ☐ No If Yes, list agency(s) name and permit/approvals:

11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?

☐ Yes ☐ No If Yes, list agency(s) name and permit/approvals:

12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?

☐ Yes ☐ No

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

Applicant/sponsor name: _____ Date: _____

Signature: _____

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

OVER

Reset

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.

☐ Yes ☐ No

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

☐ Yes ☐ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?

☐ Yes ☐ No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

☐ Yes ☐ No If Yes, explain briefly:

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

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.

Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)

Reset

SUBDIVISION — The division of any land into two or more lots, blocks, parcels or sites, regardless of size. "Subdivision" includes the division of any land for the purpose of offer, sale, lease, or development, either on the installment plan or upon any and all other plans, terms and conditions, including resubdivision. "Subdivision" includes the division or development of residential and nonresidential zoned land or land intended for either purpose. (Any parcel of land divided into two is automatically a subdivision.)

SUBDIVISION, MAJOR — Any subdivision containing more than three lots, or any subdivision requiring any new public street extension, or the extension of municipal facilities.

SUBDIVISION, MINOR — Any subdivision containing not more than three lots which does not require any new municipal street, street extension, or extension of municipal facilities. (See also "lot line revision," supra.)

TOWN BOARD — The Town Board of the Town of Gardiner.

TOWN COMPREHENSIVE PLAN — A comprehensive plan for the development of the Town prepared by the Planning Board, pursuant to § 272-a of the Town Law which indicates the general locations recommended for various public works and reservations, and for the general physical development of the Town, and including any part of such plan separately adopted and any amendment to such plan or parts thereof.

TOWN ENGINEER — The Municipal Engineer, Town Superintendent of Highways, or anyone so designated by the Town Board.

UNDERWATER LAND — Land which is submerged during the twenty-five-year design storm (per USDA Release 55) or which meets the definitions of wetlands in 6 NYCRR 664, including wetland shown on the final freshwater wetlands map promulgated pursuant to § 24-0301 of the Environmental Conservation Law. **[Added 8-12-2003 by L.L. No. 3-2003]**

ZONING LAW — The officially adopted Zoning Law of the Town, together with any and all amendments thereto, in accordance with Article 16 of the Town Law.[1]

ARTICLE III
Application, Review and Approval Procedures

§ 188-10. General procedure.

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

1. Editor's Note: See Ch. 220, Zoning.

A. Major subdivision. For a major subdivision:

(1) Preapplication meeting with Planning Board.

(2) Sketch plan showing general concept and evidence that the proposed plan is both consistent and compatible with the goals of the current Town Comprehensive Plan. **[Amended 8-13-2002 by L.L. No. 1-2002]**

(3) Preliminary plat showing proposal in detail.

(4) Preliminary public hearing.

(5) Review by Town and non-Town agencies.

(6) Plat or finalized proposal.

(7) Public hearing.

(8) Planning Board approval by resolution.

(9) Completion of improvements or posting of bond, certified checks or suitable alternative surety.

(10) Signing of plat by Planning Board.

(11) Filing of plat in County Clerk's office.

B. Minor subdivision. For a minor subdivision, the same steps shall be followed as for a major subdivision, with the exception that steps A(3) and (4) may be omitted.

C. Lot line revision. In the case of a lot line revision between two adjoining parcels, the Planning Board may waive any of the above requirements, but in no case shall approval be granted for a lot line revision which will result in the creation of a nonconforming lot under the provisions of Chapter 220, Zoning, of this Municipal Code.

§ 188-11. Preapplication conference.

Before preparing a detailed proposal, the subdivider should make an appointment at a regular meeting of the Planning Board to familiarize himself or herself with the requirements of these and other regulations, the policies and plans of the Planning Board, and other information that may be pertinent to the subdivision. He or she should also discuss his or her proposal with the County Health Department which is responsible for the adequacy of lot sizes and facilities for water supply and sewage disposal. Under certain conditions, the subdivider may also need the approval of the state or county highway agencies, the Ulster County Planning Board, and others; therefore the proposed subdivision should be discussed in advance with those agencies.

§ 188-12. Sketch plan.

Sketch plan procedure.

A. Prior to filing a preliminary plat, the subdivider, or his or her duly authorized representative, shall submit a sketch plan showing the basic proposed layout and other information required in Article V of these regulations. At least two copies of the sketch plan shall be delivered to the Chairman or other authorized official of the Planning Board. After submission of the sketch plan, the Planning Board shall schedule a field trip to the site to be accompanied by the subdivider. To facilitate the inspection of the site, the subdivider shall have the center line of any proposed streets marked by temporary stakes. After review of the sketch plan and field inspection, and within 45 days of the official date of submission of the sketch plan, the Planning Board shall tentatively approve the sketch plan or recommend modifications in writing.

B. The Planning Board may request a technical review and analysis of the proposed sketch plan of its Planning Consultant and/or Town Engineer or other authorized persons. The applicant shall reimburse the Town for the professional fees required in accordance with said review(s). The same procedure shall apply in the case of the preliminary plat, § 188-13, and the subdivision plat, § 188-14.

§ 188-13. Preliminary plat.

A. Procedure. A preliminary plat shall then be prepared and submitted showing in detail how the subdivision is to be designed, the details of construction, any proposed covenants, and other items required in Article V. The approval procedure shall be as follows: **[Amended 8-12-2003 by L.L. No. 3-2003]**

(1) Submission of preliminary plats. All plats shall be submitted to the Planning Board for approval in final form; provided, however, that where the Planning Board has been authorized to approve preliminary plats, the owner may submit or the Planning Board may require that the owner submit a preliminary plat for consideration. Such a preliminary plat shall be clearly marked "preliminary plat" and shall conform to the definition provided in this chapter.

(2) Coordination with the State Environmental Quality Review Act. The Planning Board shall comply with the provisions of the State Environmental Quality Review Act under Article 8 of the Environmental Conservation Law and its implementing regulations.

(3) Receipt of a complete preliminary plat. A preliminary plat shall not be considered complete until a negative declaration has been filed or until a notice of completion of the draft environmental impact statement has been filed in accordance with the provisions of the State Environmental Quality Review Act. The time periods for review of a preliminary plat shall begin upon filing of such negative declaration or such notice of completion.

(4) Planning Board as lead agency under the State Environmental Quality Review Act; public hearing; notice; decision.

(a) Public hearing on preliminary plats. The time within which the Planning Board shall hold a public hearing on the preliminary plat shall be coordinated

with any hearings the Planning Board may schedule pursuant to the State Environmental Quality Review Act, as follows:

[1] If such Board determines that the preparation of an environmental impact statement on the preliminary plat is not required, the public hearing on such plat shall be held within 62 days after the receipt of a complete preliminary plat by the Clerk of the Planning Board; or

[2] If such Board determines that an environmental impact statement is required, and a public hearing on the draft environmental impact statement is held, the public hearing on the preliminary plat and the draft environmental impact statement shall be held jointly within 62 days after the filing of the notice of completion of such draft environmental impact statement in accordance with the provisions of the State Environmental Quality Review Act. If no public hearing is held on the draft environmental impact statement, the public hearing on the preliminary plat shall be held within 62 days of filing the notice of completion.

(b) Public hearing; notice, length. The hearing on the preliminary plat shall be advertised at least once in a newspaper of general circulation in the Town at least five days before such hearing if no hearing is held on the draft environmental impact statement, or 14 days before a hearing held jointly therewith. The Planning Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such preliminary plat. The hearing on the preliminary plat shall be closed upon motion of the Planning Board within 120 days after it has been opened.

(c) Decision. The Planning Board shall approve, with or without modification, or disapprove such preliminary plat as follows:

[1] If the Planning Board determines that the preparation of an environmental impact statement on the preliminary plat is not required, such Board shall make its decision within 62 days after the close of the public hearing; or

[2] If the Planning Board determines that an environmental impact statement is required, and a public hearing is held on the draft environmental impact statement, the final environmental impact statement shall be filed within 45 days following the close of such public hearing in accordance with the provisions of the State Environmental Quality Review Act. If no public hearing is held on the draft environmental impact statement, the final environmental impact statement shall be filed within 45 days following the close of the public hearing on the preliminary plat. Within 30 days of the filing of such final environmental impact statement, the Planning Board shall issue findings on the final environmental impact statement and make its decision on the preliminary plat.

(d) Grounds for decision. The grounds for a modification, if any, or the grounds for disapproval shall be stated upon the records of the Planning Board. When so approving a preliminary plat, the Planning Board shall state in writing any modifications it deems necessary for submission of the plat in final form.

(5) Planning Board not as lead agency under the State Environmental Quality Review Act; public hearing; notice; decision.

(a) Public hearing on preliminary plats. The Planning Board shall, with the agreement of the lead agency, hold the public hearing on the preliminary plat jointly with the lead agency's hearing on the draft environmental impact statement. Failing such agreement or if no public hearing is held on the draft environmental impact statement, the Planning Board shall hold the public hearing on the preliminary plat within 62 days after the receipt of a complete preliminary plat by the Clerk of the Planning Board.

(b) Public hearing; notice, length. The hearing on the preliminary plat shall be advertised at least once in a newspaper of general circulation in the Town at least five days before such hearing if held independently of the hearing on the draft environmental impact statement, or 14 days before a hearing held jointly therewith. The Planning Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such preliminary plat. The hearing on the preliminary plat shall be closed upon motion of the Planning Board within 120 days after it has been opened.

(c) Decision. The Planning Board shall by resolution approve with or without modification or disapprove the preliminary plat as follows:

[1] If the preparation of an environmental impact statement on the preliminary plat is not required, the Planning Board shall make its decision within 62 days after the close of the public hearing on the preliminary plat.

[2] If an environmental impact statement is required, the Planning Board shall make its own findings and its decision on the preliminary plat within 62 days after the close of the public hearing on such preliminary plat or within 30 days of the adoption of findings by the lead agency, whichever period is longer.

(d) Grounds for decision. The grounds for a modification, if any, or the grounds for disapproval shall be stated upon the records of the Planning Board. When so approving a preliminary plat, the Planning Board shall state in writing any modifications it deems necessary for submission of the plat in final form.

(6) Certification and filing of preliminary plat. Within five business days of the adoption of the resolution granting approval of such preliminary plat, such plat shall be certified by the Clerk of the Planning Board as having been granted preliminary approval and a copy of the plat and resolution shall be filed in such Clerk's office. A copy of the resolution shall be mailed to the owner.

(7) Filing of decision on preliminary plat. Within five business days from the date of the adoption of the resolution stating the decision of the Board on the preliminary plat, the Chairman or other duly authorized member of the Planning Board shall cause a copy of such resolution to be filed in the office of the Town Clerk.

(8) Revocation of approval of preliminary plat. Within six months of the approval of the preliminary plat the owner must submit the plat in final form. If the final plat is not submitted within six months, approval of the preliminary plat may be revoked by the Planning Board.

B. Study of preliminary plat. The Planning Board shall study the practicability of the preliminary plat taking into consideration the requirements of the community and the best use of the land being subdivided. Particular attention shall be given to the arrangement, location, and width of streets; the relation to the topography of the land; water supply, sewage disposal, and drainage; lot sizes, shape and arrangement; the future development of adjoining lands as yet unsubdivided; and the requirements of the Town Plan, the Official Map, and Zoning Law,[2] if such exist, and other matters enumerated in § 277 of the Town Law. The Planning Board shall state in its approval specific changes necessary and the character and extent of improvements or waivers of improvements. Approval of the preliminary plat shall not constitute approval of the final plat nor of the acceptability of the required improvements.

C. Applicant to attend Planning Board meeting. The subdivider shall be prepared to attend a regular meeting of the Planning Board to discuss the preliminary plat and the Board's tentative conclusions.

D. Approval of preliminary plat. Approval shall be noted on two copies of the preliminary plat referenced and attached to any statement of modifications. One copy shall be returned to the applicant and one copy shall be retained by the Planning Board.

E. Construction of improvements. Upon application and after approval by the Planning Board, a subdivider may construct, at his/her own risk, those drainage system improvements and road subgrade appurtenances and foundation courses as shown on the approved preliminary plat. No paving or wearing courses shall be applied. In the event conditional preliminary plat approval is granted, the amended improvement plans shall be submitted together with the written request to initiate construction. Evidence of approval of the Town Board shall be submitted as required by Chapter 184, Streets and Sidewalks, § 184-12B, and all work shall be subject to an inspection fee and inspection in accordance with § 188-15C. Prior to construction, the subdivider shall submit an executed agreement saving the Town harmless for any modifications or changes required to the final plat and improvement plan resulting from review procedures following preliminary plat approval. The foregoing procedure shall be applicable only to actions for which SEQR processing is complete and appropriate and appropriate DEC permits have been filed with the Planning Board. **[Added 12-12-1989 by L.L. No. 1-1989]**

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2. **Editor's Note: See Ch. 220, Zoning.**

§ 188-14. Final plat. [Amended 8-12-2003 by L.L. No. 3-2003]

A. Filing of final plat; time limit. Within six months after the conditional approval of the preliminary plat, the subdivider shall file the plat in final form with the Planning Board, accompanied by required fees and information required in Article V. If the plat and required accompanying materials are not submitted within six months after approval of the preliminary plat, the submission shall lapse and be void unless by resolution of the Planning Board such approval is extended.

B. Agency review. Where review of subdivisions is required by other agencies such as the County Health Department, the State Department of Environmental Conservation, County and State Highway Departments, and the County Planning Board, tentative written recommendations of these agencies subject to modification due to local conditions which may be brought forth at the public hearing shall be filed by the subdivider with the Planning Board prior to the public hearing.

C. Planning Board action.

(1) Final plats shall conform to the definition provided by this chapter.

(2) Final plats which are in substantial agreement with approved preliminary plats. When a final plat is submitted which the Planning Board deems to be in substantial agreement with a preliminary plat approved pursuant to this section, the Planning Board shall by resolution conditionally approve with or without modification, disapprove, or grant final approval and authorize the signing of such plat, within 62 days of its receipt by the Clerk of the Planning Board.

(3) Final plats when no preliminary plat is required to be submitted; receipt of complete final plat. When no preliminary plat is required to be submitted, a final plat shall not be considered complete until a negative declaration has been filed or until a notice of completion of the draft environmental impact statement has been filed in accordance with the provisions of the State Environmental Quality Review Act. The time periods for review of such plat shall begin upon filing of such negative declaration or such notice of completion.

(4) Final plats; not in substantial agreement with approved preliminary plats, or when no preliminary plat is required to be submitted. When a final plat is submitted which the Planning Board deems not to be in substantial agreement with a preliminary plat approved pursuant to this chapter, or when no preliminary plat is required to be submitted and a final plat clearly marked "final plat" is submitted conforming to the definition provided by this chapter, the following shall apply:

(a) Planning Board as lead agency; public hearing; notice; decision.

[1] Public hearing on final plats. The time within which the Planning Board shall hold a public hearing on such final plat shall be coordinated with any hearings the Planning Board may schedule pursuant to the State Environmental Quality Review Act, as follows:

[a] If such Board determines that the preparation of an environmental impact statement is not required, the public hearing on a final plat

not in substantial agreement with a preliminary plat, or on a final plat when no preliminary plat is required to be submitted, shall be held within 62 days after the receipt of a complete final plat by the Clerk of the Planning Board; or

[b] If such Board determines that an environmental impact statement is required, and a public hearing on the draft environmental impact statement is held, the public hearing on the final plat and the draft environmental impact statement shall be held jointly within 62 days after the filing of the notice of completion of such draft environmental impact statement in accordance with the provisions of the State Environmental Quality Review Act. If no public hearing is held on the draft environmental impact statement, the public hearing on the final plat shall be held within 62 days following filing of the notice of completion.

[2] Public hearing; notice, length. The hearing on the final plat shall be advertised at least once in a newspaper of general circulation in the Town at least five days before such hearing if no hearing is held on the draft environmental impact statement, or 14 days before a hearing held jointly therewith. The Planning Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such final plat. The hearing on the final plat shall be closed upon motion of the Planning Board within 120 days after it has been opened.

[3] Decision. The Planning Board shall make its decision on the final plat as follows:

[a] If such Board determines that the preparation of an environmental impact statement on the final plat is not required, the Planning Board shall by resolution conditionally approve, with or without modification, disapprove, or grant final approval and authorize the signing of such plat, within 62 days after the date of the public hearing; or

[b] If such Board determines that an environmental impact statement is required, and a public hearing is held on the draft environmental impact statement, the final environmental impact statement shall be filed within 45 days following the close of such public hearing in accordance with the provisions of the State Environmental Quality Review Act. If no public hearing is held on the draft environmental impact statement, the final environmental impact statement shall be filed within 45 days following the close of the public hearing on the final plat. Within 30 days of the filing of the final environmental impact statement, the Planning Board shall issue findings on such final environmental impact statement and shall by resolution conditionally approve, with or without

modification, disapprove, or grant final approval and authorize the signing of such plat.

[4] Grounds for decision. The grounds for a modification, if any, or the grounds for disapproval shall be stated upon the records of the Planning Board.

(b) Planning Board not as lead agency; public hearing; notice; decision.

[1] Public hearing. The Planning Board shall, with the agreement of the lead agency, hold the public hearing on the final plat jointly with the lead agency's hearing on the draft environmental impact statement. Failing such agreement or if no public hearing is held on the draft environmental impact statement, the Planning Board shall hold the public hearing on the final plat within 62 days after the receipt of a complete final plat by the Clerk of the Planning Board.

[2] Public hearing; notice, length. The hearing on the final plat shall be advertised at least once in a newspaper of general circulation in the Town at least five days before such hearing if held independently of the hearing on the draft environmental impact statement, or 14 days before a hearing held jointly therewith. The Planning Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such final plat. The hearing on the final plat shall be closed upon motion of the Planning Board within 120 days after it has been opened.

[3] Decision. The Planning Board shall by resolution conditionally approve, with or without modification, disapprove, or grant final approval and authorize the signing of such plat as follows:

[a] If the preparation of an environmental impact statement on the final plat is not required, the Planning Board shall make its decision within 62 days after the close of the public hearing on the final plat.

[b] If an environmental impact statement is required, the Planning Board shall make its own findings and its decision on the final plat within 62 days after the close of the public hearing on such final plat or within 30 days of the adoption of findings by the lead agency, whichever period is longer. The grounds for a modification, if any, or the grounds for disapproval shall be stated upon the records of the Planning Board.

(5) Plats conditionally approved shall not be signed by the authorized officers of the Planning Board until the subdivider has complied with all conditions or modifications of approval. Conditional approval of a final plat shall expire within 180 days after the date of the resolution granting conditional approval.

D. Conditional approval. In the event requirements of § 188-15 of these regulations or other conditions set forth by the Planning Board are not complete at the time of submission of the final plat, the Planning Board may conditionally approve the final plat. The owner shall have 180 days to meet the conditions and the Planning Board may extend this time for up to 180 additional days. Upon satisfaction of these conditions, the plat shall be signed by an authorized officer of the Planning Board.

E. Filing of the approved final plat. An approved plat shall be filed by the subdivider in the Office of the Clerk of Ulster County within 62 days from the approval date. Failure to file the signed approved plat within the required time shall render the approval void.

F. Division of subdivision plat into two or more sections. The Planning Board may permit the plat to be divided into two or more sections, subject to such conditions as it deems necessary to assure the orderly development of the subdivision. Any section shall encompass at least 10% of the total number of lots shown on the plat. If a subdivision is subdivided into several sections, the performance bond or other surety as specified in Subsection A of § 188-15 shall be limited to those improvements required to service the proposed section for which final approval is requested.

§ 188-15. Required improvements and procedure.

A. Improvements or performance bond. Before the Planning Board Chairman or other authorized person may sign the plat, the subdivider shall either post a bond or certified check, bank passbook, or other surety satisfactory to the Planning Board, in an amount sufficient to construct required improvements, or shall complete the required improvements to the satisfaction of the Town Engineer or other authorized person.

(1) When bond or certified check is posted. The subdivider shall either file with the Town Clerk a certified check to cover the full cost of the required improvements as determined by the Planning Board, or the subdivider shall file with the Town Clerk a performance bond to cover the full cost of the required improvements. Any such bond shall comply with the requirements of § 277 of the Town Law and shall be satisfactory to the Town Board and 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, but not to exceed three years, shall be set forth in the bond within which the required improvements shall be completed.

(2) When no bond is posted. When no bond, certified check, bank passbook, or other surety satisfactory to the Planning Board is posted, the subdivider shall complete all required improvements to the satisfaction of the Town Engineer who shall file with the Planning Board a letter signifying the satisfactory completion of all improvements required by the Planning Board.

(3) As-built drawings necessary. The required improvements shall not be considered to be completed until the installation of the improvements has been approved by the Town Engineer and a map satisfactory to the Planning Board has been submitted indicating the actual location of all required improvements and monuments marking all underground utilities as actually installed. If the subdivider completes all required improvements according to Subsection A(2) above, then said 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 certified check, bank passbook, or other surety satisfactory to the Planning Board for all required improvements as specified in Subsection A(2) above, such surety shall not be released until such map is submitted.

B. 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 Town Engineer that unforeseen conditions make it necessary or preferable to modify the location or design of such required improvements, the Town Engineer may, upon approval of the Planning Board, authorize modifications, provided these modifications are within the spirit and intent of the Planning Board's approval and do not extend to the waiver or substantial alteration of the function of any improvements required by the Planning Board. The Town 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.

C. Inspection of improvements and fee. At least 10 days prior to commencing construction of required improvements, the subdivider shall pay to the Town Clerk an inspection fee of 1.5% of the cost of required improvements and shall notify the Planning Board in writing of the time when he or she proposes to commence construction of such improvements so that the Planning Board may cause inspection to be made to assure that all Town specifications and requirements shall be met during the construction of required improvements and utilities required by the Planning Board.

D. Proper installation of improvements.

(1) If the Town Engineer shall find upon inspection 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 or she shall so report to the Planning Board. The Planning Board then shall notify the subdivider and, if necessary, the bonding company, and take all necessary steps to preserve the Town's rights under the bond.

(2) Culvert dimensions on all watercourses must be approved by the Planning Board and watercourses may not be dammed or diverted without permission from the Planning Board.

§ 188-16. Filing of approved subdivision plat.

A. Signing and filing. Upon completion of the requirements of §§ 188-14 and 188-15, the plat shall be signed by the Chairman of the Planning Board and Secretary as directed by resolution of the Planning Board at a public meeting. In the absence of the Chairman, the Vice Chairman may sign. **[Amended 8-12-2003 by L.L. No. 3-2003]**

B. Plat void if revised after approval. No changes, erasures, modifications, or revisions shall be made in any plat after approval has been given by the Planning Board and endorsed in writing on the plat, unless the said plat is first resubmitted to the Planning Board and

such Board approves any modifications. In the event that any such plat is recorded without complying with this requirement, the same shall be considered null and void, and the Planning Board shall institute proceedings to have the plat stricken from the records of the County Clerk.

§ 188-17. Status of streets, parks and easements.

A. Offers of cession. In accordance with § 279 of the Town Law, the subdivider may add a notation on the plat that no offer of streets, parks or easements shown on the plat is made to the public. Failure to make such notation will constitute a continuing offer of cession to the Town which may be accepted by the Town Board at any time prior to revocation of said offer by the owner of the land or his or her agent. Formal offers of cession to the public of all streets, parks, and easements, not marked with such notation on the plat, shall be filed with the Planning Board prior to approval of the plat.

B. Acceptance by Town.

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

(2) The approval by the Planning Board of a plat shall not be deemed to constitute or imply the acceptance by the Town Board of any street, park, easement, or open space shown on said plat. The Planning Board may require said plat to be endorsed with an appropriate note to this effect.

C. Maintenance of roads. In those cases where no offer of cession to the public is made for the roads, parks and required easements shown on the plat, there shall be submitted with the plat, copies of agreements or other documents providing for, and fixing responsibility for liability, their suitable maintenance, and statements of all rights which exist with respect to the use of such property or properties. Such documents shall be reviewed by the Town Attorney for legal adequacy and competency.

ARTICLE IV
General Requirements and Design Standards

§ 188-18. General use of land.

A. 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.

B. Conformity to Official Map and Comprehensive Plan. Subdivisions shall conform to the Official Map of the Town and Ulster County and shall be in harmony with the Town Comprehensive Plan, if such exist.

C. Preservation of natural cover. Land to be subdivided shall be laid out and improved in reasonable conformity to existing topography, in order to minimize grading and cut and fill, to retain, insofar as possible, the natural contours, to limit stormwater runoff, and to

conserve the natural cover and soil. No topsoil, sand or gravel shall be removed from any lots shown on any subdivision plat except for the purpose of improving such lots and for laying out of streets shown thereon. Topsoil so removed shall be restored to a depth of six inches and properly seeded and fertilized on areas of such lots not occupied by buildings or structures. No excess topsoil so removed shall be disposed of outside of the boundaries of the Town, except upon the approval of the Town Board. Any change of the natural slope of the land shall be permitted only by special consideration of the Planning Board.

D. Preservation of existing features. Existing features which would enhance the attractiveness of the site or the community as a whole, such as trees, watercourses, ponds, historic places, and similar irreplaceable assets, shall be preserved insofar as possible through harmonious design of the subdivision. The Board may require easements in favor of the Town of Gardiner, other lot owners, and other restrictions, including conservation easements under General Municipal Law § 247, to insure the continuing preservation of such features. **[Amended 8-12-2003 by L.L. No. 3-2003]**

E. Specifications for required improvements. All required streets and other improvements shall be constructed or installed to conform to Town specifications, which may be obtained from the Town Clerk.

§ 188-19. Streets.

A. General.

(1) Streets shall be suitably located, of sufficient width, and adequately improved to accommodate the prospective traffic, and to afford satisfactory access to police, fire fighting, snow removal, or other road maintenance equipment, and shall be coordinated so as to compose a convenient system. All streets shall be properly related to the Town Comprehensive Plan and in conformance in location and alignment to the Official Map, if such exist.

(2) The Town shall not accept an offer of dedication for any street that does not have direct access to an existing public street or highway.

B. Relation to topography. Streets shall be logically related and shall conform insofar as possible to the original topography. They shall be arranged so as to obtain as many building sites as possible at or above the grade of the street. A combination of steep grades and sharp curves shall be avoided.

C. Continuation of streets into adjacent property. Streets shall be arranged to provide for the continuation of principal streets between adjacent properties where such continuation is necessary for convenient movement of traffic, effective fire protection, efficient provision of utilities, and particularly where such continuation is in accordance with the Town Comprehensive Plan, as it may be adopted. Reserve strips, controlling access to streets, shall be prohibited except where their control is placed with the Town under conditions approved by the Planning Board. If adjacent property is undeveloped and the street must temporarily be a dead-end street, the right-of-way and improvements shall be extended to the property line. A temporary circular turnaround with a traveled way radius of at least

50 feet shall be provided on all temporary dead-end streets, with the notation on the plat that land outside the normal street right-of-way shall revert to abutting properties.

D. Treatment of major streets.

(1) In residential areas. Where a subdivision abuts or contains an existing or proposed major street, the Planning Board may require marginal access streets, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

(2) In business areas. In areas zoned or designed for commercial use, or where a change of zoning is contemplated for commercial use, the Planning Board may require that the street width be increased or that a service road be constructed, to assure the free flow of through traffic without interference by parked or parking vehicles, and to provide adequate and safe parking space for such commercial area.

E. Dead-end streets. Permanent dead-end streets shall normally not exceed 1,200 feet in length in order to provide for convenience of traffic movement and facilitate more effective police and fire protection. A depth suitable for an adequate building lot may be required to be retained between the terminus of the street and adjoining property. The Planning Board may require the reservation of a twenty-foot-wide easement through this property to facilitate pedestrian traffic or utilities. No permanent dead-end streets may be constructed having more than 20 building lots. A T-shaped turnaround shall be installed at the end of a dead-end street. This "T" should be 50 feet each side of the right-of-way and be the same width as the road (i.e., 50 feet by 150 feet). Any deviation may be made only by written release from the Town Board, Planning Board and Superintendent of Highways. Such release should accompany the owner's petition.

F. Street names. All streets shall be named and such names shall be subject to the approval of the Planning Board. Names shall be sufficiently different in sound and spelling from other street names in the Town to avoid confusion. A street which is a continuation of an existing street shall bear the same name. As general policy, the use of personal names for new roads is discouraged. Historical names are preferred, or names appropriate to the particular development or general neighborhood.

G. Intersections.

(1) Design. Intersections of major streets by other streets shall be at least 800 feet apart. Cross (four-cornered) street intersections shall be avoided, except at important traffic intersections. A distance of at least 150 feet shall be maintained between offset intersections. Within 40 feet of an intersection, streets shall be approximately at right angles, and grades shall be limited to 1.5%. All street intersection corners shall be rounded by curves of at least 25 feet in radius at the property line.

(2) Visibility at intersections. Within the triangular area formed at corners by the intersecting street lines, for a distance of 75 feet from their intersection and diagonal connecting the end points of these lines, visibility for traffic safety shall be provided by excavating, if necessary. Nothing in the way of fences, walls,

hedges, or other landscaping shall be permitted to obstruct such visibility. An easement for the enforcement of this provision shall be granted to the owner of the street and notation to this effect made on the plat.

H. Provision for future resubdivision. Where a tract is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged to allow the provision of future streets and logical further subdivision.

I. Design standards for streets. Streets shall meet the design standards set forth in the following table, based on the street classification indicated on the Town Comprehensive Plan or the Official Map, as they may be adopted. In the absence of a Town Comprehensive Plan or Official Map, the classification shall be determined by the Planning Board.

Design Element	Major Street	Secondary Street	Local Street
Minimum right-of-way width (feet)	60	60	50
Minimum traveled-way width (excluding shoulders) (feet)	30	30	20
Maximum grade	6%	8%	10%
Minimum grade	1%	1%	1%
Minimum radius of horizontal curve at center line (feet)	400	250	125
Minimum length of vertical curve (feet)	300	200[1]	100[2]
Minimum length of tangent between reverse curves (feet)	300	200	100
Minimum sight distance (feet)	400	300	200
Road pavement, shoulders, sidewalks, drainage structures, curbs, etc.	See Town Construction Standards and Specifications		

Notes:

[1] But not less than 40 feet for each 1% algebraic difference in grade.

[2] But not less than 20 feet for each 1% algebraic difference in grade.

§ 188-20. Blocks.

Block dimensions shall be at least twice the minimum lot depth in width and at least 400 feet in length, but generally not more than 1,200 feet in length. In long blocks, the Planning Board may require the establishment of easements or public ways through the block to accommodate utilities or pedestrian access.

§ 188-21. Lots.

A. Lots to be buildable. The lot size, width, depth, shape and arrangement shall be appropriate for the type of development and use contemplated and shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with Chapter 220, Zoning, as it may be adopted, or in providing access to buildings on such lots from an approved street. Dimensions of corner lots shall be large enough to allow for erection of buildings, observing the minimum front yard setback from both streets.

B. Side lot lines. Side lot lines shall generally be at right angles to street lines unless a variation from this rule will give, in the opinion of the Planning Board, a better street or lot plan. Lot lines shall coincide with municipal boundaries rather than cross them. Where extra width has been dedicated for widening an existing street, lot lines shall begin at such extra width line.

C. Access from major streets. Lots shall generally not have their vehicular access from a major street. Where driveway access from a major street may be necessary for several adjoining lots, the Planning Board may require that such lots be served by a combined access drive in order to limit possible traffic hazard on such street. (See Subsection D of § 188-19, Treatment of major streets.)

D. Access across a watercourse. Where a watercourse separates the buildable area of a lot from the access street, provision shall be made for the installation of a culvert or other structure, of a design approved by the Town Engineer.

E. Water bodies. If a tract being subdivided contains a water body or portion thereof, lot lines shall be so drawn as to distribute the ownership of the water body among the fees of the adjacent lots. The Planning Board may approve an alternate plan whereby the ownership of and responsibility for safe maintenance of the water body is so placed that it will not become a Town responsibility. No more than 25% of the minimum lot area required under the provisions of the Zoning Law, as it may be adopted, may be satisfied by land under water.

§ 188-22. Reservations and easements.

A. Parks and open space.

(1) General. In accordance with § 277 of the Town Law, the Planning Board may require either the reservation of land for a park or recreational purposes or payment of money in lieu of land to a trust fund to be used exclusively for

neighborhood park, playground or recreational purposes, including the acquisition of property.

(2) Reservation of land. The Planning Board may require the reservation of land for open space or a park or recreational purposes to be reserved on the plat, but in no case to be more than 10% of the gross area of the subdivision. The location of such reservation shall be in accordance with the Town Comprehensive Plan or Official Map, if such exist, or otherwise where the Planning Board shall deem such reservation to be appropriate. In general, such reservations should have an area of at least two acres and have adequate street access.

(3) Payment of money in lieu of land. Where the Planning Board determines that a suitable park or recreation site of adequate size cannot be properly located in any such plat or is otherwise not practical, the Planning Board may stipulate the payment of moneys-in-lieu of recreation land. Such moneys shall be placed in trust to be used exclusively for the purpose of acquisition and development of neighborhood sites for parks, playgrounds or other recreational purposes as may be deemed appropriate by the Town Board. The amount of such moneys-in-lieu shall be computed as follows:

(a) The required recreation land in acres.

(b) The fair market value of land in the proposed subdivision prior to development. Note: Fair market value to be determined by the Planning Board based on recent purchase prices or by impartial appraisal in a manner established by the Planning Board. All costs of appraisal incurred shall be payable by the applicant at the time of final approval.

(c) Required moneys-in-lieu of land shall be the required recreation land in acres times the fair market value as determined above, in dollars per gross acre. Where the Planning Board stipulates moneys-in-lieu of recreation land, the required recreation area may then be included as area for subdivision purposes.

B. Widening or realignment of existing streets. Where the subdivision borders an existing street and additional land is required for realignment or widening of such street as indicated on the Official Map, or Town Comprehensive Plan, if such exist, or where the Planning Board deems such reservation necessary, the Planning Board may require that such areas be indicated on the plat and marked "Reserved for Street Realignment (or Widening) Purposes."

C. Easements for utilities and drainage. Where topography or other conditions are such as to make impractical the inclusion of utilities or drainage facilities within street right-of-way, perpetual unobstructed easements at least 20 feet in width for such utilities shall be provided across property outside the street lines and with satisfactory access to the street. Such easements shall be centered on rear or side lot lines.

D. Easements for pedestrian access. The Planning Board may require perpetual unobstructed easements at least 20 feet in width in order to facilitate pedestrian access from streets to schools, parks, playgrounds, or other nearby streets.

E. Easements for maintenance of slopes. Where steep slopes beyond the street right-of-way may require maintenance, an easement may be required for such purpose.

F. Responsibility for ownership of reservations. Title to all reservations, if vested in interests other than the subdivider, shall be clearly indicated on the plat.

§ 188-23. Improvements.

A. Monuments and markers. Permanent monuments shall be placed at all block corners, angle points, points of curvature, and point of tangency in streets, and at intermediate points as required by the Town Engineer. In no case shall there be less than four permanent monuments per block. Monuments shall be set so as to prevent movement by frost upheaval and other pressures. Markers of a material, size, and length suitable to the Town Engineer shall be placed at all points where road lines intersect plat boundaries and at all lot corners.

B. Street improvements.

(1) General. Streets shall be graded and improved with pavement, street signs, sidewalks, street lighting standards, curbs, gutters, street trees, water mains, sanitary sewers, storm drains, and fire hydrants, except where waivers may be requested; the Planning Board may waive, subject to appropriate conditions, such improvements as it considers are not requisite in the interest of the public health, safety, and general welfare, or may result in unnecessary hardship. If underground utilities are required by the Planning Board, they shall be placed between the paved roadway and street right-of-way line, where possible, to simplify location and repair of the lines. The subdivider shall install underground service connections to the property line of each lot before the street is paved. Such grading and improvements shall be approved as to design and specifications by the Town Engineer, who shall require that all pertinent Town standards and specifications shall be met.

(2) Utility poles. Where possible, utility poles shall be within the right-of-way of any street and shall be placed not further than two feet from the boundary line of such right-of-way.

C. Water and sewerage facilities. Facilities for water and sewerage shall be provided in each new subdivision in accordance with the requirements of the appropriate agency having jurisdiction over the planning and installation of these in the area of the subdivision; however, the following minimum requirements of the Town shall be met:

(1) Central water supply systems shall be designed with adequate pressures, mains and fire hydrants to meet Association of Fire Underwriters' Specifications for a Class C protected area.

(2) All water mains shall be at least six inches in diameter.

(3) Sanitary sewers shall not be used for stormwater drainage.

(4) Central sewerage systems, if any, shall provide a four-inch minimum size connection to each lot.

(5) Where possible, an access to ponds or water holes may be made available for fire purposes.

D. Storm drainage facilities. Storm drainage facilities shall provide a clear and protected channel fully adequate to handle runoff from a twenty-five-year storm and designed so that heavy runoffs which exceed the capacity of the channels can be handled with the least possible damage to improvements and structures.

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

F. Water supply. The Planning Board in these subdivision regulations will implement the Ulster County Department of Health recommendations of central water and sewerage for subdivision of 50 or more building lots. However, the Planning Board reserves the right to require central water and sewerage for any subdivision where, in its judgment, conditions warrant it.

ARTICLE V
Documents to be Submitted

§ 188-24. Sketch plan.

A. Number of copies. At least four copies of the sketch plan shall be delivered to the Planning Board.

B. Details required.

(1) The sketch shall be at a convenient scale of no more than 100 feet to the inch and shall be submitted on uniform size sheets not larger than 36 inches by 46 inches and shall contain the date of preparation, approximate true north point, title "Sketch Plan," and the graphic scale. Where more than one sheet is required, a scaled map showing the entire subdivision on one sheet shall be prepared.

(2) The name and address of the owner or owners of the land to be subdivided, the name and address of the subdivider if other than the owner, the name of the land surveyor or licensed professional engineer or individual who prepared the sketch plan, the proposed name of the subdivision, the Town of Gardiner and Ulster County.

(3) A map of the location of the tract with respect to surrounding properties and community facilities such as roads, parks and schools. Such map to be at a scale of either 2,000 or 800 feet to the inch and shall identify all property in the vicinity of the subdivision held by the subdivider.

(4) All existing restrictions on the use of land, including easements, covenants, zoning boundaries, or street lines.

(5) A sketch plan on a topographic survey of the proposed area to be subdivided showing in simple form the proposed layout of roads, lots and other features.

§ 188-25. Preliminary plat.

A. Number of copies. At least four copies shall be delivered to the Planning Board.

B. Application fee. The preliminary plat shall be accompanied by a fee as provided in the Standard Schedule of Fees of the Town of Gardiner plus the cost of advertising. All checks shall be made payable to the Town of Gardiner. **[Amended 8-12-2003 by L.L. No. 3-2003]**

C. Details required. The preliminary plat shall show or be accompanied by the following information, except where requirements have been waived through sketch plan review:

(1) All data required in Subsection B of § 188-24, except it shall be clearly labeled "Preliminary Plat."

(2) The location, bearings, and distances of the tract's boundaries prepared by a licensed surveyor, including seal and number.

(3) If topographic conditions are significant as determined by the Planning Board, contours shall be indicated at intervals of five feet or as required by the Planning Board.

(4) The names of all adjoining property owners of record and the names of adjacent developments.

(5) The location and dimensions of all public properties, street lines, easements, zoning boundaries, or restrictions on the property.

(6) Location of existing and proposed sewers, water mains, leaching fields, culverts, and storm drains, including pipe size and type, grades, direction of flow, and ownership.

(7) The location, width and approximate grade of all proposed streets with the approximate elevations shown at the beginning and end of each street, at street intersections, and at all points where there is a decided change in slope or direction.

(8) The area of the land included in the subdivision and the approximate location, dimensions, and area of all proposed or existing lots and land to be set aside for recreation and public purposes. The suggested location of buildings on lots will also be shown. All lots shall be numbered.

(9) Proposed provision of water supply, fire protection, sanitary waste disposal, stormwater drainage, street trees, street lighting, fixtures, signs, sidewalks and easements.

(10) The location of all existing structures such as buildings and stone walls and all pertinent natural features that may influence the design of the subdivision such as watercourses, swamps, rock outcropping, wooded areas, and single large trees eight inches or more in diameter measured three feet above the base of the trunk within the subdivision and within 50 feet thereof. Where large trees occur in groupings or clusters, only the general outlines of said groups or clusters need be shown.

(11) The location, dimensions, and status of all covenants, deed restrictions, or easements proposed by the applicant.

(12) Soil characteristics as determined by the United States Department of Agriculture, where available.

(13) Other data which may influence the design of the proposed subdivision and the health, safety, and welfare of future residents.

§ 188-26. Plat.

A. General specifications. All subdivision plats shall be clearly drawn on a transparent stable material such as Mylar or Chronoflex, suitable for reproduction, using black waterproof ink. Such plat shall be at a convenient scale of no more than 100 feet to the inch and shall be submitted on uniform sheets not larger than 36 inches by 48 inches. Where more than one sheet is required, a scaled map showing the entire subdivision on one sheet shall be submitted.

B. Copies required. The subdivider shall submit to the Planning Board one transparency as required in Subsection A above, which will be filed with the County Clerk, one transparent sepia type copy for the records of the Planning Board, and three prints.

C. Details required. The subdivision plat shall show or be accompanied by the following information except where requirements have been waived by the Planning Board:

(1) Name of the subdivision; name, address and signature of the owner; subdivider; seal and number of the licensed professional engineer or land surveyor who prepared the plat; the Town of Gardiner and Ulster County.

(2) A map of the location of the tract with respect to surrounding properties and community facilities such as roads, parks, and schools, at a scale of either 800 or 2,000 feet to the inch.

(3) Date of preparation, graphic scale, approximate true north point, bearings and distances of tract's boundaries.

(4) To the extent feasible, the current names of all adjoining property owners of record shall be indicated on the plat. Stamped envelopes, addressed to each of the owners of record of property, abutting or across the street from the tract, shall be submitted to the Planning Board.

(5) The location and dimension of all public properties, streets, easements, building lines or restrictions on the tract.

(6) The location of existing and proposed sewers, water mains, culverts, and storm drains, including pipe size and type, grades, direction of flow, ownership.

(7) The location, width, grade, and names of all proposed streets, with elevations shown at the beginning and the end of each street, at street intersections, and at all points where there is a decided change in slope or direction shown on the plat.

(8) Statement from subdivider's engineer giving estimated cost of construction of roads and other improvements to meet the requirements of these regulations, together with quantities and unit costs used in making the estimate.

(9) Radii of all curves and lengths of arcs.

(10) Profiles showing existing and proposed elevations along the center lines of all streets. Where a proposed street intersects an existing street or streets, the elevation along the center line of the existing street or streets, within 100 feet of the intersection, shall be shown.

(11) The Planning Board may require a cross section where steep slopes exist, showing present elevations of all proposed streets every 100 feet at five points on a line at right angles to the center line of the street, and said elevation points shall be at the center line of the street, each property line, and points 30 feet inside each property line.

(12) Plans and profiles showing the location and a typical cross section of street pavements, including curbs and gutters, sidewalks, manholes, and catch-basins; the location of street trees, street lighting standards, and street signs; the location, size and invert elevation of existing and proposed sanitary sewers, stormwater drains, and fire hydrants; and the exact location and size of all water, gas, or other underground utilities or structures.

(13) The area of the land included in the subdivision, and the location, dimensions and area (in square feet or acres) of all existing or proposed lots and land to be set aside for recreation or public purposes. All lots shall be numbered for identification.

(14) The location of all existing water bodies, swamps, or streams that will be retained or relocated or intended to be developed.

(15) Sufficient data acceptable to the Town Engineer to readily determine the location, bearings, and length of all lines and to reproduce such lines on the ground.

(16) The location of all existing and proposed monuments and markers.

(17) Offers of cession, in a form satisfactory to the Town Board, of all land offered, or to be offered, for dedication for streets, highways, easements, parks or other public facilities.

(18) Proposed covenants, deed restrictions, and easements proposed by the applicant.

(19) The following notations shall be shown on the plat:

(a) Endorsement by the Ulster County Health Department, and any stipulations of that Department (only tentative written endorsement is necessary before the public hearing, but final endorsement on the plat is needed before filing with the County Clerk).

(b) Explanation of drainage easements as follows:

"The drainage easements (or the drainage discharge points) shown hereon establish the perpetual right to discharge stormwater runoff from the highway and from the surrounding area onto and over the affected premises by means of pipes, culverts, or ditches, or a combination thereof, together with the right of the holder of fee title to the highway, or his or her authorized representatives, to enter said premises for purposes of making such installations and doing such maintenance work as said holder of fee title may deem necessary to adequately drain the highway and surrounding area."

(c) Explanation of sight easements as follows:

"The sight easements shown hereon establish the perpetual right of the holder of fee title of the highway, or his or her authorized representatives, to clear, regrade and maintain the area within these easements at such elevation that there is a clear line of sight anywhere across the area between an observer's eye at an elevation of 3.5 feet above the road surface at the nearest edge of the road and an object one foot above the nearest edge of pavement on the intersecting road."

(d) Explanation of reservation as follows:

"Reserved for highway purposes (or recreation purposes, or other approved purpose)."

(e) Explanation of slope easements, as follows:

"The slope easements shown hereon convey to the (insert here 'Town of Gardiner' or 'holder of fee title of the highway' or other phrase as directed by the Planning Board) the right to enter said premises for the purpose of cutting and maintaining a stable earth slope."

(f) Endorsement of owner as follows:

"I hereby grant my approval to this plat and consent to the filing of it in the Office of the County Clerk."