

TOWN OF HARRIETSTOWN
Franklin County, New York

PRE-APPLICATION AND CLASSIFICATION
TO THE TOWN PLANNING BOARD AND
APPLICATION FOR SUBDIVISION REVIEW AND APPROVAL

I, _____ hereby request:

- | | DATE | FEE |
|--|-------|----------|
| () Sketch Plan Review, Pre-application Classification | _____ | __N.C.__ |
| () Preliminary Plat Approval | _____ | _____ |
| () Final Plat Approval | _____ | __N.C.__ |

Of my subdivision by the Planning Board in accordance with Section 276 of the Town Law and the Town of Harrietstown Land Subdivision Regulations. The undersigned further acknowledges that the official date of this application is that of the next regularly-scheduled meeting of the Planning Board, at which time **six (6) copies of either a preliminary or final plat in full accordance with the requirements of the Town's Land Subdivision Regulations and six (6) copies of this application may be presented, and will be received by the clerk (secretary) of the Planning Board.** Upon determination of classification by the Planning Board, the applicable subdivision fee shall be paid by the undersigned to the Town Clerk, and receipt therefore presented to the Planning Board, prior to the Planning Board's public hearing on the proposed subdivision.

Name of the owner of the property to be subdivided: _____

Address & Telephone Number: _____

Name of Subdivider's Professional Engineer or Land Surveyor: _____

Location of property being subdivided: _____

* TOTAL AREA OF PROPERTY: _____

** Area requested for subdivision: _____

*** Number of Lots being subdivided: _____

Proposed Name of Subdivision: _____

Application Submitted by: _____

AND

Date: _____

Owner(s) Signature: _____

IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER / APPLICANT TO CONTACT ANY OTHER STATE OR LOCAL AGENCIES TO DETERMINE JURISDICTION OF THOSE AGENCIES. IT IS NOT THE RESPONSIBILITY OF THE TOWN OF HARRIETSTOWN TO ADVISE APPLICANTS AS TO WHICH THEY MUST APPLY TO.

BY DEDICATION

The creation of town highways by dedication is accomplished pursuant to Subdivision 1 of Section 171 of the Highway Law. These are highways which are established by mutual agreement between the owners of real property and the town superintendent of highways consented to by the Town Board, and in the acquisition of which there is no expense to the Town. Thus, as a practical matter, a dedication will usually occur only in a case where the owner of the real property wants a Town Highway to be laid out. Dedication is in the nature of a gift, a gift of private lands for highway purposes. A mere offer to dedicate land to the public use does not constitute a dedication. The offer to dedicate must be accepted by the municipality. In other words, an individual by his own act cannot impose upon the town the burden of accepting and keeping in repair any road which he might wish to have opened.

The steps to be followed in accepting the dedication of such land for highway purposes are as follows:

- 1) The offer to dedicate may be made with or without a written application, therefore.
- 2) Subdivision 1 of Section 171 of the Highway Law requires the consent of both the Town Board and the Superintendent of Highways to the acceptance of the offer. Thus, if either the Town Board, or the Superintendent, are opposed to the dedication, the offer cannot be accepted.
- 3) However, if both the Board and the Superintendent do consent, the Superintendent must then make an order laying out the highway.

PROCEDURE FOR ROAD DEDICATION

- 1) Road must be 50 ft. right of way with all landowners aware of it.
- 2) Road must be 2 lanes with 12 in. of Item 4 Gravel base and 6 inches of crusher run on top.
- 3) Road must have proper crown and proper ditches installed, all culverts in place, where needed.
- 4) All documents, surveys, and maps to be inspected by Town Attorney, Town Board, and Superintendent of Highways.
- 5) Final road inspection done by Superintendent of Highways.
- 6) Written letter of appearance to Town Board requesting the road to be dedicated.
- 7) Superintendent's approval along with the Town Board for taking road over.
- 8) Superintendent has to contact Bruce Erwin, State of New York

(Watertown) to fill out State forms. (315) 785-2354

Files the plat does not add as part of the plat a notation to the effect that no offer of dedication of such street, highways or parks, or any of them, is made to the public, the filing of the plat in the office of the County Clerk or register shall constitute a continuing offer of dedication of the streets, highways or parks, or any of them, to the public and said offer of dedication may be accepted by the Town Board at any time prior to the revocation of said offer by the owner of the land or his agent...

3... Every street shown on a plat that is here after filed or recorded in the office of the County Clerk or Register ... shall be deemed to be a private street until such a time as it has

been formally offered for cession to the public and formally accepted as a public street by resolution of the Town Board, or alternately until it has been condemned by the Town for use as a public street... (Town Law, Section 278)

Neither the approval of the map by the Planning Board, nor the filing there of, operate to make a private road a town highway. Thus, a proper acceptance by a town is still necessary to effect a change into town highways of streets shown on a filed subdivision map.

Town Board may accept streets, highways and parks shown on a plat of a subdivision of land at any time subsequent to filing and prior to revocation thereof, provided that the plat itself does not contain a notation to the effect that no offer of dedication is made there by. (1969 Op. Atty. Gen. 120)

However, roads are not and have not become public if a town has not yet accepted (And recorded) a deed of proposed roads that exist on a subdivision map. (Op. State Compt. 79-62)

Addition and Alternatives to Procedure for Dedication

- (1) Can install stabilization mat with 8"-10" of crusher run on top instead of 12" of item 4 gravel.
- (2) Roads surfaces have to be 22' wide then sloped to ditches. (50' right of way)
- (3) Culverts minimum of 12" in diameter — preferably SDR 35 in driveways, as well as the road — depending on what the water situation is.
- (4) Town may require road to be paved

Preapplication requirements for a minor subdivision

Applicants Name(s) _____

Date _____

Section 93-19

Requirements	Yes	No	N/A
Area map to include, location of the portion of the tract to be subdivided in relation to the entire tract and distance to the nearest road intersection. It may be either a deed plot or an actual survey .			
An actual field survey of the boundary lines of the tract being subdivided giving bearings and distances made and certified to by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments.			
Information concerning portions of the land subject to periodic flooding or in a wetland area.			
A copy of deed covenants or restrictions intended to cover all or parts of the tract.			
On—site sanitation and water supply facilities shall be designed to meet the specifications of and shall be under the permit of the applicable state, county, or town authorities.			
The name of the Proposed subdivision.			
The date, North arrow, map scale and the name and address of the owner/subdivider.			

Preliminary Plat Major Subdivision

Applicants Name(s) _____

Date _____

Section 93-21

Requirements	Yes	No	N/A
Survey with boundary lines & bearings and distances, by an LLS. Tract corners located with acceptable monuments			
Street rights-of-way, names, types, width, and elevation of centerlines			
Restrictions or easements on right-of-way			
Drainage structures, location and type, invert elevations, gradients, types and sizes of pipes and direction of flow.			
Location size or capacity of utilities			
Slope under 2 % contour lines at 100 ft, if over 2% contour lines each 2 ft.			
All wetlands and land subject to flooding			
Environmental issues, rock outcroppings, woods, specimen trees, structures			
Subsurface information, percolation results, type of soils, depth to round water			
Streets, names, width and location, width of right-of-way, tentative CL, elevations @ intersections CL of slope			

Requirements	Yes	No	N/A
Location of sidewalks and streetlights if provided, location of water mains, sanitary and storm water drains, size and types of piping, type of pavement, location of manholes and under round conduits			
Lot lines and dimensions to nearest foot			
Building set back, suggested dimensions and locations of buildings and driveways			
Lot numbers and square footage to the nearest square foot			
All easements , arks, & restricted areas			
Water shed outlines			
Preliminary information on water and sewer s stems			
Show or list covenants or deed restrictions and easements			

Final Plat Submission Major Subdivision

Applicants Name(s) _____

Date _____

Section 93-22

Requirements	Yes	NO	N/A
Eight (8) copies of final plat certified by an LLS or PE scaled to 100 ft to the inch or less.			
<u>Same as preliminary with the following additions</u>			
Lot layout, lot numbers circled and related to Town tax map			
Lot lines with dimensions to nearest 10 of a foot and bearings to-the nearest 5 seconds			
Building set back lines			
<u>Special lots shown, kept by developer.</u> <u>homeowners' association, written agreements, boundaries lot lines</u> <u>etc.</u>			
<u>Survey data</u>			
Tract boundary lines with bearings and distances			
Survey ties in with nearest street monuments			
Any special district boundaries with bearings and boundaries, road lengths, radii, curves, etc.			
Monuments			
Accurate location of all monuments			
Approved type, located at corners, angle points, street intersections, road curves			
<u>Improvement plan and profile</u>			

Requirements	Yes	No	N/A
Basic drawing is same as preliminary plat			
Design of water lines, sewers, streets, bridges and drainage by a P. E.			
Drainage system shown and any staging of development			
<u>Utility systems</u>			
Location of on-site water supply or size of supply lines if public			
Size and location of all distribution lines			
Location of all fire hydrants and control valves			
Sanitary waste disposal system			
Design shown either public or private			
Show a typical lot with individual system if appropriate			
<u>Locations of electrical, telephone, cable TV, as lines etc.</u>			
<u>Profile drawings</u>			
Horizontal scale 1 inch = 50 ft. Vertical scale 1 inch = 10 ft.			
All natural grades, typical cross section of roads			
Center line profile of all roads			
Detailed plans for bridges and culverts			
Invert of drainage features			
Certifications			
Title showing ownership			

Requirements	Yes	No	N/A
Written offers to cede streets, rights-of-way, opens aces, etc.			
Certification from Town engineer indicating compliance, or a bond or security has been posted			
Letters from utility providers			
Letters from DOT or County approving roads			

SUBDIVISION APPLICATION CHECKLIST

- APPLICATION COMPLETED AND SIGNED BY PROPERTY OWNER (6 COPIES)
- MAPS AND DESCRIPTION INCLUDED (6 COPIES)
- SEQR FORM COMPLETED (6 COPIES)
- LETTER OR COMMUNICATION, WHICH RESULTED IN APPLICATION TO THE PLANNING BOARD (IF APPLICABLE, 6 COPIES)
- LIST OF CONTIGUOUS PROPERTY OWNERS CONTAINING NAMES,

TAX ID NUMBERS, PHYSICAL AND MAILING ADDRESSES

- OTHER ATTACHMENTS (6 COPIES)

- FEE PAID - MINOR RESIDENTIAL, \$80.00 BASE FEE + \$25.00 PER LOT
 - MAJOR RESIDENTIAL, \$80.00 BASE FEE + \$35.00 PER LOT
 - MINOR COMMERCIAL, \$80.00 BASE FEE + \$25.00 PER LOT
 - MAJOR COMMERCIAL, \$80.00 BASE FEE + \$35.00 PER LOT
 ALL APPLICABLE FEES ARE NON-REFUNDABLE

- ORIGINAL RECIEPT WITH APPLICANT, DUPLICATE WITH PAYMENT

- NOTICE OF PUBLIC HEARING PUBLISHED IN ADIRONDACK DAILY ENTERPRISE 10 DAYS PRIOR TO THE HEARING DATE

- NOTICE APPLICANT AND ADJOINING PROPERTY OWNERS VIA CERTIFIED MAIL WITH RETURN RECIEPT

- NOTICE AND APPLICATION DOCUMENTS TO PLANNING BOARD MEMBERS

- HEARING DATE SET; PUT ON AGENDA FOR THAT MEETING

- NOTICE OF DECISION

- PERMIT ISSUED (IF APPROVED)