

**VILLAGE OF CAMBRIDGE**

**LOCAL LAW #4 OF 1999**

**A LOCAL LAW ENTITLED: "VILLAGE OF CAMBRIDGE SUBDIVISION REGULATIONS"**

Be it enacted by the Board the Trustees of the Village of Cambridge as follows:

Section 1: Title.

The title of this local law shall be "Village of Cambridge Subdivision Regulations", and may be cited as Village of Cambridge Local Law #4 of 1999.

Section 2: Authority.

This local law is enacted pursuant to the authority of Municipal Home Rule Law Section 10(1)(i), which authorizes a Village to adopt a local law not inconsistent with the provisions of the Constitution or not inconsistent with any general law relating to its property, affairs or government; Village Law Section 7-718(13), which authorizes a Village to enact rules and regulations relating to any subject matter over which its planning board has jurisdiction; and Village of Cambridge Local Law No. 2 of 1998, which authorizes the Cambridge Village Planning Board to conduct reviews of subdivision plats and cluster developments in accordance with approved Subdivision Rules and Regulations.

Section 3: Purpose.

The purpose of this local law is to protect the public health, safety and welfare by: (a) adopting revised rules and regulations governing the review and approval of subdivision plats, and the approval of said cluster developments, by the Village Planning Board.

Section 4: Adoption of Subdivision Regulations.

The following Subdivision Regulations are hereby adopted by the Board of Trustees:

**TABLE OF CONTENTS**

**ARTICLE I  
General Provisions**

- Section 1-1. Plat approval authority; policy; title.
- Section 1-2. Compliance required; clearing of land.
- Section 1-3. Conformance with Master Plan.

**ARTICLE II  
Definitions**

- Section 2-1. Definitions to apply.

**ARTICLE III  
Sketch Plans**

- Section 3-1. Purpose.
- Section 3-2.1 Plan details and requirements (Minor Subdivisions)
- Section 3-2.2 Plan details and requirements (Major Subdivisions)
- Section 3-3. Submission and review procedures.

**ARTICLE IV  
Major Subdivision  
Preliminary Plats**

- Section 4-1. Purpose.
- Section 4-2. Plat details and requirements.
- Section 4-3. Submission and review procedures.

**ARTICLE V  
Major Subdivision  
Final Plats**

- Section 5-1. Purpose.
- Section 5-2. Plat details and requirements.
- Section 5-3. Submission and review procedures.

**ARTICLE V-A  
Minor Subdivision  
Plats**

- Section 5A-1. Purpose.
- Section 5A-2. Plat details and requirements.
- Section 5A-3. Submission and review procedures.

**ARTICLE VI  
Construction**

- Section 6-1. Purpose.
- Section 6-2. Requirements.
- Section 6-3. Procedures

**ARTICLE VII  
Public Street, Parks, Open Spaces and Natural Features**

- Section 7-1. Streets.
- Section 7-2. Parks, open spaces and natural features.

**ARTICLE VIII  
Design Standards**

- Section 8-1. Introduction.
- Section 8-2. Surveying and mapping.
- Section 8-3. Character of land.
- Section 8-4. Density.
- Section 8-5. Layout of streets and roads.
- Section 8-6. Layout of lots.
- Section 8-7. Grading.
- Section 8-8. Erosion control.
- Section 8-9. Storm drainage.
- Section 8-10. Sanitary sewage disposal.
- Section 8-11. Water Systems.
- Section 8-12. Tree cutting and planting.

**ARTICLE IX  
Cluster Development**

- Section 9-1. Authorization.
- Section 9-2. Purpose.
- Section 9-3. Objectives.
- Section 9-4. Standards.
- Section 9-5. Procedures.

**ARTICLE X**  
**Phasing**

Section 10-1. Maximum number of lots.  
Section 10-2. Compliance with subsequent regulation.

**ARTICLE XI**  
**Approvals; Waivers; Severability;**

Section 11-1. Notice of land transfer; proof of approval.  
Section 11-2. Waivers.  
Section 11-3. Severability.

**ARTICLE XII**  
**Appendixes**

Section 12-1. Appendix A: Development Objectives for Cluster Developments.

[HISTORY: Adopted by the Board of Trustees of the Village of Cambridge October 5, 1998.  
Amendments noted where applicable.]

**ARTICLE I**  
**General Provisions**

**Section 1-1. PLAT APPROVAL AUTHORITY; POLICY; TITLE.**

A. By the authority of the resolution of the Village Board of the Village of Cambridge adopted on October 5, 1998, pursuant to the provisions of Article 7 of the Village Law of the State of New York, the Planning Board of the Village of Cambridge is authorized and empowered to approve plats showing lots, blocks or sites with or without streets or highways, to approve the development of entirely or partially undeveloped plats already filed in the office of the Clerk of the County of Washington and to conditionally approve preliminary and final plats within the Village of Cambridge.

B. It is declared to be the policy of the Planning Board to consider land subdivision plats for residential, industrial and commercial uses as part of a plan for the orderly, efficient and economical development of the Village of Cambridge. This means, among other things, that land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace; that proper provision shall be made for drainage, water supply, sewerage and other needed improvements; that all proposed lots shall be so laid out and of such size as to be in harmony with the development pattern of the neighboring properties; that the proposed streets shall compose a convenient system conforming to the Official Map, if such exists, and shall be properly related to the proposals shown on the Master Plan and shall be of such width, grade and location as to accommodate the prospective traffic, to facilitate fire protection and to provide access of fire-fighting equipment to buildings; and that proper provision shall be made for open spaces for parks and playgrounds.

C. In order that land subdivisions may be made in accordance with this policy, these regulations, which shall be known as and which may be cited as the "Village of Cambridge Subdivision Regulations," have been adopted by the Cambridge Village Board of Trustees on October 5, 1998.

### **Section 1-2. COMPLIANCE REQUIRED; CLEARING OF LAND.**

Whenever any subdivision of land is proposed to be made which is subject to review hereunder and before any part thereof is made and before any land is cleared or vegetation removed, except vegetation removed in connection with required surveying, engineering tests and inspections, and before any permit for the erection of a structure in such proposed subdivision shall be granted, the subdivider shall make application for and receive final approval of such proposed subdivision in accordance with the Village of Cambridge Subdivision Regulations. No parcel of land may be subdivided which has been clear-cut within the previous five (5) years.

### **Section 1-3. CONFORMANCE WITH MASTER PLAN.**

Subdivision plats shall be coordinated so as to compose a convenient system conforming to the Master Plan. The plots shown on said plat shall comply with the requirements of the zone in which said subdivision is located, and the land shown on such plats shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace.

## **ARTICLE II Definitions**

### **Section 2-1. DEFINITIONS TO APPLY.**

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

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

**Clerk of the Planning Board** - Means that person who shall be designated to perform the duties of the Clerk of the Planning Board for purposes of these regulations.

**Cluster Development** - Means a subdivision plat or plats, approved pursuant to the provisions of these regulations, in which the Zoning Law is modified to provide an alternative permitted method of the layout, configuration and design of lots, buildings and structures, roads, utility lines and other infrastructure, parks and landscaping in order to preserve the natural and scenic qualities of open lands.

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

**Comprehensive Plan** - A long range plan for the development of the Village, prepared by the Planning Board pursuant to Section 7-704 of the Village Law, which indicates the general locations recommended for various functional classes of public works, places and structures and for general physical development of the Village and includes any unit or part of such plan separately prepared and any amendment to such plan or parts therein.

**Conditional Approval of Final Plat** - Means approval by the Planning Board of a final plat subject to conditions set forth by the Planning Board in a resolution conditionally approving such plat. Such conditional approval does not qualify a final plat for recording or 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 Washington County Clerk as herein provided.

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

**Easement** - Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

**Engineer or Licensed Professional Engineer** - A person licensed as a Professional Engineer by the State of New York.

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

**Major Subdivision** - The division of a single parcel into at least two (2) lots or more in such a way that: (a) it requires the construction of a new street or public utility or the expansion or extension of an existing street or public utility for the parcels to be developed; or (b) or it involves the creation of more than two (2) lots, sites, plots or other division of land. **[Added 10/4/99 by L.L. No. 4 of 1999].**

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

**Minor Subdivision** - The division of a single parcel into two (2) lots, sites, plots or other division of land in such a way that it does not require the construction of a new street or public utility or the expansion or extension of an existing street or public utility for the parcels to be developed. **[Added 10/4/99 by L.L. No. 4 of 1999].**

**Planning Board** - The Village of Cambridge Planning Board.

**Plat** - Means a scale drawing or drawings showing the layout of a proposed subdivision, including, but not limited to, road and lot layout and dimensions, key plan, topography and drainage, and all proposed facilities.

**Preliminary Plat** - Means a drawing or drawings clearly marked "preliminary plat" showing the layout of a proposed subdivision, as specified in Article IV Section 4-2 of these regulations, submitted to the Planning Board for approval prior to submission of the plat in final form and of sufficient detail to apprise the Planning Board of the layout of the proposed subdivision.

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

**SEORA** - Means the New York State Environmental Quality Review Act.

**Sketch Plan** - A free hand sketch which meets the standards detailed in Article III, Section 3-2, herein.

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

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

**Street Width** - The distance between property lines.

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

**Subdivision** - The division of any parcel into two (2) or more lots, sites, plots or other division of land, with or without streets, for the purpose of immediate or future sale, lease or conveyance 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.

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

**Surveyor** - Means a person licensed as a land surveyor by the state of New York.

**Village Authorized Engineer** - Means the duly designated Engineer of the Village or other person duly authorized and designated by the Village Board.

**Zoning Ordinance** - Means the zoning ordinance of the Village of Cambridge, as amended.

### **ARTICLE III Sketch Plans**

#### **Section 3-1. PURPOSE.**

A. Before filing an application and before preparing a preliminary plat pursuant to Article IV, the applicant should meet with the Village Planning Board at its regularly scheduled meeting to discuss his intentions. The applicant should present a sketch plan as required pursuant to this Article.

B. The purpose of the sketch plan review submittal is to provide a cursory review of the proposed subdivision to:

(1) Determine the extent of the proposed subdivision in order to ascertain the requirements, if any, of the State Environmental Quality Review Act.

(2) Determine the requirements of the State Department of Health, Department of Environmental Conservation and other state agencies whose approvals may be required by these regulations, or by other provisions of law.

(3) Determine the application of clustering, as required under Article IX of these regulations.

(4) Determine the requirements of local, county and state agencies whose review and/or approvals may be required by these regulations, or by other provisions of law.

(5) Discuss the appropriateness of the proposed subdivision layout with regard to the goals and objectives of the Master Plan and the provisions of these regulations.

(6) Classify the proposed subdivision as "Minor" or "Major". **[Added 10/4/99 by L.L. No. 4 of 1999].**

#### **Section 3-2.1. PLAN DETAILS AND REQUIREMENTS (Minor Subdivisions).**

A. The applicant shall submit nine (9) copies of a sketch plan for a parcel of land which has not been clear-cut within five (5) years. When the applicant proposes a Minor Subdivision, such subdivision sketch plan shall be based on tax map information or some other similarly accurate base map at a scale (preferably not less than two hundred feet (200') to the inch) sufficient to enable the entire tract to be shown on one (1) sheet, and shall contain the following elements and information for the purpose of sketch plan review:

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

(2) All existing structures, wooded areas, streams and other significant physical

features, within the portion to be subdivided and within two hundred (200') feet thereof.

(3) The name of the owner, and of all adjoining property owners as disclosed by the most recent municipal tax records.

(4) The tax map sheet, block and lot number, if available.

(5) All the utilities available, and all streets which are either proposed, mapped, or built.

(6) The proposed pattern of lots (including lot width and depth), street layout, recreation areas, systems of drainage, sewage, and water supply within the subdivided area.

(7) All existing restrictions on the use of land, including easements, covenants, or zoning lines.

B. The sketch plan shall be accompanied by the following:

**(1) Environmental Assessment.** An environmental assessment describing the potential environmental impact of the proposed subdivision on the adjoining area and the Village of Cambridge, including the environmental impacts shall be submitted. Additional environmental information may be required in accordance with the provisions of the State Environmental Quality Review Act.

**(2) Additional Information.** Such additional information and exhibits as the developer or the Planning Board may feel necessary to describe the project and its compliance with the requirements of these regulations shall be submitted.

**(3) Fees.**

(a) The application for sketch plan approval shall be accompanied by a fee listed on the current schedule of fees for the Village of Cambridge posted in the Village Clerk's Office.

(b) In addition to the fee listed on the schedule of fees, the Planning Board may charge a fee to developers of projects requiring legal and technical review, provided that the fee charged reflects the actual cost of the legal and technical assistance to the Planning Board. **[Added 10/4/99 by L.L. No. 4 of 1999].**

**Section 3-2.2. PLAN DETAILS AND REQUIREMENTS (Major Subdivisions). [Modified 10/4/99 by L.L. No. 4 of 1999].**

A. The applicant shall submit nine (9) copies of a sketch plan for a parcel of land which has not been clear-cut within five (5) years. When the applicant proposes a Major Subdivision, such subdivision sketch plan shall be prepared by a licensed professional engineer, a licensed professional land surveyor with properly executed New York State Education Department Exemption N or a licensed landscape architect. **[Modified 10/4/99 by L.L. No. 4 of 1999].**

B. Such sketch plan shall contain the following elements and information for the purpose of sketch plan review:

**(1) Survey.** The sketch plan shall be laid out on a survey prepared by a licensed professional land surveyor or a licensed professional engineer with a properly executed New York State Education Department Exemption M. Such survey shall be prepared at a scale of one (1) inch equals fifty (50) feet, zero (0) inches, clearly showing:

- (a) The boundaries of the subdivision.
- (b) Topographic features, including existing grade contours at two-foot contour intervals, United States Geological Survey datum.
- (c) Existing watercourses, including lakes, ponds, wetlands, streams or intermittent streams.
- (d) Areas of existing vegetation, including wood lots and individual freestanding trees over six (6) inches in diameter at breast height.
- (e) Areas within the designated one-hundred-year floodplain, as determined by the United States Department of Housing and Urban Development Flood Insurance Program.
- (f) Existing man-made features, including the location and sizes of power lines, pipelines, buildings and structures, storm drains and culverts and wells and septic tanks, and fields of adjoining properties.
- (g) Existing rights-of-way and/or easements across or adjacent to the proposed subdivision.

**(2) Sketch plan.** The proposed sketch plan shall show the following:

- (a) The names and addresses of all applicants, if an individual or partnership; the names and addresses of principal officers, if a corporation; and the names and addresses of members and managers, if a Limited Liability Company.
- (b) The name and address of the owner(s) of land on which the subdivision is to be located.
- (c) A location map showing the property included in the proposed subdivision and all contiguous properties of the proposed subdivision and all properties within five hundred (500) feet in each direction from the boundary line of the proposed subdivision along any contiguous street or highway. All properties shall be identified by lot and parcel number and names of owners.
- (d) The location and width of proposed street rights-of-way and pavements.

(e) The proposed arrangement and approximate area, width, length and setback requirements of each lot and street pattern for the purpose of demonstrating to the Board the proposed location of streets allows for lot layout in accordance with the Zoning Ordinance for the zoning district or districts in which the subdivision is located.

(f) A sketch grading and drainage plan prepared by a licensed professional engineer or landscape architect or licensed professional land surveyor with a properly executed New York State Education Department Exemption N. Such plan shall indicate the general slope of the land and method of draining storm water, including proposed culverts, storm drainage structures and retention ponds.

(g) A sketch landscape plan (for over five-lot subdivisions) prepared by a licensed landscape architect. Such plan shall set forth those trees and vegetation to be removed and those trees, plantings and vegetation to remain or to be planted.

(h) Any parcels of land proposed to be dedicated to public use, such as parks, recreation areas, conservation areas or scenic easements.

**(3) Environmental assessment.** An environmental assessment describing the potential environmental impact of the proposed subdivision on the adjoining area and the Village of Cambridge, including the environmental assessment short form, and proposed actions to minimize potentially adverse environmental impacts shall be submitted. Additional environmental information may be required in accordance with the provisions of the State Environmental Quality Review Act.

**(4) Additional information.** Such additional information and exhibits the developer or the Planning Board may feel necessary to describe the project and its compliance with the requirements of these regulations shall be submitted.

**(5) Fees.**

(a) The application for sketch plan approval shall be accompanied by a fee listed on the current schedule of fees for the Village of Cambridge posted in the Village Clerk's Office.

(b) In addition to the fee listed on the schedule of fees, the Planning Board may charge a fee to developers of projects requiring legal and technical review, provided that the fee charged reflects the actual cost of the legal and technical assistance to the Planning Board.

**Section 3-3. SUBMISSION AND REVIEW PROCEDURES.**

**A. Submission of sketch plan.** Prior to any subdivision of land, the subdivider shall submit to the Planning Board, at least fourteen (14) days prior to a meeting of the Board, nine (9) copies of a sketch plan and related elements and information in accordance with this Article.

**B. Discussion of requirements and classification.** After submission of a sketch plan, the subdivider shall meet with the Planning Board to discuss the requirements of these regulations, including those relating to street design and construction, placement of utilities,

drainage, sewerage, water supply, fire protection and parks and open space areas, as well as the availability of existing services and other pertinent information.

**C. Planning Board recommendations.** The Planning Board shall study the sketch plan in conjunction with the Master Plan, Zoning Ordinance, Street Map and such other information as may be appropriate, to determine if the proposed subdivision is in an area where there are severe limitations to development. The Planning Board shall make advisory recommendations which shall be applicable to the entire area for development.

**D. Classification.** The Planning Board shall, within forty-five (45) consecutive calendar days after submission of the Sketch Plan, classify such proposed subdivision as a Minor Subdivision or a Major Subdivision, as defined in these regulations, and shall inform the applicant of its classification. **[Added 10/4/99 by L.L. No. 4 of 1999].**

**E. Procedure After Classification.**

(1) If classified as a Minor Subdivision, the subdivider shall then comply with Article V-A of these regulations. The Planning Board may require, however, when it deems it necessary for protection of the public health, safety and welfare, that a Minor Subdivision comply with all or some of the requirements specified for Major Subdivisions.

(2) If classified as a Major Subdivision, the subdivider shall then comply with the procedure outlined in Articles IV and V of these regulations. **[Added 10/4/99 by L.L. No. 4 of 1999].**

**ARTICLE IV**  
**Major Subdivision**  
**Preliminary Plats**  
**[Modified 10/4/99 by L.L. No. 4 of 1999].**

**Section 4-1. PURPOSE.**

A. The preliminary plat review is the first step in a two-step Major Subdivision review process following the sketch plan conference. **[Modified 10/4/99 by L.L. No. 4 of 1999].**

B. The purpose of the preliminary review is as follows:

(1) To ensure that the proposed subdivision meets all requirements of the Zoning Ordinance of the Village of Cambridge.

(2) To ensure that the proposed subdivision meets all requirements of Article VIII, Design Standards, of these regulations.

(3) To receive public comments on the proposed subdivision.

(4) To ensure that the proposed subdivision addresses all issues raised during the sketch plan conference.

- (5) To initiate formal review of the proposed subdivision.

#### **Section 4-2. PLAT DETAILS AND REQUIREMENTS.**

The applicant is required to submit nine (9) copies of the preliminary plat application. Such application shall include the following documents and/or information:

**A. Preliminary plat.** The preliminary plat shall be laid out by a licensed professional engineer and/or a licensed professional land surveyor with a properly executed New York State Education Department Exemption N. Such preliminary plat shall be prepared at a scale of one (1) inch equals fifty (50) feet, zero (0) inches, clearly showing:

- (1) The location of all existing and proposed property lines, buildings, watercourses and other important topographic features.
- (2) Existing and proposed contours showing elevations at two-foot contour intervals and extending at least one hundred (100) feet off site.
- (3) The location, names and widths of all existing and proposed streets, easements, lots and building lines, wells and septic tanks and fields and similar facts regarding property immediately adjacent or opposite the proposed subdivision.
- (4) A location map showing:
  - (a) The zoning district or districts in which the land is to be subdivided is located; and
  - (b) The property included in the proposed subdivision and all contiguous properties of the proposed subdivision and all properties within five hundred (500) feet in each direction from the boundary line of the proposed subdivision along any contiguous street or highway. All properties shall be identified by lot and parcel number and names of owners.
- (5) The location and size of any existing sewers, water mains, culverts and drain pipes, electric, telephone and cable television lines and proposed sewers, water mains, culverts and drain pipes on the property or immediately adjacent to the property to be subdivided.
- (6) The proposed arrangement and approximate area, width and length of street frontage and setback requirements of each lot for the purpose of demonstrating to the Planning Board that the proposed location of streets makes possible a layout of lots in accordance with the requirements of the Zoning Ordinance for the district or districts in which the subdivision is located.
- (7) All parcels of land proposed to be dedicated to the public use.
- (8) The date, North arrow and scale.
- (9) The title under which the proposed subdivision is to be recorded, with the

names of the owner and the engineer or land surveyor who prepared the preliminary plat; the license number and seal of the engineer or land surveyor shall be affixed to the drawing.

**B. Layout plans.** Layout plans shall be prepared by a professional licensed engineer or professional licensed land surveyor. Such construction drawings shall show the following:

(1) The exact layout and dimensions of proposed streets, including stationing and tie-in to the center-line distances of existing streets with monuments and other points, as required.

(2) The location and widths of all streets, pavements, curbs, sidewalks, easements, parks and other open spaces.

(3) The proposed names of all streets, and the radii of all curves in the street line.

(4) The location of all proposed utilities, including the proposed water supply, sanitary sewers, storm water drainage system and any other proposed underground utilities.

(5) Proposed lot lines (approximate dimensions).

(6) The date, North arrow and scale.

(7) The title under which the proposed subdivision is to be recorded, with the names of the owner and engineer or land surveyor who prepared the layout plans; the license number and seal of the engineer or land surveyor shall be affixed to the drawing.

**C. Construction details.** Construction details shall be prepared by a licensed professional engineer or a licensed professional land surveyor with a properly executed New York State Education Department Exemption N.

Such details shall include:

(1) The proposed sanitary sewer system, including pipe sizes, bedding and profiles.

(2) The proposed storm drainage system, including pipe sizes, bedding, catch basin and manhole details, profiles and method of disposal of collected storm water.

(3) The proposed water supply system.

(4) Any other proposed underground utilities.

(5) A typical cross section of the roadway, including the right-of-way width, pavement width and depth of pavement materials and sub-base, the location of utilities, character and dimensions of curbs and sidewalks and side slope grading.

(6) Profiles, showing the original ground surface and finished street surface at

center lines of all streets, percentage of grades of streets, stationing and elevations of all points of curvature, points of intersection, points of tangency and of proposed sewers, drains, culverts, manholes and other features. Invert elevations and slopes of sewers and drains and both surface and invert elevations of manholes shall be indicated. Profiles shall be drawn to the scale of four (4) feet to the inch vertical and forty (40) feet to the inch horizontal. The stationing shall show accurate center-line distances. The elevations of the original ground surface shall be to the nearest tenth of a foot; and of fixed points to the nearest hundredth of a foot.

(7) The location and elevation of all proposed monument locations.

(8) The date and scale.

(9) The title under which the proposed subdivision is to be recorded, with the names of the owner and engineer who prepared the construction details; the license number and seal of the engineer shall be affixed to the drawing.

**D. Landscape plan.** A landscape plan shall be prepared by a licensed landscape architect for subdivisions greater than five (5) lots. Such landscape plan shall include:

(1) The location and species of street trees, if retained within the right-of-way or proposed to be planted by the subdivider.

(2) Details of methods of tree protection and tree planting.

(3) Plans and details of any site improvements related to park or recreation planning, including layout, grading, planting and details of any improvements.

(4) Plans and details of any other public amenities provided in the subdivision.

(5) The date and scale.

(6) The title number which the proposed subdivision is to be recorded, with the names of the owner and landscape architect who prepared the landscape plan; the license number and seal of the landscape architect shall be affixed to the drawing.

**E. Clearing plan.** A clearing plan shall be prepared at a scale of one (1) inch equals fifty (50) feet, zero (0) inches. Such plan shall show the following details:

(1) Existing vegetation prior to any clearing of the site for site investigation purposes.

(2) Areas of vegetation removed from the site for investigation purposes.

(3) The location of roadways, underground or overhead utilities not in roadways, limits of grading, proposed location of any buildings, septic systems, wells and driveways and any other improvements which might require clearing.

- (4) Areas where slopes are greater than twenty-five percent (25%).
- (5) Limits of proposed clearing of trees.
- (6) Measures to be taken to protect remaining trees, including details.

**F. Grading and erosion control plans.** A grading plan and erosion control plan shall be prepared at a scale of one (1) inch equals fifty (50) feet, zero (0) inches. Such plan shall show the following:

- (1) A generalized grading and drainage plan (does not require spot grades or slope designation).
- (2) Any phasing of tree removal and/or construction.
- (3) Proposed erosion control measures, including scheduling and phasing during the site preparation, site construction and post construction.
- (4) Details of all erosion control measures.

**G. Drainage report.** A drainage report shall be prepared by a licensed professional engineer and/or a licensed landscape architect. Such drainage report shall be prepared in accordance with the design standards established under Article VIII, Design Standards, of these regulations.

**H. Environmental report.** An environmental report shall be prepared in accordance with the State Environmental Quality Review Act describing the potential environmental impact of the proposed subdivision, as required by the Village Planning Board.

**I. Statement of intent.** A statement of intent shall be submitted by the applicant. Such statement shall include:

- (1) Proof of ownership of the land to be subdivided, in a form approved by the Village Attorney.
- (2) The nature and extent of proposed street improvements.
- (3) The nature and extent of any recreational features, parks, playgrounds, water supply, sewerage and drainage rights-of-way and easements, retention basins and other land to be dedicated to public use and the conditions under which dedication of these features is to be made to the Village.
- (4) A statement that the applicant will install all improvements in accordance with the standards prescribed by the departments of the Village having jurisdiction, and set all monuments as shown on the final plat thereof in such manner as the Board may designate.

**J. Proof of service.** Proof of service shall be submitted by the applicant. The applicant

shall show proof that he has attempted to notify by certified mail all property owners of land contiguous to the proposed subdivision or within five hundred (500) feet in each direction from the boundary lines along a common roadway. Such notification shall indicate the subdivider's intent to subdivide and the date and time of the public hearing to be held by the Planning Board.

**K. Fees.**

(1) The application for preliminary plat approval shall be accompanied by a fee listed on the correct schedule of fees for the Village of Cambridge posted in the Village Clerk's Office.

(2) In addition to the fee listed on the schedule of fees, the Planning Board may charge a fee to developers of projects requiring legal and technical review, provided that the fee charged reflects the actual cost of the legal and technical assistance to the Planning Board.

**Section 4-3. SUBMISSION AND REVIEW PROCEDURES.**

**A. Application.**

(1) Unless otherwise agreed upon by the Planning Board and the subdivider, the subdivider shall submit an application for preliminary plat review within twelve (12) months after the sketch plan discussion.

(2) The subdivider must submit to the Planning Board, at least twenty-one (21) days before the regularly scheduled Planning Board meeting, nine (9) copies of the preliminary plat application, including all drawings and reports.

(3) The Planning Board, at its regular monthly meeting, shall review and determine the completeness of an application for preliminary plat approval. The date of the official submission of the preliminary plat shall be considered to be the date on which the Planning Board determines that the application is complete and payment of the required fees have been made to the Planning Board. A preliminary 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 SEQRA. The time periods for review of a preliminary plat shall begin upon filing of such negative declaration or such notice of completion.

**B. Extent of preliminary plat.** Approval of the preliminary plat shall include the entire subdivision, including all phases of development as presented and discussed during the sketch plan conference. If additional land is proposed to be subdivided or if the proposed preliminary plat is substantially altered from the sketch plan, the applicant shall be required to resubmit a sketch plan for discussion with the Planning Board showing the full extent of the new subdivision prior to submitting such subdivision for preliminary plat review.

**C. Public hearing.** A public hearing shall be held on the application for preliminary subdivision approval.

(1) If the Planning Board is the lead agency under SEQRA with respect to the

proposed subdivision, the time in which the Planning Board shall hold a public hearing on the preliminary plat shall be coordinated with any hearings the Planning Board may schedule pursuant to SEQRA, as follows:

(a) If the Planning Board determines that the preparation of an Environmental Impact Statement on the preliminary plat is not required, the public hearing on such plat shall be held within sixty-two (62) days after the receipt of a complete preliminary plat by the Clerk of the Planning Board; or

(b) If the Planning Board determines that an Environmental Impact Statement is required, and a public hearing on the Draft Environmental Impact Statement is held, the public hearing on the preliminary plat and the Draft Environmental Impact Statement shall be held jointly within sixty-two (62) days after the filing of the notice of completion of such Draft Environmental Impact Statement in accordance with the provisions of SEQRA. If no public hearing is held on the Draft Environmental Impact Statement, the public hearing on the preliminary plat shall be held within sixty-two (62) days of filing the notice of completion.

(2) If the Planning Board is not the lead agency under SEQRA with respect to the proposed subdivision, the Planning Board shall, with the agreement of the lead agency, hold the public hearing on the preliminary plat jointly with the lead agency's hearing on the Draft Environmental Impact Statement. Failing such agreement or if no public hearing is held on the Draft Environmental Impact Statement, the Planning Board shall hold the public hearing on the preliminary plat within sixty-two (62) days after the receipt of a complete preliminary plat by the Clerk of the Planning Board.

#### **D. Notice.**

(1) If the Planning Board is the lead agency under SEQRA with respect to the proposed subdivision, the hearing on the preliminary plat shall be advertised at least once in a newspaper of general circulation in the Village of Cambridge at least five (5) days before such hearing, if no hearing is held on the Draft Environmental Impact Statement, or fourteen (14) days before a hearing held jointly therewith. The Planning Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such preliminary plat. The hearing on the preliminary plat shall be closed upon motion of the Planning Board within one hundred twenty (120) days after it has been opened.

(2) If the Planning Board is not the lead agency under SEQRA with respect to the proposed subdivision, the hearing on the preliminary plat shall be advertised at least once in a newspaper of general circulation in the Village of Cambridge at least five (5) days before such hearing if held independently of the hearing on the Draft Environmental Impact Statement, or fourteen (14) days before a hearing held jointly therewith. The Planning Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such preliminary plat. The hearing on the preliminary plat shall be closed upon motion of the Planning Board within one hundred twenty (120) days after it has been opened.

(3) The subdivider shall display prominently on the subject property, for ten (10) days preceding the date of the public hearing, at least one (1) sign, two (2) feet by three (3) feet in

size and carrying a legend prescribed by the Village Planning Board, announcing the public hearing. The sign shall be in full public view from the street pavement and shall be legible from the street. If the property is bounded by more than one (1) street, a sign shall be placed on each street that bounds the property.

(4) The subdivider shall provide proof of service of notification by certified mail on those landowners required to receive notice pursuant to this Article.

**E. Action on preliminary plat.**

(1) If the Planning Board is the lead agency under SEQRA with respect to the proposed subdivision, the Planning Board shall by resolution approve, with or without modification, or disapproval the preliminary plat as follows:

(a) If the Planning Board determines that the preparation of an Environmental Impact Statement on the preliminary plat is not required, the Planning Board shall make its decision within sixty-two (62) days after the close of the public hearing; or

(b) If the Planning Board determines that an Environmental Impact Statement is required, and a public hearing is held on the Draft Environmental Impact Statement, the Final Environmental Impact Statement shall be filed within forty-five (45) days following the close of such public hearing in accordance with the provisions SEQRA. If no public hearing is held on the Draft Environmental Impact Statement, the Final Environmental Impact Statement shall be filed within forty-five (45) days following the close of the public hearing on the preliminary plat. Within thirty (30) days of the filing of such Final Environmental Impact Statement, the Planning Board shall issue findings on the Final Environmental Impact Statement and make its decision on the preliminary plat.

(2) If the Planning Board is not the lead agency under SEQRA with respect to the proposed subdivision, the Planning Board shall by resolution approve, with or without modification, or disapprove the preliminary plat as follows:

(a) If the preparation of an Environmental Impact Statement on the preliminary plat is not required, the Planning Board shall make its decision within sixty-two (62) days after the close of the public hearing on the preliminary plat; or

(b) If an Environmental Impact Statement is required, the Planning Board shall make its own findings and its decision on the preliminary plat within sixty-two (62) days after the close of the public hearing on such preliminary plat or within thirty (30) days of the adoption of findings by the lead agency, whichever period is longer.

(3) The grounds for a modification, if any, or the grounds for disapproval shall be stated upon the records of the Planning Board. When approving a preliminary plat, the Planning Board shall state in writing any modifications it deems necessary for submission of the plat in final form.

(4) When granting approval of a preliminary plat, the Planning Board shall state

the terms of such approval, if any, with respect to:

(a) the modifications to the preliminary plat;

(b) the character and extent of any required improvement for which waivers may have been requested and which, in its opinion, may be waived without jeopardy to the public health, safety, morals and general welfare; and

(c) the amount of improvements or the amount of all bonds therefor which it will require as pre-requisite to subdivision plat approval.

(5) Approval of a preliminary plat shall not constitute approval of the subdivision plat; but rather, it shall be deemed an expression of approval of the design submitted on the preliminary plat and as a guide to the preparation of the final subdivision plat.

**F. Certification and filing of preliminary plat.** Within five (5) business days of the adoption of the resolution granting approval of a preliminary plat, such plat shall be certified by the Clerk of the Planning Board as having been granted preliminary approval and a copy of the plat and resolution shall be filed in such Clerk's office. A copy of the resolution shall be mailed to the owner.

**G. Filing of decision on preliminary plat.** Within five (5) business days from the date of the adoption of the resolution stating the decision of the Planning Board on the preliminary plat, the chairperson or other duly authorized member of the Planning Board shall cause a copy of such resolution to be filed in the office of the Village Clerk.

**H. Revocation of approval of preliminary plat.** Within six (6) months of the approval of the preliminary plat, the owner must submit the plat in final form. If the final plat is not submitted within six (6) months, approval of the preliminary plat may be revoked by the Planning Board.

**ARTICLE V  
Major Subdivision  
Final Plats**

**[Modified 10/4/99 by L.L. No. 4 of 1999].**

Section 5-1. PURPOSE.

A. The final plat review and approval is the second step in a two- step Major Subdivision review process. **[Modified 10/4/99 by L.L. No. 4 of 1999].**

B. The purpose of the final plat review is as follows:

(1) To ensure that the proposed subdivision meets all state and local regulations related to provision of public services.

(2) To ensure that the proposed subdivision addresses all issues raised during

preliminary plat review.

(3) To receive additional public comment when the Planning Board deems it necessary.

(4) To facilitate the orderly approval of phases of the proposed subdivision.

#### Section 5-2. PLAT DETAILS AND REQUIREMENTS.

The applicant is required to submit nine (9) copies of the final plat application. Such application shall include the following documents and/or information:

**A. Final plat.** The final plat shall be laid out on a survey prepared by a licensed professional engineer with a properly executed New York State Education Department Exemption M or a licensed land surveyor. Such final plat shall be prepared at a scale of one (1) inch equals fifty (50) feet, zero (0) inches, clearly showing:

(1) The bearing and length of all straight lines and the radii, lengths and central angles of all curves along all property and street lines.

(2) The area of each lot in square feet or in acres, if such lot is larger than one (1) acre.

(3) The connection by proper measurement between street center lines where such streets are not straight across an intersecting street, both within the subdivision and where opposite existing streets or subdivisions.

(4) A system of monuments to be located at all corners of intersections and angle points.

(5) Proposed block and lot numbers as approved by the Village Assessor.

(6) The building setback line for each lot.

(7) Fire and school district boundaries within the subdivision area.

(8) Existing zoning, with the location of any district boundaries within two hundred (200) feet of the property to be subdivided.

(9) The boundaries of the property, the lines of proposed lots, streets and parks, and the lines of all adjoining streets, their names and exact survey locations.

(10) The names of all subdivisions immediately adjacent and opposite or, if not subdivided, the names of the owners of record of adjacent and opposite property.

(11) A statement that the plan is in compliance with the Zoning Ordinance of the Village of Cambridge.

(12) A statement reading as follows:

"Approved under authority of a resolution adopted \_\_\_\_\_  
by the Planning Board of the Village of Cambridge, New York. \_\_\_\_\_,  
Chairman."

(13) A title block, showing the name of the subdivision, the owner, the scale, the date and North point.

(14) A certificate of the licensed engineer and/or land surveyor making such plan, to the effect that the plan is correct and made from an actual survey; the license number and seal of the engineer and land surveyor shall be affixed to the drawing.

**B. Endorsement of state and county agencies.** Evidence shall be supplied that any proposed water supply and sewage disposal facilities associated with the subdivision plat requiring approval by the Department of Environmental Conservation and/or New York State Department of Health have received at least preliminary approval(s) of such facilities. Any proposed water supply and sewage disposal facility shall meet the County of Washington and state of New York design and construction standards for such facility. The plat shall not be stamped approved until all state or county required approvals for each lot of the subdivision have been received in writing by the Planning Board.

**C. Other plans and reports.** Other plans and reports shall be submitted as follows:

(1) A drainage report demonstrating proper sizing of drainage swales, culverts, pipes and inlets.

(2) A planting plan illustrating species and location of proposed tree planting.

(3) A tree clearing plan illustrating areas and methods of protection of existing trees to remain.

(4) An erosion control plan illustrating methods and location of erosion control devices and schedule of maintenance of such devices and other actions to reduce erosion.

(5) Construction plans showing grading and other site improvements and details of those site improvements.

**D. Homeowners' association or condominium agreements.** If the subdivision is to be managed by a homeowners' association or condominium, copies of their regulations and agreements, indicating any restrictions required by the Planning Board, shall be submitted. If the subdivision is to be sold in fee simple, copies of deeds indicating any restrictions required by the Planning Board shall be submitted.

**E. Streets, recreation land or open space.**

(1) The plat shall be endorsed with the necessary agreements in connection with

required easements or releases. Offers of dedication to the Village shall be presented prior to plat approval. Formal offers of dedication to the Village of all streets and parks, not marked on the plat with notation to the effect that such dedication will not be offered, shall be filed with the Planning Board prior to plat approval. If the owner of the land or his agent who files the plat does not add as part of the plat a notation to the effect that no offer of dedication of such streets, highways or parks, or any of them, is made to the public, the filing of the plat in the office of the County Clerk or register shall constitute a continuing offer of dedication of the streets, highways or parks, or any of them, to the public, and said offer of dedication may be accepted by the Village Board at any time prior to revocation of said offer by the owner of the land or his agent.

(2) The approval by 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. If the Village Board determines that a suitable park or parks of adequate size cannot be properly located in any such plat or is otherwise not practical, the Board may require, as a condition to approval of any such plat, a payment to the Village of a sum to be determined by the Village, which sum shall constitute a trust fund to be used by the Village Board exclusively for neighborhood park, playground or recreation purposes, including the acquisition of property. The Planning Board may require the filing of a written agreement between the applicant and the Village Board covering future title, dedication and provision for the cost of grading, development, equipment and maintenance of any park or playground area.

#### **F. Fees.**

(1). The application for final plat approval shall be accompanied by a fee listed on the correct schedule of fees for the Village of Cambridge posted in the Village Clerk's Office.

(2) In addition to the fee listed on the schedule of fees, the Planning Board may charge a fee to developers of projects requiring legal and technical review, provided that the fee charged reflects the actual cost of the legal and technical assistance to the Planning Board.

### **Section 5-3. SUBMISSION AND REVIEW PROCEDURES.**

#### **A. Application.**

(1) Unless otherwise agreed by the Planning Board and the subdivider, the subdivider shall submit an application for subdivision plat approval for the first phase of the proposed subdivision [maximum of twenty (20) lots] within six (6) months after preliminary plat approval. Failure to do so within such time period may require resubmission of the preliminary plat to the Planning Board. The application shall be on a form provided by the Planning Board and shall include elements described in this Article, and the plat shall conform to the preliminary plat as modified by the Planning Board, if such preliminary plat was approved with modifications. The application and fee must be submitted to the Planning Board at least twenty-one (21) days before the regularly scheduled Planning Board meeting.

(2) The Planning Board, at its regular monthly meeting, shall review and

determine the completeness of an application for final plat approval. The date of the official submission of the final subdivision plat application shall be considered to be the date on which the Planning Board determines that the application is complete and payment of the required fees have been made to the Planning Board.

**B. Extent and character of final plat.** Review and approval of the final plat shall include a maximum of twenty (20) lots. Such lots shall be in substantial agreement with the preliminary plat approved under Article IV of these regulations and modified in accordance with requirements of such approval, if such preliminary plat has been approved with modifications.

**C. Additional or second public hearing.** Within sixty-two (62) days of the date of official submission of the subdivision plat for approval, the Planning Board may require a public hearing if said plat is substantially different from the preliminary plat or if the Planning Board determines that it is in the public interest to conduct a second public hearing. This hearing shall be advertised at least once in a newspaper of general circulation in the Village at least five (5) days before such hearing; provided, however, that when the Planning Board deems the final plat to be in substantial agreement with a preliminary plat approved under Article IV and modified in accordance with requirements of such approval, if such preliminary plat was approved with modification, the Planning Board may waive the requirement for such public hearing.

**D. Notice.** If the Planning Board requires a public hearing, the subdivider shall comply with Section 4-3 (c) and (d) of these regulations.)

**E. Action on subdivision plat.**

(1) Within sixty-two (62) days of the date of official submission of a subdivision plat if no hearing is held or, in the event that a hearing is held, not more than sixty-two (62) days after the completion of such hearing, the Planning Board shall, by resolution, conditionally approve, disapprove or grant final approval and authorize the signing of such plat. This time period may be extended by written agreement of the subdivider and the Planning Board. Failure to take action on a final plat within such time period shall constitute final approval of the plat.

(2) Upon granting conditional approval of the final plat, the Planning Board shall empower a duly designated officer to sign the plat upon compliance with such conditions and requirements as may be stated in its resolution of conditional approval. Within five (5) business days of the adoption of the resolution granting conditional or final approval of the final plat, such plat shall be certified by the Clerk of the Planning Board as having been granted conditional or final approval and copies of such resolution and plat shall be filed in such clerk's office and mailed to the owner. Chairperson of the Planning Board as conditionally approved and a copy filed in the Planning Office and a certified copy mailed to the subdivider. In case of a conditionally approved plat, such resolution shall include a statement of the requirements which when completed, will authorize the signing thereof. Upon completion of such requirements to the satisfaction of the duly designated office of the Planning Board, the plat shall be deemed to have received final approval, and such officer shall sign the plat accordingly. A copy of such signed plat shall then be filed in the office of the clerk of the planning board and in the office of the Village Clerk.

(3) The final plat shall show the exact location and depth of sewer and water service. It shall also set forth the exact layout and dimensions of proposed streets with the street names and house numbers.

(4) In granting conditional or final approval of a plat in final form, the Planning Board may permit the plat to be sub-divided and developed in two (2) or more sections and may in its resolution granting conditional or final approval state that such requirements as it deems necessary to ensure the orderly development of the plat be completed before said sections may be signed by the duly authorized officer of the Planning Board. Conditional or final approval of the sections of a final plat may be granted concurrently with conditional or final approval of the entire plat, subject to any requirements imposed by the Planning Board. Final approval of the sub-division plat plan shall be limited to that phase of the development currently pending before the Planning Board.

(5) Conditional approval of a final plat shall expire one hundred eighty (180) days after the date of the resolution granting such approval unless the requirements have been certified as completed within that time. The Planning Board may, however, extend the time within which a conditionally approved plat may be submitted for signature if, in its opinion, such extension is warranted in the circumstances, for one (1) or two (2) additional periods of ninety (90) days each.

**F. Plat void if revised after approval.** No changes, erasures, modifications or revisions shall be made in any subdivision plat after approval has been given by the Planning Board and a duly designated officer thereof has signed the plat, unless such plat is first resubmitted to the Planning Board and such Board approves, in writing, any modifications. In the event that any such modified or revised subdivision plat is recorded without complying with this requirement, such recording shall be null and void, and the Board shall institute proceeding to have the plat stricken from the records of the County Clerk.

**G. Final approval and filing.**

(1) Upon receiving final approval pursuant to this Article and being properly signed by the duly designated officer of the Planning Board or upon receiving a certificate from the Village Clerk as to the Planning Board's failure to act within the prescribed time period, a subdivision plat shall be filed or recorded in the office of the Washington County Clerk within sixty-two (62) days.

(2) Any subdivision plat not so filed or recorded within sixty-two (62) days of the date of such final approval shall become null and void.

(3) The following shall constitute final approval:

(a) the signature of the duly authorized officer of the Planning Board constituting final approval by the Planning Board of a plat as herein provided; or

(b) the approval by such board of the development of a plat or plats already filed in the offices of the Washington County Clerk, if such plats are entirely or partially undeveloped; or

(c) the certificate of the Village Clerk as to the date of the submission of the final plat and the failure of the Planning Board to take action within the time herein provided. In the event the owner shall file only a section of such approved plat in the office of the County Clerk, the entire approved plat shall be filed within thirty (30) days of the filing of such section with the Village Clerk in each village in which any portion of the land described in the plat is situated. Such section shall encompass at least 10% of the total number of lots contained in the approved plat, and the approval of the remaining sections of the approved plat shall expire unless said sections are filed before the expiration of the exemption period to which such plat is entitled under the provisions of Sections 7-708 of the Village Law of the state of New York.

**ARTICLE V-A**  
**Minor Subdivision**  
**Plats**

**Section 5A-1. PURPOSE.**

A. The minor subdivision plat review is the first and final step in a one-step Minor Subdivision review process following the sketch plan conference.

B. The purpose of the Minor Subdivision review is as follows:

(1) To ensure that the proposed subdivision meets all requirements of the Zoning Ordinance of the Village of Cambridge.

(2) To ensure that the proposed subdivision meets all requirements of Article VIII, Design Standards, of these regulations.

(3) To receive public comments on the proposed subdivision.

(4) To ensure that the proposed subdivision addresses all issues raised during the sketch plan conference.

(5) To ensure that the proposed subdivision meets all state and local regulations relating to the provision of public services.

**Section 5A-2. PLAT DETAILS AND REQUIREMENTS.**

The applicant is required to submit nine (9) copies of the Minor Subdivision plat application. Such application shall include the following documents and/or information:

**A. Minor Subdivision plat.** The Minor Subdivision plat shall be laid out by a licensed professional engineer and/or a licensed professional land surveyor with a properly executed New York State Education Department Exemption N. Such preliminary plat shall be prepared at a scale of one (1) inch equals fifty (50) feet, zero (0) inches, clearly showing:

(1) The location of all existing and proposed property lines, buildings, watercourses and other important topographic features.

(2) Existing and proposed contours showing elevations at two-foot contour intervals and extending at least one hundred (100) feet off site.

(3) The location, names and widths of all existing and proposed streets, easements, lots and building lines, wells and septic tanks and fields and similar facts regarding property immediately adjacent or opposite the proposed subdivision.

(4) A location map showing:

(a) The zoning district or districts in which the land is to be subdivided is located; and

(b) The property included in the proposed subdivision and all contiguous properties of the proposed subdivision and all properties within five hundred (500) feet in each direction from the boundary line of the proposed subdivision along any contiguous street or highway. All properties shall be identified by lot and parcel number and names of owners.

(5) The location and size of any existing sewers, water mains, culverts and drain pipes, electric, telephone and cable television lines and proposed sewers, water mains, culverts and drain pipes on the property or immediately adjacent to the property to be subdivided.

(6) The proposed arrangement and approximate area, width and length of street frontage and setback requirements of each lot for the purpose of demonstrating to the Planning Board that the proposed location of streets makes possible a layout of lots in accordance with the requirements of the Zoning Ordinance for the district or districts in which the subdivision is located.

(7) A statement that the plan is in compliance with the Zoning Ordinance of the Village of Cambridge.

(8) A statement reading as follows:

"Approved under authority of a resolution adopted \_\_\_\_\_  
by the Planning Board of the Village of Cambridge, New York. \_\_\_\_\_,  
Chairman."

(9) A title block, showing the name of the subdivision, the owner, the scale, the date and North point.

(10) A certificate of the licensed engineer and/or land surveyor making such plan, to the effect that the plan is correct and made from an actual survey; the license number and seal of the engineer and land surveyor shall be affixed to the drawing.

**B. Layout plans.** Layout plans shall be prepared by a professional licensed engineer or professional licensed land surveyor. Such construction drawings shall show the following:

(1) The location and widths of all streets, pavements, curbs, sidewalks and

easements.

(2) The location of all proposed utilities, including the proposed water supply, sanitary sewers, storm water drainage system and any other proposed underground utilities.

(3) Proposed lot lines (approximate dimensions).

(4) The date, North arrow and scale.

(5) The title under which the proposed subdivision is to be recorded, with the names of the owner and engineer or land surveyor who prepared the layout plans; the license number and seal of the engineer or land surveyor shall be affixed to the drawing.

**C. Construction details.** Construction details shall be prepared by a licensed professional engineer or a licensed professional land surveyor with a properly executed New York State Education Department Exemption N.

Such details shall include:

(1) The proposed sanitary sewer system, including pipe sizes, bedding and profiles.

(2) The proposed storm drainage system, including pipe sizes, bedding, catch basin and manhole details, profiles and method of disposal of collected storm water.

(3) The proposed water supply system.

(4) Any other proposed underground utilities.

(5) The location and elevation of all proposed monument locations.

(6) The date and scale.

(7) The title under which the proposed subdivision is to be recorded, with the names of the owner and engineer who prepared the construction details; the license number and seal of the engineer shall be affixed to the drawing.

**D. Environmental report.** An environmental report shall be prepared in accordance with the State Environmental Quality Review Act describing the potential environmental impact of the proposed subdivision, as required by the Village Planning Board.

**E. Statement of intent.** A statement of intent shall be submitted by the applicant. Such statement shall include:

(1) Proof of ownership of the land to be subdivided, in a form approved by the Village Attorney.

(2) The nature and extent of proposed street improvements.

(3) The nature and extent of any recreational features, parks, playgrounds, water supply, sewerage and drainage rights-of-way and easements, retention basins and other land to be dedicated to public use and the conditions under which dedication of these features is to be made to the Village.

(4) A statement that the applicant will install all improvements in accordance with the standards prescribed by the departments of the Village having jurisdiction, and set all monuments as shown on the final plat thereof in such manner as the Board may designate.

**F. Proof of service.** Proof of service shall be submitted by the applicant. The applicant shall show proof that he has attempted to notify by certified mail all property owners of land contiguous to the proposed subdivision or within five hundred (500) feet in each direction from the boundary lines along a common roadway. Such notification shall indicate the subdivider's intent to subdivide and the date and time of the public hearing to be held by the Planning Board.

**G. Endorsement of state and county agencies.** Evidence shall be supplied that any proposed water supply and sewage disposal facilities associated with the subdivision plat requiring approval by the Department of Environmental Conservation and/or New York State Department of Health have received at least preliminary approval(s) of such facilities. Any proposed water supply and sewage disposal facility shall meet the County of Washington and State of New York design and construction standards for such facility. The plat shall not be stamped approved until all state or county required approvals for each lot of the subdivision have been received in writing by the Planning Board.

**H. Fees.**

(1) The application for Minor Subdivision plat approval shall be accompanied by a fee listed on the correct schedule of fees for the Village of Cambridge posted in the Village Clerk's Office.

(2) In addition to the fee listed on the schedule of fees, the Planning Board may charge a fee to developers of projects requiring legal and technical review, provided that the fee charged reflects the actual cost of the legal and technical assistance to the Planning Board.

**Section 5A-3. SUBMISSION AND REVIEW PROCEDURES.**

**A. Application.**

(1) Unless otherwise agreed upon by the Planning Board and the subdivider, the subdivider shall submit an application for Minor Subdivision plat review within twelve (12) months after the sketch plan discussion.

(2) The subdivider must submit to the Planning Board, at least twenty-one (21) days before the regularly scheduled Planning Board meeting, nine (9) copies of the Minor Subdivision plat application, including all drawings and reports.

(3) The Planning Board, at its regular monthly meeting, shall review and determine the completeness of an application for Minor Subdivision plat approval. The date of the official submission of the Minor Subdivision plat shall be considered to be the date on which the Planning Board determines that the application is complete and payment of the required fees have been made to the Planning Board. A Minor Subdivision 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 SEQRA. The time periods for review of a Minor Subdivision plat shall begin upon filing of such negative declaration or such notice of completion.

**B. Extent of Minor Subdivision plat.** Approval of the Minor Subdivision plat shall include the entire subdivision, including all phases of development as presented and discussed during the sketch plan conference. If additional land is proposed to be subdivided or if the proposed Minor Subdivision plat is substantially altered from the sketch plan, the applicant shall be required to resubmit a sketch plan for discussion with the Planning Board showing the full extent of the new subdivision prior to submitting such subdivision for Minor Subdivision plat review.

**C. Public hearing.** A public hearing shall be held on the application for Minor Subdivision approval.

(1) If the Planning Board is the lead agency under SEQRA with respect to the proposed subdivision, the time in which the Planning Board shall hold a public hearing on the Minor Subdivision plat shall be coordinated with any hearings the Planning Board may schedule pursuant to SEQRA, as follows:

(a) If the Planning Board determines that the preparation of an Environmental Impact Statement on the Minor Subdivision plat is not required, the public hearing on such plat shall be held within sixty-two (62) days after the receipt of a complete Minor Subdivision plat by the Clerk of the Planning Board; or

(b) If the Planning Board determines that an Environmental Impact Statement is required, and a public hearing on the Draft Environmental Impact Statement is held, the public hearing on the Minor Subdivision plat and the Draft Environmental Impact Statement shall be held jointly within sixty-two (62) days after the filing of the notice of completion of such Draft Environmental Impact Statement in accordance with the provisions of SEQRA. If no public hearing is held on the Draft Environmental Impact Statement, the public hearing on the Minor Subdivision plat shall be held within sixty-two (62) days of filing the notice of completion.

(2) If the Planning Board is not the lead agency under SEQRA with respect to the proposed subdivision, the Planning Board shall, with the agreement of the lead agency, hold the public hearing on the Minor Subdivision plat jointly with the lead agency's hearing on the Draft Environmental Impact Statement. Failing such agreement or if no public hearing is held on the Draft Environmental Impact Statement, the Planning Board shall hold the public hearing on the Minor Subdivision plat within sixty-two (62) days after the receipt of a complete Minor Subdivision plat by the Clerk of the Planning Board.

#### **D. Notice.**

(1) If the Planning Board is the lead agency under SEQRA with respect to the proposed subdivision, the hearing on the Minor Subdivision plat shall be advertised at least once in a newspaper of general circulation in the Village of Cambridge at least five (5) days before such hearing, if no hearing is held on the Draft Environmental Impact Statement, or fourteen (14) days before a hearing held jointly therewith. The Planning Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such Minor Subdivision plat. The hearing on the Minor Subdivision plat shall be closed upon motion of the Planning Board within one hundred twenty (120) days after it has been opened.

(2) If the Planning Board is not the lead agency under SEQRA with respect to the proposed subdivision, the hearing on the Minor Subdivision plat shall be advertised at least once in a newspaper of general circulation in the Village of Cambridge at least five (5) days before such hearing if held independently of the hearing on the Draft Environmental Impact Statement, or fourteen (14) days before a hearing held jointly therewith. The Planning Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such Minor Subdivision plat. The hearing on the Minor Subdivision plat shall be closed upon motion of the Planning Board within one hundred twenty (120) days after it has been opened.

(3) The subdivider shall provide proof of service of notification by certified mail on those landowners required to receive notice pursuant to this Article.

#### **E. Action on Minor Subdivision plat.**

(1) If the Planning Board is the lead agency under SEQRA with respect to the proposed subdivision, the Planning Board shall by resolution approve, with or without modification, or disapprove the Minor Subdivision plat as follows:

(a) If the Planning Board determines that the preparation of an Environmental Impact Statement on the Minor Subdivision plat is not required, the Planning Board shall make its decision within sixty-two (62) days after the close of the public hearing; or

(b) If the Planning Board determines that an Environmental Impact Statement is required, and a public hearing is held on the Draft Environmental Impact Statement, the Final Environmental Impact Statement shall be filed within forty-five (45) days following the close of such public hearing in accordance with the provisions SEQRA. If no public hearing is held on the Draft Environmental Impact Statement, the Final Environmental Impact Statement shall be filed within forty-five (45) days following the close of the public hearing on the Minor Subdivision plat. Within thirty (30) days of the filing of such Final Environmental Impact Statement, the Planning Board shall issue findings on the Final Environmental Impact Statement and make its decision on the Minor Subdivision plat.

(2) If the Planning Board is not the lead agency under SEQRA with respect to the proposed subdivision, the Planning Board shall by resolution approve, with or without modification, or disapprove the Minor Subdivision plat as follows:

(a) If the preparation of an Environmental Impact Statement on the Minor Subdivision plat is not required, the Planning Board shall make its decision within sixty-two (62) days after the close of the public hearing on the Minor Subdivision plat; or

(b) If an Environmental Impact Statement is required, the Planning Board shall make its own findings and its decision on the Minor Subdivision plat within sixty-two (62) days after the close of the public hearing on such Minor Subdivision plat or within thirty (30) days of the adoption of findings by the lead agency, whichever period is longer.

(3) The grounds for a modification, if any, or the grounds for disapproval shall be stated upon the records of the Planning Board.

(4) When granting approval of a Minor Subdivision plat, the Planning Board shall state the terms of such approval, if any, with respect to:

(a) the modifications to the Minor Subdivision plat;

(b) the character and extent of any required improvement for which waivers may have been requested and which, in its opinion, may be waived without jeopardy to the public health, safety, morals and general welfare; and

(c) the amount of improvements or the amount of all bonds therefor which it will require as pre-requisite to subdivision plat approval.

(5) Approval of a Minor Subdivision plat shall expire one hundred eighty (180) days after the date of the resolution granting such approval unless the requirements have been certified as completed within that time. The Planning Board may, however, extend the time within which a conditionally approved Minor Subdivision may be submitted for signature if, in its opinion, such extension is warranted in the circumstances, for one (1) or two (2) additional periods of ninety (90) days each.

**F. Plat void if revised after approval.** No changes, erasures, modifications or revisions shall be made in any Minor Subdivision plat after approval has been given by the Planning Board and a duly designated officer thereof has signed the plat, unless such plat is first resubmitted to the Planning Board and such Board approves, in writing, any modifications. In the event that any such modified or revised Minor Subdivision plat is recorded without complying with this requirement, such recording shall be null and void, and the Board shall institute proceedings to have the plat stricken from the records of the County Clerk.

**G. Final approval and filing.**

(1) Upon receiving final Minor Subdivision approval pursuant to this Article V-A and being properly signed by the duly designated officer of the Planning Board or upon receiving a certificate from the Village Clerk as to the Planning Board's failure to act within the prescribed time period, a Minor Subdivision plat shall be filed or recorded in the office of the Washington County Clerk within sixty-two (62) days.

(2) Any Minor Subdivision plat not so filed or recorded within sixty-two (62) days of the date of such final approval shall become null and void.

(3) The following shall constitute final approval:

(a) the signature of the duly authorized officer of the Planning Board constituting final approval by the Planning Board of a Minor Subdivision plat as herein provided; or

(b) the approval by such board of the development of a Minor Subdivision plat or plats already filed in the offices of the Washington County Clerk, if such plats are entirely or partially undeveloped; or

(c) the certificate of the Village Clerk as to the date of the submission of the Minor Subdivision plat and the failure of the Planning Board to take action within the time herein provided. [Article V-A added 10/4/99 by L.L. No. 4 of 1999].

## **ARTICLE VI Construction**

### **Section 6-1. PURPOSE.**

A. The construction of the subdivision shall proceed in accordance with the final plat approval.

B. Requirements of the subdivider during construction are herein stated for the following purposes:

(1) To ensure that the subdivision is constructed in accordance with all plans and details submitted and approved under Article V, Major Subdivision Final Plats, or Article V-A, Minor Subdivision Plats, of these regulations. [Modified 10/4/99 by L.L. No. 4 of 1999].

(2) To ensure that the proposed subdivision meets all requirements of Article VIII, Design Standards, of these regulations

(3) To ensure the public health, safety and welfare during the construction of the subdivision.

(4) To finalize all agreements for transfer of land and improvements to be dedicated for public use.

### **Section 6-2. REQUIREMENTS.**

**A. Availability of plans.** During construction operations, the subdivider shall maintain a copy of the approved drawings on the site. Such plans will be used for the review of work in process. If such drawings are not available on-site, construction may be stopped until such time as the subdivider can provide and maintain the appropriate plans at the construction site.

**B. Construction sequence.** Prior to installation of road pavement, the developer shall, at his own cost and expense, cause to have installed utilities and services, including storm drains, sanitary sewers and underground electric, cable television, telephone and gas lines, including laterals to the property lines or storm or sanitary sewer.

**C. Signing.**

(1) Street signs shall be installed as soon after beginning of construction of the road as possible to ensure proper inspection and for identification by emergency vehicles, especially fire trucks and ambulances.

(2) Prior to constructing any buildings, each lot shall have posted, visible from the public road, the lot and block number to ensure proper inspection and identification for emergency vehicles, especially fire trucks and ambulances.

**D. Review by Village officials.** The Village Building Inspector/Code Enforcement officer shall act as agent to the Planning Board for the purpose of assuring the satisfactory completion of improvements required by the Planning Board and shall determine an amount sufficient to defray costs of inspection. Each phase of road construction must be inspected by the Superintendent of Public Works. The applicant shall pay the Village costs of inspection before the subdivision plat is signed for filing. If the Planning Board or the Village Building Inspector/Code Enforcement officer finds, upon inspection, that any of the required improvements have not been constructed in accordance with Planning Board recommendations or the approved construction plans or details, the applicant and the bonding company, if any, will be severally and jointly liable for the costs of completing said improvements according to specifications.

**E. Construction inspection.** The subdivider shall retain a licensed professional engineering consultant to provide construction inspection services for the installation of all utilities and road construction and to prepare record drawings as required in this Article. The contract between the engineering consultant and the subdivider shall be presented to and approved by the Village at the preconstruction conference.

**F. Professional certification upon completion.**

(1) Within thirty (30) days after completion of construction set forth in the plans and specifications for the plat, the professionals designing the same shall furnish to the Planning Board a certification to the Village of Cambridge that the construction, installation and/or work was performed in accordance with the plans or specifications approved by the Planning Board.

(2) Where the professional designing the plat does not issue such certification, the owner, contractor or subdivider shall provide to the Planning Board satisfactory explanation for the change in professionals and certifying the work performed to the Village of Cambridge.

(3) The Planning Board may waive the requirements for filing certifications in the case of a minor alteration. Such waiver shall be in writing filed with the Village Board.

### **G. Monuments.**

(1) A system of permanent monuments shall be located at all corners of all lots, intersections and angle points after the subdivision improvements are completed. Such monuments shall be installed by the engineer or land surveyor during the performance of the field work.

(2) Monuments at intersections and angle point of streets shall be substantial granite posts with a cross on top, or concrete posts four (4) inches square. Monuments shall be accurately set, not less than three (3) feet in the ground. Monuments at the corners of lots not coincidental with the street corners shall be iron rods set accurately not less than three (3) feet in the ground.

**H. Driveway permits.** A driveway permit shall be required for all lots to be developed in the subdivision.

**I. Record drawings.** Prior to release of any funds in escrow or moneys or commitments held by the Village to the subdivider, approved record drawings conforming to construction records shall be submitted to the Village Clerk's Office. Such drawings shall be reviewed, approved and signed-off by the Superintendent of Public Works (for streets and sidewalks) and The Building Inspector/Code Enforcement Officer.

### **Section 6-3. PROCEDURES.**

**A. Preconstruction conference.** Once the subdivision plat has been filed and prior to any clearing, demolition or excavation on the subdivision site, the subdivider or his authorized agent shall meet with the Village officials to discuss Village requirements, scheduling, inspection procedures and other issues pertinent to the construction phase of the subdivision as set forth in this Article.

### **B. Variance from plans.**

(1) If, upon inspection, any required improvements are not able to be constructed in accordance with the approved plat or construction plans or details to the extent that the lot lines of the subdivision will be altered or where construction cannot be completed in accordance with the design standards established under Article VIII of these regulations, the subdivision shall be resubmitted to the Planning Board for review and approval under Article V, Major Subdivision Final Plats, or Article V-A, Minor Subdivision Plats, of these regulations. [Modified 10/4/99 by L.L. No. 4 of 1999].

(2) In the event that any such modification is constructed without Planning Board approval, the Board shall institute a proceeding to have the plat stricken from the records of the County Clerk.

### **C. Public streets, parks and recreation areas.**

(1) Public acceptance of streets. The approval by the Planning Board of a

subdivision plat shall not constitute an acceptance by the Village of a street or road in accordance with Article VIII, Design Standards, and other Village standards related to the construction of roads and highways. Before the Village accepts the street or road, the Village Superintendent of Public Works shall review said road or street and make recommendations to the Village Board for acceptance.

(2) Ownership and maintenance of parks and recreation areas. When a park, playground or other recreation area or open space shall have been shown on a plat, the approval of the plat shall not constitute an acceptance by the Village of such area. The Planning Board shall require the plat to be endorsed with appropriate notes to this effect. The Planning Board may also require the filing of a declaration of dedication for any such area which shall dedicate that area for the common use approved by the Village Board, which declaration shall be recorded in the Washington County Clerk's office at the developer's expense. Such common area shall be assessed from the time of filing of the approved subdivision plat to all parcels in the plat benefitting therefrom.

(3) Title insurance and fees. A title insurance policy shall be required for all lands to be dedicated to the Village. The subdivider shall be required to pay any and all deed recording fees and taxes required for the transfer of property.

(4) See Article VII, Public Streets, Parks, Open Spaces and Natural Features, for requirements and procedure in making an offer of dedication of required improvements.

## **ARTICLE VII**

### **Public Streets, Parks, Open Spaces and Natural Features**

#### **Section 7-1. STREETS.**

A. The Village Board shall not accept any street shown on an approved subdivision plat except when the same is built per the specifications hereof. However, where the subdivider has constructed a street per the specifications hereof, except for application of surfacing materials, the Village Board may accept the offer of dedication if the subdivider files with the Village Clerk a certified check or irrevocable letter of credit covering the cost of satisfactorily completing construction of the subject street. Said certified check shall be deposited by the Village Treasurer in an interest bearing account.

B. The Village Board shall, in considering an offer of dedication of a street, have the right to reject the same if all other municipal improvements concerning the lots fronting on said street are not also complete or also for reasons of public safety.

C. In making said offer of dedication, the subdivider shall submit the following documents to the Village Attorney:

(1) An abstract of title continued to recent date showing marketable title to the premises offered for dedication or, in the alternative, a policy of title insurance insuring the fee interest of said street to the Village of Cambridge in amount not less than Ten Thousand Dollars

(\$10,000.).

(2) A copy of a survey of the subject street certified to the Village of Cambridge by the professional preparing the same.

(3) Continued tax search of the subject premises.

(4) Written review of the Superintendent of Public Works.

(5) If surfacing material has not been applied, then a certified check, in an amount recommended by the Superintendent of Public Works, to cover the cost of satisfactorily completing construction of said street.

(6) An affidavit signed by the subdivider agreeing to complete surfacing of the street within two (2) years after the base course has been installed and at least two-thirds (2/3) of the phase is completed. Said subdivider shall bear the expense of any paving cost overruns if the certified check on deposit with the Village, with accrued interest, should be an insufficient amount. In addition, should any amount of moneys remain after surfacing is satisfactorily completed, said moneys, plus accrued interest, shall be refunded to the subdivider.

## **Section 7-2. PARKS, OPEN SPACES AND NATURAL FEATURES.**

**A. Purpose.** The purpose of this section is to provide an equitable and effective development standard for securing adequate land for parks, playgrounds and open space recreation uses in subdivisions throughout the Village of Cambridge.

**B. Land dedication.** The subdivider proposing land dedication shall file with the Village Board a plat detailing the sites for the development of a park, playground or other recreational facility. Recreation space shall be provided by the subdivider on the basis of at least one thousand (1,000) square feet per lot, but in no case shall the amount be more than ten percent (10%) of the total area of the subdivision. Such area or areas may be dedicated to the Village by the developer if the Village Board approves such dedication. All lands designated on the plat as park, playground or other recreation area not in Village ownership shall be subject to such conditions as the Planning Board may establish, such as hours of operation, access to the general public and use and maintenance of such lands as deemed necessary to assure the preservation of such lands for their intended purposes. Such conditions shall be shown on the plat prior to plat approval and recording. The Planning Board shall consider the following in determining the suitability of the reserved land for recreational purposes:

(1) The size and shape of the reserved land.

(2) Whether the land is usable land, which for purposes of these regulations shall be taken to mean land that is relatively level and dry.

(3) The location of the reserved land, i.e., whether the land is:

- (a) Located in an area which is heavily populated.
- (b) Near other recreation areas
- (c) Near other recreation areas providing the same type of recreation.
- (d) In a location which will provide a safe and accessible recreation area for Village residents.

**C. Fee in lieu of land.**

(1) When requested by the subdivider or in cases where the Planning Board finds pursuant to Village Law Section 7-730(4)(b), that a proposed subdivision plat presents a proper case for requiring a park or parks suitably located for playgrounds or other recreational purpose, but that due to the size, shape, topography or location of the subdivision, land for park, playground or other recreation purpose cannot be properly located therein, the Planning Board may waive the requirement that the plat show land for such purposes. The Planning Board may then require as a condition of approval of the plat a payment of recreation fees in lieu of land, in such amount as shall be set by the Village Board. Such amount shall be paid to the Village Board at the time of final plat approval, and no plat shall be approved by the authorized officer of the Planning Board until such payment is made. Such payments shall be held in a special trust fund for acquisition and development of recreation land. All money in this fund is to be used only for:

(a) The purchase of land that is suitable for new or enlarged parks, playgrounds or open spaces and located so as to serve the inhabitants of the Village's residential neighborhoods; and

(b) The improvement of new or existing park, playground and open space lands which serve the Village's residential neighborhoods.

(2) In any case, the Planning Board shall be satisfied that required recreation land will be maintained and will not be used for other than recreation purposes.

**D. Reservation of additional land.** Nothing in this section will be construed as prohibiting a developer from reserving other land for recreation purposes in addition to the requirements of this section.

**E. Waiver of land and fee-in-lieu.** The Planning Board shall not at any time authorize the waiver of both the land dedication and fee-in-lieu-thereof requirements. Such requirements may, however, be waived by the Village Board upon the request of the Planning Board.

**ARTICLE VIII**  
**Design Standards**

**Section 8-1. INTRODUCTION.**

A. These standards are issued as guides for design and construction of facilities by private developers. They are formulated so that all facilities may eventually be accepted for maintenance by the Village. Within this objective, adequate design life, ease of operation and maintenance and standardization have been given primary consideration. Each facility shall be designed and constructed as part of a future complete system.

B. Any standard or specification referred to shall be understood to be the current version of that standard or specification. The Board may require higher standards where it believes they are justified. The Board will also consider approval of a design or construction method which is not included in these standards.

C. The list of approved material is under constant review by the Board, and submission of requests for inclusion of such new material is encouraged. Such requests should be substantiated by test results, specifications and other data. Listing of a material or component in the list of approved materials or approval of new material does not prevent the Board from requiring inspections or tests deemed by the Board to be necessary before such material or component is installed.

D. In general, the subdivision plat and plans and profiles included in the final submission shall include enough detail to show compliance with design standards. The Board may require the submission of design calculations for review by the Village's Engineer.

E. Compliance with all standards cited herein will be required prior to final approval for construction. Failure to do so shall prevent the issuance of building permits for construction on the individual lots.

**Section 8-2. SURVEYING AND MAPPING.**

**A. General.** The procedure shall include tension, temperature and slope corrections to distance measurements, adjustment of closed baseline traverses, presentation of all necessary data clearly and completely and the use of proper methods to obtain the required standards of accuracy cited in the Code of Practice.

**B. Mapping accuracy.** The limits of error in any map shall not exceed one-tenth (1/10) inch between point as scaled on the original map. The elevation error shall not exceed one-half (1/2) the contour interval.

**C. Monuments and benchmarks.**

(1) Monuments shall be reinforced concrete or stone four (4) inches square, minimum of three (3) feet long.

(2) There shall be a minimum of two (2) monuments within each subdivision to control the location of lot corners and road lines. If these monuments are at road intersections or along road lines, they should not be set until the road has been constructed. They should be in position when the Village Superintendent of Public Works inspects the road prior to dedication.

(3) The number of monuments to be set should depend on the size of the subdivision. In general, a pair of intervisible monuments should be set along each road.

(4) The record map should show the location of the monuments to be set, along with the coordinate values and elevation of the top of each monument. The elevation of the monuments should be referred to sea level datum, as established by the United States Geological Survey or other governmental agencies.

(5) If an elevation control monument does not exist within one (1) mile of the subdivision, then the elevation shown on the United States Geological Survey topographic map, at the nearest road intersection, shall be used as a benchmark and so noted on the subdivision map.

**D. Permanent markers.** Each lot in the subdivision shall be indicated by permanent iron rod markers, set in the ground, designating each corner and change of direction.

### **Section 8-3. CHARACTER OF LAND.**

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

A. Topsoil moved during the course of construction shall be redistributed so as to cover all areas of the subdivision and shall be stabilized by seeding or planting. At no time shall topsoil be removed from the site without written permission from the Planning Board. There shall be a minimum of six (6) inches of topsoil redistributed over all leach beds or fields.

B. To the fullest extent feasible, all existing trees and shrubbery and endangered/protected species shall be conserved by the subdivider. Special consideration shall be given to the arrangement and ultimate improvement or development of the lots to this end.

(1) Property or any part thereof which has been clear-cut within the last five (5) years will not be considered for subdivision.

(2) Precautions shall also be taken to protect existing trees and shrubbery and protected plants or endangered species during the process of grading the lots and roads. Where there is a question as to the desirability of removing a group of trees which serve to add interest and variety to the proposed subdivision in order to allow for use of the land for a lot or lots, the Planning Board may, after proper investigation, require modification of such lots.

(3) Where any land other than that included in public rights-of-way is to be dedicated to the public use, the developer shall not remove any trees from the site without written permission from the Planning Board.

C. Where a subdivision is traversed by a natural lake, pond or stream, the boundaries or alignment of said watercourse shall be preserved unless, in the opinion of the Planning Board, a change or realignment will enhance the development and beauty of the subdivision or the utilization of such features by the future residents of the subdivision. All proposed changes in watercourse alignment shall be in accordance with the Environmental Conservation Law.

D. Unique physical features, such as historic landmarks and sites, rock outcroppings, hilltop lookouts, desirable natural contours and similar features shall be preserved, if possible.

E. The subdivider shall not be permitted to leave any surface depressions which will collect pools of water. This shall not preclude the use of retention or detention basins as part of a storm water management program.

F. The subdivider shall not be permitted to leave any piles or mounds of dirt or other debris or materials around the tract. All surfaces shall be restored within six (6) months of the time of the completion of the section of the subdivision.

#### **G. Floodplain.**

(1) Mapping. If any portion of the land within the subdivision is subject to inundation or flood hazard by storm water, such fact and portion shall be clearly indicated on the preliminary and subdivision plats and the prominent note placed on each sheet of such map, whereon any such portion shall be shown.

(2) Use. Land subject to flooding and land deemed by the Planning Board to be otherwise uninhabitable shall not be platted for residential occupancy nor for such other uses as may increase danger to health, life or property or aggravate the flood hazard.

#### **Section 8-4. DENSITY.**

The maximum number of buildable lots for a conventional subdivision shall be calculated as follows:

A. From the total area of the property to be subdivided, subtract:

- (1) The area to be occupied by the proposed streets and rights-of-way;
- (2) The area to be set aside for other public use, such as parkland;
- (3) The area occupied by other public easements or rights-of-way across the property, such as major power or telephone lines; and
- (4) Any unbuildable areas of the lot, such as wetlands, rock outcrops, slopes over twenty-five percent (25%) and bodies of water.

B. Then divide the resulting figure (the remaining acreage) by the lot size allowed in the zone in which the lots will be located.

## **Section 8-5. LAYOUT OF STREETS AND ROADS.**

The Village streets shall include both public and private streets and roads in all sections of these regulations.

### **A. Relationship to natural features.**

(1) All streets shall be logically related to existing topography, soil, vegetation and other natural features and shall be coordinated into a logical and efficient system. All streets shall be arranged so as to obtain a maximum number of building sites at or above the grade of the streets.

(a) Grades of streets shall conform as closely as possible to the original topography, except that in all cases the provisions concerning street grades of this Article shall be observed.

(b) Installation of all utility distribution and service lines shall be planned at the time street layout is determined. For these purposes, areas with steep slopes, shallow soils or a water table at or near the surface and soils that are highly susceptible to erosion or slippage shall be avoided insofar as is practical.

(c) Street layout shall minimize stream crossings and be perpendicular to the stream, traversing existing slopes exceeding twenty-five percent (25%) measured perpendicular to the street.

(2) Easements. An easement shall be provided for all natural drainageways and all utility lines when such utility line or lines do not fall within a dedicated right-of-way. All easements shall be plotted on the preliminary plat and subdivision plat. A clause shall be inserted in the deed of each lot affected by an easement indicating that the easement exists and its purpose. Except as further required in this section, easements shall have a minimum width of ten (10) feet. Where a subdivision is traversed by a drainageway, channel or stream, a drainageway easement conforming substantially with the lines of such watercourse shall be provided. The easement shall be twenty (20) feet wide or such width as will be adequate to preserve natural drainage and provide sufficient width for maintenance. Where it is found that additional easement width is needed, the width shall be determined by the Planning Board. Prior to the completion of the streets, all utility lines which are primarily intended to provide service to the lots within the subdivision shall be installed underground at a depth and at such location as will minimize the risk of interruption of services.

**B. Intersections.** In general, all streets shall intersect so that for a distance of at least one hundred (100) feet, each street is approximately at right angles to the street it joins. Local street intersections with collector streets or arterial highways shall be separated by at least three hundred (300) feet.

**C. Special treatment along certain highways.** When a subdivision abuts or contains a regional arterial highway, local arterial highway or collector highway, the Planning Board shall require that no new lots shall front or have direct access on such highway. In subdivisions of

four (4) lots or fewer, if the Planning Board finds the foregoing requirement not feasible, then new lots may be created on such highway, but the width for such lots shall be increased by one hundred percent (100%) of the authorized density within the applicable zone. The Board may require marginal access streets, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots with rear service alleys or other such treatments as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic. Provision of turnarounds shall be required on all lots, fronting on arterial or collector streets.

**D. Local streets.** Subdivisions shall be so designed as to provide a street pattern which shall be based upon a local residential street pattern connected to a residential collector street system. Local streets shall be laid out so that their use by through traffic will be discouraged.

**E. Dead-end streets.** Dead-end or loop residential streets will be permitted wherever the Board finds that such type of development will not interfere with normal traffic circulation in the area. In the case of dead-end streets, the Board may require the reservation of a twenty-foot-wide easement to provide for continuation of pedestrian traffic and utilities to the next street, when the Board, in its discretion, feels such easement is necessary or desirable. Subdivisions containing thirty-five (35) lots or more shall have at least two (2) street connections with existing public streets. In the case of an internalized subdivision the requirements for two (2) entrances may be satisfied by a provision of a double-width [two (2) times standard street width] street from the main connecting street to the first intersecting street. A planted center island will be required in a double-width street, and an increase in the right-of-way will be required to provide for the planted center island. When a planted island is proposed, the subdivider shall indicate on the plan who shall maintain such.

**F. Continuation of projection of certain streets.** The arrangement of streets in the subdivision shall provide for the continuation of principal streets of adjoining subdivisions and for proper projection of principal streets into adjoining properties which are not yet subdivided in order to make possible necessary fire protection, movement of traffic and the construction or extension, presently or when later required, of needed utilities and public services, such as sewers, water and drainage facilities. Where, in the opinion of the Village Board, topographic or other conditions make such continuation or projection undesirable or impracticable, this requirement may be modified. Approved future connector links shall be dedicated at the same time the principal streets are dedicated.

**G. Other required streets.** Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the Planning Board may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land (as for park purposes in residential districts or for commercial or industrial purposes in appropriate districts). Such distance shall also be determined with due regard for the requirements of approach grades and future grade separations.

**H. Location.** Streets shall follow low land, except wetlands, whenever feasible. When a subdivision street intersects an existing street, the Board may require the owner to improve the existing street within one hundred (100) feet of said intersection to meet the requirements of these regulations for intersection design.

## I. Street design.

### (1) Curves.

(a) A curve shall be required whenever a collector or local street deflects more than ten degrees (10 degrees ). A curve shall be required for any deflection in an arterial street. Minimum center-line radius for horizontal curves shall be as follows:

Street Type	Minimum Radius (feet)
Collector	300
Local	300
Marginal access	250

(b) A tangent of at least fifty (50) feet shall be required between reverse curves, except where the topographical conditions of the site being subdivided would require a lesser radius or tangent without disturbing major portions of unexcavated soil and foliage.

### (2) Street grades.

(a) Maximum street grades shall be as follows:

Street Type	Maximum Grade (percent)
Collector	8
Local	10
Marginal access	10

(b) Street grades shall not be less than five-tenths percent (0.5%). Grades at street intersections shall be held to a maximum of three percent (3%) for a distance of one hundred (100) feet from the edge of pavement of the intersected street. Vertical parabolic curves shall be introduced at changes of grade exceeding an algebraic difference of one percent (1%)

and shall provide the following minimum sight distances:

Street Type	Minimum Sight Distance, (feet)
Collector	250
Local	100
Marginal access	100

### (3) Street intersections.

(a) T-intersections shall be used in residential areas where practical. Intersections of more than two (2) streets shall be prohibited. Intersecting streets shall be laid out so as to intersect at ninety degrees (90 degrees ). Any change in street alignment to meet this

requirement shall be at least one hundred (100) feet from the pavement edge of the intersected street.

(b) Street right-of-way lines and roadways at intersections shall be rounded with a radius determined from the following table by the higher type of street in the intersection:

Street Type	Minimum Right-Way Radius (feet)	Roadway Radius (feet)
Arterial	Varies	Varies
Collector	28	40
Local	10	25
Marginal access	5	20

(c) Intersections with arterial streets shall be held to a minimum and preferably spaced at least one thousand (1,000) feet apart.

(d) Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of one hundred twenty-five (125) feet between their center lines.

(4) Dead-end streets. Dead-end streets shall not be longer than one thousand (1,000) feet and shall be provided with a turnaround at the closed end, having a street right-of-way diameter of at least one hundred forty (140) feet and an outside edge of pavement diameter of at least one hundred ten (110) feet. If an island is left in the turnaround, it shall be nearly level to facilitate snowplowing, and there shall be no curbs around the island. The turnaround pavement shall slope to the outside of the circle. The pavement radius at the entrance to the turnaround shall be at least fifty (50) feet for symmetrical turnarounds and greater for offset turnarounds. When a street is extended beyond an intersection to make provision for its future extension, a temporary turnaround shall be provided at the end of the street unless no lots are served by the extension. The temporary turnaround shall meet the requirements for a permanent turnaround.

(5) Street access. Access to arterial streets shall be restricted as far as practicable.

(6) Street setbacks. Setbacks from existing streets shall be in accordance with the Zoning Ordinance.

(7) Fill slopes. Where streets are constructed on new fill, the side slopes of the fill shall be as follows:

Fill Height (feet)	Slope (Vertical to Horizontal)
0 to 6	1 to 4 or flatter
6 to 12	1 to 3 or flatter
Above 12	Not permitted

**J. Guardrailing.** Where streets are constructed on fills of greater than six (6) feet in height, guardrailing shall be installed along the side of the street, eight (8) feet from the edge of the street.

**K. Street entrances to subdivision.** In all subdivisions of twenty (20) lots or more, at least two (2) entrances to the subdivision from an existing public street shall be installed.

**L. Street signs.** The developer shall establish street name signs as approved by the Department of Transportation at appropriate locations as indicated by the Superintendent of Public Works prior to street construction. (Street names should have a relationship to the subdivision name.)

#### **Section 8-6. LAYOUT OF LOTS.**

A. The lot size, width, depth, shape and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

B. All lots shown on the subdivision plat shall at least comply with the minimum requirements of the Zoning Ordinance as to area and dimensions for the zone in which the subdivision is located. However, in accordance with the Village Law, the Planning Board may use its discretion in determining lot sizes to ensure that the land shown on such plats shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace.

C. Each lot shall abut on a street built to the Village's specification. The required frontage for one (1) principal building shall be forty (40) feet, and such frontage shall provide actual physical access to and from the lot, to be built upon for purposes of ingress and egress to the lot by emergency vehicles, such as fire trucks and/or ambulances.

D. Corner lots shall have width sufficient for maintenance of required front yard building lines on both streets as required by the Zoning Ordinance.

E. Side lines of lots shall be, as far as practicable, at right angles to straight streets and radial to curved streets.

F. Where there is a question as to the suitability of a lot or lots for their intended use due

to factors such as rock formations, flood conditions or similar circumstances, the Planning Board may, after adequate investigation, require modification of such lots.

G. Block length and width or acreage within bounding streets shall be such as to accommodate the size of lot required in the area by the Zoning Ordinance and to provide for convenient access, circulation control and safety of street traffic.

H. Blocks intended for commercial or industrial use shall be designed specifically for such purposes, with adequate space set aside for off-street parking and delivery facilities.

I. The lot arrangement shall be such that in constructing a building in compliance with the Zoning Ordinance there will be no foreseeable difficulties for reasons of topography or other natural conditions. Lots should not be of such depth as to encourage the later creation of a second building lot at the front or rear except where such natural conditions exist that prohibit such resubdivision.

J. Driveway access grades shall conform to specifications as established by the Superintendent of Public Works. Driveway grades between the pavement and setback line shall not exceed ten percent (10%).

K. Lots facing on collector or arterial streets shall be of such dimensions as to permit a turnaround to allow resident automobiles to enter onto such collector or arterial street in a forward motion.

L. Where a tract is subdivided into lots substantially larger than the minimum size required in the zoning district in which a subdivision is located, the Planning Board may require that streets and lots be laid out so as to permit future resubdivision in accordance with the requirements contained in these regulations.

## **Section 8-7. GRADING.**

### **A. Lots.**

(1) Grading of each building lot shall be such that positive surface drainage is provided for all areas. Minimum site grading slopes of one percent (1%) are required. Maximum site grades shall be one (1) vertical on three (3) horizontal, except specially landscaped areas which will not require mowing. Finished grade adjacent to building foundations shall be a minimum of one (1) foot, zero (0) inches above the corresponding edge of pavement elevation, where practical.

(2) Minimum grades adjacent to buildings shall be a minimum slope of two percent (2%) away from the building for a minimum of ten (10) feet on the side and rear of the structure and a minimum slope of two percent (2%) up from the edge of any street or drainage facility to the front of the structure. In addition, a minimum of eight (8) inches of block or foundation wall reveal shall be provided between the finished grade and the bottom of the siding.

**B. Low lots.** Lots having driveways sloping away from streets shall have driveways

graded so as to provide a high point at or near the right-of-way of the street so as to prevent street runoff from entering the lot.

**C. Retention of vegetation.** Site grading (excavation and filling) shall minimize destruction of natural vegetation, the potential for erosion, sedimentation and stormwater runoff and shall protect the health, safety and welfare of neighboring properties and the general public.

**D. Site grading.** Site grading shall not disturb the bank or shoreline of any stream, pond or wetland without a permit required by the New York State Department of Environmental Conservation.

**E. Site preparation.** Site preparation and construction activities shall not result in the encroaching on or blocking or restriction of swales, storm sewer systems, wetlands or surface waters.

**F. Fill.** All fill material shall be of a composition suitable for fill and free of brush, stumps and other debris. No organic material shall be disposed of on site.

#### **Section 8-8. EROSION CONTROL.**

A. Erosion, sedimentation and stormwater runoff shall be controlled prior to, during and after site preparation and construction.

B. Soils exposed by site preparation shall remain so for the shortest practical period of time during site clearing, construction and restoration.

C. Areas exposed by site preparation shall be protected during site construction.

D. Slopes created during the period of site development shall not be so steep that erosion or sedimentation may result or vegetation cannot be readily established. A maximum slope of three to one (3:1) is a preferred angle of repose for most slopes to be stabilized.

E. Fill material shall be compacted to prevent erosion or settling.

F. All topsoil removed during site preparation and construction shall be stockpiled and protected in a manner so that erosion from the soil pile will not occur.

G. A stormwater drainage system shall be provided during and after construction such that sediments or stormwater will not in any way damage public or private downstream property. The components of the stormwater drainage system shall be identified and shall be designed to meet the engineering standards and specifications of the United States Soil Conservation Service.

H. The site erosion and sedimentation control measures shall be appropriate for the existing topography, vegetation and other natural features of the site. The practices shall meet the standards and specifications of the United States Soil Conservation Service. Practices shall be designed according to these standards and specifications; vegetation recommendations shall

also meet these standards. All conservation practices installed shall be maintained so as to ensure the designed life span of the conservation practice.

I. The smallest practical area of land shall be exposed at any one time during the development, in accordance with the clearing plan and phased reclamation.

J. When land is exposed during development, the exposure shall be kept to the shortest practical period of time, in accordance with the construction operation schedule.

K. Temporary vegetation and/or emulsion shall be used to protect areas in excess of one (1) acre exposed for a period of over two (2) weeks. These control procedures shall be as follows, or equal:

(1) Fifty (50) pounds fast-emergent grass seed per acre; two (2) tons hay mulch per acre. Application of these materials shall be by approved equipment.

(2) On areas that will be exposed for short periods of time (daily) where soil and weather conditions are conducive to airborne sand, a four-foot-high fence shall be installed, as directed, at one-hundred-foot intervals.

(3) In areas or concentrated vehicular traffic, such as access streets, vehicle storage area or staging areas, exposed soil or stone pavement surfaces shall be wetted with water to prevent airborne dust. Such watering shall be undertaken to the extent required to prevent dusting of neighboring properties or public streets.

(4) Public Streets shall be kept free from dirt or dust or other building materials. If such material are deposited, spilled or spread on a public street, such material shall be removed within twelve (12) hours.

L. Sediment basins and debris basins (silting basins or silt traps) shall be installed and maintained to remove sediment from runoff waters on lands undergoing development.

M. Provision shall be made to effectively accommodate the increased runoff caused by changing soils and surface conditions during and after development.

N. Permanent final vegetation and structures should be installed as soon as practical in the development.

O. The development plan should be fitted to the type of topography and soils so as to create the least erosion potentials.

P. Wherever feasible, natural vegetation should be retained and protected.

## **Section 8-9. STORM DRAINAGE.**

### **A. General.**

(1) A storm drainage plan must be approved by the Superintendent of Public Works and the Planning Board. Such plan shall encompass all drainage elements for the drainage of the subdivision, areas feeding the subdivision and areas downstream from the subdivision. Said plan should be submitted with evidence of the use of acceptable engineering standards.

(2) In designing for storm drainage, the Water Pollution Control Federation Manual of Practice on Design and Construction of Sanitary and Storm Sewers shall be used as a guide. Other good engineering practices, if approved, may be accepted by the Village Engineer.

(3) Drainage plans and facilities in any new development shall be designed with the goal of minimizing runoff and the potential for any structural damage due to flooding. For subdivisions greater than four (4) lots, the rate of runoff from the subdivision shall not be greater than existed prior to construction.

(4) Drainage patterns and points of stormwater discharge from the subdivision should be the same as before construction. Water retention or detention basins should be used when required to maintain preconstruction stormwater discharge rates.

### **B. Design criteria.**

(1) The rational method shall be used for all drainage areas smaller than one hundred (100) acres. An approved method shall be used for larger areas.

(2) A runoff coefficient of not less than 0.35 shall be used.

(3) Inlet time shall be not greater than twenty (20) minutes from the farthest point to the first inlet.

(4) Rainfall-intensity-duration-frequency curves of the United States Weather Bureau for the Albany area shall be used:

(a) Ten-year storm for local collector streets and residential districts.

(b) Twenty-five-year storm for arterial highways, potentially highly developed commercial or industrial districts and culverts carrying major streams.

(c) Fifty-year storm for retention and detention basins.

(5) Surface flow on streets shall be limited to a maximum of three hundred fifty (350) feet, and discharge shall be sheet drained away from the street or directed to a detention basin and then discharged into a natural drainageway.

(6) All hydrologic calculations shall assume full development of the upstream watershed in accordance with the zoning in effect at the time of design. No allowance shall be made for any upstream detention ponds unless specifically noted by the Village Engineer.

(7) If stormwater detention is required as part of any new development, the hydrologic calculations shall be done by Soil Conservation Service methods, in accordance with Section 8-9(F) of this section.

**C. Design of storm sewer systems.**

(1) Storm sewer systems shall be designed to flow without surcharge for the design recurrence intervals prescribed.

(2) Pipe slope and materials shall be designed to provide a minimum velocity flowing full of three (3) feet per second, whenever possible.

(3) Storm sewer profiles shall be set to allow a minimum slope of one-eighth (1/8) inch per foot on all laterals, with the invert of the lateral not lower than the crown of the sewer.

(4) Manholes shall be provided at intervals not exceeding three hundred (300) feet. The manhole details shall be in accordance with the Standard Detail sheets.

(5) Storm sewers shall be designed with straight alignment and grade between manholes.

(6) At manholes with pipe sizes changes, the crowns of the sewers should be matched, whenever possible.

(7) Calculations for capacity and velocity in storm sewer systems shall assume the following n factors:

Pipe Type	Mannings n
RCP, CIP	0.013
PVC	0.012
Corrugated metal pipe, bituminouscoated:	0.024
Corrugated metal plate structures	Manufacturer's data

(8) At culs-de-sac, the storm sewer main shall be located so as to minimize the length of laterals as much as possible.

(9) Inlets shall be provided at gutter low points, at intersections and at a maximum spacing of three hundred (300) feet. Inlet locations shall be a minimum of thirty (30) feet from the center line of any driveway.

(10) Storm sewers shall be located within the street right-of-way or in an easement adjacent to the street right-of-way. Storm sewer manholes shall not be located in the pavement area of subdivision streets.

(11) Storm sewers shall be designed considering the receiving watercourse to be at the ten-year frequency flood level.

(12) All storm sewer mains and manholes shall be designed for the depth of fill present plus H-20 live loading. Calculations to determine required pipe strengths shall be in accordance with ASCE Manual 37, Chapter 9, and shall assume trenches to be at the transition width, one hundred twenty (120) pounds per cubic foot backfill, and a factor of safety of 1.50. In lieu of calculations, RCP and CSP may be designed using the tables presented in the New York State Department of Transportation Highway Design Manual, Volume I, Chapter 8. Vitrified clay pipe may be designed in accordance with tables presented in the Clay Pipe Engineering Manual, as published by the National Clay Pipe Institute.

(a) Regardless of structural considerations, the minimum pipe strengths allowed for storm sewers to be dedicated to the Village of Cambridge shall be as follows:

Type	Strength
Reinforced concrete pipe	Class III.
Corrugated steel pipe	16 gauge
Vitrified clay pipe	Extra strength
PVC pipe	SDR 35

(b) Pipe joints shall be as specified in Section 2A of the Standard Specifications.

#### **D. Design of open channels and culverts.**

(1) Open channels may be allowed for storm water conveyance through developed lands in cases where the design flow is greater than the capacity of a forty-two-inch diameter pipe with an n of 0.013.

(2) The minimum length of culverts provided at roadway crossings shall be as specified by the Village Engineer.

(3) All culverts shall be provided the acceptable end treatments in the form of end sections, cutoff walls or headwalls, as appropriate. The end treatments shall in all cases be perpendicular to the culvert center Line.

(4) The allowable headwater for the design flow at a culvert shall be the minimum elevation for the storm recurrence interval which satisfies the following criteria:

(a) The ratio of headwater divided by diameter of pipe shall be not more than one and fifty hundredths (1.50).

(b) The headwater elevation shall be a minimum of two (2) feet below the shoulder break or edge of gutter.

(c) The headwater elevation plus any subsequent backwater shall be a minimum of two (2) feet below the lowest structural opening of any building.

(5) The drainage facilities in any new development shall be designed with the goal of minimizing the potential for any structural damage due to flooding. In general, the lowest structural opening of any building shall be a minimum of one (1) foot above the sag elevation of the street, and any subsequent backwater which overtopping of the street could cause. This provision will prevent the flooding of buildings due to extreme floods or debris stoppage of culverts.

(6) Where the existing stream tributaries have adequate hydraulic capacity and possess vegetation which enhances the environmental setting, disturbance during development should be avoided.

(7) Where existing watercourses require enlargement, the new channel section shall be designed to provide stable bed and bank conditions. If velocities exceed six (6) feet per second for the design flow, protection of the bed and banks is required. Channel side slopes shall not be steeper than one (1) vertical on three (3) horizontal.

(8) Stone bed and bank protection shall be provided as necessary at the outlet end of culverts and storm sewer systems to prevent scour.

(9) Driveway culverts shall be approved by the Superintendent of Public Works and be a minimum of twelve (12) inches in diameter and shall have a minimum cover of twelve (12) inches from edge of the driveway pavement to the top of the pipe. All driveway culverts shall be provided with end sections.

(10) A minimum slope of five-tenths percent (0.5%) shall be provided on grassed open channels, whenever possible. In instances where slopes less than five-tenths percent (0.5%) are required, the Village Engineer may require that a concrete invert be provided.

(11) The design of new development adjacent to existing or new drainage channels shall be done in a manner such that full, useable side and back yard areas are maintained. In instances where easements are required on a drainage channel, the side and rear setback areas specified by zoning shall not include any area within an easement for an open channel. This restriction does not apply to closed storm sewer systems.

(12) On new or existing drainage channels where easements to the Village are required, a minimum ten-foot wide level area at the top of one side of the channel bank will be required for the purposes of future maintenance.

(13) Drainage easements of a minimum twenty (20) feet in width shall be provided to the Village for all storm sewers and channels located outside the street right-of-way.

#### **E. Provisions for building and lot drainage.**

(1) Grading of each building lot shall be such that positive surface drainage is provided for all areas. Minimum site grading slopes of one percent (1%) are required, where feasible. Maximum site grades shall be one (1) vertical on three (3) horizontal, except specially landscaped areas which will not require mowing. Finished grade adjacent to building foundations shall be a minimum of one (1) foot zero (0) inches above the corresponding edge of pavement elevation, where practical.

(2) Minimum grades adjacent to buildings shall be a minimum slope of two percent (2%) away from the building for a minimum of ten (10) feet on the side and rear of the structure and a minimum slope of two percent (2%) up from the edge of any street or drainage facility to the front of the structure. In addition, a minimum of eight (8) inches of block or foundation wall reveal shall be provided between the finished grade and the bottom of the siding.

(3) All buildings with cellars shall have provisions for cellar drainage. In cases where the street profile is above the cellar floor elevation, a sump pump with check valve shall be provided. The sump pump discharge pipe shall be minimum one-and-one-half-inch schedule 40 PVC. In areas where storm sewers are available, the sump pump discharge pipe shall be connected to the storm sewer lateral. In areas where there are no storm sewers and the Village Engineer has determined that the basement can be drained by gravity, a four-inch minimum storm sewer lateral with check valve shall be provided.

(4) No laundry, sanitary or kitchen waste lines shall be discharged to the storm drainage system.

#### **F. Storm water detention.**

(1) Storm water detention shall be provided by the developer in all cases where such detention is judged to be necessary by the Village Planning Board and Village Engineer with consultation from the Superintendent of Public Works.

(2) In projects where the drainage area to the proposed detention pond is less than two hundred (200) acres, the pond shall be sized by the following approximate method:

(a) Using the techniques presented in Soil Conservation Service Technical Release No. 55, calculate the inflow hydrograph to the detention pond for the design storm.

(b) Plot the inflow hydrograph to scale.

(c) Determine the maximum allowable service spillway discharge for the design storm. This value shall be the exiting runoff rate for the design recurrence interval specified in this Article or a percentage of the available downstream capacity, whichever is Less.

The percentage of downstream capacity shall be determined as follows:

$$S = \frac{Qa}{A}$$

Where:

S = Allowable service spillway discharge in cubic feet per second.

Q = Capacity of the limiting downstream drainage facility in cubic feet per second.

a = Drainage area to proposed detention pond in acres.

A = Total drainage area to the limiting downstream drainage facility in cubic feet per second.

(d) Plot the allowable service spillway discharge on the receding branch of the inflow hydrograph.

(e) Draw an approximate outflow hydrograph line.

(f) Determine the required storage area below the auxiliary spillway as being the volume represented by the area between the inflow and outflow hydrographs.

(g) Provide a pond area which will contain the required storage volume at a maximum depth of four (4) feet from the invert of the service spillway to the crest of the auxiliary spillway.

(h) Provide an auxiliary spillway capable of passing the peak fifty-year frequency inflow to the pond without considerations of routing effects. Base the auxiliary spillway capacity on  $Q = 3.0L(H)$ . In general, auxiliary spillways shall not be located on embankments. Design the auxiliary spillway to be stable for the flow velocity generated by the fifty-year frequency storm. The maximum depth of overflow for the auxiliary spillway design shall be twelve (12) inches.

(i) Provide the top of berm at an elevation not less than one (1) foot above the auxiliary spillway design water surface elevation.

(j) Provide a minimum berm section of eight (8) feet to width and one (1) vertical on three (3) horizontal side slopes.

(k) Size the service spillway to pass the peak service spillway discharge rate with the pond at the auxiliary spillway level.

(l) Service spillways may consist of a single pipe with end section or a

two-stage outlet structure consisting of a single low flow pipe with end section, a reinforced concrete riser and an outfall pipe. In the two-stage structure, the reinforced concrete riser is a high-flow circular weir. In unusual cases where downstream conditions dictate the need for greater control on the outlet hydrograph from the detention pond, the Village Engineer may require an alternative service spillway. Trickle tubes and corrugated metal risers will not be permitted.

(m) A temporary trickle tube may be required on the service spillway if a storm detention pond is also used for erosion control during construction. In general, all trickle tubes shall be removed after construction is completed.

(n) The minimum structural opening of buildings located upstream of storm water detention facilities shall be above the top of the berm.

(3) In projects where the drainage area to the proposed detention pond is two hundred (200) or more acres, reservoir routing calculations shall be required based on the Soil Conservation Service Hydrograph Method. The developer may elect to utilize reservoir routing techniques for ponds with drainage areas less than two hundred (200) acres. The design criteria for ponds with drainage areas above two hundred (200) acres shall be based on the applicable New York State Department of Environmental Conservation Guidelines for Design of Small Earth Dams.

(4) Storm water retention ponds (wet ponds) shall generally not be permitted except in unusual cases such as where the retention pond is utilized, in part, to enhance or preserve an existing New York State Department of Environmental Conservation wetland or a wetland that has been determined by the Planning Board to have significance to the Village, or where drainage is shown to be otherwise severely impacted. Where storm water retention ponds are permitted, they shall generally not be accepted by the Village for dedication or within an easement.

(5) In areas where flooding has occurred downstream of any proposed development, the Village reserves the right to establish more restrictive design criteria than that presented herein.

(6) A drainage easement shall be provided for storm water detention facilities that allows access on easement to all sides of the detention facility and that provides a minimum twenty-foot wide easement from the detention facility and that provides a minimum twenty-foot wide easement from the detention facility to the street right-of-way.

**G. Development adjacent to Owl Creek and White Creek.** Particular care shall be taken regarding any development adjacent to the floodplains for the Owl Creek and White Creek. In general, all structural openings to new buildings shall be a minimum of two (2) feet above the most recent estimate of the one-hundred-year frequency flood, as specified on the Map. The Village reserves the right to require more stringent requirements, depending on the nature and location of the proposed development. For all development adjacent to the floodplains for the Owl Creek and White Creek, the intermediate regional flood level (one-hundred-year frequency storm) shall be clearly shown on each site plan sheet within the floodplain.

## **Section 8-10. SANITARY SEWAGE DISPOSAL.**

### **A. Sanitary sewers.**

(1) Where an existing sanitary sewer is within one thousand (1,000) feet of the proposed subdivision, the developer shall submit a request to the Village Board to extend such sanitary sewer to adequately accommodate the proposed subdivision.

(2) All elements of the sanitary sewer system must be approved by the Village of Cambridge and shall be constructed in accordance with the Village Board of Cambridge Standard Specifications for Sanitary Sewer Connections and all other local and regional agencies which have jurisdiction.

(3) Installation of sanitary sewers shall be planned at a time when the street layout is determined.

**B. Individual septic systems.** Where the daily discharge of sanitary sewage into an individual system for an individual residential structure is less than one thousand (1,000) gallons per day per structure, the waste treatment (septic) system shall be designed and constructed according to the provisions and standards of the Waste Treatment Handbook, Individual Household Systems (blue book), New York State Department of Health Division of Sanitary Engineering.

**C. Combined septic systems.** Where the daily discharge from a structure or group of structures or units into a single sewage treatment system exceeds one thousand (1,000) gallons per day, the standards and approval of the New York State Department of Environmental Conservation will be required.

## **Section 8-11. WATER SYSTEMS.**

### **A. General.**

(1) Where an existing water main exists within one thousand (1,000) feet of the proposed subdivision, a request to the Cambridge Water Company to connect to its water supply system shall be submitted to the Water Company.

(2) All components of the water system shall meet the requirements of the Water Supply Manual of the New York State Department of Health.

**B. Water supply.** A source of supply shall be developed which will yield one hundred (100) gallons per resident in approximately sixteen (16) hours over a prolonged period of time without disturbing the normal groundwater reserve.

**C. Water quality.** Water supplies for community water systems shall meet all requirements of the New York State Public Drinking Water Standards.

**D. Hydropneumatic pressure system.** Pumps, tanks and accessory equipment shall

provide adequate pump capacity and pressure with one (1) day storage.

## **Section 8-12. TREE CUTTING AND PLANTING.**

### **A. Tree cutting.**

(1) Subdivisions adjacent to, abutting or including streams, wetlands, rivers or lakes shall comply with shoreline cutting restrictions established by the Planning Board.

(2) Clearing shall be limited to the extent required for regrading or provision of utilities only as approved by the Planning Board.

(3) All clear-cutting operations must make provision for protection against erosion in accordance with this Article.

### **B. Landscaping and ground cover.**

(1) All disturbed areas which are not covered by structures or paving shall be properly seeded by the developer.

(2) The developer shall provide a landscaping scheme for the entire subdivision. Each lot shall be provided with a minimum of two (2) trees. This requirement may be waived by the Planning Board in wooded areas where the subdivider intends to maintain existing trees.

(3) Individual property owners may, by written agreement with the subdivider and builder, seed and landscape their yards independently.

(4) When a proposed subdivision borders upon an existing commercial or industrial establishment or any other use which, in the opinion of the Planning Board, may be visually detrimental to the tranquility of the future residents of the subdivision, the Planning Board may require a landscape screen to buffer the subdivision from the visually noncompatible use.

**C. Street trees.** All street trees should be planted in every subdivision at intervals from forty (40) to sixty (60) feet along both sides of the street. Existing trees may be taken into consideration when determining the above. Trees should be at least three (3) feet from any sidewalk and located on the building side of the walk rather than the street side, wherever practicable. Where dwelling structures are oriented with their rear on the street, street trees shall be at least six (6) feet from the curblineline or edge of pavement. Trees should also be at least five (5) feet from any utility line. The average trunk diameter shall be at least two (2) inches and a minimum height of six (6) feet above finished grade level is required. Such trees shall be of a species and at locations approved by the Planning Board. No tree shall be planted within twenty-five (25) feet from an existing or proposed streetlight or street intersection.

**D. Shade trees.** Where subdivisions or parts thereof are devoid of trees, the subdivider shall be required to provide shade trees in accordance with this Article. Such trees shall be in accordance with standards of size, kind and locational limitations prescribed for trees along the

street line.

## **ARTICLE IX Cluster Development**

### **Section 9-1. AUTHORIZATION.**

Whereas pursuant to a resolution of the Village Board, the Planning Board has been empowered to modify the minimum lot area and minimum lot width requirements of the Zoning Ordinance in accordance with the provisions of 7-738 of the Village Law, in order to enable and encourage flexibility of design and development of land in such a manner as to promote the most appropriate use of land to facilitate the adequate and economic use of streets and utilities and to preserve the natural and scenic qualities of open lands, the following shall be the standards and procedures.

### **Section 9-2. PURPOSE.**

The purpose of the cluster provisions is to encourage flexibility in the design and development of land in order to promote its most environmentally sensitive use, to facilitate the adequate and economical provisions of streets and utilities, to preserve the natural and scenic qualities of open space and to encourage compatibility with the goals and objectives of the Comprehensive Plan.

### **Section 9-3. OBJECTIVES.**

In order to realize the purpose of this Article, a cluster design shall achieve the following objectives:

A. A development pattern which preserves outstanding natural topography and geological features, scenic vistas and trees and prevents the disruption of natural drainage patterns.

B. An efficient use of land resulting in smaller networks of utilities and streets.

C. A development pattern in harmony with the land use intensity, transportation facilities and community facilities objectives of the Comprehensive Plan.

### **Section 9-4. STANDARDS.**

A. No such modification by the Planning Board shall result in a greater overall density of lots or dwelling units than is permitted in the zoning district wherein such lands lie, as specified in the Zoning Ordinance.

B. The provisions of this Article shall not be deemed to authorize a change in the permissible use of such lands as provided in the Zoning Ordinance.

C. The minimum acreage to which this Article may be applicable shall be five (5) times the minimum lot area for the zoning district involved. Therefore, in any given district, the

minimum number of units to which this Article applies is five (5).

D. In the event that the utilization of this Article results in a plat showing lands available for park, recreation or other municipal purposes directly related to the plat or in a plat showing lands to be retained in open space in order to comply with the average density of lots or dwelling units that is permitted in the zoning district wherein such lands lie, the Planning Board may establish, in the case of lands for park, recreation or other municipal purpose, such conditions on the ownership, use and maintenance of such lands as it deems necessary to assure the preservation of such lands for their intended purposes and may further, in the case of lands to be retained in the open space, require that such lands be restricted by deed restriction, restrictive covenant, conveyance of a scenic easement or other conservation restriction to the Village or other appropriate means against development of land use inconsistent with their retention. Nothing in this Article shall supersede the Village Board's right and responsibility to determine land to be acquired for Village parks, after consulting with the Planning Board.

E. The maximum buildable lots for a conventional subdivision shall be calculated as follows:

(1) From the total area of the property to be subdivided subtract:

(a) The area to be occupied by the proposed streets rights-of-way;

(b) The area to be set aside for other public use such as parkland; and

(c) The area occupied by other public easements or rights-of-way across the property, such as major power or telephone lines.

(2) Then divide the resulting figure (the remaining acreage) by the lot size allowed in the zone in which the lots will be located.

G. Where vistas and open field areas are to be preserved, lots shall be clustered at the edges of the open field areas or behind topographic features which block views from the existing public way, whenever possible.

H. Building lots shall be set back away from ridges or military crests in order to protect the natural silhouette of mountain ranges.

#### **Section 9-5. PROCEDURES.**

**A. Request by Planning Board.** A cluster design alternative shall be required if the characteristics of the site include any of the following:

(1) A significant wildlife or plant habitat exists on the site or may be impacted by the development of the site.

(2) Wetlands occupy over twenty-five percent (25%) of the site or where streams are crossed by the development of the site.

(3) Slopes greater than fifteen percent (15%) occupy over fifty percent (50%) of the site.

(4) Slopes greater than twenty-five percent (25%) occupy over twenty-five percent (25%) of the site.

(5) Soils with a percolation rate of less than six-hundredths (0.06) inch or greater than six (6) inches per hour occupy over twenty-five percent (25%) of the site.

(6) Soils with depth to bedrock at eighteen (18) inches or less occupy over twenty-five percent (25%) of the site.

(7) Soils with depth to seasonal high water table of forty (40) inches or fewer occupy over twenty-five percent (25%) of the site.

(8) Sites located in a scenic vista or viewshed identified on the Scenic Views and Vistas Map.

(9) Sites adjacent to or incorporating areas, buildings or structures of historic significance.

**B. Request by subdivider.** A subdivider may request the use of this Article simultaneously with or subsequent to the submission of the sketch plan, as described in Article III. Any submission subsequent to preliminary approval of a plat shall require a resubmission of the sketch plan.

**C. Alternate sketch plan.** The Planning Board may request that a subdivider present, along with a proposal utilizing the provisions of this Article, an alternate sketch plan with lots meeting the minimum lot area, minimum lot width and minimum shoreline lot width requirements of the Zoning Ordinance.

**D. Plat submission.** Upon determination by the Planning Board that the sketch plan utilizing the provisions of this Article is suitable, the procedures attendant to and subsequent to the sketch plan submission, as set forth in Article III, shall be followed in regular order.

**E. Local filing, notation on Zoning Map.** Any subdivision plat finally approved which involves modification as provided for in this Article shall be filed, in addition to the filing required by Article V hereof, with the Zoning Board of Appeals and the Building Inspector/Code Enforcement Officer, which will make appropriate notation and reference thereto on the Village Zoning Map.

## **ARTICLE X**

### **Phasing**

#### **Section 10-1. MAXIMUM NUMBER OF LOTS.**

Approvals for subdivisions shall be phased. Twenty (20) dwelling units shall be the maximum

number of units that may be approved in any one (1) Phase. The Planning Board shall consider the layout of streets, water lines, drainage facilities and other pertinent facts in determining the exact phasing sequence and number of dwelling units in each phase. Subsequent phases of a project shall not be submitted for final approval until sixty percent (60%) of the dwelling units in the previous phase have received certificates of occupancy. This section shall not apply to subdivisions of fewer than twenty (20) dwelling units.

**Section 10-2. COMPLIANCE WITH SUBSEQUENT REGULATIONS.**

Each subsequent phase shall comply with any new standards instituted by the Village of Cambridge since approval of the preliminary plat, except for those phases which are under final plat review by the Planning Board, in accordance with §5-3A(2) of these regulations, at the date such new standards are adopted by the Village Board. [Modified 10/4/99 by L.L. No. 4 of 1999].

**ARTICLE XI**  
**Approvals; Waivers; Severability;**

**Section 11-1. NOTICE OF LAND TRANSFER; PROOF OF APPROVAL.**

The Planning Board and Village Attorney shall be given ten (10) days' notice of the transfer of land for which final approval has not yet been granted. Further, the subdivider shall provide the Planning Board and Village Attorney with written proof that any purchaser of the lands subject to this provision has received in writing any and all conditions imposed upon approval by the Planning Board.

**Section 11-2. WAIVERS.**

A. Where the Planning Board finds, due to the special circumstances of a particular plat, that meeting a certain requirement of these regulations is not requisite in the interest of the public health, safety and general welfare, it may waive such requirement, subject to appropriate conditions.

B. In granting waivers, the Planning Board shall impose such conditions as will substantially assure that the objectives of the standards or requirements so waived are met.

C. If the Village Board finds that, due to special circumstances, it is inappropriate to extend municipal services to the proposed subdivision, access to said municipal services may be denied.

**Section 11-3. SEVERABILITY.**

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

**ARTICLE XII**  
**Appendixes**

**Section 12-1. APPENDIX A: DEVELOPMENT OBJECTIVES FOR CLUSTER DEVELOPMENTS.**

The principal development activities associated with a subdivision to be considered in connection with the determination required by Section 9-1 and referred to in Section 9-4, together with representative means for avoiding undue adverse impact, include the following:

**A. Streets.**

(1) Objective: Design and construct streets and streets to provide safe and convenient access without causing undue adverse impacts on natural and public resources.

(2) General guideline: Conform street and street alignments with existing topography and vegetation; avoid steep slopes, abrupt curves and excessive cuts and fill; provide adequate street surfacing and street bed drainage; preserve existing drainage patterns; and design streets and streets so as to minimize the impacts of construction and maintenance practices.

**B. Siting and construction of buildings.**

(1) Objective: Design, site and construct buildings to best serve their intended functions and to minimize impact on existing natural and public resources.

(2) General guideline: Blend buildings with existing topography and their surrounding environs; avoid steep slopes; minimize grade alterations; and avoid complex and costly engineering solutions of site problems with potentially excessive environmental impacts.

**C. Sewage disposal.**

(1) Objective: Select, design and locate sewage disposal systems to provide adequate treatment of effluent and to avoid contamination of surface or ground water.

(2) General guideline: Comply with all state and local health standards; and employ proven design criteria for sewage disposal systems in proper working order.

**D. Storm drainage.**

(1) Objective: Design, locate and construct storm drainage systems so as to maintain existing drainage patterns in a natural state and to minimize adverse hydrologic effects.

(2) General guideline: Provide adequate drainage for building sites and streets; avoid altering drainage patterns to the extent possible; utilize natural drainageways for handling stormwater runoff; preserve all natural surface water retention areas, such as wetlands, bogs and marshes; and minimize runoff by such other methods as preserving vegetative cover and avoiding the creation of unnecessary or extensive impervious surfaces.

#### **E. Water supply.**

(1) Objective: Locate, design and construct water supply systems so as to provide an adequate supply of potable water without adversely affecting existing water usage patterns or creating adverse effects with regard to aquifers and subsurface drainage patterns.

(2) General guideline: Comply with all state and local health standards with regard to the design, location, construction and maintenance of water supply systems.

#### **F. Solid waste disposal.**

(1) Objective: Provide for the storage, collection transportation and disposal of solid waste in a manner which will minimize air, water and visual pollution and in a manner which will not create hazards to the health and welfare of people or wildlife.

(2) General guideline: Comply with all applicable state and local standards for the disposal areas and recycling facilities; adequately screen disposal areas; locate disposal areas on deep, moderately permeable, well-drained soils and at sufficient distances from water bodies so as to prevent contamination thereof; and avoid locating disposal areas on steep slopes.

#### **G. Pesticides and herbicides.**

(1) Objective: Avoid all use of pesticides, herbicides and other biocides potentially detrimental to natural systems.

(2) General guideline: Strictly adhere to applicable regulations regarding type, quantity and techniques of application of pesticides, herbicides and other biocides to surface waters or wetlands or in a manner which may cause contamination thereto.

#### **H. Shoreline development.**

(1) Objective: Design and construct development along shorelines so as to maintain existing aesthetic and ecological characteristics thereof and to avoid all significant impairment of these qualities.

(2) General guideline: Adhere, at a minimum, to the shoreline restrictions and provisions of the Environmental Conservation Law and all local laws; maximize preservation of undeveloped shorelines by such methods as clustering and preservation of shoreline vegetation; minimize construction of docks and boathouses on shorelines; and minimize aesthetic alterations to shorelines as viewed, from water bodies and surrounding areas.

#### **I. Noise.**

(1) Objective: Minimize noise insofar as practicable.

(2) General guideline: Employ such measures as appropriate site selection, appropriate construction methods and maintenance of natural cover for a buffering effect; and

adhere, at a minimum, to applicable governmental noise level standards.

**J. Signs.**

(1) Objective: Avoid signage that detracts from aesthetic and scenic qualities.

(2) General guideline: Limit signs to the extent necessary to adequately inform viewers concerning the activities to which they relate; utilize signs which are appropriate to the character of the area in which they are located; and avoid use of signs of excessive size, of signs that are insufficiently set back from natural and man-made travel corridors and/or signs containing moving parts or flashing lights.

**K. Utilities.**

(1) Objective: Locate, design, construct and maintain utilities so as to efficiently accomplish project objectives and preserve natural and public resources.

(2) General guideline: Locate utilities underground, if feasible, and in such a way that alignments are compatible with existing topography and vegetation; minimize visual impacts on surrounding areas by maintaining and preserving as much vegetative cover as possible and utilizing existing topography; and minimize maintenance practices, such as herbicide spraying, which could have adverse environmental impacts on terrestrial and aquatic ecosystems.

Section 5: Severability.

If any term or provision of this local law, or the application thereof to any person or circumstance, shall to any extent be determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this local law, or the application of such term or provision to persons or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this local law shall be valid and be enforced to the fullest extent permitted by law.

Section 6: Effect of Other Laws.

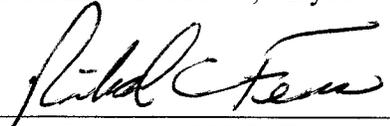
All ordinances and local laws in conflict with the provisions of this local law are hereby superseded to the extent necessary to give this local law full force and effect.

Section 7: Effective Date.

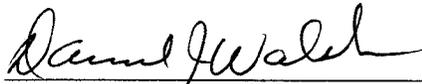
This local law shall take effect upon adoption and filing with the Secretary of State, as provided in Section 27(3) of the Municipal Home Rule Law.

ENACTED this 4th day of October, 1999 by the Board of Trustees of the Village of Cambridge, Washington County, New York.

  
\_\_\_\_\_  
ROBERT E. SHAY, Mayor

  
\_\_\_\_\_  
RICHARD C. FEUS, Trustee

*ABSENT*  
\_\_\_\_\_  
JOSEPH F. SARTORIS, Trustee

  
\_\_\_\_\_  
DANIEL J. WALSH, Trustee

  
\_\_\_\_\_  
RONALD J. CREPEAU, Trustee