

The Town Board of the Town of Spafford assembled at the Spafford Town Hall, 1984 Route 174, Skaneateles, New York with Supervisor Webb A. Stevens presiding and the following Board members present: Councilor Rick Fesko, Councilor Merrill Clark and Councilor Jeff Ireland. Absent: Councilor Ken Lieberman.

The following Town Officers were present: Town Clerk Lisa Valletta, Code Enforcement Officer Kim Fairchild, Planning Board members: Les Morton, Steve Thayer, and Chad Marsh. Supervisor Stevens called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Spafford Town Board as lead agency has determined that the proposed action described below will not have a significant environmental impact and a Draft Impact Statement will not be prepared.

Name of Action: Local Law 2011-1

SEQR Status: Type 1

Unlisted ☒_X_

Conditioned Negative Declaration: ☐ Yes

☒ No

Description of Action:

The Town Board seeks to adopt Local Law 2011-1 regarding the amendment of the subdivision regulations of the Town of Spafford.

Location:

Local Law 2011-1 will apply to the entire Town of Spafford in Onondaga County, New York.

Reasons Supporting This Determination:

This determination is based upon an examination of the Environmental Assessment Form prepared by the Town Board and the criteria contained in 6 NYCRR Section 617.7(c).

PUBLIC HEARING FOR PROPOSED LOCAL LAW 2011-1

A motion was made by Councilor Fesko, seconded by Councilor Ireland to open the public hearing at 7:05 p.m. for discussion of proposed local law 2011-1 (A Local Law Regarding the Subdivision Regulations of the Town of Spafford). The motion PASSED. AYES – 4; NAYS – 0.

Councilor Clark asked for clarification of the term “monuments” in Article V, Section 1. Mr. Morton explained the term refers to surveyor monuments and a description is provided.

Councilor Clark asked if Article V, Section 2, A-2: “roads and streets shall comply with New York State Highway Department specifications” overrides the Town’s road specifications. Mr. Morton responded that it would not necessarily override the Town specifications; the proposal advises the more stringent specifications would be applied.

There were no other questions or comments.

A motion was made by Councilor Clark, seconded by Councilor Ireland to close the public hearing at 7:12 p.m. The motion PASSED. AYES – 4; NAYS – 0.

RESOLUTION 7-2011

Proposed Local Law 2011-1 SEQR (SEQR)

On a motion by Councilor Fesko, seconded by Councilor Ireland, the following resolution was adopted:

WHEREAS, a Local Law has been introduced before the Board, to wit: Local Law No. 2011-1, the purpose of which is to amend the subdivision regulations of the Town of Spafford.

WHEREAS, pursuant to the State Environmental Quality Review Act ("SEQRA"), the Town Board is required to make a determination with respect to the environmental impact of any "action" (as defined by SEQRA) to be taken by the Town Board, and the approval of Local Law 2011-1 constitutes such an action; and

WHEREAS, in connection with the preparation of the Local Law, the Town Board prepared an environmental assessment form ("EAF"), which has been used to determine whether and to what extent the Local Law may have a significant adverse impact upon the environment, and has reviewed all such information in that regard; and

NOW THEREFORE, BE IT RESOLVED by the Town Board as follows:

1. The adoption of Local Law 2011-1 constitutes an "Unlisted Action" pursuant to SEQRA.
2. Based upon an examination of the EAF prepared by the Town Board and the criteria contained in 6 NYCRR §617.7(c), the Town Board determines that Local Law 2011-1 will not have a significant impact upon the environment and issues the Negative Declaration attached hereto.
3. This Resolution shall take effect immediately.

RESOLUTION 8-2011

Enacting Local Law 2011-1: Regarding the Subdivision Regulations of the Town of Spafford

On a motion by Councilor Ireland, seconded by Councilor Clark the following resolution was adopted:

WHEREAS, a Local Law has been introduced before the Board, to wit: Local Law No. 2011-1, the content of which is set forth below; and

WHEREAS, on March 3, 2011, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as "SEQRA"), the Town Board declared the adoption of the aforesaid Local Law to be an unlisted action, conducted an uncoordinated environmental review of the proposed adoption of the Local Law under SEQRA, determined that the action will not have a significant adverse impact on the environment, and issued a negative declaration; and

WHEREAS, subsequent to the issuance of the negative declaration, the Town Board of the Town of Spafford, County of Onondaga, State of New York, held a Public Hearing on the matter of the adoption of the aforesaid Local Law, and that such Public Hearing was held at the Town Hall of the Town of Spafford, located at 1984 Route 174 in Skaneateles, County of Onondaga, State of New York, on the 3rd day of March, 2010, at 7:00 p.m., and all persons in interest and citizens desiring to be heard had an opportunity to be heard; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Spafford hereby enacts Local Law No. 2011-1, the content of which is as follows:

Town of Spafford Local Law 2011-1:

A LOCAL LAW REGARDING THE SUBDIVISION REGULATIONS OF THE TOWN OF SPAFFORD

BE IT ENACTED BY THE TOWN OF SPAFFORD AS FOLLOWS:

Article I. Purposes**Section 1. Purposes**

It is hereby declared to be the policy of the Town of Spafford that the subdivision and development of land shall be guided and regulated in such a manner as to meet the following requirements for orderly and harmonious growth:

Land to be subdivided or developed shall be of such character that it can be used safely without danger to health, or peril from fire, flood, erosion, excessive noise or smoke, or other menace. Proper provisions shall be made for drainage, water supply, sewage disposal, and other appropriate utility services. Proposed streets shall provide a safe, convenient, and functional system for vehicular circulation, and shall be properly related to master plans, when developed, for the affected area of the Town. Streets shall be of such width, grade, and location as to accommodate prospective traffic as determined by existing and probable future land building uses. Buildings, lots, blocks and streets shall be so arranged as to afford adequate light, view, and air to facilitate fire protection and to provide ample access for firefighting equipment to buildings. Land shall be subdivided or developed with due regard to topography so that the natural beauty of the land and vegetation shall be protected and enhanced.

Article II. Definitions**Section 1. Definitions**

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

- A. Subdivision: The division of any parcel of land into multiple lots, blocks, or sites, with or without streets or highways, and includes re-subdivision for purposes of sale, lease, rental, or development for any use. The 2010 Onondaga County Tax Map will be the reference source for the division of land into subdivisions.
- B. Resubdivision: Alteration of the size, shape, or orientation of lots, lot lines, parcels, right-of-way, or other elements which are contained within a subdivision or result from a previous subdivision process.
- C. Streets: A public or private way used or intended to be used for passage or travel by vehicles.
 - 1. Cul-de-sac Streets: Minor streets with one end open for public vehicle and pedestrian access and the other end terminating in a vehicular turnaround. The length of a cul-de-sac street shall be measured along the center line from its intersection with the centerline of the street from which it runs to the center of the cul-de-sac turnaround.
 - 2. Multiple Frontage: A lot with frontage on two or more existing or proposed right-of-ways.
- D. Minor Subdivision: Any subdivision containing not more than four lots, including the parent lot, fronting on any existing street not involving a new street and not adversely affecting the development of the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the master plan, when developed, Official Map, or Zoning Code of the Town of Spafford.
- E. Major Subdivision: Any subdivision not classified as a minor subdivision or land separation, including, but not limited to, subdivisions of five or more lots, including the parent lot, or any size subdivision requiring any new street. Additionally, a major subdivision shall include any further subdivision of a previously classified minor subdivision increasing the number of lots to five or more. All lake district subdivisions are considered major subdivisions.
- F. Sketch Plan: A sketch of a proposed subdivision showing the information specified in Article III, Section I of these regulations to enable the subdivider to save time and expense in reaching general agreement with the Planning Board as to the form of the layout, the objectives of these regulations, and the classification of this particular subdivision.
- G. Land Separation: Any subdivision of land for nonresidential purposes, including but not limited to agricultural purposes.
- H. Plats:
 - 1. Minor Subdivision Plat: A drawing prepared by a New York State licensed professional engineer or land surveyor in a manner prescribed herein showing the layout of a proposed subdivision including, but not restricted to, lot layout, approximate dimensions, key plan, topography and drainage, all proposed facilities unsized, including preliminary plans and profiles, at a suitable scale and in such detail as required herein (see Article VI, Section 2).
 - 2. Major Subdivision Preliminary Plat: A drawing prepared by a New York State licensed professional engineer or land surveyor in a manner prescribed herein showing the layout of a proposed subdivision including, but not restricted to, road and lot layout and approximate dimensions, key plan, topography and drainage, all proposed facilities unsized, including preliminary plans and profiles, at a suitable scale and in such detail as required herein (see Article VI, Section 4).

3. Major Subdivision Final Plat: A drawing prepared by a New York State licensed professional engineer or land surveyor in a manner prescribed herein showing the layout of a proposed subdivision, containing in such additional detail as shall be provided herein all information required to be shown on a major subdivision preliminary plat and the modifications, if any, required by the Planning Board at the time of approval of the preliminary plat if such preliminary plat had been so approved (see Article VI, Section 5).
 4. Minor Subdivision Plat Approval: The signing of a plat by a duly authorized officer of the Planning Board after a resolution granting final approval to the plat, or after conditions specified in a resolution granting conditional approval of the plat are completed. Such final approval qualifies the plat for recording in the Office of the County Clerk.
 5. Major Subdivision Preliminary Plat Approval: The approval by the Planning Board of the layout of the proposed subdivision as set forth in a preliminary plat, but subject to the Board's conditions and or recommendations and subject to approval of the plat in final form in accordance with the provisions of Subdivision 7, Article 16 and Section 276 of Town Law (said provisions being restated in Article III herein).
 6. Major Subdivision Final Plat Approval: The signing of a final plat by a duly authorized officer of the Planning Board after a resolution granting final approval to the plat, or after conditions and or recommendations as specified in a resolution granting conditional approval of the plat are completed. Such final approval qualifies the plat for recording in the Office of the County Clerk.
 7. Major Subdivision Final Plat Conditional Approval: The approval by the Planning Board of the final plat subject to conditions set forth by the Planning Board in a resolution conditionally approving such plat. Such conditional approval does not qualify a final plat for recording nor authorize issuance of any building permits prior to the signing of the plat by a duly authorized officer of the Planning Board and recording of the plat in the Office of the County Clerk.
- I. Lot Improvements: The transfer of land between two neighboring parcels so as to improve the quality of the receiving parcel without adversely affecting the offering parcel.
- J. Planning Board: The planning board of the Town of Spafford.

Article III. Procedure

Section 1. Sketch Plan

Any owner of land may, prior to subdividing or resubdividing land, submit to the Planning Board two copies of a sketch plan of the proposed subdivision, which shall comply with the requirements of Article VI, Section 1 for the purposes of classification and preliminary discussion.

Following the submission of the sketch plan, the subdivider, and/or his duly authorized representative, shall meet with the Planning Board and the Code Enforcement Officer to review the classification of the sketch plan. The requirements of the Subdivision Regulations shall be discussed among the Planning Board, Code Enforcement Officer, and the subdivider and/or his duly authorized representative.

Classification of the sketch plan as a land separation, minor subdivision, or major subdivision, as defined in these regulations, is to be made at this time. The Planning Board may decide that a minor subdivision comply with all or some other requirements specified for a major subdivision when necessary to protect the public health, safety, and welfare.

Section 2. Land Separation

If a subdivision is classified as a land separation, no further review is required. Any future development, however, will require a subdivision application. Deed restrictions must be presented to the Planning Board at this time.

Section 3. Lot Improvements

Lot improvements shall be exempt from the requirements of the Subdivision Regulations provided that three copies of a plan prepared by a New York State licensed land surveyor or professional engineer have been submitted describing the conveyances involved by metes and bounds and in sufficient detail to determine if the situation fits the criteria below. To qualify as a lot improvement, the parcels shall:

- A. Involve the addition of land to an existing parcel so as to:
 1. Improve the ability of that parcel to comply with setback or other building standards; or

2. Increase the suitability of the parcel for building development; or
 3. Add to the availability of open space; or
 4. Resolve a boundary line dispute or allow for the filing of a corrective deed.
- B. Not substantially reduce the ability of the lot from which the lot improvement parcel is taken to comply with the applicable standards of the Zoning Code of the Town of Spafford.

The Town's Code Enforcement Officer and Planning Board shall, within ten days of the receipt of a final lot improvement plan and any other required information, determine whether it complies with the criteria in (A) and (B) above. Should the Code Enforcement Officer and Planning Board fail to act in the provided time, or find the plan does not meet the criteria, they shall forward it to the Planning Board for processing as a subdivision. If the Code Enforcement Officer and Planning Board find that the plan does qualify as a lot improvement, they shall sign the plan with the following notation:

"These plans are approved by the Town of Spafford for reporting purposes only as an exempt lot improvement in accordance with the Town of Spafford Subdivision Regulations. No further subdivision approval is required or given."

No person shall record plans for any lot improvement without so first obtaining the Code Enforcement Officer and Planning Board's approval and signatures.

Section 4: Minor Subdivision Plat Procedure

- A. Consultations with Governmental Agencies: The owner shall consult with the Onondaga County Department of Health with regard to water supply and sewage disposal. If the subdivision is to utilize a form of subsurface leaching for waste disposal, percolation tests shall be made before the owner proceeds to the preparation of the plat. If the installation of a sewer system is involved, the owner shall consult with the Onondaga County Department of Drainage and Sanitation.
- B. Submission of Application: The owner shall submit to the Planning Board a plat clearly marked "Minor Subdivision Plat", together with supplementary materials as specified in Article VI.
- C. Referral to the Onondaga County Planning Board: The Planning Board shall refer to the Onondaga County Planning Agency for review any application for preliminary and/or final approval of a subdivision plat or proposal to develop an undeveloped plat and/or plats already filed in the Office of the County Clerk as required by Section 239-n of the General Municipal Law.
- D. Public Hearing: Within 62 days after the receipt of a complete plat by the clerk of the Planning Board, the Planning Board shall hold a public hearing which shall be advertised at least once in a newspaper of general circulation in the town at least five days before such hearing. The Planning Board may provide that the hearing be further advertised in such a manner as it deems most appropriate for full consideration of such plat.
- E. Planning Board Decision: Within 62 days after the close of such public hearing, the Planning Board shall approve, with or without modification, or disapprove the preliminary plat, and the grounds for a modification, if any, or the grounds for disapproval shall be stated upon the records of the Planning Board. Notwithstanding the foregoing provisions, the time in which the Planning Board must take action on such plat may be extended by mutual consent of the owner and the Planning board. When approving a plat the Planning Board shall state in writing modifications, if any, it deems necessary for the submission of the plat in filing form.
- F. Failure of Board to Take Action: In the event the Planning Board fails to take action on the filing plat within the time prescribed therefore, the plat shall be deemed approved and a certificate of the clerk of the town as to that date of submission and the failure to take action within such prescribed time shall be issued on demand and shall be sufficient in lieu of written endorsements or other evidence of approval herein required.
- G. Authorization for Signature: Upon resolution of conditional approval of such filing plat, the Planning Board shall empower the duly authorized officer to sign the plat subject to completion of such requirements as may be stated in the resolution.
- H. Certification of Conditional Approval: Within five days of such resolution the plat shall be mailed via certified letter to the owner, including a statement of such requirements which, when completed, will authorize the signing of the conditionally approved filing plat.
- I. Signing of Filing Plat: Upon the completion of such requirements the plat shall be signed by said duly authorized officer of the Planning Board.
- J. Expiration of Conditional Approval: Conditional approval of a filing plat shall expire within 180 days after the date of the resolution granting conditional approval unless such requirements have been certified as completed. Notwithstanding the foregoing provisions, the Planning Board may extend the time in which the conditionally

approved plat in filing form must be submitted for signature, if in its opinion such intention is warranted by the particular circumstances thereof, for not to exceed to additional periods of 90 days each.

- K. Time by Which Plat or Section Thereof Must be Filed: The signature of the duly authorized officer of the Planning Board constituting final approval by a Planning Board of a plat showing lots, blocks, or sites, or the approval by the Board of the development of a plat or plats already filed in the Office of the County Clerk if such plats are entirely or partially undeveloped, or the certificate of the Town as to the date of the submission of the filing plat in the failure of Planning Board to take action thereon within the time prescribed, shall expire within 62 days from the date of such approval, or from the date such certificate is issued, unless within 62 days such plat or a section thereof shall have been duly filed or recorded by the subdivider in the Office of the County Clerk

Section 5: Major Subdivision Preliminary Plat Procedure

- A. Consultations with Governmental Agencies: The owner shall consult with the Onondaga County Department of Health with regard to water supply and sewage disposal. If the subdivision is to utilize a form of subsurface leaching for waste disposal, percolation tests shall be made before the owner proceeds to the preparation of the preliminary plat. If the installation of a sewer system is involved, the owner shall consult with the Onondaga County Department of Drainage and Sanitation.
- B. Submission of Application: The owner shall submit to the Planning Board a preliminary plat clearly marked "Preliminary Plat", together with supplementary materials as specified in Article VI. Such preliminary plats shall conform to the definition provided in Article II.
- C. Referral to the Onondaga County Planning Board: Any preliminary plat of subdivision showing proposed new streets or building sites having frontage on, access to, or otherwise directly related to any existing or proposed right-of-way shown on the County Official Map (Highways), shall be submitted by the Planning Board to the Onondaga County Planning Board for review as provided by Section 239-n of the General Municipal Law.
- D. Public Hearing: Within 62 days after the receipt of the preliminary plat by the clerk of the Planning Board, the Planning Board shall hold a public hearing which shall be advertised at least once in a newspaper of general circulation in the town at least five days before such hearing. The Planning Board may provide that the hearing be further advertised in such a manner as it deems most appropriate for full consideration of such plat.
- E. Planning Board Decision: Within 62 days after the date of such public hearing, the Planning Board shall approve, with or without modification, or disapprove the preliminary plat, and the grounds for modification, if any, or the grounds for disapproval shall be stated upon their records of the Planning Board. Notwithstanding the foregoing provisions, the time in which the Planning Board must take action on such plat may be extended by mutual consent of the owner and the Planning Board. When approving a preliminary plat, the Planning Board shall state, in writing, modifications, if any, it deems necessary for the submission of the plat in final form.
- F. Certification of Preliminary Approval: Within five days of the approval of the preliminary plat, it shall be certified by the clerk of the Planning Board as granted preliminary approval and a copy filed in his office and a certified copy mailed to the owner.
- G. Failure of Board to Take Action: In the event the Planning Board fails to take action on the preliminary plat within the time prescribed hereto, such plat shall be deemed granted a preliminary approval. The certificate of the clerk of the town as to the date of submission and the failure to take action within such prescribed time shall be issued on demand and shall be sufficient in lieu of written endorsement or other evidence of approval herein required.
- H. Limitation of Approval: Within six months of the approval of the preliminary plat, the owner must submit the plat in final form. If a plat in final form is not so submitted, approval of the preliminary plat may be revoked by the Planning Board.

Section 6: Major Subdivision Final Plat Procedure

- A. Public Hearing: Within 62 days of the submission of a complete plat in final form of approval by the Planning Board, the Planning Board shall hold a public hearing which shall be advertised at least once in a newspaper of general circulation in the town at least five days before such hearing, provided, however, that when the Planning Board deems the final plat to be in substantial agreement with the approved preliminary plat and modified in accordance with requirements of such approval if such preliminary plat had been approved with modification, the planning board may waive requirement for such public hearing.
- B. Planning Board Decision: The Planning Board shall by resolution conditionally approve, conditionally approved 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 if no such public hearing is held, or, in the event such hearing is held, within 62 days after the close of such hearing. Notwithstanding the foregoing provisions, the time

in which the Planning Board must take action on the plat may be extended by mutual consent of the owner and the Planning Board.

- C. Failure of Board to Take Action: In the event the Planning Board fails to take action on the final plat within the time prescribed herein, the plat shall be deemed approved and a certificate of the clerk of the town as to the date of submission and the failure to take action within such prescribed time shall be issued on demand and shall be sufficient in lieu of written endorsements or other evidence of approval herein required.
- D. Authorization for Signature: Upon resolution of conditional approval of such final plat, the Planning Board shall empower the duly authorized officer to sign the plat subject to completion of such requirements as maybe stated in the resolution.
- E. Certification of Conditional Approval: Within five days of such resolution, the plat shall be certified by the clerk of the Planning Board as conditionally approved and a copy filed in his office and a certified copy mailed to the owner, including a certified statement of such requirements which, when completed, will authorize the signing of the conditionally proved final plat.
- F. Signing of Final Plat: Upon the completion of such requirements, the plat should be signed by said duly authorized officer of the Planning Board.
- G. Expiration of Conditional Approval: Conditional approval of a final plat shall expire within 180 days after the date of the resolution granting conditional approval, unless such requirements have been certified as completed. Notwithstanding the foregoing provisions, the Planning Board may extend the time in which a conditionally approved plat in final form must be submitted for signature, if in its opinion such intention is warranted by the particular circumstances thereof, for not to exceed two additional periods of 90 days each.
- H. Subdivision Sections: Prior to granting conditional or final approval of a plat in the final form, the Planning Board may permit the plat to be subdivided into two or more sections and may, in its resolution granting conditional or final approval, state that such requirements as it deems necessary to ensure the orderly development of the plat be completed before such sections may be signed by the duly authorized officer of the Planning Board. Conditional or final approval of the sections of a final plat, subject to any conditions imposed by the Board, shall be granted concurrently with conditional or final approval of the plat.
- I. Time by Which Plat or Section Thereof Must be Filed: The signature of the duly authorized officer of the Planning Board constituting final approval by the Planning Board of a plat showing lots, blocks, or sites, with or without streets or highways, or the approval by the Board of the development of the plat or plats already filed in the Office of the County Clerk if such plats are entirely or partially undeveloped, or the certificate of the town as to date of the submission of the final plat and the failure of the Planning Board to take action thereon within the time prescribed, shall expire within 62 days from the date of such approval, or from the date such certificate is issued, unless within such 62 days period such plat or a section thereof shall have to been duly filed or recorded by the subdivider in the Office of the County Clerk.
- J. Filing Sections: In the event the subdivider shall file only a section of such approved plat in the Office of the County Clerk, the entire approved plat shall be filed with the town clerk within 30 days of the filing of such section. Such section shall encompass at least ten percent of the total number of lots contained in the approved plat, and the approval of the remaining sections of the approved plat shall expire unless said sections are filed before the expiration of the exemption period to which such plat is entitled under the provisions of Section 265A, Subdivision 2 of the Town Law.

Section 7: Compliance with State Environmental Quality Review Act

The Planning Board shall comply with the applicable provisions of the State Environmental Quality Review Act when reviewing all applications pursuant to this local law.

Article IV: Development Standards

Section 1: Streets-General Planning Standards

- A. The arrangement, character, extent, width, grade, and location of all streets shall conform to the Official Map and the Master Plan, when developed, and shall be considered in relation to existing and planned streets, to topographic conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets. The design and plans for streets shall be acceptable to and approved by the town of Spafford Department of Public Works.
- B. No dead end streets shall be permitted without a suitable cul-de-sac or turnaround.

Section 2: Lots

A. Design Standards

1. Lot dimensions shall conform to the requirements of the Town of Spafford Zoning Code.
2. Excessive depth in relation to the width shall be avoided. A proportion of 2½ to 1 will normally be considered maximum.

Section 3: Trees and Natural Features

- A. Reasonable requirements for the preservation of outstanding natural features may be specified. These include large trees or groves, water courses and waterfalls, historic spots, exceptional and existing lake views, and similar irreplaceable assets in which there is general public interest.
- B. No trees or plantings other than grasses shall be planted within the right-of-way, or close thereto, as to interfere with visibility by vehicles entering or crossing a street or intersection.

Section 4: Easements

- A. Easements across lots or centered on rear or side lot lines shall be provided for utilities where they are anticipated.
- B. Permanent utility easements normally need not exceed 20 feet in width, although exceptional circumstances may require additional width.

Section 5: Storm Drainage

- A. All subdivisions shall be related to the drainage pattern affecting the areas involved, with proper provision to be made for adequate storm drainage facilities. Storm drainage plans shall reflect potential surface runoff within the drainage area after development, and shall comply with the requirements of the Town engineer and highway superintendent, the City of Syracuse Water Authority, and/or the Onondaga County Water Authority, the Onondaga County Department of Water Environment Protection and, when applicable, the New York State Department of Environmental Conservation's (NYSDEC) current storm water regulations.
- B. Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water drainage easement or right-of-way conforming substantially with the lines of such water course, and as such width as to encompass the 25 year flood area of such water course, if such data are available, or to encompass the flood of record plus 3 feet in elevation. All structures built within such areas shall be required to maintain participation in the National Flood Insurance program.
- C. Easements or rights-of-way for storm water drainage must be sufficient for facilities to handle the current and anticipated discharge from the property being subdivided.

Article V: Required Improvements

The following improvements shall be installed by the owner prior to the approval of the final plat, or alternatively, he shall post a performance bond as provided in Article VI, Section 2 sufficient in amount to cover the estimated full cost of such construction as determined by the Planning Board. At the discretion of the Town Board, the developer may secure the formation of a special district to install such utility and street improvements pursuant to the laws of the state.

Section 1: Monuments

- A. For subdivisions with new streets, monuments shall be placed at all block corners, angle points, or curvature in streets, and points of tangency or horizontal curves, and at such intermediate points as shall be required by the town engineer. Monuments shall be of granite or concrete with an iron pin in the center.

Section 2: Utility and Street Improvements

- A. Utility and street improvements shall be provided in accordance with the following:
 1. Community water supply, if to be provided, and sanitary sewer system, where required, in accordance with procedures and standards of the Onondaga County Department of Health.
 2. All roads and streets shall comply with New York State Highway Department specifications.
 3. Storm sewer system and other drainage improvements in accordance with applicable standards of the County Departments of Health and Water Environment Protection.
 4. Street name signs at all intersections, the design of which shall be approved by the highway superintendent.

- B. Street construction shall meet the specifications set forth in Highway Standards for Low-Volume Roads in New York State, published by the Cornell Local Roads Program in September 2009. When natural conditions of sub grades, slope, and drainage are other than favorable, the Planning Board, after consultation with the town highway superintendent, may require reasonable higher standards for gravel base and pavement and may specify special treatment of this sub grade.
- C. Where any subdivision lies contiguous to existing public park lands, the developer shall, at the discretion of the Planning Board, be required to provide screening and/or fencing of a suitable nature, to be determined by the Board, between such subdivision and the parkland.

Article VI: Plans and Data to be Submitted

Section 1: Sketch Plan

The sketch plan initially submitted to the Planning Board shall be based on tax map information or some other similarly accurate based map at a scale (preferably not less than 200 feet to the inch) to enable the entire tract to be shown on one sheet. The sketch plan shall be submitted showing the following information:

1. 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.
2. All existing structures, wooded areas, streams, and other significant physical features within the portion to be subdivided, and within 100 feet thereof. If topographic conditions are significant, contours shall also be indicated at intervals of not more than 10 feet.
3. The name of the owner and of all adjoining property owners as disclosed by the most recent municipal tax records.
4. The tax map sheet, block, and lot numbers, if available.
5. All the utilities available, and all streets which are either proposed, mapped, or built.
6. The proposed pattern of lots (including lot width and depth), street layout, recreation areas, systems of drainage, sewage, and water supply within the subdivided area.
7. All existing restrictions on the use of land, including easements, covenants, or zoning district lines and agricultural restrictions.

Section 2: Minor Subdivision Plat

Five copies of the plat map and all required supplementary material, together with two copies of the application, shall be submitted together with a fee as set by the Town Board.

- A. Certification from a registered land title insurance company licensed to do business in New York State that the applicant is the owner in fee of the property which is the subject of the application.
- B. Plat map:
 1. Titles, scale, north arrow, and date.
 2. Minimum sheet size:
Less than ten acres: 17 in. by 22 in., scale: 1 in. = 50 ft.
Ten or more acres: 24 in. by 36 in., scale: 1 in. = 100 ft.
 3. Planimetric data:
 - a. For all property lines, the following shall be shown: 1) accurate dimensions, bearings or deflection angles of all straight lines, except interior parallel lines bound by outermost parallel lines which are prescribed by dimension and bearing; error of closure may not exceed 1 foot in 5,000; and 2) radii, arcs, and central angles of all curves.
 - b. For other right-of-way and easements, the name, bearings, and width are required.
 - c. Survey data: Primary control points, or descriptions and ties to such control points, to which all dimensions, angles, bearings, and similar data on map are referred. Lands by owner's name are not to be considered as bearing for control points.
 4. Locations and dimensions of the existing and proposed:
 - a. Lots, land easements, and similar features.
 - b. Facilities or land dedicated or reserved for public use.
 - c. Utilities, if any, on and adjacent to the tract, including: invert elevation of sanitary, storm, and combined sewer or water mains; gas lines, fire hydrants, electric and telephone facilities and street lights; invert

elevation, direction, and distance of sanitary or storm sewers not adjacent to the tract to which connections are proposed and invert elevations at points of connection.

5. Location of percolation test sites.
6. Identification of:
 - a. Owners of adjoining land
 - b. Adjoining subdivisions
 - c. Proposed subdivision
 - d. Proposed streets
 - e. Blocks and lots
 - f. Owner
 - g. Zoning of property to be subdivided and all adjacent parcels
 - h. Existing site conditions, including wetlands, ravines, watercourses, wooded or forested areas, buildings and other significant features
7. Location inset map:
 - a. Subdivision location and boundaries.
 - b. Location of adjoining tracts and existing streets, public facilities, and water courses within 400 feet of any part of the subdivision.
 - c. Scale of not more than 1in. = 400 feet, nor less than 1in. = 200 feet.

C. Development data:

1. Total acreage of subdivision and number of lots proposed.
2. Results of percolation tests.
3. Drawings showing:
 - a. Sketches of any culverts
 - b. Storm water drainage
 - c. Sanitary sewage disposal systems
4. Time schedule of operations.

D. Legal data:

1. Restrictions of all types which will run with the land and become covenants in the deed for lots.
2. Required offers of cession.
3. Such other certificates, affidavits, endorsements, or agreements as may be required by the Planning Board in enforcement of these regulations.

E. Topographic Map:

Such map shall depict the topography of the property to be subdivided and all adjacent properties at 2 foot intervals.

Section 3: Minor Subdivision Filing Plat

- A. The filing plat shall conform to the original plat, as approved (including such modifications and or recommendations as required by the Planning Board in its approval). Four cloth-backed or Mylar copies of the plat, and all required supplementary material as specified in this Article, together with two copies of the application for final approval, shall be submitted. This application, copies of the plat, and supplementary material shall not be accepted if approval of the plat has been revoked. At the time of filing the plat, the subdivider shall also submit the following:
 1. A certificate by the Onondaga County Department of Health as to the adequacy of the proposed water supply and sewage disposal.
 2. A certificate by a New York licensed professional engineer retained by the Town of Spafford that any required improvements constructed by the owner have been designed and inspected and meet the minimum standards in these regulations, or as otherwise required by law.
 3. A certified check, in the amount to be determined by the Planning Board, for the required improvements.

Section 4: Major Subdivision Preliminary Plat

Five copies of the preliminary plat map and all required supplementary material, together with two copies of the application shall be submitted, together with a fee to be decided by the Town Board.

- A. Certification from a registered land title insurance company licensed to do business in New York State that the applicant is the owner in fee of the property which is subject of the applications.
- B. Preliminary plat map:
 - 1. Titles, scale, north arrow, and date.
 - 2. Minimum sheet size:
 - Less than ten acres: 17in. by 22in., scale: 1in. = 50ft.
 - Ten or more acres: 24in. by 36in., scale: 1in. = 100ft.
 - 3. Bearings and distances of tract boundary lines reference to control points. Boundaries of lands by owner's names are not to be considered as bearings or control points.
 - 4. Locations and dimensions of existing and proposed:
 - a. Lots, streets, public facilities, land easements, and similar features.
 - b. Facilities or land dedicated or reserved for public use.
 - c. Utilities, if any, on or adjacent to the tract, including invert elevation of sanitary, storm, and combined sewer or water mains; gas lines, fire hydrants, electric and telephone facilities and street lights; invert elevation direction, and distance of sanitary and storm sewers not adjacent to track to which connections are proposed and invert elevations at points of connection.
 - 5. Location of percolation test sites.
 - 6. Identification of:
 - a. Owners of adjoining land
 - b. Adjoining subdivisions
 - c. Proposed subdivision
 - d. Proposed streets
 - e. Blocks and lots
 - f. Owner
 - g. Zoning of property to be subdivided and all adjacent parcels
 - h. Existing site conditions, including wetlands, ravines, watercourses, wooded or forested areas, buildings and other significant features
 - 7. Location inset map:
 - a. Subdivision location and boundaries.
 - b. Location of adjoining tracts and subdivisions, existing and planned streets, public facilities, and water courses within 400ft. of any part of the subdivision.
 - c. Scale of not more than 1in. = 400ft. nor less than 1in. = 200ft.
- C. Development data:
 - 1. Total acreage of subdivision and number of lots proposed.
 - 2. Results of any percolation tests.
 - 3. Drawings showing:
 - a. Tentative street cross-sections and centerline profiles
 - b. Sketches of any bridges or culverts
 - c. Storm water drainage
 - d. Sanitary sewage disposal systems
 - 4. Time schedule of operations.
- D. Legal data:
 - 1. Draft of restrictions of all types which will run with the land and become covenants in the deed for lots.
 - 2. Draft of offers of cession as required.
- E. Topographic Map:

Such map shall depict the topography of the property to be subdivided and all adjacent properties at 2 foot intervals.

Section 5: Major Subdivision Final Plat

- A. Application requirements:

The final plat shall conform substantially to the preliminary plat as approved (including such modifications as required by the Planning Board in its approval). Four cloth-backed or Mylar copies of the final plat, and all required

supplementary material as specified in this Article, together with two copies of the application for final approval shall be submitted. This application, copies of the final plat, and supplementary material shall not be accepted if approval of the preliminary plat has been revoked. At the time of filing the final plat, the subdivider shall also submit the following:

1. A certificate by the Onondaga County Department of Health as to adequacy of the proposed water supply and sewage disposal.
2. A certificate by a licensed professional engineer retained by the Town of Spafford that any required improvements constructed by the owner have been designed and inspected and meet the minimum standards in these regulations, or as otherwise required by law.
3. A performance bond, approved by the Planning Board and the Town Boards as to form, sufficiency, manner of execution, and surety, for the completion of such required improvements as have not been constructed.
4. Offers of cession, in a form certified as satisfactory by the town attorney, of all land to be dedicated for streets, highways, easements, or other public facilities.
5. A certified check in the amount to be determined by the Planning Board, to meet the costs of inspection by an engineer retained by the Town of Spafford, of required improvements, unless the improvements are to be provided by special district.
6. Drawings, certified by a New York State licensed land surveyor, showing the location of all improvements as may have been constructed prior to final plat submission.

B. Final plat map:

1. Title, scale, north arrow, and date.
2. Minimum sheet size:
Less than ten acres: 17 in. by 22 in., scale: 1 in. = 50 ft.
Ten or more acres: 24 in. by 36 in., scale: 1 in. = 100 ft.
3. Ink drawing on tracing cloth or Mylar reproduction with black line on cloth or stable plastic base film.
4. Corrected and final planimetric data from preliminary plat, except as modified below:
 - a. For all street right-of-way and property lines, the following shall be shown: 1) accurate dimensions, bearings or deflection angles of all straight lines, except interior parallel lines bound by outermost parallel lines which are prescribed by dimension and bearings; error of closure may not exceed 1ft. in 5,000; and 2) radii, arcs, and central angles of all curves.
 - b. For other right-of-way and easements, the name, bearings, and width are required.
5. Survey date: primary control points, or descriptions and ties to such control points to which all dimensions, angles, bearings, and similar data on map are referred. Lands by owner's name are not to be considered as bearing or control points.
6. Information beyond subdivision boundary required for preliminary plat need not be shown except for boundary streets.
7. Location inset map:
 - a. Corrected and updated from preliminary plat.
 - b. If final plat is drawn in two or more sections, locations of the areas should be indicated.

C. Development data:

1. Corrected and updated development date from preliminary plat.
2. Detailed drawings and specifications for:
 - a. All improvements shown on preliminary plat development data drawings.
 - b. Sanitary sewage disposal system.
 - c. Water supply system

D. Legal data:

1. Corrected and updated legal data from preliminary plat.
2. Such other certificates, affidavits, endorsements, or agreements as may be required by the Planning Board in enforcement of these regulations.

Section 6: Requirements After Filing Final Plat

Within 30 days from the recording of the final plat or any improved section thereof, the subdivider shall file with the Planning Board a copy of the plat certified by the County Clerk to be a true copy of the recorded plat. Drawings showing the location of all required improvements as built shall be certified by a licensed land surveyor or licensed engineer and filed with the Planning Board within 30 days prior to the acceptance of the improvements by the Town. Until such time as

built plans are filed, no performance bond guaranteeing the completion of such improvements shall be released. Performance bonds may be changed only under the provisions of Section 277 of the Town Law.

Article VII: Waivers and Modifications

The Planning Board may waive, subject to appropriate conditions, the provision of any or all such improvements and requirements set forth in Article IV and V of these regulations, as in its judgment of the special circumstances of a particular plat or plats are not requisite in the interest of the public health, safety, and general welfare, or which in its judgment are inappropriate because of inadequacy for lack of connecting facilities adjacent or in proximity to the subdivision.

Article VIII. Fees

An application for minor subdivision approval, including a lot improvement, shall not be accepted for review by the Town of Spafford unless it is accompanied by an application fee of \$25.00 plus an additional \$10.00 for each proposed parcel. An application for major subdivision approval shall not be accepted for review by the Town of Spafford unless it is accompanied by an application fee of \$100.00 plus an additional \$10.00 for each proposed parcel. In addition, pursuant to Town of Spafford Local Law 2008-4, all applications for minor and major subdivisions shall be accompanied by an initial escrow deposit of \$1,000.00 and \$5,000.00, respectively, to cover the costs associated with review of the application by the Town's legal counsel and/or engineering or technical consultants. Additional funds may be requested by the Town in accordance with Local Law 2008-4.

Article IX. Miscellaneous

Section 1: Conflict with Other Regulations

Wherever there may be a conflict between the standard specified in these regulations and those of other codes, ordinances, or regulations of the Town of Spafford, the most restrictive or highest standard shall apply.

Section 2: Separability

If any section, paragraph, clause, phrase, or provision of these regulations shall be adjudged to invalid or held unconstitutional, such decision shall not affect the validity of these regulations as a whole or any part thereof other than the part so held to be invalid or unconstitutional.

Section 3: Short Title

These regulations shall be known and may be cited as "Subdivision Regulations of the Town of Spafford".

Section 4: Effective Date

This Local Law shall take effect upon filing pursuant to the provisions of the New York Municipal Home Rule Law; and be it further

RESOLVED AND ORDERED, that said Local Law shall be in full force and effect as provided by law upon the filing of this Local Law with the Secretary of State.

ADJOURNMENT

A motion to adjourn the meeting at 7:15 p.m. was made by Councilor Ireland, seconded by Councilor Clark. The motion was carried unanimously.

Respectfully submitted by,

Next meeting to be held
Thursday, March 10, 2011 @ 7 p.m.
@ Spafford Town Hall

Lisa M. Valletta
Town Clerk
Town of Spafford