

VILLAGE OF WALDEN
SUBDIVISION APPROVAL

ENCLOSED HEREWITH:

_____ Application

_____ Environmental Assessment Form

_____ Disclosure Addendum Statement

_____ Affidavit of Regularity, (Proof of Mailings)

PLEASE PROVIDE:

1. List of names and addresses of all property owners which abut the property and all properties directly across the street as the names of said owners appear on the last completed Assessment Roll. (List can be obtained from the Town of Montgomery Assessor's Office, 845-457-2650).

2. Provide Ten (10) copies of the Subdivision Plat.

FEES: The minimum fee for an application for subdivision plan review shall be as follows:

Application Fee:	Minor Subdivision- 2 Lots \$375.00
	3 Lots \$550.00
	4 Lots \$750.00
	Major Subdivision 5 Lots \$975.00
	Each Additional Lot \$100.00 per lot

Escrow Amounts to be posted at time of application: \$750.00 per lot or unit.

Recreation Fees:	In lieu of Parkland, \$2000.00 per lot or unit.
Engineering Inspection Fees:	10% of the cost of Public Improvements

ALL FEES ARE DEEMED TO BE MINIMUM IN ACCORDANCE WITH LOCAL LAW NO. 6 OF 1988.

In accordance with Local Law No. 6 of 1988, I am aware that the initial application fees are minimum fees charged to cover the costs associated with the operation of the Planning Board. I understand I am to be held liable for any additional fees incurred by the Village of Walden as a result of my project and application.

Signature of Applicant

INSTRUCTIONS:

1. Before applying for approval of the preliminary layout of the proposed subdivision, the sub divider or his agent shall meet with the Board to discuss the rough sketch plan which shall comply with the requirements of Article III, Section 260-10 of the Village Code. These requirements must be submitted in quadruplicate.
2. The applicant shall send notice of the public hearing, to all owners of property abutting the proposed subdivision and directly across any adjoining street.

PLANNING BOARD APPLICATION PROCESS:

1. Original application including payment of fees are to be submitted to the Building Inspector or Village Clerk 15 days prior to the first Monday of the Month to be scheduled for a meeting date.
2. Application to be discussed at work session following submission with the applicant present to review plans and application with the Planning Board. Additional work sessions may be necessary prior to formal actions by the Planning Board at their regular meetings. This will be determined on a case by case basis.

APPLICATION FOR SUBDIVISION APPROVAL

Name of proposed development _____

APPLICANT:

PLANS PREPARED BY:

Name _____ Name _____

Address _____ Address _____

Telephone No. _____ Telephone No. _____

Owner (if different)

Name _____ (If more than one owner, provide
Address _____ information for each)

Telephone No. _____

Owner Intentions, i.e., purchase options _____

Location of site _____

Tax map description Section _____ Block _____ Lot _____ Zoning Classification _____
State and federal permits needed (list type and appropriate departments):

Proposed use(s) of site _____

Total site area (square feet or acres) _____

Anticipated construction time _____

Will development be staged? _____

Lots to be subdivided _____ Number of lots _____

Easement or other restrictions on property: (Describe generally) _____

Does subdivision meet current zoning regulations: _____ Yes _____ No

If no, is zoning hearing scheduled: _____ Yes _____ No

Was Zoning Variance granted: _____ Yes _____ No Date: _____

The undersigned hereby request approval by the Planning Board of the above
identified application:

(Signature)

(Title)

(Date)

DISCLOSURE ADDENDUM STATEMENT TO APPLICATION, PETITION AND REQUEST

Mindful of the provisions of Section 809 of the General Municipal Law of the State of New York, and of New York, and of the Penal provisions thereof as well, the undersigned applicant states that no State Officer, Officer or Employee of this municipality, or of the Town or County of which it is a part, has any interest, financial or otherwise, in this application or with, or in the applicant as defined in said Statute, except the following person or persons who is or are represented to have only the following type of interest, in the nature and to the extent hereinafter indicated:

() None

() Names: Address: Relationship or interest (financial or otherwise):

This disclosure addendum statement is annexed to and made a part of the petition, application and request made by the undersigned applicant to the following Board of Officer or Political Subdivision of the Municipality.

() (Village) (Town Board)

() Zoning Board of Appeals

() Building Inspector

() Planning Board

() Zoning Enforcement Officer

() Other

Individual Applicant

Corporate or Partnership Applicant

By:

(Pres.) (Partner) (Vice-Pres.) (Sec.) (Treas.)

GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK

"Section 809. Disclosure in certain applications:

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality or of a municipality of which such municipality is a part in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.

2. For the purpose of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:

(a) is the applicant, or

(b) is an officer, director, partner or employee of the applicant, or

(c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or

(d) is a part to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.

3. Ownership of less than five percent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.

4. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor."

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, ☐ Yes ☐ No or Village Board of Trustees		
b. City, Town or Village ☐ Yes ☐ No Planning Board or Commission		
c. City Council, Town or ☐ Yes ☐ No Village Zoning Board of Appeals		
d. Other local agencies ☐ Yes ☐ No		
e. County agencies ☐ Yes ☐ No		
f. Regional agencies ☐ Yes ☐ No		
g. State agencies ☐ Yes ☐ No		
h. Federal agencies ☐ Yes ☐ No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐ Yes ☐ No If Yes, ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐ Yes ☐ No iii. Is the project site within a Coastal Erosion Hazard Area? ☐ Yes ☐ No		

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☐ No • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☐ Yes ☐ No If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☐ No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☐ No If Yes, identify the plan(s): _____ _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☐ No If Yes, identify the plan(s): _____ _____ _____	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☐ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☐ No
If Yes,

i. What is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located?

b. What police or other public protection forces serve the project site?

c. Which fire protection and emergency medical services serve the project site?

d. What parks serve the project site?

D. Project Details**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐ Yes ☐ No				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☐ No	
If Yes,	
i. Total number of structures _____	
ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length	
iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☐ No	
If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☐ No	
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____ • Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? ☐ Yes ☐ No	
ix. Summarize site reclamation goals and plan: _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☐ No	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

- Do existing sewer lines serve the project site? ☐ Yes ☐ No
- Will line extension within an existing district be necessary to serve the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): _____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐ Yes ☐ No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____

- If to surface waters, identify receiving water bodies or wetlands: _____

- Will stormwater runoff flow to adjacent properties? ☐ Yes ☐ No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐ Yes ☐ No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐ Yes ☐ No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐ Yes ☐ No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐ Yes ☐ No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☐ No

If Yes:

- i. Estimate methane generation in tons/year (metric): _____
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☐ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☐ No

If Yes:

- i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of _____ to _____.
- ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____
- iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____
- iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No
- v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? ☐ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No

If Yes:

- i. Estimate annual electricity demand during operation of the proposed action: _____
- ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____
- iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐ Yes ☐ No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☐ No If yes: i. Provide details including sources, time of day and duration: _____	
ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No Describe: _____	
n.. Will the proposed action have outdoor lighting? ☐ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No Describe: _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☐ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☐ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally describe proposed storage facilities: _____	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐ No If Yes: i. Describe proposed treatment(s): _____ _____	
ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No	
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: _____ • Operation: _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: _____ • Operation: _____	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- ☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
- ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☐ No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☐ No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? ☐ Yes ☐ No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☐ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☐ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☐ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No
☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☐ No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No	
• If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No • Explain: _____	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? ☐ Yes ☐ No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ % _____ % _____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: ☐ Well Drained: _____ % of site ☐ Moderately Well Drained: _____ % of site ☐ Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____ % of site ☐ 10-15%: _____ % of site ☐ 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? ☐ Yes ☐ No If Yes, describe: _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☐ No	
ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☐ No	
If Yes to either i or ii, continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
• Streams: Name _____ Classification _____ • Lakes or Ponds: Name _____ Classification _____ • Wetlands: Name _____ Approximate Size _____ • Wetland No. (if regulated by DEC) _____	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☐ No	
If yes, name of impaired water body/bodies and basis for listing as impaired: _____	
i. Is the project site in a designated Floodway? ☐ Yes ☐ No	
j. Is the project site in the 100 year Floodplain? ☐ Yes ☐ No	
k. Is the project site in the 500 year Floodplain? ☐ Yes ☐ No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☐ No	
If Yes:	
i. Name of aquifer: _____	

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? ☐ Yes ☐ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☐ No _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☐ No _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☐ No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☐ No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☐ No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☐ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☐ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	☐ Yes ☐ No
If Yes:	
i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District	
ii. Name: _____	
iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐ Yes ☐ No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	☐ Yes ☐ No
If Yes:	
i. Identify resource: _____	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	☐ Yes ☐ No
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
☐ Yes ☐ No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____

PRINT FORM

Chapter 260

SUBDIVISION OF LAND

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- § 260-2. Definitions.

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- § 260-30. Submission of preliminary plat.

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- § 260-33. Disposition of fees.

[HISTORY: Adopted by the Board of Trustees of the Village of Walden 11-14-1961 by resolution. Incorporated 3-1973 into Walden Village Code as Ch. XI (Ch. 130 of the 1982 Code). Amendments noted where applicable.]

any, required by the Planning Board at the time of approval of the preliminary plat if such preliminary plat has been approved.³

FINAL PLAT APPROVAL — The signing of a plat in final form by a duly authorized officer of a Planning Board pursuant to a Planning Board 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 or register in the county in which such plat is located.⁴

FINAL PLAT, CONDITIONAL APPROVAL OF — Approval by a Planning Board of a 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 or register as herein provided.⁵

LOT — A parcel or portion of land separated from other parcels or portions, for purpose of sale, lease or separate use, by means of a description as indicated by a subdivision plat, a recorded map or by metes and bounds.

OFFICIAL MAP — The map established by the Board of Trustees under § 7-724 of Village Law showing streets, highways and parks theretofore laid out, adopted and established by law, and any additions and changes thereto adopted by the Board of Trustees.⁶

PERFORMANCE BOND — A security which may be accepted by the municipality in lieu of a requirement that certain improvements be made before the Planning Board gives final approval to a subdivision plat. Such security shall be sufficient to cover the full cost of all incompleting improvements in the subdivision as estimated by the Planning Board or agency designated by the Planning Board. Securities shall include such collateral or agreements acceptable to the Board of Trustees or a bond issued by a surety company and to run for a term not to exceed three years; provided, however, that the term may be extended by the Board of Trustees with the consent of the parties thereto.

PLAT — A drawing of all or part of the subdivider's plan for his subdivision, presented to the Planning Board for final approval and which, if approved, shall be filed for record with the County Clerk.

PRELIMINARY PLAT — A drawing prepared in a manner prescribed by local regulation 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 suitable scale and in such detail as local regulation may require.⁷

3. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

4. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

5. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

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

7. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I); this local law also amended the term "preliminary layout" to "preliminary plat" throughout this chapter.

SUBDIVISION, MINOR — A subdivision of four or less lots served by an existing dedicated municipal public street.

VILLAGE — All lands contained within the Incorporated Village of Walden, County of Orange, State of New York.

VILLAGE BOARD — The Board of Trustees of the Village.¹¹

ZONING ORDINANCE — The Zoning Ordinance of the Village.¹²

ARTICLE II Procedure for Subdivision Approval

§ 260-3. Application for approval.

- A. When any subdivision of land is proposed to be made and before any contract for the sale of, or any offer to sell, such subdivision or part thereof is made, and before the erection of any structure in such proposed subdivision shall commence or any grading, clearing, construction or other improvements shall be undertaken therein, the subdivider or his duly authorized agent shall apply for approval of such proposed subdivision in accordance with the procedure stated herein.
- B. Where a tract of land is to be subdivided into not more than two lots in any one year, the Planning Board may, at its discretion, grant final approval after the preapplication procedure has been completed.

§ 260-4. Preliminary submission of rough sketch.

- A. Before applying for approval of the preliminary plat of the proposed subdivision, the subdivider or his agent shall meet with the Planning Board to discuss the rough sketch plan, which shall comply with the requirements of Article III, § 260-10, of this chapter, and of which seven copies should be submitted.¹³
- B. Within 30 days, the Planning Board shall inform the subdivider that the plans and data as submitted or as modified do or do not meet the objectives of this chapter. When the Planning Board finds the plans and data do not meet the objectives of this chapter, it shall express its reasons therefor to the subdivider in writing.

§ 260-5. Preliminary plat approval.

- A. After receiving the Planning Board's evaluation of the rough sketch plan, recommended pursuant to § 260-4 above, regarding his general program and objectives, the subdivider

11. Editor's Note: Throughout this chapter, references to "Village Board" were revised to "Board of Trustees" at time of adoption of Code (see Ch. I, General Provisions, Art. I).

12. Editor's Note: See Ch. 305, Zoning.

13. Editor's Note: Amended at time of adoption of Code (see Ch. I, General Provisions, Art. I).

- G. 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.¹⁹

§ 260-6. Final plat approval.

- A. Within six months after the date of preliminary plat approval, the subdivider shall, as to that portion of the land area in the preliminary plat for which a subdivider seeks final approval:
- (1) Obtain approval, where required, from the New York State Department of Health pursuant to §§ 1115-1119, Public Health Law.²⁰
 - (2) Submit to the Planning Board the original drawing of the final plat on Mylar or its equivalent with 10 copies of the same and other required exhibits, as specified in Article III, § 260-12, of this chapter. If the applicant desires to have approval noted on any copies, he should submit the same in addition to the number provided for above.²¹
 - (3) Pay the required filing fee pursuant to Article VI of this chapter.
 - (4) Submit offers of cession of public roads or lands to the Board of Trustees pursuant to §§ 6-610 and 7-732, Village Law.²²
 - (5) Complete improvements as shown on the final plat or post the required performance bond for same.
 - (6) Submit to the Planning Board electric, telephone and television cable service plan with agreement from the utility company or companies concerning provision of such services for the subdivision.
- B. When a final plat is submitted which the Planning Board deems to be in substantial agreement with the approved preliminary plat, 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. When a final plat is submitted which the Planning Board deems not to be in substantial agreement with the approved preliminary plat, the Planning Board shall hold a public hearing and make its decision in accordance with § 7-728 of Village Law. No approval shall be deemed final unless the subdivider has provided all required information, as specified in Article III, § 260-12, of this chapter.²³
- C. Within five business days of the adoption of the resolution granting conditional or final approval of the final plat, such plat shall be certified by the clerk of the Planning Board

19. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

20. Editor's Note: The currently applicable sections are §§ 1115 through 1120 of the Public Health Law.

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

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

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

§ 260-9. Minor subdivisions.

- A. Final approval may be given after one hearing noticed for both preliminary and final approval.
- B. The map submitted shall contain the items and information listed in Article III, § 260-12, of this chapter.
- C. The hearing procedure shall be the same as set forth for preliminary approval, and the submission shall comply with the requirements for final approval.

**ARTICLE III
Information Supplied by Developer**

§ 260-10. Information required for preliminary submission.

The following information shall be supplied by the developer:

- A. Sufficient information to outline the existing site conditions and proposed development to supplement the drawings in Subsections B and C. This information shall include data on land characteristics, covenants, available community facilities and utilities, and information describing the subdivision, such as number of lots, typical lot width and depth, business areas, public areas, proposed covenants, utilities and street improvements.
- B. A location map to indicate the relationship of the proposed subdivision to significant existing community facilities which serve or influence it. Such facilities include major traffic arteries, shopping areas, schools, parks, employment centers, railroads, churches, hospitals, etc. This map shall be drawn to a scale suitable to indicate the above features as well as North point, date and scale.
- C. A rough sketch of the proposed layout showing lots, streets and all other features of the proposal accompanied by data on existing topography. The sketch plan may be a freehand pencil drawing made directly on a print of the topographic survey.

§ 260-11. Information required for preliminary plat submission.

The preliminary plat shall consist of one or more maps or drawings which may be reproduced on paper, with all dimensions shown in feet or decimals thereof, drawn to a scale of not more than 100 feet to the inch where lots have frontage of 100 feet or more, and not more than 50 feet to the inch where lots have less than 100 feet of frontage, showing or accompanied by the following information:

- A. Proposed subdivision name and the name of the Village and County.
- B. Names and addresses of the record owner, subdivider and designer of the preliminary plat.
- C. Number of acres within the proposed subdivision, location of property lines, existing buildings, watercourses, special district boundaries and other essential features.

public highway or other proposed public open space shown upon the preliminary plat or upon the Official Map, if any.

- P. Provisions for collecting and discharging storm drainage in the form of a drainage plan.
- Q. Preliminary designs of any bridges or culverts which may be required.
- R. The proposed lot lines with approximate dimensions and suggested locations of buildings.
- S. The proposed location and type of sidewalks, streetlighting standards and species of street trees; the location of curbs, gutters, water mains and typical sewage disposal systems and the sizes and types thereof; the character, width and depth of pavement and subbase or other street improvements; and the location of manholes and basins and underground conduit.
- T. All parcels of land proposed to be dedicated to public use and the conditions of such dedication.
- U. The location of all isolated trees over one foot in diameter four feet above ground level and the delineation of wooded areas and other significant site features.
- V. The location of temporary markers adequate to enable the Planning Board to locate readily and appraise the basic layout in the field. Unless the subdivision is adjacent to an existing street intersection, the distance along a street from one corner of the property to the nearest existing street intersection.

§ 260-12. Information required for final plat submission.

The final plat shall be printed on Mylar or its equivalent on sheets 20 inches by 20 inches or 20 inches by 40 inches and shall be at a scale of 100 feet to one inch or larger pursuant to § 334, Real Property Law. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. Space shall be reserved on each sheet for endorsement by the Planning Board and the State Department of Health, where required. The final plat shall conform in all respects to the preliminary plat as approved by the Planning Board, showing or accompanied by the following information:²⁸

- A. Proposed subdivision name and the name of the Village and County.
- B. Name and address of the record owner and subdivider.
- C. Certification of title showing that applicant is owner.
- D. Certification by licensed surveyor or engineer certifying to accuracy of survey and plat.
- E. The boundaries of the subdivision and its general location in relation to existing streets.
- F. Graphic scale, date and true North point.

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

- W. A certificate by the Village Engineer or Superintendent of Public Works certifying that the subdivider has complied with one or a combination of both of the following alternatives:
- (1) All or part of the improvements have been installed in accord with the requirements of this chapter and with the action of the Planning Board granting approval of the preliminary plat; or
 - (2) A bond or certified check or cash has been posted available to the municipality in sufficient amount to assure completion of all required improvements.
- X. Protective covenants in form for recording.
- Y. Other data, such as certificates, affidavits, endorsements or deductions, as may be required by the Planning Board in the enforcement of this chapter, including title insurance policies insuring the Village on premisses to be conveyed to the Village, together with properly executed and acknowledged instruments conveying improvements, easements, parkland and open space to the Village and an amount sufficient to pay for the recording of such instruments.

ARTICLE IV Design Standards

§ 260-13. Conformance required. [Amended 4-8-1986 by L.L. No. 4-1986]

- A. The subdivider shall observe the following requirements and principles of land subdivision in the design of each subdivision or portion thereof.
- B. The subdivider shall observe all construction and technical specifications to provide proper design, construction and completion of all improvements in land subdivisions within the Village. Construction and technical subdivision specifications shall be adopted from time to time by resolution of the Board of Trustees.

§ 260-14. General requirements.³⁰

- A. In acting upon plats, the Planning Board shall require, among other conditions in the public interest, that the tract shall be adequately drained and the streets shall be of sufficient width and suitable grade and suitably located to accommodate the prospective traffic, to afford adequate light and air, to facilitate fire protection, and to provide access of fire-fighting equipment to buildings, and to be coordinated so as to compose a convenient system conforming to the Official Map and Comprehensive Plan.
- B. The Planning Board shall further require that the land shown on the plat be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, drainage or other menace to neighboring properties or the public health, safety and welfare. Required improvements shall be designed and constructed to conform to the specifications as established by the Board of Trustees.

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

- L. When connecting street lines deflect from each other at any one point by more than 10°, they shall be connected by a curve with a center-line radius of not less than 100 feet for minor streets and 300 feet for arterial and collector streets.
- M. All changes in grade shall be connected by vertical curves of sufficient length to provide a smooth transition and sight distance.
- N. Dead-end streets designed to be so permanently shall not be longer than 400 feet and shall be provided at the closed end with a turnaround having a minimum outside roadway diameter of 100 feet.
- O. No street shall have a name which duplicates the name of an existing street.
- P. Streets shall be graded and improved with pavements in accordance with the minimum road specifications of the Village of Walden, New York, as amended. The Planning Board may require curbs, sidewalks, streetlighting standards, street trees and fire alarm signal devices as it deems necessary to protect the safety and general welfare of the Village.
- Q. The approval by the Planning Board of a subdivision plat showing new streets shall not be deemed to constitute or be evidence of an acceptance by the Village of any such streets.

§ 260-16. Blocks.

- A. Block length and width or acreage within bounding roads shall be such as to accommodate the size of lot required in the area by the Zoning Ordinance³¹ and to provide for convenient access, circulation control and safety of street traffic.
- B. Block lengths shall not exceed 1,200 feet in length.
- C. For commercial, group housing or industrial use, the block size shall be sufficient in the judgment of the Planning Board to meet all area and yard requirements for such use.

§ 260-17. Lots.

- A. All lots created by subdivision shall conform to the requirements of the Zoning Ordinance³² as to area and dimensions.
- B. Side lot lines shall be substantially at right angles or radial to street lines.
- C. Where extra width has been dedicated for widening of existing streets, lots shall begin at such extra-width line, and all setbacks shall be measured from such line.
- D. The subdividing of land shall be such as to provide, by means of a public street, each lot with satisfactory access to an existing public street.

31. Editor's Note: See Ch. 305, Zoning.

32. Editor's Note: See Ch. 305, Zoning.

§ 260-19. Drainage improvements.

- A. The subdivider may be required by the Planning Board to carry away by pipe or open ditch any watercourse or surface water that may exist either previous to or as a result of the subdivision. Such drainage facilities shall be located in the street rights-of-way, where feasible, or in perpetually unobstructed easements of appropriate width.
- B. A culvert or other drainage facility shall, in each case, be of adequate size to accommodate the potential runoff from the entire upstream drainage area, whether inside or outside the subdivision area. The Village Engineer shall approve the design and size of this facility based on anticipated runoff.
- C. The subdivider's engineer shall study the effect of each subdivision on existing downstream drainage facilities outside the area of the subdivision, this study to be subject to review of the Village Engineer. Where it is anticipated that the additional runoff incident to the development of the subdivision will overload the existing downstream drainage facility, the Planning Board shall notify the Board of Trustees of such potential condition. In such case, the Planning Board shall not approve the subdivision until provision has been made for the improvement of such potential condition.
- D. Where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse, and of such further width or construction, or both, as the Planning Board may deem adequate for the purpose.

§ 260-20. Water and sewage facilities.

- A. The proposed subdivision plat shall be properly endorsed and approved by the New York State Department of Health. Such endorsement and approval shall be secured by the subdivider after approval of the preliminary plat by the Planning Board.
- B. Department of Health approval shall constitute only the minimum requirement necessary, and public sanitary sewer and water systems shall be required for all subdivision plats. However, if the size of the subdivision, character of the land or proximity to existing lines make public systems impractical or impose unnecessary hardship, the Planning Board may vary the requirement that there be public systems.
- C. All sewage disposal and water supply systems and facilities shall be constructed in conformance with the customarily specified materials, grades, fittings, etc., required by the New York State Department of Health, but the Planning Board may require additional or different construction in order to have the new system or extension coincide with the existing Village sewage disposal and water supply systems.
- D. Water and sewer mains to be maintained by the Village shall be located in the street rights-of-way wherever possible or on property owned by the Village.

- B. The Board may waive sidewalks on one or both sides of any street or along an actual cul-de-sac or turnaround, if either:
- (1) There are not more than three lots on one side or a total of five lots on both sides between intersections; or
 - (2) The street terminates in a permanent cul-de-sac or turnaround.
- C. The specifications and details for sidewalk construction are set forth in the Village of Walden Street Construction Specifications.

§ 260-26. Modifications; inspections.

- A. If at any time before or during the construction of the required improvements it is demonstrated to the satisfaction of the Planning Board that unforeseen conditions make it necessary to modify the location or design of such improvements, the Planning Board may authorize such modifications upon written request of the subdivider, provided such modifications are within the spirit and intent of the Planning Board's approval and the purpose of this chapter. Copies of the authorized modification shall be made part of the official record of the Planning Board.
- B. The construction of all required improvements shall be supervised by a registered professional engineer employed by the subdivider, who, after completion of construction, shall certify to the Planning Board that all required improvements have been constructed as required and approved by the Planning Board or as modified by the Planning Board.
- C. The Zoning Enforcement Officer or other duly designated official shall inspect required improvements during construction to assure their satisfactory completion, and the Planning Board shall require a certificate from such official stating that all required improvements have been satisfactorily completed.
- D. Failure to construct required improvements.
- (1) If the Enforcement Officer or other duly designated official shall find, upon inspection, that any of the required improvements have not been constructed in accordance with the plans and specifications filed by the subdivider, the subdivider and/or the bonding company will be severally and jointly liable for the costs of completing said improvements according to specifications.
 - (2) No plat which may be an extension or section of a previously recorded plat or no new plat, regardless of location, shall be approved by the Planning Board if the subdivider has not fully complied with the construction of all the required improvements in a previously recorded plat submitted by him for approval.
- E. If the Enforcement Officer or other duly designated official does not carry out inspection of required improvements during construction, the subdivider or the bonding company shall not in any way be relieved of its responsibilities.

§ 260-29. Imposition of conditions.

On granting variances and modifications, the Planning Board may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified. The Planning Board may waive, when reasonable, any requirements or improvements for the approval, approval with modifications or disapproval of subdivisions submitted for its approval. Any such waiver, which shall be subject to appropriate conditions, may be exercised in the event any such requirements or improvements are found not to be requisite in the interest of the public health, safety, and general welfare or inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the subdivision.

ARTICLE VI**Fees ³⁹****§ 260-30. Submission of preliminary plat. [Amended 4-22-1986 by L.L. No. 5-1986]**

At the time of submission of the preliminary plat, the subdivider shall pay a fee, which shall be determined by the Board of Trustees.

§ 260-31. Submission of final plat. [Amended 4-22-1986 by L.L. No. 5-1986]

At the time of submission of the final plat, the subdivider shall pay a fee, which shall be determined by the Board of Trustees.

§ 260-32. Inspection fee. [Amended 5-9-1989 by L.L. No. 2-1989⁴⁰]

Prior to final approval of the subdivision plat, the subdivider shall pay an inspection fee. This inspection fee shall be used to pay for the expenses incurred by the Village in making inspections pursuant to Article IV, § 260-26C. Any unused portion of said inspection fee shall be returned to the subdivider upon acceptance of the required improvements by the Board of Trustees.

§ 260-33. Disposition of fees.

All fees shall be made payable to the Treasurer of the Village of Walden.

39. Editor's Note: See also Ch. 135, Fees, Art. I, Land Use and Development Fee Procedure.

40. Editor's Note: This local law repealed all existing permit and license fees contained in the Code of the Village of Walden. See now Ch. A310, Fees.