

# TOWN OF ROXBURY PLANNING BOARD

## Applicant's Guide for Subdivision Review

The Town Planning Board administers the subdivision review process. This guide has been prepared in order to help you, the applicant for subdivision review, and gain a better understanding of the necessary steps towards subdivision approval.

This guide is a general introduction to the subdivision review process. While this applicant's guide was created as a tool to help the applicant understand the procedure, it is **NOT** intended to be a substitute for the actual subdivision regulation of the town of Roxbury.

### **Commonly asked questions**

**Q:** When must I apply for subdivision review?

**A:** Whenever you intend to split a piece of land into two (2) or more parcels for any purpose, such an action is classified as a *subdivision*, and is therefore subject to the Town of Roxbury subdivision review guidelines. In addition, any proposal that involves the transfer of land from one owner to another by means of a *boundary line adjustment* (BLA) is also subject to the subdivision review process.

**Q:** How long does the entire process take?

**A:** Depending on the size of the proposed subdivision and the magnitude of the impacts as determined by the State Quality Review (SEQR) process, the review will take from three months to a year. This range depends on how you provide information to the appropriate agencies. The applicant who takes the time to understand the requirements and supplies ALL of the required information on time will experience the least amount of delay.

**Q:** How do I get started?

**A:** Actually, there can be two "first" steps, the first of which is not required, but is very advantageous to both you and the Planning Board, and

therefore, highly advised. This optional first step is an informal conference with the Planning Board to discuss the procedure for approval of a subdivision and the requirements as they may pertain, including the general layout of lots, new roads/road improvements, drainage, sewer, fire protection, and other similar matters. The applicant will also be advised of the necessary forms for Sketch plan review and of the requirements for compliance with State Environmental quality review Act procedures. The initial conference is a good opportunity for the Planning Board to satisfy any concerns or questions the developer may have.

The first required step is Sketch Plat Review. A sketch plat is a low-cost preliminary map of your proposal that shows your property and the property of your neighbors, in addition to general information regarding the proposed subdivision. There is no need for a surveyor or engineer to create such a map, a tax map or hand drawn sketch with the approximate dimensions of your proposal will suffice. The intent of the sketch plat process is to allow for a very general review of your proposal at the earliest time possible. If the Planning Board has some recommendations or concerns at this time, your plans can be modified accordingly before the cost of a survey is incurred, thus saving you money. In addition, requests for waivers of certain requirements can be made during sketch plat review. Again, the initial conference is optional, and the Sketch Plat conference is required.

**Q:** Will I have to have the property surveyed?

**A:** Yes. Only under VERY LIMITED circumstances can a survey be waived. Such a request must be made in writing, early on in the process. The Planning Board will consider the magnitude of your project, the existing conditions, possible adverse effects, and after weighing all of the factors at hand, may waive the required survey.

**Q:** How does the waiver process work?

**A:** At the informal conference and/or the sketch plat conference, the Planning Board will discuss with you the requirements of the subdivision review process. Any application for subdivision plat review MUST include ALL of the requirements listed in the Town's subdivision regulations and ALL requirements as prescribed by the Planning Board unless an application for a waiver has been filed and approved. Please realize that the board cannot waive the requirements of the SEQR process, of a public hearing, or of County Planning Board Review as required under general municipal law. Applications for such waivers will be automatically

disapproved. To apply for a waiver of requirements of subdivision review, use the application for subdivision review included in this packet. List the waivers you wish to be granted and the reason for such. Again, the only time to apply for a waiver is as the sketch plat stage.

Q: Do I need to have soils testing?

**A: YES,** The Town of Roxbury requires soils testing on **all** lots of Minor or Major subdivisions. One (1) deep test pit and one (1) percolation test are required for every newly created lot. Testing must be done by a licensed engineer or a by a qualified soil scientist. A minor subdivision is a division of a piece of land into no more than three (3) lots, inclusive of the original. Any subdivision of more than Three (3) lots is a major subdivision.

Q: Can the Town Board reverse the decision(s) of the Planning Board on a subdivision?

**A: No.** An aggrieved person may appeal to the New York State Supreme Court under Article 78 of the civil practice law, but the Town Board does not have the authority to reverse a decision of the Planning Board.

### Contact Information

Joseph Farleigh – Planning Board Chairperson	(607) 326-7528
William Walcutt – Building Inspector	(607) 326-7643
Delaware County Planning Department	(607) 746-2944
Delaware County Highway Department	(607) 746-2128
NYS Dept. of Environmental Conservation, Stamford Office, Lands & Forests Division	(607) 652-7365

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**Procedural Instructions**

- STEP # 1** Contact Planning Board to arrange an informal conference. *(Not required, but recommended).*
- STEP # 2** Complete numbers 1, 2, & 3 below.
- STEP # 3** Subdivisions classified as "Minor" must complete numbers 4, 6, 7, and 11 upon notice by the Planning Board. Subdivisions classified as "major" must complete numbers 5-10, and 11 upon notice by the Planning Board.
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1. Complete Sketch Plat application.
2. Bring three (3) copies of the completed sketch plat, based upon the criteria presented on the checklist enclosed, to the regularly scheduled Planning Board meeting. Pay Sketch Plan Review fee at the time of application.
3. Attend the Planning Board meeting to review the sketch plat application. Meeting scheduled for \_\_\_\_\_\*.
4. Notify all property owners by *certified mail* within 500' of the parcel being subdivided, 10 days prior to the public hearing. Bring proof of mailing with you to present to the Planning Board.
5. Ensure that you have included an Agricultural data form (included on Town's website or from the Town Clerk) if your property is in or within 500' of an active farm.
6. Complete Final Plat application and bring three (3) copies of the Minor Final Plat, based on the criteria presented in the attached checklist, in addition to all required reports and forms to the regularly scheduled Planning Board meeting. Pay required fee(s) at the time of application.

7. Complete Preliminary Plat application and bring four (4) copies of the Major Preliminary Plat, based on the criteria presented in the attached checklist, in addition to all required reports and forms to the regularly scheduled Planning Board meeting. Pay Major Subdivision Preliminary Plat fee at the time of application.
8. Attend the Planning Board meeting to review the plat. Meeting scheduled for \_\_\_\_\_\*.
9. Attend the public hearing scheduled for \_\_\_\_\_.
10. Within six (6) months of approval of the preliminary plat, complete Final Plat application and bring three (3) copies of the Major Final Plat, based on the checklist supplied, in addition to all required reports and forms to the regularly scheduled Planning Board meeting.
11. Attend the Planning Board meeting to review the plat.
  - a. Meeting scheduled for \_\_\_\_\_.
12. 10. Attend the public hearing, if one is required. Hearing scheduled for \_\_\_\_\_.
13. Within sixty-two (62) days, applicant files the approved plat with the county clerk's office.

**<sup>1</sup>Reminder**

- \* The Roxbury Planning Board meets at 7:30pm on the third Wednesday of each month. Please contact the Chairperson to be placed on the agenda for the month that you will be in attendance.

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<sup>1</sup> This checklist is not a substitute for the Town of Roxbury's subdivision regulations. It is the responsibility of the Applicant/s to ensure they have reviewed and included all subdivision requirements listed in the Towns regulations.

## Checklist for **Sketch Plat** Review

- \_\_\_1. Sketch plat based on a tax map or similarly accurate base map. Must show entire tract on one (1) or more sheets taped together.
- \_\_\_2. Scale: Not less than 1"=400'
- \_\_\_3. North Arrow
- \_\_\_4. A location map showing relationship of The proposal to existing community facilities such as roads, schools, public lands, park, and fire, school, and agricultural districts.
- \_\_\_5. Existing structures, property lines, railroads, streams and/or watercourses, wooded areas, and other significant features within the area(s) to be subdivided and within two hundred feet (200') thereof.
- \_\_\_6. Labeled names of all adjoining property owners within five hundred feet (500') of perimeter boundary of the subdivision as disclosed by the most recent tax records.
- \_\_\_7. Name of proposed subdivision, tax map, sheet, block, and parcel numbers and acreage involved.
- \_\_\_8. Existing utilities, existing and proposed easements, rights of way, roads, streets, or highways.
- \_\_\_9. Proposed layout, dimensions, and area of lots, roads, recreation areas, surface water drainage, sewerage, and water supply within the proposed subdivision.
- \_\_\_10. All existing restrictions on the use of the land, including easements, covenants, and/or zoning divisions.
- \_\_\_11. Topography indicated at contour intervals of not more than ten feet (10').
- \_\_\_12. The name of the owner, in addition to the name of the professional responsible for the subdivision design, (if any).

## Checklist for Final Plat Review

Items listed in the sketch plat review should also be included on the Final Plat Review<sup>2</sup>.

- \_\_\_1. Three (3) copies of plat (Clearly marked "Final Plat").
- \_\_\_2. Proposed subdivision name or identifying title, the name of the Town and County in which it is located, the name and address of the owner of record and of the subdivider (if different than owner), the name, certification and seal of the registered engineer or licensed land surveyor who prepared the plat, the names of the owners of record of adjoining properties and of properties directly across the road. Scale, true North point, and date.
- \_\_\_3. Location of existing buildings, wooded areas, wetlands, ponds, creeks, drainage ways, stone walls, burial grounds, large trees, and other features to be retained or removed.
- \_\_\_4. Sufficient data to enable the Planning Board to readily determine the location, bearing and length of every road line, lot line, and boundary line and to be able to reproduce such lines upon the ground. The length and bearing of all straight lines, radii, length of curves and central angles of all curves and tangent bearings shall be given for each road. All dimensions and angles of the lines of each lot shall be shown. All dimensions shall be shown in feet and decimals of a foot. Where applicable, this data should be referenced to monuments and tied to previously established reference points.
- \_\_\_5. All public open spaces for which deeds are included and the title(s) to which is reserved by the developer. For any of the latter, there shall be submitted with the plat, copies of agreements or other documents showing the manner in which such areas are to be maintained and the provisions determined for such maintenance. All offers of cession and all covenants governing the maintenance of unceded open space shall bear the certificate of approval from the Town Attorney as to their form and legal sufficiency.
- \_\_\_6. Roads, pedestrian walkways, lots, reservations, easements, and other areas to be dedicated to public use.
- \_\_\_7. Notations explaining any drainage, sight, slope, road widening, park area or other reservations or easements, as may be required by the Planning Board, including any self-imposed restrictions or covenants.
- \_\_\_8. The boundaries of the property, location, total acreage in the entire subdivision and the identification number and acreage of all lots and land reservations within the proposed subdivision. Lots and blocks shall be numbered or lettered in accordance with the prevailing Town practice.

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<sup>2</sup> This checklist is not a substitute for the Town of Roxbury's subdivision regulations. It is the responsibility of the Applicant/s to ensure they have reviewed and included all subdivision requirements listed in the Town's regulations.

- \_\_\_9. Permanent reference monuments and corner lot markers shall be shown and their location referenced on the final plat.
- \_\_\_10. A site location map, at a scale no greater than one inch equals two thousand feet (1"=2000'), showing the location of the applicant's property with respect to surrounding lands and roads.
- \_\_\_11. Construction drawings including plans, profiles, and typical cross-sections, as required, showing the proposed location, size, grade and type of roads, sidewalks, road lighting standards, road trees, curbs, water mains, sanitary sewers, storm drains, pavement and sub-base, manholes, catch basins, and other improvements as proposed by the subdivider or as required by the Planning Board.
- \_\_\_12. The following notes shall be placed upon the final plat:
- 1) No building permit shall be issued to any property owner within this subdivision other than the owner or applicant unless all improvements are completed and approved in accordance with Planning Board's resolution of approval of this plat.
  - 2) Sanding, snowplowing, and other related maintenance of highways within this subdivision shall be the responsibility of the developer until the Town accepts maintenance responsibility of the road.
- \_\_\_13. Certification from the Health Department of jurisdiction of sewage disposal and water supply systems. No modification may be made after the Department of Health certification.
- \_\_\_14. Statement from the appropriate Town officials certifying that the required criteria have been satisfactorily installed or that an acceptable bond for such installation has been filed with the Town Clerk.