

# LAND SUBDIVISION REGULATIONS



## TOWN OF ONONDAGA

COUNTY OF ONONDAGA  
NEW YORK

# **LAND SUBDIVISION REGULATIONS** **TOWN OF ONONDAGA, NEW YORK**

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## **SECTION I – PURPOSES**

It is hereby declared to be the policy of the Town of Onondaga that the subdivision and development of land for residential, commercial, and industrial purposes shall be guided and regulated in such a manner as to meet the following requirements for orderly and harmonious growth. In setting forth these requirements, the Town acknowledges that it has an obligation to protect the environment for the use and enjoyment of all and in carrying out the purposes herein, the Town will be guided by Article 8 of the Environmental Conservation Law, known as the “New York State Environmental Quality Review Act;” and Part 617 of Title VI of the New York Codes, Rules and Regulations adopted pursuant to said act; and Local Law No. 6-1979 of the Onondaga Town Code known as Chapter 13C Environmental Quality Review:

The Planning Board has the power and authority to approve plats of a subdivision or re-subdivision of land, with or without streets or highways within the Town of Onondaga. Such approval shall be in accordance with the procedures and regulations set forth herein and are prerequisite to the filing of any plat for the subdivision or re-subdivision of land as defined herein, in the office of the Onondaga County Clerk. Subdivision approval in accordance with these regulations shall be a prerequisite to the issuance of any building permit or certificate of occupancy for construction or use of subdivision land.

Land to be subdivided or developed shall be of such character that it can be used safely without danger to health, or peril from fire, flood, erosion, excessive noise or smoke, or other menace.

Proper provisions shall be made for drainage, water supply, sewerage, and other appropriate utility services.

The proposed streets shall provide a safe, convenient, and functional system for vehicular circulation, and shall be properly related to the master plan of the area. Street names shall be designated in accordance with the procedure established by Onondaga County Local Law #5-1972, “Right of Way Designations,” effective January 1, 1973. Streets shall be of such width, grade, and location as to accommodate prospective traffic as determined by existing and probably future land and building uses.

Buildings, lots, blocks, and streets shall be so arranged as to afford adequate light, view, and air, to facilitate fire protection, and to provide ample access for fire-fighting equipment to buildings.

Land shall be subdivided or developed with due regard to topography so that the natural beauty of the land and vegetation shall be protected and enhanced.

Adequate sites for schools, parks, playgrounds, and other community services shall be located so that residents of all neighborhoods shall have convenient access to such facilities.

## **SECTION II – DEFINITIONS**

A. For the purpose of these regulations, certain words used herein are defined as follows:

1. **Subdivision** – A division of any part, parcel or area of land by the owner or agent either by lots or by metes and bounds into lots or parcels two or more in number for the purpose of conveyance, transfer, improvement, building development, or sale. A subdivision shall not include, however, the division of land for agricultural purposes into two or more lots, each seven (7) acres or more in area, and which does not involve the creation of a new street or highway. The term subdivision includes re-subdivision.
2. **Streets** – The term “streets” means a way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, drive, place, or other similar designation. The following functional classifications are used in these regulations:
  - a. **Arterial**: A street, road or highway which is designed to move large volumes of traffic from one area to another (inter-community traffic) and to and from freeways.

- b. Collector Street: A street designed to collect or transport through automobile traffic from local, neighborhood streets and conduct it to arterials.
  - c. Local Street: A street designed to provide access to neighborhoods not primarily designed to carry through traffic and where moving traffic is a secondary function.
  - d. Marginal Access Streets: Local streets which are parallel to and adjacent to arterial streets and highways and which provide access to abutting properties and protection from through traffic.
  - e. Cul-De-Sacs: Local streets with one end open for public vehicle and pedestrian access and the other end terminating in a vehicular turnaround.
  - f. Service Drives: Minor private ways which are used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.
3. Plans and Plats
- a. Sketch Plan – An informal plan indicating salient existing features of the tract and its surroundings and the general layout of a proposed subdivision.
  - b. Preliminary Plat – A drawing showing the layout of the proposed subdivision, including, but not limited to, road and lot layout and approximate dimensions, key plan, topography and drainage, all proposed facilities un-sized, including preliminary plans and profiles, at suitable scale prepared in accordance with the standards set forth in Section VI (B) herein. Such drawing shall contain a deed description and map of survey of the tract boundary, based upon an actual field survey where the land and survey are prepared by and certified by a licensed surveyor, to be a closed and balanced traverse and showing the location of property lines, existing easements, buildings, watercourses and other essential features. The map of survey on which the preliminary plat is prepared shall be an actual field survey not older than twenty-four (24) months prior to the date of filing the application for the preliminary plat.
  - c. Final Plat – A drawing showing the layout of the proposed subdivision containing such detail prepared in accordance with the standards set forth in Section VI(c) herein and the modifications, if any, required by the Planning Board at the time of approval of a preliminary plat of such proposed subdivision, if such preliminary plat has been so approved. Such drawing shall contain a deed description and map of survey of the tract boundary, based upon an actual field survey where the land and survey are prepared by and certified by a licensed surveyor, to be a closed and balanced traverse and showing the location of property lines, existing easements, buildings, watercourses and other essential features. The map of survey on which the final plat is prepared shall be an actual field survey not older than twenty-four (24) months prior to the date of filing the application for the preliminary plat.
  - d. Final Grading Plan – A drawing showing the proposed grading for surface water runoff of the entire subdivision containing such detail as required by these regulations and the modifications, if any, as may be required by the Planning Board prior to the approval of the Final Plat.
  - e. Erosion and Sediment Control Plan – A drawing showing temporary erosion and sediment control measures to be implemented and maintained during construction to minimize the risk of sediment pollution.

The drawing shall include sufficient information to evaluate and identify the existing topography, vegetation, soils types, environmentally sensitive areas, the potential impacts of the proposed grading, and the effectiveness and acceptability of measures proposed to minimize soil erosion and off-site sedimentation. Additional measures other than those shown may be required to be implemented during construction to compensate for unanticipated field conditions or the method of the construction.

The temporary methods shown shall be coordinated with the permanent measures to the extent practical to assure continuous erosion control throughout the construction and post construction periods.

- f. Construction Plans – Drawings and specifications showing the location, character, dimensions, and details of the work to be performed for the installation of highways, sewers, water works, and drainage facilities (sometimes referred to as Contract Documents).
4. Planning Board – The Planning Board of the Town of Onondaga.
5. Town Board – The Town Board of the Town of Onondaga.
6. Master Plan – Town of Onondaga Comprehensive Master Plan 2007, as adopted by the Town Board on November 19, 2007, as amended and supplemented by the Supplement and Addendum to the 2007 Master Plan approved by the Town Board as of March 7, 2016.
7. Other Terms – The following terms shall have definitions given them in the Code of the Town of Onondaga, Chapter 35, Zoning:
  - a. Depth of Lot
  - b. Width of Lot
  - c. Lot Area

### **SECTION III – PROCEDURE**

- A. Whenever any subdivision of land is proposed to be made and before the transfer of and/or filing of any instruments of conveyance is made and before any permit for the erection of a structure in such proposed subdivision shall be granted, the subdivider or his duly authorized agent shall apply in writing for approval of such proposed subdivision. The subdivider or his duly authorized agent shall apply in writing for approval of such proposed subdivision in accordance with the following procedures listed herein. The applicant, in addition to the following these procedures, shall comply with the New York State Environmental Quality Review Act and the Town of Onondaga Environmental Quality Review (Chapter 13C).

It is suggested that the subdivider consult with officials concerned with engineering, health, assessments, schools, recreation, fire protection and environmental protection in addition to those designated in these regulations.

The Town shall permit its Town Engineers to be retained by developers in conjunction with the design and engineering of subdivisions within the Town upon such terms as the developer and the engineers shall determine, provided that all parties recognize that said engineers' primary responsibility and duty is to the Town and provided further, that such arrangement shall not be available in instances involving a zone change by the Town Board.

#### **B. Sketch Plan Procedure**

1. Prior to applying for approval of a Preliminary Plat, the subdivider shall submit to the Planning Board a Sketch Plan and data as specified in Section VI.
2. The subdivider and the Planning Board shall discuss the property with respect to: zoning requirements; existing private and public developments; facilities, services, and those proposed by any Master Plan or public agency; any special community or site problems that may be encountered. Modification of the Sketch Plan shall be discussed if the plan, as submitted, does not meet the objectives or standards of these regulations.

3. Upon completion of the review of the Sketch Plan, the Planning Board shall advise the subdivider of the Environmental Assessment Form to be filed with the application for Preliminary Plat approval.

C. Preliminary Plat Procedure

1. The subdivider shall file an application for the approval of the Preliminary Plat, together with a completed Environmental Assessment Form, with the Planning Board; said application shall include all required fees as established by the Town Board. The application review process will not begin until all required fees are paid in full. The Preliminary Plat shall be prepared by a licensed professional land surveyor, registered in the State of New York.
2. The subdivider shall consult with the Onondaga County Department of Health.
3. If the subdivision is to utilize a form of subsurface leaching for sewage disposal, percolation tests shall be made before the subdivider proceeds to the preparation of the Preliminary Plat.
4. If the installation of a sanitary sewerage system is involved, the subdivider shall consult with the Onondaga County Department of Drainage and Sanitation and the Town Engineer.
5. If the installation of a water main is involved, the subdivider shall consult with the Onondaga County Water Authority and the Town Engineer to determine the adequacy and availability of water.
6. The subdivider shall consult the Town Engineer concerning storm drainage.
7. When required by the Planning Board, the subdivider shall indicate on the Preliminary Plat, the general soils condition to be encountered within the proposed subdivision. The Town Engineer shall review this information together with other soils information and forward their remarks to the Planning Board.
8. The subdivider shall adhere to the Town of Onondaga standard specifications for construction on file at the Town of Onondaga Town Clerk's Office.
9. The subdivider shall submit to the Planning Board a minimum of eight (8) paper copies of the Preliminary Plat, the street profiles, and all required supplementary material as specified in Section VI and an application for approval.
10. A Preliminary Plat of a subdivision showing proposed new streets or building sites having frontage on, access to, or otherwise directly related to any county highway shall be submitted by the Planning Board to the Syracuse – Onondaga County Planning Agency and the Onondaga County Department of Transportation, Division of Engineering for review as provided by § 239-k of the General Municipal Law.
11. A preliminary Plat of a subdivision showing proposed new streets or building sites having frontage on, access to, or otherwise directly related to any state highway shall be submitted by the subdivider to the Syracuse – Onondaga County Planning Agency and the New York State Department of Transportation for review.
12. The Planning Board shall submit the Preliminary Plat to the following agencies for review and comments:
  - a. Town Superintendent of Highways (if any existing or proposed Town Highway is involved)
  - b. Town Codes Enforcement Officer
  - c. Fire Department

- d. Town Recreation Department (if the subdivision is adjacent to an existing recreational area)
  - e. Town Engineer
13. Before approval of the Preliminary Plat, the subdivider shall also submit certificates or other evidence as to adequacy of the proposed water system and/or sewerage system by the Onondaga County Department of Health, or such other agencies as shall have jurisdiction.
14. The Planning Board shall hold a public hearing on a complete preliminary plat application in accordance with the following:
- a. The time within which the Planning Board shall hold a public hearing on the preliminary plat shall be coordinated with any hearings the Planning Board may schedule pursuant to the New York State Environmental Quality Review Act as follows:
    - (i) If such Board determines that the preparation of an environmental impact statement on the preliminary plat is not required, the public hearing on such plat shall be held within sixty-two (62) days after the receipt of a complete preliminary plat application by the Secretary of the Planning Board; or
    - (ii) If such Board determines that an environmental impact statement is required, and a public hearing on the draft environmental impact statement is held, the public hearing on the preliminary plat and the draft environmental impact statement shall be held jointly within sixty-two (62) days after the filing of the notice of completion of such draft environmental impact statement in accordance with the provisions of the State Environmental Quality Review Act. If no public hearing is held on the draft environmental impact statement, the public hearing on the preliminary plat shall be held within sixty-two (62) days of filing the notice of completion.
    - (iii) If the Planning Board is not lead agency for purposes of the State Environmental Quality Review Act, the Planning Board shall, with the agreement of the lead agency, hold the public hearing on the preliminary plat jointly with the lead agency's hearing on the draft environmental impact statement. Failing such agreement or if no public hearing is held on the draft environmental impact statement, the Planning Board shall hold the public hearing on the preliminary plat within 62 days after the receipt of a complete preliminary plat application.
  - b. Notice of the public hearing on the preliminary plat shall be advertised at least once in the official newspaper of the Town at least five (5) days before the hearing if no hearing is held on the draft environmental impact statement, or fourteen (14) days before a hearing held jointly therewith. The Planning Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such preliminary plat. The hearing on the preliminary plat shall be closed upon motion of the Planning Board within one hundred twenty (120) days after it has been opened.
15. The Planning Board shall approve, with or without modification, or disapprove such preliminary plat as follows:
- a. If the Planning Board determines that the preparation of an environmental impact statement on the preliminary plat is not required such Board shall make its decision within sixty-two (62) days after the close of the public hearing; or
  - b. If the Planning Board determines that an environmental impact statement is required, and a public hearing is held on the draft environmental impact statement, the final environmental impact statement shall be filed within forty-five (45) days following the close of such public hearing in accordance with the provisions of the State Environmental Quality Review Act. If no public hearing is held on the draft environmental impact statement, the final environmental impact statement shall be filed within forty-five (45) days following the close of the public hearing on the preliminary plat. Within thirty days (30) of the filing of such final environmental impact statement, the Planning Board shall

issue findings on the final environmental impact statement and make its decision on the preliminary plat.

- c. The grounds for a modification, if any, or the grounds for disapproval shall be stated upon the records of the Planning Board. When so approving a preliminary plat, the Planning Board shall state in writing any modifications it deems necessary for submission of the plat in final form.
- d. The time periods prescribed herein within which the Planning Board must act on a plat is specifically intended to provide the Planning Board and the public adequate time for review and to minimize delays in the processing of subdivision applications. The time in which the Planning Board must act on such plat may be extended by mutual consent of the subdivider and the Planning Board. Within five (5) days of the approval of such preliminary plat, it shall be certified by the Secretary of the Planning Board as granted preliminary approval, a copy filed with the Town Clerk and a certified copy mailed to the subdivider.
- e. Within six (6) months of the approval of the preliminary plat, the subdivider shall submit the plat in final form, together with the final offers of cession of all sewers, drainage facilities, water mains, and all land included in streets, easements, parks or other public areas deemed acceptable by the Planning Board, not specifically reserved by the subdivider. If such plat is not so submitted, approval of the preliminary plat may be revoked by the Planning Board.
- f. In the event the Planning Board fails to act on a preliminary plat within the time prescribed therefore, such plat shall be deemed granted preliminary approval. The certification of the Clerk of the Town as to the date of submission and the failure to act within such prescribed time shall be issued on demand and shall be sufficient in lieu of written endorsement or other evidence of approval herein required.

#### D. Final Plat Procedure

1. The subdivider shall file an application for the approval of the Final Plat with the Planning Board.
2. Five (5) paper copies of the Final Plat, Final Grading Plan, when requested by the Planning Board, and all required supplementary material as specified in Section VI, together with an application for final approval shall be submitted to the Planning Board.
3. The Final Plat shall conform substantially to the Preliminary Plat, as approved, and modified in accordance with the requirements of the approval given to the preliminary plat if the preliminary plat was approved with modifications.
4. Prior to Final Plat approval by the Planning Board, the Town Engineer, when requested by the Planning Board, shall review and determine acceptable the following:
  - a. Storm Drainage System
  - b. Sanitary Sewer System
  - c. Highway System
  - d. Erosion and Sediment Control Plan
  - e. Final Grading Plan
5. Upon receipt of an application for final plat approval, the Planning Board shall proceed in accordance with the following:
  - a. Final plats which are in substantial agreement with the approved preliminary plat.



When a final plat is submitted which the Planning Board deems to be in substantial agreement with a preliminary plat approved pursuant to this section, the Planning Board shall by resolution conditionally approve with or without modification, disapprove, or grant final approval and authorize the signing of such plat, within sixty two (62) days of its receipt by the Planning Board.

- b. Final plats which are not in substantial agreement with the approved preliminary plat.

The time within which the Planning Board shall hold a public hearing on such final plat shall be coordinated with any hearings the Planning Board may schedule pursuant to the State Environmental Quality Review Act, as follows:

- (i) If the Planning Board determines that the preparation of an environmental impact statement is not required, the public hearing on a final plat not in substantial agreement with a preliminary plat shall be held within sixty-two (62) days after the receipt of a complete final plat application by the Secretary of the Planning Board; or

- (ii) If the Planning Board determines that an environmental impact statement is required, and a public hearing on the draft environmental impact statement is held, the public hearing on the final plat and the draft environmental impact statement shall be held jointly within sixty-two (62) days after the filing of the notice of completion of such draft environmental impact statement in accordance with the provisions of the State Environmental Quality Review Act. If no public hearing is held on the draft environmental impact statement, the public hearing on the final plat shall be held within sixty-two (62) days following filing of the notice of completion.

- (iii) If the Planning Board is not lead agency under the State Environmental Quality Review Act, the Planning Board shall, with the agreement of the lead agency, hold the public hearing on the final plat jointly with the lead agency's hearing on the draft environmental impact statement. Failing such agreement or if no public hearing is held on the draft environmental impact statement, the Planning Board shall hold the public hearing on the final plat within sixty-two (62) days after the receipt of a complete final plat application by the Secretary of the Planning Board.

- c. A hearing shall be held by the Planning Board, which hearing shall be advertised at least once in a newspaper of general circulation in the Town at least five (5) days before such hearing, provided, however, that when the Planning Board deems the final plat to be in substantial agreement with a preliminary plat approved under subdivision C of this section and modified in accordance with requirements of such approval, if such preliminary plat has been approved with modification, the Planning Board may waive requirement for such public hearing. Notwithstanding the foregoing provisions of this subdivision, the time in which the Planning Board shall act on such plat, may be extended by mutual consent of the subdivider and the Planning Board. Upon resolution of conditional approval of such final plat, the Planning Board shall empower the Planning Board Chairman to sign the plat subject to completion of such requirements as may be stated in the resolution. Conditional approval of a final plat shall expire within one hundred eighty (180) days after the date of the resolution granting conditional approval unless such requirements have been certified as completed.

- d. The Planning Board shall make its decision on the final plat as follows:

- (i) If the Planning Board determines that the preparation of an environmental impact statement on the final plat is not required, the Planning Board shall by resolution conditionally approve, with or without modification, disapprove, or grant final approval and authorize the signing of such plat, within sixty-two (62) days after the close of the public hearing; or

- (ii) if the Planning Board determines that an environmental impact statement is required, and a public hearing is held on the draft environmental impact statement, the final environmental impact statement shall be filed within forty-five (45) days following the close of such public hearing in accordance with the provisions of the State Environmental Quality Review Act. If no public hearing is held on the draft environmental impact

statement, the final environmental impact statement shall be filed within forty-five (45) days following the close of the public hearing on the final plat. Within thirty (30) days of the filing of the final environmental impact statement, the Planning Board shall issue findings on such final environmental impact statement and shall by resolution conditionally approve, with or without modification, disapprove, or grant final approval and authorize the signing of such plat.

- e. The grounds for a modification, if any, or the grounds for disapproval shall be stated upon the records of the Planning Board.
- f. Within five (5) days of the adoption of the resolution granting conditional or final approval of the final plat, the final plat shall be certified by the Secretary of the Planning Board as conditionally approved and a copy shall be filed with the Town Clerk, with a certified copy mailed to the subdivider including a certified statement of such requirements, which, when complete, will authorize the signing of the conditionally approved final plat. Upon the completion of such requirements, the plat shall be signed by said Chairman of the Planning Board and a copy of such signed plat shall be filed in the office of the Secretary of the Planning Board.
- g. The time periods prescribed herein within which a Planning Board must act on a final plat is specifically intended to provide the Planning Board and the public adequate time for review and to minimize delays in the processing of subdivision applications. Such periods may be extended only by mutual consent of the Planning Board and the subdivider.

In the event the Planning Board fails to take action on a final plat within the time prescribed therefor after completion of all requirements under the State Environmental Quality Review act or within such extended period as may have been established by the mutual consent of the developer and the Planning Board, such final plat shall be deemed granted approval. A certificate of the Clerk of the Town as to the date of submission and the failure to act within such prescribed time shall be issued on demand and shall be sufficient in lieu of written endorsement or other evidence of approval herein required.

- 6. Notwithstanding the foregoing provisions of Section III D.5, the Planning Board may extend the time in which a conditionally approved plat in final form must be submitted for signature, if in its opinion such intention is warranted by the particular circumstances thereof, for not to exceed two (2) additional periods of ninety (90) days each.
- 7. Prior to granting conditional or final approval of a plat in final form, the Planning Board may permit the plat to be subdivided into two or more sections and may in its resolution granting conditional or final approval state that such requirements as it deems necessary to insure the orderly development of the plat be completed before such sections may be signed by the Chairman of the Planning Board. Conditional or final approval of the sections of a final plat, subject to any conditions imposed by the Board, shall be granted concurrently with conditional or final approval of the plat.
- 8. The signature of the Chairman of the Planning Board constituting final approval by the Planning Board of a plat showing lots, blocks or sites, with or without streets or highways, or the certificate of the Town as to the date of the submission of the final plat and the failure of the Planning Board to take action thereon within the time prescribed, shall expire within sixty (60) days from the date of such approval, or from the date such certificate is issued, unless within such sixty (60) day period such plat or a section thereof shall have been duly filed or recorded by the subdivider in the Office of the County Clerk. In the event the subdivider shall file a final plat of only a section of such approved preliminary plat in the Office of the County Clerk, the entire approved preliminary plat shall be filed within thirty (30) days of the filing of such section with the Town Clerk of the Town of Onondaga. Such section shall encompass at least ten percent (10%) of the total number of lots contained in the approved plat and the approval of the remaining sections of the approved plat shall expire unless said sections are filed before the expiration of the exemption period to which such plat is entitled under the provisions of subdivision 2 of § 265-a of the Town Law of the State of New York.

9. When the Final Plat has been granted approval, the subdivider shall submit one (1) reproducible copy, two (2) clot or cloth-backed copies, one (1) paper copy and such additional paper copies as the subdivider may require of each drawing within thirty (30) days to the Planning Board for the signature of the Chairman of the Planning Board.
10. Building Permits will not be issued by the Codes Enforcement Officer until the Plat is filed with the County Clerk, the requirements of subsections E and G below have been complied with and the subdivider has entered into agreements for the construction of roads, sewers, and drainage facilities where such construction is called for in the plans.

E. Petition Plans Procedure

1. The subdivider shall submit a petition to the Town Board requesting a special district formation in all cases where a new district or an extension of an existing district is to be formed in order to serve a subdivision with public utilities including sanitary sewers, drainage facilities, water mains, and lighting facilities.
2. Petitions are to be submitted to the Town Board for their review and acceptance before execution of the Highway Sewer and Drainage Construction Maintenance Agreement.
3. Petition plans are to be prepared by a licensed professional engineer registered in the State of New York.
4. The subdivider shall consult with the Town Engineer to obtain names for the proposed Districts and Extensions, inter-district charges, and any other charges.
5. The subdivider shall consult with the Town Attorney for preparation of the petition and scheduling of a public hearing.
6. Upon written consent by the subdivider to pay all applicable fees for establishment or extension of a special district including legal, engineering, and administrative fees, a public hearing will be scheduled.

F. Conditions of Approval

1. The subdivider shall not perform any on-site construction, including but not limited to, grading, roadwork and utility installation until he executes and files with the Town Board in form and amount satisfactory to said Board all the items and documents hereinafter set forth. This provision shall not be construed as prohibiting surveying, staking and other layout or soil testing work which does not materially change site contours or remove or destroy the vegetation cover.
  - a. In the case of a subdivision, all lots of which have frontage on existing public roads and any of which require utility or drainage construction, the subdivider shall file, at the time of or prior to final approval by the Planning Board, utility and drainage construction agreements together with such security as hereinafter set forth in subsections H and I of this Section or as may be required by the Town Board. The subdivider shall also file duplicate original insurance policies in such form and in such amounts of coverage as shall, from time to time, be required by the Town Board. ALL LIABILITY POLICIES SHALL NAME THE TOWN OF ONONDAGA AS AN ADDITIONAL INSURED. ALL LIABILITY COVERAGES MUST BE PROVIDED ON AN OCCURRENCE BASIS.
  - b. In the case of a subdivision, all lots of which require the construction of new interior roads, the subdivider shall file the agreements listed in the preceding subparagraph a. plus a highway construction and maintenance agreement and such security as hereinafter set forth in subsections H and I of this Section or as may be required by the Town Board. The subdivider shall also file duplicate original insurance policies in such form and in such amounts of coverage as shall, from time to time, be required by the Town Board. ALL LIABILITY POLICIES SHALL NAME THE TOWN OF ONONDAGA AS

AN ADDITIONAL INSURED. ALL LIABILITY COVERAGES MUST BE PROVIDED ON AN OCCURRENCE BASIS. The subdivider may file such items and documents after final approval but must do so prior to the commencement of construction.

- c. In the case of a subdivision having both lots fronting on existing public roads and lots requiring the construction of new interior roads, the subdivider shall file those agreements listed in the preceding subparagraph a. with respect to those lots fronting on existing public roads, and shall do so at the time of or prior to final approval by the Planning Board. With respect to those lots requiring the construction of new interior roads, the subdivider shall file those items and documents listed in the preceding subparagraphs a. and b. prior to the commencement of any construction involving those lots.
2. The subdivider shall provide title insurance covering all properties to be conveyed to the Town, in the name of the Town of Onondaga. The amount of title insurance required from a subdivider, to insure title to roads and easement within a proposed subdivision or section shall be \$50,000 as this amount may be adjusted by further resolution of the town Board in the future.
3. Final approval by the Planning Board and receipt by the Town of the foregoing items and documents does not constitute acceptance by the Town of the dedication of any street, utility, park or other public open space.

G. Duration of Approval

The subdivider must commence the subdivision within three years from the date of final approval by the Planning Board. If the subdivision is not commenced, said approval shall automatically become null and void. The final plat to be recorded in the Office of the County Clerk shall contain a statement, in the form prescribed by the Planning Board, giving effect to this provision. This paragraph shall not apply to subdivisions all the lots of which have frontage on existing public roads. For purposes of this paragraph, commencement of a subdivision shall occur upon the filing with the Town Board of all the items and documents listed in the preceding paragraph No. 1 of subsection F.

H. Subdivision Construction Security

Before construction may commence on any roads, utilities, or appurtenances, the subdivider shall place on deposit with the Town Board, security in the form of cash or its equivalent in the amount of 100 percent of the estimated construction cost as determined by the Town Engineer. The construction cost shall be based on the unit prices on file with the Town Clerk for all roads, utilities and appurtenances to be conveyed to the Town as required by subsection F above.

Upon satisfactory completion of roads, utilities and appurtenances, and certification of completion by the Town Engineer, the security will be reduced in accordance with the procedures in the appropriate Construction and Maintenance Agreement to ten percent (10%) of the estimated construction cost as determined above. This amount will be retained by the Town Board for a period of one year in order to secure the Town against any defective workmanship and/or materials.

I. Subdivision Construction Inspection

The subdivider shall be required to inform the Town Engineer of his construction schedule to enable inspection during construction of all facilities which are to be conveyed to the Town of Onondaga.

The subdivider shall be required to place on deposit with the Town Board an amount equivalent to eight percent (8%) of the estimated construction cost of the project as determined by the Town Engineer. Engineering fees, as provided in Local Law 1-1992 shall continue to include costs incurred by the Town in connection with adding new subdivisions to the Onondaga County GIS system and that this is and shall be a continuing charge to developers.

The Town's consulting engineers will periodically submit itemized statements to the Town, with a copy to the subdivider, for such inspections with the invoiced amounts being deducted from the monies on deposit. In the event the Town Engineer determines at any time the amount on deposit to be insufficient to cover future inspections, the subdivider shall be so notified and shall then, within thirty (30) days of said notification, deposit with the Town Board such additional sums as the engineer shall determine. Following inspection completion, any remaining monies will be paid by the Town to the subdivider. The subdivider shall be liable for any costs in excess of the above amount deposited.

J. Alternate Subdivision Development Procedure

1. At the option of the subdivider and upon notice to the Town, the subdivider may commence construction of subdivision improvements for said subdivision, or a section thereof, after receiving Preliminary Plat approval from the Town Planning Board and prior to receiving Final Plat approval, in accordance with the following:
  2. a. All conditions of the Preliminary Plat approval have been satisfied.
  - b. An agreement or agreements (Agreement as referenced in this "Alternate Procedure") consistent with these provisions shall be entered into between the subdivider and the Town prior to site construction work.
  - c. The Town Planning Board and the Town Board shall have approved the construction drawings, grading plan, and engineering drawings.
  - d. The subdivider has applied for any required district formations and they have been approved.
  - e. There has been full compliance with SPDES, MS-4 requirements in terms of submittals and approvals.
  - f. Three-mile review has been completed and approved by the City of Syracuse, if pertinent.
  - g. The subdivider has posted security with the Town in an amount equal to 10% of the total cost of infrastructure improvements, as estimated by the Town Engineer. Said security may be drawn upon for SPDES, MS-4 compliance or reclamation of disturbed areas should no work be undertaken at the subdivision site by the subdivider for a period of ninety (90) days (not related to weather), or in the event of any other breach of the Agreement between the subdivider and the Town.
  - h. The subdivider has delivered to the Town, duplicate original insurance policies in such form and in such amounts of coverage as shall, from time to time, be required by the Town Board. ALL LIABILITY POLICIES SHALL NAME THE TOWN OF ONONDAGA AS AN ADDITIONAL INSURED. ALL LIABILITY COVERAGES MUST BE PROVIDED ON AN OCCURRENCE BASIS. With respect to Owners' Contractors Protective Liability (OCP) insurance that the Town may require, said insurance written in the name of the Town of Onondaga, may be provided by the subdivider's development contractor. The OCP requirement shall terminate upon the subdivider's entry into its one (1) year maintenance period. In the event that OCP coverage is provided by the subdivider's contractor and that policy is terminated for any reason prior to the commencement of the one (1) year warranty period, the subdivider shall be responsible for and shall obtain an OCP policy for the Town to cover the remaining period of liability for said coverage.
  - i. The subdivider shall be required to place on deposit with the Town Board an amount equal to eight (8%) percent of the total estimated cost of infrastructure, as estimated by the Town Engineer, for engineering fees, as such deposit may be supplemented from time-to-time in accordance with the Agreement, Local Law 1-1992 and Section III I of these regulations.
  - j. A subdivider who elects to proceed in accordance with this Alternate Procedure waives

any and all statutory time frames which are inconsistent with this Alternate Procedure, including but not limited to those set forth in New York Town Law Section 276.

- k. A Subdivider who elects to proceed in accordance with this Alternate Procedure must commence construction of the infrastructure within three (3) years of receiving Preliminary Plat approval or the subdivider shall be deemed to have abandoned the right to proceed in accordance with such Alternate Procedure and the Preliminary Plat approval shall be deemed null and void. When the subdivider intends to proceed with infrastructure construction pursuant to the Alternate Procedure, the subdivider shall notify the Town and the Town Engineer shall inspect installation thereof.
- l. Following construction of the infrastructure, except for the top course of road paving the subdivider shall notify the Town Engineer who shall inspect all work to assure that infrastructure improvements have been completed in accordance with approved plans.
- m. Following construction of the infrastructure and confirmation by the Town Engineer that the infrastructure improvements have been completed in accordance with the approved plans, except for top course paving the subdivider shall submit a Final Plat to the Town Planning Board for approval; said Final Plat shall conform to "as built" drawings, except as to top course paving.
- n. At the time of submitting the Final Plat to the Town Planning Board, it is anticipated that all infrastructure improvements will be complete, except for top course paving of roads and minor corrective items. The subdivider shall post security equal to one hundred fifty percent (150%) of the estimated cost to complete top course paving of roads, and any minor corrective items, as determined by the Town Engineer.
- o. After approval of the Final Plat by the Town Planning Board, and within sixty (60) days thereof, the subdivider shall submit to the Town or its designee, a fee title policy in such amounts as may be required by the Town Board, insuring title to the streets, roads and easements within the proposed subdivision or section thereof being developed, along with appropriate deed, dedication, easement and supporting documents and covenants when required subject to approval of the Town's legal counsel. The fee title policy shall be in lieu of an abstract of title. The subdivider who conveys and dedicates the streets and infrastructure to the Town shall itself, in addition to title insurance, further warrant title to said streets and roads for a period of two (2) years from the date of street/road conveyance.
- p. The Final Plat shall be filed in the Office of the Onondaga County Clerk within sixty (60) days after it has been signed by the required agencies and the Town. Within five (5) days after such filing in the Onondaga County Clerk's Office, the subdivider shall deliver to the Town or its designees one (1) copy of the Final Plat certified by the Onondaga County Clerk's Office as being a true copy of the original Final Plat filed in the Onondaga County Clerk's Office, together with three copies of the Final Plat, showing the County Clerk - affixed filing number thereon.
- q. Upon appropriate application, the subdivider or one builder in the subdivision authorized by the subdivider shall be issued a building permit to construct a model home after the approval of the Preliminary Plat and before the infrastructure improvements are completed, provided however, that any such model home shall be constructed on the lot nearest an existing public street. The subdivider may petition the Town Board for an exception to the aforesaid location restriction.
- r. The provisions of the previous paragraph notwithstanding, the aforesaid model home may be placed on any lot within the subdivision or section provided that, at the time of issuance of the building permit the street/road upon which the model home lot borders is paved with asphalt binder and such binder continues uninterrupted to an existing public street. In no circumstance will the subdivider or the subdivider's builders be allowed more than one (1) model home pursuant to this Section III.

- s. No certificates of occupancy shall be issued for any structure in the subdivision or section until the approval and filing of the Final Plat, conveyance and dedication of streets/roads and easements by the subdivider to the Town and completion of all infrastructure improvements, except the top course of road paving.
- t. When all infrastructure construction is complete, including the top course of road paving and all punch list items, the Town Board may consider a reduction of security to 10% of total infrastructure cost and allow the subdivider to enter into a one (1) year warranty period wherein the subdivider warrants the proper construction of infrastructure facilities.
- u. At the conclusion of the one-year warranty period the subdivision or section developed will be inspected by the Town. When all of the infrastructures are complete and repaired, if necessary, the Town will consider final acceptance of the infrastructures, release of further obligation under the Agreement, release of security, final dedication procedures related to the road and related final actions.

#### **SECTION IV – DEVELOPMENT STANDARDS**

- A. The following planning and design standards shall be complied with and no higher standard may be required by the Planning Board except where it finds that because of exceptional and unique conditions of topography, location, shape, size, drainage or other physical features of the site, or because of the special nature and character of surrounding development, the minimum standards specified herein would not reasonably protect or provide for public health, safety, or welfare. Any higher standard required shall be reasonable and shall be limited to the minimum additional improvement necessary to protect the public health, safety, or welfare.

#### **B. STREETS – GENERAL PLANNING STANDARDS**

1. The arrangement, character, extent, width, grade, and location of all streets shall be in harmony with the Master Plan, and shall be considered in relation to existing and planned streets, to topographic conditions, to public convenience and safety, and in their appropriate relation to the proposed use of the land to be served by such streets.
2. Where such planned streets are not shown on the Master Plan, the arrangements of streets in a subdivision shall either: (a) provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or (b) conform to a plan for the neighborhood approved or adopted by the Planning Board to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.
3. Local streets shall be so laid out that their use by through traffic will be discouraged except as otherwise determined by the Planning Board.
4. Where a subdivision abuts or contains an existing or proposed arterial street, the Planning Board may require marginal access streets, reverse frontage with screen plantings contained in a non-access reservation along the rear property line, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
5. Where a subdivision borders on or contains a railroad right-of-way or an existing or proposed limited access highway right-of-way, the Planning Board may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land such as for park purposes in residential districts or for commercial or industrial purposes in appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.
6. Reserve strips controlling access to streets shall be prohibited except where control over them is vested in the Town under conditions approved by the Planning Board.

7. Intersections of local streets with arterial or collector streets shall be held to a minimum to avoid hazard and delay.
8. Half-streets shall be prohibited except where it is necessary to provide the remaining half of a previously approve half-street.
9. No street names shall be used which will duplicate or be confused with the names of existing streets in the Town of Onondaga or other municipalities and all such street names shall comply with Onondaga County Local Law No. 5-1972. Streets that are extensions of or in alignment with existing named streets shall bear the names of the existing streets.
10. Where the subdivision abuts or fronts on arterial streets, sidewalks may be required at the discretion of the Planning Board, and shall be of such width and type as approved by the Planning Board and in keeping with the character of the neighborhood.
11. No dead-end streets shall be permitted without a suitable turn-around. Dead-end streets extending to tract boundary lines which are intended to connect to future streets in adjoining tracts, and dead-end streets within a tract which are to be extended shall be provided with a temporary turn-around conforming to the Town of Onondaga Specifications for Highway Construction. Appropriate arrangements shall be made for those portions of temporary turn-arounds outside of street rights-of-way to revert to abutting property owners at such time as such streets shall be extended.

12. Highway Design Standards

	<u>Arterial</u>	<u>Collector</u>	<u>Minor</u>	<u>Local Access</u>	<u>Marginal Cul-de-sac</u>
Minimum Right-of-Way Width	120'	90'	60'	60"	(Turnaround 70' Radius)
Maximum Grade	3%	5%	6%* (1)	5%	5%
Minimum Grade	0.5%	0.5%	0.75%	0.75%	0.75%
Minimum Radius of Curves (2)	1000'	500'	150'	500'	150'
Minimum Tangent Length Between Reverse Curves	200'	100'	100'	100'	-----
Maximum Grades Within 150' of Centerline Intersections	1%	3%	3%	3%	3%
Minimum Braking Sight Distance (3)	300'	200'	200'	200'	200'
Minimum Distance Between Centerline Offset at Street Jogs	400'	150'	150'	150'	150'
Maximum Length of Road Ending in Cul-de-sac (4)					500'
Minimum outside Radius of Cul-de-sac Pavement					60'
Angle at Intersections of Street Centerline	50°	80-100°	80-100°	80-100°	80-100°
Minimum edge of pavement radius at street intersections: Arterial –Collector or Collector-Collector: 40' All Others: 30'					

Vertical Curves: Required on all streets where changes in grade exceed 2%.  
Minimum length 100'.



- (1) Except where in the judgment of the Planning Board, a grade in excess of 6% will not impose any problem and will constitute a positive design feature.
- (2) Street Widening by 2' will be required on curves less than 200' radius.
- (3) Minimum distances shall be in conformance with the most current edition of the State of New York Department of Transportation Vertical Highway Alignment Sight Distance Charts.
- (4) Except where in the judgment of the Planning Board, the Cul-de-sac does not impose any problem and constitutes a positive design feature. The length of a road ending in cul-de-sac shall be measured along the centerline of the road from its intersection with the centerline of the highway from which the road runs to the center of the cul-de-sac.

#### C. BLOCKS

##### 1. Design Standards

- a. Block lengths shall not exceed 1,200 feet, nor be less than 400 feet; blocks abutting on designated arterial streets shall be no less than 1,000 feet and may exceed 1,200 feet at the discretion of the Planning Board.
- b. Blocks over 800 feet in length may be required to have a crosswalk if necessary to facilitate pedestrian circulation to a school, park, recreation area, shopping center, or other similar neighborhood facility.
- c. The minimum block width for two tiers of lots shall be twice the minimum depth of one lot as specified in the Zoning Ordinance of the Town of Onondaga.

#### D. LOTS

##### 1. General Planning Standards

- a. The lot size, width, depth, shape, and orientation shall be appropriate for the location of the subdivision and for the type of development and use proposed.
- b. Side lot lines shall be substantially at right angles or radial to street lines.
- c. Where a subdivision abuts or contains an existing or proposed arterial street, the Planning Board may require marginal access streets, reverse frontage lots with screen plantings contained in a non-access reservation along the real property line, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
- d. The subdivision plan shall provide each lot with frontage on an existing public street or to a subdivision street that will be ceded to public use at the time of Final Plat approval.
- e. Corner lots and lots adjacent to pedestrian crosswalks shall have extra width to permit appropriate building setback from and orientation to side streets or crosswalks.
- f. Trees or shrubs shall not be allowed in the street right-of-way.

##### 2. Design Standards

- a. Lot dimensions shall conform to the requirements of the Zoning Ordinance of the Town of Onondaga.
- b. Excessive depth in relation to the width should be avoided. A proportion of 2 ½ to 1 will normally be considered acceptable.

## E. NATURAL FEATURES

1. Reasonable requirements for the preservation of outstanding natural features may be specified by the Planning Board. These include large trees or groves, water courses and falls, historic spots, exceptional views, and similar irreplaceable assets in which there is general public interest.

## F. EASEMENTS

1. Easements across lots or centered on rear or side lot lines shall be provided for utilities where they are anticipated.
2. Permanent utility easements normally need not exceed 20 feet in width, but exceptional circumstances may require additional width.

## G. STORM DRAINAGE

### 1. General

- a. All subdivisions shall be related to the drainage pattern affecting the areas involved, with proper provisions to be made for adequate storm drainage facilities. Storm drainage plans shall reflect potential surface run-off within the drainage area after development, and shall comply with the requirements of the town standards in effect from time to time and where applicable, the requirements of the Onondaga County Department of Drainage and Sanitation and the Onondaga County Department of Transportation.
- b. Where a subdivision is traversed by a water course, drainage way, channel or stream, there shall be provided a drainage easement conforming substantially with the lines of such water course, and of such width as to encompass the 100-year flood plain of such water course.
- c. The final ground elevation around all structures within subdivisions shall be a minimum of one (1) foot above the flood level of 100-year storm. The 100-year storm shall be computed using the entire area tributary to the proposed subdivision under existing conditions.
- d. Diversion of existing waterways shall be avoided, wherever possible. If storm water is to be diverted from its natural course, the construction plans, at a minimum shall include:
  - (i) A sketch showing the existing waterway and the location of the proposed channel change;
  - (ii) Profile of existing water course;
  - (iii) Provisions for the prevention of soil erosion and silting in open water courses during and after construction.
- e. Flood Routes – All developments shall have overland flood routes which shall utilize public rights-of-way (roads and streets) and permanent drainage easements.

### 2. Drainage Design Report

Unless waived by the Planning Board, the subdivider shall provide a complete drainage design report prepared by a licensed professional engineer registered in the State of New York. The report shall be of sufficient detail to provide the Planning Board with a thorough understanding of existing and proposed drainage plus any impacts the proposed development may have on adjacent drainage patterns.

The report shall include the grading plan plus appropriate maps and drawings showing the proposed development and the watershed area draining to it. The grading plan, maps, and

drawings shall show all existing streams, channels, culverts, storm sewers, and other drainage facilities, alteration of existing drainage features, and any proposed drainage easements or rights-of-way.

A narrative section shall be included in the report, which describes the existing topography, land use, soil types, and drainage patterns. In addition, the narrative shall include a description of the proposed drainage plan, any assumptions made, any adverse impacts and possible mitigative measures.

The drainage design report shall also include all drainage design calculations for the proposed subdivision in accordance with the Town of Onondaga Drainage Standards.

#### H. LAND DEVELOPMENT ADJOINING HAZARDOUS MATERIALS PIPELINE EASEMENTS

Special considerations are required for land adjoining easements of inter-county pipelines conveying flammable, explosive, or toxic materials injurious to health. This does not apply to distribution lines within the Town serving residential customers individually. Information shall be submitted to the Planning Board providing details on the physical characteristics of the pipeline, the materials transported, operating data, the location of the pipeline easement relative to the proposed development, the width of the easement, the location vertically and horizontally of the pipe within the easement, and the ownership of the easement and pipeline. The history of the pipeline from the date of construction to the present is considered most important. Engineering properties of the soil between the pipeline and the proposed development are most significant and must be determined in detail.

For purposes of preliminary planning, justification for the inclusion of any habitable building within a distance of 200 feet of the pipeline is the responsibility of the developer. Permeability tests, in situ, may be required between the pipeline and the location of foundations of the proposed building to justify a closer construction. Poured concrete foundations may also be required. A permanent monitoring system may be a necessary adjunct to the development.

#### I. DRIVEWAY STANDARDS

1. Driveway grades within highway boundaries shall be no less than 2% and no greater than 10%.
2. Driveways shall not be placed over water curb boxes, sewer lateral cleanouts, catch basins, or manholes and shall be a minimum of 25 feet from temporary hammerheads.
3. If the garage floor elevation is less than one foot above the centerline elevation of the road in front of the garage, there shall be a low point in the driveway at least one foot below the garage floor elevation no closer than 15 feet from the front of the garage.

#### J. SUBDIVISIONS CONTAINING EXISTING IMPROVEMENTS

Where any subdivision of land proposed to be made contains improvements or existing structures, such as, but not limited to a Building, Structure, Accessory Building or Accessory Structure, all as defined in the Town of Onondaga Zoning Law of 1994 (hereinafter "Zoning Law"), such improvements or existing structures shall be shown.

Where such subdivision of land proposed to be made contains such improvements or existing structures or uses and the proposed subdivision will create lots having yard setbacks, coverage, dimensions or parking areas which do not comply with the requirements of the Zoning Law, as amended, said subdivision shall not be approved unless:

1. A variance of such yard setbacks, coverage or parking is granted by the Town of Onondaga Zoning Board of Appeals upon a finding that such variance shall not have the effect of nullifying the intent and purpose of these Regulations, the Zoning Law or any other pertinent rules, regulations or ordinances of the Town of Onondaga; or
2. The subdivider modifies the proposed plan and layout or configuration of lots to comply

with requirements of the Zoning Law, as amended.

In granting such application, the Planning Board may impose such conditions as will, in its judgment, secure substantially the objectives of the standards and requirements of these regulations and the Zoning Law.

## **SECTION V – REQUIRED DESIGN**

- A. The following design standards or requirements shall be followed by the subdivider:
1. Monuments
    - a. Monuments shall be placed at points of curvature and points of tangency of horizontal curves, but no more than 1,000 feet apart. There shall be at least one monument at each street intersection. The monuments shall be of granite or concrete with an iron pin in the center. Locations of monuments shall be shown on the Final Plat.
  2. Utility and Highway Development
    - a. All utilities should be installed between the edge of the pavement and the property line.
    - b. Utility and highway development shall be provided in accordance with the following:
      - (i) Public water, where required, in accordance with procedures and standards of the Onondaga County Department of Health, Onondaga County Water Authority, or other agencies where applicable.
      - (ii) Sanitary sewer system, in accordance with town standards in effect from time to time and, where required, in accordance with the procedures and standards of the Onondaga County Department of Drainage and Sanitation and the Onondaga County Department of Health where necessary. Individual sewage disposal systems shall conform to the provisions of the Onondaga County Sanitary Code.
      - (iii) Arterial Streets: cross sections in accordance with the Official Map and Master Plan, or as determined by the Planning Board; and design as determined by the Town Engineer or other applicable governing agencies. Where reverse frontage lots are not provided along an arterial street, sidewalks conforming to neighborhood characteristics shall be provided. Sidewalk design and construction requirements shall be specified either by the Town Engineer or other applicable governing agencies.
      - (iv) All highways shall conform to the standards in Table V-1.
    - c. The subdivider shall comply with all applicable Town of Onondaga standards for construction on file with the Town Clerk.

## **SECTION VI – PLANS AND DATA**

- A. SKETCH PLAN
1. All Plan Sheets
    - a. Title, approximate scale, north arrow, and date.
  2. Plan
    - a. Shall be on a topographical survey map as required for the Preliminary Plan or an enlargement of the most recent U.S.G.S. quadrangle to a scale of 1" to 200' and showing

contours at intervals of not more than 20 feet; may be a free-hand sketch on a print of such a map; shall have:

- (i) Subdivision boundaries.
- (ii) Proposed road and lot layout.
- (iii) Park and recreation areas, if proposed.
- (iv) Names and owners and approximate boundaries of all contiguous properties more than one acre in area.
- (v) Town Farm Lot numbers.
- (vi) Location and size of any other lands, in the vicinity of the subdivision owned by the subdivider or in which the subdivider has an interest.

3. Development Data

- a. Land characteristics of the site.
- b. Availability of existing and proposed utilities, schools, parks, and playgrounds.
- c. Total acreage of proposed subdivision and number of lots proposed, and area of each lot.
- d. Typical width and depth of lots.
- e. Zoning districts in accordance with the Town of Onondaga Zoning Map.

4. Legal Data

- a. Name and complete mailing address of subdivider.
- b. Name and complete mailing address of owner.
- c. Name of proposed subdivision (as approved by Syracuse-Onondaga County Planning Agency).

B. PRELIMINARY PLAN

1. All Plan Sheets

- a. Title, scale, north arrow, date, and Town Farm Lot number.

2. Plan

- a. Sheet size and scale: The preliminary plan shall be prepared at a scale no smaller than 1" = 100' and shall be drawn on a sheet size of 24" x 36" or as approved by the Planning Board.
- b. Bearings and distances of tract boundary lines and reference to horizontal control points.
- c. Locations and dimensions of existing and proposed:
  - (i) Sections into which the Final Plat is to be divided, if to be drawn in more than one section.
  - (ii) Streets, public facilities or land, easements, and similar features.

- (iii) Utilities on and adjacent to the tract, including sanitary, storm and combined sewers, water mains, gas lines, fire hydrants, electric and telephone facilities, and street lights; invert elevation of sewers at proposed points of connection; and the location of all sewers not adjacent to tract, but to which connections are proposed, along with invert elevations at points of connection.

d. Topography:

- (i) For land with an average slope of less than 2 percent; existing contour lines at not more than one-foot intervals.
- (ii) For land with an average slope of 2 percent to 10 percent; existing contour lines at not more than two-foot intervals.
- (iii) For land with an average slope exceeding 10 percent; existing contour lines at not more than five-foot intervals.
- (iv) Datum plane for all topographic information shall be the National Geodetic Vertical Datum of 1929. Bench marks used shall be indicated by location and elevation.

e. Location of percolation test sites if required.

f. Names:

- (i) Owners of adjoining land.
- (ii) Adjoining subdivisions.
- (iii) Proposed subdivision.
- (iv) Proposed streets.
- (v) Blocks and lots.
- (vi) Owner and subdivider.

3. Location and Neighborhood Maps

a. Neighborhood Map shall have:

- (i) Subdivision location and boundaries, with Town Farm Lot number.
- (ii) Location of adjoining tracts and subdivisions, existing and planned streets, public facilities, and water courses within 400 feet of any part of the subdivision.
- (iii) Scale of 1" = 400' to 1' = 2,000'.

4. Development Data

- a. Corrected and updated development data from Sketch Plan, or as required by Sketch Plan.
- b. Results of any percolation tests.
- c. Drawings showing:
  - (i) Proposed highway cross sections and centerline profiles.
  - (ii) Preliminary sketches of any bridges or culverts.

- (iii) General feasibility of sewer design and storm water drainage.
- d. Preliminary storm drainage report.
- e. Time Schedule of operations.
- 5. Legal Data
  - a. Name and complete mailing address of subdivider.
  - b. Name and complete mailing address of owner.
  - c. Name of subdivision.
  - d. Draft of all proposed restrictions which will become covenants in the deed for lots.

C. FINAL PLAT

- 1. Plan Sheets
  - a. Title, scale, north arrow, Town Farm Lot numbers and date.
- 2. Plan
  - a. Sheet size and scale shall be 24" x 36" and no smaller than 1" = 100' respectively or as approved by the Planning Board.
  - b. Ink drawing on tracing cloth and transparent reproduction with black line on cloth or stable plastic base film.
  - c. Corrected and final planimetric data from Preliminary Plan Site Map, except as modified below:
    - (i) For all street rights-of-way and property lines, the following shall be shown: (1) accurate dimensions, bearing or deflection angles of all straight lines; except interior parallel lines bound by outermost parallel lines which are prescribed by dimensions and bearings; error of closure may not exceed 1 foot in 5,000; and (2) radii, arcs, and central angles of all curves.
    - (ii) For other rights-of-way and easements, the name, dimensions, bearings, and width are required.
  - d. Survey Data: Primary control points, or descriptions and ties to such control points to which all dimensions, angles, bearings, and similar data on map are referred.
  - e. Information required for Preliminary Plan beyond subdivision boundary need not be shown except for boundary streets.
- 3. Location and Neighborhood Maps
  - a. Corrected and updated from Preliminary Plan.
  - b. If Final Plat is drawn in two or more sections, locations of the sections must be indicated.
- 4. Development Data
  - a. Corrected and updated development data from Preliminary Plan.
  - b. Where required, detailed drawings and specifications for the construction of:

- (i) Highway System.
  - (ii) Sanitary sewage disposal system.
  - (iii) Water supply system.
  - (iv) Storm water drainage system.
  - (v) Erosion and sediment control.
  - (vi) All other improvements shown on the development data drawings for the Preliminary Plan.
- c. A certificate by a licensed professional engineer registered in the State of New York stating that the construction plans were prepared under his direct supervision and that the plans are in substantial compliance with these Subdivision Regulations and town standards in effect from time to time, where such construction plans are required. Any deviations from these Subdivision Regulations or town standards shall be noted.
  - d. Where required, a storm drainage report.
  - e. Where required, a final grading plan.

5. Legal Data

- a. Corrected and updated legal data from Preliminary Plan.
- b. Such other certificates, affidavits, endorsements, or agreements as may be required by the Planning Board in enforcement of these regulations.

D. FINAL GRADING PLAN

1. All Maps

- a. Title, scale, north arrow, Town Farm Lot numbers and date.

2. Plan

- a. Same sheet size and scale as the final plat.

3. Development Data

- a. A plan of proposed final contours for the disturbed areas within the subdivision.
  - (i) For land with an average slope of less than 2 percent, proposed contour lines at not more than one-foot intervals.
  - (ii) For land with an average slope of 2 percent to 10 percent, proposed contour lines at not more than two-foot intervals.
  - (iii) For land with an average slope exceeding 10 percent; proposed contour lines at not more than five-foot intervals.
- b. Elevations at Building Lines.
- c. Centerline of road elevations at high and low points and changes in grade.
- d. Ground elevations at sanitary manholes, storm manholes, catch basins, and fire hydrants.



- e. Slope arrows to indicate how each part of each lot will drain.
- f. Centerline of swale elevations and arrows to indicate direction of flow.
- g. Typical cross sections of drainage swales.
- h. Flood route arrows where grading between lots is critical to provide overland flow routes.
- i. The drainage system including catch basins, manholes, culverts, and pipe diameters.
- j. Drainage easement lines and dimensions.
- k. Tract boundary lines, right-of-way lines of streets and lot lines as shown on the final plat.
- l. Number to identify each lot or site as shown on final plat.

E. PETITION PLAN

- 1. All Maps
  - a. Title, scale, north arrow, date, and Town Farm Lot number.
  - b. Sheet size and scale: The Petition Plan shall be prepared at a scale no smaller than 1" = 100' and, if practical, shall be drawn on a sheet size of 24" x 36".
  - c. Bearings and distances of tract boundary lines and reference to horizontal control points.
  - d. Existing facilities, proposed facilities, existing district boundaries, proposed district boundaries with applicable distances and references, areas served and benefitted by proposed facilities abutting subdivisions, or property owners' names, Engineer's seal, and signature.
- 2. Legal Data
  - a. Project description explaining location and scope of project.
  - b. Boundary description.
  - c. Properly completed petition form.

**SECTION VII – RESERVATION OF LAND FOR PUBLIC RECREATIONAL USE**

- A. The Planning Board may require the subdivider to reserve at least five (5%) percent of the gross acreage of the subdivision in a location suitable to the Planning Board, for a park or parks or playground or other recreational purposes.
- B. In the event the Planning Board determines that a suitable park or parks cannot be located in such subdivision plat or is not otherwise practical, the subdivider, as a condition to approval of the subdivision plat, shall make payment to the Town of Onondaga of a sum as determined by resolution of the Town Board to become part of a trust fund to be used by the Town of Onondaga exclusively for neighborhood park, playground or recreation purposes including the acquisition of property as near as practicable in the general vicinity of and for the benefit of the occupants of the subdivision from which such sum was derived. A copy of the said resolution establishing such sum shall be on file with the Town Clerk. Building permits shall not be issued until said sum is paid in full.

## **SECTION VIII – MISCELLANEOUS**

### A. CONFLICT WITH OTHER REGULATIONS

Whenever there may be a conflict between the standards specified in these regulations and those of other codes, ordinances, or regulations of the Town of Onondaga, the most restrictive or highest standard shall apply.

### B. SEPARABILITY

If any section, paragraph, clause, phrase, or provision of these regulations shall be adjudged invalid or held unconstitutional, such decision shall not affect the validity of these regulations as a whole or any part thereof other than the part so held to be invalid or unconstitutional.

### C. SHORT TITLE

These regulations shall be known and may be cited as the “Land Subdivision Regulations of the Town of Onondaga”.

### D. EFFECTIVE DATE

These regulations shall be effective on and from the date of their adoption in accordance with the provisions of the Town Law of the State of New York.