

Fort Ann Planning Board
80 George Street, PO Box 314
Fort Ann, New York 12827

Subdivision Information Packet

This packet contains:

1. Subdivision Cover Page
2. Subdivision Sketch Plan Application Process
3. Subdivision Sketch Plan Application for Subdivisions
4. Subdivision Full Environmental Assessment Form
5. Subdivision Checklist for the Public Hearing
6. Subdivision Checklist
7. Subdivision Post Star Fee Notice
8. Subdivision Washington County Planning Department Fact Sheet
9. Subdivision Authorization of Representation
10. Subdivision Sample of Final Plat
11. Subdivision Amendment to Local Law #5 of 1990
12. Subdivision Procedure to File Subdivision Maps in Washington County
13. Subdivision County Clerk Requirements for Filing Subdivision Maps
14. Subdivision Realty Subdivision Checklist
15. Subdivision New York State Department of Health Applicant's Checklist for Proposed Realty Subdivisions
16. Subdivision Local Law Filing
17. Subdivision Regulations
18. Subdivision Property Identification Form

New Application Section

-Blank page-

TOWN OF FORT ANN PLANNING BOARD
SUBDIVISIONS
SKETCH PLAN APPLICATION PROCESS

Step 1 All Subdivision applicants must have the following completed and returned to the Planning Board Secretary **TEN (10) DAYS** prior to the meeting of said month.

1. Subdivision Application form
2. (EAF) Environmental Assessment form / SEQR
NOTE: If doing a MAJOR SUBDIVISION a LONG FORM SEQR form must be completed (Only Part One (1), for the preliminary review)
3. A copy of the Tax map showing the location of the Subdivision including A tax map number
4. An Agricultural Data Worksheet
5. Authorization form (if applicable)
6. A proper Sketch Plan of the Subdivision
7. (APA) Adirondack Park Agency approval letter (if applicable)
8. **THIRTEEN (13) COPIES** of all the above forms and sketches
9. **IF THIS IS A MINOR SUBDIVISION:**
A Check for the Subdivision fee in the amount of **FIFTY (\$50.00) dollars must be made payable to the "TOWN OF FORT ANN".**

IF THIS IS A MAJOR SUBDIVISION:
A Check for the Subdivision fee in the amount of **FIVE HUNDRED (\$500.00) DOLLARS** for the first lot and **TWO HUNDRED FIFTY (\$250.00) DOLLARS** for each additional lot must be made payable to the **"TOWN OF FORT ANN".**

NOTE: Another check must also accompany this application in the amount of ONE THOUSAND (\$1,000.00) DOLLARS which is for Engineering fees. This check is also made payable to the **"TOWN OF FORT ANN".**

NOTE: All Engineering and Legal Fees (if applicable) must be paid in full prior to any Signatures by Town Officials

Step 2 The applicant will receive in the mail prior to the meeting of said month a letter from the Town Engineer with comments of any problems, corrections that need to be made and required forms or letters that need to be obtained.

- Step 3 The applicant and / or representative must be present at the meeting of said month to answer questions and discuss their project with the Planning Board members. The meetings are held at the **FORT ANN TOWN HALL** in the Town of Fort Ann on the Fourth Monday of said Month at **SEVEN (7:00) p.m.** Then a determination will be made if this is a Minor or Major subdivision project.
- Step 4 A **PUBLIC HEARING** must be held on all Subdivision projects (except Family) In the Town of Fort Ann. This Public Hearing will be Published in the local Town Newspaper (**THE POST STAR**) at least **FIVE (5) DAYS** prior to said meeting. This Public Hearing will be held on the Month after the Planning Board accepts your application as being complete.
- Step 5 The Subdivision project may require **Washington County Planning Board Approval** and the applicant will need to supply an additional **THIRTEEN (13) COPIES** of said Application for their review. The applicant can attend this meeting which is held on the Second (2nd) Monday of the month. After this meeting the Secretary of the Planning Board will receive a letter of comments from the Washington County Planning Board for the Fort Ann Planning Board to review.
- Step 6 The applicant shall provide a Final Subdivision application within **SIX (6) MONTHS** after the Preliminary plans have been accepted.
- Step 7 For the Final Subdivision Review: **THIRTEEN (13) COPIES** of all Revised and Final Sketch Plans and paperwork including any letters of approval and any Jurisdictional Determinations from any outside agencies must be received by the Secretary of the Planning Board **TEN (10) days** prior to the final meeting for approval.
- Step 8 Once Final Approval has been given the applicant can then get a **MYLAR MAP** of the Final Sketch Map and have it dated and signed by the Chairperson and Secretary of the Fort Ann Planning Board. The applicant must then take all **Washington County** forms and maps to the **Washington County Clerks office** to file.

NOTE: The filing of the **MYLAR MAP** with the **Washington County Clerk** must be done within **NINETY (90) days** after being signed.

New Application Section

-Blank page-

**FORT ANN PLANNING BOARD
SKETCH PLAN APPLICATION FOR SUBDIVISIONS**

NOTE: Please read the subdivision ordinance prior to completing this application form

Title of Subdivision _____

APPLICANT INFORMATION:

Name _____

Address _____

Phone Number _____ Fax Number _____

PROPERTY OWNER INFORMATION

Name _____

Address _____

Phone Number _____ Fax Number _____

Is this property located in the Adirondack Park ? YES _____ NO _____

Engineer and / or Land Surveyor:

Name _____

Address _____

Phone Number _____ Fax Number _____

Contractors:

Name _____

Address _____

Phone Number _____ Fax Number _____

Exact Location :

List all Existing easements and / or deed restrictions:

Attach a list of all abutting property owners and property owners directly across adjoining roads with correct mailing addresses.

Lots will be (check appropriate line) Rented _____ Leased _____ Sold _____

Number of Lots: _____

The Town of Fort Ann Planning Board is hereby requested to authorize the following variance to or waivers of its regulations regarding the subdivision of land in the Town of Fort Ann.

Submit the following:

For Initial Planning Board Meeting:

- 1. Sketch Plan Application
- 2. Environmental Assessment form
 - a. Short Form for Minor Subdivisions
 - b. Long Form for Major Subdivisions
- 3. List of Adjoining Property Owners

For Minor Subdivisions

- 1. Three (3) copies of Preliminary Subdivision Plat

For Major Subdivisions

- 1. Ten (10) copies of the Preliminary Subdivision Plat

Filing Fees: (To be paid with filing of Application)

- 1. Minor Subdivisions \$ 50.00 (4 lots or less Total)
- 2. Major Subdivisions \$ 500.00 (for 1st lot)
- 250.00 (for each additional lot)

The Fort Ann Planning Board does employ an Engineer and Legal Counsel to assist in the review of Subdivision. All costs for each service shall be borne by the Subdivider. In addition, the Planning Board reserves the right to request advance deposits to cover such reviews as it sees fit.

The undersigned hereby acknowledges receiving a copy of the afore mentioned regulations and hereby requests review by the Town of Fort Ann Planning Board of the above identified Subdivision.

Signature of Property Owner

Date

Signature of Applicant

Date

New Application Section

-Blank page-

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? 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.			NO	YES
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO	YES
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.				
<div style="display: flex; justify-content: space-between;"> Urban Rural (non-agriculture) Industrial Commercial Residential (suburban) </div> <div style="display: flex; justify-content: space-between;"> Forest Agriculture Aquatic Other (specify): _____ </div> <div style="display: flex; justify-content: space-between;"> Parkland </div>				

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.

<p>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.</p> <p>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.</p>	
_____	_____
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)

New Application Section

-Blank page-

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Sponsor Information.

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

B. Government Approvals

B. Government Approvals Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

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

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? Yes No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? Yes No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) Yes No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? Yes No

If Yes, identify the plan(s):

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?	Yes No

b. Is the use permitted or allowed by a special or conditional use permit?	Yes No
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site?	Yes No
C.4. Existing community services.	
a. In what school district is the project site located?	
b. What police or other public protection forces serve the project site?	
c. Which fire protection and emergency medical services serve the project site?	

d. What parks serve the project site?	

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?	
b. a. Total acreage of the site of the proposed action? _____ acres	
b. Total acreage to be physically disturbed? _____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres	
c. Is the proposed action an expansion of an existing project or use? Yes No	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? Yes No	
If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____	
ii. Is a cluster/conservation layout proposed? Yes No	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will proposed action be constructed in multiple phases? Yes No	
i. If No, anticipated period of construction: _____ months	
ii. If Yes:	
• Total number of phases anticipated _____	
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year	
• Anticipated completion date of final phase _____ month _____ year	
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____	

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: height; width; and length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment:

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify:

iii. If other than water, identify the type of impounded/contained liquids and their source.

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: height; length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards):
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe.

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan:

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description):

<p><i>ii.</i> Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:</p> <p>_____</p>		
<p><i>iii.</i> Will proposed action cause or result in disturbance to bottom sediments? If Yes, describe: _____</p>	Yes	No
<p><i>iv.</i> Will proposed action cause or result in the destruction or removal of aquatic vegetation? If Yes:</p> <ul style="list-style-type: none"> • acres of aquatic vegetation proposed to be removed: _____ • <u>expected</u> acreage of aquatic vegetation remaining after project completion: _____ • purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____ • proposed method of plant removal: _____ • if chemical/herbicide treatment will be used, specify product(s): _____ 	Yes	No
<p><i>v.</i> Describe any proposed reclamation/mitigation following disturbance:</p> <p>_____</p>		
<p><i>c.</i> Will the proposed action use, or create a new demand for water? If Yes:</p>	Yes	No
<p><i>i.</i> Total anticipated water usage/demand per day: _____ gallons/day</p>		
<p><i>ii.</i> Will the proposed action obtain water from an existing public water supply? If Yes:</p> <ul style="list-style-type: none"> • Name of district or service area: _____ • Does the existing public water supply have capacity to serve the proposal? _____ • Is the project site in the existing district? _____ • Is expansion of the district needed? _____ • Do existing lines serve the project site? _____ 	Yes	No
<p><i>iii.</i> Will line extension within an existing district be necessary to supply the project? If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ • Source(s) of supply for the district: _____ 	Yes	No
<p><i>iv.</i> Is a new water supply district or service area proposed to be formed to serve the project site? If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • Proposed source(s) of supply for new district: _____ 	Yes	No
<p><i>v.</i> If a public water supply will not be used, describe plans to provide water supply for the project:</p> <p>_____</p>		
<p><i>vi.</i> If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.</p>		
<p><i>d.</i> Will the proposed action generate liquid wastes? If Yes:</p>	Yes	No
<p><i>i.</i> Total anticipated liquid waste generation per day: _____ gallons/day</p>		
<p><i>ii.</i> Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____</p>		
<p><i>iii.</i> Will the proposed action use any existing public wastewater treatment facilities? If Yes:</p> <ul style="list-style-type: none"> • Name of wastewater treatment plant to be used: _____ • Name of district: _____ • Does the existing wastewater treatment plant have capacity to serve the project? _____ • Is the project site in the existing district? _____ • Is expansion of the district needed? _____ 	Yes	No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? • Will line extension within an existing district be necessary to serve the project? <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: 	Yes	No
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: • What is the receiving water for the wastewater discharge? 	Yes	No
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):</p> <p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste:</p> <p>_____</p>		
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p style="padding-left: 40px;">_____ Square feet or _____ acres (impervious surface)</p> <p style="padding-left: 40px;">_____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources.</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: • Will stormwater runoff flow to adjacent properties? 	Yes	No
<p>iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?</p>	Yes	No
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)</p> <p>_____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)</p> <p>_____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</p> <p>_____</p>	Yes	No
<p>g. Will any air emission sources named in D.2 f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 	Yes	No

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

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility:

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

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents:

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility:

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____
 ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

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

<p>c. Is the project site presently used by members of the community for public recreation? <i>i. If Yes: explain:</i></p>	Yes	No
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, <i>i. Identify Facilities:</i></p> <p>_____</p>	Yes	No
<p>e. Does the project site contain an existing dam? If Yes: <i>i. Dimensions of the dam and impoundment:</i></p> <ul style="list-style-type: none"> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet <p><i>ii. Dam's existing hazard classification:</i> <i>iii. Provide date and summarize results of last inspection:</i></p> <p>_____</p>	Yes	No
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: <i>i. Has the facility been formally closed?</i></p> <p style="text-align: right;">Yes No</p> <ul style="list-style-type: none"> • If yes, cite sources/documentation: _____ <p><i>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:</i></p> <p>_____</p> <p><i>iii. Describe any development constraints due to the prior solid waste activities:</i></p> <p>_____</p>	Yes	No
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: <i>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:</i></p> <p>_____</p>	Yes	No
<p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: <i>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:</i></p> <p style="padding-left: 20px;"> <input type="checkbox"/> Yes – Spills Incidents database Provide DEC ID number(s): <input type="checkbox"/> Yes – Environmental Site Remediation database Provide DEC ID number(s): <input type="checkbox"/> Neither database </p> <p><i>ii. If site has been subject of RCRA corrective activities, describe control measures:</i></p> <p>_____</p> <p><i>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s):</i></p> <p style="text-align: right;">Yes No</p> <p><i>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):</i></p> <p>_____</p>	Yes	No

m. Identify the predominant wildlife species that occupy or use the project site:		
n. Does the project site contain a designated significant natural community? If Yes: <i>i.</i> Describe the habitat/community (composition, function, and basis for designation): <i>ii.</i> Source(s) of description or evaluation: <i>iii.</i> Extent of community/habitat:	Yes	No
<ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 		-
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?	Yes	No
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?	Yes	No
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? If yes, give a brief description of how the proposed action may affect that use:	Yes	No
E.3. Designated Public Resources On or Near Project Site		
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? If Yes, provide county plus district name/number: _____	Yes	No
b. Are agricultural lands consisting of highly productive soils present? <i>i.</i> If Yes: acreage(s) on project site? <i>ii.</i> Source(s) of soil rating(s):	Yes	No
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? If Yes: <i>i.</i> Nature of the natural landmark: Biological Community Geological Feature <i>ii.</i> Provide brief description of landmark, including values behind designation and approximate size/extent:	Yes	No
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? If Yes: <i>i.</i> CEA name: _____ <i>ii.</i> Basis for designation: <i>iii.</i> Designating agency and date: _____	Yes	No

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

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name _____ Date _____

Signature

Title

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “Yes” to a numbered question, please complete all the questions that follow in that section.
- If you answer “No” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land		NO	YES
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d		
b. The proposed action may involve construction on slopes of 15% or greater.	E2f		
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a		
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a		
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e		
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q		
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i		
h. Other impacts: _____			

2. Impact on Geological Features			
The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)		NO	YES
<i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g		
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c		
c. Other impacts: _____			

3. Impacts on Surface Water			
The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)		NO	YES
<i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h		
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b		
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a		
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h		
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h		
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c		
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d		
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e		
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h		
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h		
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d		

1. Other impacts:			
-------------------	--	--	--

4. Impact on groundwater			
The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>		NO	YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c		
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer Cite Source:	D2c		
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c		
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l		
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h		
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l		
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c		
h. Other impacts:			

5. Impact on Flooding			
The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>		NO	YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i		
b. The proposed action may result in development within a 100 year floodplain.	E2j		
c. The proposed action may result in development within a 500 year floodplain.	E2k		
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e		
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k		
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e		

g. Other impacts:			
-------------------	--	--	--

6. Impacts on Air			
The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>		NO	YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h		
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g		
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g		
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g		
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s		
f. Other impacts:			

7. Impact on Plants and Animals			
The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>		NO	YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o		
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o		
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p		
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p		

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c		
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source:	E2n		
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m		
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b		
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q		
j. Other impacts:			

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		NO	YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b		
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b		
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b		
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a		
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b		
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d		
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c		
h. Other impacts:			

9. Impact on Aesthetic Resources		NO	YES
<p>The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)</p> <p><i>If "Yes", answer questions a - g. If "No", go to Section 10.</i></p>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h		
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b		
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h		
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c		
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h		
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g		
g. Other impacts:			

10. Impact on Historic and Archeological Resources		NO	YES
<p>The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)</p> <p><i>If "Yes", answer questions a - e. If "No", go to Section 11.</i></p>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e		
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f		
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory Source:	E3g		

d. Other impacts:			
e. If any of the above (a-d) are answered “Yes”, continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f		
ii. The proposed action may result in the alteration of the property’s setting or integrity.	E3e, E3f, E3g, E1a, E1b		
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3		

11. Impact on Open Space and Recreation			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If “Yes”, answer questions a - e. If “No”, go to Section 12.</i>		NO	YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p		
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q		
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q		
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c		
e. Other impacts:			

12. Impact on Critical Environmental Areas			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If “Yes”, answer questions a - c. If “No”, go to Section 13.</i>		NO	YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d		
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d		
c. Other impacts:			

13. Impact on Transportation			
The proposed action may result in a change to existing transportation systems. (See Part 1. D.2.j) <i>If "Yes", answer questions a - g. If "No", go to Section 14.</i>		NO	YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j		
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j		
c. The proposed action will degrade existing transit access.	D2j		
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j		
e. The proposed action may alter the present pattern of movement of people or goods.	D2j		
f. Other impacts:			

14. Impact on Energy			
The proposed action may cause an increase in the use of any form of energy. (See Part 1. D.2.k) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>		NO	YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k		
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k		
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k		
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g		
e. Other Impacts:			

15. Impact on Noise, Odor, and Light			
The proposed action may result in an increase in noise, odors, or outdoor lighting. (See Part 1. D.2.m., n., and o.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>		NO	YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m		
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d		
c. The proposed action may result in routine odors for more than one hour per day.	D2o		

d. The proposed action may result in light shining onto adjoining properties.	D2n		
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a		
f. Other impacts: _____			

16. Impact on Human Health			
The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i>		NO	YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d		
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h		
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h		
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h		
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h		
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t		
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f		
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f		
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s		
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h		
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g		
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r		
m. Other impacts:			

17. Consistency with Community Plans			
The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>		NO	YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b		
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2		
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3		
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2		
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b		
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j		
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a		
h. Other:			

18. Consistency with Community Character			
The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>		NO	YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g		
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4		
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a		
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3		
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3		
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h		
g. Other impacts:			

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status:	Type 1	Unlisted		
Identify portions of EAF completed for this Project:	Part 1	Part 2	Part 3	

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

New Application Section

-Blank page-

TOWN OF FORT ANN SUBDIVISION CHECKLIST

Note: The following information is needed for the Public Hearing

Subdivision Name _____

Applicant's Name _____

Date of Application _____

Subdivision plat drawn to scale to include the following information:

	Yes	No
1. Copy of covents attached?	_____	_____
Deed restrictions attached?	_____	_____
2. Actual field survey certified by licensed land Surveyor ?	_____	_____
All bearings, distances, areas shown on plat ?	_____	_____
All lot corners set ?	_____	_____
3. On-site sanitary sewer system shown ?	_____	_____
Water supply facilities shown ?	_____	_____
4. Name of subdivision shown ?	_____	_____
County, Town name on plat ?	_____	_____

Other requirements:

1. All Fees paid ?	_____	_____
2. Map signed by Chairman and Secretary of Planning Board ?	_____	_____
3. Map filed in Washington County clerk's office ?	_____	_____

Date filed ? _____

TOWN OF FORT ANN
SUBDIVISION CHECKLIST

Subdivision Name _____

Applicant's Name _____

Date of Subdivision _____

	Yes	No
1. Is entire parcel shown ?	_____	_____
Is Proposed subdivision shown ?	_____	_____
Distance to nearest street intersection ?	_____	_____
2. Existing structures shown ?	_____	_____
Existing wooded areas shown ?	_____	_____
Existing streams shown ?	_____	_____
Contours shown ?	_____	_____
3. Name of all adjacent owners shown ?	_____	_____
4. Tax map sheet, block, lot number shown ?	_____	_____
5. All existing utilities shown ?	_____	_____
All existing streets shown ?	_____	_____
6. Lot layout shown ?	_____	_____
Lot dimensions shown ?	_____	_____
Proposed streets shown ?	_____	_____
Recreation areas shown ?	_____	_____
Storm sewer system shown ?	_____	_____
Sanitary sewer system shown ?	_____	_____
Water system shown ?	_____	_____
7. All existing restrictions listed ?	_____	_____
All existing easements shown ?	_____	_____
8. Short form EAF completed ?	_____	_____
9. Sketch Plan application completed ?	_____	_____

New Application Section

-Blank page-

Agricultural Data Statements Required for Subdivision, Zoning and Site Plan Reviews

Section 283-a of Town Law and Section 7-741 of Village Law (effective July 1, 1993) now require applicants for *subdivision approval, special use permits, use variances and site plan reviews* (with projects on property located within an agricultural district or within 500 ft of a farm operation located within an agricultural district); to submit an "agricultural data statement" to the review board.

The Statement is to contain:

- 1- The name and address of the applicant
- 2- A description of the proposed project and its location
- 3- The name and address of any owner of an active farm operation (*i.e.: land used is agricultural production, farm buildings, equipment and farm residential buildings*) within an agricultural district which is located within 500 ft of property containing the proposed project
- 4- A tax map (or other map) showing the site of the proposed project relative to the location of farm operations identified in the agricultural data statement

The information contained in an "agricultural data statement" may be included as part of any Other required application materials

Municipal responsibilities upon receiving an "agricultural data statement" :

. The reviewing board is to give consideration to the Impacts which such proposed projects may have on Identified farm operations as part of the reviewing process (NOTE: this might most appropriately be done in concert with any required SEQR review as part of the environmental impacts reviewed pursuant to that process).

. Upon receipt of such an application, the clerk of the reviewing board must mail written notice describing the proposed action and its location, to the owners of land identified in the agricultural data statement (NOTE: this might be accomplished through a mailing of any public hearing notice to the Identified land owners). The cost of the mailing is to be borne by the applicant.

. Special use permits, site plan reviews and use variances (*issued pursuant to zoning regulations*) requiring an agricultural data statement; are also subject to referral to the County Planning Board before the local reviewing board may take its final decision on the application (pursuant to the provisions of General Municipal Law section 239-m)

AGRICULTURAL DATA STATEMENT

Section 283-a of Town Law and Section 7-741 of village law (*effective July 1, 1993*) require applicants for *subdivision approval, special use permits, use variance and site plan reviews*, to submit the following information. If the property upon which their proposal is located is in an agricultural district or the boundaries of such property are within 500 ft of a farm operation (*i.e., land used in agricultural production, farm buildings, equipment and farm residential buildings*) located within an agricultural district:

1. _____
(name of the applicant)

(address of the applicant)

2. A description of the proposed project and its location

3. The name and address of any owner of an active farm operation within an agricultural district which is located within 500 ft of property containing the proposed project (continue on back as necessary)

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____

4. A tax map (or other map) showing the site of the proposed project relative to the location of farm operations Identified in 3.

NOTE: The law requires the clerk of the reviewing board to send notice describing your proposal and its location to those farm operations owners Identified above. Information regarding the location of property in agricultural districts and copies of tax maps may be obtained from the Washington County Real Property Tax Services, County Office Bldg., Upper Broadway, Fort Edward, NY 12828; tele: 518-746-2130. The cost for copies of Individual tax map sheets at a scale of 1:400 and 1:800 is currently \$6.00 (7/93)

New Application Section

-Blank page-

AUTHORIZATION OF REPRESENTATION

I _____ here by give Authorization

For _____ to represent me on

Property located at :

Date _____

Signature _____

New Application Section

-Blank page-

Sample of final plat with all the necessary information

Investigation conducted herein stipulates that 1985 survey was prepared in accordance with the existing laws of the State of New York. This investigation of Professional Land Surveyor, State of New York, is limited only to the title shown. Professional Engineer and Land Surveyor. Investigations are not conducted to determine the accuracy of previous surveys or to determine the location of boundaries.

LANDS OF ELMS

BY 41
ST 40

LAND OF IRA SKINNER 11/16/79

LANDS OF CLIFFORD ELMS 4/14/220

ARTILLERY ARTILLERY

PAYEE PAYEE

TO BE RETAINED BY EVANS

S81°48'51"E 544.50'

(C)

2.500 ACRES

S81°48'51"E 544.50'

(B)

2.500 ACRES

S81°48'51"E 544.50'

(A)

2.500 ACRES

S81°48'51"E 544.50'

LANDS OF WRAY & ROSE ANN JACKSON 5/22/92

ALL ON-SITE FACILITIES AND WATER SHUTTLER FACILITIES SHALL BE DEMOLISHED TO MEET THE MINIMUM SPECIFICATIONS OF THE STATE OF NEW YORK AND THE WASHINGTON COUNTY ZONING ORDINANCE.

NOTES:

1. BEEN REFERENCE L 582 P 1171
2. SUBJECT TO ANY RIGHTS OF WAY AND/OR EASEMENTS OF RECORD
3. DUE TO LACK OF MONUMENTATION, ROAD BOUNDS HAVE BEEN APPROXIMATED AT 1/2 RODS (247.5 FEET) FROM CENTERLINE.
4. CONTOURS INTERPOLATED FROM U.S.G.S 1:24000 QUAD SHEETS CONTOUR INTERVAL IS 10 FEET

LEGEND:

- IRON PIN SET
- WIRE FENCE
- OVERHEAD UTILITIES
- UNDERGROUND UTILITIES

TAX MAP ID # 04-1-4
OWNERS OF RECORD:
DR & MRS. HILLIS EVANS
421 MENJES LAKE
MADISON, TENNESSEE 37115

SURVEY MAP OF PROPOSED SUBDIVISION OF LANDS OF

HILLIS F. EVANS
AND
ELIZABETH EVANS
TOWN OF FORT ANN COUNTY OF WASHINGTON STATE OF NEW YORK

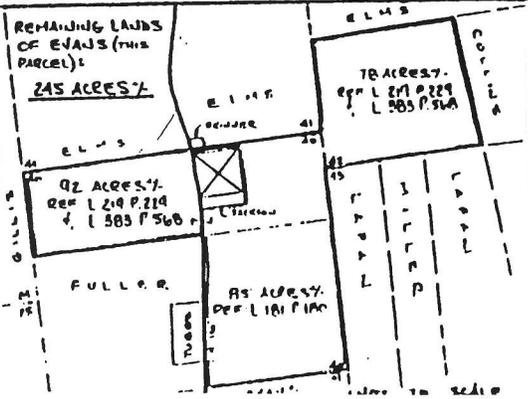
SCALE: 1" = 50'
DATE 05/06/91 DWG # W2584F

SANTO ASSOCIATES, P.C.

PROFESSIONAL ENGINEERING AND
LAND SURVEYING
RD 2, BOX 516
CORNERS, NEW YORK 12113
518-MT-5136 518-MT-5115
FAX 518-MT-5648

Adrian C. Santo

LANDS OF EVANS



N

MAGNETIC NORTH - MAY, 1991

New Application Section

-Blank page-

Town of Fort Ann Land Subdivision Regulations

Local Law No. 2 of 2007

Amendment to Local Law # 5 of 1990

Section 2.01- Section 2.1.1 of Local Law 5 of 1990 is hereby amended as follows:

Any owner of land shall, prior to subdividing or re-subdividing land, submit to the Secretary of the Planning Board at least ten (10 days) prior to the regular meeting of the Board (13 copies) of the Sketch plan of the proposed subdivision on 8 ½ x 14 legal size paper and three (3) mylar-sized copies of the proposed subdivision, which sketch and application shall comply with the requirements of Article IV, for the purpose of classification (Major or Minor) and preliminary discussion.

Section 2.02 -- Section 2.2.3 of Local law 5 of 1990 is hereby amended as follows:

The applicant shall submit thirteen (13 copies) of the subdivision plat on 8 ½ x 14 legal size paper and three (3) mylar --sized copies and shall submit such copies at least ten (10 days) prior to the scheduled monthly meeting of the Planning Board.

Section 2.03-Section 2.3.2 of local law 5 of 1990 is hereby amended as follows:

The applicant shall submit thirteen (13) copies of the subdivision plat on 8 ½ x 14 legal size paper and three (3) mylar sized copies and shall submit such copies at least (10) days prior to the scheduled monthly meeting of the Planning Board.

New Application Section

-Blank page-

General Municipal Law §239-M Referral Form
Washington County Planning Board

October 2013

Please note, Washington County now requires 12 complete application sets including supplement application material and a CD with a digital application to review a project.

Below is their new checklist.

Location is within 500 feet of the following:

- Municipal Boundary
- Right-of-Way of County/State Expressway, Highway or Road
- Boundary of County/State-owned Land Containing a Public Building or Institution
- Boundary of a Farm Operation Located in an Agricultural District
- Not Applicable

Include the following:

- Completed Environmental Assessment Form (EAF) and all other materials used by the referring body to make a determination of significance pursuant to the State Environmental Quality Review Act (SEQRA).
 - If Type II Action, please note the number of the action as listed under 6NYCRR Part 617.5 (c):
-
- Copy of the full text of ordinance or local law being proposed or amended (if applicable).
 - Copy of the application submitted to referring body.
 - Maps and plans (i.e. conceptual site plan, schematic plan, site details, etc.): If oversized (larger than 11"x17"), please reduce original maps and plans to 11"x17" for submission.
 - Aerial photograph(s) showing the context of the site location.
 - Twelve (12) printed copies of the full statement with the above stated inclusions.
 - An electronic version of the completed full statement: please provide CD copy or e-mail to the Washington County Real Property.

**PROCEDURE TO FILE
SUBDIVISION MAPS
IN WASHINGTON COUNTY**

After Planning Board Approval, most towns require subdivision maps to be recorded at the County Clerks Office within a specified time, usually 30, 60 or 90 days. Be sure the map has the following stamped or attached separate stationery:

- (A) Surveyor's certification and seal, both signed
- (B) Town Board Planning Approval, seal and /or signatures

Required steps to file subdivision map are as follows:

1. Obtain a 10 year tax search from the Washington County Treasurer. Name & tax map number of subdivided parcel(s) are required. Fee for tax search is \$20.00. If paid by check, make payable to: **Washington County Treasurer**. It may take the Treasurer's Office a few days or up to two weeks to complete, depending on current work load.

NOTE: Upon receipt of search, check bottom to see if there is a notation about the search not covering a specific tax bill. If there is such notation, be sure you have a copy of that PAID receipt with you when you file your map with the County Clerk.

2. Obtain a Tax Map Maintenance Certificate [WCRPTS 503 (7)] from Real Property Tax Service. Mylar subdivision map and tax map number of subdivided parcel (s) are required. Certificates are issued within a few minutes. Fees for certificates are as follows:

1-3 Lot Subdivisions	\$25.00
4-9 Lot Subdivisions	50.00
10 or more Lot Subdivision	100.00

If paid by check , make check payable to: **Washington County Treasurer**.

NOTE: If the Planning Board considers the revision to be a "boundary line adjustment", there will be a fee charged and certificate issued since the revision necessitates a change to the tax map.

3. Bring the mylar subdivision map, tax map maintenance certificate and 10 yr. Tax search to the County Clerk's office for recording. Fee for recording a subdivision map is \$10.00. If paid by check, make payable to : **Washington County Clerk**.

COUNTY CLERK REQUIREMENTS
FOR FILING SUBDIVISION MAPS

- 1.) MAP MUST BE ON MYLAR
- 2.) PLANNING BOARD HAS SIGNED MAP OR IS ON THEIR LETTERHEAD (WE DO NOT CHECK DATES)
- 3.) REAL PROPERTY CERTIFICATION
- 4.) 10 YEAR TAX SEARCH FROM TREASURERS. IF TAXES HAVE BEEN LEVIED, WE ALSO NEED COPY OF PAID TAXES.
- 5.) DOH CERTIFICATE
- 6.) SURVEYORS SEAL (SIGNED)
- 7.) SURVEYORS CERTIFICATION (SIGNED)
(CAN BE ON MAP OR LETTERHEAD)

WE WILL THEN SEND LETTER TO PLANNING BOARD STATING DATE AND MAP NUMBER.

PLEASE MAKE SURE INK IS DRY ON MYLAR AS IT COULD RUB OFF REMOVING LINES.

New Application Section

-Blank page-

Realty Subdivision Checklist

To be completed by owner/ applicant (or designated agent).

Please answer the following questions regarding your subdivision application:

- 1) Number of lots* created by this subdivision: _____
- 2) Number of lots to be created of 5 acres or less: _____
- 3) Has this tract* of land been subdivided within the past 3 consecutive years? _____
- 4) If yes, please state the date(s) when the plats (maps) were filed with the Washington County Clerk's Office: _____
- 5) Numbers of lots created by all previous subdivision(s) of 5 acres or less: _____
- 6) Will the total number of lots of 5 acres or less from all subdivisions (including the subdivision currently being created) exceed 5 lots: _____

****Definitions:***

The term lot(s) shall mean all lots, including non-contiguous lots, which are less than one-half mile from any point on the boundary of any other lot in the tract of land to be subdivided.

The term tract refers to "any body of land, including contiguous parcel 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." (Public Health Law, Article 11, Section 1115 Subsection 2).

I, _____ hereby certify that the
(please print)
information given above and contained in this form is true and accurate.

Signature: _____ Date: _____

Compliance with Public Health Law

Applicant, please read the following and proceed according:

If the answer to either question number 2 or 5 of the Realty Subdivision Checklist exceeds five (5) or the answer to question number 6 is yes than the applicant is creating a realty subdivision. Applicants creating a realty subdivision must apply to the New York State Department of Health for approval of the water supply and sewage service facilities in compliance with Public Health Law (Article 11, Title II).

Please use enclosed New York State Department of Health (NYSDOH) "Applicant's Checklist for Proposed Realty Subdivisions" and contact the NYSDOH for further information and instructions.

Glens Falls District Office
77 Mohican Street
Glens Falls , NY 12801
Phone(518) 793-3893

For office use:

If the applicant does not appear to meet the criteria of a realty subdivision and your municipality has determined that this subdivision does not require NYSDOH approval, please sign the statement below and attach this checklist to the approved subdivision plat (maps) for filing with the Washington County Clerk's Office. The municipal board with the authority to make the final decision regarding subdivision reviews should complete and sign the following statement:

The ~~Planning Board, Town Board or Village Board of Trustees~~ of the ~~Town/ Village~~ of _____ (Circle One) _____ (Circle One) has determined that this subdivision does not meet the criteria of a Realty Subdivision as defined by Article 11 Title II Section 1115 of Public Health Law; therefore, does not require approval of the New York State Department of Health.

~~Planning Board Chair, Town Supervisor, or Village Mayor:~~ _____ (Please Print)
(Circle One)

Signature: _____

Date: _____

New Application Section

-Blank page-



NEW YORK STATE DEPARTMENT OF HEALTH
Bureau of Water Supply Protection

APPLICANT'S CHECKLIST FOR PROPOSED REALTY SUBDIVISIONS

Proposed Realty Subdivision name and location: (C,V,T) County	Applicant (owner):
Total parcel size owned: _____ acres Total proposed project size (this application): _____ acres Number of proposed lots: _____ Phase #: ____ of ____ <input type="checkbox"/> Public Water <input type="checkbox"/> Private Wells <input type="checkbox"/> Public Sewer <input type="checkbox"/> Private Septic Systems	Prepared by (professional engineer or registered architect):

Attached is an application and plans for the water and sewerage facilities to serve this proposed Realty Subdivision. The following indicated information is being submitted for NYSDOH review and approval consideration.

General:

- At least two (2) complete sets of plans (including a site location map on the cover page)
- Form DOH-2249, "Plan Review Fee Determination Schedule", with fee submitted (\$25/lot of ≤ 5 acres)
- Form GEN-157, "Application for Approval of Sanitary Facilities for Realty Subdivisions"
- SEQRA determination: Full EAF signed by the designated lead agency (e.g., municipal authority)
- Subdivision plans signed and stamped by a New York State licensed P.E. or R.A.
- Plat plan signed and stamped by a New York State licensed Land Surveyor
- NYSDEC and/or Local Authority wetlands determination shown on plans (if necessary)
- NYSDEC and/or Local Authority wetlands disturbance permit (if necessary)
- All metes & bounds, easements and right-of-ways shown on plans
- Topographic features shown on plans (e.g., site contours, flood plains, water bodies, rock outcropping, etc.)

Public Water: (if applicable)

- Form DOH-348, "Application for Approval of Plans for Public Water Supply Improvement"
- Engineer's Report demonstrating a water supply of sufficient quantity and quality
- NYSDEC WSA and Permit for a new water supply or a service area extension
- Water supply distribution network details and notes shown on plans
- Letter from the water supplier stating their ability and willingness to supply water to the subdivision

Public Sewerage: (if applicable)

- Sewer and storm water plans submitted to NYSDEC for review
- Letter from the sewer service provider stating their ability and willingness to service the subdivision

Private wells (reference standard 10NYCRR Part 5, Appendix 5-B): (if applicable)

- At least one (1) test well for every ten (10) lots
- Drilling log(s) with geological profiles
- Yield test(s) data
- Water quality analysis (laboratory reports)
- "Typical" drilled well construction details shown on plans
- Proposed well locations for each lot and applicable separation distances shown on plans

Private Septic Systems (reference standard 10NYCRR Appendix 75-A): (if applicable)

- Soil and site investigation data (deep hole observations, percolation tests results and locations) shown on plans
- "Typical" septic system design (daily flows, septic tank size, trench length, absorption area, etc.) shown on plans
- Septic system locations for each lot and applicable separation distances shown on plans

Other:

- _____
- _____

Submitted by: _____ Date: _____

Signature: _____

This box For NYSDOH use only
eHIPS facility #: _____
Plan Log: _____
Assigned to: _____

New Application Section

-Blank page-

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underling to indicate new matter.

Town of Fort Ann, Washington County

Local Law No. 1 of the year 1994

A Local Law amending Local Law No. 5 of 1990 (Land Subdivision Regulations) so as to provide for an Immediate Family Exemption

Be it enacted by the Town Board of the

Town of Fort Ann, Washington County as follows:

Article II of Local Law No. 5 of 1990 is hereby amended so as to provide a new section 2.5 following:

Section 2.5 APPLICATION FOR WAIVER OF REQUIREMENTS FOR COMPLIANCE WITH MINOR SUBDIVISION REGULATIONS

25.1 - Preamble

As a matter of local policy, the Fort Ann Town Board hereby deems it to be in the best interest of the Health, safety, and general welfare of the citizens of the Town of Fort Ann, Washington County, to make Provision for an exemption from the Minor Subdivision requirements of the Land Subdivision Regulations Of the Town of Fort Ann, Washington County (Local Law No. 5 of 1990), where the subdivider wishes to Transfer a single parcel of land to an immediate family member (the "Immediate Family Exemption")

- A. **Amendment of Definition of "Subdivision"** - The definition of "subdivision" appearing in 8.2 of Article section VIII of the Land Subdivision Regulations shall be and hereby is amended so as to exclude an application for an Immediate Family Exemption, as provided for hereunder.
- B. **Exemption of Court -ordered Subdivision** - The division of land by decree of any Court of Competent jurisdiction, inclusive of the Surrogate's Court, shall be excluded from the definitions of "subdivision" and exempt from any further review under this Article.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

2.5.2 – Procedure to File for Immediate Family Exemption

A. Request For Immediate Family Exemption

Any owner of land may, prior to subdividing or re-subdividing land, apply to the Planning Board for a Waiver of the application of the Town Subdivision Regulations on the grounds that the application is not Required in the interest of the public health, safety and general welfare, and that the issuance of an Immediate Family Exemption is appropriate under the circumstances and will not have the effect of nullifying the intent and purpose of the Land Subdivision Regulations of the Town of Fort Ann, Washington County.

B. Eligibility For Immediate Family Exemption

To be eligible for an Immediate Family Exemption, the following criteria, rules and regulations apply:

- (1) The subdivider must transfer the parcel subdivided to an immediate family Member, which shall be defined to mean the subdivider's descendants or parents and no others (e.g., siblings, nieces and nephews excluded).
- (2) The Immediate Family Exemption may only pertain to an application for what would otherwise be a Minor Subdivision, as defined by the Land Subdivision Regulations. The Planning Board expressly reserves the right to classify and treat successive or large-scale applications for an Immediate Family Exemption as a Major Subdivision, where the interests of the public health, Safety and general welfare so dictate.
- (3) The subdivider shall be limited to one waiver per immediate family member, and the transfer of more than one lot to an immediate family member who has previously been the beneficiary of the Immediate Family Exemption on an exempt basis is expressly prohibited.
- (4) Lots transferred on the basis of an Immediate Family Exemption shall not count against the number of lots the subdivider may transfer for the purpose of calculating a minor or major subdivision.
- (5) The Planning Board shall have no authority to consider an application for an Immediate Family Exemption where the subdivider is a partnership or corporation, or an association, as defined by law.

C. Discussion of Immediate Family Exemption

The subdivider or his or her duly authorized representative shall attend a meeting of the Planning Board to discuss the application for an Immediate Family Exemption, and shall submit an application which shall comply with the requirements set forth herein.

2.5.3 – Documents to be submitted

A. Immediate Family Exemption Application, Signed by the Applicant, Which Shall Include:

- (1) Actual field survey of the parcel for which an Immediate Family Exemption is sought, prepared and certified to by a licensed land surveyor, which survey shall show the entire parcel from which the subject parcel is taken, and give complete descriptive data by bearings and distances: and
- (2) Documentation or proof, as required by the Planning Board in its reasonable discretion, of eligibility for the Immediate Family Exemption.

The Planning Board shall be responsible for preparing an appropriate application form, detailing the above, and shall have the power to amend and / or supplement the same as required from time to time. Immediate Family Exemption applications shall be obtained from the Secretary to the Planning Board.

B. Review Pursuant to New York State Environmental Quality Review Act (SEQRA) :

Pursuant to 6 NYCRR section 617.13 (b), the consideration of an application for an Immediate Family Exemption shall be classified as a “TYPE II” Action.

2,5,4 – Circumstances for Granting

A. Required Finding to be Made By the Planning Board

To grant an Immediate Family Exemption, the Planning Board shall find that due to the special circumstances of a particular plat, formal compliance with the requirements of the Land Subdivision Regulations and the provision of certain required design standards or improvements:

1. is not requisite in the interest of the public health, safety and general welfare: and
2. waiver of such requirements, subject to appropriate conditions, will not have the effect of nullifying the Land Subdivision Regulations of the Town of Fort Ann, Washington County.

B. Grant of Immediate Family Exemption

Upon submission of the documentation referenced herein, the Immediate Family Exemption shall be granted, provided that (1) the Planning Board makes the requisite findings set forth herein, and (2) there is no misrepresentation of the part of the applicant, as defined in Section 7.4 of Article VII of the Land Subdivision Regulations. If the Immediate Family Exemption is granted, the subdivider shall be entitled to a waiver of the fee(s) ordinarily charged for Minor Subdivision review, as well as his or her duty to comply with the Minor Subdivision review requirements set forth in the Land Subdivision Regulations with respect to the plat in question.

2.5.5 – Town Not Liable; Other Responsibilities of Subdivider

The Immediate Family Exemption exists as a matter of legislative grace, and this section does not create any right to said exemption absent full and complete compliance with the criteria set.

forth herein. In choosing to make an application for an Immediate Family Exemption, the subdivider shall be deemed to have waived his or her right to a full review under the Town of Fort Ann Land Subdivision Regulations. In keeping with this general intent, the subdivider(s), upon filing an application for an Immediate Family Exemption, shall be deemed to expressly acknowledge and agree as follows:

1. The Town of Fort Ann, acting by and through its Planning Board or otherwise, shall not be deemed to have made any warranty to the subdivider or subsequent transferee(s), express, implied or otherwise, that property subdivided shall be fit for any use of purpose, inclusive of use for residential purposes; and
2. The subdivider or his or her transferee(s) shall be solely responsible for ensuring that the property subdivided is fit for the purposes contemplated, if any; and
3. The subdivider or his or her transferee(s) shall be solely responsible for obtaining any and all permits or other approvals required by other local, state or federal agencies having jurisdiction over the property subdivided, and nothing in this section shall be deemed to have relieved the subdivider or his or her transferee(s) from compliance with the same.

(Complete the certification in the paragraph that applies to the filling of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 19 94
Of the (County) (City) (Town) (Village) of Fort Ann, Washington County was duly passed by the
Town Board on July 19 94, in accordance with the applicable provision of law.
(Name of Legislative Body)

~~**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer *.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 _____
Of the (County) (City) (Town) (Village) of _____ was duly passed by the
_____ on _____ 19 _____, and was (approved) (not approved) (repassed after
(Name of Legislative Body)
disapproval) by the _____ and was deemed duly adopted on _____ 19 _____,
(Elective Chief Executive Officer *)~~

3. (Final adoption by referendum.)

Hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 _____
Of the (County) (City) (Town) (Village) of _____ was duly passed by the
_____ on _____ 19 _____, and was (approved) (not approved) (repassed after
(Name of Legislative Body)
disapproval) by the _____ on _____ 19 _____, Such local law was submitted to the
people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of
the qualified electors voting thereon at the (general) (special) (annual) election held on _____ 19 _____,
in accordance with the applicable provisions of the law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 _____
Of the (County) (City) (Town) (Village) of _____ was duly passed by the
_____ on _____ 19 _____, and was (approved) (not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on 19 _____, Such local law was subject to
(Elective Chief Executive Officer *)
permissive referendum and no valid petition requesting such referendum was filed as of _____ 19 _____, in
accordance with the applicable provision of law

- Elective Chief Executive Officer means or includes the Chief Executive Officer of a county elected on a county-wide basis or, If there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

~~5. (City local law, concerning Charter revision proposed by petition.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 ____
Of the City of _____ having been submitted to referendum pursuant to the provisions of
section (36) (37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of
the qualified electors of such city voting thereon at the (special) (general) election held on _____ 19 ____,
Became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 ____
Of the County of _____ State of New York, having been submitted to the electors
at the General Election of November _____ 19 ____, pursuant to subdivisions 5 and 7 of section 33 of the
Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of
the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered
as a unit voting at said general election, became operative.

~~(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)~~

I further certify that I have compared the preceding local law with the original on file in this office and that the
same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in
the manner indicated in paragraph ____ 1 ____, above.

Clerk of the County Legislative body, City, Town or Village Clerk
Or other designated by local legislative body

Mary Jane Godfrey , Town Clerk

Date _____ July 12, 1994 _____.

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village
Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF _____ ALBANY _____.

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper
proceedings have been had or taken for the enactment of the law annexed hereto.

Signature

.....Attorney to the Town.....
Title

Town of Fort Ann, Washington County
Date: July 12, 1994

New Application Section

-Blank page-

(Please Use this Form for Filing your Local Law with the Secretary of State)
Text of law should be given as amended. Do no include matter being eliminated and do not use italics or underlining to indicate new matter.

SUBDIVISION REGULATIONS

Town of FORT ANN.....
Local Law No5..... of the year 19.. 90.....

A local law FORT... ANN.....
(Name of Legislature Body)

Be it enacted by the TOWN BOARD of the

Town of FORT... ANN..... as follows:

TOWN OF FORT ANN LOCAL LAW NO. 5 OF 1990 SUBDIVISION REGULATIONS

ARTICLE I General Provisions

- 1.1 Legislative Authority
- 1.2 Citation
- 1.3 Effective Date
- 1.4 Application
- 1.5 Policy
- 1.6 Inconsistency with Town Law
- 1.7 Separability Clause

ARTICLE II Procedure for Filing Subdivision Applications

- 2.1 Pre-Application Review
- 2.2 Approval of Minor Subdivision
- 2.3 Approval of Major Subdivision
- 2.4 Final Plat for Major Subdivision

ARTICLE III Requirements and Design Standards for Subdivision

- 3.1 General Requirements
- 3.2 Street Layout
- 3.3 Lots
- 3.4 Reservations and Easements

ARTICLE IV Required Data and Plats

- 4.1 Sketch Plan -p12
- 4.2 Minor Subdivision Plat
- 4.3 Major Subdivision Preliminary Plat and Accompanying Data
- 4.4 Major Subdivision Final Plat and Accompanying Data

ARTICLE V Required Improvements, Agreements and Fees

- 5.1 Improvements and Performance Bond
- 5.2 Modification of Design and Improvement
- 5.3 Inspection of Improvements
- 5.4 Proper Installation of Improvements
- 5.5 Utilities
- 5.6 Monuments
- 5.7 Fees

ARTICLE VI Variances and Waivers

- 6.1 Variances
- 6.2 Waivers
- 6.3 Objectives

ARTICLE VII Enforcement

- 7.1 Penalty
- 7.2 Alternative Remedy
- 7.3 Stop Work Order
- 7.4 Misrepresentation
- 7.5 Complaints and Violations

ARTICLE VIII Terminology and Definition

- 8.1 Use and Interpretation of Words
- 8.2 Definitions

ARTICLE I GENERAL PROVISIONS

Section 1.1 Legislative Authority

By the authority of the resolution of the Town Board of the Town of Fort Ann, adopted on July 10, 1989, and July 9, 1990, pursuant to the provisions of Article 16 of the Town Law of the State of New York and Municipal Home Rule Law, the Planning Board of the Town of Fort Ann is authorized and empowered to approve plats showing lots, blocks or sites, with or without streets or highways, to approve the development entirely or partially undeveloped plats already filed in the office of the Clerk of the County and to conditionally approve preliminary plats, within the Town of Fort Ann.

Section 1.2 Citation

These regulations, which shall be known as, and which may be cited as the "Town of Fort Ann Land Subdivision Regulations" have been adopted by the Town Planning Board on June 26y, 1989, and approved by the Town Board on July 10, 1989, with amendments approved by the Town Board on July 9, 1990.

Section 1.3 Effective Date

These regulations shall take effect immediately upon filing with the New York State Secretary of States Office.

Section 1.4 Application

No subdivision of any lot, tract or parcel of land shall be effected; no street, sanitary sewer, storm sewer, water main or other facilities in connection therewith shall be laid out, constructed, opened or dedicated, for public use and travel, or the common use of occupants of buildings abutting thereon except in strict accordance with the provisions of these regulations.

All plans for subdivisions shall be submitted to the Fort Ann Planning Board for review and appeal.

The provisions contained herein shall apply to all land within the limits of the Town of Fort Ann (outside the Village of Fort Ann)

Section 1.5 Policy

1.5.1 It is declared to be the policy of the Planning Board to consider Land Subdivision plats as part of a plan for the orderly, efficient and economical development of the Town of Fort Ann. This means among other things:

- a) Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health, or peril from fire, flood or other menace.
- b) Proper provision shall be made for water supply, drainage sewerage and other needed public improvements and utilities.
- c) Proposed roads shall compose a convenient system conforming to the official map (where, or as may be approved) and developed plans.
- d) Roads shall be of such width, grade and location as to accommodate present and prospective traffic, and shall comply with the requirements listed herein and the Town Highway Ordinance, if such exists.
- e) All development shall facilitate adequate fire protection and provide access for fire fighting equipment and other emergency equipment.
- f) Nothing in these regulations shall prohibit the subdivider from self-imposed restrictions, not in violation of these regulations on the development. Such restrictions however, shall be

4

Open space for parks, playgrounds and green areas of suitable location, size and character shall be provided whenever appropriate.

g) The proposed development shall be aesthetically compatible with the existing development and character of the Town.

1.5.2 Nothing in these regulations shall prohibit the subdivider from self-imposed restrictions, not in violation of these regulations on the development. Such restrictions, however, shall be indicated on the plat.

Section 1.6 Inconsistency with Town Law

Should any of these regulations conflict or be inconsistent with any provision of the Town Law, such provision of this local law shall apply.

Section 1.7 Separability Clause

Should any section or provision of these regulations contained herein or as amended hereafter be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the regulations as a whole or any part thereof other than the part so declared to be invalid.

ARTICLE II PROCEDURE FOR FILING SUBDIVISION APPLICATIONS

Whenever any subdivision of land is proposed to be made, and before any contract for the sale or lease of, or any offer to sell or lease any lots in such subdivision or any part thereof is made, and before any permit for the erection of a structure in such proposed subdivision shall be granted, the subdivider of his duly authorized agent shall apply in writing for approval of such proposed subdivision in accordance with the following procedures.

Section 2.1 Application Review

2.1.1 Submission of Sketch Plan

Any owner of land shall, prior to subdividing or resubdividing land, submit to the Secretary of the Planning Board at least ten (10) days prior to the regular meeting of the Board three (3) copies of the Sketch plan of the proposed subdivision, which shall comply with the requirements of Article IV, for the purpose of classification (Major or Minor) and preliminary discussion.

2.1.2 Other Governmental Agency Requirements

Any owner of land shall determine the requirements of the appropriate governmental agencies whose approval is required by these Regulations, and which must eventually approve any subdivision plat coming within their jurisdiction.

2.1.3 Discussion of Requirements and Classifications

The subdivider, or his duly authorized representative, shall attend the meeting of the Planning Board to discuss the requirements of these regulations, for street improvements, drainage, sewerage, water supply, fire protection and similar aspects, as well as the availability of existing services and other pertinent information made on the sketch plan.

Classification of the Sketch plan is to be made at this time by the Planning Board as to whether it is a minor or major subdivision as defined in these regulations. When the subdivision is classified by the Planning Board as a Major or Minor subdivision, a notation to that effect shall be made on the sketch plan. The board may require, however when it deems necessary for protection of the public health, safety or welfare, that a minor subdivision comply with all or some of the requirements specified for major subdivision. If the sketch plan is classified as a minor subdivision, the subdivider shall then comply with the procedure outlined in Article III, Section 2.2 of these regulations. If it is classified as a major subdivision, the subdivider shall then comply

with the procedures outlined in Article III, Section 2.3 and 2.4 of these regulations.

2.1.4 Study of Sketch Plan

The Planning Board shall determine whether the sketch plan meets the purposes of these regulations and shall, where it deems necessary, make specific recommendations, in writing, to be incorporated by the applicant in the next submission to the Planning Board.

2.1.5 Fees

There shall be no payment of fees with the filing of a sketch plan.

Section 2.2 Approval of Minor Subdivision

2.2.1 Application

Within six months after classification of the sketch plan as a minor subdivision by the Planning Board, the subdivider shall submit an application for approval of a subdivision plat. Failure to do so shall require resubmission of the sketch plan to the Planning Board for reclassification. The plat shall conform to the layout shown on the sketch plan plus any recommendations made by the Planning Board. Said application shall conform to the requirements listed in Article IV.

2.2.2 Fees

All applications for plat approval for a minor subdivision shall be accompanied by a fee of fifty dollars (\$ 50.00). Such fee shall be paid to the Secretary of the Planning Board.

2.2.3 Number of Copies

Ten (10) copies of the subdivision plat shall be presented to the Secretary of the Planning Board at least 10 days prior to a scheduled monthly meeting of the Planning Board.

2.2.4 Subdivider to Attend Planning Board Meeting

The subdivider, or his duly authorized representative, shall attend the meeting of the Planning Board to discuss the subdivision plat.

2.2.5 When Officially Submitted

The time of submission of the subdivision plat shall be considered to be the date of the regular monthly meeting of the Planning Board at least ten (10) days prior to which the application for plat approval, completed and accompanied by the required fee and all data required by Article IV of these regulations, has been filed with the Secretary of the Planning Board.

2.2.6 Public Hearing

A Public Hearing shall be held by the Planning Board within Thirty (30) days from the time of submission of the subdivision plat, which has been deemed complete by the Planning Board. Said hearing shall be advertised in a newspaper of general circulation in the Town at least five (5) days before such hearing.

2.2.7 Action on Subdivision Plat

The Planning Board shall, within forty-five (45) days from the date of the public hearing, approve, modify and approve, or disapprove the subdivision plat.

Section 2.3 Approval of Major Subdivision

2.3.1 Application and Fee

Prior to the filing of an application for the approval of a major subdivision plat, the subdivider shall file an application for the consideration of a preliminary plat of the proposed subdivision, in the form described in Article II, Section 3, hereof. The preliminary plat shall, in all respects, comply with the requirements set forth in the provision of Sections 276 and 277 of the Town Law, and Article IV, Section 4 of these regulations, except where a waiver may be specifically authorized by the Planning Board. The application for conditional approval of the preliminary plat shall be accompanied by a fee of five hundred dollars (\$500.), plus two hundred fifty dollars (\$250.) per lot for each lot in the proposed subdivision.

2.3.2 Number of Copies

Ten (10) copies of the preliminary plat shall be presented to the Secretary of the Planning Board at least 10 days prior to a regular monthly meeting of the Planning Board.

2.3.4 Study of Preliminary Plat

The Planning Board shall study the practicability of the preliminary plat taking into consideration the requirements of the community and the best use of the land being subdivided. Particular attention shall be given to the arrangement, locations and width of streets, their relation to the topography of the land, water supply, sewage disposal, drainage, lot sizes and arrangements, the future development of adjoining land as yet subdivided, and the requirements of the Master Plan and the official map, if such exist.

2.3.5 When Officially Submitted

The time of submission of the preliminary plat shall be considered to be the date of the regular monthly meeting of the Planning Board at least ten (10) days prior to which the application for approval of the preliminary plat, complete and accompanied by the required fee and all data required by Article IV, Section 3 of these regulations, has been filed with the Secretary of the Planning Board.

2.3.6 Public Hearing

A public hearing shall be held by the Planning Board within thirty (30) days from the time of submission of the subdivision plat, which has been deemed complete by the Planning Board. Said hearing shall be advertised in a newspaper of general circulation in the Town at least five (5) days before such hearing.

2.3.7 Action on the Preliminary Plat

Within forty-five (45) days of the public hearing, the Planning Board shall take action to approve, with or without modification, or disapprove such preliminary plat and the ground of any modification required or the ground for disapproval shall be stated upon the records of the Planning Board. Failure of the Planning Board to act within such forty-five (45) day period shall constitute approval of the preliminary plat.

When granting approval to a preliminary plat, the Planning Board shall state the conditions of such approval, if any, with respect to 1) the specific changes which it will require on the preliminary plat; 2) the character and extent of the required 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; and 3) the amount of improvement of the prerequisite to the approval of the subdivision plat. The action of the Planning Board, plus any conditions attached thereto, shall be noted on three (3) copies of the preliminary plat. One (1) copy shall be returned to the subdivider, one (1) retained by the Planning Board, and not constitute approval of the subdivision plat, but rather it shall be deemed an expression of approval of the design submitted on the preliminary plat as a guide to the preparation of the plat, which will be submitted for the approval of the Planning Board and for recording upon fulfillment of the requirements of these regulations and the conditional approval, if any. Prior to approval of the subdivision plat, the Planning Board may require additional changes as a result of further study of the subdivision in final form or as a result of further study of the subdivision in final form or as a result of new information obtained at the Public hearing.

Section 2.4 Final Plat for Major Subdivision

2.4.1 Application for Approval

The subdivider shall, within six (6) months after the conditional approval of the preliminary plat, file with the Planning Board an application for approval of the subdivision plat in final form, using the approved application blank available from the Secretary of the Planning Board. If the final plat is not submitted within six (6) months after the approval of the preliminary plat, the Planning Board may refuse to approve the final plat and require resubmission of the preliminary plat.

No fee shall be required with the application for final approval.

2.4.2 Number of Copies

A subdivider intending to submit a proposed subdivision plat for the approval of the Planning Board shall provide the Secretary of the Planning Board with a copy of the application and Three (3) copies (one copy in Ink or Mylar) of the plat, the original and one (1) true copy of all offers of cession, covenants, and agreements, and two (2) prints of all construction drawings, at least Ten (10) days in advance of the regular monthly Planning Board meeting at which it is to be officially submitted.

2.4.3 When Officially Submitted

The time of submission of the subdivision plat shall be considered to be the date of the regular monthly meeting of the Planning Board at least ten (10) days prior to which the application for approval of the subdivision plat, complete and accompanied by the required fee and all data required by Article IV, Section 4 of these regulations, has been filed with the Secretary of the Planning Board.

2.4.4 Endorsement of State and County Agencies

Water and sewer facility proposals contained in the subdivision plat shall be properly endorsed and approved by the New York State Department of Health. Applications for approval of plans for sewer or water facilities will be filed by the subdivider with all necessary Town, County and State agencies. Endorsement and approval by the New York State Department of Health shall be secured by the subdivider before official submission of the subdivision plat.

2.4.5 Public Hearing

A public hearing may be held by the Planning Board within forty-five (45) days after the time of submission of the completed subdivision plat for approval. This hearing shall be advertised in a newspaper of general circulation in the Town at least five (5) days before such hearing. A public hearing may be waived by the Planning Board if there does not exist substantial changes from preliminary plat approval.

2.4.6 Action on Proposed Subdivision Plat

The Planning Board shall, within forty-five (45) days from the date of the public hearing on the subdivision plat, approve, modify and approve or disapprove the subdivision plat. However, the subdivision plat shall not be signed by the authorized officers of the Planning Board for recording until the subdivider has complied with the provision of Article V of this regulation.

2.4.7 Final Approval and Filing

Upon completion of the requirements in Sections 2 and 3 above, and notation to that effect upon the subdivision plat, it shall be deemed to have final approval and shall be properly signed by the appropriate officer of the Planning Board (Chairman or Acting Chairman and Secretary) and may be filed by the applicant in the Office of the County Clerk. Any subdivision plat not so filed or recorded within ninety (90) days of the date upon which such plat is approved or considered approved by reasons of the failure of the Planning Board to act, shall become null and void, unless the particular circumstances of said applicant warrant the Planning Board to grant an extension, which shall not exceed two (2) addition periods of ninety (90) days.

2.4.8 Plat Void if Revised After Approval

No changes, erasures, modifications, or revision shall be made in any subdivision plat after approval has been given by the Planning Board and endorsed in writing on the plat, unless the said plat is first resubmitted to the Planning Board and such Board approves any Modifications. In the event that any such subdivision plat is recorded without complying with this requirement, the same shall be considered null and void, and the Board shall institute proceeding to have the plat stricken from the records of the County Clerk.

ARTICLE III REQUIREMENTS AND DESIGN STANDARDS FOR ALL SUBDIVISIONS

In considering applications for subdivision of land, the Planning Board shall be guided by the standards set forth hereinafter. The said standards shall be considered to be minimum requirements and shall be waived by the Board only under circumstances set forth in Article VI herein.

Section 3.1 General Requirements

3.1.1 Character of Land

Land to be subdivided shall be of such character that it can be used safely for building purposed without danger to health or peril from fire, flood or other menace.

3.1.2 Conformity to Official Map and Master Plan

Subdivision shall conform to the Official Map of the Town and shall be in harmony with the Master Plan, if such exists.

3.1.3 Specifications for Required Improvements

All required improvements shall be constructed or installed to conform the to Town specifications, which may be obtained from the Town authorized engineer.

3.1.4 Preservation of Existing Features

Existing features which would add value to residential development, such as large trees, watercourse, historic spots and similar irreplaceable assets, should be preserved, insofar as possible, through harmonious design of the subdivision. Development shall cause minimum disturbance to existing landscaping.

Section 3.2 Street Layout

3.2.1 Width, Location and Construction

Streets shall be of sufficient width, suitably located, and adequately constructed to conform with the Master Plan, if such exists, and to accommodate the prospective traffic and afford access for fire fighting, snow removal and other road maintenance equipment. The arrangement of streets shall be such as to cause no undue hardship to adjoining properties and shall be coordinated so as to compose a convenient system.

3.2.2 Relation to Topography

Streets shall be logically related and conform insofar as possible to the original topography. They shall be arranged so as to obtain as many as possible of the building suites at or above the grades of the streets. A combination of steep grades and sharp curves shall be avoided.

3.2.3 Block Site

Block dimensions shall be at least twice the minimum lot depth and generally not more than twelve (12) times the minimum lot width. In long blocks, the Planning Board may require the reservation, through the block, of a twenty-five (25) foot wide easement to accommodate utilities or pedestrian traffic, Blocks at least

nine hundred (900) feet long are recommended with an easement in blocks exceeding one thousand two hundred (1,200) feet.

3.2.4 Intersections

Intersections of major streets by other streets shall be at least eight hundred (800) feet apart, if possible. Cross (four-cornered) street intersections shall be avoided, except at important traffic intersections. A distance of at least one hundred fifty (150) feet shall be maintained between offset intersections. Within forty (40) feet of an intersection, streets shall be approximately at right angles (but in no instance shall the angle be less than seventy (70) , and grade shall be limited to one percent (1%) . All street intersection corners shall be rounded by curves of at least twenty-five (25) feet in radius at the property line.

3.2.5 Visibility at Intersections

Within the triangular area formed at corners by the intersecting street lines, for a distance of forty (40) feet from their intersection and the diagonal connecting the end points of these lines, visibility for traffic safety shall be provided by excavating if necessary. Nothing in the way of fences, walls, hedges, or other landscaping, shall be permitted to obstruct such visibility.

3.2.6 Design Standards

Streets shall meet the following standards, unless otherwise indicated on the town Plan, if one exists.

STREET CLASSIFICATION	MINOR STREETS	COLLECTOR / SECONDARY
A) Minimum width of right of way	50 feet	60 feet
B) Minimum width of Pavement	26 feet	36 feet
C) Minimum radius of Horizontal curves	150 feet except for street intersection corners	400 feet
D) Minimum length of Vertical Curves as measured from center Of line or right of way	100 feet, but no less than 20 feet for each 1 % algebraic difference of grade	200 feet, but not less than 60 feet for each 1 % algebraic difference of grade
E) Minimum length of tangent Between reverse curves	100 feet except where excessive grades may be reduced to reasonable grades by shortening tangent	200 feet
F) Maximum grade	12 %	8 %
G) Minimum grade	1 %	1 %
H) Minimum sight Distance (Vertical)	150 feet	250 feet

3.2.7 Construction Requirements

All subdivision roads shall be constructed according to standards established by the Town Board of the Town of Fort Ann, who shall periodically review said standards.

3.2.8 Continuation of Streets into Adjacent Property

Streets shall be arranged to provide for the continuation of principal streets between adjacent properties where such continuation is necessary for convenient movement of traffic, effective fire protection, efficient

provision of utilities, and particularly where such continuation is in accordance with the Town Master Plan, if such exists.

If the adjacent property is undeveloped and the street must be a dead-end street temporarily, the right of way and improvements shall be extended to the property line. A temporary circular turn-around, a minimum of fifty (50) feet in radius shall be provided on all temporary dead-end streets with the notation on the plat that land outside the street shall be provided on all temporary dead-end streets with the notation on the plat that land outside the street right of way shall revert to abutters whenever the street is continued.

3.2.9 Permanent dead-end Streets (cul-de-sacs)

Where a street does not extend to the boundary of the subdivision and its continuation is not needed for access to adjoining property, it shall be separated from such boundary by a distance of not less than one hundred (100) feet. Reserve strips of land shall not be left between the end of a proposed street and an adjacent piece of property; however, the Planning Board may require the reservation of a twenty (20) foot wide easement to accommodate pedestrian traffic or utilities. A circular turn-around with a minimum right of way radius of sixty-five (65) feet shall be provided at the end of a permanent dead-end street. For general convenience to traffic, and more effective police and fire protection dead-end streets shall, in general, be limited in length to eight hundred (800) feet.

3.2.10 Street Names

All the streets shall be named, and such names shall be subject to the approval of the Town Planning Board. Names shall be sufficiently different in sound and spelling from other street names in the Town so as not to cause confusion. A street, which is a continuation of an existing street, shall bear the same name.

3.2.11 Improvements

Streets shall be graded and improved with pavement, street signs, sidewalks, street lighting standards, curbs, gutters, trees, water mains, sanitary sewers, storm drains, fire hydrants, and underground electric and telephone services, except where the Planning Board may waive, subject to appropriate conditions, such improvements as it considers are not requisite to the interest of the public health, safety and general welfare.

Underground utilities required by the Planning Board shall be placed between the paved roadway and street line to simplify location and repair of the lines, and the subdivider shall install underground service connections to the property line of each lot before the street is paved.

Grading and improvements shall conform to the specifications contained herein and any Town road standards as have been adopted by the Town Board, and shall be approved as to design and specifications by the Town Engineer or other duly designated Town official.

Section 3.3 Lots

3.3.1 Arrangement

The arrangement of lots shall be such that there will be no foreseeable difficulties for reasons of topography or other conditions, in locating a building on each lot and in providing access to building on each lot and in providing access to building on such lots from an approved street.

3.3.2 Access Across a Watercourse

Where a watercourse separates the buildable area of a lot from the access street, provision shall be made for the installation of a culvert or other structure, of a design approved by the Town Engineer or their duly designated Town official.

3.3.3 Side Lot Lines

Side lot lines shall be at right angles to the street lines unless a variation from this rule will give a better street of lot plan.

3.3.4 Access from Major Streets

Lots shall not, in general, derive access exclusively from a major street. Where a driveway access from a major street may be necessary for several adjoining lots, the Planning Board may require that such lots be served by a combined access drive in order to limit possible traffic hazard on such street.

Section 3.4 Reservations and Easements

3.4.1 Parks and Playgrounds

The Planning Board may require adequate, convenient and suitable areas for parks and playgrounds, or other recreational purposes to be reserved on the plat, but in no case more than ten percent (10 %) of the gross area of any subdivision. The area shall be shown and marked on the plat "Reserved for Park or Playground Purposes".

If the Planning Board determines that a suitable park or parks of adequate size can not be properly located in any such plat or is otherwise not practical, the Board may require as a condition to approval of any such plat a payment to the Town in the amount of ten percent (10 %) of the appraised market value of the land to be subdivided. Such money shall be used by the Town for Park and recreational purposes, including the acquisition of property.

3.4.2 Realignment or Widening of Existing Streets

Where the subdivision borders an existing street, and the official map or Town Plan indicates plans for realignment or widening of the streets that would require reservation of some land of the subdivision, the Planning Board may require that such areas be shown and marked on the plat "reserved for Street Alignment (or Widening) Purposes".

3.4.3 Utility and Drainage Easements

Where topography or other conditions are such as to make impractical the inclusion of utilities or drainage facilities within street rights of way, perpetual unobstructed easements at least twenty (20) feet in width for such utilities shall be provided across property outside the street lines and with satisfactory access to the street.

3.4.4 Easements for Pedestrian Access

The Planning Board may require, in order to facilitate pedestrian access from street to schools, parks, playgrounds or other nearby streets, perpetual unobstructed easements at least eight (8) feet of width.

3.4.5 Responsibility for Ownership of Reservation

Ownership shall be clearly marked on plat on all reservations.

ARTICLE IV REQUIRED DATA AND PLATS

Section 4.1 Sketch Plan

The sketch plan initially submitted to the Planning Board shall be based on tax map information or some other similarly accurate base map at a scale (preferably not less than fifty (50) feet to an inch) the entire tract to be shown on one sheet. The sketch plan shall be submitted, showing the following directions:

- 1) The location of that portion which is to be subdivided in relation to the entire tract, and the distance to the nearest street intersection.

- 2) All existing structures, wooded area, streams and other significant physical features, within the portion to be subdivided and with two hundred (200) feet thereof. If topographic conditions are significant, contours shall also be indicated at intervals of not more than ten (10) feet.
- 3) The name of the owner and of all adjoining property owners as disclosed by the most recent municipal tax records.
- 4) The tax map sheet, block and lot numbers, if available.
- 5) All the utilities available, and all streets, which are either proposed, mapped or built.
- 6) The proposed pattern of lots (including lot width and depth), street layout, recreation areas, systems of drainage, sewerage, and water supply within the subdivided area.
- 7) All existing restrictions on the use of land including easements, covenants, or zoning line.
- 8) Environmental Assessment Form (short form)

Section 4.2 Minor Subdivision Plat

In the case of minor subdivisions ONLY, the subdivision plat applicant shall include the following information:

- a) A copy of such covenants or deed restrictions as are intended to cover all or part of the tract.
- b) An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified to by a licensed land surveyor. The corners of tract shall also be located on the ground and marked by monuments as approved by the Town authorized engineer, and shall be referenced and shown on the plat.
- c) All on-site sanitation and water supply facilities shall be designed to meet the minimum specifications of the State Department of Health and the Washington County Sanitary Ordinance, and a note to this effect shall be stated on the plat and signed by a licensed engineer.
- d) Proposed subdivision name, name of the Town and County in which it is located.

Section 4.3 Major Subdivision Preliminary Plat and Accompany Data

The following documents shall be submitted for the conditional approval:

Ten (10) copies of the preliminary plat prepared at a scale of not more than one hundred (100), but preferably not less than fifty (50) feet to the inch, showing:

- 1) Proposed subdivision name, name of Town and County in which it is located, date, true north point, scale, name and address of record owner, subdivider and engineer or surveyor, including license number and seal.
- 2) The name of all subdivisions immediately adjacent and the name of the owners of record of all adjacent property.
- 3) Zoning District including exact boundary lines of district, and any proposed changes in the zoning district lines and / or the zoning ordinance text applicable to the area to be subdivided.
- 4) All parcels of land proposed to be dedicated to public use and the conditions of such dedication.

- 5) Location of existing property lines, easements, buildings, water courses, marshes, rock outcrops, wooded areas, and other significant existing features for the proposed subdivisions and adjacent property, district, if more than one.
- 6) Location of existing sewers, water mains, culverts and drains on the property, with pipe sizes, grades and direction of flow.
- 7) Contours with intervals of five (5) feet or less as required by the Board, including elevations on existing roads. Approximate grading plan if natural contours are to change more than two (2) feet.
- 8) The width and location of any streets of public ways or places shown on the official map or Master Plan, if such exist, within the area to be subdivided, and the width, location, grades and street profiles of all streets or public ways proposed by the developer.
- 9) The approximate location and size of all proposed water lines, valves, hydrants and sewer lines, and fire alarm boxes. Connection to existing lines or alternate means of water supply or sewage disposal and treatment as provided in the Public Health Law. Profiles of all proposed water and sewer lines.
- 10) Storm drainage plans indicating the approximate location and size of proposed lines and their profiles. Connection to existing lines or alternate means of disposal.
- 11) Plans and cross-sections showing the proposed location and type of sidewalks, street lighting standards, street trees, curbs, water mains, sanitary sewers and storm drains, and the size and type thereof, the character, width and depth of pavements and sub-base, the locations of manholes, basins and underground conduits.
- 12) Preliminary designs of any bridges or culverts which may be required.
- 13) The proposed lot lines with approximate dimensions and area of each lot.
- 14) Where the topography is such as to make difficult the inclusion of any of the required facilities within the public areas as laid out, the preliminary plat shall show the boundaries of proposed permanent easements over or under private property, which permanent easements shall not be less than twenty (20) feet in width and which shall provide satisfactory access to an existing public highway or other public open space shown on the subdivision or the official map.
- 15) An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified to by a licensed land surveyor. The corners of tract shall also be located on the ground and marked by substantial monuments of such size and type as approved by the Town authorized engineer, and shall be referenced and shown on the plat.
- 16) If the application covers only a part of the subdivider's entire holding, a map of the entire tract, drawn at a scale of not less than fifty (50) feet to the inch showing an outline of the platted area with its proposed streets and 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 shall be submitted. The part of subdivider's entire holding submitted shall be considered in light of the entire holdings.
- 17) A copy of such covenants of deed restrictions are intended to cover all or part of the tract.
- 18) Long form Environmental Assessment Form.

Section 4.4 Major Subdivision Final Plat and Accompanying Data

The following documents shall be submitted for plat approval:

4.1.1 The plat to be filed with the County Clerk shall be printed upon linen or Mylar, or be clearly drawn in India ink upon tracing cloth or polyester film or to be photographic copies of polyester film. The sheets shall include a margin for binding of two (2) inches, outside of the border, along the left side and a margin of one (1) inch outside of the border along the remaining sides. The plat shall be drawn at a scale of no more than one hundred (100) 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 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 licensed land surveyor.
- 2) Street lines, pedestrian ways, lots, reservations, easements and areas to be dedicated to public use.
- 3) Sufficient data acceptable to the Town authorized engineer to determine readily the location, bearing and length of every street line, lot line, boundary line, and to reproduce such lines upon the ground. Where applicable, 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.
- 4) The length and bearing of all straight lines, radii, and length of curves and central angles all curves, tangent bearings shall be given for each street. All dimensions shall be shown in feet and decimals of a foot. The plat shall show the boundaries of the property, location, graphic scale and true north point.
- 5) Permanent reference monuments shall be shown, and shall be constructed in accordance with specifications of the Town authorized engineer. When referenced the State system of plane coordinates, they shall also conform to the requirements of the State Department of Public Works. They shall be placed as required by the Town authorized engineer and their location noted and referenced upon the plat.
- 6) All lot corner markers shall be permanently located satisfactorily to the Town authorized engineer, 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
- 7) Monuments of a type approved by the Town authorized engineer 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, point of curve and such intermediate points as shall be required by the Town authorized engineer.

4.4.2 Construction drawing including plans, profiles and typical cross-sections as required, showing the proposed location, size and type of streets, sidewalks, street lighting standards, street trees, curbs, water mains, sanitary sewers and storm drains, pavements and sub-base, manholes, catch basins, and other facilities.

ARTICLE V REQUIRED IMPROVEMENTS, AGREEMENTS AND FEES

Section 5.1 Improvements and Performance Bond

Before the Planning Board grants final approval of the subdivision plat, the subdivider shall follow the procedure set forth in either subparagraph 5.1.1 or subparagraph 5.2.2.

5.1.1 In an amount set by the Planning Board, the subdivider shall either file with the Town Clerk a certified check to cover the full cost of the required improvements or the subdivider shall file with the Town Clerk a performance bond to cover the full cost of the required improvements. Any such bond shall comply with the requirements of Section 277 of the Town Law and shall be satisfactory to the Town Board and the Town authorized engineer as to form, sufficiency, and manner of execution and surety. A period of one (1) year for

such other period as the Planning Board may determine appropriate, not to exceed three years shall be set forth in the bond within which required improvements must be completed.

5.1.2 The subdivider shall complete all required improvements to the satisfaction of the Town authorized engineer, who shall file with the Planning Board a letter signifying the satisfactory completion of all improvements required by the Board. For any required improvements not so completed, the subdivider shall file with the Town Clerk a bond or certified check covering the costs of such improvements and the cost of satisfactorily installing any improvements not approved by the Town authorized engineer. Any such bond shall be satisfactory to the Town Board and Town authorized engineer as to form, sufficiency, and manner of execution and surety.

5.1.3 The required improvements shall not be considered to be completed until the installation of the improvements has been approved by the Town authorized engineer and a map satisfactory to the Planning Board has been submitted indicating the location of monuments marking all underground utilities as actually installed. If the subdivider completes all required improvements according to subparagraph 5.1.2, then said map shall be submitted prior to endorsement of the plat by the appropriate Planning Board officer. However, if the subdivider elects to provide a bond or certified check for all required improvements as specified in subparagraph 5.1.1 such bond shall not be released until such a map is submitted.

Section 5.2 Modification of Design and Improvement

If at any time before or during the construction of the required improvements it is demonstrated to the satisfaction of the Town authorized engineer that unforeseen conditions make it necessary or preferable to modify the location or design of such required improvements, the Town authorized engineer may, upon approval by a previously delegated member of the Planning Board authorize modifications, provided these modifications are within 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 Board. The Town authorized engineer shall issue any authorization under this section in writing and shall transmit a copy of such authorization to the Planning Board at their next regular meeting.

Section 5.3 Inspection of Improvements

At least five (5) days prior to commencing construction of required improvements, the subdivider shall notify the Town Board in Writing of the time when he proposed to commence construction of such improvements so that the Town Board 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.

Section 5.4 Proper Installation of Improvements

If the Town authorized engineer shall find upon inspection of the 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 subdivider, he shall so report the Town Board and the Planning Board. The Town Board shall then notify the subdivider and if necessary, the bonding company, and Take all necessary steps to preserve the Town's rights under the bond. No plat shall be approved by the Planning Board as long as the subdivider is in default on a previously approved plat.

Section 5.5 Utilities

The Board may accept assurance from each public utility company whose facilities are proposed to be installed. Such assurance shall be in writing, addressed to the Board, stating that such public utility company will make the installations necessary for the furnishing of its services within a specified time, in accordance with the approved subdivision plat.

Section 5.6 Fees

5.6.1 The Planning Board may employ consultants, legal course, professional engineers and/or inspection services for their assistance and advise in the review of any application before it and for such purposed as the Planning Board may require therefore, including on-site investigation, evaluation and inspection; verification of

the adequacy of plans, of the sufficiency of submitted reports, flood hazard evaluation; and study of the impact of proposals upon the resources and environment of the Town; preparation and/or review of environmental impact statements; review of the design and layout of improvements; inspection of installed improvements and other services or technical assistance as the Planning Board shall deem necessary for its review of such application and for the administration of these regulations in relation thereto.

5.6.2 All costs incurred for such services shall be borne by the subdivider; as further provided below, deposits shall be required in advance to cover the estimated costs of said services. Such deposits shall be in the amounts determined by the duly adopted fee schedule therefore, if any, or in the amounts to be determined by the Planning Board, or its duly authorized agent, as sufficient to cover all such costs. Fees for the preparation of, or review of, environmental impact statements shall be as determined by 6 NYCRR, Part 617, adopted pursuant to Article 8 of the Environmental Conservation law.

5.6.3 Deposits due for such said services are as deemed by the Planning Board to be required for its appropriate review of any particular application shall be filed by the subdivider, or his duly authorized agent, with the Town Clerk by certified check endorsed to the Town of Fort Ann. An application shall not be complete until all such aforementioned deposits have been received; no application shall be deemed complete by the Planning Board until the requirements of this section have been complied with.

5.6.4 In like manner, deposits required for such services, as are related to the development of a plat and the installation of improvements therein shall be filed in the Town Clerk's office before final plat approval (signing of the plat by the duly authorized officer of the Planning Board).

5.6.5 The balance of such deposits, if any, remaining in excess of such incurred costs shall be returned by the Town Board to the depositor, or paid to the order of the depositor, without payment of interest.

5.6.6 Any deficiency in the amount of such deposits to cover such incurred costs in full shall be submitted to the Town Clerk on or before the specified due date; building permits and / or certificates of occupancy may be withheld for construction within a plat for which any balance of such an amount due remains unpaid until said balance has been duly submitted in full.

ARTICLE VI VARIANCES AND WAIVERS

Section 6.1 Variances

Where the Planning Board finds that extraordinary and unnecessary hardships may result from strict compliance with these regulation, it may vary the regulations so that substantial justice may be done and the public interest secured; provided that such variations will not have the effect of nullifying the intent and purpose of the official map, the Master Plan or the zoning ordinance, if such exist.

Section 6.2 Waivers

Where the Planning Board finds that, due to the special circumstances of a particular plat, the provision of certain required improvements is not requisite in the interest of the public health, safety and general welfare or is inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the proposed subdivision, it may waive such requirements subject to appropriate conditions.

Section 6.3 Objectives

In granting variances and modifications, the Planning Board shall require such conditions as will, in its judgement, secure substantially the objectives of the standards or requirements so varied or modified.

ARTICLE VII ENFORCEMENT

Section 7.1 Penalty

Any person owning, controlling or managing any building, structure, land or premises wherein or whereon there shall be place on or there exists or is practiced or maintained anything or any use in violation of any of the provision of this local law, shall be guilty of an offense and subject to fines or imprisonment as follows:

- a) First offense: Not exceeding three hundred fifty dollars (\$350) or six months imprisonment, or both
- b) Second offense: If within five (5) years of the first offense: not less than three hundred fifty dollars (\$350) or more than seven hundred dollars (\$700), or up to six months Imprisonment or both
- c) Third offense: Or subsequent offense (if within five (5) years of the first and second offenses); not less than seven hundred dollars (\$700) or more than one thousand dollars (\$1,000), or up to six months imprisonment, or both.

Such fines shall be recovered by the Town in a civil action. Every such person shall be recovered by the Town in a civil action. Every such person shall be deemed guilty of a separate offense for each week such violation, disobedience, omission, neglect or refusal shall continue. Where the person committing such violation is a partnership, association or corporation, the principal executive officer, partner, agent or manager may be considered to be the "person" for the purpose of this local law.

Section 7.2 Alternative Remedy

In case of any violation or threatened violation of any of the provisions of this local law, or conditions imposed by a building permit, in addition to other remedies herein provided, the Town may institute any appropriate action or proceedings to prevent such unlawful erection, structural alteration, reconstruction, occupancy, moving and/or use, to restrain, correct or abate such violation, to prevent the occupancy of such building, structure or land, or to prevent any illegal act, conduct, business or use in or about such premises.

Section 7.3 Stop Work Order

- 7.3.1 The Town Board for the Town of Fort Ann herein grants to the Town's Code Enforcement Office the administrative responsibility of immediately terminating any actions by posting a Stop Work Order on the premises wherein the violation has occurred.
- 7.3.2 The Stop Work Order shall serve notice to the owner, builder, developer, agency and/or other individual or business on the premises that all such actions specified on the Stop Work Order must be terminated immediately.
- 7.3.3 Relief from the Stop Work Order can be realized as follows:
If all provisions of this Local Law, together with other conditions specified by the Town's Code Enforcement Office are met, then the Town Board may authorize the termination of the Stop Work Order.

Section 7.4 Misrepresentation

Any permit or approval granted under this local law which is based upon or is granted in reliance upon any material misrepresentation, or failure to make a material fact of circumstance known, by or on behalf of an applicant shall be void. This section shall not be construed to affect the remedies available to the Town under the above sections of the local law.

Section 7.5 Complaints and Violations

Whenever a violation of this local law occurs, any person may file a complaint in regard thereto. All such complaints shall be filed with the Code Enforcement Office, who may require such complaint to be in writing. The Code Enforcement Office shall have the complaint properly investigated and report thereon to the governing body.

ARTICLE VIII TERMINATION, INTERPRETATION OF WORDS AND DEFINITIONS.

Section 8.1 Use and Interpretation of Words

Except where specifically defined herein, all words used in these Regulations shall carry their customary meanings. Words used in the present tense shall include the future. Words use in the singular number shall include the plural, and words used in the plural number include the singular, unless the context clearly indicates the contrary.

The word "shall" is always mandatory. The word "may" is permissive. "Building" or structure" includes any part thereof, except fence and walls, regardless of dissimilarity to conventional building forms. The word "lot" includes the "plot" or "parcel". The word "person" includes a corporation as well as an individual. The phrase "used for" includes "arranged for", "designed for", "intended for" and "occupied for".

Section 8.2 Definitions

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

Agricultural Use – Any management of any land for agriculture; raising of cows, horses, pigs, poultry and/or other livestock, truck gardens, horticulture or orchards, including the sale of products grown or raised directly on such land and including the construction, alteration or maintenance of fences, agricultural roads, agricultural drainage systems and farm ponds.

Agricultural Use Structure - Any building or structure directly and customarily associated with agricultural use.

Arterial Street - See Major Street.

Building – Any structure which is permanently affixed to the land, is covered by a roof supported by columns or by walls, and intended for shelter, housing or enclosure of persons, animals or chattels (see Structure")

Cluster Development – A planned development in which the lots are plotted with less than the minimum lot size and dimensional requirements, but which have access to common open space which is a part of the overall development plan.

Collector Street – A street which carries traffic from minor streets to the major system of secondary or arterial streets, the principal entrance and circulation streets within a development.

Commercial Use - Any use involving the sale or rental or distribution of goods, services or commodities, either retail or wholesale, or the provision of recreation facilities or activities for a fee. The term shall include but not be limited to the following: drive-in restaurant, fast food operation; filling station; public garage; restaurant, retail store; retail stand and tavern.

Commercial Use, Transient and / or Temporary – Any commercial use where retail display is principally outdoors such as sidewalk sales or within temporary structures including tents. Said use is typically seasonal, not a principal part of a commercial establishment, operating from the same site and facility year round. Such use shall not include community based religious or civic groups or organizations.

Common Facilities - Complementary structures and / or improvements located on a common open space appropriate for the benefit and enjoyment of the space by the public or members of the controlling association or condominium.

Common Open Space - A parcel or parcels of land or an area of water, or a combination of land and water designated and intended for the private or public use of enjoyment of the space and may include such appurtenant structures that are necessary to allow the enjoyment of the space.

Condominium Development – A project or individual single family dwelling units which may consist of one, a part, or more than one structure wherein the dwelling units are individually owned, each owner holding a title thereto, while retaining together with all the other owners of units in the project, an undivided interest in the

common facilities and areas of the buildings and ground which are used by all the residents, through an offering prospectus. All condominium developments shall be reviewed as subdivision.

Condominium Unit – An individual single family dwelling unit within a condominium development

Dead-End Street – (cul-de-sac) – A street or a portion of a street with only vehicular outlet and with a turn-around at its terminus.

Duplex or Dwelling, Two Family – A detached building containing two (2) dwelling units.

Dwelling Unit – A building or portion thereof providing complete housekeeping facilities for one family.

Easement – Authorization by a property owner for the use by another, and for a specified purpose, 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

Family – One or more persons occupying the premises and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, club, fraternity or hotel.

Farm - Any parcel of land used for agricultural or silviculture use including any structure, building, or residence which is incidental to the permitted use.

Home Owners Association – A contract agreed to by owners of home in an area that provides regulations for the operation and maintenance of a commonly owned facilities and / or open space.

Land Clearing - The excavation, cutting, removal, alteration, destruction or clearing of perennial or annual vegetation, including trees, or the disturbance of soil.

Landscape - All the natural features, such as fields, hills, forests, water, etc. , that distinguish one part of the earth's surface from another part, usually that portion of land or territory which the eye can comprehend in a single view, including all of its natural characteristics.

Landscape Plan - A plan of sufficient detail to describe proposed changes in topography, structures, vegetation and visual characteristics.

Major Street – A street which serves or is designated to serve heavy flows of traffic and which is used primarily as a route for traffic between communities and / or other heavy traffic generating areas.

Major Subdivision – Any Subdivision not classified as a minor subdivision or a resubdivision.

Master or Comprehensive Plan – A comprehensive plan prepared by the Planning Board pursuant to Section 272-1 of the Town Law, which indicates the general locations recommended for various functional classes of public works, places and structures and for general physical development o the Town, and includes any unit or part of such plan separately prepared and any amendment to such plan or parts therein.

Minor Street – A street intended to serve primarily as an access to abutting residential properties.

Minor Subdivision - Any subdivision containing not more than three (3) lots, in addition to the original , each fronting on an existing public street, not involving any new street or road or the extension of municipal facilities not adversely affecting the development of the remainder of the parcel or adjoining properties, and not in conflict with any provision or portion of the Master Plan. A landowner who ahs completed the requirements for a minor subdivision approval may not apply for another minor subdivision permit on the same premises until three (3) years has elapsed since the original approval.

Mobile Home - Any vehicle or similar portable structure or any part thereof or addition thereto with or without a foundation or wheels, jacks, skirting, wood or masonry block supports, designed or constructed to be

towed on its own chassis (comprised of frame and wheels), driven or otherwise transported to its resting site and which is designed to permit occupancy for residential, business, commercial or office purposes. Such will include units that may contain parts that may be folded, collapsed or telescoped when being towed or expanded later, as well as two or more separate components designed to be joined into one integral unit but excluding modular homes. See "Single Family Dwelling".

Mobile Home Park - A parcel of land under a single deed ownership which is designed and improved for the placement of two or more mobile home units thereof.

Modular Home - Any building comprised of two (2) or more sections with or without their own chassis, capable of being transported to their building site and permanently joined into one integral unit which indistinguishable in appearance from a conventionally built home, including, but not limited to, a sloped roof and permanent foundation.

Official Map - The map established by the Town Board, pursuant to Section 270 of the Town Law, showing streets, highways and parks and drainage, both existing and proposed.

Official Submittal Date - The time of submission of the subdivision plat shall be considered to be the date of the regular monthly meeting of the Planning Board at least ten (10) days prior to which the application for approval of the subdivision plat, complete and accompanied by the required fee, and all data required by these regulations has been filed with the Secretary of the Planning Board.

Planning Board - Pursuant to Section 271 of the Town Law, the Town of Fort Ann created a "Planning Board". Such Board consists of seven (7) members appointed by the Town board in such manner and for such terms as provided in the Town Laws. The Planning Board shall have all the powers and perform all the duties prescribed by Statute and by this Ordinance.

Plat, Final - The final map of all or a portion of the subdivision which is presented to the Planning Board for final approval in accordance with these regulations and which, if approved, shall be filed with the County Clerk.

Plat, Preliminary - A drawing or drawings clearly marked "Preliminary Plat" showing the salient features of a proposed subdivision, as specified in these Regulations, submitted to the Planning Board for purposes of consideration prior to submission of the Plat in final form and of sufficient detail to apprise the Planning Board of the lay out of the proposed subdivision.

Plat, Sketch, or Sketch Plan - A sketch of a proposed subdivision showing the information specified in these Regulations to enable the subdivider to save time and expense in reaching general objectives of these Regulations.

Resubdivision - A change in a subdivision plat or resubdivision plat filed in the office of the County Clerk, which change a) affects any area reserved thereon for public use; b) affects any street layout shown on such plat; or c) diminishes the size of any lot shown thereon.

Sketch Plan - A free-hand sketch made on a topographic survey map showing the proposed subdivision in relation to existing conditions.

Street - A right of way for vehicular traffic, including road, avenue, lane, highway, or other way

Street Pavement - The wearing or exposed surface of the roadway used by vehicular traffic.

Street Width - The distance between property lines.

Structure - Any object constructed, installed or permanently placed on land to facilitate land use and development or subdivision of land, including, but not limited to, building, sheds, single family dwellings, mobile homes, signs, service station pumps, drive-in or drive through islands with or without canopies, all above ground tanks, and any fixtures, addition and alterations thereto but excluding animal shelters less than 100 square feet. (see "building").

Subdivider - Any person, firm, corporation, partnership or association, or successors in interest to any such parties, who shall lay out any subdivision or part thereof as defined herein, either for himself or others.

Subdivision - A division of any residential, commercial or industrial land into two (2) or more lots, parcels or sites, whether adjoining or not, for the purpose of sale, lease, license or any form of separate ownership or occupancy by any person or by any other person controlled by, under common control with any such person or group of persons acting in concert as part of a common scheme or plan provided, however, that this shall not apply to conveyances of small amounts of land to correct a boundary of a lot so long as such conveyance does not create additional lots and furthermore, division of land for agricultural purposes shall be exempt. For the purpose of these regulations, a condominium shall be reviewed as a subdivision.

Subdivision Plat or Final Plat - A drawing in final form showing a proposed subdivision containing all information or detail required by law and by these regulations to be presented to the Planning Board for approval, and which if approved, may be duly filed or recorded by the applicant in the office of the County Clerk.

Surveyor - A person licensed as a land surveyor by the State of New York.

Town - The Town of Fort Ann in New York State.

Town Authorized Engineer - The duly designated engineer of the Town.

Town House - A dwelling unit which is one of a series of units, having a common party wall between each adjacent unit, each with private outside entrances.

Townhouse Development - A multiple family dwelling project of individual single family units arranged in a row of at least three (3) such units each on its own separate lot of record and wherein each unit has its own front and rear access to the outside, no unit located over another unit, and each unit is separated from any other unit by one or more common walls.

Travel Trailer Camp - A parcel of land, which is occupied or used for the placement of two or more travel trailers, motor homes or similar temporary living quarters.

Travel Trailer or Travel Vehicle - Any portable vehicle, including a tent camper or motor home, which is designed to be transported on its own wheels, which is designed and intended to be used for temporary living quarters for travel, recreational or vacation purposes, and which may or may not include on or all of the accommodations and facilities customarily included in a mobile home.

(Complete the certification in the paragraph, which applies to the filing of this local law)

1. (Final adoption by local legislative body only)

I hereby certify that the local law annexed hereto, designated as local law No. 5... of 19...90...
of the Town of Fort Ann... was duly passed by the Town Board...
(Name of Legislative Body)
on July 9... 19...90... In accordance with the applicable provision of Law.

- Elective Chief Executive Officer means or Includes the chief executive officer of a county elected as a county-wide basis or, If there be none, the chairman of the county legislative body, the mayor of a city or village or the supervisor of a town where such officer is vested with power to approve or veto local laws or ordinances.

I further certify that I have compared the preceding local law with the original on file in this office and that the same is correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph above.

Mary Jane Godfrey
Town Clerk

Date: July 9, 1990

(seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality)

STATE OF NEW YORK
COUNTY OF Washington.....

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

(Signature)

Attorney to the Town of Fort Ann

(Title)

Date: July 9, 1990

Town of Fort Ann.....

New Application Section

-Blank page-

PROPERTY IDENTIFICATION FORM
TOWN OF FORT ANN PLANNING BOARD
80 GEORGE STREET
P.O. BOX 314
FORT ANN, NY 12827

To Whom It May Concern:

An application for (check as needed):

- Site Plan Review
- Subdivision Review
- Mobile Home Permit
- Telecommunications Tower

is currently pending before the Town of Fort Ann
Planning Board for this property.

Owner

Name: _____ Address: _____

Name: _____ Address: _____

Applicant (if different from Owner)

Name: _____ Address: _____

For property located at : _____

THIS NOTICE IS TO BE PLACED IN A PLASTIC PROTECTIVE COVER
AND POSTED CONSPICUOUSLY IMMEDIATELY ADJACENT TO THE
NEAREST ROAD OR OTHER TRAVELED PUBLIC RIGHT OF WAY FOR
PLANNING BOARD IDENTIFICATION OF THE PROPERTY.