

SUBDIVISION REGULATIONS
TOWN OF SANFORD
Broome County New York

Adopted By:

The Town Board of the Town of Sanford February 13, 2024

ARTICLE I LEGISLATIVE INTENT; TITLE

SECTION 101. Legislative Purpose/Intent

The Town Board of the Town of Sanford deems it necessary to promulgate these regulations in order to improve and protect the interests of the Town of Sanford, New York, including public health, safety and general welfare, by creating a uniform and orderly regulatory framework governing the subdivision of land, which, in turn, provides uniformity and accountability on the part of subdividers and Town government with respect to the future growth and development of land within the Town.

SECTION 102. Short Title

These regulations may be known and cited as the Subdivision Regulations of the Town of Sanford, New York.

ARTICLE II DEFINITIONS

SECTION 201. Definitions and Special Usage

For the purpose of the subdivision regulations words used in the present tense include the future, the plural includes the singular, the word "lot" includes the word "plot" the word "building" includes the word "structure," the word "shall" is intended to be mandatory, the word "occupied" includes the phrases "designed for occupancy" and "intended to be occupied."

Arterial Streets - are those streets or highways which are designed and constructed primarily to carry large volumes of traffic through and between communities.

Building - shall mean any structure having a roof supported by columns or by walls.

Code Enforcement Officer - shall mean the person duly designated by the Town Board who shall be responsible as the agent of the Planning Board for the administration and enforcement of the subdivision regulations.

Collector Streets - are those streets or roads which are designed and constructed primarily to carry traffic from the service streets to the major arterial and highway system and the principal entrance street to a residential development and the streets used for principal internal circulation within such development.

Lot-shall mean a parcel of land occupied or capable of being occupied by a building or other use of land and having common ownership.

Lot, Depth - shall mean the mean horizontal distance between the front and rear lot lines.

Lot, Width - means the mean width measured at right angles to its depth.

Comprehensive Plan - shall mean the written document and its various exhibits, attachments and addenda, including but not limited to maps, charts, studies, resolutions, reports and other descriptive material adopted by the Town Board of the Town of Sanford pursuant to Town Law § 272-a that identifies the goals, objectives, principles, guidelines, policies, standards, devices and instruments for the immediate and long-range protection, enhancement, growth and development of the Town of Sanford located outside the limits of any incorporated village or city.

Official Map - shall mean the map established by the Town Board pursuant to Sections 270, 273 of the Town Law, showing streets, highways, and parks theretofore laid out, adopted and established by law, and any amendments thereto adopted by the Town Board.

Preliminary Plat - shall mean the preliminary drawings and accompanying information of the subdivider's plan of subdivision as defined in Section 276 of the Town Law.

Residential Lot or Residential Building Plot - shall mean any parcel of land any point on the boundary line of which is less than one-half mile from any point on the boundary line of another such lot in the same tract, unless any such lot may not legally be used for residential purposes.

Without limiting the generality of the foregoing, the term "residential" shall include temporary, seasonal and permanent residential use.

Street-shall mean a road or highway maintained by state or municipal authority; the word street includes all drive- strips, malls, sidewalks, and other appurtenances located within the right-of -way boundaries of a street.

Service Streets - are those streets which are designed and constructed to be used primarily for access to the abutting properties.

Subdivider - shall mean the developer or contractor who will subdivide, the owner of the land to be subdivided, or any authorized agent of the developer, contractor or owner.

Subdivision or Subdivide - shall mean any tract of land which is divided into four or more lots, plots, sites or other divisions of land along any existing or proposed streets, highways, easements or rights-of-way for sale or rent as residential lots or residential building plots.

Subdivision Plat- shall mean the final map, drawings or chart on which the subdivider's plan of subdivision is presented to the Planning Board for final approval, and which if approved will be submitted to the County Clerk for recording.

Town Board – The Town Board of the Town of Sanford

Town Law – The New York State Town Law (Chapter 62 of the Consolidated Laws of NYS)

Tract - hall mean any body of land, including contiguous parcels of land, under one ownership or under common control of any group of persons acting in concert as part of a common scheme or plan.

ARTICLE III SUBDIVISION PROCEDURE

SECTION 301. Basic Procedural Requirements

Whenever any subdivision of land as hereinbefore defined is proposed to be made and before any contract for the sale of or any offer to sell such subdivision or any part thereof is made, the subdivider shall apply in writing to the Planning Board for the approval of such subdivision. The application of the subdivider shall conform to the specifications in Sections 302, 303, and 304 of these subdivision regulations.

SECTION 302: Pre-Application Procedure

The subdivider may file a pre-application sketch plan of the proposed subdivision with the Planning Board for their recommendation prior to the submission of the Preliminary Plat.

Such sketch plan, drawn on a topography survey shall show in general form, the proposed layout of streets and their relationship to existing traffic arteries and other facilities which will serve or influence the proposed subdivision.

The Planning Board shall study the sketch plan and any accompanying information and shall notify the subdivider that the sketch plan does or does not meet the objectives of these subdivision regulations.

The subdivider shall prepare the preliminary plat of the subdivision in accordance with Section 303 of these subdivision regulations and the recommendations of the Planning Board in regard to the pre-application subdivision sketch.

SECTION 303. Preliminary Plat

A. Step I

The subdivider shall submit six (6) copies of a preliminary plat of the proposed subdivision to the Planning Board showing or accompanied by the following information:

- 1) The proposed subdivision name and/or identifying title and the name and address of the owner of record, the subdivider, and the designer of the preliminary subdivision plat. date, scale, and true north direction.
- 2) The deed description and a map of survey of the tract boundary made and certified by a New York State Licensed land surveyor, and where practicable, tied into established reference points such as existing street corners, highways. or permanent boundary monuments.

- 3) A topographic map of the parcel of land to be subdivided at the same scale as the preliminary plat showing a contour interval of not more than five (5) feet.
- 4) The name, location and dimensions of existing or proposed streets, highways, alleys, parks and other public open spaces or uses of adjacent properties.
- 5) Soil tests prepared in accordance with standards of the Broome County Department of Health for subdivisions not serviced by public water and sewage systems.
- 6) The location and dimensions of any streets, or other public way or place platted upon the Official Map or the Comprehensive Plan of the Town, if such exists. for the property to be subdivided.
- 7) The location of existing sewer, water, or other utility lines including culverts, drain and easements on the property to be subdivided.
- 8) The location, dimensions, grades and profiles of all streets or other public ways proposed by the subdivider must comply with the "Construction Standards for the Town of Sanford".
- 9) Typical cross sections of proposed roadways, sidewalks, and grades drawn at an appropriate scale.
- 10) The proposed layout of lots, showing lot lines and dimensions and any areas to be dedicated or reserved for parks or other public uses.
- 11) The proposed sanitary sewage and water supply/plan, showing methods for obtaining and furnishing adequate and satisfactory water supply and sewage facilities in accordance with Article 11, Title II of the New York State Public Health Law and the standards of the Broome County Health Department.
- 12) A Stormwater Pollution Prevention Plan ("SWPPP"), if required by law.
- 13) If in conjunction with the preparation of the site in the manner and/or the use specified in the plat and its accompanying information the subdivider intends to excavate or have excavated gravel, sand, rock, top soil, or other similar materials for sale or for use or reuse at another site other than the original location of the excavation, such intentions shall be so stated on the plat or its accompanying information. This statement shall include an estimate of the amount in volume measurement units of such materials to be excavated.
- 14) Where the preliminary plat submitted covers only a part of the subdivider's entire holding, a sketch of the prospective future street system or the unsubmitted part will be considered in the light of adjustments and connections with the street system of the part- submitted.
- 15) A statement as to the land use permitted by the Land Use Management Local Law of the Town of Sanford as to the premises involved, and a further statement as to whether any request for rezoning is contemplated in the development.
- 16) A preliminary plat shall not be considered complete until the Code Enforcement Officer receives a signed letter from the Highway Superintendent on the Town Highway Department letterhead verifying that he or she has inspected the site and has determined that each new lot can be adequately accessed from a Town road and a copy of the letter is provided to the Planning Board.
- 17) The Planning Board shall comply with the provisions of the State Environmental Quality Review Act ("SEQRA") under Article 8 of the Environmental Conservation Law and its implementing regulations.
- 18) A preliminary plat shall not be considered complete until the Planning Board issues negative declaration pursuant to SEQRA, or until a notice of completion of the Draft Environmental Impact Statement has been filed in accordance with SEQRA. The time period for review of a preliminary plat shall begin upon filing a such negative declaration or such notice of completion.

B. Step II

- 1) The Planning Board shall study the preliminary plat and accompanying information in connection with the topography of the area, the existing requirements for the Land Use Management Local Law, the Comprehensive Plan and the Official Map, if such exists and shall take into consideration and general requirements of the community and the best use of the land

to be subdivided. Particular attention shall be given to matters enumerated in Sections 276, 277, 278, 279, 281, and 283-a of the Town Law, as amended from time to time, which are incorporated by reference herein as well as to specific requirements for parks, playgrounds, school sites, highways and streets, the adequacy of street connections and the suitability of the land for development.

- 2) Within sixty-two (62) days of receipt of a complete preliminary plat the Planning Board shall review the preliminary plat with the subdivider and his agent at a public hearing. The notice of public hearing shall be advertised at least once in the official newspaper of the Town at least five (5) days before such hearing.

C. Step III

- 1) Within sixty-two (62) days after the public hearing on the preliminary plat the Planning Board shall notify the subdivider of the following:
 - a) The specific changes which it will require in the preliminary plat, if any.
 - b) The character and extent of the required public improvements for which waivers may have been requested, and which in its opinion may be waived without jeopardy to the public health, safety, morals, and general welfare.
 - c) The amount of construction or improvement or the amount of the performance bond therefor which it will require as prerequisite to the approval of the final subdivision plat to be submitted subsequently.
- 2) The approved preliminary plat shall be certified by the Secretary of the Planning Board as having been granted preliminary approval, a copy filed in the Planning Board's office, and a certified copy mailed to the owner.
- 3) The Planning Board's approval of the preliminary plat shall not constitute approval of the Final Subdivision Plat. Rather it shall be deemed an expression of approval to the layout submitted as a guide to the preparation of the Final Subdivision Plat (Section 304) which will be submitted for approval of the Planning Board and for recording upon fulfillment of the requirements of these subdivision regulations.

SECTION 304. Final Subdivision Plat

A. Step I

The subdivider, after original written notification by the Planning Board with respect to the preliminary plat and the changes to be made thereon, if any, shall within six (6) months thereafter file with the Planning Board (original) drawings of the final subdivision plat. If the final plat is not submitted within six (6) months, approval of the preliminary plat may be revoked by the Planning Board. These shall be clearly and legibly drawn. The drawings shall have maximum dimensions of twenty-four (24) inches by thirty-six (36) inches. The drawings shall be at a scale of not more than one hundred (100) feet to the inch: When more than one sheet is required, an additional index sheet, at an appropriate scale, shall show the entire subdivision on one sheet with lot and block numbers. The subdivision plat shall show or be accompanied by the following information.

- 1) Proposed subdivision name or identifying title and the name of the Town and County in which the subdivision is located, the name and address of record owner and subdivider, name, license number and seal of the New York State Licensed professional engineer and/or New York State Licensed land surveyor responsible for the design, survey of the subdivision and/or the preparation of the plats, date, scale, and true north direction.
- 2) Lines and widths of streets, pedestrian ways, lots, reservations, easements, and all other areas to be dedicated to public use or to be held in reserve.
- 3) 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 and the boundary lines of each lot. All dimensions shall be shown in feet and decimals of a foot.
- 4) Sufficient data acceptable to the Code Enforcement Officer in order that he or she might readily determine the location, bearing and length of every street line, lot line, boundary line and reproduce such lines upon the ground. Where practicable, these should be referenced to

monuments, included in the state system of plane coordinates, and in any event should be tied to reference points previously established by a public authority.

- 5) Typical cross sections of streets and roads including drive-strip, curbs, walks, and/or shoulders drawn to scale as per the current version of the "Town of Sanford Construction Standards".
- 6) The layout of all permanent improvements such as sanitary sewers, storm „sewers, water mains, curbs, gutters and culverts. showing sizes, grades and elevations, the location of basin, manholes, and other underground conduits or appurtenances where such items are an integral part of the subdivision.
- 7) Lots and blocks within the subdivision numbered and lettered in alphabetical order in accordance with the prevailing Town practice.
- 8) Soil Tests as per Broome County Health Department regulations.
- 9) Permanent reference monuments shall be shown thus "X".
- 10) Lot corner markers shall be shown thus "07".
- 11) By proper designation, all public open spaces, other than streets, for which deeds of cession are submitted and those spaces to which title is reserved by the subdivider. Copies of agreements or other documents is showing the manner in which such areas are to be maintained and the provisions made therefore, offers of cession, deeds, and covenants governing the maintenance of conceded open spaces shall be approved by the Town Attorney as to their legal sufficiency.

B. Step II

2) Within sixty-two (62 days) from the date of submission of the complete subdivision plat to the Secretary of the Planning Board, the Planning Board shall hold a public hearing thereon in compliance with Section 276 of the Town Law. The notice of the public hearing shall be advertised at least once in the official newspaper of the Town at least five (5) days before such hearing. The subdivider shall be in attendance.

Pursuant to the provisions of Section 276 of the Town Law, as amended, the Planning Board may find that the final plat is in substantial agreement with the preliminary plat which was previously approved by the Board. Under these circumstances, the Planning Board may waive the holding of a public hearing on the final plat and the Board shall by resolution conditionally approve with or without modification, disapprove or grant final approval and authorize the signing of such plat within sixty-two (62) days of its receipt by the Secretary of the Planning Board.

C. Step III

Within sixty-two (62) days from the date of the public hearing regarding the final subdivision plat. The Planning Board shall, by certified mail with return receipt, notify the subdivider of the approval, approval with modification or disapproval of the subdivision plat.

- 1) In case of the disapproval of any subdivision plat submitted, the grounds of disapproval shall be stated upon the records of the Planning Board.
- 2) In case of an approval with modification, the subdivider shall correct the plat and its accompanying data in accordance with the required modifications of the Planning Board.

D. Step IV

Approval of the subdivision plat shall, however, not be deemed final until the subdivider has complied with the following, as applicable:

- 1) The subdivider shall complete in accordance with the Planning Board's decision, to the satisfaction of the Town Engineer and/or any other official or body authorized by the Town Board to act, all the streets and other improvements specified in Section 277 of the New York Town Law and not specifically waived by the Board and/or shall file with the Board an irrevocable letter or letters of credit complying with Section 277 of the Town Law and satisfactory to the Town Board as to form, sufficiency. manner of execution, and surety, for the

completion of such improvements as are not to be constructed and/or may not be approved by the Code Enforcement Officer.

- 2) The subdivider shall tender offers of cession in a form certified as satisfactory by the Town Board of all lands included in streets, highways or parks. not specifically reserved by him, but approval of the plat by the Planning Board shall not constitute an acceptance by the Town of the dedication of any street, highway, park or other public open spaces.
- 3) The subdivider shall obtain the approval of the New York State Department of Health, Division of Sanitation in accordance with Section 1115-1118. New York State Public Health Law and comply with regulations of Broome County Health Department.

E. Step V

Within sixty-two (62) days of the final approval of the subdivision plat by the Planning Board the subdivider shall file a copy of the subdivision plat in the office of the County Clerk. Said subdivision plat shall be endorsed in writing on the plat in such manner as the Planning Board may designate.. Such final approval shall have been deemed to expire if the plat is not so filed within the said sixty-two (62) days.

F. Step VI

The subdivider shall within ten (10) days after filing the subdivision plat with the County Clerk file a copy of the same plat with the Town Planning Board.

G. Step VII

After such plat shall have been filed with the County Clerk and the Town Planning Board, the subdivider shall be granted permission to proceed with the work necessary to construct and install the proposed streets and other improvements in accordance with the approved subdivision plot.

Such construction and installations shall comply with the "Construction Standards for the Town of Sanford."

- 1) Once subdivision site work is underway, the subdivider shall cooperate with the Code Enforcement Officer or any other duly designated official who shall be responsible for inspections necessary to ensure that all work is in accordance with the approved subdivision plat, the applicable standards set forth in the "Construction Standards for the Town of Sanford."
- 2) Permanent reference monuments of a type approved by the Code Enforcement Officer shall be set at all corners and angle points of the boundaries of the original tract to be subdivided, and at all street intersections, angle points in street lines, points of curve and such intermediate points as shall be required by the Code Enforcement Officer.
- 3) All lot corner markers shall be permanently located, satisfactory to the Code Enforcement Officer, at least three quarters (3/4) inches (if metal) in diameter and at least twenty-four (24) inches in length and located in the ground to existing grade.

SECTION 305. Town Board Acceptance of Improvements for Public Use and Maintenance

Upon completion of the construction and installation of streets and other improvements in accordance with the approved subdivision plat and the "Construction Standards for the Town of Sanford", and upon submission to the Town Board of as-built drawings indicating the precise location and construction standards of all public utilities, satisfactory deeds. Abstracts of Title and easements for streets, storm sewers, sanitary sewers, water lines, and other utilities as required, the Town Board shall take all necessary steps to accept these improvements for public use and permanent maintenance, in accordance with the provisions of the Town Law and any other applicable law, and the subdivider shall thereupon be released from any irrevocable letter or letters of credit posted and filed with the Town to guarantee any of the aforesaid proposed construction and installation.

Notwithstanding any of the foregoing, the Town Board shall require from the subdivider an affidavit stating that all bills and accounts for materials and labor used in the construction of improvements have been paid before said improvements will be accepted by the Town Board for public use and maintenance.

ARTICLE IV ENFORCEMENT

SECTION 401. Violations and Penalties

Appropriate actions and proceedings may be taken by law or in equity to prevent any violation of these Regulations, or prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, to prevent illegal occupancy of a building, structure or premises. These remedies shall be in addition to any penalties for violations of these Regulations as established by the Town Board in a separate local law, if any, describing the same.

ARTICLE V SEVERABILITY CLAUSE

Should any section, paragraph, sentence, clause or phrase of these regulations be declared unconstitutional or invalid for any reason by a Court of competent jurisdiction the remainder of said ordinance shall not be affected thereby.

ARTICLE VI REPEALER

All prior versions of these Subdivision Regulations are hereby repealed and superseded by the provisions of this Local Law.

ARTICLE VII EFFECTIVE DATE

These regulations shall take effect upon approval of these regulations by a Resolution of the Town Board of the Town of Sanford, New York.