



TOWN of GREENBURGH

Community Development & Conservation

Paul Feiner
Supervisor

Garrett Duquesne, AICP
Commissioner

Aaron Schmidt
Deputy Commissioner

Planning Board Members

Dylan Pyne, Chairperson
Edwin Weinberg
Emily Anderson
Marc Pillinger

Emily Anderson
Natasha Robinson

APPLICATION FOR

SUBDIVISION

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INSTRUCTIONS TO APPLICANTS

TOWN OF GREENBURGH - INSTRUCTIONS FOR SUBDIVISION APPLICANTS

All applications can be filed with the Department of Community Development and Conservation in Town Hall from 9:00 am to 5:00 pm Monday through Friday.

Whenever any subdivision or resubdivision of land is proposed and before any contract for the sale or any offer to sell such subdivision or any part thereof is made, the prospective subdivider or his agent, duly authorized in writing, shall proceed to secure approval of the proposed subdivision in accordance with the following phases: initial conference and review, preliminary plat and subdivision plat. The first phase is a suggested preliminary procedure, which is recommended to the prospective subdivider to acquaint him or it with the Board's requirements and to familiarize the Board with the nature of his proposal, in order to avoid unnecessary expense due to costly revision of subdivision plats. The second and third phases are the required review and approval stages, which must be followed by the prospective subdivider in order to obtain formal approval. However, when a building permit is granted for a single-family dwelling on a lot that has at least twice the minimum lot area of the underlying zone, no subdivision application shall be accepted or received by the Planning Board for that lot or any portion of said lot for five years after the date of issuance of the building permit.

STEP 1 PRESUBMISSION CONFERENCE

Prior to the submission of a subdivision application, the applicant shall meet in person with the Department of Community Development and Conservation. The purpose of such conference shall be to discuss the subdivision in order that the necessary subsequent steps may be undertaken with a clear understanding of the approving agency's requirements in matters relating to subdivision application.

STEP 2 PREAPPLICATION MEETING

This is a second meeting with the Department of Community Development and Conservation. Staff will review the initial application before it is submitted for preliminary Town review. Depending on the size of the project this meeting may also involve Legal, Building, Engineering, Fire and Police departments. Typically, this meeting usually involves sitting down with planning staff to check the completeness of the application and look over the subdivision plat and subdivision improvement plan drawings, to see that the plans contain all pertinent information that the departments and Planning Board are looking for.

STEP 3 PRELIMINARY SUBDIVISION PLAT AND IMPROVEMENT PLAN REVIEW

Preliminary submissions are filed with the Department of Community Development and Conservation and distributed for internal Departmental Review. These Departments are Planning, Legal, Building, Engineering, Energy

Conservation, Water, Fire and Police. Depending on the location and size of the project, the application could be sent to Westchester County, New York State Department of Transportation and any other local, state, county, regional and federal agencies having jurisdiction, as well as to any technical consultant that the Planning Board, in its discretion, deems necessary or appropriate for a thorough review of the application. Applicants must submit twelve (12) collated copies of the entire application package unless otherwise directed by Department Staff. The applicant will also submit the entire package (including all Maps) in an Adobe Acrobat .PDF format. Please see the preliminary site plan checklist for a complete listing of information that must be submitted with the plans.

Once all comments have been received on the proposed site plan, a letter will be sent to the applicant possibly request revisions to the information contained in the initial proposed site plan application and site plan drawings. If revisions are required, applicant is responsible for making the proper revisions and resubmitting materials addressing all concerns/ requests for revisions. The revised application/plans are again distributed to the Departments and affected parties to confirm that the applicant has properly addressed all concerns.

If there are no further comments, the applicant will be instructed via letter that they may resubmit the revised application to the Department of Community Development and Conservation who will then transmit the application to the Planning Board for consideration at a work session. All applications that are going to the Planning Board must be submitted one week before the meeting. Applicants must submit twelve (12) collated copies of the entire application package for Planning Board.

STEP 4 PLANNING BOARD WORKSESSION

The application will first be presented to the Planning Board for the scheduling of a work session. This involves staff briefly going over the application with the Planning Board. The Planning Board will then schedule a work session date.

At the Planning Board work session, the Planning Board will go over Department's staff report and look at the any concerns with the site and see if the mitigation or remediation that has been suggested is appropriate. The Planning Board may ask for temporary staking along the approximate center line of all proposed roads and lots of the subdivision to help facilitate inspection and review of the site of the proposed subdivision. The Planning Board could also ask the applicant for further information or studies to be preformed for the application. If this happens, the work session will be adjourned to a later date in order to allow the applicant to research the information and to allow staff, the time to review the requested information.

Once the Planning Board is satisfied with all aspects of the subdivision plan application, a public hearing will be scheduled.

STEP 5 PLANNING BOARD PUBLIC HEARING

The applicant will make a presentation at the public hearing describing all aspects of the project. At that time the public will have a chance to review and offer comments on the application. The Planning Board may ask for additional information of the applicant or close the public hearing. Within 60 days of the public hearing, the Planning Board will, at a public meeting, approve, with or without modifications, or disapprove the preliminary subdivision application by resolution, setting forth in detail any modification to which the approval is subject or reasons for disapproval.

STEP 6 PRELIMINARY APPROVAL

Once the Planning Board, gives preliminary approval to a subdivision plat, the applicant must have Westchester County Department of Health sign the plat and resubmit the plat and improvement plans and pay any outstanding fees before final subdivision approval. Approval of a preliminary plat application shall expire six months from the date of approval if no application for final approval is submitted within such period, except where such time limit is extended by the Planning Board in writing.

STEP 7 FINAL APPROVAL

Once the Planning Board has giving final approval of the subdivision plat and improvement plan, the Secretary to the Planning Board or Chairman of the Planning Board shall endorse approval on the plat after all conditions and resolutions pertaining to the plat have been satisfied. In accordance with Town Law, the plat shall be filed with the Westchester County Clerk, Division of Land Records, within 60 days of the date of signing. The approval of any plat not so filed shall expire 60 days from the date of endorsement. The Planning Board may extend such sixty-day period as provided in § 276 of the Town Law, upon written request by the applicant. The applicant is requested to submit one mylar copy and three paper copies of the subdivision plat showing the endorsement of the County Clerk to the Planning Board within 30 days of the date of filing.

Please Note: No changes, erasures, modifications or revisions shall be made to any subdivision plat after approval has been given by the Board and endorsed in writing on the plat excepting only the endorsement of the Westchester County Department of Health or County Clerk's office. In the event that any subdivision plat, when recorded, contains any such changes, the plat shall be considered null and void.

APPLICATION SUBMISSION CHECKLIST

REQUIREMENTS FOR PRELIMINARY SUBDIVISION REVIEW

This form is to be included in the Application Submission Package

		<u>Please check the box</u>
1.	Applicants must submit twelve (12) collated copies of the entire application package for subdivision submissions, unless otherwise directed by staff, including:	☐
	A. Affidavit of Ownership;	☐
	B. Subdivision Application Form;	☐
	C. Environmental Clearance Form;	☐
	D. Slope Clearance Form;	☐
	E. Wetland/Watercourse Clearance Form;	☐
	F. Full Environmental Assessment Form (Long Form);	☐
	G. Proposed Subdivision Plat. (All maps must be folded to 8 ½" x 11" with title box showing.) (See attached checklist);	☐
	i. Title Sheet;	☐
	ii. Existing Conditions Plan;	☐
	iii. Proposed Subdivision Plan;	☐
	iv. Utilities Plan;	☐
	v. Lighting Plan;	☐
	vi. Grading Plan;	☐
	vii. Steep Slope Analysis Plan	☐
	viii. Stormwater and Soil Erosion Control Plan;	☐
	ix. Tree Protection and Removal and Landscaping Plan;	☐
	x. Wetland/Watercourse Delineation Impact and Mitigation Plan;	☐
	xi. Construction and Plan Details;	☐
	xii. Certified survey of property	☐
2.	One (1) set of three (3) copies of Steep Slope Analysis Plan and Slope Clearance Form for Engineering Department with a check for \$100.	☐
3.	Appropriate fees (<i>see fee schedule</i>). Please attach a completed fee schedule and separate checks for each section.	☐
4.	Two (2) copies of current deed	☐
5.	Chain of title on subject property(s) subsequent to 1957	☐
6.	Two (2) copies of all easements and restrictive covenants already placed and proposed to be placed on the plat.	☐
7.	List names and addresses of all owners of properties within <u>500 feet</u> of the perimeter of site. Must be typed on labels. Use Avery #5160 copies label format. The application must include a map of adjacent lots indicating the 500' radius line as applicable, measured from all points on the property line (not from the center of the site).	☐
8.	All plat and improvement plan submission for subdivision must be submitted in Auto Cad™ format.	☐
9.	A tree removal permit application, if required, must be made with the Forestry Officer.	☐

*** If any of the above-reference information is missing, the application will be deemed incomplete and returned to the applicant for proper completion.**

ENGINEERING NOTES

TOWN OF GREENBURGH ENGINEERING NOTES **FOR SITE PLANS**

NOTES TO BE PUT ON CONSTRUCTION DRAWINGS:

1. All work and materials to conform to Town of Greenburgh specifications.
2. Upon request, the Town Water Department shall locate existing water mains and services but shall not guarantee locations.
3. Provide designed retaining walls on all slopes exceeding (1) foot vertical on two (2) feet horizontal.
4. Underground electric shall be encased in rigid casing for a minimum of six feet (2-4-2) across all water mains.
5. The builder shall furnish and install 6" perforated pipe encased in crushed stone in back of curb wherever directed by the Engineer.
6. The Town Highway Department shall regulate and order what obstructions must be removed by builder for sight distance.
7. The Applicant /Contractor shall be required to comply with all rule and regulations of the Town of Greenburgh Consolidated Water District No. 1.
8. The contractor shall be required to backfill utility trenches in the public right of way with 50 psi controlled density backfill (k-crete).
9. The Applicant/contractor shall be responsible for the proper removal/disposal of existing subsurface structure (i.e. oil tanks, septic fields, fields, etc.), their contents and any remedial measures that may be required.
10. It shall be the responsibility of the Applicant/Contractor to call in Code 53. No work shall commence until a Code 53 field mark out has been performed.

GRADING PLANS:

1. Existing and proposed contours must be shown with spot elevations.
2. All lots must have positive drainage.
3. Provide drain inlets, if low spots cannot be eliminated by positive drainage.
4. Driveways must be shown on grading plans with turnarounds and proper offsets from property line.
5. House leaders must tie into an approved stormwater drainage system.

NOTES TO BE PUT ON GRADING PLANS:

1. Provide retaining walls on all slopes exceeding (1) foot vertical on two (2) feet horizontal.
2. Owner must guarantee positive drainage on all lots.
3. Swales may be required along all property lines to minimize rain run-off.
4. All driveways sloping down to garage or house shall have a drain inlet with pipe connected to an approved stormwater drainage system.
5. All driveways sloping down shall rise 6" the first 5' and then slope down. (Label the driveway slope on the plan.)

NOTES TO BE PUT ON EROSION CONTROL PLANS:

1. The applicant shall be required to clean roadways and existing downstream drainage utilities from all siltation and construction debris as required, and upon completion of the work.
2. All plans should fully incorporate the appropriate recommendations from New York State Department of Environmental Conservation's Standards and Specifications for Erosion and Sediment Control dated August 2005, or the most current version or its successor. The plan and its implementation shall be subject to the approval of the Town Engineer.
3. All storm water control measures for this project are to be consistent with the New York State's Stormwater Design Manual Dated August 2004, or the most current version or its successor.
4. Plans shall note, "*The measures for the control of erosion and sedimentation are undertaken consistent with the New York State's Stormwater Design Manual, dated August 2004, or the most current version or its successor, satisfactory to the Town.*"

FEE SCHEDULE

TOWN OF GREENBURGH SUBDIVISION FEE SCHEDULE

This form is to be included in the Application Package

Preliminary Subdivision Application Fees			
Resubdivision of a single lot or a lot line change	Fee		Totals
Preliminary Subdivision Application	\$200		\$200
Environmental Clearance Form	\$150		\$150
Wetlands/watercourse Clearance Form	\$100		\$100
Legal	\$100		\$100
Abutters Mailing Labels	\$85/\$50		\$85/\$50
Public Hearing Transcript & Notice (Escrow)	\$400	(separate check)	\$400
Subtotal			
Subdivision of one lot to create two lots			
Preliminary Subdivision Application	\$500		\$500
Environmental Clearance Form	\$150		\$150
Wetlands/watercourse Clearance Form	\$100		\$100
Legal	\$200		\$200
Abutters Mailing Labels	\$85/\$50		\$85/\$50
Public Hearing Transcript & Notice (Escrow)	\$400	(separate check)	\$400
Subtotal			
Subdivision of three lots or more			
Preliminary Subdivision Application	\$1000		\$1000
Number of lots proposed	\$250	X	Number of lots
Environmental Clearance Form	\$150		\$150
Wetlands/watercourse Clearance Form	\$100		\$100
Legal	\$500		\$500
Abutters Mailing Labels	\$85/\$50		\$85/\$50
Public Hearing Transcript & Notice (Escrow)	\$400	(separate check)	\$400
Subtotal			
Final Subdivision Application Fees			
Resubdivision of a single lot or a lot line change			
Final Subdivision Application	\$100		\$100
Subtotal			
Subdivision of one lot to create two lots			
Final Subdivision Application	\$500		\$500
Recreation Fee (separate check)	\$8,640		\$8,640
Subtotal			
Subdivision of three lots or more			
Final Subdivision Application	\$1000		\$1000
Number of lots proposed	\$250	X	Number of lots
Recreation Fee	\$8,640	X	Number of lots
Subtotal			
Escrow Review (Escrow is required on subdivision of three lots or more)			
Site Plan Review (separate check)	\$1,500 or 2% of the total cost of all site improvements, exclusive of the cost of construction of all buildings, whichever is greater		
SEQR	(per NYC RR Part 617)		
Subtotal			
Please include a separate check for each subtotaled portion of the application. All fees must be made payable to the "Town of Greenburgh"			
Town of Greenburgh, Department of Community Development and Conservation – File Use			
	Date Received	Total	Staff initials
Preliminary Subdivision Fees			
Escrow Review			
Recreational Impact Fee			
Final Subdivision Fees			

AFFIDAVIT OF OWNERSHIP

AFFIDAVIT OF OWNERSHIP

State of New York)ss.
County of Westchester)

_____being duly sworn, deposes and says that (s)he resides at
_____in the Town of _____in the County
of _____in the State of _____that (s)he is the
owner in fee of all that piece or parcel of land situated and lying in the Town of Greenburgh
aforesaid and known and designated as the Parcel ID _____
and that (s)he hereby authorizes _____to make application in his/her
(its) behalf and that the statement of facts contained in said application is true.

Signature of Owner

Sworn to me before this _____

Day of _____20_____

Notary Public

DISCLOSURE FORM

TOWN OF GREENBURGH
DISCLOSURE FORM TO ACCOMPANY CERTAIN APPLICATIONS*

1. This form relates to property located within the Town of Greenburgh. The street address of the property which is the subject of this application is:

Name of Applicant: _____

Address of Applicant: _____

Date(s) of Application(s): _____

Type(s) of Application(s): _____

Project Name: _____

2. Name and address of Owner(s) if different from Applicant: _____

3. Do any officers or employees of the State of New York, County of Westchester, Town of Greenburgh and/or Town of Greenburgh Agency have an interest** in the applicant or owner of the property? _____

If the answer is "yes", please identify the person(s) by name, residence and the nature of extend of such interest.

4. If the application is for a project involving site plan approval of five acres or more and/or for a change of zoning, and either or both the applicant or the owner, if different from the applicant, is not an individual or individuals, list the owners and officers of the corporation, limited liability corporation, partnership or other legal entity.

Name of Applicant Legal Entity: _____

Name(s) and Addresses of Applicant Owners*** and Officers:

*Every application, petition, or request submitted for a variance, amendment, change of zoning, site plan approval, approval of plat, exemption from a plat or official map, license, special permit or permit pursuant to the provisions of any ordinances, local law or rule constituting the zoning and planning of the Town of Greenburgh.

**For the purpose of this paragraph, an officer or employee shall be deemed to have an interest in an applicant when s/he, his or her 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 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 party to an agreement with such applicant, express or implied, whereby he or she may receive payment or other benefit whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.

***With respect to any corporation traded on the New York, American or other stock exchange, any person who is the owner of more than 5% of the outstanding shares of stock or any class of such a corporation, and with respect to other than a publically traded corporation, a limited liability company or other legal entity, any person who is an owner of more than 2% of the equity of such legal entity.

Name of Applicant: _____

Signature: _____

Date: _____

**SUBDIVISION
APPLICATION FORM**



Paul Feiner
Supervisor

TOWN of GREENBURGH
WESTCHESTER COUNTY, NEW YORK
DEPARTMENT OF COMMUNITY
DEVELOPMENT AND CONSERVATION

SUBDIVISION PLAN APPLICATION FORM

Thomas Madden, AICP
Commissioner

Name of Application: _____

Location of Action: _____

Owner:

Name: _____ Street: _____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____

Applicant:

Name: _____ Street: _____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____

Subject Property:

Name or other identification of site (address): _____
Situating on the _____ side of _____ (Street) _____ feet from the intersection
of _____ (Street)
Volume: _____ Section: _____ Sheet: _____ Block(s): _____ Lot(s): _____ Total site area (sq. ft): _____

Conformity With Zoning: (Please complete one section for each proposed lot, indicating the existing and proposed setbacks)

1) Zoning District Requirements

Lot No.	Is there an existing house on the lot?		Yes	No
Zoning District:	Permitted	Proposed		
Lot Area (sq. ft.)			Building Height (ft.)	Feet
Buildable Lot Area * See below for definition				Stories
Total Gross Floor Area (F.A.R.) (sq. ft.)				Total Height
Lot Width (ft.)			Yard Setbacks (ft.)	From side lot line
Yard Setbacks (ft.)				From Rear Lot Line
(Principle building)				From Principal Building
Front yard setback				
Rear yard setback				
Length of one side setback			Steep Slopes	Sq. ft.
Length of second side setback			0-15%	Deductions
Percent Coverages			15-25%	
Principle Building			25-35%	
Accessory Building			35%+	
Total Impervious Surface				
Number of Parking Space			Wetlands and watercourse	
				Total

Lot No.	Is there an existing house on the lot?		Yes ☐	No ☐
Zoning District:	<u>Permitted</u>	<u>Proposed</u>		
Lot Area (sq. ft.)			Building Height (ft.) Feet	
Buildable Lot Area * See below for definition			Stories	
Total Gross Floor Area (F.A.R.) (sq. ft.)			Total Height	
Lot Width (ft.)			Yard Setbacks (ft.) From side (Accessory Building) lot line	
Yard Setbacks (ft.) (Principal building) Front yard setback			From Rear Lot Line	
Rear yard setback			From Principal Building	
Length of one side setback			Steep Slopes	<u>Sq. ft.</u> <u>Deductions</u>
Length of second side setback			0-15%	
Percent Coverages Principal Building			15-25%	
Accessory Building			25-35%	
Total Impervious Surface			35%+	
Number of Parking Space			Wetlands and watercourse	
				Total

Lot No.	Is there an existing house on the lot?		Yes ☐	No ☐
Zoning District:	<u>Permitted</u>	<u>Proposed</u>		
Lot Area (sq. ft.)			Building Height (ft.) Feet	
Buildable Lot Area * See below for definition			Stories	
Total Gross Floor Area (F.A.R.) (sq. ft.)			Total Height	
Lot Width (ft.)			Yard Setbacks (ft.) From side (Accessory Building) lot line	
Yard Setbacks (ft.) (Principal building) Front yard setback			From Rear Lot Line	
Rear yard setback			From Principal Building	
Length of one side setback			Steep Slopes	<u>Sq. ft.</u> <u>Deductions</u>
Length of second side setback			0-15%	
Percent Coverages Principal Building			15-25%	
Accessory Building			25-35%	
Total Impervious Surface			35%+	
Number of Parking Space			Wetlands and watercourse	
				Total

Lot No.	Is there an existing house on the lot?		Yes ☐	No ☐
Zoning District:	<u>Permitted</u>	<u>Proposed</u>		
Lot Area (sq. ft.)			Building Height (ft.) Feet	
Buildable Lot Area * See below for definition			Stories	
Total Gross Floor Area (F.A.R.) (sq. ft.)			Total Height	
Lot Width (ft.)			Yard Setbacks (ft.) From side (Accessory Building) lot line	
Yard Setbacks (ft.) (Principal building) Front yard setback			From Rear Lot Line	
Rear yard setback			From Principal Building	
Length of one side setback			Steep Slopes	<u>Sq. ft.</u> <u>Deductions</u>
Length of second side setback			0-15 %	
Percent Coverages Principal Building			15-25%	
Accessory Building			25-355%	
Total Impervious Surface			35%+	
Number of Parking Space			Wetlands and watercourse	
				Total

2) Slope categories of total site:	0%-15% _____ sq. ft.	15%-25% _____ sq. ft.	
	25%-35% _____ sq. ft.	35%+ _____ sq. ft.	

a) Will construction of homes or facilities involve disturbance to slopes 15% or greater? Yes ☐ No ☐

3) Is there an existing curb cut onto the site? Yes ☐ No ☐

a) Will the action require new curb cuts onto the street? Yes ☐ No ☐

b) What street(s) will have the new curb cuts? _____

c) Will a traffic study be undertaken for the proposed project? Yes ☐ No ☐

4) Will the application need a tree removal permit? Yes ☐ No ☐

If yes, what are the number of trees that will be removed from the site? _____

5) Will the application require a wetlands permit? Yes ☐ No ☐ Flood hazard permit? Yes ☐ No ☐

6) If the subject property is located within either of the following, please indicate.

*Critical Environmental Area	Yes	☐	No	☐
*Conservation District	Yes	☐	No	☐

7) List all public and private recreational facilities within a 1/4 mile radius of the subject property(s). If none exist, identify closest recreational facilities.

8) List variance or other modifications required. (Variances must be verified in writing by the Building Inspector and attached hereto.)

Zoning Code Reference _____	Variance sought _____
Zoning Code Reference _____	Variance sought _____
Zoning Code Reference _____	Variance sought _____

9) Have you, or to your knowledge, any predecessor of interest in this property, previously applied to the Planning Board or the Zoning Board of Appeals? Yes ☐ No ☐

(Case Histories can be obtained from the Department of Community Development & Conservation)

If yes, case number application for disposition _____

 case number application for disposition _____

 case number application for disposition _____

 case number application for disposition _____

10) Is the action located on property within 500 feet of:

a) The boundary of an adjoining city, town or village	Yes	☐	No	☐
b) The boundary of an existing or proposed state or county park, recreation area or road right-of-way	Yes	☐	No	☐
c) An existing or proposed county drainage channel line	Yes	☐	No	☐
d) The boundary of state- or county-owned land on which a public building/institution is located	Yes	☐	No	☐
e) The boundary of a farm located in an agricultural district.	Yes	☐	No	☐

11) What is the current assessed value of the property? ☐

12) Are there existing buildings on the site? Yes ☐ No ☐

If so, give the date(s) of the Certificate(s) of Occupancy issued for each building.
Include case number.

13) Please list all the Civic Association(s) within 500 feet of the property.

14) Please answer the following questions: (if additional space is needed, submit on attached sheet).

a) Is the owner/applicant a(n):

- | | | | | | |
|--------------------------|------------|--------------------------|-------------|--------------------------|---------------|
| ☐ | Individual | ☐ | Partnership | ☐ | Joint Venture |
| ☐ | Nominee | ☐ | Fiduciary | ☐ | Corporation |

b) Please list all owners with a direct or indirect financial or beneficial interest in the property. List the names, addresses, and phone numbers of all owners, partners and limited partners, joint ventures, officers, directors and control persons. (Control is defined as any individual who owns 10% or more of the outstanding shares of the corporation or, notwithstanding the amount of stock owned, is in a position to influence management decisions and make policy on behalf of the corporation).

c) If the owner is a fiduciary, set forth name and address or other evidence of fiduciary, a copy of certificate of fiduciary authority and identify the beneficial owner of the property.

NOTE: *All of the submission requirements outlined in this application must be approved by the Planning Board prior to the application being accepted in form and content*

By signing this application, the property owner and applicant will indemnify and hold the Town or its representatives harmless against any damage or injury and that the owner and applicant consent to the approval authority's (including its agents or employees) entry upon lands or waters for the purpose of undertaking any investigations, inspections, examination, survey, or other activity for the purposes of review of this application.

Signature of Applicant

Print Applicant's Name

Date

Signature of Owner

Print Owner's Name

Date

BUILDABLE AREA: *The gross area of the lot less the density deductions for areas classified as steep slopes, very steep slopes, excessively steep slopes, wetlands and watercourses.*

STEEP SLOPE AND WETLAND/WATERCOURSE CALCULATIONS - *In calculating buildable area, the lot area of a given parcel shall be reduced by the sum of: (a) The area classified as steep slopes multiplied by 20%;(b) The area classified as very steep slopes multiplied by 50%; (c) The area classified as excessively steep slopes multiplied by 75 percent; and (d) The area classified as wetlands and watercourses multiplied by 75%.. (3) Density calculations for multifamily districts. In multifamily districts, the number of dwelling units permitted shall be calculated by dividing the buildable area by the minimum square footage per unit requirement set forth in the multifamily district in which the proposed development is located.*

IMPERVIOUS SURFACES, GROSS COVERAGE - *The sum of the horizontal area of coverage or footprint of all buildings, structures, paved areas, patios and other improved surfaces on a lot preventing natural runoff to percolate into the soil, measured in square feet. Areas paved with gravel, crushed stone and other materials used to support vehicles shall be considered impervious surfaces for the purposes of this chapter. Swimming pools and tennis courts that are unenclosed shall not be considered impervious surfaces for the purposes of this chapter. [Added 7-8-1987 by L.L. No. 3-1987]*

§617.16 CONFIDENTIALITY When a project sponsor submits a completed EAF, draft or final EIS, or otherwise provides information concerning the environmental impacts of a proposed project, the project sponsor may request, consistent with the Freedom of Information Law (FOIL), article 6 of the Public Officers Law that specifically identified information be held confidential. Prior to divulging any such information, the agency must notify the applicant of its determination of whether or not it will hold the information confidential.

**ENVIRONMENTAL
CLEARANCE FORM**



TOWN of GREENBURGH

Community Development & Conservation

Paul Feiner
Supervisor

ENVIRONMENTAL CLEARANCE FORM

Garrett Duquesne, AICP
Commissioner
Aaron Schmidt
Deputy Commissioner

Name of Application:

Applicant:

Name: _____ Street: _____
City: _____ State: _____ Zip: _____
Telephone: _____ Email: _____

Subject Property:

Name or other identification of site: _____
Streets which site abuts: _____
Parcel ID#: _____ Zoning District: _____ Total site area (sq. ft.): _____

Proposed Action:

A. State Type I Actions - This Type I list, is not an exhaustive list of those actions that an agency determines may have a significant effect on the environment and may require the preparation of an EIS. Therefore, the fact that an action or project has not been listed as a Type I action does not carry with it the presumption that it will not have a significant effect on the environment. This list is provided as a convenience. Please check 6 NYCRR Part 617 for further information on classifying the type of action. **(Please check all items that apply)**

1. The following changes in the allowable uses within any zoning district, affecting 25 or more acres of the district:
(a) Authorizing industrial or commercial uses within a residential or agricultural district; or
(b) Authorizing residential uses within an agricultural district.
2. The granting of a zoning change at the request of an applicant for an action that meets or exceeds one or more of the thresholds given in other sections of this list.
3. Construction of new residential units which meet or exceed the following thresholds:
(a) Fifty units not to be connected (at commencement of habitation) to community or publicly owned utilities.
(b) In a city, town or village having a population of less than 150,000, 200 units to be connected (at the commencement of habitation) to community or publically owned utilities.
4. Construction of new nonresidential facilities which meet or exceed any of the following thresholds; or the expansion of existing nonresidential facilities by more than 50% of any of the following thresholds:
(a) A project or action which involves the physical alteration of 10 acres.
(b) A project or action which would use ground or surface water in excess of 2,000,000 gallons per day.
(c) In a city, town or village having a population of 150,000 persons or less, parking for 500 vehicles.
(d) In a city, town or village having a population of 150,000 persons or less, a facility with more than 100,000 square feet of gross floor area.
5. Any structure exceeding 100 feet above original ground level in a locality without any zoning regulation pertaining to height.
6. Any action (unless the action is designed for the preservation of the facility or site) occurring wholly or partially within or contiguous to any facility or site listed on the National Register of Historic Places or any historic building, structure or site or prehistoric site that has been proposed by the Committee on the Register for consideration by the New York State Board on Historic Preservation for a recommendation to the State Historic Officer for nomination for inclusion in said National Register.
7. Any project or action, which exceeds 25% of any threshold in this section, occurring wholly or partially within or substantially contiguous to any publicly owned or operated parkland, recreation area or designated open space.
8. Other per 617.4 SEQRA Regulations

B. Local Type I – Activities located in: (Please check all items that apply)

1. Floodplains, as defined in Article 36 of the Environmental Conservation Law. ☐
2. Tarrytown Lakes, watershed area. ☐

C. Unlisted Action. Unlisted actions that do not meet the Type I thresholds, however some actions may still require an EIS. Some examples: nonresidential projects physically altering less than 10 acres of land, adoption of regulations, ordinances, local laws and resolutions that may affect the environment. ☐

D. State Type II actions. Action will in no case have a significant effect on the environment based on the criteria contained in section 617.11 and any additional criteria contained in its procedures adopted pursuant to Section 617.4. This list is provided as a convenience. Please check 6 NYCRR Part 617 for further information on classifying the type of action. **(Please check all items that apply)**

1. The granting of individual setback and lot line variances. ☐
2. Construction or placement of minor accessory or appurtenant residential structures, including garages, carports, patios, home swimming pools, fences, barns or other buildings not changing land use or density. ☐
3. Construction or expansion of a single-family, two-family, or three-family residence on an approved lot. ☐
4. Construction or expansion of a primary or accessory, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance. ☐
5. Street openings for the purpose of repair or maintenance of existing utility facilities ☐
6. Agricultural farm management practices, including construction, maintenance and repair of farm buildings and structures and land use changes consistent with generally accepted principles of farming. ☐
7. Repaving of existing highways not involving the addition of new travel lanes. ☐
8. Installation of traffic control devices on existing streets, roads and highways. ☐
9. Public or private forest management practices other than the removal of trees or the application of herbicides or pesticides. ☐
10. Minor temporary uses of land having negligible or no permanent effect on the environment. ☐
11. Replacement of a facility, in kind, on the same site unless such facility meets any of the thresholds in Section 617.12. ☐
12. Other Type II actions (specify). ☐

Involved Agencies

- 1) Is the action located on property within 500 feet of:
- a) The boundary of an adjoining city, town or village Yes ☐ No ☐
If yes, which municipality? _____
- b) The boundary of an existing or proposed state or county park, recreation area or road right-of-way Yes ☐ No ☐
If yes, who has jurisdiction? Westchester County ☐ NYSDOT ☐ NYSOPRHP ☐
- c) An existing or proposed county drainage channel line Yes ☐ No ☐
- d) The boundary of state- or county-owned land on which a public building/institution is located Yes ☐ No ☐
- e) The boundary of a farm located in an agricultural district Yes ☐ No ☐
- 2) Will a sewer district have to be expanded for the project? Yes ☐ No ☐
If yes, which district? _____

Relationship to other actions:

- 1) List any related action that may be undertaken as a result of this proposed action:
-
- 2) List any actions, which are dependent upon this proposed action, and therefore should be reviewed as part of this action (e.g., house construction in the case of a residential subdivision):
-

Signature of Applicant**Print Applicant's Name****Date**

NOTE: The completion of this Environmental Clearance Form does not confer any rights, privileges, licenses, permits or other entitlement upon the applicant and does not relieve the applicant from compliance with all other applicable laws, rules and regulations of the Town of Greenburgh.

STEEP SLOPE CLEARANCE FORM



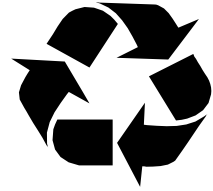
FRANK MORABITO
Commissioner of Public Works

**TOWN OF GREENBURGH
BUREAU OF ENGINEERING**

177 Hillside Avenue, White Plains, NY 10607

Office: (914) 989-1583 Fax: (914) 993-1639

Web Site: <http://www.greenburghny.com>



Greenburgh Recycles

JASON COPPOLA, P.E.

Town Engineer

C.J. GELARDO, P.E.

Deputy Town Engineer

APPLICATION PACKAGE: STEEP SLOPES

CONTENTS

- Slope Clearance Form - **Three (3) copies must be submitted**
- Steep Slope Law 245

Application fee required with submission of package:

Initial Review:	\$100.00
Subsequent Review of Same Application:	\$200.00

Please make check payable to the **Town of Greenburgh**



FRANK MORABITO
Commissioner Public Works

TOWN OF GREENBURGH DEPARTMENT OF PUBLIC WORKS

Bureau of Engineering
177 Hillside Avenue, Greenburgh, NY 10607
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Web Site HTTP://www.greenburghny.com



JASON COPPOLA, P.E.
Town Engineer
C.J. GELARDO, P.E.
Deputy Town Engineer

SLOPE CLEARANCE FORM

THIS FORM MUST BE COMPLETED BY A LICENSED PROFESSIONAL (P.E., L.S. or R.A.)

UNLESS AN EXEMPTION IS CLAIMED AS PER § 245-11 OF THE TOWN CODE

For a complete submission, please submit the following: (Incomplete submissions will be returned without review)

- Three (3) copies of this Slope Clearance Form;
- Three (3) copies of a Site Plan, which includes two (2) foot topographical contours. Site topography must be cross-hatched or colored to differentiate each individual slope category noted in parts 5 & 6 below.
(If property slopes are certified to be limited to less than 15%, (2) foot topographic contours need not be shown on the site plan, unless requested);
- Show a delineation of the disturbed area for the proposed project on the site plan. The disturbed area should include any and all disturbance during construction, not just the final footprint;
- Initial Fee: \$100.00 (Re-Review Fee: \$200) Please make check payable to Town of Greenburgh

Owner Information:

Name: _____ Street: _____
City: _____ State: _____ Zip Code: _____
Telephone: _____ Alt. Telephone: _____ Email: _____

Applicant Information:

Name: _____ Street: _____
City: _____ State: _____ Zip Code: _____
Telephone: _____ Alt. Telephone: _____ Email: _____

Subject Property:

Name, address, or other identification of site: _____
Situated on the _____ side of _____ (Street) _____ feet from the
intersection of: _____ (Street)

PARCEL ID # _____ Total Site area (sq ft): _____

Proposed Action:

1) Type of Approval(s) Sought:

2) Description of Proposed Action: _____

3) Are there any rights-of-way, easements, restrictive covenants or conditions of approval which encumber the property? If so, please indicate the nature of these restrictions and supply three (3) copies of the legal instrument (i.e. deed, covenant, conservation easement, approval letter, etc.) which created this restriction.

NOTE: The completion of this Slope Clearance Form does not confer any rights, privileges, licenses, permits or other entitlement upon the applicant and does not relieve the applicant from compliance with all other applicable laws, rules and regulations of the Town of Greenburgh.

4) Estimated Quantity of Earthwork: Excavation: _____ yds ³ Imported Fill: _____ yds ³		
5) Slope Categories for Lot Area: Total Lot Area: _____ (sq. ft.) Slope Category: 0%-15% _____ sq. ft. 15%-25% _____ sq. ft. 25%-35% _____ sq. ft. 35%+ _____ sq. ft.		
6) Slope Categories for Disturbed Area: Total Disturbed Area: _____ (sq. ft.) Slope Category: 0%-15% _____ sq. ft. 15%-25% _____ sq. ft. 25%-35% _____ sq. ft. 35%+ _____ sq. ft.		
7) Buildable Area: _____ sq. ft. Wetland/Watercourse Area: _____ sq. ft. Buildable Area: To calculate buildable area, the lot area (indicated in section 5, above) shall be reduced by the sum of the following four slope and wetland area components, as defined in Zoning Code § 285-39E - Lot and bulk requirements: Areas of steep (15%-25%) slopes x 0.20; Areas of very steep (25%-35%) slopes x 0.50; Areas of excessively steep (35%+) slopes x 0.75; Areas of wetlands and watercourses x 0.75.		
8) Professional of Record: (P.E., L.S., or R.A.)		
Name: _____ Street: _____ City: _____ State: _____ Zip Code: _____ Telephone: _____ Alt. Telephone: _____ Fax: _____ Email: _____ License Number: _____ License Type: _____		
Professional's Signature Date	For Use By The Bureau of Engineering	
_____ Signature of Applicant	_____ Print Applicant's Name	_____ Date
_____ Signature of Owner	_____ Print Owner's Name	_____ Date

NOTE: The completion of this Slope Clearance Form does not confer any rights, privileges, licenses, permits or other entitlement upon the applicant and does not relieve the applicant from compliance with all other applicable laws, rules and regulations of the Town of Greenburgh.



**TOWN OF GREENBURGH
DEPARTMENT OF PUBLIC WORKS
Bureau of Engineering**

177 Hillside Avenue, Greenburgh, NY 10607 Office (914) 989-1583 Fax (914) 993-1639
Web Site HTTP://www.greenburghny.com



FRANK MORABITO
Commissioner of Public Works

SUPPLEMENTAL INSTRUCTIONS

JASON COPPOLA, P.E.
Town Engineer

C.J. GELARDO, P.E.
Deputy Town Engineer

These instructions are intended to supplement the instructions on the Slope Clearance Form itself. If there are any questions you may have, please call the Bureau of Engineering. A properly completed Slope Clearance Form contributes to a swift review of the application.

Owner Information: Enter the name address and contact information of the owner here. A renter or lessee cannot be entered as the *Owner Information*.

Applicant Information: Enter the name address and contact information of the applicant here. The applicant can be a renter, lessee, contractor, design professional, or anyone deemed to be the representative for the proposed action.

1) Approvals Sought: Enter all the approvals sought such as: Wetlands/Watercourse Clearance, Stormwater Management Permit, Building Permit, Demolition Permit, Fill Permit, Street Opening Permit, Planning Board Approval, Zoning Board Approval, Town board Approval.

2) Proposed Action: Generally describe what the project will entail.

3) Right-of-way, Easements, etc: This information can be found in the property deed and/or a land survey of the subject property.

4) Estimated Quantity of Earthwork: The volume excavation should be stated in cubic yards (1 cubic yard is equal to 27 cubic feet). **Excavation of manmade materials must be included (i.e. paths, driveways, patios, etc).** The fill portion of this section should also be stated in cubic yards. If 100 yd³ or more of fill material is to be imported from areas outside the subject property, a fill permit also needs to be completed.

5) Slope Categories for Lot Area: In this section, the analyses of pre-construction slopes are to be summarized. Enter the total lot area (square feet) in the *Lot Area* section and sort the total area in specific terms of slopes. If the proposed action does not affect the floor area ratio, then only the *Lot Area* in this section needs to be completed.

Example:

5) Slope Categories for Lot Area:

Total Lot Area: 10,000 (sq. ft.)

Slope Category: 0%-15% 3,000 sq. ft. 15%-25% 2,000 sq. ft. 25%-35% 3,500 sq. ft. 35%+ 1,500 sq. ft.

The sum of the categories equal the lot area

6) Slope Categories for Disturbed Areas: In this section, the analyses of pre-construction slopes that will be affected are to be summarized. Enter the total area (square feet) of disturbance in the *Total Disturbed Area* section and sort the total area in specific terms of slopes.

7) Wetland/Watercourse Area: The amount of wetland and/or watercourse area (in square feet) that exists of the site.

Buildable Area: The instructions for this portion are on the form itself.

8) Professional of record: Projects with a disturbed area less than 500 square feet are exempt.

Design Professionals are typically New York State Licensed Engineers, Architects, and certain Land Surveyors. The design professional should be acting within the definitions of professional practice as noted in Articles 145, 147, and 148 of the New York State Education Law.

Owner and Applicant Signatures: This portion must be completed by the Owner and Applicant stated earlier in the form.

WETLANDS CLEARANCE FORM



Paul J. Feiner
Supervisor

TOWN of GREENBURGH
DEPARTMENT OF COMMUNITY
DEVELOPMENT AND CONSERVATION

177 Hillside Avenue, Greenburgh, NY 10607

Office: (914) 989-1530

Web Site <http://www.greenburghny.com>

WCF#

- ☐ File Copy
☐ Building Dept.
☐ Applicant Copy

Garrett Duquesne, AICP
Commissioner
Aaron Schmidt
Deputy Commissioner

WETLAND/WATERCOURSE CLEARANCE FORM

For a complete submission, please submit the following: (INCOMPLETE SUBMISSIONS WILL BE RETURNED)

- Three (3) copies of this Wetland/Watercourse Clearance Form;
- Three (3) copies of a Site Plan identifying the area of proposed work, and a delineation of the disturbed area for the proposed project. The disturbed area should include any and all disturbance during construction, not just the final footprint;
- Initial Fee: \$100.00 Subsequent Review Fee: \$50 Please make check payable to Town of Greenburgh

I) Owner Information

Name: _____ Street: _____
City: _____ State: _____ Zip: _____
Phone: _____ Email: _____

II) Applicant Information

Name: _____ Street: _____
City: _____ State: _____ Zip: _____
Phone: _____ Email: _____

III) Subject Property

1) Address: _____ City: _____ Zip: _____
2) Parcel ID#: _____ Zoning District: _____ Total site area (sq. ft.): _____
3) Is there an existing structure (i.e. home or building) located on the site? Yes ☐ No ☐ Year(s) Built: _____

IV) Approval(s)

1) Type of Approval(s) sought (i.e. Building Permit, Site Plan, etc.): _____

V) Proposed Action and Site Characteristics

- 1) Description of Proposed Action (i.e. building addition, new pool, etc.): _____
- 2) Is the subject property located within a Conservation District? Yes ☐ No ☐
- 3) Are there any rights-of-way, easements, restrictive covenants or conditions of approval which encumber the property? If so, please indicate the nature of these restrictions and supply three (3) copies of the legal instrument (i.e. deed, covenant, conservation easement, approval letter, etc.) which created this restriction.
- 4) Have any wetland/watercourse permit application been made with respect to this property under Chapter 280 of the Greenburgh Town Code? If so, please give the date, name and case number of such application.
Yes ☐ No ☐ If yes: _____
- 5) Square Footage of Disturbed Area (as provided for on Site Plan): _____ sq. ft.
- 6) Estimated Quantity of Excavation/ Fill: Excavation: _____ yards³ Imported Fill: _____ yards³
- 7) Are Hydric Soil Types on the property? Yes ☐ No ☐ If yes, what types: _____
- 8) Approximately what percentage of the property is: Well Drained: _____ % Poorly Drained: _____ %
- 9) Are there any trees 4-inches or greater in diameter proposed for removal as part of this work? Yes ☐ No ☐
a) If yes, how many? _____
- 10) Has the property ever been used for the disposal of solid waste or hazardous waste? Yes ☐ No ☐

VI) New York State Requirements

- 1) Is work proposed in a wetland or within 100 feet of a wetland area? Yes ☐ No ☐
- a) If yes, has a Jurisdictional Determination been made by the New York State Department of Environmental Conservation for this project? Yes ☐ No ☐ If yes, please provide a copy.
- i) If no, you **MUST** submit a request for Jurisdictional Determination to the New York State Department of Environmental Conservation.

If required, you MUST obtain a wetland permit from the New York State Department of Environmental Conservation PRIOR to any Planning Board action. If one has been obtained, please provide a copy.

- 2) Does the property contain any species of plant or animal life listed as rare, threatened, or endangered by New York State, the New York State Natural Heritage Program, or the United States of America? Yes ☐ No ☐
- If yes, please identify each species and its status as classified by New York State, the New York State Natural Heritage Program, or the United States of America:

VII) Project Information

- 1) Is work proposed in a (*Check all that apply*): Wetland ☐ Watercourse ☐ Adjacent Buffer Area ☐ N/A ☐
- 2) Total area of Wetland, Watercourse, and Adjacent Buffer Area on the property: _____ sq. ft.
- 3) Total area of disturbance in Wetland, Watercourse,
and Adjacent Buffer Area on the property: _____ sq. ft.
- 4) Functions provided by Wetland or Watercourse: _____
- 5) Name and phone number of expert delineating Wetland or Watercourse: _____
- 6) Plans Prepared by: _____ License #: _____ Dated: _____ Revised: _____

VIII) Authorizations and Certifications

I/we hereby indemnify and hold the Town or its representatives harmless against any damage or injury and that the owner and applicant consent to the approval authority's (including its agents or employees) entry upon lands or waters for the purpose of undertaking any investigations, inspections, examination, survey, or other activity outlined in Chapter 280 of the Town Code of Greenburgh.

I/we hereby are aware that false or misleading statements or information provided on the clearance form or to the approval authority shall result in the invalidation of any authorization. The applicant shall be subject to the penalties and sanctions set forth in this chapter for any activities conducted which would have otherwise required a wetland/watercourse activity permit.

Signature of Owner

Print Owner's Name

Date

Signature of Applicant

Print Applicant's Name

Date

NOTE: The completion of this Wetland/Watercourse Clearance Form does not confer any rights, privileges, licenses, permits or other entitlement upon the applicant and does not relieve the applicant from compliance with all other applicable laws, rules and regulations of the Town of Greenburgh. Additional fees including an escrow fee may be applicable if there is proposed work in a Wetland/Watercourse or Adjacent Buffer Area.

Chapter 280, WETLANDS AND WATERCOURSES

§ 280-6. Authorized clearance form required

A. All applications for any permit issued by the Building Department, Department of Public Works, Antenna Review Board, Town Board, Planning Board, or Zoning Board of Appeals of the Town of Greenburgh must be accompanied by an authorized wetland/watercourse clearance form. An applicant must provide sufficient information to enable the Wetland Inspector or other authorized representative to properly determine if the proposed activity is an allowable activity, as defined herein, or use that does not also require an activity permit; is a prohibited activity; or is a regulated activity or use which requires an activity permit as issued by the Planning Board in accordance with the standards and procedures set forth herewith. No permits, certificates of occupancy, or temporary certificates of occupancy may be issued without prior approval of the Planning Board for any project involving a wetland/watercourse permit.

For Official Use Only

**ENVIRONMENTAL
ASSESSMENT FORM**

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:			Telephone:	
			E-Mail:	
Address:				
City/PO:			State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.				
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO	YES
If Yes, list agency(s) name and permit or approval:				
3.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				
4. Check all land uses that occur on, adjoining and near the proposed action.				
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ _____	NO	YES	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
10. Will the proposed action connect to an existing public/private water supply? [If Yes, does the existing system have capacity to provide service? ☐ NO ☐ YES] If No, describe method for providing potable water: _____ _____	NO	YES	
11. Will the proposed action connect to existing wastewater utilities? [If Yes, does the existing system have capacity to provide service? ☐ NO ☐ YES] If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
16. Is the project site located in the 100 year flood plain?	NO	YES	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES _____ _____	NO	YES	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO	YES
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: _____ Signature: _____		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

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

**SUBDIVISION PLAT AND
IMPROVEMENT PLAN
CHECKLIST**

Town of Greenburgh Subdivision and Plat Checklist

Subdivision Improvement Plans

☒	General Information - the following information should be located on each sheet:	<u>Town Code</u>
☐	(1) Proposed subdivision name	§250-24.(B)(1)
☐	(2) Date the plans were first drafted. Any revision(s) made to any of the sheets first submitted are to be so noted in the revision block. The revision block is to be placed on the Mylar originals of the revised sheets. Additional paper copies are to be made and submitted to the Planning Board to replace those sheets previously submitted.	
☐	(3) True North point	§250-24.(B)(1)
☐	(4) Scale	§250-24.(B)(1)
☐	(5) Name and address of record owner	§250-24.(B)(2)
☐	(6) Name and address of subdivider or contract vendee	§250-24.(B)(2)
☐	(7) Name and address of engineer, surveyor and or architect, including license numbers and seal.	§250-24.(B)(2)
☐	(8) Legend of Features.	
☐	(9) Notation shall be made on all plans that: <i>"All conditions of approval as noted in formal letters of approval or findings are a part of the approved site plan, subdivision or variance plats, drawings or plans, and are hereby referenced for additional approval details."</i>	
1) Title Sheet		
☐	(1) Scaled version of the Zoning Map showing location of property, including exact boundary lines of districts, if more than one district; and location of Town or special district boundaries in or within 500 feet of the periphery of the proposed subdivision.	
☐	(2) Notation of sewer district the project is located in	
☐	(3) Notation of water district the project is located in	
☐	(4) Index table – listing all plans for the project.	
☐	(5) Name and address of record owner,	
☐	(6) Name and address of subdivider or contract vendee	
☐	(7) Name and address of engineer, surveyor and or architect, including license numbers and seal.	
☐	(8) Volume, Section, Sheet, Block, Lot as designated on the Town of Greenburgh Tax map	
☐	(9) A map of the Town indicating the location of the proposed subdivision.	
☐	(10) A box area for dated approval signatures by the Building Inspector, Town Engineer and Secretary to the Planning Board.	
2) Existing Conditions Plan		
☐	(1) Location of existing property lines by legal description, by metes and bounds for every lot.	
☐	(2) Location of existing underground electrical conduits or overhead wires and poles, utility structures, water mains, sanitary sewers and storm drains.	
☐	(3) Location of easements.	
☐	(4) Location of existing buildings.	
☐	(5) Location of watercourses and wetlands areas as defined under §280 "Wetlands and Watercourses Law."	
☐	(6) Location of sloped areas as defined under §245 "Protection of Steep Slopes."	
☐	(7) Location and type of sidewalks.	
☐	(8) Location of existing driveway on property.	
☐	(9) Location of neighboring driveways on both sides of property and across the street.	
☐	(10) Location of street signs.	
☐	(11) Location of fire hydrant(s).	
☐	(12) Location and species of existing trees having a diameter of six inches or more at a height of four feet.	

☐	(13) Map of entire tract. a. If the application covers only a part of the prospective subdivider's entire holding, a map of the entire tract shall be submitted, drawn at a scale of not less than 400 feet to the inch, showing an outline of the platted area with its proposed streets and an indication of the probable future street system with its grades and drainage in the remaining portion of the tract and the probable future drainage layout of the entire tract.	
	(14) A box area for dated approval signatures by the Building Inspector, Town Engineer and Secretary to the Planning Board.	
3) Proposed Subdivision Plan		
☐	(1) Preliminary proposal for the arrangement of lots by metes and bounds of every lot, including identifying numbers; and approximate dimension, area and building locations, including front, side and rear yard dimensions and proposed first-floor elevation.	
☐	(2) Location of proposed construction or area of disturbance and its relationship to any property line, easement, building, structure, road, wall, fence, sewage disposal system, well, wetland feature or tree exceeding six inches in diameter measured at a height of four feet from the ground.	
☐	(3) Zoning compliance chart for each lot indicating setbacks for all yards, accessory buildings, lot coverage, impervious surface, height, Floor Area Ratio calculations, Slope deductions for each lot and Wetlands/watercourse deductions for each lot.	
☐	(4) Existing and final grading showing differences of elevation or contour lines at intervals of two feet in the United States Coast and Geodetic Survey datum of mean sea level.	
☐	(5) Wetlands/Water course and 100 foot wetlands/watercourse buffer area (if applicable).	
☐	(6) Proposed driveway locations for each lot.	§250-12(G)(1)
	(7) Location of neighboring driveways on both sides of property and across the street.	
☐	(8) All proposed streets, showing locations, widths, grades and profiles.	
☐	(9) Name and width of streets, including mapped streets not dedicated, within 200 feet of the subdivision.	
☐	(10) Proposed street lighting system.	§250-12(B)
☐	(11) A fire alarm box system and layout if required by the fire district.	
☐	(12) Method of water supply and sewage disposal.	
☐	(13) Connections with existing sanitary sewerage system or alternative means of proposed treatment and disposal, as required by the regulations of the County Health Department, pursuant to Article 2, Title II, of the New York Public Health Law and any amendments to such laws and regulations.	
☐	(14) Connections with existing water supply or alternative means of providing water supply as required by the regulations of the County Health Department, pursuant to Article 2, Title II, of the New York Public Health Law and any amendments to such laws and regulations.	
☐	(15) Intersections with state highways	
☐	(16) Street lines, pedestrian ways, lots, reservations, easements and areas to be dedicated to public use.	
☐	(17) Provisions for collecting and discharging storm drainage.	
☐	(18) Location of proposed parkland, play area or recreational feature.	§250-19(A)(2)
☐	(19) Proposed street trees; the locations, types and sizes of curbs, gutters, the character, width and depth of pavement and subbase; and the location of manholes, basins and underground poles or conduits.	§250-12(B)
☐	(20) Location and species of existing trees to be retained having a diameter of six inches or more at a height of four feet from ground and trees with a dbh of four inches or greater at a height of four feet from ground for wetlands, watercourses and adjacent buffer areas.	
	(21) A box area for dated approval signatures by the Building Inspector, Town Engineer and Secretary to the Planning Board.	

4) Utilities Plan		
☐	(1) Underground facilities: by the Consolidated Edison Company, the New York Telephone Company, cable and gas, as appropriate.	
☐	(2) Location, with key elevations, of existing and proposed sewers, water mains, culverts and drains on the property, with pipe sizes, grades and directions of flow.	
☐	(3) All utilities within the subdivision shall be placed underground.	
☐	(4) Underground service connections to the property line of each lot within the subdivision for such required utilities.	
☐	(5) Drawing and computation for storm water detention design for a 25-year storm in accordance with the Westchester County Best Management Practices.	
☐	(6) Location of proposed construction or area of disturbance and its relationship to any property line, easement, building, structure, road, wall, fence, sewage disposal system, well, wetland feature or tree exceeding six inches in diameter measured at a height of four feet from the ground.	
	(7) A box area for dated approval signatures by the Building Inspector, Town Engineer and Secretary to the Planning Board.	
5) Grading Plan		
☐	(1) General notes on the plan as required by the Town Engineer 1. Provide retaining walls on all slopes exceeding one (1) foot vertical on two (2) feet horizontal. 2. Owner must guarantee positive drainage on all lots. 3. Swales may be required along all property lines to minimize rain run-off. 4. All driveways sloping down to garage or house shall have a drain inlet with pipe extending beyond rear of house to carry rain run-off. 5. All driveways sloping down shall rise 6" the first 5' and then slope down.	
☐	(2) Show existing and proposed contours (National Geodetic Vertical Datum) at two-foot intervals in the area of proposed disturbance and to a distance of 100 feet beyond, must be shown with spot elevations.	
☐	(3) Show existing and proposed building footprints with first floor elevation.	
☐	(4) Show all existing and proposed impervious areas.	
☐	(5) Show tops and bottom heights of all walls, curbs, inlet drainage structures.	
☐	(6) Label the driveway slope on the plan.	
☐	(7) All house leaders must shown tying into dry wells.	
☐	(8) Show elevations, dimensions, location, extent, and slope of proposed grading, including driveways (must be shown on grading plans with turnarounds and proper offsets from property line), sewer, water, storm drains, and, if applicable, the 100-year flood elevation, clearly indicated with finished contours at the same interval as required or used for existing topography.	
☐	(9) Show all existing and proposed natural and manmade drainage facilities.	
☐	(10) Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of the proposed work, together with a map showing the drainage area and the estimated runoff of the area served by any drain.	
☐	(11) Show location, width, direction of flow and approximate location of tops and toes of banks of any watercourses.	
☐	(12) Show general location and character of vegetation covering the site and the locations of trees with a trunk diameter of six inches or greater and the location and type of vegetation to be left undisturbed;	
☐	(13) Provide the estimate of the quantity of soil or earthen materials in cubic yards to be excavated, filled, stored or otherwise removed from or utilized on-site;	
☐	(14) Show approximate location of cut and fill lines and the limits of grading for all the proposed grading work including borrow and stockpile areas;	
	(15) Provide a time schedule indicating The sequence of construction, describing the relationship between the implementation and maintenance of controls, including permanent and temporary stabilization and the various stages or phrases of earth disturbance and construction and including, as a minimum, a schedule and time frame for the following activities:	§ 250-5. (A)
☐	a. clearing and grubbing for those areas necessary for installation of perimeter controls;	
☐	b. construction of perimeter controls;	
☐	c. remaining clearing and grubbing;	

☐	d. road grading;	
☐	e. grading for the remainder of the site;	
☐	f. utility installation and whether storm drain will be used or blocked after construction;	
☐	g. final grading, landscaping or stabilization;	
☐	h. removal of controls;	
☐	(16) Provide any other information or designs necessary to make the improvement and grading plan a complete and accurate one from which the subdivision may be laid out and constructed;	
☐	(17) The Board, at its discretion, may require the developer to submit photographs, eight inches 10 inches, adequately depicting the topography.	
	(18) A box area for dated approval signatures by the Building Inspector, Town Engineer and Secretary to the Planning Board.	
6) Steep Slope Analysis Plan		
☐	(1) Existing and proposed contours (National Geodetic Vertical Datum) at two-foot intervals in the area of proposed disturbance and to a distance of 100 feet beyond.	
☐	(2) Cross sections of proposed grading and roadways where required by the Town Engineer to show cut and fill areas where substantial changes in the topography are being made.	
☐	(3) Cross sections of steep slope areas.	
☐	(4) Location and size of areas of soils by soil types in the area of proposed disturbance and to a distance of 100 feet surrounding the area of disturbance.	
☐	(5) Cross sections of steep slope areas.	
☐	(6) Location of proposed construction or area of disturbance and its relationship to any property line.	
☐	(7) Slope Analysis Chart showing the following:	
	a. Total sq. ft of the area of the site classified as steep slopes (0-15%)	
☐	b. Total sq. ft of the area of the site classified as steep slopes (15-25%)	
☐	c. Total sq. ft of the area of the site classified as very steep slopes (25-35%)	
☐	d. Total sq. ft of the area of the site classified as excessively steep (> 35%)	
	e. Total sq. ft of the area of each proposed lot classified as steep slopes (0-15%)	
☐	f. Total sq. ft of the area of each proposed lot classified as steep slopes (15-25%)	
☐	g. Total sq. ft of the area of each proposed lot classified as very steep slopes (25-35%)	
☐	h. Total sq. ft of the area of each proposed lot classified as excessively steep (> 35%)	
☐	i. Total sq. ft of the disturbed area of each proposed lot classified as steep slopes (15-25%)	
☐	j. Total sq. ft of the disturbed area of each proposed lot classified as very steep slopes (25-35%)	
☐	k. Total sq. ft of the disturbed area of each proposed lot classified as excessively steep (> 35%)	
☐	(8) If the proposed disturbance is to 500 sq. ft. or greater of an regulated area, a written narrative explaining the nature of the proposed work and purpose thereof, and an explanation why the proposed cannot be done without slope disturbance.	
	(9) A box area for dated approval signatures by the Building Inspector, Town Engineer and Secretary to the Planning Board.	
7) Stormwater and Soil Erosion Control Plan		
☐	(1) Storm drainage study and plan, including calculations and consideration of on- and off-site drainage, where appropriate.	
☐	(2) Location and size of areas of soils by soil types in the area of proposed disturbance and to a distance of 100 feet surrounding the area of disturbance.	
☐	(3) Drawing and computation for storm water detention design for a 25-year storm in accordance with the Westchester County Best Management Practices	
☐	(4) Provisions for collecting and discharging storm drainage.	
☐	(5) Provision for erosion and sediment control measures throughout all phases of development including installation details of proposed control measures, and a schedule for the	

	installation and maintenance of proposed control measures, including a directive construction notations for: a. phase I, clearing and grubbing; b. phase II, rough grading and construction; c. phase III, final grading and vegetative establishment; d. phase IV, maintenance; and e. proposed time schedule for each of the phases	
☐	(6) Erosion and sedimentation control plan;	
☐	(7) A delineation and brief description of the measures to be undertaken to control erosion caused by surface runoff and by wind and to retain sediment on the site including, but not limited to, the design and specifications for berms and sediment detention basins, types and method of applying mulches, the design and specifications for diverters, dikes and drains, seeding methods, the type, location and extent of pre-existing and undisturbed vegetation types, and a schedule for maintenance and upkeep.	
☐	(8) Temporary soil stabilization measures	
☐	(9) Measures for the control of erosion and sedimentation are undertaken consistent with the Westchester County Soil and Water Conservation District's "Best Management Practices Manual for Erosion and Sediment Control," and New York State Department of Environmental Conservation "Guidelines for Urban Erosion and Sediment Control," as amended, or its equivalent satisfactory to the Planning Board;	
☐	(10) Plans shall note that <i>"The measures for the control of erosion and sedimentation are undertaken consistent with the New York State Department of Environmental Conservation "Guidelines for Urban Erosion and Sediment Control," as amended, or its equivalent satisfactory to the Planning Board."</i>	
	(11) A box area for dated approval signatures by the Building Inspector, Town Engineer and Secretary to the Planning Board.	
8) Tree Removal and Landscaping Plan		§250-24(D) §250-9(A)
☐	(1) Location and species of existing trees to be retained having a diameter of six inches or more at a height of four feet from ground and trees with a dbh of four inches or greater at a height of four feet from ground for wetlands, watercourses and adjacent buffer areas. Each tree shall be number on the plan.	
☐	(2) Planting plans and drawings. All planting plans and drawings as required by and in accordance with Town specifications, including the Tree Ordinance and site plan review section of the Zoning Ordinance, where applicable.	§ 250-9(A)
☐	(3) Location of any tree protection zone (TPZ) on the property.	
☐	(4) Application for approval under the Tree Ordinance of the Town, including a tree planting plan.	
☐	(5) Details for tree protection	
☐	(6) Details for planting pits	
☐	(7) A report that includes type and condition of the tree, along with a monetary valuation of each proposed tree to be removed and all trees within thirty (30) feet of the proposed disturbance areas for construction and grading. The trees in the report should correspond with the numbering of the trees on the plan.	
	(8) A box area for dated approval signatures by the Building Inspector, Town Engineer, Secretary to the Planning Board and Forestry Officer.	

9) Wetland/Watercourse Delineation Impact and Mitigation Plan		
☐	(1) For disturbance in a wetland/watercourse or buffer: (a) Implementation of preventative practices to protect the natural condition and functions of the wetland, watercourse; and/or (b) Restoration or enhancement (e.g., improving the density and diversity of native woody plant species) of remaining or other upland buffer to offset the impacts to the original buffer.	
☐	(2) For disturbance in a wetland: (a) Restoration of areas of significantly disturbed or degraded wetlands at a ratio of at least 1.5 (restored wetland) to 1.0 (impacted wetland) by reclaiming significantly disturbed or degraded wetland to bring back one or more of the functions that have been partially or completely lost by such actions as draining or filling, provided the area of proposed mitigation occurs in a confirmed disturbed or degraded wetland having significantly lesser functional values as a result of disturbance or degradation; and/or (b) The in-kind replacement of impacted wetland by the construction of new wetland, usually by flooding or excavating lands that were not previously occupied by a wetland, that recreates as nearly as possible the original wetland in terms of type, functions, geographic location and setting, and that is larger than, by a ratio of at least 1.5 to 1.0, the original wetland.	
☐	A. An existing conditions map with sufficient detail and at a scale to be able to determine where the wetland is located and its size, boundaries and topographic features certified by an engineer, land surveyor, architect, or landscape architect licensed in the State of New York, drawn to a scale no less detailed than one inch equals 50 feet, and including:	
☐	1. Wetland/Watercourse delineation map showing the certified boundaries of all wetlands, watercourses and wetland and watercourse buffers certified by a qualified wetland scientist;	
☐	2. Location of existing buildings, structures, walls, fences, areas of one-hundred-year floodplain, vegetative cover, including dominant species, and all trees with a dbh of four inches or greater;	
☐	3. Delineation of the soil types on site; including groundwater table elevations showing depth to water table and direction of flow and hydrologic connections with surface water features;	
☐	4. Location of the construction area or area proposed to be disturbed, and its relation to property lines, roads, buildings, structures, walls, fences, areas within 100 yards of floodplain, and trees with a dbh of four inches or greater and watercourses within 250 feet of the proposed activity;	
☐	5. The exact locations and specifications for all proposed draining, filling, grading, dredging, and vegetation removal, including the amount computed from cross-sections, estimated quantities and the nature of material to be deposited or removed, and the procedures to be used;	
☐	6. Location of any septic systems or well(s), and depth(s) thereof, and any disposal system within 100 feet of area(s) to be disturbed;	
☐	7. Existing and proposed contours at two-foot intervals in all proposed disturbed areas and to a distance of 100 feet beyond; at the discretion of the approval authority, the existing elevations of the site and adjacent lands within 200 feet of the site at contour intervals of no greater than five feet;	
☐	8. Details of any drainage, diversion, detention or retention system proposed both for the conduct of work, and after completion thereof, including locations at any point discharges, artificial inlets, or other human-made conveyances which would discharge into the wetland or wetland buffer, and measures proposed to control erosion both during and after the work;	
☐	9. Groundwater table elevations, indicating depth to groundwater, direction of flow and hydrologic connections with surface water features, and analysis of the wetland/watercourse hydrologic system, including seasonal water fluctuation,	

	inflow/outflow calculations and soil subsurface, geology and groundwater conditions;	
☐	10. Erosion and sedimentation control plan, including installation details of proposed control measures, directive construction notations and a schedule for the installation and maintenance of proposed control measures;	
☐	11. Where creation of a lake or pond is proposed, details of the construction of any dams, embankments, outlets or other water control devices; and analysis of the wetland hydrologic system, including seasonal water fluctuation, inflow/outflow calculations, and subsurface soil, geology, and groundwater conditions; and	
☐	12. Where creation of a detention basin is proposed, with or without excavation, details of the construction of any dams, berms, embankments, outlets, or other bank or bottom stabilizing or water control devices, and an analysis of the wetland hydrologic system, including seasonal water fluctuation, inflow/outflow calculations, and subsurface drainage, soil and bedrock geology, and groundwater conditions. Location of any septic systems or well(s), and depth(s) thereof, and any disposal system within 100 feet of area(s) to be disturbed;	
☐	13. The vegetative cover of the regulated area, including dominant species, and hydrophytic vegetation including site flora and fauna, including upland and hydrophytic vegetation with their wetland classified status (FAC, FACW, FACU, UPL) and dominant woody and herbaceous species.	
☐	14. Details on construction, including: a. Diking, excavation, or other means by which the wetland will be restored or created, including existing and proposed topographic contours; b. Construction schedule; c. Location of erosion and sediment controls practices will be implemented d. Details of erosion and sediment control practices and a schedule for their installation and maintenance during construction. e. Plantings: source of stock, procedures for transplanting/seeding the stock, area(s) to be planted, and planting schedule. If vegetation from the wild is to be used, identify the source and measures to prevent introduction of undesirable exotics. f. Chemicals: if applicable, explain why chemicals will be used and precautions to be taken to minimize their application and protect the wetland and/or watercourse from excessive chemicals;	
☐	15. Details on management of the mitigation site, including: a. Measures to assure persistence of the wetland (e.g., protection against predation by birds and other animals); b. Vegetative management; c. Sediment and erosion control; d. Plans for monitoring site during and after construction, including methods and schedule for data collection and provisions for mid-course corrections; e. Provisions for long-term protection of the site (e.g., permanent conservation easement);	
☐	16. A description of the periodic reporting, including at the end of construction, during the monitoring period and at the end of the monitoring period.	
☐	17. The name, qualifications and experience of the person(s) implementing the mitigation plan (i.e., contractor who will restore or construct the wetlands.	
	18. A box area for dated approval signatures by the Building Inspector, Town Engineer, Secretary to the Planning Board and Wetland Inspector.	
10) Details		
☐	(1) Retaining walls or like constructions, with details of construction	
☐	(2) Erosion and sedimentation control plan, including installation details of proposed control measures, directive construction notations and a schedule for the installation and maintenance of proposed control measure.	
☐	(3) Designs of any bridges or culverts or other structures which may be required.	
☐	(4) Design of driveway pavement	
☐	(5) Design of road/curb section	

☐	(6) Location, width, grades and profiles for all streets and public ways.	
☐	(7) Proposed sewers, water mains, culverts and drains on the property, with pipe sizes	
☐	(8) Details for tree protection	
☐	(9) Details for planting pits	
11) Additional Information		
☐	(1) All streets shall be named in accordance with § 250-13.	
☐	(2) Names of all owners of record of property within 500 feet of the periphery of the proposed subdivision.	
☐	(3) Proof of ownership by the prospective subdivider of the premises covered by the application (supply evidence through presentation of deeds).	
☐	(4) Copy of preliminary plat on a transparency in a mount 8 1/2 inches by 11 inches, suitable for projection by a Beseler Vugraph projector.	
☐	(5) Deeds of cession; agreements; covenants. Deeds of cession of streets, rights-of-way, easements and any sites for public use and copies of agreements, covenants or other documents showing the manner in which the areas to be reserved for the common use of the residents of the subdivision are to be maintained, all certified as to their legal sufficiency by the Town Attorney.	§250-24.(C)
☐	(6) Covenants; restrictions. A copy of such covenants or deed restrictions as are intended to cover all or any part of the tract shall be submitted	
☐	(7) Typical principal elevation of proposed residential structures. Typical principal elevation of proposed residential structures to assure conformance with "look-alike" provisions of the Zoning Ordinance of the Town of Greenburgh.	§250-24.(E)
	(8) Temporary staking. In order to facilitate inspection and review of the site of the proposed subdivision, temporary staking along the approximate center line of all proposed roads in the proposed subdivision will be required. Each stake shall be marked so that it can be located on the preliminary plat and shall show the approximate height of proposed cut or fill at that point.	§ 250-4.(B)(3)
<u>Final Subdivision Plat</u>		
	The subdivision plat is to be submitted clearly and legibly drawn in black ink upon sheets that are 24 inches wide by 36 inches long, including a margin of one inch outside ruled border lines on three sides and a two-inch border along the left twenty-four-inch side for binding, as required by § 224 of the Real Property Law of New York. When more than one sheet is required, an additional index sheet of the same size shall be filed showing in appropriate scale the entire subdivision on one sheet the entire subdivision with lot and block numbers clearly legible. The drawing shall be at the scale of not more than 50 feet to the inch and oriented with the North point at the top of the map.	
	The subdivision plat shall show:	
	(1) Proposed subdivision name or identifying title; date; true North point; and scale.	
	(2) Signing of plat. The Secretary to the Planning Board or Chairman of the Planning Board shall endorse approval on the plat after all conditions and resolutions pertaining to the plat have been satisfied. Approval will be endorsed on the tracing cloth original of the plat (which will be returned to the prospective subdivider), on a duplicate Mylar tracing and on two prints of the plat (which will be retained by the Planning Board).	§ 250-4.E. (2)
	(3) The name and address and signature of the prospective subdivider; and the name, license number, signature and seal of the licensed land surveyor and his certification as to the accuracy of the survey.	
	(4) Street lines, pedestrian ways, lots, reservations, easements and areas to be dedicated to public use.	
	(5) Sufficient data, acceptable to the Department of Public Works, to determine readily the location, bearing and length of every street line, lot line and other boundary line and to reproduce such lines upon the ground. Where practicable, these shall be referenced to monuments included in the state system of plan coordinates established by §§ 8501 to 8508 of the New York Unconsolidated Laws and, in any event, shall be tied to such reference points as previously have been established by a public agency.	

	(6) The length of all straight lines; the deflection angles, radii, length of curves and central angles of all curves; tangent distances and tangent bearings for each street; all dimensions and bearings of the lines of each lot; and all lot areas.	
	(7) All dimensions shall be shown in feet and decimals of a foot.	
	(8) Sufficient data shall be clearly set forth to permit the preparation of a complete and correct survey and legal description by metes and bounds of every lot and public parcel, street, easement or reserved area shown upon the map.	
	(9) The boundaries of the property in relation to the boundaries of any municipalities or special districts that affect it.	
	(10) All public open space for which offers or deeds of cession are included, with an appropriate notation that the same are reserved for such public purposes, and those spaces title to which is reserved by the prospective subdivider. For any of the latter, there shall be submitted for approval with the subdivision plat three copies of the agreements or other documents showing the manner in which such areas are to be maintained and the provisions made therefore. All offers of cession and covenants governing the maintenance of unceded open space shall bear the certificate of approval of the Town Attorney as to their legal sufficiency.	
	(11) Lots within a subdivision shall be numbered in numerical order within blocks. The section and block numbers shall be obtained from the Westchester County Clerk's office, Division of Land Records.	
	(12) Monuments of a type approved by the Town Engineer shall be set at all corners and angle points of the boundaries of sections, at angle points in street lines, at points of curve and at such intermediate points as shall be required by the Town Engineer and shall be shown as a square and designated "Monument." Existing monuments shall be designated "Monument found."	
	(13) Show area of all lots, in square feet.	
	(14) List total lot area in sq.ft. and acres	
	(15) Location, with key elevations, of existing and proposed sewers, water mains, culverts and drains on the property, with pipe sizes, grades and directions of flow.	
	(16) Contours of existing and proposed surfaces with intervals of two feet or less.	
	(17) Shall include names of adjacent property owners.	
	(18) Any specified conditions or notes that the Planning Board issues as part of the Approval.	
	The survey should include:	
	(1) Deed description and boundary survey of entire tract, made and certified by a licensed land surveyor, tied into established reference points and adjoining survey. a. Any discrepancies between this boundary survey and boundaries of adjoining properties shown on other filed maps or in deeds shall be explained by the surveyor.	
	(2) Proposed subdivision name	
	(3) Date the plans were first drafted. Any revision(s) made to any of the sheets first submitted are to be so noted in the revision block. The revision block is to be placed on the Mylar originals of the revised sheets. Additional paper copies are to be made and submitted to the Planning Board to replace those sheets previously submitted.	
	(4) True North point	
	(5) Scale	
	(6) Name and address of record owner,	
	(7) Name and address of subdivider	
	(8) Name and address of engineer or surveyor, including license number and seal.	
	(9) Legend of Features.	

SUBDIVISION REGULATIONS

Chapter 250: SUBDIVISION REGULATIONS

[HISTORY: Adopted by the Planning Board of the Town of Greenburgh 6-15-1977; approved by the Town Board 6-22-1977. These regulations supersede former Ch. 47, Subdivision Regulations, adopted by the Planning Board 10-14-1960 and approved by the Town Board 10-18-1960, as amended. Amendments noted where applicable.]

GENERAL REFERENCES

Environmental quality review — See Ch. 200.
Excavations and soil removal — See Ch. 210.
Trees — See Ch. 260.
Wetlands and watercourses — See Ch. 280.
Zoning — See Ch. 285.
Streets and sidewalks — See Ch. 430.
Conservation Advisory Council — See Ch. 520.

ARTICLE I Title; Scope; Policy; Definitions

§ 250-1. Title; scope.

In order that land subdivision may be made in accordance with the policy set forth in § 250-2, these regulations, which shall be known as and which may be cited as the "Town of Greenburgh Land Subdivision Regulations," are hereby adopted.

§ 250-2. Declaration of policy; Greenway Compact.

- A. Land to be subdivided shall be of such character that it can be used safely for building and development purposes without danger to health or peril from fire, flood or other hazard; proper provision shall be made for drainage, water supply, sewerage and other needed improvements; all proposed lots and streets shall be so laid out as to be in harmony with the development pattern of the neighboring properties; and the proposed streets shall comprise a convenient system conforming to the Official Map, shall be properly related to the proposed systems shown on such portions of the Town Plan as may be in existence at any time and shall be of such length, width, grade and location as to accommodate the prospective traffic, to afford adequate light and air, to facilitate fire protection, to facilitate snow removal, to provide access of fire-fighting equipment to buildings, to assure traffic safety, to assure that provision shall be made for open spaces for parks and playgrounds and so that all environmental considerations are complied with.
- B. Westchester County Greenway Compact Plan. By Local Law No. 12 of the Year 2007, the Town of Greenburgh has adopted the Westchester County Greenway Compact Plan, as amended from time to time, as a statement of policies, principles, and guides to supplement other established land use policies in the Town of Greenburgh. In its discretionary actions under this subdivision code, the reviewing agency should take into consideration said statement of policies, principles and guides, as appropriate. [Added 10-10-2007 by L.L. No. 12-2007]

§ 250-3. Definitions.

For the purpose of these regulations, certain words and terms used herein shall be defined as follows, and, unless the context clearly indicates to the contrary, the singular shall include the plural and the masculine gender shall include the feminine and neuter genders.

AASHTO — American Associations of State Highway and Transportation Officials. [Added 6-5-2007 by L.L. No. 5-2007]

BOND, MAINTENANCE — Bond posted by the subdivider to guarantee to the Town that he will

maintain or cause to be maintained, in good and working condition for a fixed period of time, the required public improvements which are installed as a condition of the final subdivision approval.

BOND, PERFORMANCE — Bond posted by the subdivider to guarantee to the Town that he will construct or cause to be constructed, within a set period of time, the required public improvements and utilities that are an integral part of the final subdivision approval, in conformance in all respects to the **Subdivision Regulations** and any special conditions set by the Planning Board.

BUILDING INSPECTOR — The Building Inspector of the Town of Greenburgh.

BUILDING LOT — Land occupied or which could legally be occupied by a building and its accessory buildings or uses, together with such open spaces as are required by the Zoning Ordinance **Editor's Note: See Ch. 285, Zoning.**, having principal frontage on a street or on other means of access to a street as may be determined in accordance with the applicable provisions of law to be adequate as a condition for the issuance of a permit to construct a building on such land.

COLLECTOR STREET — As defined by AASHTO, a street that connects principal or minor arterials to residential, retail, office and other developed neighborhoods. Collector streets may enter a residential neighborhood. **[Amended 6-5-2007 by L.L. No. 5-2007]**

DEAD-END STREET — A street or a portion of a street with only one vehicular traffic outlet (also "cul-de-sac").

DEPARTMENT OF PUBLIC WORKS — The Department of Public Works of the Town of Greenburgh, unless otherwise stated.

EASEMENT — Authorization by a property owner for the use by another, and for a specified purpose or purposes, of any designated part of his property.

ENGINEER or LICENSED PROFESSIONAL ENGINEER — A person licensed as a professional engineer by the State of New York.

LOCAL STREET — As defined by AASHTO, a street that serves travel within developments and permits direct access to all abutting lands. Any street which is not a principal arterial, minor arterial or collector street. **[Added 6-5-2007 by L.L. No. 5-2007 Editor's Note: This ordinance also repealed the former definitions of "major street or arterial street" and of "minor street," which originally appeared in this section.]**

MINOR ARTERIAL — As defined by AASHTO, a street that interconnects with and augments the principal arterial system and accommodates trips of moderate lengths at a lower level of travel mobility and generally does not enter residential neighborhoods. **[Added 6-5-2007 by L.L. No. 5-2007]**

OFFICIAL MAP — The map established by the Town Board under § 270 of the Town Law, showing the streets, highways, drainage systems and parks theretofore laid out, adopted and established by law, and any amendments thereto resulting from the approval of subdivision plats by the Planning Board and the subsequent filing of such approved plats.

PLANNING BOARD or BOARD — The Planning Board of the Town of Greenburgh.

PRELIMINARY PLAT — A preliminary drawing or drawings indicating the proposed manner of layout of the subdivision to be submitted to the Planning Board for its consideration.

PRINCIPAL ARTERIAL — As defined by AASHTO, a street that carries most of the trips entering and leaving the Town as well as significant intra-area travel, including important bus routes, expressways, parkways and interstates. **[Added 6-5-2007 by L.L. No. 5-2007]**

RESUBDIVISION — A change of a recorded subdivision plan if any such change affects any street layout shown on such plat or area reserved thereon for public use or any change of a lot line; or any change if it affects any map or plan legally recorded prior to the granting of subdivision review authority to the Planning Board.

SKETCH PLAN OR LAYOUT — A sketch of the preliminary plat to enable the subdivider to save time and expense in reaching general agreement with the Board as to the form of the preliminary plat and objectives of these regulations. (See § 250-22.)

STREET — A public or private thoroughfare, however designated, which affords legal access to abutting property.

STREET PAVEMENT — The wearing or exposed surface of the roadway used by vehicular traffic.

STREET WIDTH or RIGHT-OF-WAY — The distance between property lines, measured at right angles to the center line of the street.

SUBDIVIDER — Any person, firm, corporation, partnership or association who or which shall lay out, for the purpose of sale or development, any subdivision or part thereof as defined herein, either for himself, itself or others.

SUBDIVISION — The division of any parcel of land into two or more lots or other divisions of land for the purpose, whether immediate or future, of transfer of ownership or building development, with or without streets or highways, and in conformity with state law. "Subdivision" shall include "resubdivision."

SUBDIVISION PLAT — The final map or drawing on which the subdivider's plan of subdivision is presented to the Planning Board for approval and which, if approved, shall be submitted to the County Clerk for recording.

SURVEYOR — A person licensed as a land surveyor by the State of New York.

TOWN — The unincorporated area of the Town of Greenburgh, Westchester County, New York.

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

TOWN ENGINEER — The duly designated Engineer of the Town of Greenburgh.

TOWN PLAN — The comprehensive plan for development of the Town, prepared by the Planning Board pursuant to § 272-a of the Town Law, which indicates the general locations recommended for various public works, places and structures and for the general physical development of the Town, and including any part of such plan separately adopted.

ARTICLE II Procedure for Approval; Construction of Improvements

§ 250-4. Application and approval procedure.

[Amended 10-13-1982 by L.L. No. 9-1982; 6-9-2004 by L.L. No. 4-2004]

Whenever any subdivision or resubdivision of land is proposed and before any contract for the sale or any offer to sell such subdivision or any part thereof is made, the prospective subdivider or his agent, duly authorized in writing, shall proceed to secure approval of the proposed subdivision in accordance with the following phases: initial conference and review, preliminary plat and subdivision plat. The first phase is a suggested preliminary procedure, which is recommended to the prospective subdivider to acquaint him or it with the Board's requirements and to familiarize the Board with the nature of his proposal, in order to avoid unnecessary expense due to costly revision of subdivision plats. The second and third phases are the required review and approval stages which must be followed by the prospective subdivider in order to obtain formal approval. However, when a building permit is granted for a single-family dwelling on a lot that has at least twice the minimum lot area of the underlying zone, no subdivision application shall be accepted or received by the Planning Board for that lot or any portion of said lot for five years after the date of issuance of the building permit.

- A. Phase 1: initial conference and review. The Planning Board has accumulated a considerable body of information which may be of material assistance to the prospective subdivider. Therefore, prospective subdividers may request of the Planning Board at one of its meetings that an initial conference be held before proceeding with the preparation of detailed plans, and the Planning Board may accede to such request.

(1) Preparation for initial conference. Before the initial conference, the prospective subdivider or his

duly authorized representative should familiarize himself with these Land **Subdivision Regulations**, the Tree Ordinance, the Freshwater Wetlands Ordinance, the Environmental Quality Review Act, the Flood Hazard Area Ordinance, the Zoning Ordinance and the Site Plan Ordinance of the Town, where applicable. *Editor's Note: See Ch. 260, Trees; Ch. 280, Wetlands and Watercourses; Ch. 200, Environmental Quality Review; and Ch. 285, Zoning.*

- (2) Map recommended for initial conference. To aid in presenting the proposal to the Planning Board, the prospective subdivider or his duly authorized agent shall prepare the map described in § 250-22 herein. This map need not be drawn to any specific scale, but should be large enough to demonstrate clearly to the Planning Board the factors which will influence the design of the subdivision. The prospective subdivider should be prepared to leave three copies of the map with the Planning Board.
- (3) Initial conference. If the prospective subdivider elects to make a sketch plan submission, he or his duly authorized representative shall, if so requested, attend a meeting of the Planning Board to discuss the requirements of these regulations, including street improvements, traffic control, drainage, sewerage, water supply, fire protection, location of proposed open space and similar aspects, as well as the availability of existing services and other pertinent information.
- (4) Planning Board action. The Planning Board will discuss the prospective subdivider's proposal with him to determine whether the sketch plan meets the purposes of these regulations and all other applicable ordinances and regulations and shall make suggestions either at the time of the initial conference or after further study, where it is considered necessary, for changes in the proposed layout. At this time the Planning Board will outline those items in § 250-23 that are required for preliminary plat review.

B. Phase II: preliminary plat.

- (1) Application and fee. Prior to filing an application for the approval of a subdivision plat, the prospective subdivider shall file an application for approval of a preliminary plat of a proposed subdivision. Such application shall be made in duplicate on the application form illustrated in the appendix to these regulations, copies of which are available from the Department of Community Development and Conservation, and shall be accompanied by an application fee, payable to the Town, in accordance with the then applicable fee schedule.
- (2) Number of copies. Sixteen copies of the preliminary plat and improvement plans shall be presented to the Secretary to the Planning Board at least 10 days prior to a scheduled Board meeting.
- (3) Temporary staking. In order to facilitate inspection and review of the site of the proposed subdivision, temporary staking along the approximate center line of all proposed roads in the proposed subdivision will be required. Each stake shall be marked so that it can be located on the preliminary plat and shall show the approximate height of proposed cut or fill at that point.
- (4) Field trip. After receipt of all required preliminary plat application material and certification by the Secretary to the Planning Board that the application is complete, the Planning Board may schedule a field trip to the site of the proposed subdivision. The prospective subdivider or his representative may be invited to attend the field trip.
- (5) Study of plat. The Planning Board shall study the practicability of the preliminary plat, taking into consideration the requirements of the community and the best layout of the lands being subdivided. Particular attention will be given to the arrangement, location and width of streets, their relation to the topography of the land, traffic safety, fire protection, snow removal, drainage, lot sizes and arrangements, water supply, sewage disposal, flood prevention, proximity and effect on any freshwater wetlands, flood hazard areas, other environmental considerations, location of easements, location of proposed open space, the future development of adjoining land as yet unsubdivided and relation to and effect upon the implementation of the Town Plan.
- (6) When officially submitted. The official submission date for the preliminary plat application shall be considered to be the date of the regular meeting of the Planning Board next following

certification of the Secretary to the Planning Board that the application is complete; provided, however, that if the application is completed less than 10 days before a regular meeting of the Planning Board, it shall be officially submitted on the date of the following regular meeting of the Planning Board.

(7) Scheduling of public hearing.

- (a) Upon certification of the completed application by the Secretary to the Planning Board, the Planning Board shall call a public hearing to be held within 60 days of the date of the official submission of the preliminary plat.
- (b) The Secretary to the Planning Board shall submit notices to the official Town newspaper for publication, shall mail the notices to abutting property owners and all other agencies required by law and as directed by the Planning Board and shall file copies of the preliminary plat and improvement plans for public review at least five days prior to the public hearing. The Secretary to the Planning Board shall also mail a copy of the public notice and a copy of the preliminary plat to the County Planning Board, where notice to such Board is required by law, and to any other municipality or agency where notice is required by law.

(8) Public hearing and resolution approving or disapproving application.

- (a) The prospective subdivider and/or his duly authorized representative shall attend the public hearing. At the hearing, the Planning Board will give an opportunity to any interested person to examine or comment upon the preliminary plat and improvement plans. Within 60 days of the public hearing, the Planning Board will, at a public meeting, approve, with or without modifications, or disapprove the preliminary subdivision application by resolution, setting forth in detail any modification to which the approval is subject or reasons for disapproval pursuant to § 276 of the Town Law.
- (b) A copy of the resolution shall be mailed by the Secretary to the Planning Board to the prospective subdivider within five days following the Board's decision. The time within which the Planning Board must act on the preliminary plat may be extended by mutual consent, in writing, by the prospective subdivider and the Board.
- (c) If the Board fails to act on an application for preliminary plat approval within the 60 days specified above, the preliminary plat shall be deemed approved, unless such period is extended by mutual consent, in writing, by the prospective subdivider and the Board.

(9) Expiration of approval. Approval of a preliminary plat application shall expire six months from the date of approval if no application for final approval is submitted within such period, except where such time limit is extended by the Planning Board in writing.

C. Phase III: subdivision plat.

- (1) Application and fee. Application for subdivision plat approval shall be filed with the Secretary to the Planning Board. Such application shall reflect the modifications, if any, required by the Planning Board at the time of preliminary plat approval and shall be submitted in duplicate on forms which are available from the Department of Community Development and Conservation. Such application shall be accompanied by an application fee, payable to the Town in accordance with the then applicable fee schedule.
- (2) Number of copies. Sixteen copies each of the subdivision plat and improvement plans, which shall conform to these regulations and all of the items listed in § 250-24, shall be presented to the Secretary to the Planning Board at least 10 days prior to a scheduled Planning Board meeting.
- (3) Official submission date. The official submission date of the subdivision plat shall be considered to be the date of the regular meeting of the Planning Board next following certification of the Secretary to the Planning Board that the application is complete; provided, however, that if the application is completed less than 10 days before a regular meeting of the Planning Board, it

shall be officially submitted on the date of the following regular meeting of the Planning Board.

(4) Authorization to call public hearing.

- (a) Upon receipt of the subdivision plat application, the Planning Board shall call a public hearing to be held within 45 days of the official submission date. The Planning Board may waive the public hearing if the subdivision plat is substantially the same as the preliminary plat as approved by the Planning Board and all modifications required by the Planning Board have been completed.
- (b) The Planning Board shall by resolution conditionally approve, conditionally approve with or without modification, disapprove or grant final approval and authorize the signing of such plat within 45 days of its certification as complete by the Secretary to the Planning Board if no such hearing is held.
- (c) The Secretary to the Planning Board shall submit notices to the official Town newspaper for publication, shall mail the notices to abutting property owners and shall file copies of the subdivision plat and improvement plans for public review at least five days prior to public hearing. The Secretary to the Planning Board shall also mail a copy of the public notice and a copy of the proposed plat to the County Planning Board, where notice to such Board is required by law, and to any municipalities and agencies where notice is required by law.

(5) Public hearing and resolution approving or disapproving subdivision plat. The prospective subdivider and/or his representative shall attend the public hearing. At the hearing, the Planning Board will give an opportunity to any interested persons to examine or comment upon the subdivision plat and improvement plans. Within 45 days of the public hearing, the Planning Board shall approve, conditionally approve, with or without modifications, or disapprove the subdivision application, by resolution, which resolution will set forth in detail any conditions to which the approval is subject or reasons for disapproval, pursuant to § 276 of the Town Law. A copy of the resolution shall be mailed by the Secretary to the Planning Board to the prospective subdivider within five days following the hearing. Failure to act within the forty-five-day period shall be deemed approval by the Planning Board, unless such period is extended by mutual consent, in writing, by the prospective subdivider and the Board.

(6) Revision of subdivision plat and improvement plans. Based upon the above resolution referred to in § 250-4C(5), the prospective subdivider shall have the subdivision plat revised, if necessary. This may require correcting and completing the plat in final form or redrawing a map. In the latter case, the revised plat must be exactly the same as the conditionally approved plat, except for any changes required by the resolution. The improvement plans must also be revised as required by the resolution.

(7) Review of subdivision plat and improvement plans. In the case of a subdivision plat approved with conditions or modifications, after completion of the subdivision plat and improvement plans in accordance with the Board's resolution, 16 copies of each shall be submitted to the Planning Board for final review. The improvement plans must be endorsed by the Secretary to the Planning Board as "approved" before the subdivision plat will be signed or any construction work approved. No formal approval shall be endorsed on the plat until a review has indicated that all requirements of the resolution have been met and until the prospective subdivider has complied with all the requirements and § 250-4D of this article.

D. Conditions for approval of subdivision plat.

(1) Improvements and performance bond.

- (a) After a subdivision plat receives approval, it shall not be endorsed by the Secretary to the Planning Board or any other duly authorized individual until the prospective subdivider shall, at the sole option of the Board:

[1] Complete all required improvements as specified in the Board's approval, § 277 of the Town Law and these regulations to the satisfaction of the Town Engineer and

Commissioner of the Department of Public Works and all such improvements have been accepted by the Town Board; or

- [2] Alternatively, file with the Town Board a performance bond, complying with § 277 of the Town Law, satisfactory in all respects as to form, sufficiency, manner of execution and surety to the Town Attorney. Such bond shall be to the Town, equal in value to 90% of the full cost of all public improvements as estimated by the Planning Board. The remaining 10% of the estimated cost shall be deposited in cash or its equivalent, as determined by the Town Attorney, in escrow with the Town, until all required improvements shall be accepted by the Town Board. However, the prospective subdivider shall have the option to deposit with the Town the full cost of public improvements, as estimated by the Planning Board, in cash or its equivalent, in form and manner satisfactory to the Town Attorney.
 - (b) In the event that the prospective subdivider commences construction of required public improvements as set forth in Subsection D(1)(a)[1] and, after having completed a portion of such improvement, seeks to file a bond with the Town for the remainder of the improvements, the Planning Board shall determine the full cost of all uncompleted improvements. The applicant shall then file with the Town a bond as set forth in Subsection D(1)(a)[2] for all uncompleted improvements. The applicant shall also file with the Town a maintenance bond and/or insurance to cover all eventualities, in an amount considered adequate by the Town Engineer and in a form satisfactory to the Town Attorney, in order to assure the satisfactory condition of the required improvements during construction and until such improvements are accepted by the Town. The applicant shall further file with the Town a sworn statement that there exist no liens or encumbrances upon the completed improvements.
 - (c) All performance bonds filed under this section shall run for a term to be fixed by the Planning Board, but in no case for a longer term than three years. However, if the improvements are not completed, the Planning Board may request the applicant to extend the term of the bond, and, if such bond is not extended, then the Planning Board may consider the performance bond in default.
 - (d) If the prospective subdivider is not constructing the improvements in accordance with the filed schedule or if the public improvements are not completed to the satisfaction of the Town Engineer and the Commissioner of the Department of Public Works and are not accepted by the Town, the Town may consider the prospective subdivider in default and may use the 10% in cash or its equivalent, being held by the Town, to complete such improvements before proceeding against the bonding company.
- (2) Waiver of required improvements. The Planning Board may waive, for such period of time as it may determine, the requirements to provide any or all of such improvements as, in its judgment, are not necessary in the interests of the public health, safety and general welfare. In the case of each waiver granted, the Planning Board shall enter upon its records the reason or reasons why the particular improvement is not necessary, and it shall attach appropriate conditions or require such guaranties as may be necessary to protect the public interest.
- (3) Offer of dedication.
- (a) The Planning Board, at the time of approval of the subdivision plat, shall determine and indicate on the plat which of the streets, parks or easements should ultimately be dedicated to the public and conveyed to the Town for public purposes. Such dedication shall be subject to acceptance or rejection by the Town Board. Before the plat is endorsed by the Secretary to the Planning Board or any other duly authorized individual, the applicant shall execute and deliver to the Town Board the following documents:
 - [1] An offer by the prospective subdivider, for himself, his successors and assigns, to the Town for dedication to public use, the streets and parks shown on said plat. Such

offer of dedication shall be in form for recording and satisfactory in form and substance to the Town Attorney. Upon acceptance, the prospective subdivider shall pay the cost of recording said offer of dedication and any other resolutions, instruments or conveyances in furtherance of the acceptance thereof.

- [2] A deed in fee simple absolute, conveying title to all streets and parks shown on said plat which are to be dedicated for public use. Such deed shall be in a form satisfactory to the Town Attorney and shall be held in escrow until accepted by the Town. Upon acceptance, the prospective subdivider shall pay the cost of recording said deed of dedication and any other resolutions, instruments or conveyances in furtherance of the acceptance thereof.
 - [3] A deed, in the form for recording and satisfactory to the Town Attorney, dedicating the easements so determined and indicated on the plat by the Planning Board to be for public use and dedication. Upon acceptance, the prospective subdivider shall pay the cost of recording said deed of dedication and any other resolutions, instruments or conveyances in furtherance of the acceptance thereof.
 - [4] A certificate of title, satisfactory to the Town Attorney, showing that he has marketable title to the area to be dedicated.
- (b) While the offer of dedication remains in force but unaccepted with respect to any street or park, the prospective subdivider shall not, without the prior consent of the Planning Board, encumber the offered land or perform any act which would prevent it from conveying title to said streets and parks to the Town; and, specifically, no conveyance of any right in and to any streets, other than easement rights for ingress and egress or for the construction of utility services, shall be made to any individual or purchaser of property in the subdivision. No mortgage shall be made by the prospective subdivider subsequent to the recording of such offer of dedication unless the same shall be made expressly subject to the rights of the public and the Town of Greenburgh under such offer of dedication. If there is any mortgage or any other encumbrance with respect to such premises, such mortgagee or encumbrancer shall join in the execution thereof or consent to the subordination of such encumbrances, which subordination shall also be recorded.
 - (c) In the event that any subdivision plat shall become lawful for filing in the office of the Clerk of the County of Westchester by reason of the failure of the Planning Board to act with respect thereto within the time period required by law, then, and in such event, the Planning Board shall be deemed, for purposes of the foregoing provisions, to have required that all streets and parks shown on such plat and all easements of any nature which are for the benefit of the public, the municipality or more than one plot of land on said plat, shall be dedicated to the Town. All documents which are necessary to effectuate such dedication as previously set forth shall be so executed and delivered, and all requirements of §§ 276 and 279 of the Town Law and these **Subdivision Regulations** must be fully complied with.
 - (d) The prospective subdivider shall pay an inspection fee, equal to 2% of the actual cost of the proposed improvements as estimated by the Town Engineer and Department of Public Works, payable by check to the Town, specifying the purpose of the fee.

E. Approval of subdivision plat.

- (1) Expiration of conditional approval. Conditional approval of a subdivision plat shall expire within 180 days after the date of the resolution granting conditional approval, unless all requirements have been certified as completed. The Planning Board may extend the time, in writing, in which a conditionally approved plat must be submitted for signature if, in its opinion, such intention is warranted by the particular circumstances thereof, but not to exceed two additional periods of 90 days each.

- (2) Signing of plat. The Secretary to the Planning Board or Chairman of the Planning Board shall endorse approval on the plat after all conditions and resolutions pertaining to the plat have been satisfied. Approval will be endorsed on the tracing cloth original of the plat (which will be returned to the prospective subdivider), on a duplicate Mylar tracing and on two prints of the plat (which will be retained by the Planning Board).
- (3) Plat void if revised after signature. No changes, erasures, modifications or revisions shall be made to any subdivision plat after approval has been given by the Board and endorsed in writing on the plat excepting only the endorsement of the Westchester County Department of Health or County Clerk's office. In the event that any subdivision plat, when recorded, contains any such changes, the plat shall be considered null and void.
- (4) Authorization for filing plat by sections. Prior to granting its approval, the Planning Board may permit the subdivision plat to be subdivided into two or more sections and may impose such conditions upon the filing of such sections as it may deem necessary to assure the orderly development of the land. The Planning Board shall determine that no section contains less than 10% of the total lots in the subdivision or 10% of the total area, whichever is greater. No section shall be approved for filing prior to approval of the other section or sections upon which it will depend for street access and adequate traffic circulation, drainage or fire protection. Approval of such sections, subject to any conditions imposed by the Planning Board, shall be granted concurrently with the approval of the subdivision plat, and the extent of each section and all conditions imposed shall be shown on the subdivision plat. The Planning Board may deny approval of any subsequent section if a prior section has not first been satisfactorily completed.
- (5) Filing of plat with County Clerk. In accordance with Town Law, the plat shall be filed with the Westchester County Clerk, Division of Land Records, within 60 days of the date of signing. The approval of any plat not so filed shall expire 60 days from the date of endorsement. The Planning Board may extend such sixty-day period as provided in § 276 of the Town Law, upon written request by the applicant.
- (6) Submission of copies of filed plat. The applicant is requested to submit two paper copies of the subdivision plat showing the endorsement of the County Clerk to the Planning Board within 30 days of the date of filing.

§ 250-5. Construction of improvements.

- A. Inspection of improvements. The subdivider shall notify the Town Engineer, in writing, of the time when he proposes to commence construction of public improvements so that the Town Engineer may cause inspection to be made to assure that all Town specifications and requirements shall be met during the construction of required improvements and to assure the satisfactory completion of improvements and utilities required by the Planning Board. A detailed schedule shall also be submitted to and approved by the Department of Public Works, setting forth the proposed completion date of each stage of construction: clearing and grubbing, rough grading, sewers, water mains, storm drains, curbs, base and binder courses of pavement, paving top course, streetlights, street trees and survey monumentation. In addition, the prospective subdivider shall specify the earliest dates on which each certificate of occupancy will be requested and dates of fine grading and seeding of lots. If changes in schedule are anticipated, a new schedule shall be presented in writing, but, until such is accepted, the former schedule shall pertain. Failure on the part of the prospective subdivider to construct in accord with the schedule and all specifications applicable thereto shall justify stoppage of work in connection with the development by the Department of Public Works until such schedule is completed to the satisfaction of the Department of Public Works.
- B. Modification of design of improvements. If, at any time before or during the construction of the required improvements, it is demonstrated to the satisfaction of the Town Engineer and the Commissioner of the Department of Public Works that unforeseen conditions make it necessary or preferable to modify the location or design of such improvements, the Town Engineer and the

Commissioner of the Department of Public Works may authorize modification, provided that these modifications are in the spirit and intent of the Planning Board's approval and do not extend to the waiver or substantial alteration of the function of any improvements required by the Planning Board. The Town Engineer and Commissioner of the Department of Public Works shall issue any authorization under this subsection, in writing, and shall transmit a copy of such authorization to the Planning Board.

- C. Proper installation of public improvements. If the Town Engineer or Commissioner of the Department of Public Works shall find, upon inspection of the public improvements performed before the expiration date of the performance bond, that any of the required improvements have not been constructed in accordance with plans and specifications filed by the prospective subdivider, he shall so report to the Town Board, Building Inspector and Planning Board. The Board then shall notify the prospective subdivider and, if necessary, the prospective subdivider's bonding company and take all necessary steps to preserve the Town's rights under the bond. No further plats shall be approved by the Planning Board as long as the prospective subdivider is in default on a previously approved plat.
- D. Completion of public improvements. All public improvements shall be in a complete and satisfactory condition at the time they are offered for acceptance. All facilities must be in working order and shall be subject to such tests as the Department of Public Works may order. The facilities will not be accepted piecemeal, and all must be incorporated into and made part of the Town's system of public facilities.
- E. Acceptance of public improvements. Before all public improvements shall be accepted by the Town, the applicant shall submit, with his request for acceptance, the documents listed and described in § 250-25.

ARTICLE III General Requirements and Design Standards

§ 250-6. Standards for consideration of applications.

In considering applications for subdivision, the Planning Board shall be guided by the standards set forth hereinafter. Said standards shall be considered to be minimum requirements and shall be waived by the Board only under circumstances set forth in § 250-28.

§ 250-7. Character of land; preservation.

- A. Land to be subdivided shall be of such a character that it can be used safely for the intended building purposes without danger to health or peril from fire, flood or other hazards. Land shall not be developed for any uses that will be endangered by fire, flood or other hazard.
- B. Existing features which would enhance development and serve the public welfare, such as trees, shrubbery, watercourses, historic spots, topography, scenic views and similar irreplaceable assets, shall be preserved wherever the Board deems the same to be possible and practicable.
- C. Further, the subdivision design shall:
 - (1) Preserve, insofar as practical, the natural terrain and drainage lines.
 - (2) Disturb the natural fertility of the soil as little as possible.
 - (3) Not cause any topsoil to be removed from the land except as hereinafter provided.

§ 250-8. Conformity to Official Map and Town Plan.

Subdivisions shall be in harmony with the Official Map of the Town and shall be in harmony with such portions of the Town Plan as may be in existence from time to time.

§ 250-9. Removal of trees; excavations.

- A. Removal of trees. Notwithstanding any other provision of this chapter, any prospective subdivider whose plans would require the removal of any trees on said property shall make application to the Planning Board of the Town of Greenburgh, which shall have sole jurisdiction regarding the proposed removal of such trees. The Planning Board shall make such determination in accordance with all the provisions and procedures as set forth in the Town of Greenburgh Tree Ordinance (Chapter 260). In the event that a property owner, subsequent to the filing of a final plat, shall require the removal of any trees which deviate from the plans approved by the Planning Board, application must be made to the Tree Preservation Commission under the provisions and procedures of the Town of Greenburgh Tree Ordinance (Chapter 260), and all the requirements of said ordinance shall be applicable.
- B. Excavation. It shall be unlawful for any prospective subdivider to excavate, strip or remove any topsoil, earth, sand, gravel, humus, rock or other mineral deposit from any land in that portion of the Town, unless:
 - (1) An excavation permit for such excavation work shall have been duly issued by the Building Inspector pursuant to the provisions of this chapter.
 - (2) Such excavation work, in its entirety, shall be undertaken, performed and completed in accordance with all provisions of the Town of Greenburgh Excavations and Soil Removal Ordinance (Chapter 210).

§ 250-10. Conformity to specifications for required improvements.

All required improvements shall conform to the Town specifications, which may be obtained from the Department of Public Works, or to specifications of other agencies if within their jurisdiction. If any subdivision falls within the jurisdiction of more than one agency, the most restrictive requirements on the prospective subdivider shall prevail.

§ 250-11. Street layout.

- A. Width, location and construction. Streets shall be of sufficient width, grade, suitable location and adequate construction to accommodate the prospective traffic and to afford access for fire-fighting, snow, trash and garbage removal and road maintenance equipment and shall be so coordinated as to comprise a convenient system. The arrangement of streets shall be such as to cause no undue hardship to adjoining properties.
- B. Arrangement. The arrangement of streets in the subdivision shall provide for the continuation of collector streets of adjoining subdivisions and for proper projection of collector streets into adjoining properties which are not yet subdivided, in order to make possible necessary fire protection, movement of traffic and the construction or extension, presently or when later required, of needed utilities and public services. Where, in the opinion of the Planning Board, topographic or other conditions make such continuance undesirable or impractical, the above conditions may be modified. The subdivision shall have two or more means of access by streets to an existing street or streets of width and construction equal to the requirements of these regulations. Subdivisions containing 20 lots or more shall have at least two street connections with streets previously placed on the Official Map. Where two or more existing streets are available, access shall be provided to at least two of them.
[Amended 6-5-2007 by L.L. No. 5-2007]
- C. Local streets. Local streets shall be so laid out that their use by through traffic shall be discouraged.
[Amended 6-5-2007 by L.L. No. 5-2007]
- D. Provision for resubdivision. Where a tract is subdivided into lots substantially larger than the minimum size required in the zoning district in which the subdivision is located, the Board may require that streets and lots be so laid out as to permit resubdivision in accordance with the requirements contained in these regulations.

- E. Dead-end streets. The creation of dead-end or loop residential streets will be encouraged whenever the Board finds that such type of development will not interfere with normal traffic circulation in the area. Where dead-end streets are designed to be so permanently, whenever possible they should not exceed in length six times the minimum lot width in the zoning district and shall terminate in a circular turnaround having a minimum right-of-way radius of 50 feet and pavement radius of 40 feet. At the end of temporary dead-end streets, a temporary turnaround with a pavement radius of 40 feet within a temporary easement shall be provided, unless the Board approves an alternate arrangement. If such dead-end street is continued, it shall be the responsibility of the continuing subdivider to remove the temporary cul-de-sac and restore the area to a through-street condition, including the placement of topsoil and grass in areas previously covered by the temporary turnaround pavement and including any new pavement necessary to achieve proper grades and blending between the existing subdivision road and its new extension.
- F. Block size. In general, no block shall be less than 200 feet nor more than 900 feet in length.
- G. Street jogs. Street jogs with center-line offsets of less than 125 feet shall not be permitted except with the approval of the Board.
- H. Angle of intersection. In general, all intersecting streets shall join each other so that for a distance of at least 100 feet the street is approximately at right angles to the street it joins.
- I. Relation to topography. The street plan of a subdivision shall bear a logical relationship to the topography of the property and adjoining lands, and all streets shall be arranged so that as many of the building sites as possible shall be at or above the grade of the streets. Grades of streets shall conform as closely as possible to the original topography.
- J. Right-of-way for widening or realignment. Where the subdivision includes or borders on an existing street and additional land is required for realignment or widening of such street, as indicated by the Town Plan or otherwise determined by the Board to be necessary, such land shall be marked on the subdivision plat: "Reserved for Street Widening (or Realignment) Purposes." Land reserved for realignment or widening purposes may not be counted in satisfying area of lot requirements or setback requirements of the Zoning Ordinance. *Editor's Note: See Ch. 285, Zoning.*

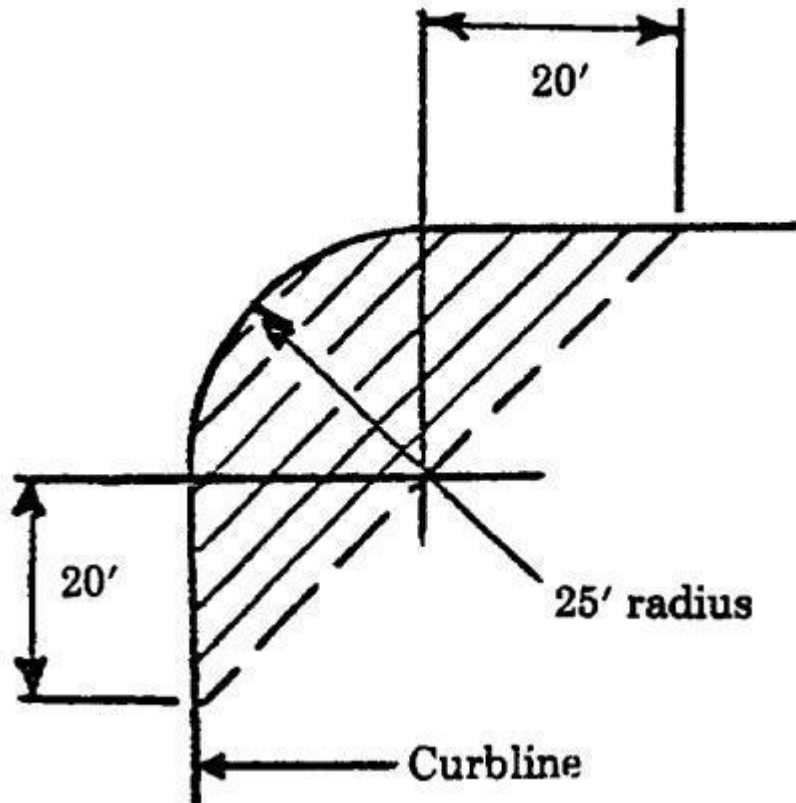
§ 250-12. Street design.

- A. Standards for street design. Streets shall be designed and constructed to the current standards set forth in "A Policy on Geometric Design of Highways and Streets" published by AASHTO, as amended, and if the street classification is not indicated on the Town Plan, it shall be determined by the Board. **[Amended 6-5-2007 by L.L. No. 5-2007]**
 - (1) Minimum width of street pavement: The roadway widths shall be based on the number of lanes required to provide sufficient capacity to serve the projected traffic volumes and shall be determined using proper traffic engineering practices and capacity analyses. At no time shall the roadway pavement for two-way traffic be less than 26 feet and for one-way traffic be less than 14 feet. An additional seven feet of pavement shall be provided on each side of roadway where parking is permitted and/or five feet where a bicycle path is provided.
 - (2) Minimum width of right-of-way: The width of the right-of-way shall exceed the pavement width by a minimum of eight feet on each side of the roadway and shall be no less than 50 feet.
 - (3) Maximum grade for roads and cul-de-sacs: The maximum grades shall be in accordance with AASHTO standards. Design speed shall exceed the posted or permitted speed limit by 10 miles per hour or equivalent to the 85th percentile speed of the existing traffic as determined by appropriate surveys.
 - (4) Minimum grade for roads and cul-de-sacs: The minimum roadway and cul-de-sac grades shall be 1%.
 - (5) Minimum sight distance: Minimum sight distances shall be calculated in accordance with

AASHTO standards. For roadway design, the Stopping Sight Distance Guidelines shall be used, and for intersection design, the Intersection Sight Distance (not Stopping) Guidelines shall be used. In both cases, the design speeds shall exceed the posted or permitted speed by 10 miles per hour or equivalent to the 85th percentile speed of the existing traffic as determined by appropriate surveys.

- (6) Minimum center-line radius of horizontal curve: The minimum center-line radius shall be calculated using AASHTO standards. The design speed shall exceed the posted or permitted speed limit by 10 miles per hour or equivalent to the 85th percentile speed of the existing traffic as determined by appropriate surveys.
 - (7) Minimum length of vertical curve: The minimum length of vertical curve shall be determined based on AASHTO standards. The design speed shall exceed the posted or permitted speed by 10 miles per hour or equivalent to the 85th percentile speed of the existing traffic as determined by appropriate surveys.
 - (8) Intersection curb radii: The curb radii at intersections shall be a minimum of 30 feet for all arterial and collector streets and 25 feet for all cul-de-sacs and local streets.
 - (9) Cul-de-sac turnaround radii: A turnaround area with an outside radius of 40 feet or more shall be provided at the end of cul-de-sacs.
- B. Improvements. Streets shall be graded and improved with pavements, curbs, monuments, gutters, sidewalks, fire hydrants, drainage facilities, water mains, sewers, streetlights, signs and street trees. The Planning Board may waive, subject to appropriate conditions, such improvements as it considers may be omitted without jeopardy to the public health, safety and general welfare. All grading and improvements shall be approved as to design and specifications by the Department of Public Works.
- C. Utilities in streets. All utilities within the subdivision shall be placed underground. The Planning Board may require that underground utilities be placed in the street right-of-way between the paved roadway and street line to simplify location and repair of lines when they require attention. The subdivider shall install underground service connections to the property line of each lot within the subdivision for such required utilities before the street is paved.
- D. Utility easements.
- (1) Where topography is such as to make impractical the inclusion of utilities within the street lines, perpetual unobstructed easements of no less than 20 feet in width may be required to be provided across property outside the street lines and with satisfactory access to the street. Wherever possible, easements shall be continuous from block to block and shall present as few irregularities as possible. Such easements shall be cleared and graded where required by the Town Engineer.
 - (2) The Planning Board may require perpetual unobstructed easements across lots or centered on rear or side lot lines in order to provide for the future extension of public utilities to adjacent properties, whether such adjacent property is developed or undeveloped. The location and dimensions of such easements shall be as determined by the Town Engineer.
- E. Steep grades and curves; visibility at intersections. A combination of steep grades and curves shall be avoided. In order to provide visibility for traffic safety, that portion of any lot, whether at an intersection entirely within the subdivision or of a new street with an existing street, as shown shaded on Sketch A, shall be cleared of all growth and obstructions above the level two feet higher than the center line of the street, or as needed to insure that the drivers' sight lines, as per AASHTO criteria, are unobstructed. If directed, ground shall be excavated to achieve visibility. **[Amended 6-5-2007 by L.L. No. 5-2007]**

Sketch A Portion of Corner Lot To Be Cleared



- F. Watercourses. Where a watercourse separates a proposed street from abutting property, provision shall be made for access to all lots by means of culverts or other structures of design approved by the Department of Public Works. Where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a stormwater easement or drainage right-of-way, as required by the Department of Public Works and in no case less than 20 feet in width. The Planning Board may require that such watercourse, drainageway, channel or stream be enclosed.
- G. Driveways. Lots shall be laid out so that driveways have access to that street upon which they abut which carries or is intended to carry the lesser amount of traffic. **[Amended 6-5-2007 by L.L. No. 5-2007]**
- (1) Driveway grades between the curbline and the right-of-way line shall not exceed 10%.
 - (2) Other than in an R-5 One-Family Residence District, driveways shall not be located within the side yard setback.
 - (3) Driveways shall be perpendicular to the street right-of-way and removed from street intersections.

§ 250-13. Street names.

- A. Type of name. Street names shall be selected by the prospective subdivider subject to the approval of the Planning Board.

B. Requirements.

- (1) Proposed street names shall be included on the preliminary plat.
- (2) Prospective subdividers shall be encouraged to consider the character of the neighborhood and the nature of street naming in the general vicinity.
- (3) Proposed street names shall be substantially different so as not to be confused in sound or spelling with present names in the Town and, where practical, in the villages, except that streets that join or are in alignment with streets of an abutting or neighboring property shall bear the same name.
- (4) Proposed street names should not be the same, exclusive of the suffix; e.g., Maple Street, Maple Avenue, Maple Lane, etc.

§ 250-14. Lots.

- A. Arrangement; size. The building lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other natural conditions, in complying with the Zoning Ordinance Editor's Note: See Ch. 285, Zoning. in order to build on each lot. Lots shall not be of such depth as to enable the later creation of a second building lot at the rear.
- B. Side lines. All side lines of lots shall be at right angles to straight street lines and radial to curved street lines, unless a variance from this rule will give a better street system or building lot plan.
- C. Corner lots. Corner lots shall be of sufficient dimension so that any structure placed thereon shall conform to the building setback line of each street. On corner lots, there shall be rounding of corner lot lines with a twelve-foot radius.
- D. Private streets. Access from private streets shall be deemed acceptable only if such streets are designed and improved in accordance with these regulations and are shown on the Official Map.
- E. Monuments and lot corner markers. Permanent monuments of a size and type approved by the Town Engineer shall be set at such block corners, angle points, points of curves in streets and other points as the Town Engineer may require, and their location shall be shown on the subdivision plat.
- F. Double frontage. Double-frontage lots shall be avoided except where essential to provide separation of residential development from streets or to overcome specific disadvantages of topography and orientation.
- G. Reserve strips prohibited. Reserve strips of land, which might be used to control access from the proposed subdivision to any neighboring property or to any land within the subdivision itself, shall be prohibited.
- H. Continuation of streets into adjacent properties. The arrangement of streets shall provide for their continuation between adjacent properties, where such continuation is determined necessary for proper traffic movement, effective fire protection, efficient provision of utilities, snow removal and other services and/or where such continuation is in accordance with the Town Development Plan. Alternatively, if a street continuation is determined not to be warranted by the circumstances or would result in unsafe traffic conditions or otherwise jeopardize the public safety and welfare, the Planning Board may require such street to be terminated short of the boundary lines of the subdivision. Where a continuation of a street beyond the boundaries of a subdivision is warranted but the adjacent property is undeveloped and the street must dead-end temporarily, the Planning Board may require that the right-of-way and all improvements be extended to the property line. A temporary circular turnaround of a minimum of 50 feet in radius shall be provided on all temporary dead-end streets in excess of 100 feet in length, with a notation on the plat that land outside the normal street right-of-way shall revert to abutting property owners upon continuation of the street.

§ 250-15. Drainage improvements.

- A. Removal of spring- and surface water. The prospective subdivider may be required by the Planning Board to carry away by pipe or open ditch any spring- or surface water which may exist either previous to or as a result of the subdivision. Such drainage facilities shall be located in the street right-of-way, where feasible, or in perpetual unobstructed easements 20 feet in width. Location of such facilities shall be approved by the Department of Public Works. The Planning Board may require that such open ditch be enclosed.
- B. Drainage structure to accommodate potential development upstream. A culvert or other drainage facility shall, in each case, be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. The Department of Public Works shall approve the design and size of facility based on anticipated runoff from a ten-year storm under conditions of total potential development permitted by the Zoning Ordinance in the watershed. *Editor's Note: See Ch. 285, Zoning.* Capacities for runoff from storms having a longer recurrence interval may be required upon the recommendation of the Town Engineer.
- C. Responsibility for drainage downstream. The prospective subdivider shall also study the effect of each subdivision on existing downstream drainage facilities outside the area of the subdivision. This study shall be reviewed by the Department of Public Works. Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the Planning Board shall notify the Town Board of such potential condition. In such case, the Planning Board shall not approve the subdivision until provisions have been made for the improvement of said condition.

§ 250-16. Flood protection.

- A. The prospective subdivider shall assure that:
 - (1) All public utilities and facilities, such as sewer, gas, electrical and water systems, are located, elevated and constructed to minimize or eliminate flood damage.
 - (2) Adequate drainage is provided so as to reduce exposure to flood hazards.
- B. The prospective subdivider shall assure that new water supply systems or sanitary sewerage systems are to be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters and that on-site waste disposal systems are to be located so as to avoid impairment of them or contamination from them during flooding.
- C. The prospective subdivider shall be required to adhere to all other applicable flood protection regulations of the Town of Greenburgh *Editor's Note: See Ch. 220, Flood Damage Prevention.* and the Flood Insurance Administration of the United States Department of Housing and Urban Development. Land subject to flooding shall not be platted for residential occupancy or for any other use that may increase danger to life or property or aggravate the flood hazard, but such land shall be set aside for such use as shall not be endangered by periodic or occasional inundation.

§ 250-17. Water distribution system.

- A. The design of water mains shall be such as will allow for future development around and beyond the specific development to give the capacity and pressure that will ultimately be required by development in accordance with the Town Plan, the Official Map and Zoning Ordinance, *Editor's Note: See Ch. 285, Zoning.* the American Insurance Association and the New York Insurance Services Office.
- B. All water mains shall be looped or installed in a grid system or planned for future looping or gridding by the Board and shall contain such pipes, valves, hydrants and appurtenances as will give complete control and proper pressure to the points of supply. If looping cannot be accomplished within the subdivision, the prospective subdivider shall construct all water mains possible within his own property for such loops.

§ 250-18. Sanitary sewers.

All sanitary and other wastes shall be disposed of in strict accordance with the rules and regulations of the Westchester County Department of Health, except that no separate sewage disposal system shall be permitted on lots less than 20,000 square feet in area.

§ 250-19. Parks; open space; natural features.

A. Recreation and open space.

- (1) In order to provide adequately for the comfort, convenience, safety, health and welfare of the residents of the Town, it is necessary to establish recreational and open space areas for the public use. The Planning Board has set a standard that will provide for the eventual development of an adequate system of play lots, playgrounds, neighborhood parks, playfields and large parks or open space for the residents of the Town.
- (2) The prospective subdivider or residential site plan developer shall provide recreational land, within the subdivision or residential development site, of suitable size and topography and suitably located. Alternatively, land and/or improvements may be provided off site at another location mutually agreeable to the developer and the Town. The amount of land and/or improvements shall be equal in value to money offered in lieu thereof and in accordance with the schedule set forth herein. Any offer of land and/or money by the prospective subdivider or residential site plan developer shall be made by written communication to the Board. In the event that money is offered, it shall be based on the standard of \$8,640 per subdivided single-family building lot. Subdivided lots containing an existing single-family dwelling, with a valid certificate of occupancy dated prior to the instant application, shall be excluded from the lot count for the purposes of computing the amount of money in lieu of land. The provision of recreational land shall also apply to planned unit development and residential site plan developments, except that money in lieu of land for these developments shall be based on the standard of \$4,320 per dwelling unit when units are offered for sale or when shares of a corporate ownership are sold resulting in a space lease and \$2,160 per dwelling unit when units are offered for rent and are deed restricted as rentals for a minimum of 20 years. If at any time during the twenty-year period, units are converted to nonrental status, an additional \$2,160 per unit shall be paid to the Town prior to conversion. Developers providing affordable housing, as defined by the Town Board in the Town Zoning Code, Chapter 285, or as modified by the Town Board, under special circumstances, may receive waivers of up to 100% of the recreation land or fee in lieu thereof. Special circumstances that the Town Board may consider will include but not be limited to housing for handicapped persons or infirm persons, housing meeting the needs of persons of moderate income other than the United States Department of Housing and Urban Development's definition of low- and moderate-income households and/or housing for special target groups, such as teachers or public employees. Housing for senior citizens, aged 60 or over, that does not qualify as affordable housing may nonetheless be eligible for a reduction in the recreational land or fee in lieu thereof to a minimum of \$2,160 per unit upon special request to the Town Board and upon supplying any and all documentation said Board requires. This section shall apply to subdivision applications submitted after January 1, 1995. **[Amended 5-11-1983; 11-2-1986 by L.L. No. 2-1986; 3-27-1996 by L.L. No. 2-1996; 5-10-2006 by L.L. No. 2-2006** Editor's Note: Section 4 of this local law stated the following: "Existing or prior development approvals. The provisions of this chapter do not apply to any development of property for which final approval has been obtained and not expired. Applications which have received final approval prior to the effective date of the local law shall comply with the fees in effect at the time of such approval. As used in this section, the term 'final approval' shall mean: In the case of the subdivision of land, conditional approval of a final plat as the term is defined in New York Town Law § 276. In the case of site plan not involving the subdivision of land, adoption by the Planning Board, or Town Board, as the case may be, of resolution granting approval."]
- (3) The decision and discretion as to whether land or money shall be suitable and acceptable hereunder shall be vested exclusively in the Board in every case and not in the prospective subdivider, on the basis of the judgment of the Board as to which alternative is in the best

interests of the Town in the light of the topography and land area of the site, population density, existing recreation facilities, cost of developing additional recreation facilities and all of the circumstances of each particular case. **[Amended 6-22-1993 by L.L. No. 2-1993]**

- (4) The public facilities will not be accepted and the performance bond will not be released until all facilities have been completed to the satisfaction of the Town Board.
- (5) Money accepted in lieu of land shall be used only for the purpose of acquisition or development of permanent park and recreation facilities in accordance with the approved recreation development plan and in accordance with Town Law § 277. The money shall be deposited by the Town of Greenburgh in a separate fund entitled "Fund for Reserve for Acquisition and/or Development, Recreation Land," which can only be used for the aforesaid purposes. Money for single-family residential subdivisions shall be due prior to the Secretary of the Planning Board signing the subdivision plat. Money for multiple-family developments shall be due upon filing for building permits. **[Amended 6-22-1993 by L.L. No. 2-1993; 3-27-1996 by L.L. No. 2-1996]**
- (6) Recreation fees collected by the Town pursuant to Town Code § 250-19 and Town Law § 277 and deposited before July 1, 1993, may only be utilized according to the following procedure: **[Added 6-22-1993 by L.L. No. 2-1993]**
 - (a) Proposals to utilize recreation fees shall be submitted to the Commissioner of Parks and Recreation, the Commissioner of Community Development and Conservation and the Town Board. Each proposal shall comply with the requirements of Town Law § 277 and set forth, in detail, the scope of the proposed project and the anticipated cost.
 - (b) The Commissioner of Parks and Recreation shall review each proposal and send his written comments, with specific recommendations, together with the comments and recommendations of the Parks and Recreation Advisory Council, if any, to the Planning Board within 60 days, unless such time is extended by the Board.
 - (c) After review of all comments and recommendations, the Planning Board shall refer the proposal, together with its recommendations, to the Town Board for final review and approval. The Planning Board may solicit and entertain whatever comments or request whatever necessary additional information the Board, in its sole discretion, deems necessary and appropriate to its decision. The Board shall explain its recommendations fully. The Planning Board shall refer each proposal to the Town Board within 90 days after receipt, unless such time is extended by the Town Board.
 - (d) Final authority to expend recreation funds deposited with the Town pursuant to Town Law § 277 and Town Code § 250-19 shall be vested in the Town Board, which shall have sole discretion to approve or disapprove any proposal to utilize recreation funds forwarded by the Planning Board. Where a proposal to utilize recreation funds would, in the opinion of the Town Board, offer Town-wide recreation services not available in an existing district or where the establishment of a recreation facility cannot be entirely funded by any single escrow district, the Town Board may, in its discretion, assess a proportional amount of the cost to each contributing escrow district. In considering whether a recreation project will provide Town-wide recreation services not available in any existing escrow district the Town Board shall consider and weigh the following: the nature, extent and location of existing facilities; population demographics, particularly proximity to existing and proposed recreation facilities; the cost of developing additional services and facilities; and the benefits provided. Before more than one escrow district is assessed the cost of a project, the Town Board shall find that the proposed project will provide residents of each contributing escrow district with recreational benefits not currently available and, in addition, that it is not reasonable, practical or economical to build recreational facilities or services of a similar caliber like that proposed within the contributing escrow district.
- (7) Recreation fees collected by the Town pursuant to Town Code § 250-19 and Town Law § 277 and deposited after July 1, 1993, may only be utilized according to the following procedure: **[Added 6-22-1993 by L.L. No. 2-1993]**

- (a) Proposals to utilize recreation fees shall be submitted to the Commissioner of Parks and Recreation, the Commissioner of Community Development and Conservation and the Town Board. Each proposal shall comply with the requirements of Town Law § 277 and Town Code § 250-19 and set forth, in detail, the scope of the proposed project and the anticipated cost.
- (b) The Commissioner of Parks and Recreation shall review each proposal and send his written comments, with specific recommendations, together with the comments and recommendations of the Parks and Recreation Advisory Council, if any, to the Planning Board within 60 days, unless such time is extended by the Board.
- (c) After review of all comments and recommendations, the Planning Board shall refer the proposal, together with its recommendations, to the Town Board for final review and approval. The Planning Board may solicit and entertain whatever comments or request whatever necessary additional information the Board, in its sole discretion, deems necessary and appropriate to its decision. The Board shall explain its recommendations fully. The Planning Board shall refer each proposal to the Town Board within 90 days after receipt, unless such time is extended by the Town Board.
- (d) Final authority to expend recreation funds deposited with the Town pursuant to Town Law § 277 and Town Code § 250-19 shall be vested in the Town Board, which shall have sole discretion to approve or disapprove any proposal to utilize recreation funds forwarded by the Planning Board. When considering a proposal to expend funds collected after July 1, 1993, the Town Board shall weigh and consider the origin of funds collected pursuant to this section.

B. Parkland.

- (1) In the event that an area to be used for a park or playground is required to be so shown, the prospective subdivider shall submit to the Board a tracing, drawn in ink on tracing cloth or Mylar, showing, at a scale suitable to show all the elements of such area and the following features thereof:
 - (a) The boundaries of the area.
 - (b) Existing features such as brooks, ponds, trees, rock outcrops, structures, drains, etc.
 - (c) Existing and, if applicable, proposed changes in grades and contours of the area and of the areas immediately adjacent.
- (2) Land set aside for recreation and open space shall be shown on the final grading plan. Such land shall:
 - (a) Have adequate graded access to a Town street or streets.
 - (b) Be suitably graded.
 - (c) Be cleared of material, either native or deposited, which may present hazards, unsightliness and obstructions which will tend to hinder the use of the land as intended.
 - (d) Be protected by a fence or similar protective device when constituting a hazard or attractive nuisance by virtue of topography.
- (3) The performance of park work shall be included in the improvement work required to be accomplished by the prospective subdivider and shall be included in the subdivision performance bond.

§ 250-20. Preservation of natural features.

- A. The Planning Board shall, wherever possible, require the preservation of all natural features which

add value to residential developments and to the community, such as large trees or groves, watercourses and water bodies, historic spots, vistas, steep slopes and similar irreplaceable assets. In general, all trees on the site, except those within proposed building lines and for a distance of 10 feet therefrom, shall be preserved in accordance with the provisions of the Tree Ordinance of the Town.

Editor's Note: See Ch. 260, Trees. Where trees cannot be preserved, as set forth in the Tree Ordinance, then they shall be replaced in kind. In the case of large and mature trees which cannot be replaced in kind, the Planning Board may, in its discretion, require multiple plantings instead. **[Amended 5-11-1983]**

B. Excavation and soil erosion.

- (1) No changes shall be made in the contour of the land and no grading, excavating, removal or destruction of topsoil, trees or other vegetative cover of the land shall be commenced within a proposed subdivision until such time as an erosion and sediment control plan shall have been submitted to and reviewed by the Soil Conservation Service and approved by the Planning Board or there has been a determination by the Planning Board, upon recommendation of the Soil Conservation Service, that such plans are not necessary.
- (2) Where the construction of the required improvements in the subdivision will necessitate the removal from the site of excess topsoil, earth, sand, gravel, rock or other substance from the ground from within the street rights-of-way and slope rights or from the areas reserved for drainage facilities, the quantity to be removed shall be stated on the construction plans, and a permit obtained as required in Chapter 210 of the Town of Greenburgh Code entitled "Excavations and Soil Removal."
- (3) Where, in its discretion, the Planning Board determines that plantings at the borders of a proposed plat would be necessary to prevent erosion, flooding or drainage problems, it may require that the same be provided by the subdivider after the completion of construction. **[Added 5-11-1983]**

C. Plantings. In order that a proposed subdivision be developed in harmony with the existing natural features or landscaping of surrounding properties, the Planning Board, in its discretion, may require plantings at the borders of the plat. **[Added 5-11-1983]**

§ 250-21. Uniformity of exterior design.

In all cases where a prospective subdivider proposes to develop all or a portion of the subdivision, he shall conform to the requirements of § 250-24E herein and the Zoning chapter relating to assurance that building elevations will be varied for adjoining one-family homes.

ARTICLE IV Required Documents

§ 250-22. Sketch plan.

The sketch plan shall be a pen or pencil sketch plan of the proposed subdivision, identifying all land owned by the prospective subdivider, the location and ownership of all adjoining property, existing zoning, the location of streets and highways in the vicinity of the property, the general location of new streets and arrangement of lots within the subdivision and the general location of those natural features, such as streams, ponds and marshy and wooded areas, and the contour intervals of 10 feet or less. If the prospective subdivider elects to submit a sketch plan, he shall also submit, at such time, a written statement as required in Section 4 of the Environmental Quality Review Act. *Editor's Note: See Ch. 200, Environmental Quality Review, § 200-5.* A map of the Town shall also be submitted, indicating the location of the proposed subdivision.

§ 250-23. Documents for preliminary plat approval.

The following documents shall be submitted for preliminary approval:

- A. Preliminary plat. The plat shall be drawn in ink on tracing cloth or Mylar on sheets not exceeding 24 inches by 36 inches at a scale of not smaller than 50 feet to the inch and oriented with the North point at the top of the map. When more than one sheet is required, an additional index sheet of the same size shall be filed showing, to scale, the entire subdivision with lot and block numbers clearly legible. The plat shall show:
- (1) Proposed subdivision name, date, North point, scale, name and address of record owner, subdivider and engineer or surveyor, including license number and seal.
 - (2) Deed description and boundary survey of entire tract, made and certified by a licensed land surveyor, tied into established reference points and adjoining survey. The boundary survey shall conform to the Code of Practice for Land Surveys adopted May 19, 1973, by the New York State Association of Professional Land Surveyors. Any discrepancies between this boundary survey and boundaries of adjoining properties shown on other filed maps or in deeds shall be explained by the surveyor.
 - (3) Area of all lots, in square feet.
 - (4) Location of proposed parkland.
 - (5) Location, with key elevations, of existing and proposed sewers, water mains, culverts and drains on the property, with pipe sizes, grades and directions of flow.
 - (6) Contours of existing and proposed surfaces with intervals of two feet or less. Where the terrain is unusually flat or unusually steep, the Board may require a smaller contour interval or permit a greater contour interval. The existing topography shall be drawn from an actual survey certified by a licensed land surveyor. Contours for existing surfaces shall be extended to cover an area 200 feet beyond the boundaries of the parcel to be subdivided. An indication of soil condition and a plan for erosion control, where necessary, shall be submitted.
 - (7) All proposed streets, showing locations, widths, grades and profiles.
 - (8) Preliminary proposal for the arrangement of lots, including identifying numbers; and approximate dimension, area and building locations, including front, side and rear yard dimensions and proposed first-floor elevation.
- B. The following additional information shall be submitted for preliminary approval:
- (1) A written statement, as required in Section 4 of the Environmental Quality Review Act, **Editor's Note: See Ch. 200, Environmental Quality Review, § 200-5.** if not previously submitted with a sketch plan. If required, according to the provisions of Section 6 of the Environmental Quality Review Act, **Editor's Note: See Ch. 200, Environmental Quality Review, § 200-7.** the applicant shall prepare a draft environmental impact statement. Such statement shall comply with Section 10 of the Environmental Quality Review Act. **Editor's Note: See Ch. 200, Environmental Quality Review, § 200-10.**
 - (2) The total acreage and the volume, sheet, block and lot or parcel numbers and names of all owners of record of property within 500 feet of the periphery of the proposed subdivision.
 - (3) Zoning use district, including exact boundary lines of districts, if more than one district; and location of Town or special district boundaries in or within 500 feet of the periphery of the proposed subdivision. A map of the Town shall be submitted, indicating the location of the proposed subdivision.
 - (4) Location of existing property lines and structures; name and width of streets, including mapped streets not dedicated, within 200 feet of the subdivision; and location of easements, buildings, watercourses, marshes, in accordance with the Freshwater Wetlands Ordinance, **Editor's Note: See Ch. 280, Wetlands and Watercourses.** wooded areas, rock outcrops, single trees with a diameter of six inches or more measured four feet above the base of the trunk, in accordance with the Tree Ordinance; **Editor's Note: See Ch. 260, Trees.** and other significant existing features. If the site or

surrounding area possesses any unusual features, photographs may be required.

- (5) Proof of ownership by the prospective subdivider of the premises covered by the application (supply evidence through presentation of deeds).
 - (6) Storm drainage study and plan, including calculations and consideration of on- and off-site drainage, where appropriate.
 - (7) Cross sections of proposed grading and roadways where required by the Town Engineer to show cut and fill areas where substantial changes in the topography are being made.
 - (8) Application for approval under the Tree Ordinance **Editor's Note: See Ch. 260, Trees.** of the Town, including a tree planting plan.
 - (9) Proposed streetlighting system.
 - (10) A fire alarm box system and layout if required by the fire district.
 - (11) Written evidence of approval by other agencies shall be required in the following instances:
 - (a) Intersections with state highways: by the State Department of Transportation.
 - (b) Method of water supply and sewage disposal: by the County Department of Health. Such approval shall be endorsed on the subdivision plat. Applications for approval of plans for sewer and water facilities shall be filed by the prospective subdivider with all necessary town, county and state agencies. Endorsement and approval by the Westchester County Department of Health shall be secured by the prospective subdivider prior to endorsement by the Secretary to the Planning Board or the Chairman of the Planning Board.
 - (c) Underground facilities: by the Consolidated Edison Company and the New York Telephone Company, as appropriate.
 - (d) Drainage: by county, state or federal agencies within their jurisdiction.
 - (12) Copy of preliminary plat on a transparency in a mount 8 1/2 inches by 11 inches, suitable for projection by a Beseler Vugraph projector.
 - (13) Such additional information as may be required by these regulations, the Zoning Ordinance, the Freshwater Wetlands Ordinance, the Environmental Review Act, the Flood Hazard Ordinance or the Planning Board. **Editor's Note: See Chs. 285, Zoning; 280, Wetlands and Watercourses; and 220, Flood Damage Prevention.**
 - (14) The Board, at its discretion, may require the developer to submit photographs, eight inches 10 inches, adequately depicting the topography.
- C. Map of entire tract. If the application covers only a part of the prospective subdivider's entire holding, a map of the entire tract shall be submitted, drawn at a scale of not less than 400 feet to the inch, showing an outline of the platted area with its proposed streets and an indication of the probable future street system with its grades and drainage in the remaining portion of the tract and the probable future drainage layout of the entire tract.
- D. Covenants; restrictions. A copy of such covenants or deed restrictions as are intended to cover all or any part of the tract shall be submitted.

§ 250-24. Documents for subdivision plat approval.

The following documents shall be submitted for subdivision plat approval:

- A. Plat. The subdivision plat is to be submitted clearly and legibly drawn in black ink upon transparent tracing cloth. The size of the sheets shall be 24 inches wide by 36 inches long, including a margin of

one inch outside ruled border lines on three sides and a two-inch border along the left twenty-four-inch side for binding, as required by § 224 of the Real Property Law of New York. When more than one sheet is required, an additional index sheet of the same size may be required, showing in appropriate scale the entire subdivision on one sheet, with lot and block numbers. The drawing shall be at the scale of not more than 50 feet to the inch. The subdivision plat shall show:

- (1) Proposed subdivision name or identifying title; date; true North point; and scale.
- (2) The name and address and signature of the prospective subdivider; and the name, license number, signature and seal of the licensed land surveyor and his certification as to the accuracy of the survey.
- (3) Street lines, pedestrianways, lots, reservations, easements and areas to be dedicated to public use.
- (4) Sufficient data, acceptable to the Department of Public Works, to determine readily the location, bearing and length of every street line, lot line and other boundary line and to reproduce such lines upon the ground. Where practicable, these shall be referenced to monuments included in the state system of plan coordinates established by §§ 8501 to 8508 of the New York Unconsolidated Laws and, in any event, shall be tied to such reference points as previously have been established by a public agency.
- (5) The length of all straight lines; the deflection angles, radii, length of curves and central angles of all curves; tangent distances and tangent bearings for each street; all dimensions and bearings of the lines of each lot; and all lot areas.
- (6) All dimensions shall be shown in feet and decimals of a foot.
- (7) Sufficient data shall be clearly set forth to permit the preparation of a complete and correct survey and legal description by metes and bounds of every lot and public parcel, street, easement or reserved area shown upon the map.
- (8) The boundaries of the property in relation to the boundaries of any municipalities or special districts that affect it.
- (9) All public open space for which offers or deeds of cession are included, with an appropriate notation that the same are reserved for such public purposes, and those spaces title to which is reserved by the prospective subdivider. For any of the latter, there shall be submitted for approval with the subdivision plat three copies of the agreements or other documents showing the manner in which such areas are to be maintained and the provisions made therefor. All offers of cession and covenants governing the maintenance of unceded open space shall bear the certificate of approval of the Town Attorney as to their legal sufficiency.
- (10) Lots within a subdivision shall be numbered in numerical order within blocks. The section and block numbers shall be obtained from the Westchester County Clerk's office, Division of Land Records.
- (11) All streets shall be named in accordance with § 250-13.
- (12) Monuments of a type approved by the Town Engineer shall be set at all corners and angle points of the boundaries of sections, at angle points in street lines, at points of curve and at such intermediate points as shall be required by the Town Engineer and shall be shown as a square and designated "Monument." Existing monuments shall be designated "Monument found."

B. Improvement plan. The subdivision plat shall be accompanied by an improvement plan which shall be considered as part of the subdivision plat, of the same scale, on transparent tracing cloth or Mylar, showing the following information:

- (1) Proposed subdivision name or identifying title; date; true North point; and scale.
- (2) The name and address of the prospective subdivider; and the name, license number and seal of the licensed professional engineer designing the improvements.

- (3) Existing and final grading showing differences of elevation or contour lines at intervals of two feet in the United States Coast and Geodetic Survey datum of mean sea level.
 - (4) Street lines, pedestrianways, lots, reservations, easements and areas to be dedicated to public use.
 - (5) Connections with existing water supply or alternative means of providing water supply as required by the regulations of the County Health Department, pursuant to Article 2, Title II, of the New York Public Health Law and any amendments to such laws and regulations.
 - (6) Connections with existing sanitary sewerage system or alternative means of proposed treatment and disposal, as required by the regulations of the County Health Department, pursuant to Article 2, Title II, of the New York Public Health Law and any amendments to such laws and regulations.
 - (7) Provisions for collecting and discharging storm drainage.
 - (8) Designs of any bridges or culverts or other structures which may be required.
 - (9) The proposed location and type of sidewalks, which shall be not less than four feet in width, streetlighting standards, street signs and underground electrical conduits or overhead wires and poles; the location and species of existing trees to be retained having a diameter of six inches or more at a height of four feet and of proposed street trees; the locations, types and sizes of curbs, gutters, water mains, sanitary sewers and storm drains; the character, width and depth of pavement and subbase; and the location of manholes, basins and underground poles or conduits.
 - (10) Location, width, grades and profiles for all streets and public ways.
 - (11) General notes as required by the Town Engineer.
 - (12) Any information required for preliminary approval as described in § 250-23 or by a condition set by the Planning Board in connection with the preliminary approval which was not submitted or approved.
 - (13) Any other information or designs necessary to make the improvement and grading plan a complete and accurate one from which the subdivision may be laid out and constructed.
- C. Deeds of cession; agreements; covenants. Deeds of cession of streets, rights-of-way, easements and any sites for public use and copies of agreements, covenants or other documents showing the manner in which the areas to be reserved for the common use of the residents of the subdivision are to be maintained, all certified as to their legal sufficiency by the Town Attorney.
 - D. Planting plans and drawings. All planting plans and drawings as required by and in accordance with Town specifications, including the Tree Ordinance and site plan review section of the Zoning Ordinance, where applicable. *Editor's Note: See Chs. 260, Trees; and 285, Zoning.*
 - E. Typical principal elevation of proposed residential structures. Typical principal elevation of proposed residential structures to assure conformance with "look-alike" provisions of the Zoning Ordinance of the Town of Greenburgh.
 - F. Final environmental impact statement. If required, a final environmental impact statement, according to Section 14 of the Environmental Quality Review Act. *Editor's Note: See Ch. 200, Environmental Quality Review, § 200-12.* If required, such statement must be submitted in order for the application to be considered complete.

§ 250-25. Documents for acceptance of public improvements.

The following documents shall be submitted for acceptance of public improvements:

- A. An as-built survey in India ink, or permanent process on tracing cloth or Mylar, at the same scale as the approved plat, showing all facilities constructed and their relation to previously existing facilities. This survey is to be certified by a land surveyor duly licensed or registered in the State of New York and shall conform to the requirements of § 250-26.
- B. New plat and utility maps at scales of 400 feet and 200 feet to the inch, if the installed facilities differ from those on the approved plat.
- C. A new map for approval of the Planning Board, for filing in the Westchester County Clerk's office, Division of Land Records, if monument or easement locations are changed. Upon the Board's approval, the provisions of § 250-4E(2), (3), (4) and (5) above shall apply to such maps.
- D. An affidavit that there is no outstanding or potential liability on the facility; or, if such liability exists, the subdivider shall state all the conditions of such liability and establish to the satisfaction of the Town Board that complete discharge of such liability has been duly provided for.
- E. A title insurance policy certifying that all properties and facilities offered for dedication or as easements are free of encumbrances and exceptions, which policy shall be acceptable to the Town and shall be provided by the prospective subdivider at said prospective subdivider's expense.
- F. Proof that all easements shown on the plat have been recorded with the Westchester County Clerk's office, Division of Land Records.
- G. A maintenance bond based on the performance and cash bonds and in the amount of 5% of the sum of the performance and cash bonds, except that the minimum shall be \$500. This bond shall run for a term of 24 months from the date of acceptance. Should any work be done under the maintenance bond, the Town Board may again require an additional twelve-month guaranty on any repaired, replaced or similar facility. These additional maintenance bonds are to be filed with the Town Board before the original maintenance bond is released. (Also see § 250-4D.)
- H. A certificate that all improvements have been properly installed and completed to the satisfaction of the Town Engineer.

§ 250-26. Record as-built drawings.

Record drawings shall conform to the following requirements:

- A. Obtain duplicate tracings on linen of all original proposed drawings and show as-built information in red acetate nonbleeding ink. Ink shall contain sufficient black or yellow pigment for blueprint reproduction. Do not erase original proposed design. Submit the as-built tracing to the Town Engineer.
- B. Plan. Show relationship of the following features to the road right-of-way line, proposed road center line or property line in case of easements:
 - (1) Locate curbing.
 - (2) Locate sewers, drains and water mains, showing type, size and lengths.
 - (3) Draw all property lines, including all easements, if not already shown.
 - (4) Show ties to monuments. Use at least three ties, of which two shall be to house corners where possible.
 - (5) Show ties to main line water valves, ties preferably to house corners.
 - (6) Indicate gutter elevations around culs-de-sac.
 - (7) Submit gas and/or electric as-built drawings by Consolidated Edison.
 - (8) Include certification to be as follows:

I certify that this map represents the accurate location of the subdivision improvements as

actually installed and that monuments have been placed and accurately checked at the points shown on filed maps No. _____ and No. _____.

L.S.

SEAL

C. Profile.

- (1) Obtain final field elevations of road center line and indicate on profile, in parentheses, alongside proposed elevations.
- (2) Obtain final invert elevations of all sewers and drains and show on profile all new invert elevations.
- (3) Show as-built lengths of all pipes and change lengths and percent of slope accordingly.

ARTICLE V Modifications and Waivers; Authority of Planning Board

§ 250-27. Extraordinary hardship.

Where the Board finds that extraordinary hardship may result from compliance with these regulations, it may waive certain requirements of the regulations so that substantial justice may be done and the public interest secured, provided that such waivers will not frustrate the spirit and purpose of the Official Map, the Zoning Ordinance, *Editor's Note: See Ch. 285, Zoning.* the Town Plan or these regulations.

§ 250-28. Special circumstances.

Where the Board finds that, due to the special circumstances of a particular plat, the provision of certain required improvements is not required in the interest of the public health, safety and general welfare, it may waive such requirements.

§ 250-29. Authority to impose conditions.

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

ARTICLE VI Penalties

§ 250-30. Penalties for offenses.

Any person, firm or corporation violating any of the provisions of these **Subdivision Regulations** shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding \$100 in amount or by imprisonment not exceeding 10 days, or by both such fine and imprisonment. Each day that a violation is permitted to exist shall constitute a separate offense.

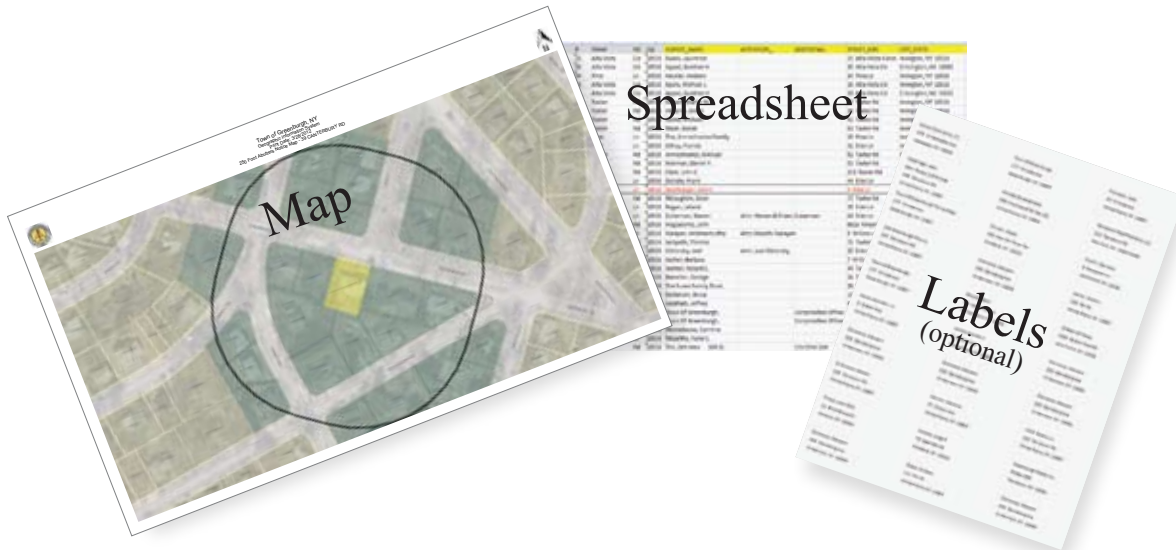
ABUTTER'S NOTICE ORDER FORM

TOWN OF GREENBURGH CD&C DEPARTMENT

ABUTTER'S NOTICE ORDER FORM

(One form per radius)

Form updated as of 1-7-26



Community Development and Conservation will provide the following:

1. Map, (8.5x 11) or digital PDF similar to above, including:
Subject property, buffer outline, properties within buffer highlighted,
and Section, Sheet, Block, and lot.*
2. Spreadsheet (Excel) listing names and addresses of owners within buffer.**
3. Creation of ownership labels within buffer (Optional).

* If buffer area is too large, multiple copies may be needed.

** Ownership data is believed accurate but not warranted and provided "as is". Assessor's office is not responsible for ownership differences that may occur, due to linking of data to map, normal deed processing time, or any other outside influence that may reflect a difference between data provided and actual ownership.

Information

Date: _____

Owner's Name: _____

Property Address: _____

Account Number:
or SBL (Required) _____

Name of Firm or Representative(if any): _____

Address of Representative or contact person: _____

Contact name and phone number: _____

(check one)

- ☐ Will pick up data. (paper copies only)
- ☐ Would like data mailed via USPS. (paper copies only)
- ☐ Would like data emailed. (digital copies only)
(Owners list in an Excel file; map and optional labels in PDF Documents)

Email address: _____

☐ Opting out of service but would like digital map showing radius.(\$5.00)

Pricing

(Check all that apply)

☐ Owners (Excel file & Map) within: \$50.00 \$ _____
☐ 250' ☐ 500'

☐ Mailing labels (up to 500') formatted as Avery 5160 \$35.00 \$ _____

☐ Will pick up data (paper copies only) \$ 0.00 \$ _____ 0.00

☐ Data to be mailed (paper copies only) \$ 2.00 \$ _____

☐ Data to be emailed (digital data only) \$ 0.00 \$ _____ 0.00

Please make check payable to Town of Greenburgh
and indicate on memo line:"Abutter's notice".

Total: \$ _____

Total payment required prior to any
commencement of work. Please allow up
to five business days to process request.

Ownership data, generated from this
request, to be used, solely, for Town
related business. Not intended for
solicitation.



Mail to:
Town of Greenburgh Department of
Community Development & Conservation
177 Hillside Avenue
White Plains, NY 10607