

Contents

| | |
|--|------|
| Article I General Provisions..... | 3 |
| § 40-1 Authority of Planning Board..... | 3 |
| § 40-2 Enactment and title..... | 3 |
| § 40-3 Policy..... | 3 |
| § 40-4 Conflicts with other regulations and Village Law..... | 4 |
| § 40-5 Approval required..... | 4 |
| § 40-6 Self-imposed restrictions..... | 4 |
| § 40-7 Use and interpretation of words..... | 4 |
| § 40-8 Definitions..... | 4 |
| Article II Minor Subdivision..... | 11 |
| § 40-9 Preapplication meeting..... | 11 |
| § 40-10 Concept plan..... | 11 |
| § 40-11 Final plat..... | 14 |
| § 40-12 Recording of final plat..... | 17 |
| § 40-13 Amendments to final plat..... | 18 |
| Article III Major Subdivisions..... | 19 |
| § 40-14 Preapplication meeting..... | 19 |
| § 40-15 Concept plan..... | 19 |
| § 40-16 Preliminary plat..... | 21 |
| § 40-17 Plat review by Village-designated engineer and fees..... | 26 |
| § 40-18 Final plat..... | 27 |
| § 40-19 Recording of final plat..... | 31 |
| § 40-20 Amendments to final plat..... | 32 |
| Article IV General Requirements and Design Standards..... | 34 |
| § 40-21 General provisions; preservation of existing features..... | 34 |
| § 40-22 Design standards..... | 34 |
| § 40-23 Waivers..... | 34 |
| § 40-24 Streets..... | 34 |
| § 40-25 Neighborhood design standards..... | 4041 |
| § 40-26 Low-impact development design standards..... | 4142 |

§ 40-27 Lots42

§ 40-28 Parks and playgrounds ~~42~~⁴³

§ 40-29 Realignment or widening of existing streets43

§ 40-30 Responsibility for ownership of reservations43

§ 40-31 Clustered subdivisions43

Article V Required Improvements and Agreements44

§ 40-32 Improvements to be completed or bond filed44

§ 40-33 Performance escrow44

§ 40-34 Inspections44

Article VI Stormwater Pollution Prevention Plan45

§ 40-35 Stormwater pollution prevention plan: preliminary approval45

§ 40-36 Stormwater pollution prevention plan: final approval45

DRAFT

Chapter 40 Subdivision of Land (Proposed)

§ 40-1 Authority of Planning Board.

By authority of the resolution adopted by the Village Board on the ___th day of _____ 2020, pursuant to the provisions of Article VI-A of the Village Law, the Village of Green Island Planning Board has the power and the authority to approve or disapprove plats for subdivision within the Village of Green Island.

§ 40-2 Enactment and title.

In order that land in the Village of Green Island may be subdivided in accordance with the policy set forth herein, these regulations are hereby adopted and shall be known and may be cited as the "Village of Green Island Land Subdivision Regulations."

§ 40-3 Policy.

It is declared to be the policy of the Village of Green Island Planning Board to consider land subdivision plats as part of a plan for the orderly, efficient, and economical development of the Village. This shall be interpreted to include the following objectives which shall guide the Planning Board's decisions:

A. Land must be buildable and free of hazard. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health and safety or peril from fire, flood, erosion or other menace.

B. Proper provision shall be made for stormwater drainage, water supply, sewage disposal, erosion control, and other needed improvements and utilities.

C. Proposed streets and new parks and other public ways or spaces shall compose a convenient system conforming to the Official Map (as it may be adopted) and shall comply with the Village of Green Island Community Development Plan and all other local ordinances and laws.

(1) Streets shall be of such width, grade, and location as to accommodate prospective traffic, to afford adequate light and air, and to facilitate fire protection and snow removal pursuant to § 40-24.

(2) Park area of suitable location, size and character for playground or other recreational or open space purposes shall be shown on the subdivision plat, wherever appropriate and when required by the Planning Board pursuant to § 40-28.

D. The proposed development shall be esthetically compatible with the existing development and character of the Village in compliance with applicable tenants of the Village of Green Island Community Development Plan and Architectural Design Standards (as they may be adopted).

E. Natural and historic features shall be preserved. Insofar as possible, all existing features of the landscape, such as large trees, water and flood courses, historic sites and other such irreplaceable and environmentally sensitive areas and assets, should be preserved.

F. The Planning Board, in reviewing a subdivision application, shall take into account the provisions of the Zoning Law of the Village of Green Island.

§ 40-4 Conflicts with other regulations and Village Law.

Where these regulations impose greater restrictions than are imposed by the provision of any law, ordinance, regulation or private agreement, these regulations shall control. Where greater restrictions are imposed by any law, ordinance, regulation or private agreement than are imposed by these regulations, such greater restrictions shall not be affected by these regulations. Should any of these regulations conflict or be inconsistent with any provision of the Village Law, such provision of the Village Law shall apply.

§ 40-5 Approval required.

Whenever any subdivision of land in the Village of Green Island is proposed, the subdividing owner, or his authorized agent, shall apply for and secure approval of such proposed subdivision before any contract for sale of any part thereof is made and before any permit for the erection of a structure in such proposed subdivision shall be granted. Approval of a proposed subdivision shall be obtained in accordance with the procedure specified in Articles II and III.

§ 40-6 Self-imposed restrictions.

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

§ 40-7 Use and interpretation of words.

A. Except where specifically defined herein, all words used in these regulations shall carry their customary meanings. Words used in the present tense shall include the future. Words used in the singular number shall include the plural, and words used in the plural number shall include the singular, unless the context clearly indicates the contrary. The word "shall" is always mandatory. The word "may" is permissive.

B. "Building" or "structure" includes any part thereof. A "building" includes all other structures of every description except fences and freestanding walls, regardless of dissimilarity to conventional building forms. The word "lot" includes the word "plot" or "parcel."

C. The word "person" includes a corporation as well as an individual. The phrase "used for" includes "arranged for," "designed for," "intended for," "maintained for" and "occupied by or for."

§ 40-8 Definitions.

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

ALLEY

A public or private way located through the interior of blocks and permanently reserved as a secondary means of access to abutting property.

BLOCK

The land adjoining one side of a street between two consecutive junctions of said street with roads, railway rights-of-way or waterways crossing or meeting said side of street.

BUILDABLE LOT

A lot having a buildable area capable of accommodating proposed principal and accessory improvements and including, where required, an on-site water supply facility and sewage treatment system that meet the standards of the Albany County Department of Health.

BUILDING

Any structure other than a boundary wall or fence.

BUILDING ENVELOPE

The space within which a structure is permitted to be built on a lot and that is defined by maximum height regulations and minimum yard setbacks and includes all areas of disturbance, including yards, septic fields, well fields, and driveways.

BUILDING FOOTPRINT

The ground floor area of any building measured from the outside of the exterior walls at the foundation.

BUILDING, FRONT LINE OF

The line of that face of the building nearest the front property line of the lot. This face includes sun parlors and covered porches, whether enclosed or unenclosed, but does not include steps.

BUILDING MASS

The three-dimensional bulk of a structure: height, width, and depth, height to be measured as height from grade to eave plus 1/2 height from eave to ridgeline of roof.

BUILDING SCALE

The relationship between the mass of a building and its surroundings, including the width of street, open space, and mass of surrounding buildings.

BUILD-TO LINE

A line parallel to the street curbline along which at least 50% of a building's outside wall must be built. Lots fronting on more than one street shall contain a build-to line along each of the streets on which the lot faces. A build-to line typically runs parallel to the front property line and is established to create an even building facade line on a street.

BULK REGULATIONS

Zoning requirements related to such things as lot area, yard dimensions, percentage of lot covered and regulations other than land use. Such requirements are set forth in the Village of Green Island Zoning Law.

CLUSTER SUBDIVISION

The subdivision of an area into lots which are smaller than would customarily be permitted by the Village of Green Island Zoning Law, the density of development is no greater than would be permitted in the district by conventional development, and the residual land produced by the smaller lot size is used for common recreation and open space.

COMMUNITY DEVELOPMENT PLAN

The long-range plan intended to guide growth and development of the Village, expressing official policy on the course of its housing, public utilities, community facilities, transportation and land use distribution and intensity and adopted according to New York State Village Law.

CONCEPT PLAN

A conceptual sketch showing the proposed subdivision in relation to existing conditions and with reference to the minimum lot and area requirements of the zoning district in which the property is located.

CONCEPT PLAN APPROVAL

The approval of the conceptual sketch layout of a proposed subdivision but subject to the approval of the plat in preliminary or final form in accordance with the provisions of this chapter.

CONDITIONAL APPROVAL

Approval by the Planning Board of a preliminary or a final plat subject to such conditions as may be set forth by the Planning 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 a duly authorized officer of the Planning Board and recording of the plat in the office of the County Clerk or Registrar as herein provided until the Chairperson of the Planning Board or Building Inspector certifies that all conditions have been met.

CURB RADIUS

The curved edge of streets at an intersection measured at the outer edge of the street curb.

DEAD-END STREET

A street or a portion of a street with only one vehicular outlet and with a turnaround at its terminus.

DRAINAGE

The gravitational movement of a liquid substance, normally water, from its place of origin via surface runoff within or outside developed channels or via baseflow (subsurface) or overland flow.

EASEMENT

A grant of one or more of the property rights by the property owner to and/or for use by the public, a corporation, or another person or entity.

EROSION

The process by which the surface of land is worn away by the action of water, wind and/or rain.

EROSION AND SEDIMENT CONTROL PLAN

A plan showing mitigation measures, such as vegetation and structures, in sufficient quantity and substance to prevent erosion and sedimentation; also includes a schedule for the implementation of such plan.

FINAL PLAT

A drawing prepared by a New York State licensed professional engineer or land surveyor (with appropriate certification), in a manner prescribed by these regulations, showing a proposed subdivision and containing, in such additional detail as shall be provided by these regulations, all information required to appear on a preliminary plat 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 and which, if approved, may be filed or recorded by the owner in the office of the Albany County Clerk.

FINAL SUBDIVISION PLAT APPROVAL

The signing of a plat in final form by a duly authorized officer of the Planning Board 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.

GRID STREET PATTERN

An interconnected system of streets that is primarily a rectilinear grid in pattern.

LOT

A parcel of land, with or without buildings or structures, delineated by property lines and recorded in the office of the County Clerk of Albany County.

LOW-IMPACT DEVELOPMENT

Low-impact development (LID) is an innovative stormwater management approach with a basic principle that is modeled after nature: manage rainfall at the source using uniformly distributed, decentralized, microscale controls. LID's goal is to mimic a site's predevelopment hydrology by using design techniques that infiltrate, filter, store, evaporate, and detain runoff close to its source and limit municipal management of source stormwater. LID addresses stormwater through small, cost-effective landscape features located at the lot level.

MINOR STREET

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

OFFICIAL MAP

The map, and any amendments thereto, adopted by the Village Board under Village Law and that shows all existing and proposed municipal streets, parks, and infrastructure. This map is not the Official Zoning Map.

OFFICIAL SUBMITTAL DATE

The date when a subdivision plat shall be considered submitted to the Planning Board, as provided in Village Law, hereby defined to be the date of the meeting of the Planning Board at which all required surveys, plans and data described in Article V are submitted.[]

PEDESTRIANWAY

A right-of-way, publicly or privately owned, intended for human movement by walking or biking.

PLANNING BOARD

The Village of Green Island Planning Board.

POCKET PARK

Pocket (block) parks are intended to meet the needs of residents or workers within about a tenth of a mile. Pocket parks are less than 20,000 square feet, with no minimum size. No parking is needed. Pocket parks may include such elements as small-scale play equipment, public gardens, seating areas, passive open space, landscaped areas, important natural features, or trees.

PRELIMINARY PLAT

A drawing prepared in the manner prescribed in Article III of this chapter showing the layout of a proposed subdivision, including but not restricted to road and lot layout and approximate dimensions, key plan, topography and drainage, and all proposed facilities, including preliminary plans and profiles, at suitable scale and in such detail as this chapter requires.

PRELIMINARY PLAT APPROVAL

The approval of a proposed subdivision as set forth in a preliminary plat but subject to the approval of the final plat in accordance with the provisions of Article III.

RESUBDIVISION

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

SEQR (STATE ENVIRONMENTAL QUALITY REVIEW)

A portion of the Environmental Conservation Law which incorporates the consideration of environmental factors in the planning, review and decision making process at the earliest possible time.

SETBACK

The distance between the building and any lot line.

A. FRONT

The space extending the full width of the lot between any building and the front lot line and measured perpendicular to the building at the closest point to the front lot line.

B. SIDE

The space extending from the front yard to the rear yard between the principal building and the side lot line and measured perpendicular from the side lot line to the closest point of the principal building.

C. REAR

A space extending across the full width of the lot between the principal building and the rear lot line and measured perpendicular to the building to the closest point of the rear lot line.

STREET

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

STREET, ARTERIAL OR MAJOR

A state or federal highway.

STREET CENTER LINE

A line midway between and parallel to the street right-of-way.

STREET, COLLECTOR

A street which carries traffic from subdivision streets to the arterial highways. Collectors may also serve as secondary arterials to carry traffic.

STREET, CUL-DE-SAC

A street with only one vehicular traffic outlet, culminating in a turnaround.

STREET FURNITURE

Functional elements of the streetscape, including but not limited to benches, trash receptacles, planters, kiosks, public gazebos, signposts, bicycle racks, railings and fences, fountains, and memorials.

STREET, LOOP

A street with only one vehicular traffic outlet which loops around back onto itself.

STREET, MARGINAL ACCESS

A street adjacent and parallel to an arterial or collector street, the function of which is to limit access points between the arterial or collector street and the abutting properties.

STREET PAVEMENT

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

STREET, PRIVATE

A private thoroughfare or right-of-way, dedicated or deeded for use as such, which provides access to abutting properties from a public street.

STREET, PUBLIC

An existing municipal highway or road shown upon a subdivision plat approved by the Planning Board and dedicated and accepted by the Village Board or on a plat duly filed and recorded in the office of the County Clerk prior to the appointment of the Planning Board and the grant to such Board of the power to approve subdivision plats.

STREETSCAPE

The sum of the man-made and planted features that create the character of the street as a public space. Streetscape features may be located within and adjacent to the right-of-way. Streetscape features include street trees and plantings, streetlights, street furniture, sidewalks, median strips and islands, public art, banners and flags, signs and awnings, and similar publicly visible features.

STREET WIDTH

The distance between property lines.

SUBDIVIDER

Any person, firm, corporation, partnership, or association who or which shall lay out, for the purpose of sale or development, any subdivision or part thereof as defined herein, either for himself or others.

SUBDIVISION

The division of any parcel of land into two or more lots, plots, sites, or other subdivision of land, with or without streets, for the purpose of immediate or future sale or building development. Such division shall include resubdivision of plats already filed in the office of the County Clerk if such plats are entirely or partially undeveloped.

A. MINOR SUBDIVISION

Any subdivision containing not more than two lots, each to be of at least the minimum size as permitted by the Zoning Law (as it may be adopted), each fronting on an existing public street, not involving any new street or road or the extension of municipal facilities, not adversely affecting the development of the remainder of the parcel or adjoining properties, and not in conflict with any provision or portion of the Community Development Plan (as it may be adopted).

B. MAJOR SUBDIVISION

Any proposed subdivision in which land is to be divided into three or more lots within a period of two years from the date of approval of the first subdivision and that is not classified as a minor subdivision.

SUBDIVISION PLAT

The final map or drawing on which the subdivider's plan of subdivision is presented to the Planning Board for approval and which, if approved, will be submitted to the County Clerk for recording.

SUPERINTENDENT

The duly appointed Village Superintendent of Public Works or other such authorized official.

TRACT

Any body of land, including contiguous parcels of land under one ownership or under common control of any group of persons, even if such land is divided by a street.

VILLAGE-DESIGNATED ENGINEER

An engineering firm, appointed by the Village Board, to represent the Village in the subdivision review, construction and dedication process.

WATERCOURSE, CONTINUOUS

A spring, stream, marsh or channel in which water historically flows continuously 12 months a year.

Article II Minor Subdivision

§ 40-9 Preapplication meeting.

Before beginning work on a minor subdivision application, a subdivider or a duly authorized agent shall meet with the Planning Board to discuss the proposed subdivision, zoning requirements, expected timetables for approval, etc. Therefore, complete and complex engineered plans and architectural drawings are premature and not required. The concept plan shall be submitted pursuant to § [40-10](#).

§ 40-10 Concept plan.

A. Submission requirements. The subdivider shall submit to the Planning Board:

(1) Ten copies of a concept plan of the proposed subdivision, as detailed in Subsection B.

(2) A completed subdivision application.

(3) A concept application fee as set by resolution of the Village Board from time to time, payable to the Village of Green Island.

B. Contents of the concept plan. The concept plan shall be a scale drawing and other supporting documentation which contains the following:

(1) A site map showing:

(a) The subdivision name or title, if any; the scale, which shall be no less than one inch equals 100 feet; North direction, which shall be oriented toward the top of the plan; the plan date; and the label "Concept Plan." All submissions shall indicate under the proposed subdivision name or identifying title the words "Village of Green Island, Albany County, New York."

(b) The subdivision boundaries and the owners of all contiguous properties.

(c) The zoning classification and tax map number(s) of the property to be subdivided.

(d) The total acreage of the subdivision and the number and locations of lots.

(e) All streets, either mapped or built, adjacent to the tract.

(f) All existing restrictions on the use of land, including easements and covenants.

(g) All existing structures, wooded areas, watercourses, slopes of 12° or greater and other significant physical features within the part to be subdivided and within 200 feet of the proposed subdivision's boundaries.

(h) If applicable, the location and required setbacks from watercourses, wetlands, angle of repose reserves, protected slope reserves and the one-hundred-year floodplain, surveyed and delineated by a licensed engineer or land surveyor. All federal wetlands delineations must be approved by the Army Corps of Engineers, and all New York State wetland delineations must be approved by the New York State Department of Environmental Conservation.

(i) Contours with intervals of not more than 20 feet. A copy of the New York State Department of Transportation quadrangle map depicting the area of the proposed subdivision is adequate for the concept submission.

(2) A location map showing:

(a) The scale, which shall not be less than one inch equals 2,000 feet.

(b) All streets and lands within at least 5,000 feet of the proposed subdivision.

C. Waiver of submission requirements. The Planning Board may waive, upon the request of the applicant, any of the above submission requirements if the Planning Board determines that such requirement is not necessary or appropriate for review of the subdivision.

D. Planning Board review and recommendation.

(1) The subdivider shall attend a Planning Board meeting to discuss the concept plan. The applicant will be notified, in writing, of the date and time of this meeting.

(2) The Planning Board will review the concept plan and assure that all submission requirements have been met. The Planning Board shall determine whether the concept plan meets the purposes of these regulations and may, where it deems necessary, make specific recommendations based on:

(a) The application of planning principles and consistency with the Village of Green Island Community Development Plan.

(b) Environmental considerations.

(c) The overall long-term plan for the development of the Village (as it may be adopted).

(d) Community concerns and considerations for incorporation in the next submission to the Planning Board.

(3) If the proposed subdivision does not meet the minimum standards and requirements of the Village of Green Island Zoning Law, the subdivider must either revise the proposal to bring it into compliance with the Zoning Law or make application to the Zoning Board of Appeals for a variance in accordance with the provisions of the Zoning Law. The proposed subdivision must be in compliance with all requirements of the Zoning Law before the concept can receive approval.

(4) The Planning Board may, because of unique environmental or topographic conditions, appoint a Village-designated engineer to review and inspect any minor subdivision. Payment of any fees related to this review and/or inspection shall be the responsibility of the applicant pursuant to § [40-17B](#).

(5) The Planning Board may, after review of the concept plan, determine that a minor subdivision, due to particular environmental, topographic, engineering or other unique circumstances, should be reviewed by the criteria of a major subdivision. In that event, the proposed subdivision shall be subject to the requirements and standards of a major subdivision as detailed in Article [III](#) of this chapter but shall remain a minor subdivision for the determination of subdivision fees.

(6) The approval of a concept plan shall constitute preliminary approval of the proposed subdivision as to the general character and layout of development. The Planning Board, however, reserves the right to amend its determination if planning, environmental, engineering or other new data warrants the redesign of the project.

E. Waiver for lot line amendments.

(1) An applicant may request that the subdivision process be waived when a proposed subdivision does not result in an additional lot being created, is a minor modification to an existing lot line, or is a conveyance of a portion of one parcel to an adjoining parcel and the resultant lots are equal to or exceed the minimum zoning requirements.

(2) To request such waiver, the applicant shall complete the subdivision application, submit a concept plan in accordance with Subsection [B](#), pay the required application fee and submit a narrative explaining the proposed subdivision.

(3) When such a waiver is requested, the Planning Board shall approve or deny the waiver request. Approval may be granted when it is determined that such lot amendment would not adversely affect the site's development, adversely impact neighboring properties, alter the essential character of the neighborhood or negatively impact the health, safety or welfare of Village residents.

(4) If the waiver is granted, the applicant shall file a surveyed map of the subdivision with the Albany County Clerk and the Village Clerk in accordance with § [40-12](#).

(5) If the Planning Board denies the request for waiver, the applicant may proceed with the submission requirements to the Planning Board as outlined in this Article [II](#) which initiates a full subdivision review.

F. Waiver of the final plat hearing.

(1) After the concept review, the Planning Board may waive the final hearing requirements for a minor subdivision when:

- (a) The resultant lots are equal to or exceed the minimum zoning requirements;
- (b) There are no unique environmental characteristics on the proposed site such as slopes, wetlands, watercourses or floodplains;
- (c) There is no extension of public improvements;
- (d) The subdivision would not alter the essential character of the neighborhood or negatively impact the health, safety or welfare of Village residents; and
- (e) The Board is satisfied that there is no additional information needed to render a determination.

(2) If the final plat hearing is waived, the applicant shall file a surveyed map of the subdivision with the Albany County Clerk and the Village Planning Department in accordance with § 40-12.

§ 40-11 Final plat.

A. Submission requirements. Within six months of the approval of the concept plan, the subdivider shall submit to the Planning Board:

- (1) Ten copies of the final plat of the proposed subdivision as detailed in Subsection B.
- (2) A completed SEQR short or long form, as directed by the Planning Board. An application for final plat shall not be considered complete until a negative declaration has been filed or until a notice of completion of the draft environmental impact statement has been filed in accordance with the provisions of the State Environmental Quality Review Act. The time periods for review of a final plat shall begin upon filing of such negative declaration or such notice of completion.
- (3) Two true copies of all required deeds and easements, if applicable.
- (4) Any other supporting information requested by the Planning Board.

B. Contents of the final plat. The final plat shall be prepared by a licensed engineer or licensed land surveyor and contain the following information:

- (1) A site map showing:
 - (a) The subdivision name or title; the scale, which shall be no less than one inch equals 100 feet; North direction, which shall point toward the top of the plat; plan date; and the label "Final Plat." All submissions shall indicate under the proposed subdivision name or identifying title the words "Village of Green Island, Albany County, New York."
 - (b) The name and address of the owner, subdivider and engineer or licensed land surveyor, including license number, seal and signature.

(c) Land survey showing dimensions, bearings and angles of all property lines and boundaries.

(d) The owners of all contiguous property and the names of adjoining developments, if applicable.

(e) The zoning classification and tax map number of the property to be subdivided.

(f) The proposed pattern of lots, including lot width, depth, and acreage or square footage of every proposed lot.

(g) The addresses of the proposed lots as assigned by the Assessor's office.

(h) All streets, either mapped or built, adjacent to the tract and the right-of-way width thereof.

(i) The building envelope, showing required setbacks in which proposed structures may be built and the area to be left undisturbed.

(j) If applicable, the location and required setbacks from watercourses, wetlands, angle of repose reserves, protected slope reserves and the one-hundred-year floodplain, surveyed and delineated by a licensed engineer or land surveyor. All federal wetlands delineations must be approved by the Army Corps of Engineers, and all New York State wetland delineations must be approved by the New York State Department of Environmental Conservation.

(k) The location of all existing and proposed wells and septic systems, if known.

(l) All existing buildings, wooded areas, streams and other significant physical features within the part to be subdivided and within 200 feet.

(m) All existing restrictions on the use of land, including easements and covenants.

(n) Any other information as required by the Planning Board.

(2) A location map showing:

(a) The scale, which shall not be less than one inch equals 2,000 feet.

(b) All streets and lands within at least 5,000 feet of the proposed subdivision.

(3) When more than one sheet is required to show the plat, an index map of the same size shall be submitted.

C. Waiver of submission requirements. The Planning Board may waive, upon the request of the applicant, any of the above submission requirements if the Planning Board determines that such requirement is not necessary or appropriate for review of the subdivision.

D. Referrals.

(1) Review by Albany County Planning Board.

(a) In accordance with § 239-n of the General Municipal Law, if any subdivision is within 500 feet of a municipal boundary; the boundary of any existing or proposed county or state park or other recreation area; the right-of-way of any existing or proposed county or state parkway, thruway, expressway, street or highway; the existing or proposed right-of-way of any stream or drainage channel owned by the county or for which the county has established channel lines; or the existing or proposed boundary of any county- or state-owned land on which a public building or institution is situated, the Planning Board shall refer such application to the Albany County Planning Board for review and report.

(b) Within 30 days of receipt of such notification, the Albany County Planning Board shall report to the Village on its approval or disapproval, or on its approval subject to stated conditions, of the proposed subdivision plat. If the county planning agency disapproves or recommends modification of such a proposed subdivision plat, the Planning Board shall not, in approving the final plat, act contrary to such disapproval or recommendation or modification except by a vote of a majority plus one of all the members thereof and after the adoption of a resolution fully setting forth the reasons for such contrary action.

(2) Superintendent of Public Works. The subdivider is required to arrange an on-site meeting with the Village Superintendent of Public Works to discuss all street right-of-way improvements. No certificate of occupancy will be issued until all required improvements have been made.

(3) Access to county highways. The subdivider shall obtain written permission from the Director of the Albany County Department of Public Works when a curb cut onto a county highway is necessary.

(4) Access to state highways. The subdivider shall obtain written permission from the New York State Department of Transportation when a curb cut onto a state highway is necessary.

(5) Extension of a water or sewer district. If a proposed subdivision requires the extension of a water or sewer district, the subdivider shall initiate an application for the extension by submitting a map, plan and report to the Superintendent of Public Works and to the Village Attorney as directed by the Planning Board.

(6) When an application for subdivision review and approval involves property that is within 500 feet of an adjacent municipality, as defined in § 239-nn of the General Municipal Law, the Planning Board shall give notice to the adjacent municipality by mail or electronic transmission to the clerk of the adjacent municipality at least 10 days prior to any hearing.

E. Hearing and notices.

(1) The Planning Board shall review the final plat to determine if it meets the submission requirements as set forth in these regulations.

(2) The Planning Board shall hold a public hearing in accordance with § 7-728 of the Village Law on the final plat within 62 days from the date a complete application is received by the Planning Board. Notice of the hearing shall be provided as required by Village Law § 7-728.

(3) All plans and supporting documentation shall be on file with the Planning Board a minimum of 10 days prior to an advertised public hearing before the Planning Board.

(4) The publication and mailing of such notice of public hearing shall be the responsibility of the Planning Board.

F. Planning Board review and decision.

(1) The Planning Board will carefully study the practicality of the layout, taking into consideration the requirements of the Village, the best use of the land being subdivided and the policy set forth in § 40-3. Particular attention will be given to the proposed arrangement of lots, sewage disposal, drainage, proposed lot sizes, shape and layout, future development of adjoining lands as yet unsubdivided, the requirements of the Village of Green Island Comprehensive Plan and matters enumerated in § 7-730 of the Village Law.

(2) The Planning Board shall review the submitted environmental assessment form to determine whether the proposal may have a significant impact on the environment. If the project may have a significant impact, the Planning Board may require the preparation of an environmental impact statement.

(3) Within 62 days from the date of the closing of the hearing, the Planning Board shall make a decision to approve, with or without modifications, or disapprove the application. Such sixty-two-day period may be extended by mutual consent of the applicant and the Planning Board or as necessary to comply with the requirements of New York State Village Law § 7-728 regarding coordination with the New York State Environmental Quality Review Act. Any decision of the Planning Board shall include a brief written record of the conditions upon which such decision was made.

(4) Once the Planning Board has granted final approval and all conditions have been met, the subdivider shall file the plat with the Albany County Clerk in accordance with § 40-12.

§ 40-12 Recording of final plat. [1]

If the subdivider should fail to submit final plans for signature within six months of Planning Board approval, the approval shall be considered null and void unless an extension of time is requested by the subdivider, in writing, and is granted by the Planning Board before the expiration date.

A. Every copy of the final plat submitted for signature shall carry the following endorsement:

"Approved by resolution of the Planning Board of the Village of Green Island, New York, on the ____ day of _____, 20 ____, subject to all requirements and conditions of said resolution. Any change, erasure, modification or revision of this plat, as approved, shall void this approval. Signed this ____ day of _____, 20 ____, by Chairperson _____"

B. Every copy of the final plat submitted for signature shall have a signature line for the Superintendent of Public Works.

C. The subdivider shall provide the Planning Board with two final copies of the final plat.

D. The Chairperson of the Planning Board and the Superintendent of Public Works, if applicable, will sign the final plat once all conditions have been met.

E. The subdivider shall have the Albany County Clerk stamp all signed copies of the final plat. The Albany County Clerk will file one paper copy.

F. The subdivider shall bear all fees in connection with the filing of the plat.

G. The final plat shall be filed with the Albany County Clerk in the manner required by § 7-728 of the New York Village Law before the sale of any lots within such subdivision.

H. 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. In the event that the subdivision plat, when recorded, contains any such changes, the plat shall be considered null and void, and the Planning Board shall institute proceedings to have such plat stricken from the records of the County Clerk.

§ 40-13 Amendments to final plat.

If at any time after the final plat has been signed by the Chairperson of the Planning Board or filed with the Albany County Clerk the subdivider wants to amend the plat in any way, the subdivider shall make application to the Planning Board for a final plat amendment. The Planning Board shall determine whether such amendment warrants a public hearing. Any amendment to a filed plat must be refiled with the County Clerk in accordance with § [40-12](#).

Article III Major Subdivisions

§ 40-14 Preapplication meeting.

Before beginning work on a major subdivision application, a subdivider or a duly authorized agent shall meet with the Planning Board to discuss the proposed subdivision, zoning requirements, expected timetables for approval, etc. Therefore, complete and complex engineered plans and architectural drawings are premature and not required. The concept plan shall be submitted pursuant to § [40-15](#).

§ 40-15 Concept plan.

A. Submission requirements. The subdivider shall submit to the Planning Board:

(1) Eight copies of a concept plan of the proposed subdivision, as detailed in Subsection

B.

(2) A completed subdivision application.

(3) A concept application fee as set by resolution of the Village Board from time to time, payable to the Village of Green Island.

B. Contents of the concept plan. The concept plan shall be a scale drawing and other supporting documentation which contains the following:

(1) A site map showing:

(a) The subdivision name or title, if any; the scale, which shall be no less than one inch equals 100 feet; North direction, which shall be oriented toward the top of the plan; the plan date; and the label "Concept Plan." All submissions shall indicate under the proposed subdivision name or identifying title the words "Village of Green Island, Albany County, New York."

(b) The subdivision boundaries and the owners of all contiguous properties.

(c) The zoning classification and tax map number(s) of the property to be subdivided.

(d) The total acreage of the subdivision and the number and location of lots.

(e) All streets, either mapped or built, adjacent to the tract.

(f) All existing restrictions on the use of land, including easements and covenants.

(g) All existing structures, wooded areas, watercourses, slopes of 12° or greater and other significant physical features within the part to be subdivided and within 200 feet of the proposed subdivision's boundaries.

(h) If applicable, the location and required setbacks from watercourses, wetlands, angle of repose reserves, protected slope reserves and the one-hundred-year floodplain. All federal wetlands delineations must be approved by

the Army Corps of Engineers, and all New York State wetland delineations must be approved by the New York State Department of Environmental Conservation.

(i) Contours with intervals of not more than 10 feet.

(2) A location map showing:

(a) The scale, which shall not be less than one inch equals 2,000 feet.

(b) All streets and lands within at least 5,000 feet of the proposed subdivision.

(3) An area map showing:

(a) A scale, which shall be one inch equals 400 feet.

(b) All streets, lots and USGS contours between the subdivider's property and the nearest collector or arterial street in every direction or within 5,000 feet of the subdivider's property, whichever is less. This map must show how the proposed subdivision relates to existing and proposed streets in adjoining subdivisions and to the Village's network of collector streets.

C. Waiver of submission requirements. The Planning Board may waive, upon the request of the applicant, any of the above submission requirements if the Planning Board determines that such requirement is not necessary or appropriate for review of the subdivision.

D. Planning Board review and recommendation.

(1) The subdivider shall attend a Planning Board meeting to discuss the concept plan. The applicant will be notified, in writing, of the date and time of the meeting.

(2) The Planning Board will review the concept plan and assure that all submission requirements have been met. The Planning Board shall determine whether the concept plan meets the purposes of these regulations and may, where it deems necessary, make specific recommendations based on the following for incorporation in the next submission to the Planning Board:

(a) The application of planning principles and consistency with the Village of Green Island Community Development Plan.

(b) Environmental considerations.

(c) The overall long-term plan for the development of the Village (as it may be adopted).

(d) Community concerns and considerations for incorporation in the next submission to the Planning Board.

(3) If the proposed subdivision does not meet the minimum standards and requirements of the Village of Green Island Zoning Law, the subdivider must either revise the proposal to bring it into compliance with the Zoning Law or make application to the Zoning Board

of Appeals for a variance in accordance with the provisions of the Zoning Law. The proposed subdivision must be in compliance with all requirements of the Zoning Law before the concept can receive approval.

(4) The Planning Board may appoint a Village-designated engineer to review and inspect future subdivision submissions. Payment of any fees related to this review and/or inspection shall be the responsibility of the applicant pursuant to § [40-17B](#).

(5) The Planning Board may require that the subdivider flag the boundaries of the proposed subdivision and the center lines of the proposed streets in order to facilitate adequate on-site reviews.

(6) The approval of a concept plan shall constitute preliminary approval of the proposed subdivision as to the general character and layout of development. The Planning Board, however, reserves the right to amend its determination if planning, environmental, engineering or other new data warrants the redesign of the project.

§ 40-16 Preliminary plat.

A. Submission requirements.

(1) It shall be the responsibility of the subdivider to distribute to the Planning Board, any Village-designated engineer, and the Superintendent of Public Works:

(a) Eight copies of the preliminary plat of the proposed subdivision as detailed in Subsection [B](#).

(b) A completed SEQR short or long form, as directed by the Planning Board. An application shall not be considered complete until a negative declaration has been filed or until a notice of completion of the draft environmental impact statement has been filed in accordance with the provisions of the State Environmental Quality Review Act. The time periods for review of a preliminary plat shall begin upon filing of such negative declaration or such notice of completion.

(c) A traffic study, if required by the Planning Board.

(d) Any other supporting development data relevant to the subdivision or requested by the Planning Board.

(2) The subdivider shall establish an escrow account with the Village, in an amount estimated by the Village-designated engineer, to cover the costs of the designated engineer's review, in accordance with § [40-17](#).

B. Contents of the preliminary plat. The preliminary plat shall be a map or maps and other supporting information which contain the following:

(1) A site map showing:

- (a) The subdivision name or title; the scale, which shall be no less than one inch equals 100 feet; North direction, which shall be oriented toward the top of the plat; date; and the label "preliminary plat."
- (b) The name and address of the owner, subdivider and engineer or licensed land surveyor, including license number, seal and signature.
- (c) The subdivision's boundaries and the current owners of all contiguous properties and the names of any adjoining developments.
- (d) The total acreage of the subdivision and the number and dimensions of lots, including width, depth, and acreage or square footage of every proposed lot.
- (e) All streets and street names, either mapped or built, adjacent to and within the tract and the right-of-way width thereof.
- (f) The building envelope showing the required setbacks in which proposed structures may be built and any areas to be left undisturbed.
- (g) If applicable, the location and required setbacks from watercourses, wetlands, angle of repose reserves, protected slope reserves and the one-hundred-year floodplain, surveyed and delineated by a licensed engineer or licensed land surveyor.
- (h) All existing septic systems and all existing and proposed irrigation wells.
- (i) All existing structures, wooded areas, streams and other significant physical features within the part to be subdivided and within 200 feet.
- (j) The zoning classification and tax map number(s) of the property to be subdivided.
- (k) The zoning regulations affecting the proposed subdivision, including setbacks, density, coverage and other regulations.
- (l) All existing restrictions on the use of land, including easements and covenants.
- (m) All green areas, open space and screen plantings, giving the size and type of plantings to be used, if applicable.
- (n) The approximate location and dimensions of all property to be dedicated for public use or common use and the conditions of such dedications.
- (o) The location and dimensions of land to be reserved for parks or recreational purposes, as required by § [40-28](#).
- (p) The location of all existing and proposed sidewalks, bikeways or footpaths both on the property and adjacent to it.

(g) A location map, at a scale of not less than one inch equals 2,000 feet, showing all streets and lands within at least 5,000 feet of the proposed subdivision.

(2) An area map showing:

(a) A scale, which shall be one inch equals 400 feet.

(b) All streets, lots and USGS contours between the subdivider's property and the nearest collector or arterial street in every direction or within 5,000 feet of the subdivider's property, whichever is less. This map must show how the proposed subdivision relates to existing and proposed streets in adjoining subdivisions and to the Village's network of collector streets.

(3) A grading plan showing:

(a) The existing topography with contours at intervals of not more than two feet with all slopes of 12° or greater delineated [the datum plane for all topographic information shall be based on the National Geodetic Vertical Datum (NGVD) 1929].

(b) The approximate finished grades of the entire tract with contours at intervals of not more than two feet and indicating all areas of trees and vegetation which will be left undisturbed by development construction.

(4) A street and utility map showing:

(a) The names, location, profiles, width and approximate grade of all proposed streets. Elevations shall be shown at the beginning and end of each street, at street intersections and at all points where there is a change in direction or a five-percent or greater change in slope.

(b) The proposed provision of water supply, fire protection, disposal of sanitary wastes and stormwater drainage.

(c) The location of existing and proposed utilities, including sewers, water mains, fire hydrants, storm drainage and culverts, with pipe sizes and direction of flow, both on the property and adjacent to it, and the boundaries of any proposed water or sewer districts.

(5) A traffic study.

(a) A traffic study estimating the average daily (AADT) and peak hour a.m. and p.m. trips to be generated by the completed subdivision shall be required if the subdivision is anticipated to increase AADT by more than 100 vehicles. This study shall estimate the distribution of trips between the entrance(s) to the subdivision and the Village's arterial streets. Any intersection(s) whose peak hour levels of service may be adversely impacted by traffic from the completed subdivision shall be identified and mitigation measures offered, taking into consideration traffic from other existing and proposed subdivisions in the area.

(b) The traffic study shall be based on the latest Institute of Transportation Engineers data, methodology and standards.

(6) An off-site improvement plan showing the off-site improvements, if required, to be undertaken by the subdivider in conjunction with development of the subdivision.

C. Waiver of submission requirements. The Planning Board may waive, upon the request of the applicant, any of the above submission requirements if the Planning Board determines that such requirement is not necessary or appropriate for review of the subdivision.

D. Referrals.

(1) Review by Albany County Planning Board.

(a) In accordance with § 239-n of the General Municipal Law, if any subdivision is within 500 feet of a municipal boundary; the boundary of any existing or proposed county or state park or other recreation area; the right-of-way of any existing or proposed county or state parkway, thruway, expressway, street or highway; the existing or proposed right-of-way of any stream or drainage channel owned by the county or for which the county has established channel lines; or the existing or proposed boundary of any county- or state-owned land on which a public building or institution is situated, the Planning Board shall refer such application to the Albany County Planning Board for review and report.

(b) Within 30 days of receipt of such notification, the Albany County Planning Board shall report to the Village on its approval or disapproval, or on its approval subject to stated conditions, of the proposed subdivision plat. If the county planning agency disapproves, or recommends modification of such a proposed subdivision plat, the Planning Board shall not, in approving the final plat, act contrary to such disapproval or recommendation or modification except by a vote of a majority plus one of all the members thereof and after the adoption of a resolution fully setting forth the reasons for such contrary action.

(2) Superintendent of Public Works. The subdivider is required to arrange an on-site meeting with the Village Superintendent of Public Works to discuss all street right-of-way improvements. No certificate of occupancy will be issued until all required improvements have been made.

(3) Extension of a water or sewer district. If a proposed subdivision requires the extension of a water or sewer district, the subdivider shall initiate an application for the extension by submitting a map, plan and report to the Superintendent of Public Works and to the Village Attorney as directed by the Planning Board.

(4) When an application for subdivision review and approval involves property that is within 500 feet of an adjacent municipality, as defined in § 239-nn of the General Municipal Law, the Planning Board shall give notice to the adjacent municipality by mail

or electronic transmission to the clerk of the adjacent municipality at least 10 days prior to any hearing.

E. Hearing and notices.

(1) The Village-designated engineer will review the plan to determine if it meets the submission requirements as set forth in these regulations, the requirements of the Highway Development Policy and any other applicable Village policies.

(2) Once all the submission requirements are met and a report from the designated engineer received, the Planning Board shall hold a public hearing on the preliminary plat within 62 days from the date an application is confirmed as complete by the Village-designated engineer. Notice of the hearing shall be provided as required by Village Law § 7-728.

(3) All plans and supporting documentation must be on file with the Planning Board a minimum of 10 days prior to the public hearing.

(4) The preparation and cost of publication and mailing of required notice of public hearing shall be borne by the Planning Board.

F. Planning Board review and decision.

(1) Once the Planning Board has received a preliminary plat, the Board will coordinate a review with the Building Inspector, Public Works Department and the Village-designated engineer. Comments will be forwarded, in writing, to the subdivider. A subdivision application will not be advertised for a public hearing until the Village-designated engineer has submitted a report stating that all submission requirements have been met.

(2) The Planning Board shall review the submitted environmental assessment form to determine whether the proposal may have a significant impact on the environment. If the project may have a significant impact, the Planning Board may require the preparation of an environmental impact statement.

(3) The Planning Board will carefully study the preliminary layout, taking into consideration the requirements of the community, its natural resources, the best use of the land subdivided, and conformity with the Village Community Development Plan. Particular attention will be given to the arrangement, location and width of streets, their relation to the types of soil, topography of the land, sewage disposal, drainage, preservation of vegetation and other environmental features, lot size and arrangement, the present and future development of adjoining lands and the requirements of the Village of Green Island Zoning Law.

(4) The Planning Board may require the developer to undertake off-site improvements to the Village's highway, water, sanitary sewer or stormwater drainage systems or to contribute an equitable per-lot fee for such improvements in conjunction with other developments in the immediate area for the purpose of accommodating the impacts of

the proposed development without degradation of services to existing landowners in the neighborhood of the development.

(5) The final plat may be submitted in phases, if approved by the Planning Board. Each phase must cover a portion of the entire subdivision shown on the approved preliminary plat.

(6) Within 62 days from the date of the closing of the public hearing, the Planning Board will make a decision to approve, with or without modifications, or disapprove the application. Such sixty-two-day period may be extended by mutual consent of the applicant and the Planning Board or as necessary to comply with the requirements of New York State Village Law § 7-728 regarding coordination with the New York State Environmental Quality Review Act. Any decision of the Planning Board shall include a brief written report outlining the conditions upon which such decision was made.

G. Approval of the preliminary plat.

(1) Approval of the preliminary plat shall constitute approval of the proposed subdivision as to the general character and intensity of development and the arrangement and approximate dimensions of streets, lots and other planned features. Approval of the preliminary plat does not constitute approval of the final plat and does not authorize the sale of building lots, the installation of streets or utilities, or other construction activities on such lots.

(2) The developer must submit to the Planning Board a proposed final plat within 180 days of obtaining preliminary plat approval. If the developer does not file the proposed final plat within the one-hundred-eighty-day period, the approval of the preliminary plan shall become null and void unless a specific extension of time is requested by the subdivider, in writing, and approved by the Planning Board before the expiration date.

H. Combining the preliminary and final plat hearing. The Planning Board may elect to combine the preliminary and final plat hearing into one hearing when:

(1) The proposed subdivision does not propose the creation or extension of a Village street or the extension of any municipal facilities.

(2) It is determined that there are no particular municipal concerns that would warrant having separate preliminary and final hearings.

(3) The Board is satisfied that there is no additional information needed to render a determination.

§ 40-17 Plat review by Village-designated engineer and fees.

The Planning Board may designate a consulting engineer or other professionals as needed to inspect the subdivision plat and construction detail sheets, to confer with the subdivider and/or the subdivider's engineer and report to the Planning Board on the adequacy of the subdivision plat. All fees associated with project review shall be the responsibility of the applicant as per Subsection B below.

A. Responsibilities of the Village-designated engineer or other consulting professional. It shall be the responsibility of the Village-designated engineer to:

- (1) Review all subdivision and engineering plans furnished by the subdivider.
- (2) Attend each Planning Board meeting when the subdivision is scheduled to be discussed.
- (3) Submit to the Board and the subdivider an estimate of charges for the review and inspection of the subdivision.
- (4) Advise the subdivider, Planning Board and Superintendent of Public Works, in writing, of his/her approval, approval with reservations or disapproval of the plat and any amendments and other submissions thereof, based on compliance with Village standards and requirements.
- (5) Review any agency's requirements made on the development, including but not limited to the state, county and Village.
- (6) Confirm all easement and right-of-way descriptions, warranty and quitclaim deeds, and that Village utilities are appropriately located on these easements and rights-of-way.
- (7) Approve and deliver to the Village Attorney a complete packet of developer-signed easements and highway right-of-way deeds.
- (8) Notify the Chairperson of the Planning Board of any unforeseen items of concern in the course of review or the construction of the subdivision that may affect the integrity of the final subdivision.

B. Payment for the services of such consultants and/or engineers is to be made from funds deposited by the applicant with the Village in escrow accounts for such purpose. Such escrow account shall be established by the Village Board in a dollar amount recommended by the Planning Board and shall be placed in a separate account to be used to cover expenses for review and inspection purposes. It shall be the responsibility of the applicant to submit to the Village, prior to the commencement of any work associated with said application before the Board or at such other time as directed by the Board, a certified check(s) in amount equal to the estimate of the expert consultant and/or engineer for the cost of services to be rendered to the Village. This sum shall be released by the Village to said consultant or engineer in payment for the services rendered to it upon acceptance by the Village of said services.

§ 40-18 Final plat.

A. Submission requirements.

(1) Within six months of the approval of the preliminary plat, the subdivider shall submit to the Planning Board:

(a) Ten paper copies of the final plat, as detailed in Subsection B.

[Amended 2-1-2011 by L.L. No. 1-2011]

(b) One set of the detail construction drawings, as detailed in Subsection C.

(c) Two true copies of all offers of cession, covenants, deed restrictions, easements and other agreements.

(d) A revised SEQR form, if such revisions were necessary.

(e) All information as required by the conditions attached to preliminary approval.

(f) Any other information as requested by the Planning Board.

(2) The subdivider shall submit to the Village-designated engineer and Superintendent of Public Works:

(a) One paper copy each of the final plat.

(b) One set each of all detail construction drawings.

B. Contents of the final plat. The final plat shall be prepared by a licensed engineer or licensed land surveyor and contain the following information:

(1) A site map showing:

(a) The subdivision name or title; the scale, which shall be no less than one inch equals 100 feet; North direction, which shall point towards the top of the plat; plan date; and the label "Final Plat." All submissions shall indicate under the proposed subdivision name or identifying title the words "Village of Green Island, Albany County, New York."

(b) A land survey, prepared by a licensed land surveyor, showing dimensions, bearings and angles of all property lines.

(c) The name and address of subdivider.

(d) The name of engineer or surveyor.

(e) The zoning classification of property to be subdivided.

(f) The building envelope showing the required setbacks in which proposed structures may be built and the area to be left undisturbed as required.

(g) If applicable, the location and required setbacks from watercourses, wetlands, angle of repose reserves, protected slope reserves and the one-hundred-year floodplain, surveyed and delineated by a licensed engineer or land surveyor. All federal wetlands delineations must be approved by the Army Corps of Engineers, and all New York State wetland delineations must be approved by the New York State Department of Environmental Conservation.

(h) All existing septic systems and all existing and proposed irrigation wells.

- (i) All existing structures, wooded areas, streams and other significant physical features within the part to be subdivided and within 200 feet.
- (j) The zoning regulations affecting the proposed subdivision, including setbacks, density, coverage and other regulations.
- (k) All existing restrictions on the use of land, including easements and covenants.
- (l) The street addresses of the lots, as assigned by the Town Assessor's office.
- (m) The streets and street names, bikeways, footpaths, lots, reservations, easements and areas to be dedicated for public use. For proposed streets, all widths and approximate grades with elevations shown at the beginning and end of each street, at street intersections and at all points where there is a decided change in the slope or direction.
- (n) Sufficient data to readily determine the location, bearing and length of every street line, lot line and boundary line and to reproduce such lines upon the ground.
- (o) The length and bearing of all straight lines, radii, length of curves and central angles of all curves and tangent bearings shall be given for each street. All dimensions shall be shown in feet and decimals of a foot and shall be given together with all angles of the lines of each lot and lot area in square feet.
- (p) Boundary reference points which tie into the existing system.
- (q) The boundaries and proposed uses of all property which is offered for dedication for public use.
- (r) The boundaries and proposed uses of all property that is proposed to be reserved by deed or covenant for the common use of property owners in the subdivision.
- (s) The location of all monuments.
- (t) A location map at a scale of not less than one inch equals 2,000 feet showing all streets and lands within at least 5,000 feet of the proposed subdivision.
- (u) Proposed location and size of water supply, valves, fire protection, sanitary waste disposal, street trees, streetlight fixtures, and street signs and the location of manholes, basins and underground conduits.
- (v) A stormwater pollution prevention plan (SWPP) consistent with the requirements of the New York State Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities (GP-02-01) or as amended or revised.

(w) Storm drainage plan indicating the approximate location, size and profiles of any proposed storm sewers, culverts, swales, channels, and retention areas. Calculations for determining anticipated stormwater runoff shall be included.

(2) A grading plan showing:

(a) The existing topography with contours at intervals of not more than two feet with all slopes of 12° or greater delineated [the datum plane for all topographic information shall be based on the National Geodetic Vertical Datum (NGVD) 1929].

(b) The approximate finished grades of the entire tract with contours at intervals of not more than two feet and indicating all areas of trees and vegetation which will be left undisturbed by development construction.

(3) An erosion and sediment control plan.

(4) An off-site improvement plan showing off-site street improvements, if required, to be undertaken by the subdivider in conjunction with development of the subdivision.

C. Detail construction drawings. It shall be the responsibility of the subdivider to distribute one copy each of separate construction drawings to the Village-designated engineer, the Superintendent of Public Works and the Planning Board which include plans and profiles showing:

(1) Elevations along center lines of all streets within the subdivision, and, where a proposed street intersects an existing street, the plan shall show the elevation along the center line of the existing street to a distance of 100 feet from the intersection.

(2) The locations of street pavements, including curbs, gutters and sidewalks, if applicable.

(3) The location, size, invert elevations and design calculations of existing and proposed sanitary sewers.

(4) The location, size and design calculations of existing and proposed waterlines and fire hydrants.

(5) The existing and proposed storm drainage system, including design storm information, the drainage basin area, development extent, pipe flow information, manholes, culverts and catch basins.

(6) The location and size of gas, electricity, streetlights and other utilities or structures.

D. Review. The Planning Board will review the final plat submissions and assure that all requirements and conditions have been met.

(1) Once the Planning Board has received a final plat, the Board will coordinate a review with the Building Inspector, Public Works Department and the Village-designated engineer.

(2) The Village-designated engineer will review the final plat submissions to determine whether all submission requirements have been met and that the detail construction plans are correct and in compliance with Village standards. The Village-designated engineer and Village Attorney will review all covenants, deeds, easements, bonds and other agreements. All such agreements must be acceptable to the Village before final approval.

E. Referrals.

(1) Access to county highways. The subdivider shall obtain written permission from the Director of the Albany County Department of Public Works when a curb cut onto a county highway or intersection with a county highway is proposed.

(2) Access to state highways. The subdivider shall obtain written permission from the New York State Department of Transportation when a curb cut onto a state highway or intersection with a state highway is proposed.

F. Planning Board final plat hearing and decision. The Board may require a public hearing on the final plat. The Board shall take action on the final plat within 62 days from the date of the submission. The time of submission of the final plat shall be considered to be the date of the Planning Board meeting at which such plan is considered. The sixty-two-day period may be extended by written mutual consent of the applicant and the Planning Board. Any decision of the Planning Board shall include a brief written report outlining the conditions upon which such decision is made.

G. Approval of the final plat.

(1) The Planning Board may, after due deliberation, grant final plat approval, with or without conditions. This approval, once all conditions have been met, will allow the subdivider to file the plat in accordance with § 40-19 and to apply for building permits.

(2) Final plat approval does not permit the sale of building lots until the final plat is recorded in accordance with § 40-19.

(3) The approval of the Planning Board of a subdivision plat shall not be deemed to constitute or imply the acceptance by the Village of any street, park, playground or other open space shown on said plat. The Planning Board may require said plat to be endorsed with appropriate notes to this effect.

§ 40-19 Recording of final plat. [1]

If the subdivider should fail to submit final plans for signature within six months of Planning Board approval, the approval shall be considered null and void unless an extension of time is requested by the subdivider, in writing, and is granted by the Planning Board before the expiration date.

A. Every copy of the final plat submitted for signature shall carry the following endorsement:

"Approved by resolution of the Planning Board of the Village of Green Island, New York, on the _____ day of _____, 20 ____, subject to all requirements and conditions of said resolution. Any

change, erasure, modification or revision of this plat, as approved, shall void this approval. Signed this _____ day of _____, 20 ____ by Chairperson _____"

B. Every copy of the final plat submitted for signature shall have a separate line for signatures by the Village-designated engineer and the Superintendent of Public Works.

C. The subdivider shall be responsible for complying with the mandated review of the Albany County Health Department of the proposed subdivision and for obtaining the authorized signature of the Albany County Health Department on at least two linen and six paper copies of the final plat.

D. The Village-designated engineer shall inspect the construction of all land and utility improvements and assure that they are in conformance with Village standards and specifications.

E. The subdivider shall provide the Planning Board with two mylar copies of the site plan, three paper copies of the site plan and three paper copies of all final plat sheets, stamped by the Albany County Health Department.

F. The Chairperson of the Planning Board, Village-designated engineer and Superintendent of Public Works, if applicable, will sign the final plat, once all conditions have been met.

G. The subdivider shall have the Albany County Clerk stamp all copies of the final plat. The Albany County Clerk will file one linen copy and one paper copy of the final plat submission.

H. The subdivider shall file the remaining one linen, three paper full set and two paper site plans and stamped copies of the final plat with the Planning Board.

I. The subdivider shall bear all fees in connection with the filing of the plat.

J. The final plat shall be filed with the Albany County Clerk in the manner required by § 7-728 of the New York Village Law before the sale of any lots within such subdivision.

K. 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. In the event that the subdivision plat, when recorded, contains any such changes, the plat shall be considered null and void, and the Planning Board shall institute proceedings to have such plat stricken from the records of the County Clerk.

L. The subdivider shall provide the post office having jurisdiction of the site one paper copy of the site plan. A receipt from the post office of such filing will be necessary to apply for building permits.

§ 40-20 Amendments to final plat.

A. If at any time after the final plat has been signed by the Chairperson of the Planning Board or filed with the Albany County Clerk the subdivider wants to amend the plat in any way, the subdivider shall make application to the Planning Board for a final plat amendment. The Planning Board shall determine whether such amendment warrants a public hearing. Any amendment to a filed plat shall state what changes have been made, and the revised plat must

be refiled with the County Clerk in accordance with § [40-19](#). No building permits shall be issued until the requirements of this section have been met.

[B.](#) Subdivision or street name changes. If the subdivider wants to change the name of the subdivision or any street name within the subdivision after such subdivision has been filed with the Albany County Clerk, the subdivider shall, in addition to Subsection [A](#), provide the listed information to the following agencies:

- [\(1\)](#) Police dispatchers: revised map and letter stating changes.
- [\(2\)](#) Building Inspector: letter stating changes.
- [\(3\)](#) Assessor's office: letter stating changes.
- [\(4\)](#) Public Works Department: letter stating changes.
- [\(5\)](#) Village Clerk: letter stating changes.
- [\(6\)](#) Fire Department (jurisdictional): revised map and letter stating changes.
- [\(7\)](#) Post office (jurisdictional): revised map and letter stating changes.

DRAFT

Article IV General Requirements and Design Standards

§ 40-21 General provisions; preservation of existing features.

A. The Planning Board, in considering an application for the subdivision of land, shall be guided by the policy considerations specified in § 40-3 of these regulations and the following standards:

B. Preservation of existing features. Existing features which would add value to residential development, such as large trees, watercourses, historic spots and similar irreplaceable assets, should be preserved, insofar as possible, through harmonious design of the subdivision. Development shall cause minimum disturbance to existing landscaping. Topsoil shall not be removed from the site except with approval of the Planning Board.

§ 40-22 Design standards.

The purpose of this article is to ensure that the highest standards of site, building and landscape design are conscientiously met through the use of qualified technical and aesthetic judgment compatible with the Village of Green Island Community Development Plan. In considering applications for subdivision of land, the Planning Board shall be guided by the standards set forth hereinafter. Said standards shall be considered to be minimum requirements and shall be waived by the Board only under circumstances set forth in Article III herein. The Planning Board shall review the following standards as part of the preliminary plat and ensure that all standards are met in the approved final plat. As part of this review, the Planning Board shall refer to the Village of Green Island Architectural and Design Guidelines as they may be developed.

§ 40-23 Waivers. [1]

Where the Board finds that certain data and information are not required for a complete application, it may waive the regulations upon written request of the applicant, provided that such waiver will not have the effect of nullifying the intent and purpose of this chapter, the Village of Green Island Zoning Law, or the State Environmental Quality Review Act. Where the Board finds that, due to the special circumstances of a particular plat, the provision of certain required improvements is not requisite in the interest of the public health, safety and general welfare or is inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the proposed subdivision, it may waive such requirements, subject to appropriate conditions. All requests for waivers from the information requirements of Article IV or any other provision of this chapter shall be submitted in writing and shall identify each provision, section or part for which a waiver is sought and shall include a statement with reasons supporting such waiver(s).

§ 40-24 Streets.

A. Circulation system. The circulation system within a subdivision shall allow for different kinds of transportation and shall include streets, sidewalks and other pedestrianways. Where public transit service is available or planned, convenient access to transit stops shall be provided. The street system shall provide functional and visual links within the residential neighborhoods and shall be connected to existing and proposed external development.

(1) Pedestrian circulation. Any existing pedestrian routes through the subdivision shall be preserved and enhanced. All streets, except alleys, shall be provided with continuous sidewalks on one or on both sides of the street. Sidewalks shall be five feet wide and constructed of concrete, masonry materials, or slate. Asphalt sidewalks are prohibited. Any new sidewalk shall be connected to existing sidewalks. Sidewalks shall comply with all applicable requirements of the Americans with Disabilities Act.

(a) Crosswalks shall be provided at all street intersections and shall be clearly marked with contrasting paving materials at the edges or with striping.

(b) Where feasible, bicycle routes through the subdivision shall be created. Facilities for bicycle travel may include off-street bicycle paths (shared with pedestrians and other nonmotorized uses). Linkages to adjacent developments and neighborhoods with pedestrian and bicycle paths are required where physically feasible.

(2) Motor vehicle circulation. The street system shall act as a functional and visual link between the subdivision and existing built and unbuilt areas in the Village. Motor vehicle circulation shall be designed to minimize conflicts with pedestrians.

(a) Traffic calming features such as curb extensions, medians, road narrowings, surface textures, and modified intersections with narrowed intersection radii may be used to encourage slower traffic speeds.

(b) When not indicated in the Community Development Plan or on the Official Map, if such exists, the classification of new streets in a subdivision shall be determined by the Planning Board according to the following:

[1] Residential streets provide primary access to individual residential properties and connect streets of lower and higher function. These streets are designed to handle 750 to 1,000 average daily vehicle trips, shall have a sixty-foot right-of-way designed to carry traffic at 30 miles per hour, have twenty-two-foot paved widths (two eleven-foot travel lanes) and with parking allowed on one or both sides. Curbing is required along with a minimum three-foot planting strip between the curb and the sidewalk.

[2] Alleys provide secondary access to residential properties where street frontages are narrow or where alley access development is desired. Alleys may also provide delivery access or alternate parking access to residences or structures. Utilities shall run along alleys wherever practical. Alleys shall have a twelve-foot to sixteen-foot right-of-way, be designed for a speed of 10 miles per hour, have two eight-foot travel lanes for two-way traffic or one twelve-foot lane for one-way traffic, and have no sidewalks or planting strips. Curbs and gutters are required only at corners of intersections with other street types. Alleys shall be treated as private streets and shall not be dedicated to the

Village. Alleys may be dedicated to a property owners' association or may be dedicated as common easements across the rear portions of lots. Any lot having access from an alley shall additionally front a public street.

B. Street design and layout.

(1) Location and construction. Streets shall be suitably located and adequately constructed to conform to the Community Development Plan and to accommodate the prospective traffic and afford access for firefighting, snow removal and other road maintenance equipment. The orientation of streets should enhance the visual impact of common open spaces and prominent buildings and minimize street gradients.

(2) The street layout shall form an interconnected system of streets primarily in a rectilinear grid pattern. New development should maintain the existing street grid pattern of the Village. Where a tract is subdivided into lots substantially larger than the minimum size required in the zoning district in which a subdivision is located, such parcels shall be arranged so as to allow the opening of future streets and logical further resubdivision in accordance with the requirements contained in this section.

(3) All streets shall terminate at other streets, except low volume residential streets may terminate as a dead end only when such streets act as connections to future phases of development or when there is a connection to a pedestrian or bicycle path network at the terminus.

(4) Culs-de-sac and other roadways with a single point of access shall be used only where no other alternatives exist. Use of T- or Y-shaped turnarounds or eyebrow streets (a small loop that functions as an access street and parking area and usually incorporates landscaped islands) is preferable. Where culs-de-sac are deemed to be unavoidable, continuous pedestrian circulation shall be provided for by connecting sidewalks that link the end of the cul-de-sac with the next street. Culs-de-sac shall be limited in length to 400 feet with a "bulb" 45 to 50 feet. A larger "bulb" will be acceptable only if landscaped islands are included. There shall be a maximum of 12 lots served by one cul-de-sac. Streets shall be arranged to provide for the continuation of principal streets between adjacent properties where such continuation is necessary for convenient movement of traffic, effective fire protection, efficient provision of utilities, and particularly where such continuation is in accordance with the Village Community Development Plan (as it may be adopted). If the adjacent property is undeveloped and the street must be a dead-end street temporarily, the right-of-way and improvements shall be extended to the property line. A temporary circular turnaround a minimum of 50 feet in radius shall be provided on all temporary dead-end streets, with the notation on the plat that land outside the street right-of-way shall revert to abutters whenever the street is continued.

(5) Intersections of minor streets with arterial or collector streets shall be held to a minimum to avoid hazard and delay. Such intersections shall be at least 800 feet apart, if possible. A distance of at least 150 feet shall be maintained between center lines of

offset intersecting streets. Grades shall be limited to no more than 2% within 50 feet of an intersection.

(6) The center line of a street shall cross an intersecting street as a straight line. Street jogs with center line offsets of less than 125 feet shall be avoided. All intersections shall be at right angles where practical but in no case shall be less than 75°.

(7) Blocks generally shall not be less than 300 feet nor exceed 500 feet in length. Block dimensions shall be at least twice the minimum lot depth and generally not more than 12 times the minimum lot width.

(8) The street plan of a proposed subdivision shall bear a logical relationship to the topography of the property, and all streets shall be arranged so as to obtain as many of the building sites as possible at or above the grade of the streets. Grades of streets shall conform as closely as possible to the original topography.

(9) To slow turning vehicle traffic and shorten the length of pedestrian crosswalks, the curb radii shall be rounded by a tangential arc with a maximum radius of 15 feet. The intersection of a local street and an alley shall be rounded by a tangential arc with a maximum radius of 10 feet.

(10) Clear sight triangles shall be maintained at intersections unless controlled by traffic signal devices as follows:

(a) Low volume residential street and medium volume residential street: 120 feet minimum clear sight distance.

(b) Medium volume residential street and medium volume residential street: 130 feet minimum clear sight distance.

(c) Medium volume residential street and arterial: 50 feet minimum clear sight distance.

(11) All rights-of-way shall be provided with paved, seeded or sodded areas, properly prepared, graded and sloped in conformance with good nursery practice such as those from the Cornell Cooperative Extension or similar organizations.

(12) In addition to pavement, curbs and gutters, and sidewalks, streets shall be improved with storm drainage facilities, water mains, sewers, streetlights and signs, street trees and fire hydrants (except where waivers may be requested, and the Planning Board may waive, subject to appropriate conditions, such improvements as it considers may be omitted without jeopardy to the public health, safety and general welfare). Such grading and improvements shall be approved as to design and specifications by the Village Engineer. Installation of fire hydrants shall be in conformity with all requirements of standard thread and nut as specified by the New York Fire Insurance Rating Organization and the Division of Fire Safety of the State of New York.

(13) Utilities and drainage. The Planning Board shall require the underground installation of all utility systems. 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.

~~(a) Utility easements. Where topography or other conditions are such as to make impractical the inclusion of utilities or drainage facilities within street rights-of-way, perpetual unobstructed easements at least 20 feet in width for such utilities or drainage facilities shall be provided, centered on rear or side lot lines or across property outside the road lines and with satisfactory access to the road. 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. Easements shall be indicated on the plat. In large scale developments, easements along rear property lines or elsewhere for utility installations may be required by the Planning Board. Such easements shall be of the width and location determined by the Board after consultation with the public utilities companies or municipal departments concerned.~~

~~(b) Assurance by utilities. As to utilities required, the Planning Board may accept assurance from each public utility company whose facilities are proposed for installation. Such assurance shall be given in a letter addressed to the Board and stating that such public utility company will make the installations necessary for the furnishing of its services within the time therein specified and satisfactory to the Board.~~

~~(c) Water and sewer mains and systems are to be offered for dedication to the municipality or duly constituted improvement district. Upon acceptance, such water and sewer mains and systems are to be maintained by the municipality.~~

~~(d) Connections. The developer shall be responsible not only for the laterals within the development but also for any lines or connections that may be necessary to bring service to the development.~~

~~(e) Water capacity. The Planning Board shall require that, prior to final approval, the Village designated engineer shall determine the capacity of a water utility to supply the development adequately.~~

~~(14) Grades. Grades of all streets shall be the reasonable minimum but shall be no more than 8%.~~

~~(15) Monuments. Permanent monuments shall be set at block corners and at the beginning and end of all curves and at such other points as are necessary to establish definitely all lines of the plat, except those outlining individual lots. In general, permanent monuments shall be placed at all critical points necessary to correctly lay out any lots in the subdivision. Permanent monuments shall be constructed of concrete with a three-quarter inch iron rod insert, having ground level dimensions at five inches square and 36 inches long tapering to six inches square at the subsurface level. Four such monuments at the periphery of the plot shall have a brass cap accurately set and identified as a bench mark with the elevation labeled thereon. At the corners of each lot~~

an iron pin one inch in diameter and 36 inches long shall be placed into the ground to grade.

C. Streetscape standards. Streets shall be designed to serve as a public space that encourages social interaction and that balances the needs of all users, including pedestrians, bicyclists, and motor vehicles.

(1) Planting strips. Sidewalks shall be separated from street edges or curbs by a planting strip three to six feet wide and planted with grasses.

(2) Shade trees shall be provided along each side of all streets, public or private, existing or proposed, but not including alleys, and at the expense of the owner of the subdivision. In locations where healthy and mature shade trees currently exist, these should be maintained and the requirements for new trees may be waived or modified. Shade trees shall be located on the property side of the sidewalk and shall be in a line 10 feet in from that edge of sidewalk where sidewalks are present. When a new street has a sidewalk on only one side, the shade tree shall be planted at the same distance from the street edge or curb on both sides of the street.

(a) Shade trees shall have a minimum caliper of two inches measured at chest height at the time of planting and shall be spaced a maximum of 30 feet on center, with exact spacing to be evaluated on a site-specific basis.

(b) No more than 40% of the street trees shall be of one species. The particular species of shade trees shall be determined upon specific location requirements. Species shall be selected to cast moderate to dense shade in the summer, survive more than 60 years, have a mature height of at least 50 feet, be tolerant of road salt, and be insect- and disease-resistant. The following urban-tolerant street trees are recommended:

Green Ash

Hackberry

Little-leaf Linden

Pin Oak

Red Oak

Thornless Honey Locust

Village Green Zelkova

Sycamore

Red Maple

(c) Street trees shall be irrigated and fertilized for a minimum of two years after installation. Any tree that dies within two years of planting or any tree that is removed shall be replaced with the same species and size. The Planning Board may require establishment of an escrow account to cover costs of replanting.

~~(3) Street furniture shall be permitted and shall be located so as not to obstruct sight lines of vehicles or pedestrians. Benches, when provided, shall be placed to face sidewalks and other pedestrian ways. Benches shall be of Village standard or Planning Board approved equivalent.~~

~~(4) Parking. Parking shall meet all standards specified in the Village of Green Island Zoning Law.~~

~~(5) Lighting. Lighting shall meet all standards specified in the Village of Green Island Zoning Law. Where a new lighting district is to be created or an existing district expanded, the applicant shall petition the Village Board to create said district or expansion before final approval. In addition to Zoning Law the following standards shall apply in new subdivisions:~~

~~(a) Streetlights shall be provided on both sides of all streets at intervals of no greater than 75 feet on center and at intersections.~~

~~(b) Streetlights shall not exceed 18 feet in height. Lighting posts and fixtures shall be consistent with the architectural style found on Main Street and shall complement the predominant architectural theme of the subdivision. All streetlights shall use full cutoff fixtures to direct light downwards on streets and sidewalks and to reduce glare.~~

~~(c) Streetlights shall be located between the street curb or pavement edge and the sidewalk or at an equal distance from the edge on both sides of the street.~~

~~(d) Alley lighting shall be provided on all garages or on utility poles. Lighting fixtures and lighting poles shall be of consistent architectural style and shall complement the predominant architectural theme.~~

~~(6) Street signs. Street signs of a type approved by the Village Planning Board shall be provided and installed by the developer at all intersections in locations within the right-of-way prior to public dedication of the roads. All streets shall be named, and such names shall be subject to the approval of the Village Planning Board. Names shall be sufficiently different in sound and spelling from other street names in the Village so as not to cause confusion. A street which is a continuation of an existing street shall bear the same name.~~

~~(7) Pocket parks. Use of small pocket parks accessible from the street or sidewalk shall be required within the subdivision. See also § 40-28.~~

§ 40-25 Neighborhood design standards.

The following minimum design standards shall be met for all major subdivisions to ensure that new development is consistent with the traditional character of the Village of Green Island and in order to

encourage diversity in design and subdivision layout. All density, lot size, dimension, and other requirements of the Village of Green Island Zoning Law shall also be met. The Planning Board shall review the following standards as part of the preliminary plat and ensure that all standards are met in the approved final plat:

~~A. Building placement and build to line. Buildings shall define the streetscape through the use of setbacks along the build to line for each block, as defined in § 40-8. A minimum of 80% of all buildings on the block shall conform to the build to line with the remaining 20% allowed to vary by being further set back no greater than 75% of the distance from the right of way to the build to line. Of the 20%, buildings shall be allowed to come forward of the build to line by no greater than 25% of the distance between the right of way and the build to line.~~

~~B. Variation of lot width and area. Lot areas and lot widths shall vary at random to the greatest extent possible in order to eliminate the appearance of a standard subdivision. To the extent possible, no more than two lots in a row shall have the same width. Lots shall vary by a minimum of five foot increments.~~

~~C. A variety of architectural features and building materials is encouraged to give each building or group of buildings a distinct character.~~

~~D. The scale of new construction, including the arrangement of windows, doors and other openings within the building facade, shall be compatible and consistent with adjacent buildings in the existing neighborhood.~~

~~E. The front facade shall face onto a public street.~~

~~F. Exterior materials and roof materials should be similar in appearance to those found on adjacent buildings within the neighborhood.~~

~~G. Buildings shall have a variety of different roof overhang profiles.~~

~~H. In major subdivisions, building mass, design, and floor plans shall be such to create significant visual differences between structures, and new buildings shall be consistent with the traditional character of Green Island. Monotony and similarity can be minimized through use of changes in facade planes, use of porches, changes in location of entry way, varying the width of the unit, and varying roof orientation, roof styles, building orientation, and trim detailing.~~

~~I. Front facing garages shall be located a minimum distance of 60% of the depth of the residence from the corner of the front facade at the garage side of the principal building or shall be side-loaded, if attached.~~

~~J. There shall be no blank walls. Fenestration shall comprise a minimum of 15% of the square footage area of each facade.~~

~~K. All utility facilities, waste receptacles, heating, ventilating and air conditioning and other mechanical equipment shall be fully screened whether they are at grade level or on a rooftop. Appropriate methods include, but are not limited to, fencing, vegetation, false facades, berms, and structural screening. It is preferred to locate these at the side or rear of the building.~~

~~§ 40-26 Low impact development design standards.~~

During project design, the Planning Board shall require incorporation of low impact development standards wherever feasible. Appropriate engineering should include use of one or more of the following low impact development techniques:

~~A. Bioretention/rain garden.~~

~~B. Soil amendments.~~

~~C. Grassed swale.~~

~~D. Disconnectivity (rain barrel).~~

~~E. Permeable pavers.~~

~~F. Conservation of land in natural state.~~

~~G. Minimizing imperviousness (reduced street width for example).~~

§ 40-207 Lots.

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

B. Access across a watercourse. Where a watercourse separates the buildable area of a lot from the access street, provision shall be made for the installation of a culvert or other structure, such as a bridge, of a design approved by the Village Engineer or other licensed professional engineer as designated by the Village Board.

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

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

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

F. Keyhole lots. Properties that access the property behind another fronting the street shall comply with setback requirements as defined in the Village of Green Island Zoning Law (as it may be adopted).

§ 40-281 Parks and playgrounds.

A. The Planning Board may require adequate, convenient and suitable areas for parks, including neighborhood pocket parks and playgrounds, or other recreational purposes to be reserved on

the plat but in no case more than 10% of the gross area of any subdivision. The area shall be shown and marked on the plat as "Reserved for Park or Playground Purposes."

B. If the Planning Board determines that a suitable park or parks of adequate size cannot be properly located in any such plat or are otherwise not practical, the Board shall require as a condition for approval of any such plat payment to the Village in the amount of \$1,500 per lot. Such money shall be used by the Village for park and recreation purposes, including the acquisition of property. All such payments shall be held by the Village Board in a special Municipal Recreation Site Acquisition and Improvement Fund, to be used for the acquisition of land that is suitable for permanent park, playground or other recreational purposes and is so located that it will serve primarily the general neighborhood in which the land covered by the plat lies, and shall be used only for park, playground or other recreational land acquisition or improvements. Such money may also be used for the physical improvement of existing parks or recreation areas serving the general neighborhood in which the land shown on the plat is situated, provided that the Planning Board finds there is a need for such improvements.

§ 40-292 Realignment or widening of existing streets. [1]

Where the subdivision borders an existing street and the Official Map (as it may be adopted) or Village Community Development Plan (as it may be adopted) indicates plans for realignment or widening of the street that would require reservation of some land of the subdivision, the Planning Board may require that such areas be shown and marked on the plan as "Reserved for Street Alignment (or Widening) Purposes."

§ 40-3023 Responsibility for ownership of reservations. [1]

Ownership shall be clearly marked on the plat for all reservations.

§ 40-2431 Clustered subdivisions.

When a subdivision is required or allowed by the Planning Board to be of a clustered design or layout, all procedures and standards of the Village of Green Island Zoning Law (Residential cluster development and open space) shall be met.

Article V Required Improvements and Agreements

§ 40-2532 Improvements to be completed or bond filed.

Prior to an action by the Planning Board approving a subdivision plat, the applicant shall be required to complete, in accordance with the Planning Board's decision and to the satisfaction of the appropriate Village departments, all the street, sanitary, and other improvements specified in the action approving said plat or, as an alternative, to file with the Village Board a bond in an amount estimated by the Planning Board to secure to the Village the satisfactory construction and installation of the uncompleted portion of the required improvements. All required improvements shall be made by the applicant at his expense without reimbursement by the Village.

§ 40-2633 Performance escrow.

A. In order to ensure that developments perform to the expectations of the Village, a performance escrow shall be established to comply with the requirements of § 7-730 of the Village Law, and which shall be satisfactory to the Village Board as to form, sufficiency, and manner of execution. A period of one year, or such other period as the Planning Board may determine appropriate, within which required improvements must be completed shall be specified by the Planning Board and expressed in an escrow agreement between the Village and the applicant.

B. The escrow shall also provide for an amount determined adequate by the Planning Board and shall be retained for a period of one year after the date of substantial completion of the required improvements to assure their satisfactory condition.

C. The performance escrow shall be continued on a year-to-year basis until such time as all of the sewer, water, paving, lighting, or other required improvements have been completed to Village standards and dedication of the streets and any other utility easements has been accepted by the Village.

§ 40-2734 Inspections.

The Village may employ an inspector to act as agent of the Planning Board for the purposes of assuring the satisfactory completion of improvements required by the Planning Board and shall determine an amount sufficient to defray costs of inspection. The applicant shall pay the Village costs of inspection before the subdivision plat is signed for filing. If the Planning Board or its agent finds, upon inspection, that any of the required improvements have not been constructed in accordance with the approved drawings, the applicant and the bonding company will be severally and jointly liable for the costs of completing said improvements according to specifications.

Article VI Stormwater Pollution Prevention Plan

§ 40-2835 Stormwater pollution prevention plan: preliminary approval.

A stormwater pollution prevention plan (SWPPP) consistent with the requirements of Chapter 141 shall be required for preliminary subdivision plat approval pursuant to Article III. The SWPPP shall meet the performance and design criteria and standards in Chapter 141. The approved preliminary subdivision plat shall be consistent with the provisions of this article.

§ 40-2936 Stormwater pollution prevention plan: final approval.

A stormwater pollution prevention plan consistent with the requirements of Chapter 141 and with the terms of preliminary plan approval shall be required for final subdivision plat approval pursuant to Article III. The SWPPP shall meet the performance and design criteria and standards in Chapter 141. The approved final subdivision plat shall be consistent with the provisions of this article.

DRAFT