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TOWN OF READING, NEW YORK

SUBDIVISION LAW

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**FINAL**  
**October 9, 2019**

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The Town of Reading Planning Board

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## 1.1 LEGISLATIVE AUTHORITY

By authority of resolution of the Town Board of Reading, Schuyler County, New York, adopted on October 9, 2019 pursuant to Section 276 and other applicable provisions of Article 16 of the Town Law of the State of New York, the Planning Board of the Town of Reading is authorized and empowered to approve plats showing lots, blocks, or sites, with or without streets or highways, to approve the development of entirely or partially undeveloped plats already filed in the Office of the Schuyler County Clerk and to approve preliminary plats within the Town.

## 1.2 PURPOSE AND INTENT

**A)** The purpose of the Town of Reading Subdivision Law is not only to provide for future growth and development, but also maintain the rural appearance and physical character of the Town, its rural way of life, social environment, and protect the general health, safety, and welfare of the public. The objectives of authorizing subdivision review by the Town of Reading Planning Board include, but are not limited to:

1. Affording quality facilities for housing and infrastructure, including all necessary utilities and services;
2. Maintaining proper access and connectivity for all modes of travel and mitigating potential negative traffic impacts;
3. Protecting rural character and agricultural uses of land from development pressures;
4. Encouraging the application of clustering and land use conservation principles in subdivision proposals;
5. Encouraging the provision of parks and open space for the betterment of resident quality of life and preservation of property values;
6. Encouraging the use of green infrastructure and design in subdivision proposals; and
7. Ensuring the comfort, convenience, safety, health and welfare of the general population as future development opportunities are considered.

**B)** It is declared to be the intent of this subdivision law to serve as part of a plan for orderly, efficient and economical development of the Town of Reading, in conjunction with the Town of Reading Land Use Law. The following shall serve to guide the Planning Board's review and issuance of decision, requiring that land(s) to be subdivided:

1. Be of such character with respect to layout and size of lots to complement the rural character of the Town and be in harmony with the development pattern of neighboring properties;
2. Be of such character with respect to layout and size of lots so that it can be used safely for building purposes without danger to health, or peril of fire, flood, or other menace;
3. Make proper provisions for drainage, water supply, sewage, and other needed improvement and utilities;

4. Include streets of such width, grade, and location as to accommodate prospective traffic, facilitate fire protection, and provide access of emergency equipment to buildings while minimizing disruption to the natural environment;
5. Make proper provisions for leaving natural areas and corridors undeveloped to mitigate the adverse environmental impacts of subdivision, sustain a diversity of native vegetation and wildlife, protect water resources (including Seneca Lake shoreline), agricultural land, and scenic views, and implement the Town's policies of protection of its environmental, agricultural, and cultural resources pursuant to the Town of Reading Land Use Law; and
6. Conform to the land use and development recommendations within the Town's most current adopted Comprehensive Plan as it is developed and used for guidance by the Planning Board.

### **1.3 ENACTMENT OF LOCAL SUBDIVISION LAW**

In order that land may be subdivided in accordance with this purpose, these regulations are hereby adopted, and shall be known and may be cited as Subdivision Regulations of the Town of Reading upon endorsement of these regulations by the Planning Board and their adoption by the Town Board.

### **1.4 APPLICATION**

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

### **1.5 RE-SUBDIVISION**

For re-subdivision, the same shall apply as for a subdivision.

### **1.6 CONFLICTS WITH OTHER LAWS**

In their interpretation and application, the provisions of this subdivision law shall be deemed minimum requirements, adopted for the promotion of the public health, morals, safety, or the general welfare. Where these regulations impose greater restrictions than imposed by the provision of any law, ordinance, or regulation, these regulations shall control. Where greater restrictions are imposed by any law, ordinance, or regulation, such greater restrictions shall govern.

### **1.7 SELF IMPOSED RESTRICTIONS**

Nothing in these regulations shall prohibit an applicant from placing self-imposed restrictions, not in violation of these regulations, on development. Such restrictions shall be indicated on the plat.

### **1.8 SEVERABILITY**

If any provision of this subdivision law or the application thereof to any person, property, or circumstances is held to be invalid, the remainder of this subdivision law and the application of each provision to other persons, property, or circumstances shall not be affected thereby.

**2.1 APPLICATION REQUIRED**

- A)** Whenever any subdivision or re-subdivision of land or lot line adjustment is proposed, and before any contract for the sale of, or any offer to sell 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 or his/her duly authorized agent shall apply in writing for the approval of such proposed subdivision in accordance with the following procedures.
- B)** Applications under this local subdivision law must be submitted in a form and in such numbers as outlined. The Town Clerk may provide checklists of application submittal requirements and make those checklists available to the public. Application forms and checklists of required information may be available in the Town Office.
- C)** Applications for minor subdivisions, as defined in Chapter 4, are subject to a single-phase review and approval process. Approval of a minor subdivision is required for development to occur.
- D)** Applications for major subdivisions, as defined in Chapter 5, are subject to a two-phase review and approval process. The applicant shall first submit a preliminary plat application for review and approval. Within six months of approval of the preliminary plat, the applicant shall submit a final plat application for review. Final plat approval is required for development to occur.

**2.2 SKETCH PLAN PRE-SUBMISSION CONFERENCE**

- A)** It is recommended that applicants wishing to subdivide, re-subdivide, or implement a lot line adjustment submit a sketch plan to Planning Board prior to entering the formal application review process to discuss the nature of the proposed application and to determine the best course of action for submittal.
- B)** The purpose of the sketch plan conference is to provide an opportunity for a potential subdivision applicant to consult early and informally with the Planning Board. A sketch plan conference will help to build a better understanding of the proposal and property in question and establish an overall design approach that respects important features to the Town while maximizing the potential of the applicant's property.
- C)** The Planning Board may review and comment on a sketch plan at a regularly scheduled meeting, provided the sketch plan is submitted to the Town Clerk at least seven (7) days prior to such meeting.
- D)** In no way shall the comment and feedback by the Planning Board for sketch plan review be construed as a formal decision by the Planning Board or to be legally binding in any way.
- E)** Materials presented during the sketch plan conference may be incomplete and/or conceptual in design; however, a formal application is still required for review and approval of a minor, preliminary, or final subdivision plat subject to the provisions of this law.

## 2.3 APPLICATION PROCEDURE

### A) General Application Procedure.

1. Applications where required by this land use law shall be submitted to the Land Use Officer. The property or building owner, their agent, or lessee, purchaser or tenant, with legally binding and written permission of the owner, may file applications. Where there are multiple land owners, a written consent agreement to the application among all land owners must be included within the application.
2. At least two (2) hard copies and one electronic copy of the minor, preliminary, or final plat and required application materials shall be provided by the applicant, unless otherwise waived by the Planning Board.
3. Applications must be submitted to the Land Use Officer at least 7 days prior to the regularly scheduled Planning Board meeting to be considered at such meeting.
4. The Land Use Officer shall indicate that an application is considered accepted and ready for processing only if it is submitted in the required number and form, includes all required materials, and is accompanied by the required filing fee as established by the Town Board.
5. The acceptance of an application by the Land Use Officer shall, in no way be interpreted, to include a determination of the completeness, adequacy, or accuracy of application materials, but rather serve as an acknowledgement to the receipt of all initially required application materials. The Land Use Officer may consult with other Town departments or divisions, the Building Inspector, the Planning Board, and/or the Town Board in making such a determination.
6. If an application is determined to be unacceptable, the Land Use Officer must provide paper or electronic written notice to the applicant along with an explanation of all known deficiencies in the application that will prevent competent review. No further processing of the application will occur until the deficiencies are corrected. If the deficiencies are not corrected by the applicant within ninety (90) days, the application will be considered withdrawn.
7. No further processing of unacceptable applications will occur; any incomplete applications will be pulled from the processing cycle. When the deficiencies are corrected, the application will be placed in the next available processing cycle.
8. The applicant(s) or their designee shall attend the meeting of the Planning Board to discuss the requirements of these regulations for roads improvements, drainage, sewerage, water supply, fire protection, and related matters, as well as the availability of existing services and other pertinent information shown on the sketch plan.
9. In all cases, the burden is on the applicant to show that an application complies with all applicable review or approval criteria. Applications must address relevant review and decision-making criteria.

**B) Complete Application.**

1. Prior to starting the review procedure for a subdivision application, the Planning Board shall determine the application to be complete by a formal resolution.
2. The required time periods for public hearing and review of a minor, preliminary, or final plat set by NYS Town Law Section 276 shall only begin upon receipt of a complete application as defined herein.
3. No subdivision application shall be considered complete until all required application materials are submitted with accompanying fee in the required number and form, and the lead agency has filed a negative declaration, conditioned negative declaration, or notice of completion of a Draft Environmental Impact Statement (DEIS) in accordance with the provisions of the State Environmental Quality Review Act (SEQRA).
4. When acting as lead agency, the Planning Board may choose to reopen SEQR prior to issuing a decision on the subdivision application if additional information is found during the review and public hearing process that may alter the Planning Board's SEQR findings and declaration.

**2.4 PUBLIC HEARING****A) Public Hearings.**

Public hearings are required to be held by the Planning Board for all subdivision applications, except for lot line adjustments and final plat applications, which the Planning Board deems to be in substantial agreement with a preliminary plat previously approved pursuant to this law.

**B) Public Notice.**

1. At least ten (10) days prior to the date of a scheduled public hearing, the Town Clerk shall notify the following by registered mail with return receipt requested.
  - i. Owners of all real property as shown on the current tax map, located within 500 feet of the property that is the subject of the hearing.
  - ii. The County Planning Commission where the hearing concerns property adjacent to an existing county road or proposed road shown on the official county map, adjoining other county land, or situated within 500 feet of a municipal boundary.
  - iii. The State Commissions of Transportation where the hearing concerns an application for development of property within 500 feet of a state highway.
2. The Town Clerk shall also give public notice by mail or electronic transmission to the Town Clerks of adjoining municipalities whose boundaries are located within 500 feet of the property that is the subject of the hearing.
3. The Town Clerk shall also give public notice in the official Town newspaper at least five (5) days prior to the date of a scheduled public hearing.
4. The applicant shall be required to reimburse the Town upon request for any expenses incurred for mailing and publishing the notice. If said reimbursement is not received by the Town within thirty (30) days of the request, the application shall be considered withdrawn.



## 2.5 REFERRALS

### A) Local, Regional, and State Department Review.

1. The Planning Board may refer an application to any Town of Reading department or division for review and comment to assist in their review as necessary.
2. The Planning Board may refer an application to any applicable regional or state department or agency for review and comment to assist in their review as necessary.

### B) County Referral.

1. Upon receipt of all required application materials, the Planning Board shall refer subdivision applications to the Schuylers County Planning Commission pursuant to General Municipal Law Section 239-n, as amended.
2. No action shall be taken on applications referred to the County Planning Commission until its recommendation has been received, or thirty (30) days have elapsed after the initial date of referral.
3. A majority plus one (1) vote of the Planning Board shall be required to grant any application approval that receives a recommendation of disapproval from the County Planning Commission. A resolution must also be filed setting forth the reasons for such contrary action.

### C) Professional Review Assistance.

The Planning Board may seek the opinion of any legal, engineering, design, or other professional to aid in the review of an application. Any expenses incurred by the Town in seeking such opinion shall be reimbursed by the applicant.

### D) Agricultural Data Statement.

Upon receipt of subdivision application containing an agricultural data statement, the Planning Board shall mail a copy of the agricultural data statement to the owners of the land identified by the applicant in the agricultural data statement. The cost of mailing the notice shall be borne by the applicant.

## 2.6 PLANNING BOARD ACTION

### A) Issuing a Decision.

1. Within sixty-two (62) days following the close of the required public hearing, the Planning Board must issue a decision by majority vote. The Planning Board may vote to:
  - i. Approve or conditionally approve;
  - ii. Approve with modifications or conditionally approve with modifications; or
  - iii. Deny the proposed subdivision application.
2. The decision time may be extended by written agreement of the applicant and the Planning Board, or if the Planning Board has requested additional information.

**B) Conditional Approval.**

The Planning Board may grant conditional approval with or without modification to the plat. A conditional decision shall be filed in the same manner as outlined in Subsection D below. The copy mailed to the subdivider shall include a statement of such conditions. The Planning Board Chair shall not sign the plat, as required by section 3.1(B), until the subdivider has complied with all conditions.

**C) Default Approval.**

In the event the Planning Board fails to act on a subdivision application within the time prescribed herein, or such extended period established by the mutual consent of the applicant and the Planning Board, the subdivision application shall be deemed approved, and a certificate of approval shall be issued by the Town Clerk on demand and shall be sufficient in lieu of written endorsement of other evidence of approval herein required.

**D) Filing a Decision.**

A copy of the decision shall be immediately filed in the Town Clerk's Office and mailed to the applicant. Decisions shall contain written findings explaining the rationale for the decisions with respect to the standards contained in this subdivision law.

**2.7 STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) COMPLIANCE**

**A)** All applications, where required by NYS Law, shall fulfill the New York State Environmental Quality Review (SEQR) requirement.

**B)** SEQR is a New York statute that became law on August 1, 1975. The text of SEQR is found in Article 8 of the New York Environmental Conservation Law. The SEQR regulations provide a guideline for local officials to ensure compliance with SEQR. The regulations are found in Part 617 of the New York Code of Rules and Regulations [6 N.Y.C.R.R. Part 617]. Where requirements of this Section may come in conflict with SEQRA law, the state regulations shall supersede.

**C)** If the lead agency on a subdivision application, through the completion of an Environmental Assessment Form (EAF), determines an action not to have a significant adverse environmental impact, a negative declaration is filed. If an action is determined to potentially have significant adverse environmental impacts, a Draft and Final Environmental Impact Statement (EIS) is required.

**D)** Applicants are responsible for preparing the Draft and Final EIS, if required. Should the applicant defer to the Planning Board for the preparation of a Draft and/or Final EIS, a written agreement for reimbursement to the Town for such expense shall be required.

**E)** When required, the public hearing for an EIS may be held jointly with the subdivision application public hearing. However, public notice in this case must increase to at least 14 days prior to the date of the scheduled hearing.

**F)** When actions consist of several steps or phases of activities, the entire set must be considered the action, even if several separate agencies are involved.

**3.1 FILING OF APPROVED SUBDIVISION**

- A)** Upon issuance of a decision of approval or approval with modifications by the Planning Board a notation shall be made upon the subdivision plat indicating approval and any modifications or conditions of approval.
- B)** The annotated plat shall be deemed to have final approval and shall be properly signed by the Planning Board Chair and filed by the applicant in the office of the Schuyler County Clerk. A copy of the receipt of filing.
- C)** Any subdivision plat not filed by the applicant with the County Clerk within sixty-two (62) days of the date upon which the plat is approved or considered approved shall become null and void.

**3.2 EXPIRATION AND REVOCATION OF SUBDIVISION APPROVAL**

- A)** The approval of a subdivision application shall expire if at least one of the following occur:
  - 1.** The applicant fails to submit for final plat approval within six months (6) of the preliminary plat approval date and no written request for extension has been approved by the Planning Board.
  - 2.** The applicant fails to obtain necessary Building or Land Use Permit(s) within six (6) months of the final plat approval date and no written request for extension has been approved by the Planning Board.
  - 3.** The applicant fails to initiate construction, if applicable, within one (1) year of the final plat approval date and no written request for extension has been approved by the Planning Board.
  - 4.** The applicant fails to complete construction, if applicable, within five (5) years of the final plat approval date and no written request for extension has been approved by the Planning Board.
- B)** The Planning Board may extend said time limits for a single period not to exceed one year, provided the applicant submits a written request for an extension with the justifications for such.
- C)** The Planning Board may revoke final plat approval if it is found that the applicant violated the conditions of the approval or engaged in any construction or alteration not authorized by the approval.
- D)** Any violation of the conditions of subdivision approval shall be deemed a violation of this law and shall be subject to enforcement action as provided herein.

**3.3 PERFORMANCE GUARANTEES FOR REQUIRED IMPROVEMENTS**

- A)** Improvements and Performance Bond.

Before the Planning Board grants final approval of the subdivision plat, the applicant shall follow the procedure set forth in Subsections 1 and 2 below, as applicable.

- 1.** In an amount set by the Planning Board, the applicant shall either file with the Town Clerk a certified check or irrevocable letter of credit to cover the full cost of required improvements, or a performance bond to cover the full cost of the required improvements. Any such bond shall:

- i. Comply with the requirements of Section 277 of NYS Town Law;
  - ii. Be satisfactory to the Town Board and Land Use Officer as to form, sufficiency, manner of execution, and surety.
  - iii. Identify a period of not less than one and no more than three years that the Planning Board deems appropriate within which required improvements must be completed.
2. The subdivider shall complete all required improvements to the satisfaction of the Land Use Officer, who shall file with the Planning Board a letter signifying the satisfactory completion of all improvements required by the Planning Board. For any required improvements not so completed, the applicant shall file with the Town Clerk a performance bond or certified check covering the costs of such improvements and installations of any improvements not satisfactorily approved by the Land Use Officer.

### **3.4 PROPER INSTALLATION OF IMPROVEMENTS**

- A)** If the Land Use Officer 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 the plans and specifications filed by the applicant, he/she shall so report to the Town Board and Planning Board.
- B)** The Town Clerk shall notify the applicant and if necessary, the bonding company, and take all necessary steps to preserve the Town's rights under the performance bond.
- C)** No subsequent subdivision application shall be reviewed and/or approved by the Planning Board if the applicant is in default on a previously approved plat.

### **3.5 PLAT VOID IF REVISED AFTER APPROVAL**

- A)** No changes, erasures, modifications, or revisions 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 plat is first resubmitted to the Planning Board and such modifications are approved in accordance with this law.
- B)** If any subdivision plat is recorded without complying with this requirement, it shall be considered null and void, and the Planning Board shall institute proceedings to have the plat stricken from the records of the County Clerk.

### **3.6 SUBDIVISION ABANDONMENT**

The owner of an approved subdivision may abandon such subdivision pursuant to the provisions of Section 560 of New York State Real Property Tax Law.

**4.1 APPLICABILITY**

- A)** A minor subdivision shall contain no more than four lots with access to a common driveway or street and shall not involve the construction of new streets or extension of municipal utilities.
- B)** A period of twelve consecutive months shall pass before the Planning Board will accept and review a minor subdivision application for property adjacent to a previously approved minor subdivision under the same ownership.
- C)** Lot line adjustments shall be considered minor subdivisions under this law and subject to the same application and review procedures. The Planning Board is not required, however, to hold a public hearing on lot line adjustments, but may elect to do so if deemed appropriate. Lot line adjustments are allowed by right unless said adjustment were to increase the nonconformity of any resultant parcel. If said lot line adjustment increases the nonconformity of any resultant lots, this must be treated as a minor subdivision.
- D)** Approval of a minor subdivision plat shall constitute final plat approval.

**4.2 APPLICATION REQUIREMENTS**

An application for minor subdivision shall include the following materials, as applicable. A licensed professional engineer or land surveyor shall prepare all plat materials unless otherwise approved by the Planning Board.

- A)** Town of Reading subdivision application form, including the name and address of the applicant, owner of record, and seal(s) of the engineer or surveyor who prepared the plat materials.
- B)** A minor subdivision plat drawn at a scale of forty feet to the inch (1" = 40') or such other scale as the Planning Board may deem appropriate, on standard 24" x 36" sheets, with continuation on 8 1/2" x 11" sheets as necessary for written information.
- C)** A certified land survey showing the boundaries of the applicant's property under consideration in its current state plotted to scale with the north point, scale, and date clearly indicated.
- D)** A minor subdivision plat shall indicate at a minimum, the following:
  - 1.** Date, north point, map scale, name and address of record owner and applicant. The proposed subdivision name and location within the Town of Reading and Schuyler County shall also be included.
  - 2.** The name of all subdivisions immediately adjacent and the name of the owners of record of all adjacent property as disclosed by the most recent municipal tax records.
  - 3.** The location of that portion which is to be subdivided in relation to the entire tract, and the distance to the nearest existing street intersection.
  - 4.** The tax map sheet, block and lot numbers, if available.
  - 5.** All the utilities available within 300 feet of the property, and all streets which are mapped or built.

6. The proposed pattern of lots (including lot width and depth) within the subdivided area, the total permitted lot count for the entire tract based upon the density standards in the Land Use Law and the number of lots created by the plat.
  7. All existing restrictions on the use of the land including easements, covenants, or land use regulatory boundary lines.
  8. An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearing and distances, made on certified 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's Land Use Officer, and shall be referenced and shown on the plat.
  9. All existing structures, wooded areas, streams, topography based on available USGS quadrangle maps and other significant physical features within the subdivision and 200 feet thereof.
- E)** All proposed on site sanitation and water supply facilities shall be designed to meet the minimum specifications of the State Department of Health and Schuyler County Health Department, and a letter to this effect issued from each applicable department shall be supplied.
- F)** Any application for a subdivision plat located in or whose property line is within five-hundred (500') feet of a County-adopted, State certified agricultural district shall submit an agricultural data statement along with any other required submittals to assist the Planning Board in its review. Notice shall be sent to applicable property owners and the content of the agricultural data statement shall conform to the Agricultural and Markets Law Article 25-AA, Section 305-a.
- G)** A copy of such covenants or deed restrictions as is intended to cover all or part of the tract.
- H)** Any such other information as the Planning Board deems necessary to conduct an informed review.
- I)** The Planning Board, may waive any application requirement that is deemed to be unnecessary for review of the proposed subdivision.

**5.1 APPLICABILITY**

- A)** The application for a major subdivision shall include all subdivisions not classified as a minor subdivision, including, but not limited to, subdivisions of five or more lots, or any size subdivision requiring new streets or extension of municipal utilities.
- B)** Major subdivisions require two stages of review and approval. The applicant shall first submit a preliminary plat for review and approval per this Chapter. Within six months of approval of the preliminary plat, the applicant shall submit a final plat in accordance with Chapter 6, incorporating all changes or modifications required by the Planning Board.

**5.2 APPLICATION REQUIREMENTS**

A preliminary plat application for a major subdivision shall include the following materials, as applicable. A licensed professional engineer or land surveyor shall prepare all plat materials unless otherwise approved by the Planning Board.

- A)** All minor subdivision application requirements as listed in Section 4.2 of this law.
- B)** Location of existing property lines, easements, buildings, watercourses, marshes, rock outcrops, wooded areas, and other significant existing features for the proposed subdivision and adjacent property.
- C)** Contours with intervals of 5 feet or less as required by the Planning Board, including elevations on existing roads. Approximate grading plan if natural contours are to be changed more than two feet.
- D)** The width and location of any streets or public ways or places shown on the Official Map or the Comprehensive Plan, if such exists, within the area to be subdivided, and the width, location, grades and street profiles of all streets or public ways proposed by the developer.
- E)** The location of existing sewers, water mains, culverts and drains on the property, with pipe sizes, grades and direction flow.
- F)** 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 are also required.
- G)** Storm drainage plan indicating the approximate location and size of proposed lines and their profiles and connection to existing lines or alternate means of disposal.
- H)** Plans and cross-section 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 location of manholes, basins and underground conduits.
- I)** Preliminary designs of any bridges or culverts which may be required.

- J) All parcels of land proposed to be dedicated to public use and the conditions of such dedication.
- K) 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 20 feet in width and shall provide satisfactory access to an existing public highway or public open space shown on the subdivision or the official map.
- L) If the preliminary plat 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 40 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. The part of the subdivider's entire holding submitted shall be considered in the light of the entire holdings.



**6.1 APPLICABILITY**

- A)** Within six (6) months of the approval of preliminary plat the owner shall file with the Planning Board an application for approval of the subdivision plat in final form, including the completion of any modifications provided with the approval of the preliminary plat.
- B)** If the final plat is not submitted within six (6) months of the approval of the preliminary plat, the Planning Board may revoke the approval of the preliminary plat or grant an extension for up to a period of one year by written request of the applicant stating such reasons for an extension.

**6.2 APPLICATION REQUIREMENTS**

A final plat application for a major subdivision shall include the following materials, as applicable. A licensed professional engineer or land surveyor shall prepare all plat materials unless otherwise approved by the Planning Board.

- A)** All major subdivision preliminary plat application requirements as listed in Section 5.2 of this law.
- B)** The length and bearing of all straight lines, radii, length of curves and central angles of all curves, tangent bearing shall be given. 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.
- C)** The plat shall also show by proper designation thereon all public open spaces for which deeds are included and those spaces title to which is reserved by the developer. For any of the latter, there shall be submitted with the subdivision plat copies of agreements or other documents showing the manner in which such areas are to be maintained and the provisions made thereof. All offers of cession and covenants governing the maintenance of unseeded open space shall bear the certificate of approval of the Town Attorney as to their legal sufficiency.
- D)** Lots and blocks within a subdivision shall be numbered and lettered in alphabetical order in accordance with the prevailing Town practice.
- E)** A stormwater pollution prevention plan (SWPPP) in conformance with the requirements of the NYS Department of Environmental Conservation (NYSDEC) technical standards and the State Pollution Discharge Elimination System (SPDES) Permit requirements. Additional information can be obtained from the NYSDEC Division of Environmental Permits.
- F)** Construction drawings 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.
- G)** Sufficient data to determine readily the location, bearing and length of every street line, lot line, boundary line, and to reproduce such lines upon the ground shall be provided. Permanent reference monuments shall be shown. When referenced to the state system of plane coordinates, they shall also conform to the requirements of the New York State Department of Public Works. Their location shall be noted and referenced upon the plat.

- H) All lot corner markers shall measure at least three-quarter (3/4) inches in diameter and at least 24 inches in length, and shall be permanently located in the ground to existing grade. Monuments shall also be set at all corners and angle points of the boundaries of the original tract to be subdivided and at all street intersections.

**7.1 PRESERVATION OF EXISTING FEATURES**

- A)** Existing features which are important to the natural, scenic, agricultural, and historic character of the Town or which add value to residential development such as large trees or groves, watercourses and falls, wetlands, beaches, historic spots, vistas, scenic corridors, and similar irreplaceable assets shall be preserved, insofar as possible, through harmonious designs of subdivisions.
- B)** The Planning Board may impose restrictions designed to preserve such features, including the limitation of structures to designated building envelopes or the delineation of areas where building or site alternation is prohibited, as a condition of subdivision approval.
- C)** Development shall cause minimum disturbances to existing natural landscapes and agricultural lands, including areas of prime soils.
- D)** When final grades have been established and construction activities have been completed, the property shall be suitably graded, and to the extent practicable, recovered with topsoil except that portion of the site covered by buildings or included in the roads.

**7.2 DRAINAGE IMPROVEMENTS**

- A)** Stormwater Run-off.

Subdivisions shall be designed to minimize off site stormwater run-off by minimizing grading, cutting, and filling, by minimizing the use of impermeable surface materials on roads, driveways, and other improved area, by retaining existing vegetation, by using gently sloped vegetated swales, and by employing other non-structural or structural measures including retention or detention basins. The objective of such measures shall be to maintain or improve pre-development drainage conditions.

- B)** Drainage Structure to Accommodate Potential Development Upstream.
  - 1.** A culvert or other drainage facility shall, in each case, be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. Based on an anticipated 10-year storm.
  - 2.** The applicant's engineer shall review the design and size of such facilities, based on anticipated runoff from a ten-year storm under conditions of the reasonably predictable maximal potential development permitted by Local Land Use Law in the watershed.
- C)** Responsibility from Drainage Downstream.

The applicant's engineer shall also study the effect of each subdivision on the existing downstream drainage facilities outside the area of the subdivision. Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility during a ten-year storm, the Planning Board shall notify the Town Board of such potential condition. In such case, the Planning Board shall not approve the subdivision until provision has been made for the improvement of said condition.

### 7.3 OPEN DEVELOPMENT AREA

The entire Town of Reading outside the limits of the incorporated Village of Watkins Glen is hereby declared to be an open development area pursuant to Section 280-a (4) of NYS Town Law. Lots may therefore be created which do not have road frontage, provided they are served by common driveways or private roads that satisfy the requirements of this subdivision law and legally binding right-of-way and maintenance agreements are recorded.

### 7.4 PARKS AND OPEN SPACES

- A) The Planning Board may require that the subdivider reserve sites of a character, extent, and location suitable for the development of a park, playground or other recreational purpose. For a major subdivision, such reservation shall be equal to at least five percent (5%) of the total land area within the subdivision. The area to be preserved shall possess the suitable topography general character, and adequate road access necessary for its recreational purposes.
- B) Where the Planning Board requires land to be set aside for parks, playgrounds, or other recreational purposes, they may also require that the site be graded, loamed, seeded and/or fenced.

### 7.5 LOTS TO BE BUILDABLE

- A) The lot arrangement shall be such that buildable land area is available for future development in conformance with the Town of Reading Local Land Use Law.
- B) Lots should not be created in such a manner that it creates a non-conforming lot.
- C) No subdivision shall be permitted where, at the request of the Planning Board, the applicant fails to prove the existence of sufficient buildable land area for the proposed development. It shall be the responsibility of the applicant to obtain the information necessary to determine the size and adequacy of the buildable land area of a lot, including, but not limited to geological surveys and assessments.

### 7.6 CORNER LOTS

In general, corner lots should be larger than interior lots to provide for proper building setback from each street and provide a desirable building site.

### 7.7 RURAL SITING PRINCIPLES

The following guidelines shall apply to the siting of residences in new subdivisions. These standards do not, however, apply to the siting of individual one- or two-family dwellings on existing lots. The Planning Board may adopt an illustrated siting guide or refer applicants to a published design manual to provide further guidance on complying with these principles.

- A) Wherever feasible, retain and reuse existing old farm roads and country lanes rather than constructing new roads or driveways. This minimizes clearing and disruption of the landscape and takes advantage of the attractive way that old lanes are often lined with trees and stone walls. This shall not apply to areas where the reuse of a road would require widening in a manner that destroys trees or stone walls.

- B)** Preserve stone walls and hedgerows. These traditional landscape features define outdoor areas in a natural way and create corridors useful for wildlife. Using these features as property lines is often appropriate.
- C)** Avoid placing buildings in the middle of lots with open space. Placement is preferred at the edges of the open space or near to wooded areas, consistent with the practice of cluster development (Chapter 9 of this law). Septic systems and leach fields may be permitted in open space areas, however.
- D)** Unless buildings are designed traditionally and located close to the road in the manner historically found in the Town, use existing vegetation and topography to buffer and screen them if possible. Group buildings in clusters rather than spreading them out across the landscape in a sprawling pattern.
- E)** Minimize clearing of vegetation at the edge of the road, clearing only as much as is necessary to create a driveway entrance with adequate sight distance. Use curves in the driveway to increase the screening of buildings and maintain existing natural features.
- F)** Site buildings so that they do not protrude above treetops and crest lines of hills as seen from public places and roads. Use vegetation as a backdrop to reduce the prominence of the structure. Wherever possible, open views by selective cutting of small trees and pruning lower branches of large trees, rather than by clearing large areas or removing mature trees.
- G)** Minimize crossing of steep slopes with roads and driveways. When building on slopes, take advantage of the topography by building multi-level structures with entrances on more than one level (e.g. walk-out basements, garages under buildings), rather than grading the entire site flat. Use the flattest portions of the site for subsurface sewage disposal systems and parking area.

## **7.8 UNDEVELOPED SUBDIVISIONS**

- A)** The Planning Board may contact by mail or electronic notice the property owners(s) of undeveloped subdivisions within the Town on file with the Office of the County Clerk at the time of enactment of this law to inform them of the Planning Board's subdivision review authority.
- B)** Said contact may also include an invitation to meet and discuss with the Planning Board the possible redesign and resubmittal of their subdivision in accordance with the standards and requirements of this law and NYS Town Law Section 265-a.

**8.1 PURPOSE**

The purpose of this section is to ensure road systems within the Town are designed with due regard to the needs for: convenient traffic access and circulation; traffic control and safety; access for firefighting, snow removal, and street maintenance equipment; and storm water drainage and sewage disposal. Roads shall be designed to accommodate the prospective traffic, so arranged as to separate through traffic from neighborhood traffic insofar as possible and coordinated to compose a convenient system.

**8.2 PRIVATE ROADS**

- A) The Town seeks to minimize the cost of maintaining and improving its roads. Developers shall construct private roads that are similar in character to existing Town roads. The Town encourages the use of private roads to provide access to subdivided land.
- B) The Town assumes no responsibility for the care and maintenance of a private road. The Town shall not be obligated to accept a private road for dedication.

**8.3 ROAD SPECIFICATIONS**

- A) Any road that is adjacent or intersects a right-of-way belonging to another entity (i.e. New York State DOT, Schuyler County) must comply with the more restrictive road specification standards.
- B) Streets shall have the following minimum widths, unless otherwise approved by the Planning Board:
  - 1. Minimum Right-of-Way: 50 Feet
  - 2. Minimum Pavement: 20 Feet

**8.4 DEAD-END STREETS**

- A) Where dead-end streets are designed to be so permanently, they should, in general, not exceed 500 feet in length, and shall terminate in a cul-de-sac having a minimum right-of-way radius of 60 feet and pavement radius of 50 feet, unless otherwise approved by the Planning Board.
- B) Unless waived by the Planning Board, a center landscaped island shall be provided in the cul-de-sac with a minimum radius of 20 feet.

**8.5 STREET LAYOUT**

Minor street openings into major streets shall be at least 125 feet apart. Street jogs with center line offsets of less than 125 feet shall be avoided.

**8.6 GRADES**

- A) Grades of all streets shall conform to the terrain and shall not be less than one-half (1/2) or more than 10 percent for major streets, or 15 percent for minor streets in residential zones, but in no case more than three percent within 50 feet of any intersection.

- B) A combination of steep grades and curves shall be avoided.

#### 8.7 STREET IMPROVEMENTS

- A) All streets shall be graded and improvements within any new subdivisions shall match the existing features of the contiguous area or extended where required by the Planning Board.
- B) Improvements include asphalt pavements, curbs, gutters, sidewalks, storm drainage facilities, water mains, sewers, street lights and signs, street trees, and fire hydrants, except where waivers may be requested. The Planning Board may waive such improvements provided it may be omitted without jeopardy to the public health, safety, and general welfare.

#### 8.8 UTILITIES IN STREETS

- A) The Planning Board may require that under-ground utilities be placed in the street right-of-way between the paved roadway and street line. The subdivider shall install underground service connections to the property line of each lot within the subdivision for such required utilities before the street is paved.
- B) Where topography is such as to make impractical the inclusion of utilities within the street rights-of way, perpetual unobstructed easements of at least 20 feet in width shall be otherwise provided with satisfactory access to the street. Wherever possible, easements shall be continuous from block to block and shall present as few irregularities as possible. Such easements shall be cleared and graded where required.

#### 8.9 VISIBILITY OF INTERSECTIONS

To provide visibility for traffic safety the portion of any corner lot (whether at an intersection entirely within the subdivision or of a new street with an existing street) shall be cleared of all growth (except isolated trees) and obstructions above the level of three feet higher than the center line of the street. If directed by the Planning Board, ground shall be excavated to achieve visibility.

#### 8.10 PROVISION FOR FUTURE RE-SUBDIVISION

Where a tract is subdivided into lots substantially larger than the minimum size required by Local Land Use Law, the Planning Board may require that streets and lots be laid out to permit future re-subdivision in accordance with the requirements contained in these regulations.

**9.1 PURPOSE AND INTENT**

- A) Pursuant to Section 278 of the NYS Town Law, the Planning Board may consider approval of cluster developments (as defined in Section 278 of the NYS Town Law) consisting of lots that do not comply with certain Land Use Law requirements, to preserve the natural and scenic qualities of open lands and agriculture.
- B) The Planning Board, at its sole discretion, may permit the use of cluster development practices in a subdivision at the request of the subdivider, provided the application of said practices would further the purpose and intent of this section.

**9.2 GENERAL PROVISIONS**

- A) The permitted density in a cluster development shall be determined at the time of preliminary plat approval, and in accordance with the provisions of Section 278 of the NYS Town Law.
- B) In no case shall the permitted number of building lots or dwelling units in a cluster development exceed the number that could be permitted if, in the Planning Board's judgment, the land were to be subdivided into lots conforming to the minimum lot size and density requirements of the Land Use Law, and all other requirements of this law.
- C) In no case shall the permitted number of building lots or dwelling units in a cluster development exceed the number that could be permitted if, in the Planning Board's judgment, the land was to be developed in accordance with all other current and generally accepted design standards and applicable regulatory requirements.

**9.3 SKETCH PLAN REVIEW**

Application for sketch plan review of a cluster development may be submitted to the Planning Board in advance of formal subdivision review in accordance with Section 2.2 of this law.

**9.4 PRELIMINARY PLAT APPLICATION**

When considering an application for preliminary plat approval of cluster developments, the Planning Board shall conduct a review of both a conventional plat and a cluster plat, along with all other materials required for standard subdivision applications.

**9.5 CONVENTIONAL PLAT REQUIREMENT**

Applications for approval of a cluster development shall include a conventional plat that conforms to all applicable Land Use Law requirements. A conventional plat will not be approved for construction, but instead will be used to determine the number of building lots or dwelling units (density) that reasonably could be developed without lot clustering. A conventional plat shall be designed in accordance with the following provisions:

- A) A conventional plat shall consist of a street and lot layout in which all lots conform to the area and dimensional requirements for lots in the Land Use Law, and all other applicable requirements of this law.



- B)** Applications for preliminary plat approval of a cluster development shall include the following information for all lots that wholly or partly comprise such development:
  - 1.** A field delineation of any wetlands, subject to confirmation and jurisdictional determination by the United States Army Corps of Engineers or the New York State Department of Environmental Conservation. The confirmed boundaries of such wetlands shall be shown on all sheets in the plan set.
  - 2.** An accurate depiction of the one-hundred-year flood zone and floodway as shown on current Flood Insurance Rate Maps (FIRM) from the Federal Emergency Management Agency. Such FIRM boundaries shall be shown on all sheets in the plan set.
  - 3.** Existing topography (certified by a licensed land surveyor or professional engineer). Such topography shall be depicted at a contour interval not greater than 1.0 foot and shall be extended 100 feet onto all lots that adjoin a cluster development.
- C)** No lot shown on a conventional plat shall contain regulated wetlands or one-hundred-year flood zones, as herein described, in the area within which a dwelling unit would be permitted to be placed, erected, or constructed in compliance with local law.
- D)** A conventional plat shall reasonably account for all physical aspects of the site and potential limitations to site development, including, but not limited to, access and road design, stormwater management, and topography.

#### **9.6 CLUSTER PLAT REQUIREMENT**

- A)** Subdivision applications for approval of a cluster development shall include a cluster plat in which the street and lot layout and the lot areas and dimensions are modified to preserve the natural and scenic qualities of open lands. As part of the approval of a preliminary plat for a cluster development, the Planning Board shall determine the degree to which the applicable Land Use Law requirements may be modified. The Planning Board may modify such Land Use Law requirements for an entire cluster development or for individual lots within such development.
- B)** A cluster plat shall include the applicable Land Use Law requirements for the area in which the subdivision is located, along with the proposed modifications to such Land Use Law requirements.
- C)** A cluster plat, showing the arrangement, layout and design of streets and lots, shall be prepared and submitted in accordance with specifications and administrative procedures adopted by the Planning Board and in accordance with the Town's specifications for construction, if available.
- D)** A cluster plat shall consist of no more lots than were deemed appropriate by the Planning Board based on a conventional plat.
- E)** A cluster development shall preserve the most environmentally sensitive features and/or wildlife habitat on the lands that comprise such development, without compromising site design and orderly development within the community.
- F)** Where possible, and to the greatest degree practicable, lands to be preserved within a cluster development shall be contiguous to existing public lands or other open space.

## 9.7 MODIFICATIONS

The Planning Board may authorize modifications to the requirements of this section upon a finding that such action is necessary to eliminate practical difficulties associated with the strict interpretation of these requirements and that the result will further the stated purpose and intent of this section and of Section 278 of the NYS Town Law.

## 9.8 DISPOSITION OF LANDS TO BE PRESERVED

- A) The Planning Board shall consider each individual cluster development on its own merits, and may establish such conditions on the ownership, use, and maintenance of such open lands as it deems necessary to further the purpose and intent of this section and Section 278 of the NYS Town Law.
- B) Options for ensuring the preservation of the natural and scenic qualities of open lands may include, but shall not be limited to, conservation easements and public ownership.

**10.1 ADMINISTRATION**

This law shall be administered by the Town Clerk, Land Use Officer, and Planning Board of the Town of Reading, New York, as described herein. For the purposes of this law, the Town Building Inspector shall serve as the Land Use Officer, until such a time when the Town Board appoints an independent position for the enforcement of this local land use law.

**10.2 ENFORCEMENT**

These regulations shall be enforced by the Land Use Officer of the Town of Reading, New York, as described herein.

**10.3 VARIANCES AND WAIVERS****A) Variances.**

Where the Planning Board finds that extraordinary and unnecessary hardships result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done, and the public interest secured; provided such variations will not have the effect of nullifying the intent and purpose of the Official Map, Comprehensive Plan, or Local Land Use Law, if such exists.

**B) Waivers.**

Where the Planning Board finds that, due to the special circumstances of a 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.

**C) Conditions on Variances and Waivers.**

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

**10.4 VIOLATION AND PENALTIES**

Pursuant to Section 268, Article 16 of NYS Town Law, a violation of these regulations is declared to be a misdemeanor and is punishable by a fine not exceeding five-hundred (\$500) dollars or imprisonment for a period not to exceed six months, or both. Each week's continued violation shall constitute a separate additional violation.

**10.5 APPEALS**

Any person aggrieved by a decision of the Planning Board may apply to the Supreme Court for review by a proceeding under Article 78 of the New York Civil Practice Law and Rules.

**11.1 WORD USAGE AND INTERPRETATION**

Except where specifically defined herein, all words used in this law shall carry their customary meanings. Words used in the present tense shall include the future tense, and the plural includes the singular, unless the natural construction of the term indicates otherwise.

- A) The term "shall" is mandatory and directory.
- B) The term "may" is permissive.
- C) The term "lot" includes the words "plot," "parcel," "tract," or "site."
- D) The term "building" includes the word "structure."
- E) When doubts arise as to meanings of terms, the Town of Reading Land Use Officer shall define or make the interpretation of words, phrases, sentences and sections of this law.

**11.2 DEFINITIONS**

For the purposes of this law, the following words and terms shall be defined as provided herein:

**ADJACENT** — To have a common boundary or edge; abutting; touching,

**ARTERIAL STREET** — Those streets serving large volumes of comparatively high-speed and long-distance traffic and includes facilities classified as main and secondary highways by the New York State Department of Transportation.

**BUILDABLE LAND AREA** — The area of land that is available, or may be made available through site improvements, to accommodate the development of the proposed use, access road, and necessary water and sewer infrastructure in conformance with this law. No subdivision shall be permitted where, at the request of the Planning Board, the applicant fails to prove the existence of sufficient buildable land area for the proposed development. It shall be the responsibility of the applicant to obtain the information necessary to determine the size and adequacy of the buildable land area of a lot, including, but not limited to geological surveys and assessments.

**BUILDING INSPECTOR** — The duly designated Building Inspector of the Town of Reading, New York, to enforce the provisions of the New York State Uniform Fire Prevention and Building Code in the Town.

**COLLECTOR STREET** — A street which serves or is designed to serve as a traffic way for a neighborhood or as a feeder to a major street.

**CONDITIONAL APPROVAL** — Approval by the Planning Board of a plat subject to conditions set forth by the Board in a resolution conditionally approving such plat. Such conditional approval does not qualify a final plat for recording nor authorize issuance of any building permits prior to the signing of the plat by the Planning Board Chair and recording of the plat in the office of the County Clerk as herein provided.

**COUNTY CLERK** — The elected official to the position of Clerk for Schuyler County New York.

**CUL-DE-SAC** — A street or a portion of a street with only one vehicular traffic outlet.

**DEVELOPER** — Any person, firm, corporation, partnership or association, who shall lay out any subdivision or part thereof as defined herein, either for himself or others. Also referred to as the “subdivider.”

**DRIVEWAY** — A road providing a means of access from a street to a property or off-street parking area. A “common driveway” shall mean a single road providing a means of access from a street to two or more properties or off-street parking areas.

**EASEMENT** — The authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his/her property.

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

**FINAL PLAT** — A drawing prepared in a manner prescribed by this law that shows a proposed subdivision, containing in such additional detail as required by this law, and any modifications required by the Planning Board at the time of approval of the preliminary plat.

**FINAL PLAT APPROVAL** — The signing of a plat in final form by the Planning Board Chair pursuant to a Planning Board resolution granting final approval to the plat or after conditions specified in a resolution granting conditional approval of the plat are completed. Such final approval qualifies the plat for recording in the office of the County Clerk.

**LAND USE OFFICER** — As defined in Section 2.1 of the Town of Reading Land Use Law adopted October 11, 2018

**LOT LINE ADJUSTMENT** — A relocation of lot lines between two or more existing adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created.

**MAJOR STREET** — A street which serves or is designed 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, including, but not limited to, subdivisions of five or more lots, or any size subdivision requiring any new street or extension of municipal facilities.

**MASTER OR COMPREHENSIVE PLAN** — A comprehensive plan, prepared by the Planning Board pursuant to Section 272-a 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 of 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 properties.

**MINOR SUBDIVISION** — Any subdivision containing not more than four lots fronting on an existing street, not involving the construction of any new street or road or the extension of municipal facilities. Lot line adjustments shall also be considered minor subdivisions under this law.

**NONCONFORMING LOT** — Any lot lawfully existing at the time of adoption of this law or any amendment thereto which does not conform to the minimum width, depth, and area dimensions specified.

**NYSDEC** — The Department of Environmental Conservation of the State of New York.

NYS TOWN LAW — The Town Law of the State of New York.

OFFICIAL MAP — The map which may be established by the Town Board pursuant to Section 270 of NYS Town Law, showing streets, highways, and parks.

PLANNING BOARD — The Planning Board of the Town of Reading, New York, as established according to NYS Town Law Section 271.

PRELIMINARY PLAT — A drawing or drawings clearly marked "preliminary plat" showing the layout of a proposed subdivision including, but not restricted to, road and lot layout and approximate dimensions, topography and drainage, all proposed facilities un-sized, including preliminary plans and profiles, at suitable scale and in such detail as required by this law.

PRELIMINARY PLAT APPROVAL — The approval of the layout of a proposed subdivision as set forth in a preliminary plat, but subject to the approval of the plat in final form in accordance with the provisions of this law.

SEQRA — The State Environmental Quality Review Act of the State of New York.

STREET — Includes streets, roads, avenues, lanes, or other traffic ways, between right-of-way lines.

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

SUBDIVISION — The division of any parcel of land into two or more lots, blocks, or sites, with or without streets or highways, including re-subdivision and lot line adjustments.

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

TOWN BOARD — The legislative body of the Town of Reading, New York.

UNDEVELOPED SUBDIVISION — Those subdivisions existing at the time of the enactment of this law that have been filed in the Office of the County Clerk of which twenty percent or more of the lots within the plat are unimproved, unless existing conditions such as poor drainage, have prevented their development.